CITY OF OREGON CITY
CITY COMMISSION REGULAR MEETING
AGENDA

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Wednesday, February 07, 2024 at 7:00 PM

REGULAR MEETING OF THE CITY COMMISSION

Ways to participate in this public meeting:

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

1. CONVENE MEETING AND ROLL CALL

2. FLAG SALUTE

3. CEREMONIES AND PROCLAMATIONS

3a. Black History Month Proclamation

4. CITIZEN COMMENTS

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

5. PRESENTATIONS

5a. Presentation by the Homeless Solutions Coalition of Clackamas County

6. ADOPTION OF THE AGENDA

7. CONSENT AGENDA

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

7a. Resolution No. 24-05, A Resolution Modifying the Public Works Engineering Fee Schedule and Amending Resolution No. 22-24

7b. Resolution No. 24-06, a Resolution Requesting Transfer of Longstanding Court

7c. OLCC Liquor License Application – Limited On-Premises, Pour Choices Taphouse (dba Pregame Partners, LLC), 19119 S. Beavercreek Rd., Oregon City

7d. OLCC Liquor License Application – Off-Premises, Pinnacle 365 Site 3202 (dba Colvin Oil I, LLC), 1511 Molalla Ave., Oregon City

7e. Public Improvement Contract with Green Mountain Excavation, LLC for the Magnolia Street Sewer Replacement Project (CI 23-010)

7f. Personal Services Agreement with RH2 Engineering, Inc. for the Holmes Lane Waterline Replacement Project (CI 24-002)

7g. Minutes of the September 20, 2023 City Commission Work Session

7h. Minutes of the October 4, 2023 Regular Meeting

7i. Minutes of the October 18, 2023 Regular Meeting

7j. Minutes of the November 1, 2023 Regular Meeting

8. PUBLIC HEARINGS

8a. Second Reading of Ordinance No. 23-1010, Adopting the Oregon City Loop Trail Refinement Plan into the Oregon City Transportation System Plan, an Ancillary Document to the Comprehensive Plan (GLUA 23-000033/LEG-23-00002)

8b. First Reading of Ordinance No. 24-1002, Approving Zoning Text Amendments to I - Institutional District to Allow Recreational Vehicle Parks as an Allowed Accessory Use for Clackamette Park under City Code Section 17.39.030 (GLUA-23-00039 / ZC-23-00004)

9. GENERAL BUSINESS

9a. Second Reading of Ordinance No. 24-1001, Adopting City Code Amendments for Regulation of Rubbish, Construction Hours, Garage Sales, Graffiti, and Parking

9b. Discussion of Establishing a Destination Marketing/Management Organization

10. COMMUNICATIONS

City Manager

a. McLoughin Boulevard Enhancements Project Update (CI 22-002)

b. Remand Process to Review the ICON Application for Park Place Crossing Development

c. 4th of July Celebration Proposal

Commissioners

Mayor

d. Willamette Falls Locks Update

11. ADJOURNMENT

ORDINANCE NOTICE

If an ordinance is noticed above in this agenda, the text of the ordinance is available online with the posted agenda packet. In addition, three copies are provided for public review in the Office of the City Recorder upon request.

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.

PROCLAMATION

BLACK HISTORY MONTH 2024

Whereas, each February, National Black History Month serves as both a celebration and a powerful reminder that Black history is American history, Black culture is American culture, and Black stories are essential to the ongoing story of America; and

Whereas, beginning in 1976, every president of the United States has declared the month of February as "Black History Month;" and

Whereas, Black and African Americans have made innumerable contributions that have enriched America and indeed the lives of every American, and Black and African Americans have made and continue to make America a better place and Americans better people; and

Whereas, throughout the arc of history to the present day, Black and African Americans have experienced and endured the inhumanity of injustices and inequalities; and

Whereas, in the face of wounds and obstacles older than our Nation itself, Black and African Americans can be seen in every part of our society today, strengthening and uplifting all of America; and

Whereas, on June 9, 2020, the City Commission of the City of Oregon City individually signed Resolution 20-19, stating and outlining the City's stance against *racism, discrimination, and social injustice in our country and community;* and

Whereas, as we celebrate National Black History month, let us all recommit to ourselves to reach for that to which every American is due. Let us move forward the work to build an America that is benevolent, diverse, and united.

Now, Therefore, Be It Resolved that the City Commission of Oregon City calls upon educators, librarians, and all people of the City of Oregon City to observe this month with appropriate programs, ceremonies, and activities, and does hereby proclaim:

February 2024
as
Black History Month

And, call upon the residents of Oregon City to join their fellow citizens across the United States in recognizing and participating in this special observance,

In Witness Whereof, I have hereunto set my hand this 7th day of February 2024.

_____
Denyse C. McGriff, Mayor

CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 2/7/2024

From: City Manager Tony Konkol

SUBJECT:

Presentation by the Homeless Solutions Coalition of Clackamas County

STAFF RECOMENDATION:

Staff recommends the City Commission receive the presentation, ask any follow-up questions, and engage in a dialogue with representatives from the Homeless Solutions Coalition of Clackamas County.

EXECUTVE SUMMARY:

The Homeless Solutions Coalition of Clackamas County will be providing the City Commission with an update about homelessness successes, needs, and plans for 2024. The presentation will provide data concerning changes in the homeless population, achievements over the last 12 months, current challenges, and safety concerns. The presentation will also provide an update on the proposed Resource Center, including how it is meant to impact the homeless population, neighborhoods, Oregon City and Clackamas County. Design ideas, renderings, and proposed programming of the Center will be presented as well as an update on upcoming plans for community meetings with community members.

BACKGROUND:

The Homeless Solutions Coalition of Clackamas County (HSCCC) formed in 2016 when a group of concerned citizens gathered to learn about homelessness, and how to reduce it, and lessen its impact on the community. For additional information about HSCCC please visit their website at hsccc.org.

OPTIONS:

1. Provide staff direction as necessary based on the presentation.

MILES
FIBERGLASS & COMPOSITES INC

503 775 7755 / milesfiberglass.com / 11401 Jennifer St, Clackamas, OR 97015

Letter to Address Misinformation about Family Property

To: Community members, and public officials

From: Lori Olund, President of Miles Fiberglass & Composites Inc.

Date: January 16, 2024

Subject: Clarification Regarding Environmental Conditions at 1516 Main St. the former site of Miles Fiberglass & Composites.

We are writing to address recent misleading statements and inaccuracies circulating about the environmental conditions at the property located at 1516 Main St. These statements claim the presence of hazardous materials and assert the site is unfit for future development, particularly for food or shelter purposes.

We, the Miles family, unequivocally state that these claims are false. There are no hazardous materials present on the property. Prior to the sale of the property, all Hazardous Materials were removed, and no hazardous materials have stored or disposed of there.

Prior to listing the property for sale, we commissioned a comprehensive environmental assessment in 2021. This assessment, conducted by Environmental Inspection Services (EIS), included:

- Phase One Environmental Site Assessment (July 25, 2021): This initial evaluation identified no evidence of environmental concerns.
- Phase II Environmental Site Assessment (September 2021): This more detailed investigation involved seven (7) borings across the property and confirmed the findings of the Phase I assessment.

The Phase II results, adhering to ASTM and AAI procedural standards (ASTM E1903-II), found:

- No data gaps or further investigation necessary.

MILES
FIBERGLASS & COMPOSITES INC

503 775 7755 / milesfiberglass.com / 11401 Jennifer St, Clackamas, OR 97015

- Favorable analytical test results, indicating no environmental contamination exceeding applicable regulatory standards.
- No need for additional soil assessments, groundwater sampling, or Phase III remediation.
- No environmental considerations in any of the seven (7) boring locations.

These assessments by EIS conclusively demonstrate that the property poses no environmental risks. We stand firmly behind the findings of these qualified professionals and their thorough evaluation.

We understand that misinformation can cause unnecessary public concern and hinder potential development opportunities. We hope this clear and factual communication dispels any doubts and encourages the responsible exchange of information regarding the property's future.

Sincerely,

Lori Olund,

President

Miles Fiberglass & Composites

Commercial Division
INVESTMENT CONCEPTS, INC.

ACCREDITED MANAGEMENT ORGANIZATION

1667 East Lincoln Avenue • Orange, California 92865 • Phone (714) 283-5800 • Fax (714) 637-6015

January 5, 2024

Re: Proposal for the NAVIGATION CENTER located at 1516 MAIN STREET, OREGON CITY, OR

The arguments against proposing a Navigation Center in a neighborhood are the same throughout the West Coast region. The local residents and businesses fear elevated neighborhood crime, attraction of more homeless persons to the area, negative effects on property values, and municipal costs for ineffectual homeless programs. All these factors are cause for concern by Oregon City Ctr, LLC which has owned and operated Oregon City Shopping Center since 2009. Like many local businesses hit by COVID-19, many of OCSC's tenants have struggled since early 2020. Some of Center's tenants are just starting to regain their footings, while others have simply closed their doors; the Center currently has seven vacancies, totaling more than 17, 000 square feet, in excess of 7% of the Center. Rite Aid, which occupies an additional 16% of the Center, is currently in bankruptcy, and has threatened to close shop at this location unless rent is reduced significantly. There is no question that the loss of a big box tenant will also negatively impact the smaller family businesses in the Center. The Center naturally opposes any public project which threatens the financial stability of its tenants and itself.

In addition, this particular site has a more complicated history in that the 2.6-acre site was used for over four decades as a fiberglass production facility. The site cannot be utilized or demolished until the hazardous waste has been removed or contained. Even after removal or containment, suitability for use as a Navigation Center is questionable in that the site probably should never be used for food and shelter, even if deemed safe for industrial or light industrial purposes. The proposed use of the site potentially exposes the service providers and patrons to health concerns, while exposing the Clackamas County (and perhaps other government agencies) to environmental litigation with attendant environmental liabilities.

In summary, the Downtown area of Oregon City cannot afford another financial setback and the Miles Fiberglass Building site is not a suitable site for a homeless facility.

OREGON CITY CTR, LLC
By Its Sole Member:
INVESTMENT CONCEPTS, INC.-OREGON
an Oregon corporation

By: George Mobayed
George Mobayed, President

Jakob Wiley

From: Rita Swanson <randbswanson@gmail.com>
Sent: Monday, February 5, 2024 10:24 AM
To: Recorder Team
Subject: Letter for City Commission Mtg on February 7, 2024 @ 7pm

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

Robert and Rita Swanson
120 Randall Ct
Oregon City, OR 97045
Randbswanson@gmail.com

February 5, 2024

Subject: Strong Opposition to the Navigation Centers Proposal in Oregon City

Dear Mayor Denise McGriff and our City Commissioner's, We are writing to express our deep concerns regarding the proposed establishment of Navigation Centers in Oregon City by the Homeless Solutions Center Coalition of Clackamas County.

We strongly oppose the Homeless Solutions Center Coalition of Clackamas County's proposal to establish Navigation Centers in Oregon City for various reasons. These include the potential attraction of individuals involved in drug use and trafficking, an increased likelihood of criminal activities such as burglary and theft, the risk of property damage and litter, and concerns about the overall safety in our community.

Oregon City, a city known for its middle-class working families, deserves to maintain a sense of safety for our children, grandchildren, and older adults. Allowing open drug use, increased criminal activities, property vandalism, and the potential for discarded trash poses a threat to the thriving business district and the surrounding residential areas. Our downtown has successfully been revitalized to provide a safe space for families, businesses, and community groups to socialize. Introducing a proposal of this magnitude could jeopardize the progress we've made and compromise the security of our community.

We urge our city leaders to reconsider this proposal and prioritize the well-being and safety of Oregon City residents. The potential consequences outlined should not be taken lightly, and it's crucial that community voices are heard in the decision-making process.

I appreciate your time and attention to this matter. As a concerned resident of Oregon City, I urge you to consider the potential impacts on our community and reconsider the proposal.

Thank you for your understanding, and we look forward to hearing from you.

Sincerely,
Robert and Rita Swanson

Jakob Wiley

From: jessica@iselinarch.com
Sent: Tuesday, February 6, 2024 3:26 PM
To: Recorder Team
Subject: McLoughlin Neighborhood Transient Incident

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

As the potential for the new Homeless Solutions Coalition center is considered, I wanted to share a recent incident that occurred at my home at 1608 Jackson Street.

On Thursday, Feb. 1st, while I was at work, a transient man entered our home through our unlocked front door. My sister was at home and came up from the basement when she heard someone walking around the house. When she came up he had gone outside and was sitting on our porch, but tried to walk in again when she opened the door to see what he needed. Fortunately, he was not aggressive and did not force his way in. He told her that someone at Father's Heart told him there was a place he could sleep in this area.

I am concerned that the lack of overnight facilities with the proposed new service center will leave a large number of homeless people who come for daytime services looking for a place to sleep in this neighborhood. The police have done a good job of patrolling Atkinson Park, but I am afraid they will not be able to keep up if the service center moves forward. I feel this issue needs to be appropriately addressed before the service center should be approved.

Jessica Iselin

ISELIN ARCHITECTS, P.C.
1307 SEVENTH STREET, OREGON CITY, OR 97045
PH. (503) 656-1942
www.iselinarchitects.com

certified sustainable building advisor - CSBA

CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 02/07/2024

From: Public Works Director John M. Lewis, PE

SUBJECT:

Resolution No. 24-05, A Resolution Modifying the Public Works Engineering Fee Schedule and Amending Resolution No. 22-24

STAFF RECOMMENDATION:

Approve Resolution No. 24-05, modifying the Engineering Fee Schedule.

EXECUTIVE SUMMARY:

The Engineering Fee Schedule is being updated to establish new fees for Geotechnical Overlay District Review – Type I Verification Fee, Reimbursement District Processing Fee, and minor edits to the Public Improvements Development Engineering Services fees.

BACKGROUND:

The Engineering Fee Schedule requires adoption, via resolution, whenever a fee is added, removed, or changed beyond the annual adjustments (relating to annual inflation). The last Fee Schedule was adopted in July 2022 with Resolution No. 22-24.

This Engineering Fee Schedule update includes two proposed additions:

- Geotechnical Overlay District Review – Type I Verification Fee: $400
- Reimbursement District Processing Fee: $1,210

The addition of the Geotechnical Overlay District Review – Type I Verification Fee will only be used if a future code change occurs which is anticipated to be reviewed in Spring 2024.

The Reimbursement District Fee was adopted in 2004; however, was not added to the Engineering Fee Schedule, thus the need to add it the fee schedule now. The Reimbursement District Fee was calculated utilizing the Consumer Price Index (CPI) for

each year (from 2004 to now) and the inflation rate (for each year) to calculate the $1,210 fee.

OPTIONS:

1. Adopt Resolution No. 24-05, modifying the Engineering Fee Schedule, as requested.
2. Adopt Resolution No. 24-05, modifying the Engineering Fee Schedule, with specific amendments.
3. Deny Resolution No. 24-05. If the Commission chooses to deny the Resolution, staff requests direction on how to proceed.

BUDGET IMPACT:

Amount: $0.00

Fiscal Year(s): FY 23-24

Funding Source(s): Not Applicable

RESOLUTION NO. 24-05

A RESOLUTION MODIFYING THE PUBLIC WORKS ENGINEERING FEE SCHEDULE AND AMENDING RESOLUTION NO. 22-24

WHEREAS, the City of Oregon City adopted Resolution No. 22-24 establishing a schedule of permit fees for Public Works Engineering which included all engineering fees previously adopted by resolutions, and established a consistent method to adjust these fees on an annual basis to account for inflation; and

WHEREAS, the City of Oregon City has adopted Resolution No. 22-24 and other resolutions establishing fees that are necessary to defray the Public Works Engineering Division's actual operational costs; and

WHEREAS, the City of Oregon City desires to modify the Public Works Engineering Fee schedule, Exhibit A, which includes all engineering fees previously adopted by resolutions; proposes changes as described in Exhibit B, Fee Explanation; and continues to include an annual adjustment to adjust these fees to account for inflation; and

WHEREAS, the City of Oregon City, City Commission resolves that the City should recover to the extent practicable, the actual cost of providing Public Works Engineering Services to facilitate the issuing of permits for construction of various public and private infrastructure per the City of Oregon City standards.

NOW, THEREFORE, THE CITY OF OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The City hereby adopts Exhibit A, Public Works Engineering Fee Schedule, to become effective February 22, 2024, with the addition of the Geotechnical Overlay Zone Review – Type I Verification Fee and Reimbursement District Processing Fee as well as minor edits as described in Exhibit B, Fee Explanation.

Section 2. The Public Works Engineering Fee Schedule, Exhibit A, shall continue to be adjusted annually to account for inflation on January 1st. The adjustment to account for inflation shall be based on changes in the CPI-W for the Pacific Division of the West Region.

Approved and adopted at a regular meeting of the City Commission held on the 7th day of February 2024.

DENYSE C. MCGRIFF, Mayor

Attested to this 7th day of February 2024:

Jakob Wiley, City Recorder

Approved as to legal sufficiency:

City Attorney

City of Oregon City
Public Works

Engineering Fee Schedule

February 8, 2024

All fees are subject to change by Resolution of the City Commission. (Resolution No. 24-05 approved 2-7-2024)
The applicant is responsible for paying the application fee in effect at the time the **formal application** is submitted.

Fee/Engineering Service/Permit Type	Fee Description	Rate	Fee
Erosion & Sediment Control SFR Permit (Application, Plan Review, Inspection)	Regular	Flat	$321
	Reduced w/ Certification	Flat	$246
	Re-inspection for failed inspection	Flat	$100
Erosion & Sediment Control Non-SFR Permit (Application, Plan Review, Inspection)	Regular (1 acre or less)	Flat	$852
	Reduced w/ Certification (1 acre or less)	Flat	$472
	PLUS, each additional acre or fraction thereof	Per Unit	$151
	Re-inspection for failed inspection	Flat	$100
Engineering Services for Building Permits	Engineering Site Plan Review for Building Permit	Flat	$100
	Inspection for Public Sidewalk and Driveway Approach for single family subdivision lot Building Permit	Flat	$199
Public Utility Service Permit	Application for Public Water Service Line, Sanitary Sewer or Stormwater Service Laterals	Flat	$63
	Plan Review	Flat	$136
	Utility Inspection	Flat	$199
	Pavement Cut & Restoration Inspection	Flat	$33
	Utility Permit Sidewalk Repair Inspection	Flat	$33
	Utility Permit Driveway Approach Repair Inspection	Flat	$33
	Utility Re-Inspection	Flat	$100
	Sanitary Sewer Service Lateral Launch Video Inspection by City per Customer request	Flat	$279
	Sanitary Sewer Service Tap Video Inspection at Public Main Line Connection	Flat	$279
Public Street Driveway Approach Permit	Application	Flat	$63
	Plan Review	Flat	$136
	Inspection	Flat	$199
	Re-Inspection	Flat	$100
Public Street Sidewalk Permit (PST)	Application and Plan Review	Flat	$63
	Inspection	Flat	$136
	Re-Inspection	Flat	$100
Public Street Sidewalk Group Permit (PST Group)	Application (one contractor for multiple sidewalk panel replacements along one block of street frontage, block length shall be a maximum length of 500 feet)	Flat	$63
	Plan Review	Flat	$136
	Inspection	Flat	$199
	Re-Inspection	Flat	$100

Fee/Engineering Service/Permit Type	Fee Description	Rate	
Public Street Sidewalk Permit in connection with the Sidewalk Assistance Grant Program	Application and Plan Review (PST)	Flat	$32
	Inspection (PST)	Flat	$68
	Application (PST Group)	Flat	$32
	Plan Review (PST Group)	Flat	$68
	Inspection (PST Group)	Flat	$100
	Re-Inspection	Flat	$51
Grading Permit (Filling, Grading, Excavating, including temporary material stockpile)	Application, Plan Review and Site Monitoring (*Engineer's Cost Estimate when applicable)	Flat Fee Plus Percentage	$348 plus 2.5% of cost estimate*
Public Improvements Development Engineering Services (Street, Water, Sanitary Sewer, Stormwater)	5% of Engineer's Final Cost Estimate (2.5% Technical Plan Review Fee for First through Third Technical Plan Reviews plus 2.5% Inspection Fee)	Percentage	5% of cost estimate
	Additional Technical Plan Review Fee for every plan review beyond the third Technical Plan Review. 0.5% added to 2.5% Technical Plan Review Fee for each additional Plan Review after the Third Plan Review	Percentage	0.5% of cost estimate
	Re-Inspection(more than one inspection for the same item)	Flat	$100
	Water Quality Testing	Actual Cost	Actual Cost Staff Lab Work
Type I Street Improvement Modification	Application and Analysis per OCMC 16.12.013.B.	Flat	$199
Plant Establishment Fee	When 2-year maintenance period is complete and 25% or more of the required plantings of a stormwater management area are dying or dead, the applicant shall replace all dead or dying plants AND pay a fee for their establishment equal to 110% of the cost of the plants	Percentage	110% of the cost of the new plantings
Stormwater Management Peer Review	City Peer Review of Engineered Method to Calculate Size of Stormwater Management Facilities	Actual Cost	Actual Peer Review cost
Geotechnical Overlay Zone Review	City Peer Review of Geotechnical Overlay Zone Work (Reports, Plans, Inspections, Etc) from Completeness through Platting/Occupancy	Actual Cost	Actual Peer Review cost
Geotechnical Overlay Zone Review - Type I Verification	City Peer Review to verify Geologic Hazard Overlay Zone	Flat	$400
Traffic Engineering Review	City Peer Review of Traffic Engineering Documents (Reports, Plans, Studies, Etc) from Completeness through Platting/Occupancy	Actual Cost	Actual Peer Review cost
Temporary Obstruction in ROW Permit	Application and Plan Review	Flat	$33
	Inspection	Flat	$33
Long Term Obstruction in ROW with Revocable ROW Permit	Application	Flat	$63
	Plan Review	Flat	$136
	City Resolution and Document Process	Flat	$266
	Revocable ROW Permit	Flat	$199
City Resolution and Document Processing	City Resolution and Document Processing	Flat	$266
Document Processing and Recording Fee	Record one document at one time	Flat	$363
	record each additional document at same time with first	Flat	$206
Plat Review	Partition	Flat	$687
	Subdivision	Flat	$961
	Planned Development	Flat	

Fee/Engineering Service/Permit Type	Fee Description	Rate	
Vacation of Public Rights-of-Way or Public Easements	Public Right-of-Way	Flat	$1,325
	Public Easement	Flat	$782
Special Event ROW Permit	Application and Review	Flat	$199
	ROW Inspection for use of ROW during Special Event	Flat	$199
Reimbursement District Processing Fee	City Review, Document Processing, and District Setup	Flat	$1,210
Renewable ROW Permit (outdoor seating, monitoring wells, other)	Application, Review and Inspection	Flat	$100
ROW Permit General - Minor work outside of travel ways and no vehicular traffic control	Application, Review and Inspection	Flat	$199
ROW Permit General - Moderate work within travel ways and not requiring Technical Plan Review	Application and Plan Review	Flat	$199
	Inspection	Flat	$199
ROW Permit General - Major work in ROW requiring technical plan review	Application, Technical Plan Review and ROW Inspection is Flat Fee plus 2.5% of Engineer's Final Cost Estimate	Flat Fee Plus Percentage	$348 plus 2.5% of cost estimate
Small Cell Facility - Minor Installation (on Existing Third Party Utility Structure)	Application, Review and Inspection	Flat	$920
Small Cell Facility - Major Installation (on City Utility Structure or Proposed New Structure) (requires Techncial Plan Review)	Application, Technical Plan Review and Inspection - Flat Fee plus actual cost over Flat Fee plus 15% Administrative Fee	Flat Fee plus Actual Cost over Flat Fee plus Administra-tive Cost Percentage	$920 plus actual cost over Flat Fee plus Administrative Fee
ROW Licensee Major Installation - Fiber, Cable, Natural Gas, Electric, Telecommunications (does not include Small Cell Facility) requires Technical Plan Review	5% of Engineer's Final Cost Estimate (2.5% Technical Plan Review Fee for First through Third Technical Plan Reviews plus 2.5% Inspection Fee)	Percentage	5% of cost estimate
	Additional Technical Plan Review Fee for every plan review beyond the third Technical Plan Review. 0.5% added to 2.5% Technical Plan Review Fee for each additional Plan Review after the Third Plan Review	Percentage	0.5% of cost estimate
Film Permit	ROW Inspection for use of ROW during filming	Flat	$199
	Usage fee for using City facilities' sanitary sewer during filming	Flat	$43
	Usage fee for using City facilities' water during filming	Flat	$43
Annual Permit for Banners in Right-of-Way (ROW)	(Note: Fees adopted through Resolution 15.31)	One Flat Fee applies prior to June 30th / One Flat Fee after June 30th	$229 prior to June 30th / $115 after June 30th
Street Light Pole Banner Installation/Removal Permit in ROW	Fees for application, review, installation and removal of street light pole banners (Note: Fees adopted through Resolution 15.31)	Flat Rate per street light pole banner	$27
Cross Street Banner Installation/Removal Permit in ROW	Fees for application, review, installation and removal of cross street banner at Molalla Avenue south of Char Diaz (Note: Fees adopted through Resolution 15.31)	Flat	$87

Fee/Engineering Service/Permit Type	Fee Description	Rate	
~~**Traffic Impact Analysis**~~	~~Traffic Impact Analysis (TIA) and Transportation Analysis Letter (TAL) Fee Structure~~		
~~Base Fee~~	~~Base fee covers initial review. Each time supplemental information is submitted for review in association with a particular land use application, a supplemental review fee will be assessed at 50 percent of the base fee.~~	~~Residential (units)~~ ~~0-50 =~~ ~~> 50 =~~ ~~Non-Residential (square feet)~~ ~~< 50,000 =~~ ~~50,000 - 100,000 =~~ ~~> 100,000 =~~	 ~~$1,444~~ ~~$1,806~~ ~~$3,610~~ ~~$4,512~~ ~~$5,414~~
~~Large Study Area / Along Key Corridor~~	~~Applies to study areas including more than three intersections/accesses and/or development located near or along congested corridors.~~	~~Flat~~	~~$902~~
~~Conditional Use / Zone Change / Master Plan~~	~~Applies to developments involving a conditional use or zone change, or master plan.~~	~~Flat~~	~~$2,706~~
~~Meetings (per hour)~~	~~Charged on a time and material basis including travel and attendance time for pre-application meetings, site visits, planning commission meetings, and other meetings called by applicant or City staff to review issues associated with the development.~~	~~Flat~~	~~$179~~
~~Transportation Analysis Letter~~		~~Flat~~	~~$621~~
Approved requests for after-hours or weekend City staff inspections shall be billed based on staff cost.			

OREGON CITY
Public Works Engineering Division
13895 Fir Street | Oregon City OR 97045

EXHIBIT B

Fee Explanation for Public Works Engineering Fees
Resolution No. 24-05

The following provides a brief explanation of proposed changes to the Public Works Engineering Fees.

Public Improvement Development Engineering Services Re-Inspection Fee
On January 1, 2024, the fee was inflated based on CPI-W from previous established fees as $101. To be consistent with all other re-inspection fees within the Engineering Fee Schedule, staff proposes to adjust this fee to $100.

Public Improvement Development Engineering Services Water Quality Testing Fees
To ensure all costs are captured from staff time on private development, staff proposes to create a fee allowing for the collection of a time and material cost associated with the taking of, testing of, and analysis of water samples related to new water services to be placed into operation as constructed by private development.

Geotechnical Review
Fee title has changed to Geotechnical Overlay Zone Review to correctly reflect its purpose. The description was revised to correctly describe the fee.

Geotechnical Overlay Zone Review – Type I Verification
In preparation for a proposed code change to chapter 17.44, to be consistent with Natural Resource Overlay Districts, staff proposes a fee to process review of Geologic Hazard Overlay District verifications which will allow the science to prevail over conservative mapping which is based on aerial photography and lidar data. On the ground surveys can provide more specific detail which can verify whether a Geologic Hazard based on slope, as defined in code, truly exists. A survey is always more detailed and defined and is more accurate than existing lidar data. This process and fee gives a property owner the option to show the slope is not as steep as mapped.

Traffic Engineering Review
The description was revised to correctly describe the fee.

Reimbursement District Processing Fee
A fee was adopted by Resolution 01-04 as $200. A replacement fee was then adopted by Resolution 04-43 as $700. The fee has not recently been published. The Finance Department calculated the current fee based on an adopted $700 fee plus inflation over the years which equals $1,210 and increases by the CPI-W annually. Staff proposes to publish the fee on the Engineering Fee Schedule.

Traffic Impact Analysis Fees
Resolution 22-24 adopted a Time and Material actual cost fee for traffic impact analyses but did not remove the old Planning Fees which had been transferred from Planning to Engineering. Staff proposes to remove the list of fees since this is now charged at a Time and Material Basis only.

CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 02/07/2024

From: Public Works Director John M. Lewis, PE

SUBJECT:

Resolution No. 24-06, a Resolution Requesting Transfer of Longstanding Court

STAFF RECOMMENDATION:

Approve Resolution No. 24-06 requesting transfer of jurisdiction of Longstanding Court (from Clackamas County to City of Oregon City).

EXECUTIVE SUMMARY:

Longstanding Court (roadway) is currently under the jurisdiction of Clackamas County. Due to impending private development, this roadway was discovered to be the County's jurisdiction even though it solely exists within Oregon City city limits. The City and County have agreed to transfer jurisdiction of all Longstanding Court from the County to the City. This resolution requests transfer of jurisdiction from the County, and payment of $26,700 by the County.

BACKGROUND:

In January 2001, a large portion of the central western portion of the County was annexed into the City. With the annexation, under Clackamas County Board Order 01-188, portions of Central Point Road, South End Road, Pease Road, McCord Road, Parrish Road and others were transferred from County jurisdiction to City jurisdiction.

The (10-lot) Longstanding Court Subdivision was built in 1972 and connected to South End Road. Transferring the roadway with the other roads should have been done in County Board Order 01-188; however, did not.

The property located at 11731 Longstanding Court currently seeks a middle housing permit from the City. This permit application triggered review of jurisdiction, resulting in the discovery that this roadway was never transferred. This roadway is entirely within city limits and acts as a city road; therefore, staff recommend transfer of jurisdiction from Clackamas County to the City.

As specified in the 1990 Urban Growth Management Agreement between the City and the County - the transfer may be completed by way of an Intergovernmental Agreement (IGA). This agreement states that the County agrees to pay (to the City) a sum of money equal to the cost of a two-inch asphaltic concrete overlay over the width of the existing pavement for those roadways not built to City standards. Pavement work for this section of roadway has been determined to be $26,700, to be paid to the City as part of the transfer of this roadway.

The City and County both approved the IGA on December 7, 2023 and January 4, 2024 respectively. The final step of this process is for Oregon City to accept the roadway via a Resolution requesting the right-of-way from Clackamas County. The County will then approve a Board Order to pay the City and convey the roadway.

The area of transfer is legally written in Exhibit A and depicted in Exhibit B.

OPTIONS:

1. Approve Resolution No. 24-06.
2. Deny Resolution No. 24-06.

BUDGET IMPACT:

Amount:	$26,700 Revenue
Fiscal Year(s):	FY 24/25
Funding Source(s):	Transportation Fund

RESOLUTION NO. 24-06

A RESOLUTION REQUESTING THE RIGHT-OF-WAY OF LONGSTANDING COURT

WHEREAS, ORS 373.270 provides a mechanism to surrender jurisdiction of a county road within a city to a city; and

WHEREAS, Longstanding Court has been within the City's jurisdictional boundary since 2002 with annexation caused by land use file AN-01-05; and

WHEREAS, the City desires to consolidate its authority over roadways within its jurisdictional boundary; and

WHEREAS, on December 6, 2023, the City Commission authorized the City Manager to sign an Intergovernmental Agreement between the City of Oregon City and Clackamas County related to the transfer of Longstanding Court; and

WHEREAS, surrender of the jurisdiction on Longstanding Court within Clackamas County was requested by Intergovernmental Agreement from the County Board on December 6, 2023; and

WHEREAS, the Intergovernmental Agreement was approved by the County Board and signed by the chair on January 4, 2024; and

WHEREAS, the Board of County Commissioners of Clackamas County (County) passed **Board Order No. 20240104.III.F.2,** attached hereto, on January 4, 2024, which offers to surrender jurisdiction of Longstanding Court to the City of Oregon City (City).

NOW, THEREFORE, THE CITY OF OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The surrender of jurisdictional authority by the Board of County Commissioners of Clackamas County over the portion of public right-of-way described in Exhibit A and depicted in Exhibit B, within the adopted Intergovernmental Agreement, attached hereto and incorporated herein, is requested by the City of Oregon City pursuant to ORS 373.270.

Section 2. This Resolution becomes effective upon adoption.

Approved and adopted at a regular meeting of the City Commission held on the 7th day of February 2024.

_____
Denyse C. McGriff, Mayor

Attested to this 7th day of February 2024:

_____
City Recorder

Approved as to legal sufficiency:

_____
City Attorney

CLACKAMAS COUNTY

DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

January 4, 2024 BCC Agenda Date/Item: 20240104 III.F.2

Board of County Commissioners
Clackamas County

Approval of an Intergovernmental Agreement with the City of Oregon City to transfer jurisdiction of Long Standing Court to the City. Total value $26,700. Funding through Community Road Fund. No County General Funds are involved.

Previous Board Action/Review	01/02/24: Request for consent		
Performance Clackamas	1. Build trust with good government		
Counsel Review	Yes 11/7/23- HH	**Procurement Review**	No
Contact Person	Rick Maxwell	**Contact Phone**	503-742-4671

EXECUTIVE SUMMARY:

There are certain County roads, such as Long Standing Court in Oregon City, that are wholly, mostly, or partially within various Cities throughout Clackamas County. Fragmented jurisdiction over these roads often results in differing road maintenance activities and confusion by the public as to which agency is responsible for the operation and maintenance of the roads. To eliminate confusion to the public and to improve the efficiencies of maintenance and public service, a jurisdictional transfer is needed. The IGA sets forth the process for the City to assume exclusive jurisdiction over Long Standing Court, which contains approximately 28,480 square feet of Right-of-Way. The proposed IGA also formalizes an agreement to provide funds to the City of Oregon City in the amount of $26,700, which is equal to the cost of a 2” asphalt overlay. Payment of these funds are contingent upon the City finalizing the jurisdictional transfer process. Once jurisdiction is transferred, the City becomes the “Road Authority” responsible for all maintenance, permitting and road standard activities.

For Filing Use Only

County staff have been negotiating with the City of Oregon City and they have reached this agreement for the transfer for an approximately 475 foot long section of Long Standing Court.

RECOMMENDATION:

Staff respectfully recommends that the Board approve the attached IGA between Clackamas County and the City of Oregon City related to the transfer of jurisdiction of Long Standing Court.

Respectfully submitted,

Dan Johnson

Dan Johnson
Director of Transportation & Development

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF OREGON CITY AND CLACKAMAS COUNTY RELATED TO THE TRANSFER OF LONG STANDING COURT

This agreement (the "Agreement") is made on the date all required signatures have been obtained, between the City of Oregon City ("City"), a municipal corporation of the State of Oregon, and Clackamas County ("County"), a political subdivision of the State of Oregon, pursuant to ORS Chapter 190 (Intergovernmental Cooperation), collectively referred to as the "Parties" and each a "Party."

RECITALS

WHEREAS, ORS Chapter 190 authorizes local governments to enter into intergovernmental agreements for the performance of any or all functions and activities that a local government, its officers or agencies, have the authority to perform;

WHERAS, Long Standing Court, currently labeled as County Road No. 31046, is a County Road as defined under ORS 368.001 ("Long Standing Ct.") that is wholly within the boundary of the City, and as fully described in **Exhibit "A"** and depicted in **Exhibit "B,"** attached hereto and incorporated herein;

WHEREAS, the Parties agree that the City is best suited to acquire full and absolute jurisdiction of Long Standing Ct., including for maintenance and permitting purpose;

WHEREAS, ORS 373.270 provides a procedure whereby a county may transfer full and absolute jurisdiction over any County Road within a city to a city through a surrendering of said jurisdiction by the county and through an acceptance of said jurisdiction by a city;

WHEREAS, the Parties desire to pursue a transfer of Long Standing Ct. pursuant to ORS 373.270, and acknowledge that Long Standing Ct. should be improved, or the City should be compensated, consistent with the terms of this Agreement at, or prior to, the completion of said transfer.

AGREEMENT

NOW, THEREFORE**,** Parties hereby agree as follows:

1. **Term.** This Agreement shall be effective on the last day of signature by a Party indicated below and shall expire automatically at the time the City accepts jurisdiction of Long Standing Ct. pursuant to ORS 373.270.
2. **City Responsibilities.**
   A. The City shall give notice and shall carry out those procedures set forth in ORS 373.270 to determine whether it is necessary, expedient or for the best interests of the City to acquire full and absolute jurisdiction over Long Standing Ct.

B. The City accepts full and absolute jurisdiction over Long Standing Ct. under ORS 373.270 in the event that the governing body of the City and the governing body of the County, determine that it is necessary, expedient or for the best interests of their respective jurisdictions to complete the transfers described herein.

3. **County Responsibilities.**

A. Once the City initiates the process to accept the jurisdiction of Long Standing Ct., the County shall carry out those procedures set forth in ORS 373.270 for the purpose of surrendering said jurisdiction to the City. The County shall not unreasonably delay or withhold its consent to the transfer of Long Standing Ct. and shall complete the process to finalize the transfer within 120 days from the date that the City concludes its hearing and decision on the matter. This obligation shall terminate in the event the governing body of the City fails to find that it is necessary, expedient or for the best interests of the City to surrender jurisdiction over Long Standing Ct.

B. In the event the governing body of the City and the governing body of the County both determine that it is necessary, expedient or for the best interests of their respective jurisdictions to complete the transfers described herein, the County will make a one-time payment to the City in the sum of $26,700, which is equivalent to the costs associated with the construction of a 2-inch asphalt overlay on the portion of Long Standing Ct. identified in the exhibits attached to this Agreement. The sum of $26,700 identified in this paragraph shall be payable to the City within 30 days of the date that full and absolute jurisdiction over Long Standing Ct. is surrendered to the City.

4. **Termination**.

A. The County and the City, by mutual written agreement, may terminate this Agreement at any time.

B. Either the County or the City may terminate this Agreement in the event of a breach of the Agreement by the other. Prior to such termination, however, the Party seeking the termination shall give the other Party written notice of the breach and of the Party's intent to terminate. If the breaching Party has not entirely cured the breach within fifteen (15) days of deemed or actual receipt of the notice, then the Party giving notice may terminate the Agreement at any time thereafter by giving written notice of termination stating the effective date of the termination. If the default is of such a nature that it cannot be completely remedied within such fifteen (15) day period, this provision shall be complied with if the breaching Party begins correction of the default within the fifteen (15) day period and thereafter proceeds with reasonable diligence and in good faith to affect the remedy as soon as practicable. The Party giving notice shall not be required to give more than one (1) notice for a similar default in any twelve (12) month period.

C. The County or the City shall not be deemed to have waived any breach of this Agreement by the other Party except by an express waiver in writing. An express written waiver as to one breach shall not be deemed a waiver of any other breach not expressly identified, even though the other breach is of the same nature as that waived.

D. Nothing herein shall prevent the Parties from meeting to mutually discuss the Project. Each Party shall use its best efforts to coordinate with the other to minimize conflicts.

E. A termination of this Agreement shall not prejudice any rights or obligations accrued to the Parties prior to termination.

5. **Indemnification**.

A. Subject to the limits of the Oregon Constitution and the Oregon Tort Claims Act or successor statute, the County agrees to indemnify, save harmless and defend the City, its officers, elected officials, agents and employees from and against all costs, losses, damages, claims or actions and all expenses incidental to the investigation and defense thereof (including legal and other professional fees) arising out of or based upon damages or injuries to persons or property caused by the negligent or willful acts of the County or its officers, elected officials, owners, employees, agents, or its subcontractors or anyone over which the County has a right to control.

B. Subject to the limits of the Oregon Constitution and the Oregon Tort Claims Act or successor statute, the City agrees to indemnify, save harmless and defend the County, its officers, elected officials, agents and employees from and against all costs, losses, damages, claims or actions and all expenses incidental to the investigation and defense thereof (including legal and other professional fees) arising out of or based upon damages or injuries to persons or property caused by the negligent or willful acts of the City or its officers, elected officials, owners, employees, agents, or its subcontractors or anyone over which the City has a right to control.

6. **General Provisions**

A. **Oregon Law and Forum.** This Agreement shall be construed according to the laws of the State of Oregon, without giving effect to the conflict of law provisions thereof.

B. **Applicable Law**. The Parties hereto agree to comply in all ways with applicable local, state and federal ordinances, statutes, laws and regulations.

C. **Non-Exclusive Rights and Remedies**. Except as otherwise expressly provided herein, the rights and remedies expressly afforded under the provisions of this Agreement shall not be deemed exclusive and shall be in addition to and cumulative with any and all rights and remedies otherwise available at law or in equity. The exercise by either Party of any one or more of such remedies shall not preclude the exercise by it, at the same or different times, of any other remedies for the same default or breach, or for any other default or breach, by the other Party.

D. **Access to Records**. The Parties acknowledge and agree that each Party, the federal government, and their duly authorized representatives shall have access to each Party's books, documents, papers, and records which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts for a period of three years after final payment. Copies of applicable records shall be made available upon request. The cost of such inspection shall be borne by the inspecting Party.

E. **Debt Limitation.** This Agreement is expressly subject to the debt limitation of Oregon counties set forth in Article XI, Section 10, of the Oregon Constitution, and is contingent upon funds being appropriated, therefore. Any provisions herein which would conflict with the law are deemed inoperative to that extent.

F. **Severability.** If any provision of this Agreement is found to be unconstitutional, illegal or unenforceable, this Agreement nevertheless shall remain in full force and effect and the offending provision shall be stricken. The Court or other authorized body finding such provision unconstitutional, illegal or unenforceable shall construe this Agreement without such provision to give effect to the maximum extent possible the intentions of the Parties.

G. **Integration, Amendment and Waiver.** Except as otherwise set forth herein, this Agreement constitutes the entire agreement between the Parties on the matter of the Project. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either Party unless in writing and signed by both Parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of either Party to enforce any provision of this Agreement shall not constitute a waiver by such Party of that or any other provision.

H. **Interpretation**. The titles of the sections of this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.

I. **Independent Contractor**. Each of the Parties hereto shall be deemed an independent contractor for purposes of this Agreement. No representative, agent, employee or contractor of one Party shall be deemed to be a representative, agent, employee or contractor of the other Party for any purpose, except to the extent specifically provided herein. Nothing herein is intended, nor shall it be construed, to create between the Parties any relationship of principal and agent, partnership, joint venture or any similar relationship, and each Party hereby specifically disclaims any such relationship.

J. **No Third-Party Beneficiary.** Neither Party intends that this Agreement benefit, or create any right or cause of action in, or on behalf of, any person or entity other than the County or the City.

K. **No Assignment**. No Party shall have the right to assign its interest in this Agreement (or any portion thereof) without the prior written consent of the other Party, which consent may be withheld for any reason. The benefits conferred by this Agreement, and the obligations assumed hereunder, shall inure to the benefit of and bind the successors of the Parties.

L. **Counterparts**. This Agreement may be executed in any number of counterparts (electronic, facsimile or otherwise) all of which when taken together shall constitute one

agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.

M. **Authority**. Each Party represents that it has the authority to enter into this Agreement on its behalf and the individual signatory for a Party represents that it has been authorized by that Party to execute and deliver this Agreement.

N. **Necessary Acts.** Each Party shall execute and deliver to the others all such further instruments and documents as may be reasonably necessary to carry out this Agreement.

CLACKAMAS COUNTY

Chair

01/04/2024

Date

Recording Secretary

CITY OF OREGON CITY

Mayor

12/6/2023

Date

Recording Secretary

Exhibit "A"

Long Standing Court Transfer of Jurisdiction
Clackamas County to City of Oregon City

Description

All of Long Standing Court, County Road No. 3043, Department of Transportation and Development Maintenance No. 31046; Situated in the NE 1/4 of Section 12, T. 3 S., R. 1 E., W.M. as shown in Exhibit "B", attached hereto, lying East of the Easterly Right-of-Way of South End Road, (mile point 0.00) and the end of Long Standing Court (mile point 0.09), being approximately 475 feet long.

Contains 28,480 square feet, more or less.

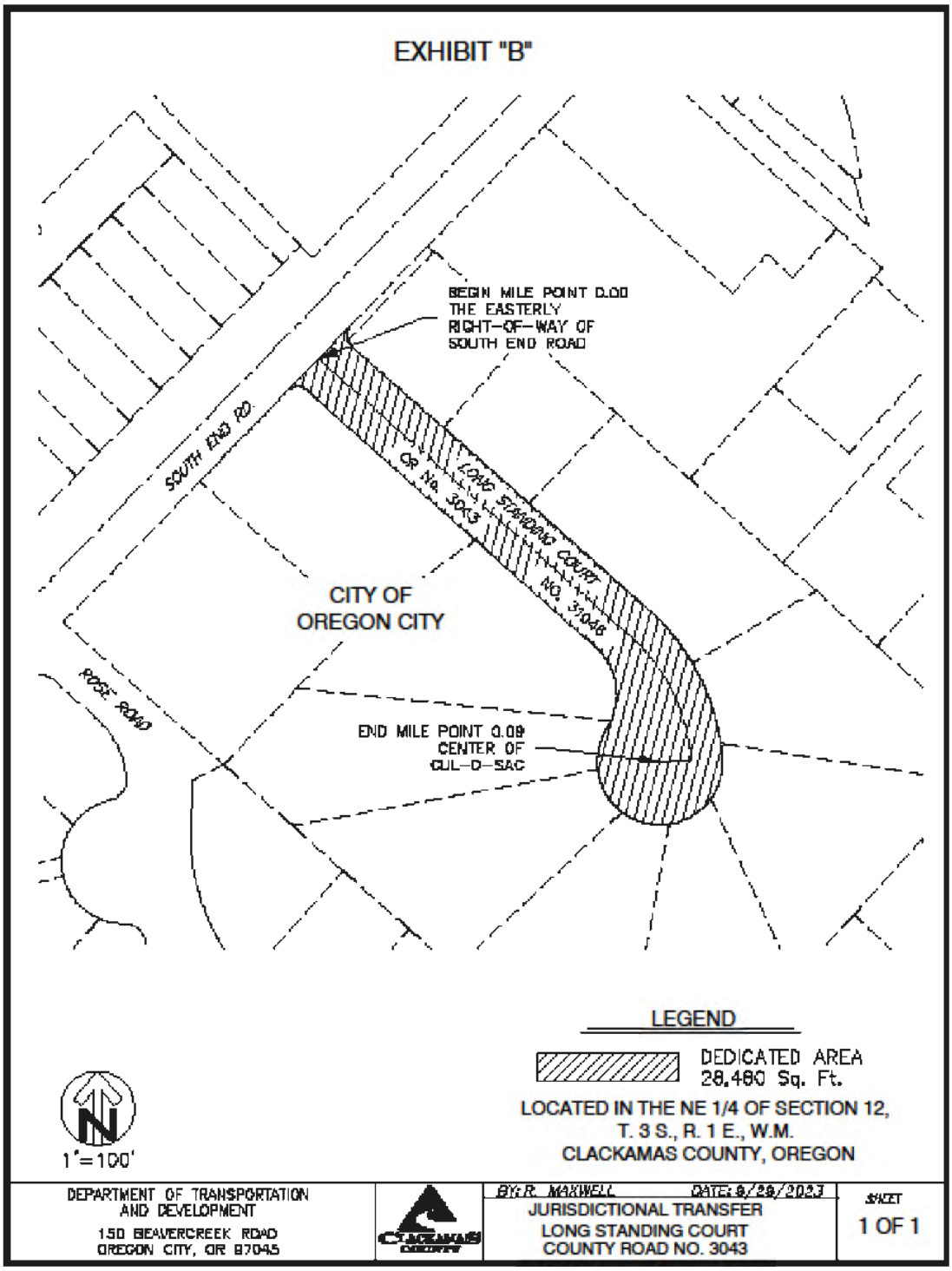


EXHIBIT "B"
BEGIN MILE POINT 0.00
THE EASTERLY
RIGHT-OF-WAY OF
SOUTH END ROAD
SOUTH END RD
LONG STANDING COURT
CR No. 3043
NO. 31048
CITY OF
OREGON CITY
ROSE ROAD
END MILE POINT 0.09
CENTER OF
CUL-D-SAC
LEGEND
DEDICATED AREA
28,480 Sq. Ft.
LOCATED IN THE NE 1/4 OF SECTION 12,
T. 3 S., R. 1 E., W.M.
CLACKAMAS COUNTY, OREGON
1"=100'
DEPARTMENT OF TRANSPORTATION
AND DEVELOPMENT
150 BEAVERCREEK ROAD
OREGON CITY, OR 97045
BY: R. MAXWELL
DATE: 8/29/2023
JURISDICTIONAL TRANSFER
LONG STANDING COURT
COUNTY ROAD NO. 3043
SHEET
1 OF 1

Exhibit “A”

Long Standing Court Transfer of Jurisdiction

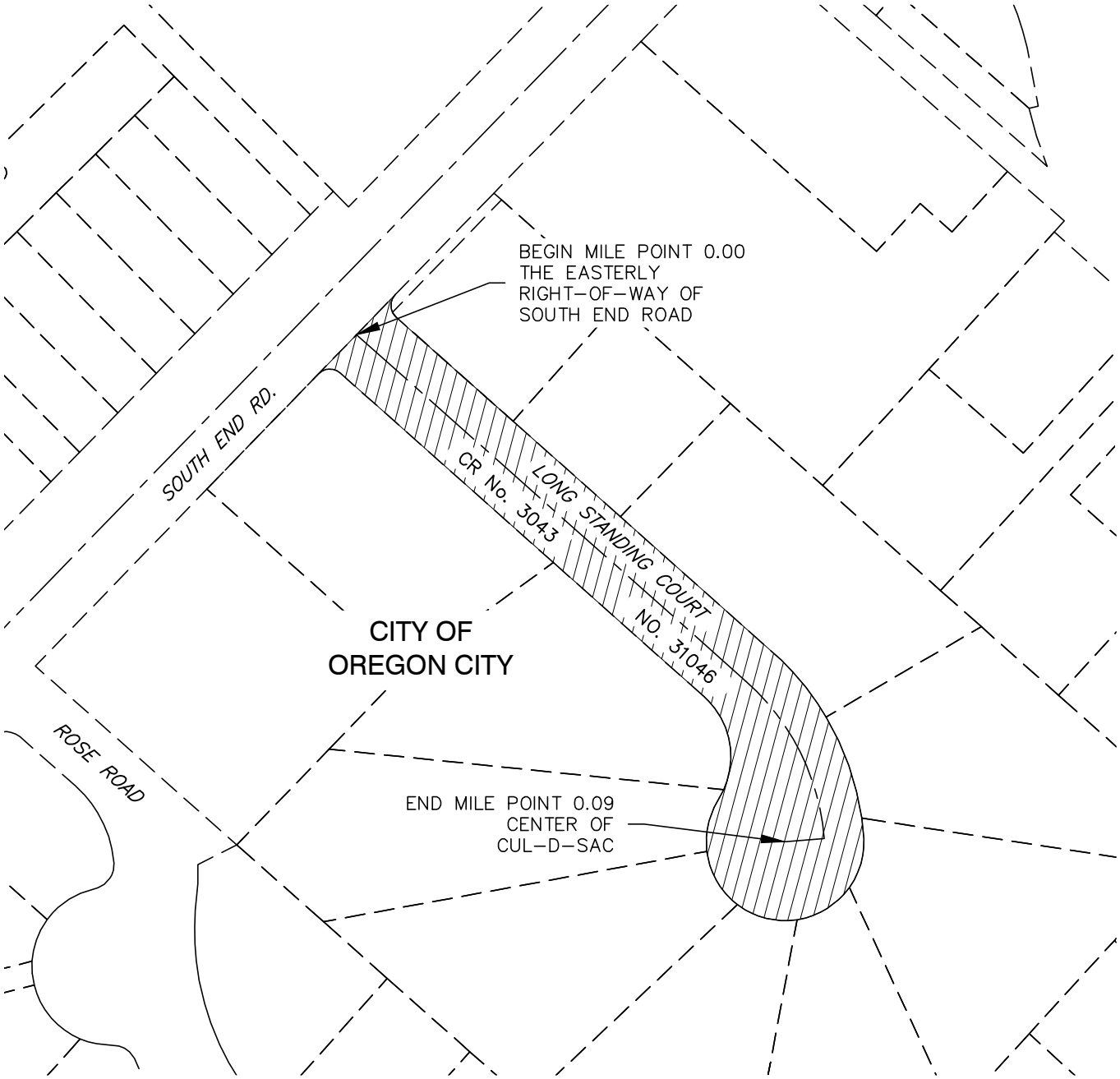
Clackamas County to City of Oregon City

Description

All of Long Standing Court, County Road No. 3043, Department of Transportation and Development maintenance No. 31046; Situated in the NE 1/4 of Section 12, T. 3 S., R. 1 E., W.M. as shown in Exhibit “B”, attached hereto, lying East of the Easterly Right-of-Way of South End Road, (mile point 0.00) and the end of Long Standing Court (mile point 0.09), being approximately 475 feet long.

Contains 28,480 square feet, more or less.

EXHIBIT "B"



LEGEND

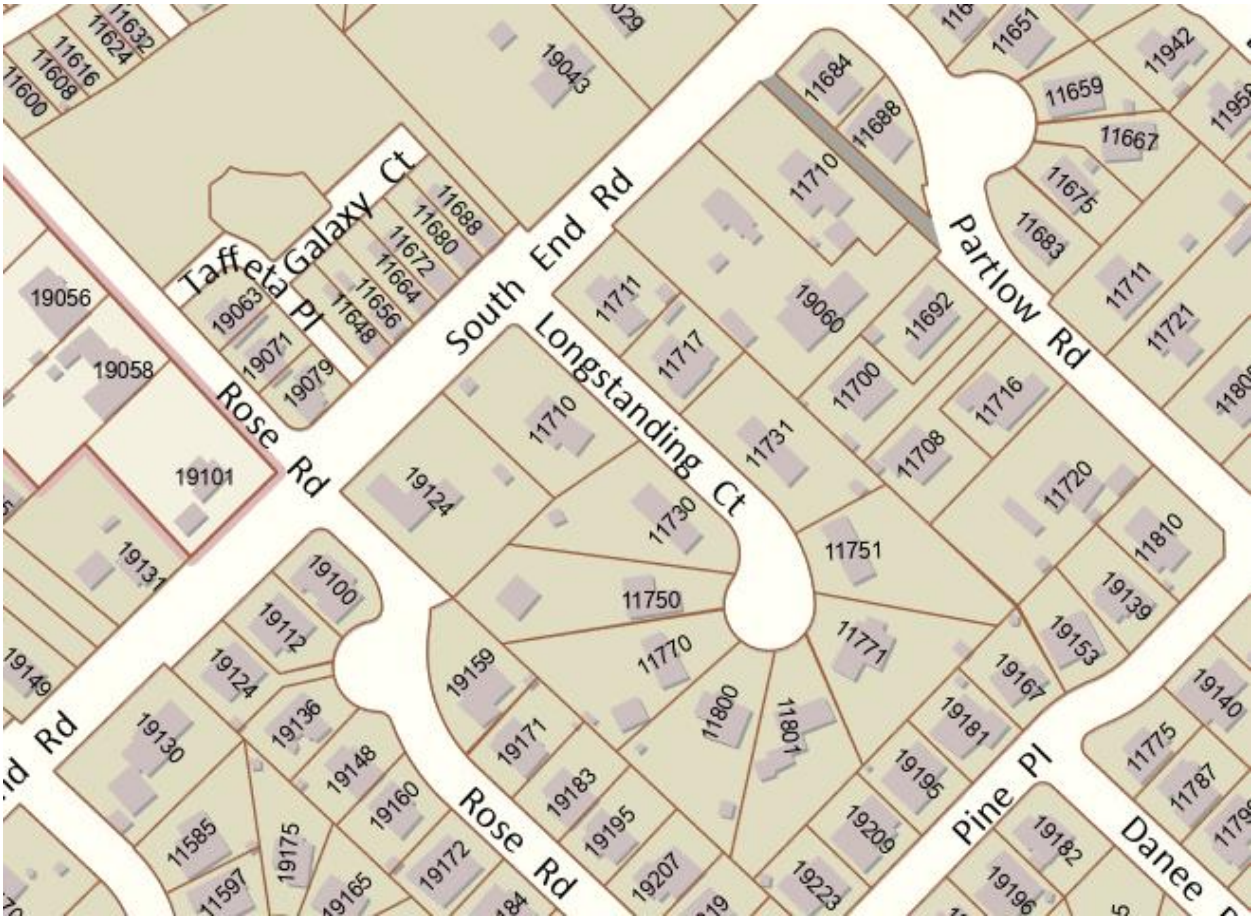
DEDICATED AREA
28,480 Sq. Ft.

LOCATED IN THE NE 1/4 OF SECTION 12,
T. 3 S., R. 1 E., W.M.
CLACKAMAS COUNTY, OREGON

1'=100'

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT 150 BEAVERCREEK ROAD OREGON CITY, OR 97045	CLACKAMAS COUNTY	BY: R. MAXWELL DATE: 9/29/2023 JURISDICTIONAL TRANSFER LONG STANDING COURT COUNTY ROAD NO. 3043	SHEET 1 OF 1

Vicinity Map



CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 2/7/2024

From: Chief of Police Shaun Davis

SUBJECT:

OLCC: Liquor License Application – Limited On-Premises, Pour Choices Taphouse (dba Pregame Partners, LLC), 19119 S. Beavercreek Rd., Oregon City

STAFF RECOMMENDATION:

Staff recommends the City Commission approve the OLCC Application for Pour Choices Taphouse (dba Pregame Partners, LLC), 19119 S. Beavercreek Rd., Oregon City

EXECUTIVE SUMMARY:

The attached application is for a new OLCC Limited On-Premises, Pour Choices Taphouse (dba Pregame Partners, LLC), 19119 S. Beavercreek Rd., Oregon City (located at the Berry Hill Shopping Center)

BACKGROUND:

The Oregon City Police Department ran background checks on Toni Hart and Erin Patterson, and they are eligible to hold a liquor license. This application is for a new outlet. All applicants must obtain an Oregon City business license before submitting their application for an OLCC liquor license. The Oregon City business license application process includes routing of the application for review through various City departments.

OPTIONS:

1. Approve the OLCC Application for Pour Choices Taphouse (dba Pregame Partners, LLC) – Oregon City
2. Deny the OLCC Application for Pour Choices Taphouse (dba Pregame Partners, LLC), 19119 S. Beavercreek Rd. – Oregon City

BUDGET IMPACT:

Amount:

FY(s):

Funding Source(s):

LIQUOR LICENSE APPLICATION

Check the appropriate license request option:

☒ New Outlet | ☐ Change of Ownership | ☐ Greater Privilege | ☐ Additional Privilege

Select the license type you are applying for.

More information about all license types is available online.

Full On-Premises

- ☐ Commercial
- ☐ Caterer
- ☐ Public Passenger Carrier
- ☐ Other Public Location
- ☐ For Profit Private Club
- ☐ Nonprofit Private Club

Winery

- ☐ Primary location
- Additional locations: ☐2nd ☐3rd ☐4th ☐5th

Brewery

- ☐ Primary location
- Additional locations: ☐2nd ☐3rd

Brewery-Public House

- ☐ Primary location
- Additional locations: ☐2nd ☐3rd

Grower Sales Privilege

- ☐ Primary location
- Additional locations: ☐2nd ☐3rd

Distillery

- ☐ Primary location
- Additional tasting locations: (Use the DISTT form **HERE**)

☒ **Limited On-Premises**

☐ **Off Premises**

☐ **Warehouse**

☐ **Wholesale Malt Beverage and Wine**

LOCAL GOVERNMENT USE ONLY

LOCAL GOVERNMENT:

After providing your recommendation, return this application to the applicant WITH the recommendation marked below

City OR County name: (not both)

(Please specify city **OR** county)

Date application received:

Optional: Date Stamp Received Below

☐ Recommend this license be granted

☐ Recommend this license be denied

☐ No Recommendation/Neutral

Printed Name Date

Signature

Pour Choices Taphouse

Trade Name

LIQUOR LICENSE APPLICATION

APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1:	Name of entity or individual applicant #2:
Pregame Partners, LLC	Toni Hart
Name of entity or individual applicant #3:	**Name of entity or individual applicant #4:**
Erin Patterson	

BUSINESS INFORMATION

Trade Name of the Business (name customers will see):
Pour Choices Taphouse

Premises street address (The physical location of the business and where the liquor license will be posted):
19119 S. Beavercreek Rd

City:	Zip Code:	County:
Oregon City	97045	Clackamas

Business phone number:	Business email:
971-294-0573	pregamepartners@gmail.com

Business mailing address (where we will send any items by mail as described in OAR 845-004-0065[1].):
19448 Aspen Ridge Ct

City:	State:	Zip Code:
Oregon City	OR	97045

Does the business address currently have an OLCC liquor license?	Does the business address currently have an OLCC marijuana license?
☐ Yes ☒ No	☐ Yes ☒ No

AUTHORIZED REPRESENTATIVE – A liquor applicant or licensee may give a representative authorization to make changes to the license or application on behalf of the licensee or to receive information about a license or application.

I give permission for the below named representative to:

☐ Make changes regarding this license/application on my behalf.
☐ Sign application forms regarding this license/application on my behalf.
☐ Receive information about the status of this application, including information about pending compliance action or communications between OLCC and the licensee/applicant.

Representative Name:

Phone number:	Email:

Mailing address:

City:	State:	Zip Code:

LIQUOR LICENSE APPLICATION

APPLICATION CONTACT INFORMATON – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative section must be filled in and the appropriate permission(s) must be selected.

Application Contact Name: Toni Hart	
Phone number: 971-294-0573	Email: pregamepartners@gmail.com

TERMS

- "Real property" means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- "Common area" is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area's designation as a "common area" is typically identified in the lease or rental agreement.

ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-005-0311 and attests that:

1. At least one applicant listed in the "Application Information" section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.

2. No person not listed as an applicant in the "Application Information" section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311.

3. The licensed premises at the premises street address proposed to be licensed either:
   a. Does not include any common areas; or
   b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
      - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in "common areas" and that this requirement applies at all times, even when the business is closed.

4. The licensed premises at the premises street address either:
   a. Has no area on property controlled by a public entity (like a city, county, or state); or
   b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

LIQUOR LICENSE APPLICATION

Pour Choices Taphouse

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-006-0362 and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

Print name	Signature	Date	Atty. Bar Info (if applicable)
Toni Hart	Toni L Hart	10/17/2023	
Erin Patterson	Erin Patterson	10/17/2023	

OREGON LIQUOR & CANNABIS COMMISSION

INDIVIDUAL HISTORY FORM

WHO MUST COMPLETE THIS FORM?

You must complete this form if:

- Your name is listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form.

- A corporation is listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form and you are:

  → President, a Vice President with responsibility over the operation of the business, Secretary, or Treasurer.
  → A Director.
  → An individual who owns 20% or more of issued stock.

- A limited liability company (LLC) is listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form and you are:

  → A Managing Member of the LLC (this is an individual designated to manage the LLC; it may or may not be the same individual designated to manage the business).
  → A Member who owns 20% or more of the membership.
  → An Officer (such as a President or Secretary) with responsibilities over the operation of the business.

You must work with the OLCC to determine who must complete this form if you are:

- Part of an entity *other than* a corporation or LLC that is listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form, or
- Part of an entity that owns 10% or more of an entity listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form.

IN ADDITION, THE OLCC MAY REQUIRE OTHER PEOPLE TO COMPLETE THIS FORM WHEN THERE IS REASON TO BELIEVE IT MAY HELP THE OLCC IN ITS INVESTIGATION.

PRINT FORM

RESET FORM

OREGON LIQUOR & CANNABIS COMMISSION

INDIVIDUAL HISTORY FORM

1. Name (Print):	Hart Last	Toni First	Linn Middle

2. Other names used (maiden, other): N/A

3. Do you have a Social Security Number (SSN) issued by the United States Social Security Administration? Yes ☒ No ☐
If yes, you must list your SSN: [redacted]

SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.

Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC§ 552(a).

4. Do you consent to the OLCC's use of my SSN as described above? Check this box: ☑

5. Date of Birth (DOB):	[redacted]		
	(mm)	(dd)	(yyyy)

6. Driver License or State ID #: [redacted]	7. State OR

8. Contact Phone: 971-294-0573

9. E-mail Address: hockeylvr21@gmail.com

10. Mailing Address:	[redacted]			
	(Number and Street)	(City)	(State)	(Zip Code)

11. In the past 10 years, have you been convicted of a felony or a misdemeanor in a U.S. state outside of Oregon?

No ☒ Yes ☐ (If yes, explain in the space provided, below) Unsure ☐ Choose this option and provide an explanation if, for example: you were arrested or went to court, but are unsure of whether there was a conviction; you paid a fine or served probation or parole, but are unsure of whether there was a conviction; or if you know you had a conviction, but you are unsure of whether the conviction has been removed from your record, etc.

OREGON LIQUOR & CANNABIS COMMISSION

INDIVIDUAL HISTORY FORM

12. Do you, or any entity that you are a part of, **currently hold** or **have you previously held** a recreational marijuana license in Oregon? (Note: marijuana worker permits are not marijuana licenses.)

No ☒ Yes ☐ Please list licenses (and year(s) licensed) below Unsure ☐ Please include an explanation:

13. Do you, or any entity that you are a part of, hold an alcohol license in a U.S. state outside of Oregon?

No ☒ Yes ☐ Please list licenses (and year(s) licensed) below Unsure ☐ Please include an explanation:

14. Do you or any entity that you are a part of, have any other liquor license applications pending with the OLCC?

No ☒ Yes ☐ Please list applications below Unsure ☐ Please include an explanation:

You must sign your own form (electronic signature acceptable). Another individual, such as your attorney or an individual with power of attorney, ***may not*** sign your form.

Affirmation

Even if I receive assistance in completing this form, I affirm by my signature below, that my answers on this form are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to my criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name (Print):	Hart Last	Toni First	Linn Middle

Signature: Toni L Hart	**Date:** 10/24/2023

This box for OLCC use ONLY

_____ Does the individual currently hold, or has the individual previously held, an OLCC- issued liquor license?

OREGON LIQUOR & CANNABIS COMMISSION

INDIVIDUAL HISTORY FORM

WHO MUST COMPLETE THIS FORM?

You must complete this form if:

- Your name is listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form.

- A corporation is listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form and you are:

  → President, a Vice President with responsibility over the operation of the business, Secretary, or Treasurer.
  → A Director.
  → An individual who owns 20% or more of issued stock.

- A limited liability company (LLC) is listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form and you are:

  → A Managing Member of the LLC (this is an individual designated to manage the LLC; it may or may not be the same individual designated to manage the business).
  → A Member who owns 20% or more of the membership.
  → An Officer (such as a President or Secretary) with responsibilities over the operation of the business.

You must work with the OLCC to determine who must complete this form if you are:

- Part of an entity *other than* a corporation or LLC that is listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form, or
- Part of an entity that owns 10% or more of an entity listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form.

IN ADDITION, THE OLCC MAY REQUIRE OTHER PEOPLE TO COMPLETE THIS FORM WHEN THERE IS REASON TO BELIEVE IT MAY HELP THE OLCC IN ITS INVESTIGATION.

PRINT FORM

RESET FORM

OREGON LIQUOR & CANNABIS COMMISSION

INDIVIDUAL HISTORY FORM

1. Name (Print):	Patterson Last	Erin First	Elizabeth Middle

2. Other names used (maiden, other): Watson

3. Do you have a Social Security Number (SSN) issued by the United States Social Security Administration? Yes ☒ No ☐
If yes, you must list your SSN: [redacted]

SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.

Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC§ 552(a).

4. Do you consent to the OLCC's use of my SSN as described above? Check this box: ☑

5. Date of Birth (DOB):	[redacted]		
	(mm)	(dd)	(yyyy)

6. Driver License or State ID #: [redacted]	7. State OR

8. Contact Phone: 503-312-1990

9. E-mail Address: cubsfan17@gmail.com

10. Mailing Address:	[redacted]			
	(Number and Street)	(City)	(State)	(Zip Code)

11. In the past 10 years, have you been convicted of a felony or a misdemeanor in a U.S. state outside of Oregon?

No ☒ Yes ☐ (If yes, explain in the space provided, below) Unsure ☐ Choose this option and provide an explanation if, for example: you were arrested or went to court, but are unsure of whether there was a conviction; you paid a fine or served probation or parole, but are unsure of whether there was a conviction; or if you know you had a conviction, but you are unsure of whether the conviction has been removed from your record, etc.

OREGON LIQUOR & CANNABIS COMMISSION

INDIVIDUAL HISTORY FORM

12. Do you, or any entity that you are a part of, **currently hold** or **have you previously held** a recreational marijuana license in Oregon? (Note: marijuana worker permits are not marijuana licenses.)

No ☒ Yes ☐ Please list licenses (and year(s) licensed) below Unsure ☐ Please include an explanation:

13. Do you, or any entity that you are a part of, hold an alcohol license in a U.S. state outside of Oregon?

No ☒ Yes ☐ Please list licenses (and year(s) licensed) below Unsure ☐ Please include an explanation:

14. Do you or any entity that you are a part of, have any other liquor license applications pending with the OLCC?

No ☒ Yes ☐ Please list applications below Unsure ☐ Please include an explanation:

You must sign your own form (electronic signature acceptable). Another individual, such as your attorney or an individual with power of attorney, ***may not*** sign your form.

Affirmation

Even if I receive assistance in completing this form, I affirm by my signature below, that my answers on this form are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to my criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name (Print):	Patterson Last	Erin First	Elizabeth Middle

Signature: Erin Patterson Digitally signed by Erin Patterson Date: 2023.10.24 15:50:55 -07'00' **Date:** 10/24/2023

This box for OLCC use ONLY

_____ Does the individual currently hold, or has the individual previously held, an OLCC- issued liquor license?

CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 2/7/2024

From: Chief of Police Shaun Davis

SUBJECT:

OLCC: Liquor License Application – Off-Premises, Pinnacle 365 Site 3202 (dba Colvin Oil I, LLC), 1511 Molalla Ave., Oregon City

STAFF RECOMMENDATION:

Staff recommends the City Commission approve the OLCC Application for Pinnacle 365 Site 3202 (dba Colvin Oil I, LLC), 1511 Molalla Ave., Oregon City

EXECUTIVE SUMMARY:

The attached application is for a change in ownership OLCC Off-Premises, 7 Pinnacle 365 Site 3202 (dba Colvin Oil I, LLC), 1511 Molalla Ave., Oregon City (Texaco Gas Station)

BACKGROUND:

The Oregon City Police Department ran a background check on Manuel Castelo, and he is eligible to hold a liquor license. This application is for a change of ownership. All applicants must obtain an Oregon City business license before submitting their application for an OLCC liquor license. The Oregon City business license application process includes routing of the application for review through various City departments.

OPTIONS:

1. Approve the OLCC Application for Pinnacle 365 Site 3202 (dba Colvin Oil I, LLC)– Oregon City
2. Deny the OLCC Application for Pinnacle 365 Site 3202 (dba Colvin Oil I, LLC)– Oregon City

BUDGET IMPACT:

Amount:

FY(s):

Funding Source(s):

OREGON LIQUOR & CANNABIS COMMISSION

LIQUOR LICENSE APPLICATION

Instructions

1. **Complete and sign** this application.
2. Prior to submitting this application to the OLCC, send the completed application to **the local government for the premises address** to obtain a recommendation.
   - If the premises street address is within a city's limits, the local government is the city.
   - If the premises street address is not within a city's limits, the local government is the county.
3. You can submit the application to the OLCC if:
   1. You have WRITTEN documentation showing the date the local government received the application or;
   2. The local government has provided you their recommendation.

ALL forms and documents must be a **PDF** attachment

4. **Email the PDF application that contains the local government recommendation or proof of submission** to: OLCC.LiquorLicenseApplication@oregon.gov.
5. **Do not** include any license fees with your application packet (fees will be collected at a later time).
   When it's time to pay the license fee you must pay the full yearly fee for the current license year (the license fee will not be prorated). If you pay in the last quarter of your license year you must also pay the yearly fee for the next license year.

License Request Options - *Please see the general definitions of the license request options below:*

- **New Outlet:** The licensing of a business that does not currently hold an active liquor license.
- **Change of Ownership:** The request to completely change the licensee of record at a licensed business.
- **Greater Privilege:** The request to change from an Off-Premises to a Limited or Full On-Premises Sales license **OR** from a Limited to Full On-Premises Sales license.
- **Additional Privilege:** The licensee currently holds an active liquor license at the premises and that same licensee would like to request to add an **additional** different liquor license type at that same premises location.

Additional Information

Applicant Identification: Please review OAR 845-006-0301 for the definitions of "applicant" and "licensee" and OAR 845-005-0311 to confirm that all individuals or entities with an ownership interest (other than a waivable ownership interest, per OAR 845-005-0311[6]) in the business have been identified as license applicants on this document. If you have a question about whether an individual or entity needs to be listed as an applicant for the license, discuss this with the OLCC staff person assigned to your application.

Premises Address: This is the physical location of the business and where the liquor license will be posted.

Applicant Signature(s): Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.
If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one member or officer of the entity must sign the application.

Applicant/Licensee Representative(s): In order to make changes to a license or application or to receive information about a license or application by someone other than the applicant/licensee you must:
- Complete the Authorized Representative Form designating a person/entity to act on your behalf and submit with the application.

For help with this application or any related documents or processes, email olcc.alcohollicensing@oregon.gov.

LIQUOR LICENSE APPLICATION

Check the appropriate license request option:

☐ New Outlet | ☒ Change of Ownership | ☐ Greater Privilege | ☐ Additional Privilege

Select the license type you are applying for.

More information about all license types is available online.

Full On-Premises

- ☐ Commercial
- ☐ Caterer
- ☐ Public Passenger Carrier
- ☐ Other Public Location
- ☐ For Profit Private Club
- ☐ Nonprofit Private Club

Winery

- ☐ Primary location
- Additional locations: ☐2nd ☐3rd ☐4th ☐5th

Brewery

- ☐ Primary location
- Additional locations: ☐2nd ☐3rd

Brewery-Public House

- ☐ Primary location
- Additional locations: ☐2nd ☐3rd

Grower Sales Privilege

- ☐ Primary location
- Additional locations: ☐2nd ☐3rd

Distillery

- ☐ Primary location
- Additional tasting locations: (Use the DISTT form **HERE**)

☐ **Limited On-Premises**

☒ **Off Premises**

☐ **Warehouse**

☐ **Wholesale Malt Beverage and Wine**

LOCAL GOVERNMENT USE ONLY

LOCAL GOVERNMENT
After providing your recommendation, return this form to the applicant **WITH** the recommendation marked below

Name of City OR County (not both)

Please make sure the name of the Local Government is printed legibly or stamped below

Date application received:

Optional: Date Stamp Received Below

☐ Recommend this license be granted

☐ Recommend this license be denied

☐ No Recommendation/Neutral

Printed Name Date

Signature

Pinnacle 365 Site 3202

Trade Name

LIQUOR LICENSE APPLICATION

APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1:	Name of entity or individual applicant #2:
Colvin Oil I, LLC	
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

BUSINESS INFORMATION

Trade Name of the Business (name customers will see):
Pinnacle 365 Site 3202

Premises street address (The physical location of the business and where the liquor license will be posted):
1511 Molalla Ave

City:	Zip Code:	County:
Oregon City	97045	Clackamas

Business phone number:	Business email:
503 657 8039	renewals@andretti1.com

Business mailing address (where we will send any items by mail as described in OAR 845-004-0065[1].):
2520 Foothill Blvd

City:	State:	Zip Code:
Grants Pass	Oregon	97526

Does the business address currently have an OLCC liquor license?	Does the business address currently have an OLCC marijuana license?
☒ Yes ☐ No	☐ Yes ☒ No

APPLICATION CONTACT INFORMATON – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative Form must be completed and submitted with this application.

Application Contact Name:
Shani Pearce

Phone number:	Email:
5414724944	spearce@andretti1.com

LIQUOR LICENSE APPLICATION

TERMS

- "Real property" means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- "Common area" is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area's designation as a "common area" is typically identified in the lease or rental agreement.

ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-005-0311 and attests that:

1. At least one applicant listed in the "Application Information" section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.

2. No person not listed as an applicant in the "Application Information" section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311.

3. The licensed premises at the premises street address proposed to be licensed either:
   a. Does not include any common areas; or
   b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
      - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in "common areas" and that this requirement applies at all times, even when the business is closed.

4. The licensed premises at the premises street address either:
   a. Has no area on property controlled by a public entity (like a city, county, or state); or
   b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

LIQUOR LICENSE APPLICATION

Pinnacle 365 Site 3202

Applicant Signature(s): Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.

If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one member or officer of the entity must sign the application.

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-006-0362 and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

Applicant name	Signature	Date
M.J. Castelo	M.J. Castelo (Dec 29, 2023 19:57 EST)	Dec 29, 2023 12/29/23

Applicant/Licensee Representative(s): If you would like to designate a person/entity to act on your behalf you must complete the Authorized Representative Form. You may submit the form with the application or anytime thereafter. The form must be received by the OLCC before the representative can receive or submit information for the applicant.

Please note that applicants/licensees are responsible for all information provided, even if an authorized representative submits additional forms on behalf of the applicant.

APPLICATION FORM_Liquor License Application_10.25.23

Final Audit Report 2023-12-30

Created:	2023-12-30
By:	Shani Pearce (spearce@andretti1.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAEtlXw9SHG9WCDiYrGgu6ty1-78ryp35c

"APPLICATION FORM_Liquor License Application_10.25.23" History

Document created by Shani Pearce (spearce@andretti1.com)
2023-12-30 - 0:19:18 AM GMT

Document emailed to M.J. Castelo (mjcastelo@andretti1.com) for signature
2023-12-30 - 0:20:24 AM GMT

Email viewed by M.J. Castelo (mjcastelo@andretti1.com)
2023-12-30 - 0:56:10 AM GMT

Document e-signed by M.J. Castelo (mjcastelo@andretti1.com)
Signature Date: 2023-12-30 - 0:57:00 AM GMT - Time Source: server

Agreement completed.
2023-12-30 - 0:57:00 AM GMT

Adobe Acrobat Sign

OREGON LIQUOR & CANNABIS COMMISSION

Authorized Representative Form

What is this form?

An applicant or licensee may give a representative authorization to make changes to the license; sign application forms on behalf of the licensee or applicant; or receive information about a license or application. The applicant or licensee may use this form to document that authorization.

This form **must** be signed by someone who is a licensee or an applicant for the license.

PLEASE NOTE: *Exceptions* - Each individual person **MUST** sign their own Individual History Form

Section 1 – Applicant/Licensee Information

Applicant/Licensee Name:	Colvin Oil I, LLC
Trade Name:	Pinnacle 365 Site 3202
Premise Address:	1511 Molalla Ave, Oregon City, OR 97045

Section 2 – Representative Information

Representative Name:	Shani Pearce		
Representative Phone:	541-472-4944	**Representative Email:**	spearce@andretti1.com

Section 3 – Authorization

I give permission for the above-named representative to:

- **Make changes regarding this license/application on my behalf.**
- **Sign application forms and documents regarding this license/application on my behalf.**
- **Receive information about the status of the license/application, including information about pending compliance action or communications between OLCC and the licensee/applicant.**

This authorization will remain in effect until I rescind my permission in writing and provide a copy to the Commission.

Comments:

Signature: M.J. Castelo (Dec 29, 2023 20:02 EST) **Date:** 12/29/23

Name: Manuel Castelo **Title:** Owner

REV. 10.13.2023

license-representative-authorization

Final Audit Report 2023-12-30

Created:	2023-12-30
By:	Shani Pearce (spearce@andretti1.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAT0dCTi7u233c9tpgIHaSpSJp6QWpjNUx

"license-representative-authorization" History

Document created by Shani Pearce (spearce@andretti1.com)
2023-12-30 - 0:41:44 AM GMT

Document emailed to M.J. Castelo (mjcastelo@andretti1.com) for signature
2023-12-30 - 0:41:58 AM GMT

Email viewed by M.J. Castelo (mjcastelo@andretti1.com)
2023-12-30 - 1:02:20 AM GMT

Document e-signed by M.J. Castelo (mjcastelo@andretti1.com)
Signature Date: 2023-12-30 - 1:02:41 AM GMT - Time Source: server

Agreement completed.
2023-12-30 - 1:02:41 AM GMT

Adobe Acrobat Sign

OREGON LIQUOR & CANNABIS COMMISSION

INDIVIDUAL HISTORY FORM

WHO MUST COMPLETE THIS FORM?

You must complete this form if:

- Your name is listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form.

- A corporation is listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form and you are:

  → President, a Vice President with responsibility over the operation of the business, Secretary, or Treasurer.
  → A Director with 3% or more voting stock.
  → An individual who owns 20% or more of issued stock.

- A limited liability company (LLC) is listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form and you are:

  → A Managing Member of the LLC (this is an individual designated to manage the LLC; it may or may not be the same individual designated to manage the business).
  → A Member who owns 20% or more of the membership.
  → An Officer (such as a President or Secretary) with responsibilities over the operation of the business.

You must work with the OLCC to determine who must complete this form if you are:

- Part of an entity *other than* a corporation or LLC that is listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form, or
- Part of an entity that owns 10% or more of an entity listed as an applicant in the "Entity or Individuals applying for the license" section of the Liquor License Application form.

IN ADDITION, THE OLCC MAY REQUIRE OTHER PEOPLE TO COMPLETE THIS FORM WHEN THERE IS REASON TO BELIEVE IT MAY HELP THE OLCC IN ITS INVESTIGATION.

OREGON LIQUOR & CANNABIS COMMISSION

INDIVIDUAL HISTORY FORM

1. Name (Print):	Castelo Last	Manuel First	J Middle

2. Other names used (maiden, other):

3. Do you have a Social Security Number (SSN) issued by the United States Social Security Administration? Yes [x] No [ ]
If yes, you must list your SSN: [redacted]

SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.

Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC§ 552(a).

4. Do you consent to the OLCC's use of my SSN as described above? Check this box: [✔]

5. Date of Birth (DOB):	[redacted]		
	(mm)	(dd)	(yyyy)

6. Driver License or State ID #: [redacted]	7. State CA

8. Contact Phone: 650-438-2101

9. E-mail Address: mjcastelo@andretti1.com

10. Mailing Address:	[redacted]			
	(Number and Street)	(City)	(State)	(Zip Code)

11. In the past 10 years, have you been convicted of a felony or a misdemeanor in a U.S. state outside of Oregon?

No [x] Yes [ ] (If yes, explain in the space provided, below) Unsure [ ] Choose this option and provide an explanation if, for example: you were arrested or went to court, but are unsure of whether there was a conviction; you paid a fine or served probation or parole, but are unsure of whether there was a conviction; or if you know you had a conviction, but you are unsure of whether the conviction has been removed from your record, etc.

OREGON LIQUOR & CANNABIS COMMISSION

INDIVIDUAL HISTORY FORM

12. Do you, or any entity that you are a part of, **currently hold** or **have you previously held** a recreational marijuana license in Oregon? (Note: marijuana worker permits are not marijuana licenses.)

No [X] Yes [ ] Please list licenses (and year(s) licensed) below Unsure [ ] Please include an explanation:

13. Do you, or any entity that you are a part of, hold an alcohol license in a U.S. state outside of Oregon?

No [ ] Yes [X] Please list licenses (and year(s) licensed) below Unsure [ ] Please include an explanation:

Several ABC licenses in the State of California

303376, 226186, 362758, 303441, 200233, 271335, 178834, 178835, 449824, 330224, 303443, 198190, 197667, 247559, 454262, 541345, 557265, 621496, 421027, 504730, 479984, 423713, 525340, 523116, 504263, 478635, 478638, 553355, 477090, 519152

14. Do you or any entity that you are a part of, have any other liquor license applications pending with the OLCC?

No [X] Yes [ ] Please list applications below Unsure [ ] Please include an explanation:

You must sign your own form (electronic signature acceptable). Another individual, such as your attorney or an individual with power of attorney, ***may not*** sign your form.

Affirmation

Even if I receive assistance in completing this form, I affirm by my signature below, that my answers on this form are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to my criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name (Print):	Castelo Last	Manuel First	J Middle
Signature: M.J. Castelo (Jan 5, 2024 18:14 EST)		**Date:** Jan 5, 2024	

This box for OLCC use ONLY

_____ Does the individual currently hold, or has the individual previously held, an OLCC- issued liquor license?

OLCC_individual_history

Final Audit Report 2024-01-05

Created:	2024-01-05
By:	Shani Pearce (spearce@andretti1.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAIHujdYt7xulxMeqvs4rYQjf4nqPFeIzn

"OLCC_individual_history" History

Document created by Shani Pearce (spearce@andretti1.com)
2024-01-05 - 7:34:00 PM GMT

Document emailed to M.J. Castelo (mjcastelo@andretti1.com) for signature
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Email viewed by M.J. Castelo (mjcastelo@andretti1.com)
2024-01-05 - 11:14:03 PM GMT

Document e-signed by M.J. Castelo (mjcastelo@andretti1.com)
Signature Date: 2024-01-05 - 11:14:26 PM GMT - Time Source: server

Agreement completed.
2024-01-05 - 11:14:26 PM GMT

Adobe Acrobat Sign

CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 02/07/2024

From: Public Works Director John M. Lewis, PE

SUBJECT:

Public Improvement Contract with Green Mountain Excavation, LLC for the Magnolia Street Sewer Replacement Project (CI 23-010)

STAFF RECOMMENDATION:

Award the bid and authorize the City Manager to execute the Public Improvement Contract with Green Mountain Excavation, LLC in the amount of $121,612 for construction of the Magnolia Street Sewer Replacement (CI 23-010).

EXECUTIVE SUMMARY:

Three residential structures on Magnolia Street, between Mt. Hood Street and Cascade Street, are currently served by a high-pressure force main for their sanitary sewer system. In the past decade, City crews have repaired breaks in this line on four separate occasions. This project will install a new gravity flow system and abandon the force main.

BACKGROUND:

The City identified a portion of existing sanitary sewer force main in Magnolia Street, between Mt Hood Street and Cascade Street, in which four separate repairs have been made for breaks in the line. Operational and maintenance issues have occurred on this line for the last decade. The sewer line is a high-pressure pumping system (serving three residences) and is pumped up to Mount Hood Street. Each residence has a privately pumped connection to that sewer line.

This project will install one new manhole, approximately 280 feet of 8-inch mainline pipe, and three new laterals to the backside of the curb. The new sewer line will be a gravity sewer line that will flow downhill to Cascade Avenue.

On January 8 and 10, 2024, this project was advertised in the *Daily Journal of Commerce,* and the City bid site, in accordance with City and State contracting

procedures. The bid opening was held on January 23, 2024, with 19 bids submitted. 18 of the 19 bidders submitted bids that were lower than the engineer's estimate.

Staff and RH2 Engineering reviewed the bids and determined Green Mountain Excavation, LLC to be the lowest responsive bidder. The contract award value is one hundred twenty-one thousand, six hundred twelve dollars ($121,612.00).

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

Green Mountain Excavation, LLC	$121,612.00
Nyland, Inc.	$126,027.12
Angelo Underground, LLC	$126,915.00
Odyssey Contracting, LLC	$132,442.00
Landis & Landis Construction	$139,197.00
M.L. Houck Construction Co.	$142,335.55
Subcom Excavation	$145,000.00
Trench Line Excavation, Inc.	$145,192.82
North Cascade Excavating, LLC	$145,210.00
Pacific Excavation, Inc.	$147,000.00
Civil West Construction, LLC	$149,587.50
Duke Construction & Excavation	$150,531.87
Suulutaaq, Inc.	$168,060.14
SLE, Inc.	$171,386.90
Braun Construction & Design, LLC	$173,216.00
Halme Excavating, Inc.	$177,352.00
ICON Construction	$177,872.00
Canby Excavating, Inc.	$178,974.00
Northcore USA, LLC	$193,987.00
Engineer's Estimate	$183,160.00

Construction is planned for Spring of 2024 with work anticipated to be completed by May, 2024.

OPTIONS:

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

BUDGET IMPACT:

Amount: $121,612.00

Fiscal Year(s): 2023/24

Funding Source(s): Sanitary Sewer Fund

SECTION III A
CONTRACT AGREEMENT

This Agreement, made and entered into this 7th day of February 2024, between the CITY OF OREGON CITY ("CITY"), acting by and through the City Commission and GREEN MOUNTAIN EXCAVATION, LLC ("CONTRACTOR").

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

ARTICLE I - Scope of Work

The CONTRACTOR hereby agrees to furnish all of the materials, equipment and labor necessary, and to perform all of the work for the project entitled: **MAGNOLIA STREET SEWER REPLACEMENT (CI 23-010)** in accordance with the contract documents which are hereby made a part of this agreement.

The contract documents consist of:

Invitation to Bid Scope of Work Instructions to Bidders Bid Proposal and Bid Schedule Compliance with ORS 279C.840 Resident Bidder Status Certification of Drug Testing Program Non-Collusion Statement Asbestos Certification Registrations Certification of Non-Discrimination Certification of Compliance with Tax Law Bidder Responsibility Form Bid Bond First Tier Subcontractor Disclosure Form Customer Service Acknowledgment Form Contract Agreement Oregon City Public Improvement Standard Conditions	Statutory Conditions to Contract Agreement Performance Bond Payment Bond State of Oregon Statutory Public Works Bond General Conditions Prevailing Wage Rates for Public Works Contracts in Oregon, dated January 5, 2023 Amendments to the Prevailing Wage Rates for Public Works Contracts in Oregon dated October 5, 2023 Prevailing Wage Apprenticeship Rates dated October 5, 2023 Definitions of Covered Occupations for Public Works Contracts in Oregon dated July 1, 2018 Special Provisions Contract Drawings City of Oregon City Standard Details Technical Specifications 2021 Oregon Standard Specifications for Construction (ODOT and APWA) as referenced by these documents All items included within these Contract Documents.

The order of items cited above does not constitute an order of precedence different than that established in the special or standard specifications. Equivalent titles, which may be substituted for the above listed items, are included as if specifically named.

ARTICLE II - Time of Completion

The project shall be complete within **60 calendar day**s from the authorized start date for On-site work as identified in the Notice to Proceed.

ARTICLE III – Contract Amount

The Contract Amount for the work covered by this Agreement is estimated to be **one hundred twenty-one thousand, six hundred twelve dollars, and zero cents ($121, 612.00).**

ARTICLE IV - Warranty and Quality of Work

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

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

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

CITY OF OREGON CITY

By: _____
Anthony J. Konkol III
City Manager

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

Approved as to Legal Sufficiency

By: _____
City Attorney

City Commission Award Date:

February 7, 2024

GREEN MOUNTAIN EXCAVATION, LLC

_____
Printed Name

By: _____
Authorized Signature

_____
Title

_____
Date

Address:
29274 South Salo Road

Mulino, OR 97042

_____

85-0579237
Federal Taxpayer ID Number

RH2 ENGINEERING
Portland
5335 Meadows Road, Suite 420
Lake Oswego, OR 97035
1.800.720.8052 / rh2.com

January 25, 2024

Mr. John Burrell
Project Manager
City of Oregon City
625 Center Street
Oregon City, OR 97045

Sent via: *Email*

Subject: **Magnolia Street Sewer Replacement (CI 23-010)**
Recommendation for Award

Dear Mr. Burrell:

The bids for the City of Oregon City's (City) Magnolia Street Sewer Replacement project were opened as advertised on Tuesday, January 23, 2024, at 2:00 PM at the City's Public Works Department. Of the 19 bids received, Green Mountain Excavation, LLC, (Green Mountain) submitted the low bid at $121,612.00, followed by Nylund, Inc., (Nylund) at $126,027.12. A summary of the lowest four bid totals is provided as follows.

1.	Green Mountain Excavation, LLC	$121,612.00
2.	Nylund, Inc.	$126,027.12
3.	Angelo Underground, LLC	$126,915.00
4.	Odyssey Contracting, LLC	$132,422.00

A detailed bid tabulation is attached for the City's reference. A review of the bids shows that Green Mountain's low bid was approximately 34 percent lower than the Engineer's Estimate of $183,160.00. The second lowest bid, from Nylund, was approximately 31 percent lower than the Engineer's Estimate. The highest bid of $193,987.00 from Northcore USA, LLC, was approximately 6 percent higher than the Engineer's Estimate. The average of the bids received was approximately $153,256.78.

Summation errors were found in the bid schedules from Nylund and SLE, Inc. The Bid Total stated in Nylund's bid was $123,227.12, but the calculated total based on summation of Extended Prices is $126,027.12. The Bid Total stated in SLE, Inc.'s bid was $171,386.90, but the calculated total based on summation of Extended Prices is $171,386.80. These math errors do not affect Green Mountain's status of the lowest responsive bidder.

WASHINGTON LOCATIONS
Bellingham
Bellevue
Bothell (Corporate)
East Wenatchee
Richland
Tacoma

OREGON LOCATIONS
Medford
Portland

IDAHO LOCATIONS
Nampa

RH2 Engineering, Inc., (RH2) has contacted the references provided by Green Mountain Excavation, LLC, and all had positive feedback regarding their experience working with them.

Based on a review of the bid submissions received, RH2 recommends that the City award the contract to Green Mountain Excavation, LLC.

If you have any questions or would like to discuss anything further regarding this recommendation or the bid results, please contact me at (503) 446-2911 or jbarrow@rh2.com. Thank you for the opportunity to assist you with this project.

Sincerely,

Justin Barrow, PE
Project Manager

JC/sp/gn

Attachments: Magnolia Street Sewer Replacement Bid Tabulation

OREGON CITY

Public Works – Engineering

13895 Fir Street | Oregon City OR 97045
Ph (971) 204-4601 | Fax (503) 908-1128

January 25, 2024

Larissa Green
Green Mountain Excavation, LLC.
29274 South Salo Rd.
Mulino, OR 97042

SENT VIA ELECTRONIC MAIL

RE: Notice of Intent to Award Contract – Magnolia Street Sewer Replacement (CI 23-010)

On January 24, 2024, the City of Oregon City opened bids for the above-referenced project. 19 bids were received with the apparent low bid being submitted by Green Mountain Excavation, LLC. The bidders and the bid amounts are tabulated below:

Bidder Name	**Bid Amount**
Green Mountain Excavation, LLC	$121,612.00
Nylund, Inc.	$126, 027.12 (Bid Schedule showed $123,227.12. Off by $2,800)
Angelo Underground, LLC	$126,915.00
Odyssey Contracting, LLC dba Odyssey Civil & Infrastructure	$132,442.00
Landis & Landis Construction	$139,197.00
M.L. Houck Construction Co.	$142,335.55
Subcom Excavation	$145,000.00
Trench Line Excavation, Inc.	$145,192.82
North Cascade Excavating, LLC	$145, 210.00
Pacific Excavation, Inc.	$147,000.00
Civil West Construction, LLC	$149,587.50
Duke Construction & Excavation	$150,531.87
Suulutaaq, Inc	$168, 060.14
SLE, Inc.	$171,386.90 (Bid Schedule Showed $171,386.80. Off by .10)
Braun Construction & Design, LLC	$173,216.00
Halme Excavating, Inc.	$177,352.00
Icon Construction	$177,872.00
Canby Excavating, Inc.	$178,974.00
Northcore USA, LLC	$193,987.00

The City has evaluated the low bid and has determined it to be responsive and responsible. Therefore, the City intends to award the contract to Green Mountain Excavation, LLC. The City Commission is scheduled to take action to award this contract at their February 7, 2024, City Commission meeting.

The City of Oregon City appreciates your interest and effort in preparing and submitting a bid for this project. If you have any questions about the bid process or our decision of award, feel free to call me at 971-204-4623.

Sincerely,

John Burrell, EIT, CPESC
Project Manager

Client City of Oregon City
Magnolia Street Sewer Replacement - CI 23-010
Bid Tabulation
Date: 1/23/24 2:00 PM

Apparent Low | Other Bidders

Item	Description	Units	Quantity	Engineers Estimate Unit Price	Engineers Estimate Extended	Green Mountain Excavation LLC Unit Price	Green Mountain Excavation LLC Extended	Nylund Inc Unit Price	Nylund Inc Extended	Angelo Underground LLC Unit Price	Angelo Underground LLC Extended	Braun Construction Unit Price	Braun Construction Extended	Canby Excavation Inc Unit Price	Canby Excavation Inc Extended	Civil West Construction LLC Unit Price	Civil West Construction LLC Extended	Duke Construction and Excavation Unit Price	Duke Construction and Excavation Extended	Halme Excavating Inc Unit Price	Halme Excavating Inc Extended
1	Extra Work as Authorized	LS	1	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00
2	Mobilization	LS	1	$ 15,800.00	$ 15,800.00	$ 12,000.00	$ 12,000.00	$ 15,000.00	$ 15,000.00	$ 10,000.00	$ 10,000.00	$ 37,000.00	$ 37,000.00	$ 17,000.00	$ 17,000.00	$ 13,500.00	$ 13,500.00	$ 7,600.57	$ 7,600.57	$ 16,000.00	$ 16,000.00
3	Work Zone Traffic Control, Complete	LS	1	$ 22,500.00	$ 22,500.00	$ 7,000.00	$ 7,000.00	$ 11,000.00	$ 11,000.00	$ 15,000.00	$ 15,000.00	$ 7,000.00	$ 7,000.00	$ 9,800.00	$ 9,800.00	$ 7,500.00	$ 7,500.00	$ 11,825.76	$ 11,825.76	$ 25,000.00	$ 25,000.00
4	Erosion and Sediment Control	LS	1	$ 3,000.00	$ 3,000.00	$ 500.00	$ 500.00	$ 5,000.00	$ 5,000.00	$ 500.00	$ 500.00	$ 4,000.00	$ 4,000.00	$ 4,500.00	$ 4,500.00	$ 1,500.00	$ 1,500.00	$ 1,153.82	$ 1,153.82	$ 3,000.00	$ 3,000.00
5	Construction Survey Work	LS	1	$ 8,000.00	$ 8,000.00	$ 3,400.00	$ 3,400.00	$ 2,750.00	$ 2,750.00	$ 3,500.00	$ 3,500.00	$ 6,700.00	$ 6,700.00	$ 3,500.00	$ 3,500.00	$ 3,500.00	$ 3,500.00	$ 5,566.52	$ 5,566.52	$ 4,000.00	$ 4,000.00
6	Rock Excavation	CY	10	$ 300.00	$ 3,000.00	$ 190.00	$ 1,900.00	$ 260.00	$ 2,600.00	$ 75.00	$ 750.00	$ 275.00	$ 2,750.00	$ 375.00	$ 3,750.00	$ 650.00	$ 6,500.00	$ 591.78	$ 5,917.80	$ 250.00	$ 2,500.00
7	Boulder Excavation	CY	10	$ 200.00	$ 2,000.00	$ 120.00	$ 1,200.00	$ 280.00	$ 2,800.00	$ 75.00	$ 750.00	$ 275.00	$ 2,750.00	$ 250.00	$ 2,500.00	$ 169.50	$ 1,695.00	$ 457.75	$ 4,577.50	$ 150.00	$ 1,500.00
8	Trench Foundation	CY	40	$ 100.00	$ 4,000.00	$ 86.00	$ 3,440.00	$ 278.75	$ 11,150.00	$ 50.00	$ 2,000.00	$ 150.00	$ 6,000.00	$ 160.00	$ 6,400.00	$ 100.00	$ 4,000.00	$ 132.66	$ 5,306.40	$ 100.00	$ 4,000.00
9	8-inch PVC Sewer Pipe, Class B Backfill	LF	287	$ 220.00	$ 63,140.00	$ 136.00	$ 39,032.00	$ 100.70	$ 28,900.90	$ 145.00	$ 41,615.00	$ 150.00	$ 43,050.00	$ 245.00	$ 70,315.00	$ 152.50	$ 43,767.50	$ 182.64	$ 52,417.68	$ 180.00	$ 51,660.00
10	Sanitary Sewer Service Lateral	EA	3	$ 6,000.00	$ 18,000.00	$ 3,800.00	$ 11,400.00	$ 842.50	$ 2,527.50	$ 6,250.00	$ 18,750.00	$ 7,500.00	$ 22,500.00	$ 7,750.00	$ 23,250.00	$ 1,500.00	$ 4,500.00	$ 4,260.53	$ 12,781.59	$ 8,500.00	$ 25,500.00
11	Concrete Manholes, 48-inch Diameter	EA	1	$ 12,000.00	$ 12,000.00	$ 9,000.00	$ 9,000.00	$ 6,305.00	$ 6,305.00	$ 2,000.00	$ 2,000.00	$ 8,000.00	$ 8,000.00	$ 7,400.00	$ 7,400.00	$ 4,000.00	$ 4,000.00	$ 11,607.20	$ 11,607.20	$ 11,500.00	$ 11,500.00
12	Temporary Trench Resurfacing, HMAC, 2-inch Depth	SY	135	$ 40.00	$ 5,400.00	$ 40.00	$ 5,400.00	$ 58.32	$ 7,873.20	$ 50.00	$ 6,750.00	$ 62.00	$ 8,370.00	$ 45.00	$ 6,075.00	$ 175.00	$ 23,625.00	$ 27.85	$ 3,759.75	$ 20.00	$ 2,700.00
13	Permanent Trench Resurfacing, HMAC, 4-inch Depth	SY	204	$ 80.00	$ 16,320.00	$ 85.00	$ 17,340.00	$ 98.63	$ 20,120.52	$ 75.00	$ 15,300.00	$ 74.00	$ 15,096.00	$ 71.00	$ 14,484.00	$ 125.00	$ 25,500.00	$ 88.32	$ 18,017.28	$ 98.00	$ 19,992.00
TOTAL (ITEMS 1 TO 13)					$ 183,160.00	-33.6%	$ 121,612.00	-31.2%	$ 126,027.12 1	-30.7%	$ 126,915.00	-5.4%	$ 173,216.00	-2.3%	$ 178,974.00	-18.3%	$ 149,587.50	-17.8%	$ 150,531.87	-3.2%	$ 177,352.00

Note: 1. Addition error identified resulting in a difference of +$2,800 between the sum of extended prices and the Total Bid stated in the Bid Schedule. Does not impact low bidder status.
2. Addition error identified resulting in a difference of +$0.10 between the sum of extended prices and the Total Bid stated in the Bid Schedule. Does not impact low bidder status.

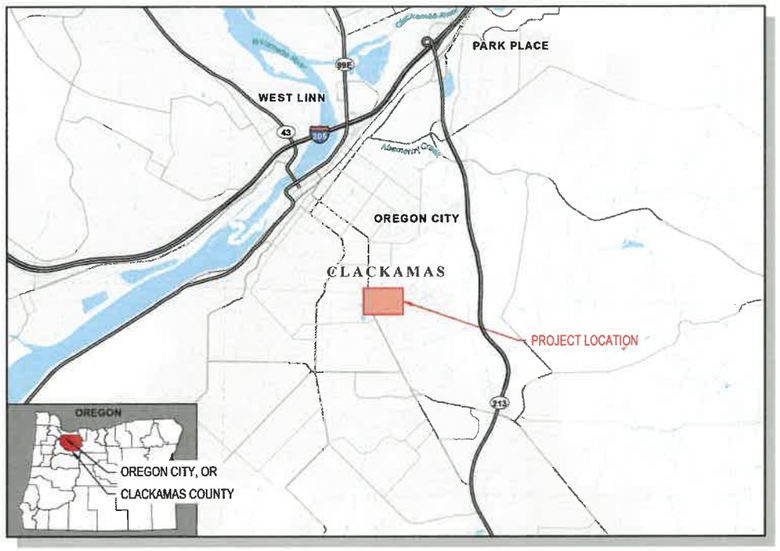
Icon Construction & Development		Landis and Landis Construction LLC		M.L. Houck Construction Co		North Cascade Excavating LLC		Odyssey Contracting LLC		Pacific Excavation Inc		SLE Inc		Subcom Excavation		Suulutaaq Inc		Trench Line Excavation Inc		Northcore USA LLC	
Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended
$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00
$ 35,000.00	$ 35,000.00	$ 27,500.00	$ 27,500.00	$ 14,000.00	$ 14,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 25,200.00	$ 25,200.00	$ 7,300.00	$ 7,300.00	$ 15,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00	$ 23,398.80	$ 23,398.80	$ 48,250.00	$ 48,250.00
$ 14,000.00	$ 14,000.00	$ 7,975.00	$ 7,975.00	$ 25,800.00	$ 25,800.00	$ 7,000.00	$ 7,000.00	$ 6,500.00	$ 6,500.00	$ 15,000.00	$ 15,000.00	$ 33,000.00	$ 33,000.00	$ 5,000.00	$ 5,000.00	$ 7,257.09	$ 7,257.09	$ 2,220.33	$ 2,220.33	$ 15,000.00	$ 15,000.00
$ 3,500.00	$ 3,500.00	$ 1,150.00	$ 1,150.00	$ 900.00	$ 900.00	$ 1,000.00	$ 1,000.00	$ 1,000.00	$ 1,000.00	$ 1,500.00	$ 1,500.00	$ 2,000.00	$ 2,000.00	$ 850.00	$ 850.00	$ 2,120.15	$ 2,120.15	$ 1,340.37	$ 1,340.37	$ 250.00	$ 250.00
$ 4,500.00	$ 4,500.00	$ 4,900.00	$ 4,900.00	$ 2,750.00	$ 2,750.00	$ 4,000.00	$ 4,000.00	$ 2,000.00	$ 2,000.00	$ 5,000.00	$ 5,000.00	$ 3,220.00	$ 3,220.00	$ 3,500.00	$ 3,500.00	$ 2,333.60	$ 2,333.60	$ 2,903.93	$ 2,903.93	$ 4,900.00	$ 4,900.00
$ 100.00	$ 1,000.00	$ 175.00	$ 1,750.00	$ 150.00	$ 1,500.00	$ 70.00	$ 700.00	$ 250.00	$ 2,500.00	$ 200.00	$ 2,000.00	$ 1,400.00	$ 14,000.00	$ 125.00	$ 1,250.00	$ 368.02	$ 3,680.20	$ 379.71	$ 3,797.10	$ 165.00	$ 1,650.00
$ 90.00	$ 900.00	$ 150.00	$ 1,500.00	$ 100.00	$ 1,000.00	$ 70.00	$ 700.00	$ 100.00	$ 1,000.00	$ 100.00	$ 1,000.00	$ 300.00	$ 3,000.00	$ 125.00	$ 1,250.00	$ 239.67	$ 2,396.70	$ 390.56	$ 3,905.60	$ 165.00	$ 1,650.00
$ 50.00	$ 2,000.00	$ 41.00	$ 1,640.00	$ 105.00	$ 4,200.00	$ 70.00	$ 2,800.00	$ 80.00	$ 3,200.00	$ 40.00	$ 1,600.00	$ 300.00	$ 12,000.00	$ 151.00	$ 6,040.00	$ 64.20	$ 2,568.00	$ 79.28	$ 3,171.20	$ 63.00	$ 2,520.00
$ 185.00	$ 53,095.00	$ 145.00	$ 41,615.00	$ 145.00	$ 41,615.00	$ 190.00	$ 54,530.00	$ 110.00	$ 31,570.00	$ 165.00	$ 47,355.00	$ 120.00	$ 34,440.00	$ 130.00	$ 37,310.00	$ 299.22	$ 85,876.14	$ 200.94	$ 57,669.78	$ 205.00	$ 58,835.00
$ 5,400.00	$ 16,200.00	$ 4,500.00	$ 13,500.00	$ 4,500.00	$ 13,500.00	$ 2,800.00	$ 8,400.00	$ 8,000.00	$ 24,000.00	$ 4,000.00	$ 12,000.00	$ 7,250.00	$ 21,750.00	$ 2,000.00	$ 6,000.00	$ 4,053.45	$ 12,160.35	$ 3,904.23	$ 11,712.69	$ 6,150.00	$ 18,450.00
$ 8,115.00	$ 8,115.00	$ 7,900.00	$ 7,900.00	$ 5,882.00	$ 5,882.00	$ 6,200.00	$ 6,200.00	$ 16,000.00	$ 16,000.00	$ 8,000.00	$ 8,000.00	$ 5,500.00	$ 5,500.00	$ 4,500.00	$ 4,500.00	$ 9,781.91	$ 9,781.91	$ 6,446.59	$ 6,446.59	$ 8,800.00	$ 8,800.00
$ 18.00	$ 2,430.00	$ 21.00	$ 2,835.00	$ 47.85	$ 6,459.75	$ 40.00	$ 5,400.00	$ 36.00	$ 4,860.00	$ 15.00	$ 2,025.00	$ 59.26	$ 8,000.10	$ 100.00	$ 13,500.00	$ 31.84	$ 4,298.40	$ 25.97	$ 3,505.95	$ 50.00	$ 6,750.00
$ 133.00	$ 27,132.00	$ 83.00	$ 16,932.00	$ 72.20	$ 14,728.80	$ 120.00	$ 24,480.00	$ 48.00	$ 9,792.00	$ 80.00	$ 16,320.00	$ 84.20	$ 17,176.80	$ 200.00	$ 40,800.00	$ 51.90	$ 10,587.60	$ 74.12	$ 15,120.48	$ 83.00	$ 16,932.00
-2.9%	$ 177,872.00	-24.0%	$ 139,197.00	-22.3%	$ 142,335.55	-20.7%	$ 145,210.00	-27.7%	$ 132,422.00	-19.7%	$ 147,000.00	-6.4%	$ 171,386.90 2	-20.8%	$ 145,000.00	-8.2%	$ 168,060.14	-20.7%	$ 145,192.82	5.9%	$ 193,987.00

CITY OF OREGON CITY
MAGNOLIA STREET SEWER REPLACEMENT

SPRING 2024
VOLUME II OF II

Item 7e.

PROJECT VICINITY MAP



PROJECT LOCATION MAP

LEGENDS

EXISTING LEGEND

	MONUMENT	T	TELEPHONE LINE
	WATER METER	G	NATURAL GAS
	FIRE HYDRANT	P	UNDERGROUND POWER
	WATER VALVE	OHP	OVERHEAD POWER
	TELEPHONE PEDESTAL	SS	SANITARY SEWER LINE
	GUY ANCHOR	ST	STORM DRAIN LINE
	POWER POLE	W	WATER LINE LINE
	STREET LIGHT		WATER SERVICE LINE
	LIGHT POLE		PROPERTY LINE
	POWER METER		EASEMENT LINE
	GAS VALVE		CURB LINE
	TREE (DECIDUOUS)		RIGHT OF WAY
	TREE (CONIFEROUS)		WOOD FENCE
	MAILBOX	X	CHAIN LINK FENCE
	STORM DRAIN MANHOLE		EXISTING PAVEMENT
	CATCH BASIN (RECTANGULAR)		EXISTING CONCRETE
	SANITARY SEWER MANHOLE		EXISTING GRAVEL
	STREET SIGN		EXISTING BRICK
	DIRECT PUSH PROBE LOCATION		

PROPOSED LEGEND

- GRAVITY SEWER
- SEWER MANHOLE
- SEWER CLEANOUT
- HMA TRENCH PATCH

DRAWING INDEX

SHEET NO.	SHEET TITLE	DWG NO.
1	COVER	COV
2	GENERAL INFORMATION 1	G01
3	SEWER PLAN AND PROFILE	SS01
4	SEWER DETAILS	SS02
5	STANDARD DETAILS 1	DT01
6	STANDARD DETAILS 2	DT02

CONTACT PERSONNEL

CONTACT	AGENCY	PHONE
JOHN BURRELL (PROJECT MANAGER)	OREGON CITY	(503) 496-1556
ERIC HAND (WASTE/STORMWATER)	OREGON CITY	(503) 657-8241
KEVIN HANKS (WATER)	OREGON CITY	(503) 657-8241
JAYSON THORNBERG (STREETS)	OREGON CITY	(503) 657-8241
DAVID NICHOLS, P.E.	RH2 ENGINEERING	(503) 446-5949
JUSTIN BARROW, P.E.	RH2 ENGINEERING	(503) 446-2911
RYAN WINFREE	NW NATURAL GAS	(503) 721-2550
RICHARD MARONEY	COMCAST	(503) 813-0482
DAVID DODD	CENTURYLINK	(503) 616-6291
MICHAEL HOLT	PORTLAND GENERAL ELECTRIC	(541) 965-1887

CALL 48 HOURS BEFORE YOU DIG
ONE CALL 1-800-332-2344

ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER AT 503-232-1978.

REGISTERED PROFESSIONAL ENGINEER
OREGON
MARCH 12, 2018
JUSTIN R. BARROW
EXPIRES: 12/31/2025
SIGNED: 12/19/2023

OREGON CITY

PROJECT MANAGER: JOHN BURRELL
FILE NUMBER: CI 23-010

RH2 ENGINEERING INC.
5335 MEADOWS ROAD
SUITE 420
LAKE OSWEGO, OREGON 97035

SCALE: SHOWN
DESIGNED BY: DCN
PROJECT NO: 23-0126
DRAWN BY: JRB
DATE: Dec 19, 2023
REV:

COVER

MAGNOLIA STREET SEWER REPLACEMENT
OREGON CITY, OREGON
CITY FILE NO. CI 23-010

REV NO.	DATE	DESCRIPTION

REVISIONS

PREPARED BY: RH2

DRAWING NUMBER: COV

SHEET 1 OF 5

CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 02/07/2024

From: Public Works Director John M. Lewis, PE

SUBJECT:

Personal Services Agreement with RH2 Engineering, Inc. for the Holmes Lane Waterline Replacement Project (CI 24-002)

STAFF RECOMMENDATION:

Award the contract and authorize the City Manager to execute the Contract Agreement with RH2 Engineering, Inc in the amount of $243,110.00 for design services, preparation of bid documents, and construction services for the Holmes Lane Waterline Replacement Project (CI 24-002).

EXECUTIVE SUMMARY:

The existing waterline in Holmes Lane (between Prospect Street and Linn Avenue) is old steel pipe that breaks/leaks due to pressure surges from the Mountainview Pump Station. This project will replace the waterline with a new 12” ductile iron pipe, as well as replace the water services and fire hydrants.

BACKGROUND:

The City’s water operations staff have been dealing with breaks/leaks in the existing 12” steel waterline in Holmes Lane for many years. This pipe is a critical component in the City’s water distribution system, as it supplies water to both the Boynton and the Henrici Reservoirs. However, when the Mountainview Pump Station is activated, to send water to the two reservoirs, the pressure surge can cause cracks and leaks in the old steel pipe. Replacement of this waterline is a high priority to ensure safe, continuous functioning of the water distribution system. The waterline is identified in the Water Infrastructure Finance and Innovation Act (WIFIA) project list as, WIFIA 2-3.

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

The project is scheduled for construction bids by May 2024, with construction completion by November 2024. The City's Pavement Maintenance Utility Fee (PMUF) program will repave Holmes Lane once the utility replacements have been completed.

RH2 Engineering is a consultant on the City's Utility Infrastructure shortlist to prepare bid documents for capital improvement projects.

OPTIONS:

1. Authorize the City Manager to execute the Agreement with RH2 Engineering, Inc.
2. Authorize the City Manager to execute the Agreement with RH2 Engineering Inc., with specific modifications.
3. Deny the Agreement. If the Commission chooses to deny the Agreement, staff requests direction on how to proceed.

BUDGET IMPACT:

Amount:	$243,110.00
Fiscal Year(s):	2023/24
Funding Source(s):	Water Fund

Point of Contact: John Burrel
Term of Contract: March 31, 2025

CITY OF OREGON CITY
PERSONAL SERVICES AGREEMENT

HOLMES WATERLINE REPLACMENT PROJECT (CI 24-002)

This PERSONAL SERVICES AGREEMENT ("Agreement") is entered into between the CITY OF OREGON CITY ("City") and **RH2 ENGINEERINGS, INC.** ("Consultant").

RECITALS

A. City requires services that Consultant is capable of providing under the terms and conditions hereinafter described.

B. Consultant is able and prepared to provide such services as City requires under the terms and conditions hereinafter described.

The parties agree as follows:

AGREEMENT

1. Term. The term of this Agreement shall be from the date the contract is fully executed until **March 31, 2025**, unless sooner terminated pursuant to provisions set forth below. However, such expiration shall not extinguish or prejudice City's right to enforce this Agreement with respect to (i) breach of any warranty; or (ii) any default or defect in Consultant's performance that has not been cured.

2. Compensation. City agrees to pay Consultant on a time-and-materials basis for the services required. Total compensation, including reimbursement for expenses incurred, shall not exceed **two-hundred forty-three, one hundred-ten dollars and zero cents ($243,110.00).**

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

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

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

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

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

To the City:	City of Oregon City 13895 Fir Street Oregon City, OR 97045 Attention: John M. Lewis
To Consultant:	RH2 ENGINEERING, INC. 22722 29th Drive SE, Ste. 210 Bothell, WA 98021 Attention: Kyle Pettibone, P.E.

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

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

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly appointed officers on this _____ day of _____, 2024.

CITY OF OREGON CITY

By: _____

Name: John M. Lewis, P.E

Title: Public Works Director

DATED: _____, 20___.

By: _____

Name: Anthony J. Konkol III

Title: City Manager

DATED: _____, 20___.

APPROVED AS TO LEGAL SUFFICIENCY:

By: _____
City Attorney

RH2 ENGINEERING, INC.

By: _____

Name: _____

Title: _____

DATED: _____, 20___.

ORIGINAL CITY COMMISSION APPROVAL (IF APPLICABLE):

DATE: _____

EXHIBIT A
Scope of Work
City of Oregon City
Holmes Lane Waterline Replacement Project
Project No. CI 24-002

January 2024

BACKGROUND

The City of Oregon City (City) has requested that RH2 Engineering, Inc., (RH2) provide engineering design services, services during bidding, and services during construction for the replacement of the existing waterline in Holmes Lane. The project includes design and construction of the following:

- Approximately 2,135 linear feet of 12-inch ductile iron (DI) waterline within Holmes Lane public street right-of-way.
- Approximately three new fire hydrant assemblies.
- Approximately 33 new water services.
- Nine waterline reconnections to the existing water system.

This Scope of Work has been prepared based on discussions with City staff.

Project Understanding and Assumptions

The following outlines RH2's understanding of the City's responsibilities, and the overall project goals and requirements. Assumptions used in preparing this Scope of Work also are identified, as appropriate.

The City will be responsible for the following:

- Provide a project manager who is responsible for overall project management and will provide coordination between RH2 and the City.
- Establish the work scope and design parameters for the project, including related standards.
- Provide RH2 copies of all available, relevant City utility as-built plans, topographical maps, reports, and studies pertinent to the project.
- Provide RH2 with GIS technical support, including a base map developed from coordinate geometry with aerial photography and topographic contours.
- Provide RH2 with the City's standard drafting frame, title block, and a *Drafting Standards Manual*.

- Provide RH2 with digital copies of the City's standard construction specifications, details, and front-end bidding document sections.
- Provide timely review and comment on all reports, drawings, and specifications submitted by RH2 to the City for review and approval.
- Coordinate and submit applications for any required permits. *RH2 may be requested to contribute project information for such applications as described in this Scope of Work.*
- Maintain records and process consultant invoices.
- Provide legal review of all construction contracts, bid forms, and real property.
- Provide notifications, as necessary, to the public and residences regarding the nature and timing of the work to be completed, including water system shutdown notices.
- Advertise and manage the bidding process for construction. *RH2 will reply to design/bid questions from potential bidders as described in this Scope of Work.*

In preparing this Scope of Work, the following assumptions were made:

- *It is anticipated that improvements will be constructed within the developed right-of-way (ROW) or through existing easements.*
- *Due to the nature of the project, the narrow width of the ROW, and the number of monuments anticipated to be present, it is likely that monuments will be disturbed by construction related to this project. Therefore, a Pre-Construction Record of Survey and Post-Construction Record of Survey are included in this Scope of Work*.
- *It is anticipated that trench restoration requirements associated with the waterline project will be a Modified Standard per City Pavement Restoration Standards for a collector street.*
- *It is assumed that there will not be any sidewalk ramp replacement required for the project.*
- *It is assumed that project meetings will be approximately one (1) to two (2) hours in duration and will be held through a virtual meeting platform.*
- *RH2 will rely on the accuracy and completeness of any data, information, or materials generated or provided by the City or others in relation to the work.*
- *RH2 will not be responsible for site safety or for directing the contractor in their work.*
- *It is assumed that the City will manage public outreach to the residences and businesses in the neighborhood.*
- *Deliverables will be provided in electronic format (PDF) unless otherwise noted.*

Task 1 – Project Management

Objective: Provide coordination of the RH2 project team, including regular communication with City staff, periodic progress reporting, monthly billing, and updates on project scope, schedule, and budget.

Approach:

1.1 Provide Project Administration and Reporting: Provide project management services during design, bidding, and construction contract administration, including staff scheduling, recordkeeping and filing, and project invoicing. Provide monthly billing invoices, including a detailed breakdown of staff hours billed by task. Include a summary of expenditures, percentage complete by task, and budget remaining per task. Coordinate with the City's project manager regularly to discuss project and task status.

1.2 Prepare and Maintain Project Schedule: Prepare and maintain the overall project schedule, including RH2 staff, subconsultants, and other resources. *It is assumed that the project schedule will be developed at project initiation and will be reviewed and revised at the 50-percent and 90-percent design milestones, in conjunction with City reviews*.

1.3 Attend Project Kick-Off Meeting: Prepare for and attend one (1) project kick-off meeting. *The project kick-off meeting will be a meeting with City staff and will focus on initial design and waterline layout to get to the 50-percent design level.* Prepare meeting agenda and minutes.

RH2 Deliverables:

- Monthly invoices.
- Project schedule at project kick-off, 50-percent, and 90-percent milestones.
- Meeting agendas and minutes.

Task 2 – Topographical Survey and Geotechnical Investigation

Objective: Obtain and review background information relevant to the design. Coordinate with a professional land surveyor to perform topographic survey. Prepare a base map of the project area, Pre-Construction Record of Survey, and Post-Construction Record of Survey. Conduct geologic investigations, including soil borings, and prepare a technical memorandum describing anticipated conditions to support the project's design and construction.

Approach:

2.1 Perform Topographic Site Survey and Prepare Base Map: Coordinate with a professional land surveyor, Compass Land Surveyors, Inc., (Compass), as a subconsultant to RH2, to perform topographical survey of surface features, monumentation, marked utilities, property lines, and ROW lines of the proposed alignment. *It is anticipated that property lines and ROW lines will be calculated with an anticipated level of accuracy of approximately 0.2 feet.* Coordinate with Compass and respond to questions. Review and format survey data for design use. Obtain and review as-built drawings and perform one

(1) site visit to compare survey information with field conditions. Update plans based on site visit. *Compass will provide Right-of-Entry Notification by first class mail to property owners whose property may need to be accessed for purposes of conducting field survey work. Compass will coordinate with the Oregon Utility Notification Center to have utility locates painted on the ground prior to survey and geotechnical investigation.*

2.2 Coordinate Field Marking of Geoprobe Locations: Coordinate with Compass to pre-mark the geoprobe locations on the ground for the geotechnical investigation. Compass will provide layout services to pre-mark the location of forty-two (42) geoprobe locations with paint along the proposed pipeline alignment after the design has been completed. Provide coordinates of the geoprobe locations to Compass for the pre-marking.

2.3 Prepare Traffic Control and ROW Permitting: Compass will prepare and submit a ROW Permit application to allow survey work to take place within the ROWs of Holmes Lane, Linn Avenue, and the intersecting side streets. Compass will engage the services of D&H Flagging, Inc., to prepare a Traffic Control Plan, obtain City approval, and provide subsequent traffic control flagging as may be required. *Estimated costs include traffic control for initial topographic mapping and for laying out forty-two (42) geoprobe locations at a separate time. It is assumed that no traffic control will be required for survey work outside of the travelled roadway (said work would consist primarily of establishing and utilizing survey control and searching for ROW monuments) but that it will be required for any survey work requiring the physical presence of surveyors in the travelled roadway portion of the public streets.*

Holmes Lane is a 40-foot-wide ROW in most places, and it appears that the ROW lines are generally less than 10 feet beyond the edge of the travelled roadway in most areas. The portion of the ROW outside the travelled roadway will be used as the survey work area for setting up survey instrumentation and taking measurements. Almost all of the survey work will take place within the travelled roadway section of the ROW or in the area within the ROW outside of the travelled roadway. It is assumed that four (4) traffic flaggers will be required in most areas of the project during the mapping process to meet safety requirements, as well as to promote an orderly workflow of the survey. In some areas, it may be possible to reduce the number of flaggers, depending upon workflow and scheduling.

2.4 Prepare Pre-Construction Record of Survey: Coordinate with Compass to prepare and file a Pre-Construction Record of Survey with the Clackamas County Surveyor's office showing the monuments of record found along the project corridor, which may be subject to disturbance by the proposed construction improvements. The Pre-Construction Record of Survey will show the location of the monuments found along the project corridor and will be used as the basis for the Post-Construction Record of Survey once construction has been completed.

2.5 Perform Engineering Geology Investigation and Reporting: Perform a review of existing geologic data that is readily available either online and/or from previous reports, and advise the design team of specific areas needing field exploration. Perform field

reconnaissance of the proposed alignment to observe visible indicators of geologic issues or concerns and specifically address issues related to shallow bedrock and boulders. Coordinate with Holt Services, Inc., as a geotechnical drilling subconsultant to conduct approximately forty-two (42) geoprobe explorations at approximately 50-foot intervals to identify the top of bedrock/boulders along the proposed waterline alignment. Coordinate with the City to obtain permits for field work and locate subsurface utilities via the Oregon Utility Notification Center. Observe field explorations and prepare a brief technical memorandum summarizing field observations and probing results. Coordinate with City staff and incorporate findings and recommendations into the design. *Work associated with the geoprobe exploration is expected to require approximately four (4) days of field work with traffic control.*

Provided by City:

- As-built (record) drawings for existing subsurface utilities.

RH2 Deliverables:

- Topographical survey and base maps for project area in electronic format (DWG and PDF).
- ROW Permit application.
- Traffic Control Plan.
- Pre-Construction Record of Survey.
- Engineering geology technical memorandum summarizing field observations and probing results.

Task 3 – Utility Coordination

Objective: Perform utility coordination work related to the following franchise and private utilities: power, communications, gas, cable television, and other private utilities that may be present within the project limits. Confirm utility owners within the project limits and assist utility owners with identifying and addressing potential utility conflicts.

Approach:

3.1 Coordinate with Utility Owners and Distribute Project Information Letter: Identify utility contacts and prepare and distribute a project information letter to the involved utility companies to explain the nature of the work and anticipated project schedule. Maintain record of correspondence with utility companies.

3.2 Identify Potential Utility Conflicts and Coordinate Utility Potholing: Coordinate with City and utility owners to help identify potential utility conflicts relevant to the preparation of the 50-percent design drawings. Prepare and distribute a notice of potential utility conflict letters and preliminary design drawings, and coordinate with utility owners to obtain pothole information.

3.3 Coordinate with Utility Owners Regarding Conflicts: Prepare and distribute a notice of utility conflict letters and 90-percent design plans to impacted utility owners. Coordinate

and assist utility owners with addressing potential conflicts by either relocation, adjustments, or protection of the existing utility. Notify utility owners of the schedule for utility relocations or adjustments.

3.4 Notify Utility Owners of Construction: Prepare and distribute a construction information letter to the involved utility owners.

Assumptions:

- *It is anticipated that the majority of potential utility conflicts can be avoided with reasonable and timely cooperation from the impacted utility owners. Affected utilities will be responsible for potholing their facilities, as requested, to assist in developing designs that avoid their facilities to the extent practical, and will be responsible for developing their relocation designs to accommodate the project.*
- *City utilities include water, sanitary sewer, and storm sewer facilities. It is assumed the City will locate its utilities by potholing or other means as deemed necessary to resolve conflicts in the construction of the project.*

RH2 Deliverables:

- Utility contact list and record of correspondence with utility owners.
- Project information letter(s) upon project initiation sent to each utility owner via the United States Postal Service (USPS) and email.
- Notice of potential utility conflict letter(s) sent via USPS to each affected utility owner, and letter(s) with preliminary project drawings and detailed markups of potential conflict locations sent via email to each affected utility owner.
- Notice of utility relocation letter(s) sent via USPS to each affected utility owner, with 90-percent project plans and utility relocation and time schedule requirements sent via email to each affected utility owner.
- Project construction information letter(s) upon awarding the construction project sent to each utility owner via USPS and email.

Task 4 – 50-Percent Design

Objective: Prepare preliminary plans and an Engineer's opinion of probable construction cost (OPCC) for the proposed waterline improvements.

Approach:

4.1 Prepare 50-Percent Design: Prepare preliminary design plans to the 50-percent design level with horizontal and vertical alignment detail of the waterline improvements for City review. Connection points and other significant details will be included. An OPCC will be developed for the preliminary design review submittal.

4.2 Attend 50-Percent Review Meeting: Provide and present 50-percent design, including preliminary plan/profile sheets, connection details, OPCC, and updated project schedule

for the City's review and comment. Attend one (1) review meeting with City staff and prepare meeting agenda and minutes.

Assumptions:

- *It is assumed that the City will provide review comments as written summary or as markups to the plans based on the 50-percent plan review meeting.*

RH2 Deliverables:

- Preliminary plan and profile sheets at 1-inch equals 20 feet horizontal scale and 1-inch equals 5 feet vertical scale.
- Preliminary OPCC based on 50-percent design.
- Meeting agenda and minutes for the 50-percent review meeting.

Task 5 – 90-Percent Design

Objective: Develop 90-percent plan sheets, technical specifications, and bid documents, and update the OPCC for the proposed improvements.

Approach:

5.1 Prepare 90-Percent Plans and Specifications: Incorporate the City's 50-percent review comments and prepare 90-percent design plans. The plans will include the final configurations for connections to the City's system, trench, bedding materials, backfill, compaction, and surface restoration, along with other supporting details and requirements for construction, testing, and permitting. Prepare construction contract documents to the 90-percent level, including both technical and non-technical construction contract requirements, general conditions, and special requirements. Prepare 90-percent OPCC for the proposed improvements.

5.2 Perform Quality Control Review: Perform internal quality assurance and quality control (QA/QC) review of the 90-percent plans and specifications.

5.3 Attend 90-Percent Review Meeting: Provide and present 90-percent design, including plans, specifications, OPCC, and updated project schedule for the City's review and comment. Attend one (1) review meeting with City staff and prepare meeting agenda and minutes.

Assumptions:

- *It is assumed that the construction contractor will be responsible for preparing the final traffic control and erosion control plans in accordance with City requirements.*
- *Non-technical front-end specifications will be prepared using the City's most recent standard forms. Technical specifications will be in Oregon Department of Transportation/American Public Works Association most recent format.*
- *It is assumed that the City will provide review comments as written summary or as markups to the plans based on the 90-percent review meeting.*

Provided by City:

- Current non-technical front-end specifications in electronic format (Microsoft Word).

RH2 Deliverables:

- 90-percent plans and construction contract documents, including front-end documents and technical specifications.
- OPCC based on 90-percent design.
- Meeting agenda and minutes for the 90-percent review meeting.

Task 6 – Bid-Ready Design

Objective: Develop bid-ready plan sheets, technical specifications, and bid documents for the proposed improvements.

Approach:

6.1 Prepare Bid-Ready Plans and Specifications: Incorporate QA/QC and City's 90-percent review comments and prepare plans and specifications for bidding and construction. Provide one (1) hardcopy of the bid-ready documents for use in reproduction of bidding documents.

Assumptions:

- *This is a Water Infrastructure Finance and Innovation Act (WIFIA) funded project that will require funding specific front-end documents to be included in the bid documents. The WIFIA documents to be included will be provided by the City.*
- *This is a WIFIA funded project that may require monitoring during excavations. The City is contracting with Archaeological Investigations Northwest, Inc., to assess archeological resources in the area and develop a monitoring plan, if necessary. The City will provide Monitoring Plan documents as needed.*

RH2 Deliverables:

- Electronic versions of the complete construction contract bidding documents, including front-end documents, technical specifications, plans, standard drawings, and OPCC (PDF, Word, Excel, and AutoCAD formats).
- One (1) reproducible set of bidding documents in hardcopy format with half-size (11-inch by 17-inch) plan sheets.

Task 7 – Services During Bidding

Objective: Provide bidding assistance, as requested by the City, to respond to bidder questions, prepare addendum, conduct bidder evaluations, and recommend award for the project.

Approach:

7.1 Respond to Bidder Questions and Prepare Addendum: Respond to questions from bidders regarding construction plans, technical specifications, or construction contract conditions

during the bidding process. Assist the City in preparing an addendum for plan holders if determined necessary by the City and RH2 during the bidding process.

7.2 Assist with Bid Opening and Bidder Evaluation: Review subcontractors, suppliers, and others proposed by the prime contractor if required by the bidding documents. Develop bid tabulation and provide a letter of recommendation for award. *RH2 will not attend the bid opening.*

Assumptions:

- *It is assumed that up to one (1) addendum may be needed.*
- *It is assumed that no special prequalification will be required of bidders or contractors.*
- *It is assumed that the City will take the lead in the bid administration and award phase.*
- *RH2 will perform the services described up to the amounts included in the attached Fee Estimate. If additional effort is needed, that extra work will be mutually determined by the City and RH2.*

RH2 Deliverables:

- Assistance with one (1) addendum, as needed.
- Bid tabulation and letter of recommendation for award.

Task 8 – Services During Construction

Objective: Provide construction contract administration services during project construction to support the City. Provide periodic observation of the construction as the engineer of record to review whether those elements of construction that are observed by RH2 conform to the project plans and specifications.

Approach:

8.1 Attend Pre-Construction Conference: Prepare for and attend the pre-construction conference with the contractor, City, special inspector, and impacted or adjacent utilities. Prepare an agenda and meeting minutes for the pre-construction conference.

8.2 Review Clarifications and Change Orders: Review written requests for information (RFIs) and change order proposals and provide written responses to the City. *Review is assumed to include one (1) change order and three (3) RFIs.*

8.3 Review Submittals: Review contractor submittals, shop drawings, and field testing per the project documents. Coordinate with the City regarding substitute and "or-equal" items proposed for use by the contractor. *Submittal review is assumed to be eleven (11) submittals with 30-percent resubmittal, including the project schedule and schedule updates.*

8.4 Perform Periodic Field Observations, Construction Meetings, and Final Walkthrough: Provide part-time observation of the construction work in progress per the plans, specifications, and City standards. *Part-time construction observation includes, on*

average, approximately twenty (20) hours per week for ten (10) weeks of construction. Provide construction observation reports for each site visit at weekly progress meetings. Coordinate with the contractor and City inspectors to provide construction observation at critical stages of construction and as requested by the City. *The contractor will retain and coordinate with testing firm(s) for all special inspections*. Meet with the City and contractor bi-weekly to review the contractor's progress. Review and recommend contractor requests for payment. Prepare meeting agendas and minutes. Assist the City with project closeout services, including a final walkthrough, production of a punchlist, and review of punchlist completion. Prepare a recommendation for project acceptance.

8.5 Prepare Record Drawings: Provide record drawings representative of the as-constructed project. Complete record drawings based upon the contractor, RH2, and City inspectors' markups to the as-bid drawings. *Special inspections completed by the contractor will be included as requested. Record drawings will be completed per City standards.*

8.6 Prepare Post-Construction Record of Survey: Coordinate with Compass to prepare and file a Post-Construction Record of Survey, if needed, with the Clackamas County Surveyor's office showing the monuments of record found along the project corridor, which were disturbed or destroyed by construction activities. *Following the completion of construction, Compass will dispatch a field technician to the site to determine if any original monuments have been disturbed as identified during Pre-Construction Record of Survey preparation. At the completion of this inspection, Compass will issue a results letter indicating that no monuments have been disturbed, or, in the event that monuments have been disturbed, prepare and file a subsequent Post-Construction Record of Survey.*

Assumptions:

- *The contractor will be responsible for providing construction surveying and staking for field control and as-built surveying for use in preparing as-built drawings.*
- *The City will coordinate directly with the contractor for testing, system shutdowns, and connections.*
- *Construction phase services defined in this Task are variable in nature and depend in part on the contractor awarded the project. RH2's estimate is based upon an experienced and reasonable contractor being awarded the construction contract. RH2 recommends the City budget the amount shown in the Fee Estimate plus a contingency amount. The contingency would cover additional services if a more intensive level of observation and construction support is necessary.*

RH2 Deliverables:

- Pre-construction conference meeting agenda and minutes.
- RFIs and change orders review and documentation, if requested.
- Submittal and shop drawings review and documentation.
- Weekly construction meeting agenda and minutes.

- Construction observation and correspondence with the City and contractor, as needed, within the budgeted hours authorized. Construction observation reports from site visits to be provided to the City at progress meetings.
- Review and recommendation of contractor requests for payment.
- Punchlist following final walkthrough.
- Letter recommending project acceptance.
- Record drawings in PDF and AutoCAD® DWG format, including external references, prepared in accordance with City standards.
- Letter stating results of post-construction monument inspection.
- Post-Construction Record of Survey, if requested.

Project Schedule

RH2 will proceed with engineering services upon written authorization from the City. *For scheduling purposes, it is assumed that design work will begin in February 2024, and bidding will occur in mid-May 2024.*

EXHIBIT B

Fee Estimate
City of Oregon City
Holmes Lane Waterline Replacement Project
Project No. CI 24-002
Jan-24

	Description	Total Hours	Total Labor	Total Subconsultant	Total Expense	Total Cost
Task 1	**Project Management**	**39**	**$ 8,877**	**$ -**	**$ 269**	**$ 9,146**
1.1	Provide Project Administration and Reporting	24	$ 5,428	$ -	$ 136	$ 5,564
1.2	Prepare and Maintain Project Schedule	7	$ 1,525	$ -	$ 58	$ 1,583
1.3	Attend Project Kick-Off Meeting	8	$ 1,924	$ -	$ 75	$ 1,999
Task 2	**Topographical Survey and Geotechnical Investigation**	**36**	**$ 7,502**	**$ 77,487**	**$ 563**	**$ 85,552**
2.1	Perform Topographic Site Survey and Prepare Base Map	15	$ 2,798	$ 29,647	$ 286	$ 32,731
2.2	Coordinate Field Marking of Geoprobe Locations	3	$ 590	$ 3,680	$ 15	$ 4,285
2.3	Prepare Traffic Control and Right-of Way Permitting	2	$ 423	$ 14,375	$ 38	$ 14,836
2.4	Prepare Pre-Construction Record of Survey	2	$ 423	$ 5,808	$ 47	$ 6,278
2.5	Perform Engineering Geology Investigation and Reporting	14	$ 3,268	$ 23,978	$ 178	$ 27,423
Task 3	**Utility Coordination**	**63**	**$ 11,877**	**$ -**	**$ 670**	**$ 12,547**
3.1	Coordinate with Utility Owners and Distribute Project Information Letter	10	$ 1,740	$ -	$ 62	$ 1,802
3.2	Identify Potential Utility Conflicts and Coordinate Utility Potholing	27	$ 5,168	$ -	$ 147	$ 5,315
3.3	Coordinate with Utility Owners Regarding Conflicts	21	$ 4,166	$ -	$ 424	$ 4,590
3.4	Notify Utility Owners of Construction	5	$ 803	$ -	$ 37	$ 840
Task 4	**50-Percent Design**	**102**	**$ 20,211**	**$ -**	**$ 2,179**	**$ 22,390**
4.1	Prepare 50-Percent Design	95	$ 18,646	$ -	$ 2,054	$ 20,700
4.2	Attend 50-Percent Review Meeting	7	$ 1,565	$ -	$ 125	$ 1,690
Task 5	**90-Percent Design**	**154**	**$ 31,199**	**$ -**	**$ 2,958**	**$ 34,157**
5.1	Prepare 90-Percent Plans and Specifications	127	$ 24,682	$ -	$ 2,594	$ 27,276
5.2	Perform Quality Control Review	20	$ 4,952	$ -	$ 234	$ 5,186
5.3	Attend 90-Percent Review Meeting	7	$ 1,565	$ -	$ 130	$ 1,695
Task 6	**Bid-Ready Design**	**56**	**$ 11,090**	**$ -**	**$ 1,222**	**$ 12,312**
6.1	Prepare Bid-Ready Plans and Specifications	56	$ 11,090	$ -	$ 1,222	$ 12,312
Task 7	**Services During Bidding**	**28**	**$ 5,136**	**$ -**	**$ 146**	**$ 5,282**
7.1	Respond to Bidder Questions and Prepare Addendum	14	$ 2,568	$ -	$ 73	$ 2,641
7.2	Assist with Bid Opening and Bidder Evaluation	14	$ 2,568	$ -	$ 73	$ 2,641
	Subtotal of Design and Bidding Phase Tasks	**478**	**$ 95,892**	**$ 77,487**	**$ 8,007**	**$ 181,386**
Task 8	**Services During Construction**	**307**	**$ 54,152**	**$ 5,348**	**$ 2,225**	**$ 61,724**
8.1	Attend Pre-Construction Conference	8	$ 1,687	$ -	$ 69	$ 1,756
8.2	Review Clarifications and Change Orders	27	$ 5,148	$ -	$ 129	$ 5,277
8.3	Review Submittals	28	$ 5,110	$ -	$ 155	$ 5,265
8.4	Perform Periodic Field Observations, Construction Meetings, and Final Walkthrough	224	$ 38,368	$ -	$ 1,446	$ 39,814
8.5	Prepare Record Drawings	18	$ 3,416	$ -	$ 415	$ 3,831
8.6	Prepare Post-Construction Record of Survey	2	$ 423	$ 5,348	$ 11	$ 5,781
	Subtotal Services During Construction Tasks	**307**	**$ 54,152**	**$ 5,348**	**$ 2,225**	**$ 61,724**
	PROJECT TOTAL	**785**	**$ 150,044**	**$ 82,835**	**$ 10,232**	**$ 243,110**

EXHIBIT C
RH2 ENGINEERING, INC.
2024 SCHEDULE OF RATES AND CHARGES
CITY OF OREGON CITY
ON-CALL UTILITY INFRASTRUCTURE ENGINEERING

RATE LIST	RATE	UNIT
Professional I	$167	$/hr
Professional II	$185	$/hr
Professional III	$206	$/hr
Professional IV	$225	$/hr
Professional V	$242	$/hr
Professional VI	$256	$/hr
Professional VII	$275	$/hr
Professional VIII	$288	$/hr
Professional IX	$288	$/hr
Technician I	$131	$/hr
Technician II	$142	$/hr
Technician III	$160	$/hr
Technician IV	$176	$/hr
Technician V	$191	$/hr
Technician VI	$211	$/hr
Technician VII	$228	$/hr
Technician VIII	$240	$/hr
Administrative I	$87	$/hr
Administrative II	$102	$/hr
Administrative III	$122	$/hr
Administrative IV	$142	$/hr
Administrative V	$164	$/hr
CAD/GIS System	$27.50	$/hr
CAD Plots - Half Size	$2.50	price per plot
CAD Plots - Full Size	$10.00	price per plot
CAD Plots - Large	$25.00	price per plot
Copies (bw) 8.5" X 11"	$0.09	price per copy
Copies (bw) 8.5" X 14"	$0.14	price per copy
Copies (bw) 11" X 17"	$0.20	price per copy
Copies (color) 8.5" X 11"	$0.90	price per copy
Copies (color) 8.5" X 14"	$1.20	price per copy
Copies (color) 11" X 17"	$2.00	price per copy
Technology Charge	2.50%	% of Direct Labor
Mileage	$0.6700	price per mile (or Current IRS Rate)
Subconsultants	15%	Cost +
Outside Services	at cost	

Rates listed are adjusted annually.

STANDARD CONDITIONS TO OREGON CITY PERSONAL SERVICES AGREEMENT

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

2. Payment.

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

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

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

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

3. Independent Consultant Status.

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

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

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

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

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

4. Early Termination.

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

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

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

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

5. No Third-Party Beneficiaries. City and

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

6. Payment of Laborers; Payment of Taxes.

(a) Consultant shall:

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

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

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

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

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

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

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

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

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

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

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

10. Compliance With Applicable Law.

STANDARD CONDITIONS TO OREGON CITY PERSONAL SERVICES AGREEMENT

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

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

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

13. Indemnity and Insurance.

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

(b) Workers' Compensation Coverage. Consultant certifies that Consultant has qualified for workers' compensation as required by the State of Oregon. Consultant shall provide the Owner, within ten (10) days after execution of this Agreement, a certificate of insurance evidencing coverage of all subject workers under Oregon's workers' compensation statutes. The insurance certificate and policy shall indicate that the policy shall not be terminated by the insurance carrier without thirty (30) days' advance written notice to City. All agents or Consultants of Consultant shall maintain such insurance.

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

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

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

STANDARD CONDITIONS TO OREGON CITY PERSONAL SERVICES AGREEMENT

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

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

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

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

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

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

20. Notices. Any notices, bills, invoices, reports or other documents required by this Agreement shall be sent by the parties by United States mail, postage prepaid, or personally delivered to the addresses listed in the Agreement attached hereto. All notices shall be in writing and shall be effective when delivered. If mailed, notices shall be deemed effective forty-eight (48) hours after mailing, unless sooner received.

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

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

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

24. Arbitration.

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

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

(b) The party desiring such arbitration shall

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

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

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

(c) Each party shall each be entitled to present evidence and argument to the arbitrators. The determination of the majority of the arbitrators or the sole arbitrator, as the case may be, shall be conclusive on the parties, and judgment on the same may be entered in any court having jurisdiction over the parties. The arbitrators or the sole arbitrator, as the case may be, shall give written notice to the parties, stating the arbitration determination, and shall furnish to each party a signed copy of such determination. Arbitration proceedings shall be conducted pursuant to ORS 33.210 et seq. and the rules of the American Arbitration Association, except as provided otherwise.

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

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

Oregon City GIS Map

Legend

- Street Names
- Taxlots
- Unimproved ROW
- Water Hydrants
  - OC
  - CRWD
  - Private
  - (Other owner)
- Water Valves (non PRV)
  - OC - Open
  - OC - Closed
  - OC - Abandoned
  - CRWD - Open
  - CRWD - Closed
  - CRWD - Abandoned
  - Private - Open
  - Private - Closed
  - Private - Abandoned

Notes

Overview Map

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

Map created 1/24/2024

N

0 400 800 Feet

1: 4,800

Holmes Lane Waterline Replacement - WIFIA 2-3

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

CITY OF OREGON CITY
CITY COMMISSION WORK SESSION
DRAFT MINUTES

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Wednesday, September 20, 2023 at 6:00 PM

CONVENE WORK SESSION AND ROLL CALL

Mayor McGriff convened the meeting at 6:03 P.M.

PRESENT: 5 - Commissioner Mike Mitchell, Commissioner Adam Marl, Commissioner Frank O'Donnell, Commissioner Rocky Smith, Mayor Denyse McGriff

STAFFERS: 5 - City Manager Tony Konkol, City Recorder Jakob Wiley, Community Communications Manager Jarrod Lyman, Human Resources Director Patrick Foiles, Parks and Recreation Director Kendall Reid

DISCUSSION ITEMS

1. Citizen Involvement Committee Meeting Notice Discussion

Jarrod Lymann, Community Communications Manager, provided a staff report reviewing the issues surrounding the funding for post cards provided for neighborhood associations. Commissioner Marl provided some background information as liaison to the Citizen Involvement Committee (CIC). Commissioner Mitchell commented that the post cards should have a consistent brand to reflect their status as a city-recognized association. Commissioner Smith did not want to place too many restrictions on how the money is spent and allow the associations to determine how to fairly use the money.

Bob LaSalle, Chair of the CIC, asked when the budget became restricted to post cards, because it was used for newsletters in the past. Mayor McGriff indicated that the size restriction was created because of the increase in postage costs.

There was consensus to create a policy for use of city funds for neighborhood mailings and to not allow the use of the city's logo on the post cards.

Mayor McGriff asked for some information about where the job posting for the Assistant City Manager had been advertised. Patrick Foiles, Human Resources Director, described the process for advertising the position on various online sites, the city's website, and social media.

Commissioner O'Donnell suggested that the City Commission ought to have the opportunity to approve the candidate for the Assistant City Manager position. Mr. Konkol reminded the Commission that the City Charter gave the City Manager the responsibility to select all City Staff employees. It was clarified that the Commission would have the opportunity provide input on applicants while the decision ultimately lay with the City Manager.

Mayor McGriff suggested that the Assistant City Manager position ought not to be structured as a layer between the Human Resources Director and the City Manager. Mr. Konkol explained that he would work closely with the Assistant City Manager and that employees would still have access to the City Manager.

Mayor McGriff observed that the City staff leadership could benefit from more diversity of gender.

ADJOURNMENT

Mayor McGriff adjourned the meeting at 6:47 P.M.

Respectfully submitted,

_____

Jakob S. Wiley, City Recorder

CITY OF OREGON CITY
CITY COMMISSION REGULAR MEETING - REVISED
DRAFT MINUTES

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Wednesday, October 04, 2023 at 7:00 PM

1. CONVENE MEETING AND ROLL CALL

Mayor McGriff convened the meeting at 7:03 PM.

Present: – 5 Commissioner Adam Marl, Commissioner Frank O'Donnell, Commissioner Rocky Smith, Commissioner Mike Mitchell, Mayor Denyse McGriff

Staffers: – 14 City Manager Tony Konkol, City Recorder Jakob Wiley, Police Chief Shaun Davis, Economic Development Manager James Graham, Community Development Director Aquilla Hurd-Ravich, Parks and Recreation Director Kendall Reid, Finance Director, Matt Zook, Library Director Greg Williams, Public Works Director John Lewis, Human Resources Director Patrick Foiles, IT Director Mike Dobaj, Communications Manager Jarrod Lyman, IT Manager David Knoll, Facilities Manager Kyle Christoph

2. FLAG SALUTE

3. CEREMONIES AND PROCLAMATIONS

3a. Indigenous People's Day Proclamation

Mayor McGriff read the proclamation declaring October 9, 2023, as Indigenous People's Day.

4. CITIZEN COMMENTS

Bob LaSalle, resident of Oregon City and Chair of the Citizen Involvement Committee, discussed the new website and the budget spreadsheet provided by the Finance Director. He commented on the audio issues still present in the Libke Public Safety Building. He recommended going back to the old meeting room until the issues were resolved.

5. PRESENTATIONS

5a. New Oregon City Website

Jarrod Lyman, Community Communications Manager, and David Knoll, IT Manager, said the new website went live on September 4. They gave a presentation on the website refresh including the Commission's request to provide more dynamic, engaging content, the project team, and priorities for the new website. They introduced the new landing page, most commonly used links, search bot, community engagement functions, creating an account, and opinion polls.

There was discussion regarding the opinion polls, making the swimming pool link easier to find, caution in using acronyms, and discussion forums.

6. ADOPTION OF THE AGENDA

The agenda was adopted as presented.

7. CONSENT AGENDA

Motion made by Commissioner Smith, seconded by Commissioner Mitchell, to approve the consent agenda. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, Commissioner O'Donnell, Commissioner Smith, and Commissioner Mitchell

7a. Intergovernmental Agreement with West Linn for Transportation and Nutrition Delivery Services

7b. Personal Services Agreement with Bud's Towing Inc. for Emergency Towing Services

7c. Amendment to a Temporary Exception to Private Property Construction Hours Associated with the Construction of the Maplelane South Apartment Complex

7d. Janitorial Services Contracts with Independent People Inc. and Jan-Pro

7e. Minutes of the June 21, 2023 City Commission Regular Meeting

8. PUBLIC HEARINGS

9. GENERAL BUSINESS

9a. Resolution 23-22, the 6th Amendment to the City Commission Rules of Procedure

Jakob Wiley, City Recorder, said the Commission discussed changes to the rules of procedure at the August Work Session. Since then, a few items had been added. He discussed the proposed election residency evaluation policy, conflict of interest rules associated with non-profit board membership, and other minor changes. He then reviewed the new additions since the Work Session.

There was discussion regarding time limits for public comments, appeal process for the City Recorder's decision on residency, changes to the language for residency requirements, timing for sending the candidates list and printing names on the ballot, decorum at meetings including personal attacks and comments about staff, and how the rules should apply to everyone present at meetings.

There was consensus to remove the redline changes to the decorum section and add "staff" to the existing language, so it stated, "The presiding officer shall preserve order and decorum and discourage attacks on personalities or the impugning of Commissioners, "staff," and citizens' motives." There was further consensus to add the word "mayor" to the qualified elector language, and make Ga and Gc the same language regarding certifying at a later date.

Motion made by Commissioner O'Donnell, seconded by Commissioner Smith, to approve Resolution 23-22, the 6th Amendment to the City Commission Rules of Procedure, as amended. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, Commissioner O'Donnell, Commissioner Smith, and Commissioner Mitchell

9b. First Reading of Ordinance No. 23-1009, Declaring a Ban on Psilocybin Service Centers and the Manufacturing of Psilocybin Products

Tony Konkol, City Manager, gave a short background on the ordinance. This matter would go before the voters in the next general election.

Motion made by Commissioner Marl, seconded by Mayor McGriff, to approve the first reading of Ordinance No. 23-1009, declaring a ban on psilocybin service centers and the manufacturing of Psilocybin Products. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, Commissioner O'Donnell, Commissioner Smith, and Commissioner Mitchell

9c. Intergovernmental Agreement (IGA) between Clackamas River Water (CRW) and Oregon City relating to Provision of Water Service to the Thimble Creek Concept Plan Area of the City of Oregon City

Mr. Konkol said this item was continued from the last meeting to offer an opportunity for the South Fork Water Board to be updated on the agreement. That had been done, and staff was asking for approval.

Motion made by Commissioner O'Donnell, seconded by Mayor McGriff, to approve the Intergovernmental Agreement (IGA) between Clackamas River Water (CRW) and Oregon City relating to provision of water service to the Thimble Creek Concept Plan Area of the City of Oregon City. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, Commissioner O'Donnell, and Commissioner Mitchell

Voting Abstain: Commissioner Smith

10. COMMUNICATIONS

11. City Manager

11a. City Commission 2021 – 2023 Goals Update

Mr. Konkol gave an update on projects they were trying to finish from the current biennium and explained the ones that would extend into the next biennium.

There was discussion regarding progress on implementing the Tourism Strategy, setting up a DMO, and receiving an update on a grant from League of Oregon Cities to establish a local procurement program.

11b. City Commission 2023 – 2025 Goals Update

Mr. Konkol reviewed the 2023-2025 goals and strategies.

There was discussion regarding a better process for finding grant opportunities and adding tourism to the goals.

12. Commissioners

The Commission discussed scheduling the Work Session on the Clackamette Park Master Plan and possible site visit.

Commissioner Mitchell noted Robert's Rules of Order stated that decisions could be reconsidered if someone from the prevailing side requested it at that meeting or the next regular meeting.

Commissioner Marl announced the Youth Advisory Committee was hosting a Mental Health Fair on Saturday. The Commission had received an email calling out Public Works staff for their exceptional service.

Commissioner Smith reported on the Pride Festival at the college.

13. Mayor

Mayor McGriff expressed appreciation to staff for their work in various departments.

14. ADJOURNMENT

Mayor McGriff adjourned the meeting at 9:17.

Respectfully submitted,

_____

Jakob S. Wiley, City Recorder

CITY OF OREGON CITY
CITY COMMISSION REGULAR MEETING - REVISED
DRAFT MINUTES

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Wednesday, October 18, 2023 at 7:00 PM

REGULAR MEETING OF THE CITY COMMISSION

1. CONVENE MEETING AND ROLL CALL

Mayor McGriff convened the meeting at 7:06 PM.

PRESENT: 4 - Commissioner Rocky Smith, Commissioner Adam Marl, Commissioner Frank O'Donnell, Mayor Denyse McGriff

STAFFERS: 10 - City Manager Tony Konkol, City Recorder Jakob Wiley, Community Development Director Aquilla Hurd-Ravich, Parks and Recreation Director Kendall Reid, Police Chief Shaun Davis, Economic Development Manager James Graham, Library Director Greg Williams, Human Resources Director Patrick Foiles, IT Director Mike Dobaj

2. FLAG SALUTE

3. CEREMONIES AND PROCLAMATIONS

3a. Oregon City - West Linn Rivalry Day Proclamation

Mayor McGriff read the proclamation declaring October 27, 2023, as Oregon City – West Linn Rivalry Day.

3b. Domestic Violence Awareness Month Proclamation

Mayor McGriff read the proclamation declaring October 2023 as Domestic Violence Awareness Month.

Erin Hinkleman, Director for A Safe Place Family Justice Center, and Melissa Earlbaum, Executive Director of Clackamas Women's Services, spoke about the impact of domestic violence and services offered by their organizations.

4. CITIZEN COMMENTS

Dorothy Dahlsrud, resident of Oregon City, spoke about making a Climate Action Plan a priority. She also thought the new sidewalk repair program needed to be changed. A tree should not be removed just because of a cracked sidewalk and there was no requirement for an arborist report.

5. PRESENTATIONS

6. ADOPTION OF THE AGENDA

Item 7d was pulled from the consent agenda. The agenda was adopted as amended.

7. CONSENT AGENDA

Motion made by Commissioner Marl, seconded by Commissioner Smith, to approve the consent agenda except 7d. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, Commissioner O'Donnell, and Commissioner Smith

7a. Personal Services Agreement for Phone System Replacement

7b. Purchase of three (3) 2024 Dodge Durango Police Utility Vehicle AWD

7c. Minutes of the August 8, 2023 Work Session

7d. Minutes of the September 12, 2023 Work Session

Commissioner Marl noted an error with the names under his committee report.

Motion made by Commissioner Marl, seconded by Mayor McGriff, to approve the September 12, 2023, minutes as amended. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, Commissioner O'Donnell, and Commissioner Smith

8. PUBLIC HEARINGS

9. GENERAL BUSINESS

9a. Downtown Oregon City Association Memorandum of Understanding ("DOCA")

James Graham, Economic Development Manager, discussed the Memorandum of Understanding with the Downtown Oregon City Association (DOCA). He said a commercial was done in partnership with the City and DOCA that would promote downtown businesses for the holiday season.

There was discussion regarding the funding arrangement between the City and DOCA.

Juliana Allen, Executive Director of DOCA and Seth Henderson, DOCA Board Secretary, explained the role of DOCA, financial agreement between DOCA and the City, DOCA deliverables, role of the City, and DOCA's administrative responsibilities.

There was discussion regarding the role of the City liaison, support from Main Street businesses, business networking, and upcoming events.

Motion made by Commissioner Marl, seconded by Commissioner Smith, to approve the Downtown Oregon City Association Memorandum of Understanding. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, Commissioner O'Donnell, and Commissioner Smith

9b. First Reading of Ordinance No. 23-1005, Revising the Oregon City Municipal Code Title 5.04 – Business Licenses

Mr. Graham discussed the revisions to the code regarding business licenses.

Commissioner Smith asked if there was any comment from DOCA about the change in process, that the event coordinator was responsible for getting the business license and would give the City a list of the vendors that would be on site.

Kelli Upkes, DOCA Board Chair, agreed the new process would be very helpful.

Motion made by Commissioner Smith, seconded by Commissioner Marl, to approve the first reading of Ordinance No. 23-1005, revising the Oregon City Municipal Code Title 5.04 – Business Licenses. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, Commissioner O'Donnell, and Commissioner Smith

9c. Second Reading of Ordinance No. 23-1009, Declaring a Ban on Psilocybin Service Centers and the Manufacturing of Psilocybin Products

Motion made by Commissioner Marl, seconded by Commissioner Smith, to approve the second reading and final adoption of Ordinance No. 23-1009, declaring a ban on psilocybin service centers and the manufacturing of psilocybin products. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, Commissioner O'Donnell, and Commissioner Smith

10. COMMUNICATIONS

11. City Manager

None

12. Commissioners

Commissioner Smith said the homecoming parade was on Friday.

13. Mayor

Mayor McGriff reported on the Indigenous People Day event and read a portion of an article regarding the Tumwater Village site. The tribes were not as far along as she thought for the project.

14. ADJOURNMENT

Mayor McGriff adjourned the meeting at 7:56 PM.

Respectfully submitted,

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Jakob S. Wiley, City Recorder

CITY OF OREGON CITY
CITY COMMISSION REGULAR MEETING
DRAFT MINUTES

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Wednesday, November 01, 2023 at 7:00 PM

REGULAR MEETING OF THE CITY COMMISSION

1. CONVENE MEETING AND ROLL CALL

Mayor McGriff convened the meeting at 7:01 PM.

PRESENT: 5 - Commissioner Rocky Smith, Commissioner Adam Marl, Commissioner Mike Mitchell, Commissioner Frank O'Donnell, Mayor Denyse McGriff

STAFFERS: 12 - City Manager Tony Konkol, City Recorder Jakob Wiley, Community Development Director Aquilla Hurd-Ravich, Parks and Recreation Director Kendall Reid, Economic Development Manager James Graham, Police Chief Shaun Davis, Finance Director Matt Zook, Library Director Greg Williams, Public Works Director John Lewis, Human Resources Director Patrick Foiles, IT Director Mike Dobaj, Water Quality Coordinator Marcos Kubow

2. FLAG SALUTE

3. CEREMONIES AND PROCLAMATIONS

3a. Proclamation for Fallen Police Officer Robert Libke and Officer George J. Hanlon

Mayor McGriff read the proclamation in remembrance of fallen Police Officers Libke and Hanlon and lead a moment of silence in their honor.

Shaun Davis, Police Chief, said this was the ten-year anniversary of Officer Libke's death. A ceremony would be held on Friday, November 3.

3b. Extra Mile Day Proclamation

Mayor McGriff read the proclamation declaring November 1, 2023, as Extra Mile Day. She honored individuals that made a positive impact to the City including Oregon City Parks Foundation members Roger and Christina Fowler-Thias, Trieste Andrews, Tory Blackwell, and Heidi Blackwell.

4. CITIZEN COMMENTS

None

5. PRESENTATIONS

5a. Metro District 2 Update

Christine Lewis, Metro Councilor, gave an update on garbage and recycling, growth management decision, affordable housing, project map, supportive housing services, regional transportation plan, Oregon zoo, and Expo Center.

There was discussion regarding relocating, audit, and improvements to Metro South Transfer Station, I-205 project, youth summit, funds for the proposed navigation center and Oregon City being part of the discussion, and City services to be reimbursed through the SHS program.

5b. Oregon City NPDES MS4 Permit & Stormwater Management Plan

John Lewis, Public Works Director, introduced the topic.

Marcos Kubow, Water Quality Coordinator, gave the presentation. He discussed water quality in Oregon, municipal separate storm sewer system, 2021-2026 NPDES MS4 Phase 1 permit, 2022 Stormwater Master Plan, pesticide and mercury monitoring effective July 1, 2023, capital improvement projects, permit deliverables and annual reporting, community partners, and summary of the water quality program.

There was discussion regarding reducing dependence on pesticides in the Parks and Public Works departments.

6. ADOPTION OF THE AGENDA

Item 7a was pulled from the Consent Agenda. The agenda was adopted as amended.

7. CONSENT AGENDA

Motion made by Commissioner Mitchell, seconded by Commissioner Smith, to approve the consent agenda except Item 7a. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, Commissioner O'Donnell, Commissioner Smith, and Commissioner Mitchell

7a. Extension of Contract for Water Assistance Provisions between Clackamas County and City of Oregon City

Matt Zook, Finance Director, said this was a pass through from the County to City residents to assist low income with their water bills. Mayor McGriff thought this program should be promoted more.

Motion made by Commissioner Mitchell, seconded by Mayor McGriff, to approve the contract. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, Commissioner O'Donnell, Commissioner Smith, and Commissioner Mitchell

7b. Parks and Cemetery Division Mower Replacements

7c. Municipal Court Judge Merit Pay for Performance

7d. Minutes of the July 5, 2023 City Commission Regular Meeting

7e. Minutes of the July 19, 2023 City Commission Regular Meeting

7f. Minutes of the August 2, 2023 Regular Meeting

7g. Minutes of the October 10, 2023 Work Session

8. PUBLIC HEARINGS

9. GENERAL BUSINESS

9a. Resolution No. 23-24, Permanent Obstruction in a Public Right-of-Way at 920 7th Street

Mr. Lewis said this was regarding the old Olson Pharmacy building. The second story bumped out into the public right-of-way and staff requested the Commission to allow the building to proceed as approved by the HRB and Building Department. It was not an obstruction to pedestrian traffic.

There was discussion regarding how this was a unique circumstance and did not set a precedent for new construction, how the fact made it this far in the process without being noticed, generalizing the encroachment measurements in the staff report instead of being exact, width of the sidewalks, language in the covenant that the obstruction could be removed by City direction, and requiring more details on submittals in the future.

Motion made by Commissioner Marl, seconded by Mayor McGriff, to approve Resolution No. 23-24. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, Commissioner O'Donnell, Commissioner Smith, and Commissioner Mitchell

9b. Direct the Planning Division to Proceed with Zoning Amendments for the Clackamette Park RV Park

Aquila Hurd-Ravich, Community Development Director, said when the Clackamette Park Master Plan went to the Planning Commission, they discovered where the RV parking was to be moved was not in an Institutional zone. It was in the Mixed-Use Downtown zone which did not allow overnight camping. The master plan was approved with the condition that the two parcels be rezoned to Institutional to allow the RV camping. She asked for approval to move forward with the amendments.

There was discussion regarding previous zoning on the property, waiting to change the zone until they explored all the possibilities for the location of the RV park, ownership of the property, zoning it Institutional for consistency, timing of the process, adding language to legitimize the current RV park, need for further conversation about the RV Park location, how the other locations were in the flood plain, and how they needed to move forward with this change so they would be able to have an adopted master plan for funding.

Motion made by Commissioner Mitchell, seconded by Mayor McGriff, to direct staff to bring back changes to the Institutional zone to allow the RV park. The motion passed by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, and Commissioner Mitchell

Voting Nay: Commissioner O'Donnell and Commissioner Smith

This would come back as a Work Session topic to review the tour of the site and discuss the RV park location.

9c. Second Reading of Ordinance No. 23-1005, Revising the Oregon City Municipal Code Title 5.04 – Business Licenses

Motion made by Commissioner Smith, seconded by Commissioner Mitchell, to approve the second reading and final adoption of Ordinance No. 23-1005. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, Commissioner O'Donnell, Commissioner Smith, and Commissioner Mitchell

9d. Resolution No. 23-25, Revising Business License Fees

Motion made by Commissioner Mitchell, seconded by Mayor McGriff, to approve Resolution No. 23-25. The motion carried by the following vote:

Voting Yea: Commissioner Marl, Mayor McGriff, Commissioner O'Donnell, Commissioner Smith, and Commissioner Mitchell

10. COMMUNICATIONS

11. City Manager

Tony Konkol, City Manager, said there was a joint meeting with the West Linn Council on November 7 followed by a Work Session.

12. Commissioners

Commissioner Marl was upset about the lack of communication regarding the navigation center.

Commissioner Smith discussed the trick or treat event downtown and passed on condolences to the Libke family.

Commissioner Mitchell thanked staff for their work on the amendments to the regional transportation plan. He was in favor of the Clackamette Park Master Plan but was willing to continue the discussion as long as any changes were done through a public process.

13. Mayor

Mayor McGriff thanked staff for the trick or treat event and other activities throughout the week.

Chief Davis said they needed a committee to score the Youth Opioid Prevention grant applications and he asked for two Commissioners to be on the committee. Mayor McGriff and Commissioner Marl volunteered.

14. ADJOURNMENT

Mayor McGriff adjourned the meeting at 9:09 PM

Respectfully submitted,

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Jakob S. Wiley, City Recorder

CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 2/7/2024

From: Christina Robertson-Gardiner, Senior Planner

SUBJECT:

Second Reading of Ordinance Number 23-1010: GLUA 23-000033**/**LEG-23-00002- Adopt the Oregon City Loop Trail Refinement Plan into the Oregon City Transportation System Plan, an ancillary document to the Comprehensive Plan

STAFF RECOMMENDATION:

Staff recommends the City Commission approve the second reading of Ordinance 23-1010 and GLUA 23-000033**/**LEG-23-00002

EXECUTIVE SUMMARY:

The project's central concept is that local governments should plan public services in accordance with the community's needs as a whole rather than be forced to respond to individual developments as they occur. The Oregon City Loop Trail Refinement Plan will provide a design for public facilities and a means to obtain future funding.

The Oregon City Loop Trail Refinement Plan analyzes existing conditions and provides direction for future development, funding, and needs for several segments of the previously adopted Loop Trail. The plan provides cross-sections of shared use paths to be used as a guide for future land use actions. The plan also includes construction cost estimates and contingencies for the planning and design of recommended system facilities.

The Oregon City Loop Trail Refinement Plan will be added to the Oregon City Transportation System Plan (TSP) as an additional document. The TSP is a technical document and conceptual guide that needs regular review and is a supplementary document to the Oregon City Comprehensive Plan. By approving the refined plan, it will be possible to implement it through proportional exactions at the time of any abutting land use proposal and will provide the necessary details to apply for competitive grants and implement one or more alignments through a future capital improvement project.

The refinement plan is consistent with the Oregon City Comprehensive Plan's vision, policies, and strategies. By providing safe connections between neighborhoods,

commercial centers, and community amenities, the trail segments provide additional opportunities for residents to walk or bike for shorter trips.

The Planning Commission unanimously recommended the City Commission approve the proposal on December 11, 2023.

The City Commission approved the first reading on January 17, 2024.

BACKGROUND:
The Oregon City Loop Trail is a regional pathway that connects people traveling on foot, bicycles, or other small mobility devices to neighboring communities. It will form a loop around Oregon City through shared-use and on-street connections. The purpose of adopting the ambitious loop trail in 2013 into the Transportation System Plan (TSP) was to provide direction for long-term buildout. Some of the trail locations are outside the city limits and will be completed by governmental partners such as Metro and Clackamas County.

The loop trail segments are located in the southern section of the city (Gaffney Lane, Hillendale, Hazel Farm/Westling Grove, Caulfield Neighborhoods) within existing residential areas developed from the 1970s to the 2000s. These areas have traditionally received less attention for pedestrian and bike improvements.

This refinement plan looks at specific segments within the city limits that were identified as needing additional clarity. Some of the identified segments will be built by private development through the land use process, while others may be built as part of a future capital improvement project. Adopting a refinement document is an important step in applying for future construction grants. The refinement plan includes different funding sources that the City can use to design and construct the routes.

This plan focuses on refining two segments of the Loop Trail and two other paths connecting local users to the Loop Trail. The plan includes four segments, which are depicted in Figure 1.

- Meyers-Beavercreek Shared Use Path (S-22)
- Meyers Road Shared Use Path (S-23)
- Gaffney Lane Elementary Shared Use Path (S-24)
- Orchard Grove-Hazelnut Shared Use Path (S-30)

The refinement plan includes recommended alignments and cross-sections, planning-level cost estimates, and phasing that could be considered to align the construction of the paths with available funding.

OPTIONS:

1. Approve Second Reading of Ordinance Number 23-1010: GLUA 23-000033**/**LEG-23-00002

ORDINANCE NO. 23-1010

AN ORDINANCE OF THE CITY OF OREGON CITY AMENDING THE OREGON CITY TRANSPORTATION SYSTEM PLAN BY ADOPTING THE OREGON CITY LOOP TRAIL REFINEMENT PLAN

WHEREAS, the Oregon City Loop Trail Refinement Plan will be added to the Oregon City Transportation System Plan (TSP), a technical document and conceptual guide that needs regular review and is an ancillary document to the Oregon City Comprehensive Plan; and

WHEREAS, the Oregon City Loop Trail Refinement Plan analyzes existing conditions and provides direction for future development, funding, and needs for several segments of the previously adopted Loop Trail; and

WHEREAS, the plan provides cross-sections of shared use paths to guide future land use actions and includes construction cost estimates and contingencies for the planning and design of recommended system facilities; and

WHEREAS, during the design process, postcards were sent to adjacent properties and neighborhood associations to provide opportunities to share feedback through electronic surveys and two in-person open houses, along with promotion on city websites and social media platforms; and

WHEREAS, the Planning Commission held a public hearing on December 11, 2023 and recommended approval of the proposed plan to the City Commission; and

WHEREAS, the City Commission held a public hearing on January 17, 2024 and found that the proposed plan complies with the applicable criteria for Legislative approval as discussed in the Staff Report and Recommended Findings for File LEG-23-02

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. The City of Oregon City Transportation System Plan is amended to adopt the Loop Trail Refinement Plan as provided in attached Exhibit " A".

Section 2. The Legislative action taken by the Ordinance is explained and justified by the Analysis and Findings for GLUA 23-000033**/**LEG-23-00002.

Read for the first time at a regular meeting of the City Commission held on the 17th Day of January 2024, and the City Commission finally enacted the foregoing ordinance this 7th Day of February 2024.

Denyse C. McGriff, Mayor

Attested to this 7th day of February 2024

City Recorder

Approved as to legal sufficiency:

City Attorney

OREGON CITY
Planning Division and Public Works: Development Services
695 Warner Parrott Road | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

LEGISLATIVE STAFF REPORT AND RECOMMENDATION

A preliminary analysis of the applicable approval criteria for a legislative proposal is enclosed within the following report.
December 1, 2023

HEARING DATE: December 11, 2023 **-** Planning Commission

FILE NUMBER: GLUA 23-000033**/**LEG-23-00002

APPLICATION TYPE: Legislative (OCMC 17.50.170)

APPLICANT: City of Oregon City, c/o Public Works Department,
PO Box 3040, Oregon City, OR 97045
John Lewis, Public Works Director

REQUEST: Adopt the Oregon City Loop Trail Refinement Plan into the Oregon City Transportation System Plan, an ancillary document to the Comprehensive Plan.

LOCATION(S): City Wide + Gaffney Lane, Hillendale, Hazel Farm/Westling Grove, Caulfield Neighborhoods

17.50.170 - Legislative hearing process.

A. Purpose. Legislative actions involve the adoption or amendment of the city's land-use regulations, comprehensive plan, maps, inventories and other policy documents that affect the entire city or large portions of it. Legislative actions which affect land use must begin with a public hearing before the planning commission.
B. Planning Commission Review.
1. Hearing Required. The planning commission shall hold at least one public hearing before recommending action on a legislative proposal. Any interested person may appear and provide written or oral testimony on the proposal at or prior to the hearing. The community development director shall notify the Oregon Department of Land Conservation and Development (DLCD) as required by the post-acknowledgment procedures of ORS 197.610 to 197.625, as applicable.
2. The community development director's Report. Once the planning commission hearing has been scheduled and noticed in accordance with Section 17.50.090(C) and any other applicable laws, the community development director shall prepare and make available a report on the legislative proposal at least seven days prior to the hearing.
3. Planning Commission Recommendation. At the conclusion of the hearing, the planning commission shall adopt a recommendation on the proposal to the city commission. The planning commission shall make a report and recommendation to the city commission on all legislative proposals. If the planning commission recommends adoption of some form of the proposal, the planning commission shall prepare and forward to the city commission a report and recommendation to that effect.

C. City Commission Review.
1. City Commission Action. Upon a recommendation from the planning commission on a legislative action, the city commission shall hold at least one public hearing on the proposal. Any interested person may provide written or oral testimony on the proposal at or prior to the hearing. At the conclusion of the hearing, the city commission may adopt, modify or reject the legislative proposal, or it may remand the matter to the planning commission for further consideration. If the decision is to adopt at least some form of the proposal, and thereby amend the city's land-use regulations, comprehensive plan, official zoning maps or some component of any of these documents, the city commission decision shall be enacted as an ordinance.
2. Notice of Final Decision. Not later than five days following the city commission final decision, the community development director shall mail notice of the decision to DLCD in accordance with ORS 197.615(2).

IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT (503) 722-3789.

Executive Summary

The project's central concept is that local governments should plan public services in accordance with the community's needs as a whole rather than be forced to respond to individual developments as they occur. The Oregon City Loop Trail Refinement Plan will provide a design for public facilities as well to obtain future funding.

The Oregon City Loop Trail Refinement Plan analyzes existing conditions and provides direction for future development, funding, and needs for several segments of the previously adopted Loop Trail. The plan provides cross-sections of shared use paths to be used as a guide for future land use actions. The plan also includes construction cost estimates and contingencies for the planning and design of recommended system facilities.

The Oregon City Loop Trail Refinement Plan will be added to the Oregon City Transportation System Plan (TSP) as an additional document. The TSP is a technical document and conceptual guide that needs regular review and is itself a supplementary document to the Oregon City Comprehensive Plan. By approving the refined plan, it will be possible to implement it through proportional exactions at the time of any abutting land use proposal and will provide the necessary details to apply for competitive grants and implement one or more alignments through a future capital improvement project.

I. PROJECT DESCRIPTION/BACKGROUND:

File No. LEG-23-0002 updates the Oregon City Transportation System Plan by adopting the Park Place Urbanization Plan. The Oregon City Transportation System Plan is an ancillary document to the Oregon City Comprehensive Plan.

The Oregon City Loop Trail is a regional pathway that connects people traveling on foot, bicycles, or other small mobility devices to neighboring communities. It will form a loop around Oregon City through shared-use and on-street connections. This plan focuses on refining two segments of the Loop Trail and two other paths connecting local users to the Loop Trail. The plan includes four segments, which are depicted in Figure 1.

- Meyers-Beavercreek Shared Use Path (S-22)
- Meyers Road Shared Use Path (S-23)
- Gaffney Lane Elementary Shared Use Path (S-24)
- Orchard Grove-Hazelnut Shared Use Path (S-30

The City's Transportation System Plan (TSP) adopted in 2013, aimed to address transportation issues by prioritizing a multimodal approach. This approach focuses on enhancing options for people to walk and bike within the city. The TSP goals, objectives, and project list all incorporate this strategy. Goal 1 of the TSP states that the City should ensure that the transportation system maintains and improves individual health, safety, and security by maximizing the comfort and convenience of walking, biking, and transit options, public safety, and service access. By refining the four segments in this plan, the city can advance the objective of providing a network of family-friendly walking and biking routes. The refinement plan also includes potential funding sources for the City to design and construct these paths. This aligns with the City's goal of identifying transportation investments that can be made with available funding.

Upon completion, the Oregon City Loop Trail will create a loop around Oregon City, providing travelers with off-street paths and on-street connections along local roadways. This refinement plan was developed to further define two segments of the Loop Trail and two ancillary paths that will create local connections to the Loop Trail. This plan includes recommended alignments and cross-sections, planning-level cost estimates, and phasing that could be considered to align the construction of the paths with available funding. Some areas of the trails are urban (such as these segments), and others will be constructed in a more rural setting in cooperation with Clackamas County or Metro and will need further refinement.

The plan outlines various funding sources that the City can consider to facilitate the design and construction of the paths. This plan enables the City to incorporate projects into the Capital Improvement Program (CIP), require new developments to design and construct parts of the path and apply for grant funding. This will help the City achieve its goal of improving options for pedestrians and cyclists within the City.

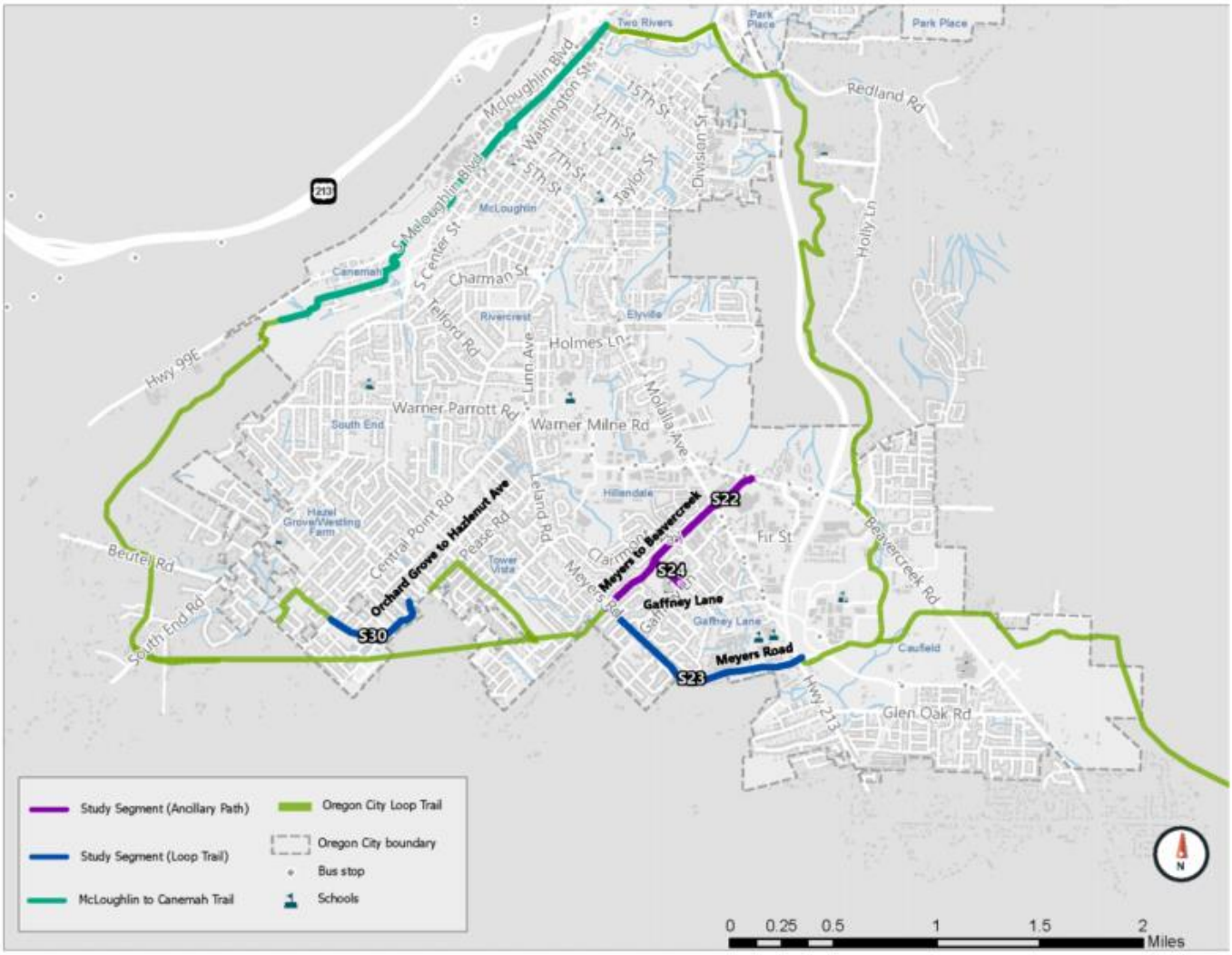


Figure 1: Project Area – the blue and purple refinement segments S22, S23 S24, S30- are subject to this approval. The green segment is the previously approved OC Loop trail.

Outcomes

This plan includes the recommended alignment and cross-section for the four paths, phasing that could be used to implement the identified shared use path segments based on funding availability, and planning-level cost estimates. This work is an important piece in the larger approach of implementing the OC Loop Trail over time.

Meyers-Beavercreek Shared Use Path (Project S-22)

The Meyers-Beavercreek Shared Use Path is an ancillary path to the Oregon City Loop Trail that will provide an off-street connection for people walking, biking, and using other small mobility devices. This path will connect people from planned regional trails to Meyers Road.

Figure ES-2. Meyers-Beavercreek Alignment

Proposed Alignment

The alignment for this path includes two segments that will require substantial coordination and funding to implement. To provide an option that could be implemented sooner, two near-term alignments have been identified. These include:

- **Beavercreek Road to Molalla Avenue** where the near-term alignment uses existing sidewalks and bicycle infrastructure while the long-term alignment provides a direct connection through existing parking lots.
- **Meyers Road to Joys Drive** where the near-term alignment uses existing infrastructure while the long-term alignment constructs a new path through existing green space.

Proposed Cross-Section

The proposed cross-section for this path includes a 12-foot shared use path that is separated from existing roadways by a landscape buffer that will be at least four-feet wide. While the buffer will not be required when the path is not adjacent to roadways, adequate space will be provided to maintain separation from surrounding houses and private property. For additional cross-sections for this path, see **Appendix C: Concepts & Cross-Sections**.

Figure ES-3. Meyers-Beavercreek Cross-Section

Estimated Cost:

Beavercreek Road to Meyers Road - $2.9M-$4.4M
Near-Term: Meyers Road to Wesley Lynn Park - $325K-$485K
Long-Term: Meyers Road to Wesley Lynn Park - $2.5M-$3.8M
Total Long-Term: $5.4M-$8.2M

Meyers Road Shared Use Path (Project S-23)

The Meyers Shared Use Path is a portion of the Oregon City Loop Trail that will connect people walking, biking, and using other small mobility devices from Oregon Route 213 (OR-213) to the Meyers-Beavercreek Shared Use Path. This path will also provide an important connection from residential areas along Meyers Road to Clackamas County Community College and Oregon City High School.

Figure ES-4. Meyers Road Alignment

Proposed Alignment

After a detailed evaluation, the north side of Meyers Road was selected as the ultimate location for the shared use path to:

- Keep the entire shared use path within the City's boundary
- Leverage the Right-of-Way allocated to the continuous sidewalks that exist today
- Minimize impacts to utilities
- Minimize the need to cross Meyers Road if you are accessing the path from the Gaffney Lane neighborhood

Proposed Cross-Section

The cross-section for this path includes a 12-foot shared use path on the north side of Meyers Road. To achieve this, the on-street bicycle lanes will be removed and everyone riding bicycles and small mobility devices will use the shared use path. Moving the bicyclists and small mobility users to the shared use path will allow for moving the north curb in to create space to widen the existing sidewalk and provide a landscaped buffer without substantial impacts to residential properties.

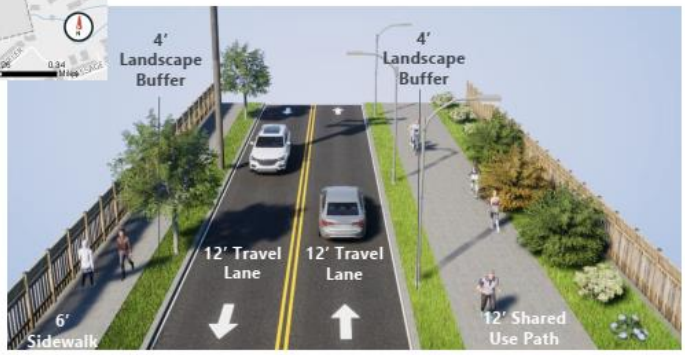


Figure ES-5. Meyers Road Cross-Section

Estimated Cost: $4.8M-$7.2M

Gaffney Lane Shared Use Path (Project S-24)

The Gaffney Lane Elementary Shared Use Path is an ancillary path that will connect people using the Meyers-Beavercreek Path to Gaffney Lane Elementary Path. This path exists today and is used by people connecting to the school and open space located behind the school. This refinement plan is not making recommendations to change the alignment but has identified the appropriate cross-section to formalize the path.

Figure ES-6. Gaffney Lane Alignment

Proposed Alignment

This alignment utilizes the existing rudimentary path that exists today. This path will create an off-street connection for families who live in the surrounding neighborhoods who may choose to walk to school if safe and comfortable facilities that are separated from vehicles are provided.

Proposed Cross-Section & Cost-Estimate

The proposed cross-section for this path includes a 12-foot shared use path that is separated from surrounding properties by existing fences.

Estimated Cost: $472,000 to $708,000

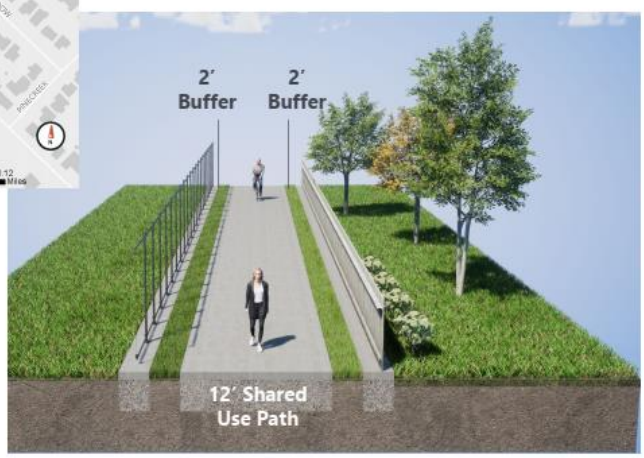


Figure ES-7. Gaffney Lane Cross-Section

Orchard Grove-Hazelnut Shared Use Path (Project S-30)

The Orchard Grove-Hazelnut Shared Use Path is a portion of the Loop Trail that will connect people walking, biking, and using other small mobility devices from Orchard Grove Drive to Hazelnut Court, Hazel Grove Park, and John McLoughlin Elementary School. This portion of the plan will serve as guidance for developers, which will likely be required to fund and build this portion of the Oregon City Loop Trail as development occurs.

Figure ES-8. Orchard Grove-Hazelnut Alignment

Proposed Alignment

This portion of the Loop Trail runs from Hazeldell Avenue to S. Central Point Road. Unlike other segments refined as part of this plan, the recommended alignment for this portion of the Trail utilizes on-street facilities for people riding a bicycle and sidewalks for people walking.

When construction occurs in the undeveloped lot, it is recommended that the connection be built consistent with the existing Hazelnut alignment.

Proposed Cross-Section & Cost-Estimate

The proposed cross-section utilizes existing streets and sidewalks. The primary addition to existing infrastructure included in the recommended cross-section is the addition of sharrows to indicate the people riding a bicycle or other small mobility devices should use the vehicle travel lane and alert drivers that they should be prepared to share the lane and help to create "family-friendly" streets.

Estimated Cost: $56,000 to $84,000

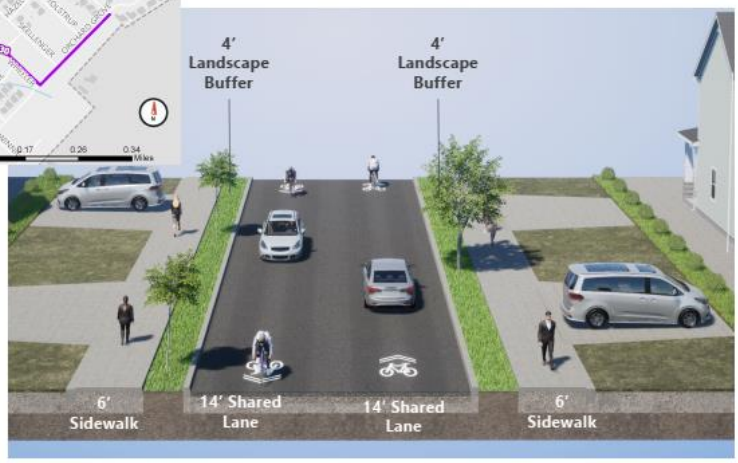


Figure ES-9. Orchard Grove-Hazelnut Cross-Section

Adoption Process

Adoption of the plan is a legislative action that requires review and recommendation from the Planning Commission prior to adoption by the City Commission.

Public Notice and Comments
This legislative action requires public notice pursuant to OCMC 17.50.090.C. - *Notice of Public Hearing on a Legislative Proposal*. The Community Development Director provided the required Post Acknowledgement Plan Amendment (PAPA) notice to the Oregon Department of Land Conservation and Development on November 1, 2023. Notice of the December 11, 2023 Planning Commission public hearing was provided to the Citizen Involvement Committee, Neighborhood Associations, and affected service districts, agencies, and parties by email.

No public comments were received before the publication of this staff report.

Public Outreach During Plan Creation

While portions of the alignments identified in this plan can be constructed on property currently owned by the City, in some cases, easements will be required to connect the paths through privately held properties.

To understand concerns from property owners and agencies that could have large portions of the shared use paths traversing or adjacent to their properties, stakeholder interviews were completed early in the planning process. Stakeholder interviews also included representatives from key destinations along the paths and regional planning agencies.

Representatives from the following agencies participated in stakeholder interviews:

- Clackamas County Community College
- Deering Property Management
- Gaffney Lane Neighborhood Association
- Oregon City Parks Department
- Portland General Electric (PGE)
- Metro
- Oregon City School District
- Oregon City Parks Department

A representative from ODOT attended the pre-application meeting and commented to ensure ODOT standards are followed if an ODOT facility is impacted by a future design and construction.

The Oregon City Loop Trail Refinement Plan has been available for review on the Public Works Projects Page of the Oregon City website www.orcity.org (see screenshot below).

Oregon City Loop Trail Plan

Project ID: PS 22-002
Project Type:
Master Planning
Project Contact Information:
Josh Wheeler, 971-204-4634

Project Status: Active
Date Received:
Monday, April 18, 2022
Project Dates:
May 1, 2022 - February 29, 2024
Project Budget: $100,000

The Oregon City Loop Trail consists of several segments from the City's Transportation System Plan (TSP) and is featured as a regional trail in the City's Trails Master Plan.

The Trails Master Plan describes the trail as "creating a loop around Oregon City, utilizing the east side of the Newell Creek Canyon, and linking to the Beaver Lake Trail." It is listed as Project R3.

The Oregon City Loop Trail consists of TSP projects S23, S22, S24, S26, and S30 within the City Limits. Outside of the City Limits, the trail consists of TSP projects S35, S32, S33 and S13.

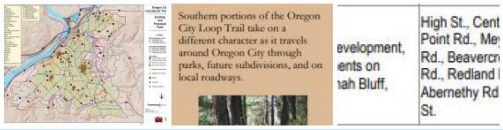
This plan will provide specifics to the TSP projects within City Limits on where to build the trail and what type of trail to build (widened sidewalks, asphalt path, gravel path, etc.) through an engineering and planning analysis and a public involvement process.

Fehr & Peers was the consulting firm selected by the City to prepare the Plan.

A survey was available from September 9, 2022 to October 3, 2022 where you could make your opinion known about these trail segments. The results of this survey can be found below.

A community meeting occurred at 5:00 p.m. at Gaffney Elementary on October 10 to provide an overview of the four trail segments and then a walkabout to review the "power line" trail segment which lies just behind Gaffney Elementary.

The plan adoption requires an Ordinance to adopt the plan ancillary to the Transportation System Plan which includes a public hearing. This is anticipated in late 2023.



STATUS UPDATES
Last Updated : 11-20-23

4/28/22 - Kick Off Meeting with City and Consultant

5/24/22 - Site visit preliminary walkabout

6/3/22 - Project Stakeholder interviews scheduled in June, investigation of opportunities and constraints of possible locations of trail

8/12/22 - Project Stakeholders including school district, community college, parks, CIC, TAC, neighborhood associations, Fred Meyer, adjacent shopping center occurred.

Additional outreach planned for directly impacted property owners and a stakeholder group to advise on path alignments.

Week of 8/15/22 - constraints memo anticipated

9/9/22 - Survey is live through October 3. It has been mailed via a postcard to directly impacted properties, posted on this webpage, posted on social media, emailed to neighborhood associations and City staff, as well as organizations which were determined to be stakeholders.

10/7/22 - Opportunities and Constraints memo posted to website

10/10/22 - In person meeting for directly impacted residents of power line path and affected stakeholders at 5 p.m. at Gaffney Elementary.

11/14/22 - Survey results added to website. Alternative cross sections currently being worked on.

12/21/22 - City staff to meet to review alternative cross sections and citizen feedback.

January to June 2023 - Consultant prepared analysis and report

June 13, 2023 - Presentation at City Commission Work Session

October 27, 2023 - Submittal to Planning for a Legislative Process to adopt the plan ancillary to the Transportation System Plan (TSP)

December 11, 2023 - Hearing before the Planning Commission

January 19, 2023 - Hearing before the City Commission

Files:
- Loop Trail Segments exhibit (PDF) (5 MB)
- Postcard Survey (PDF) (54 KB)
- Opportunities and Constraints Memo (PDF) (4 MB)
- Comment Card (PDF) (746 KB)
- Loop Trail Survey Results (PDF) (824 KB)
- City Commission Work Session Presentation of June 13 2023 (PPTX) (3 MB)
- Final Draft Report for Adoption (32 MB)

During the design process, postcards were used to promote opportunities to share feedback, along with promotion on City websites and social media platforms.

Community members had two opportunities to share their concerns and priorities for the development of the Loop Trail and ancillary paths.

The first opportunity was through an online survey, which asked community members to share how they would use the paths, what discourages them from walking or riding a bicycle today, and what design features would make them feel safer and more comfortable when using the paths.

Nearly 70 community members responded to the survey. Key takeaways that informed recommendations in this plan include:

- A concern about the loss of privacy in areas where paths may be located next to residential areas
- A desire for amenities such as trash cans, dog waste stations, and landscaping
- A need for separation from vehicles and enhanced lighting
- A need for paths that meet the needs of a wide variety of users

The second opportunity was an in-person workshop held at Gaffney Lane Elementary School which focused on the Gaffney Lane path and the Meyers-Beavercreek path. Feedback from community members included:

- A desire to maintain existing green space between Meyers Road and Frontier Parkway
- Paths that used to traverse the existing school property were highly-utilized; opportunities to follow that alignment should be prioritized
- Concerns about proximity of the paths to houses and the elementary school

II. DECISION-MAKING CRITERIA

The remainder of this staff report provides additional findings to demonstrate that the proposed Park Place Urbanization Plan is consistent with applicable approval criteria.

Chapter 17.68 - Zoning Changes and Comprehensive Plan Amendments

17.68.010 - Initiation of the amendment.
A text amendment to the comprehensive plan, or an amendment to the zoning code or map or the Comprehensive Plan map, may be initiated by:
A. A resolution request by the City Commission;
B. An official proposal by the Planning Commission;
C. An application to the Planning Division; or.
D. A Legislative request by the Planning Division.
All requests for amendment or change in this title shall be referred to the Planning Commission.

Finding: The proposal qualifies as initiated as a legislative request by the initiation of a request by the Public Works Department via the Planning Division.

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

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

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

C. City Commission Review.
1. City Commission Action. Upon a recommendation from the planning commission on a legislative action, the city commission shall hold at least one public hearing on the proposal. Any interested person may provide written or oral testimony on the proposal at or prior to the hearing. At the conclusion of the hearing, the city commission may adopt, modify or reject the legislative proposal, or it may remand the matter to the planning commission for further consideration. If the decision is to adopt at least some form of the proposal, and thereby amend the city's land use regulations, comprehensive plan, official zoning maps or some component of any of these documents, the city commission decision shall be enacted as an ordinance.
2. Notice of Final Decision. Not later than five days following the city commission final decision, the community development director shall mail notice of the decision to DLCD in accordance with ORS 197.615(2).
Finding: Complies as Proposed. This legislative action is following the procedures found in OCMC 17.50.170.

17.68.020 - Criteria.
The criteria for comprehensive plan amendment or text or map amendment in the zoning code are set forth as follows:
A. The proposal shall be consistent with the applicable goals and policies of the comprehensive plan;
Finding: Complies as Proposed. This legislative action is consistent with the applicable goals and policies of the comprehensive plan, as detailed in the responses below. Therefore, the proposed amendments are consistent with Criterion (A).

0C2040 Oregon City Comprehensive Plan

According to the OC2040 Comprehensive Plan (Appendix 3): "Ancillary plans are adopted by the City Commission for such things as parks and recreation, transportation systems, water facilities, and sewer facilities. Usually prepared by City departments through a public process, ancillary plans are approved by the City Planning Commission and adopted by the City Commission to provide operational guidance to city departments in planning for and carrying out city services. These plans are updated more frequently than the comprehensive plan."

The Oregon City Loop Trail Refinement Plan will be adopted as an ancillary document to the Oregon City Transportation System Plan (TSP). The TSP is an adopted ancillary document to the Oregon City Comprehensive Plan. The TSP is both a technical document and a conceptual guide that requires regular review.

HEALTHY AND WELCOMING COMMUNITIES
GOAL 1 POLICIES:
Implement and maintain a community engagement program that provides broad and inclusive opportunities for all Oregon City community members to learn about and understand city government processes, including land use planning, and participate meaningfully in decisions that impact their communities.
Finding: Complies as Proposed.

CONNECTED INFRASTRUCTURE
GOAL 1
Provide a safe, comfortable, and accessible transportation network that serves all modes of travel, including non-motorized modes.
Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the City by adding sidewalks and bike lanes.

POLICY 1.1 Plan for and develop multi-modal connectivity throughout Oregon City, with an emphasis on access to community services, amenities, and key points of interest.
Finding: Complies as Proposed. Policy 1.1 requires that public facilities and services be provided in a timely, orderly, and efficiently. The goal's central concept is that local governments should plan public services in accordance with the community's needs as a whole rather than be forced to respond to individual developments as they occur. The Oregon City Loop Trail Refinement Plan will provide a design for public facilities as well as a means to obtain future funding.

STRATEGY 1.1.A Make investments to accommodate multi-modal traffic as much as possible to include bike lanes, bus turnouts and shelters, sidewalks, etc., especially on major and minor arterial roads, and in regional and employment centers.
Finding: Complies as Proposed. Meyers Road is identified as a minor arterial. The S23 segment will provide additional opportunities for pedestrian and bike investments.

STRATEGY 1.1.B Provide an interconnected and accessible street system that minimizes vehicle miles traveled and inappropriate neighborhood cut-through traffic.
Finding: Complies as Proposed. The Loop Trail is designed to offer both greater recreational opportunities and encourage residents to feel comfortable taking shorter trips by walking or biking, which helps reduce vehicle miles traveled and cut-through traffic in neighborhoods.

STRATEGY 1.1.C Ensure the adequacy of travel mode options and travel routes (parallel systems) in areas of congestion.
Finding: Complies as Proposed. Creating parallel mode options in the city encourages residents to feel comfortable taking shorter trips by walking or biking, which helps reduce congestion and cut-through traffic in neighborhoods.

STRATEGY 1.1.D Identify and prioritize improved connectivity throughout the city street system.
POLICY 1.2 Reduce Oregon City's carbon footprint by supporting and emphasizing non-motorized modes.
Finding: Complies as Proposed. Providing safe connections between neighborhoods, commercial centers, and community amenities helps encourage residents to walk or bike for shorter trips.

STRATEGY 1.2.A Provide an interconnected and accessible pedestrian system that links residential areas with major pedestrian generators such as employment centers, public facilities, and recreational areas.
Finding: Complies as Proposed. Providing safe connections between neighborhoods, commercial centers, and community amenities helps encourage residents to walk or bike for shorter trips.

STRATEGY 1.2.B Provide a well-defined and accessible bicycle network that links residential areas, major bicycle generators, employment centers, recreational areas, and the arterial and collector roadway network.
Finding: Complies as Proposed. Providing safe connections between neighborhoods, commercial centers, and community amenities helps encourage residents to walk or bike for shorter trips.

STRATEGY 1.2.C Construct bikeways and sidewalks and require connectivity of these facilities to reduce the use of petroleum-fueled transportation.
Finding: Complies as Proposed. Providing safe connections between neighborhoods, commercial centers, and community amenities helps encourage residents to walk or bike for shorter trips.

POLICY 1.3 Promote safety by implementing street design that equally considers and serves non-motorized and motorized users.
Finding: Complies as Proposed. Providing safe connections between neighborhoods, commercial centers, and community amenities helps encourage residents to walk or bike for shorter trips.

STRATEGY 1.3.A Identify and implement ways to minimize conflict points between different modes of travel.

Finding: Complies as Proposed. The loop trail segments aim to increase the separation of bikes and pedestrians from the vehicle travel lanes.

STRATEGY 1.3.B Improve the safety of vehicular, rail, bicycle, and pedestrian crossings.
Finding: Complies as Proposed. The loop trail segments aim to increase the separation of bikes and pedestrians from the vehicle travel lanes and ensure that any crossing is designed to meet adopted city standards for safe crossing.

POLICY 1.4 Ensure transportation investments are equitably applied across Oregon City neighborhoods.
Finding: Complies as Proposed. The loop trail segments are located in the southern section of the city within existing residential areas developed from the 1970s to the 2000s. These areas have traditionally receive less attention for pedestrian and bike improvements.

GOAL 2
Ensure public utilities and infrastructure are maintained and improved to adequately serve all existing areas of Oregon City and can be extended to serve newly developing areas in a logical and fiscally responsible manner.
Finding: Complies as Proposed. The loop trail segments are located in the southern section of the city within existing residential areas developed from the 1970s to the 2000s. These areas have traditionally receive less attention for pedestrian and bike improvements.

POLICY 2.1 Regularly update all City infrastructure and utility master plans.
Finding: Complies as Proposed. The Oregon City Loop Trail Refinement Plan is a special purpose plan that is part of the City's Transportation System Plan, an adopted Ancillary Document to the Oregon City Comprehensive Plan. The TSP is both a technical document and a conceptual guide that requires regular review in order to maintain and update it.

POLICY 2.3 Ensure public infrastructure investments are equitably applied across Oregon City neighborhoods.
Finding: Complies as Proposed. The loop trail segments are located in the southern section of the city within existing residential areas developed from the 1970s to the 2000s. These areas have traditionally received less attention for pedestrian and bike improvements.

STRATEGY 2.3.D Identify neighborhoods that are underserved by transportation and other infrastructure investments to ensure equitable future investments.
Finding: Complies as Proposed. The loop trail segments are located in the southern section of the city (Gaffney Lane, Hillendale, Hazel Farm/Westling Grove, Caulfield Neighborhoods) within existing residential areas developed from the 1970s to the 2000s. These areas have traditionally received less attention for pedestrian and bike improvements.

POLICY 2.4 Increase resiliency to climate change, natural hazard events, and cyber intrusions in public utility infrastructure.
Finding: Complies as Proposed. The Loop Trail has been designed to provide more recreational opportunities for the residents. It also aims to encourage people to take shorter trips by walking or biking instead of relying solely on vehicles for transportation. This will help reduce the number of vehicle miles traveled and decrease the overall dependence on vehicles as the only feasible mode of transportation.

POLICY 3.5 Pursue adequate funding to pay for public facilities and services.

Finding: Complies as Proposed. The Oregon City Loop Trail Refinement Plan will be added to the Oregon City Transportation System Plan (TSP) as an additional document. The TSP is a technical document and conceptual guide that needs regular review and is itself a supplementary document to the Oregon City Comprehensive Plan. By approving the refined plan, it will be possible to implement it through proportional exactions at the time of any abutting land use proposal and will provide the necessary details to apply for grants and implement one or more alignments through a future capital improvement project.

POLICY 2.7 Support programs and methods that will improve air quality in Oregon City.
Finding: Complies as Proposed. The Loop Trail has been designed to provide more recreational opportunities for the residents. It also aims to encourage people to take shorter trips by walking or biking instead of relying solely on vehicles for transportation. This will help reduce the number of vehicle miles traveled and particulates in the air.

STRATEGY 2.7. Promote land-use patterns that reduce the need for distance travel by single-occupancy vehicles and increase opportunities for walking, biking and/or transit to destinations such as places of employment, shopping, and education.
Finding: Complies as Proposed. The Loop Trail has been designed to provide more recreational opportunities for the residents. It also aims to encourage people to take shorter trips by walking or biking instead of relying solely on vehicles for transportation. This will help reduce the number of vehicle miles traveled and decrease the overall dependence on vehicles as the only feasible mode of transportation.

PROTECTED ENVIRONMENT

POLICY 1.2 Provide equitable distribution of parks and trails across the city.

STRATEGY 1.2.A Ensure the adequacy of pedestrian and bicycle connections to local, county, and regional trails.

STRATEGY 1.2.B Ensure adequate park and trail development in high-density areas and neighborhoods lacking access to these amenities.

Finding: Complies as Proposed. The loop trail segments are located in the southern section of the city (Gaffney Lane, Hillendale, Hazel Farm/Westling Grove, Caulfield Neighborhoods) within existing residential areas developed from the 1970s to the 2000s. These areas have traditionally received less attention for pedestrian and bike improvements.

POLICY 2.7 Support programs and methods that will improve air quality in Oregon City.
STRATEGY 2.7.A Promote land-use patterns that reduce the need for distance travel by single-occupancy vehicles and increase opportunities for walking, biking, and/or transit to destinations such as places of employment, shopping, and education
Finding: Complies as Proposed. Providing safe connections between neighborhoods, commercial centers, and community amenities helps encourage residents to walk or bike for shorter trips.

Statewide Planning Goals

Finding: This proposal makes no changes to the Comprehensive Plan, zoning, or land use designations for lands within the Urban Growth Boundary. Since the City's Comprehensive Plan and its ancillary documents are already acknowledged by the Oregon Department of Land Use and Conservation (DLCD),

no further analysis for consistency with Statewide Planning Goals is required to adopt this trail refinement plan.

Chapter 17.50 Administration and Procedures

17.50.050 – Pre-application conference.

A. Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the pre-application conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal.

1. To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.

2. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.

3. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.

B. A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.

C. Notwithstanding any representations by City staff at a pre-application conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

Finding: Staff held the required pre-application conference meeting (File PA-23-00032), on October 24, 2023.

17.50.055 - Neighborhood association meeting.

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

A. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.

B. The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the

proposed project. A copy of this notice shall also be provided to the chair of the Citizen Involvement Committee.

C. A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, Citizen Involvement Committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a City facility.

D. If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the Citizen Involvement Committee.

E. To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.

Finding: Complies as proposed. Staff presented the amendments to the Citizen Involvement Committee on November 6, 2023

17.50.070 - Completeness review and one hundred twenty-day rule.

C. Once the Community Development Director determines the application is complete enough to process, or the applicant refuses to submit any more information, the City shall declare the application complete. Pursuant to ORS 227.178, the City will reach a final decision on an application within one hundred twenty calendar days from the date that the application is determined to be or deemed complete unless the applicant agrees to suspend the one hundred twenty calendar day time line or unless State law provides otherwise. The one hundred twenty-day period, however, does not apply in the following situations:

1. Any hearing continuance or other process delay requested by the applicant shall be deemed an extension or waiver, as appropriate, of the one hundred twenty-day period.

2. Any delay in the decision-making process necessitated because the applicant provided an incomplete set of mailing labels for the record property owners within three hundred feet of the subject property shall extend the one hundred twenty-day period for the amount of time required to correct the notice defect.

3. The one hundred twenty-day period does not apply to any application for a permit that is not wholly within the City's authority and control.

4. The one hundred twenty-day period does not apply to any application for an amendment to the City's comprehensive plan or land use regulations nor to any application for a permit, the approval of which depends upon a plan amendment.

D. A one-hundred day period applies in place of the one-hundred-twenty day period for affordable housing projects where:

1. The project includes five or more residential units, including assisted living facilities or group homes;

2. At least 50% of the residential units will be sold or rented to households with incomes equal to or less than 60% of the median family income for Clackamas County or for the state, whichever is greater; and

3. *Development is subject to a covenant restricting the owner and successive owner from selling or renting any of the affordable units as housing that is not affordable for a period of 60 years from the date of the certificate of occupancy.*

E. The one hundred twenty-day period specified in OCMC 17.50.070.C or D may be extended for a specified period of time at the written request of the applicant. The total of all extensions may not exceed two hundred forty-five calendar days.

F. The approval standards that control the City's review and decision on a complete application are those which were in effect on the date the application was first submitted.

Finding: Legislative actions are not subject to the 120-day deadline.

III. RECOMMENDATION

Based on the findings in this report, staff recommends approval of Planning file GLUA 23-000033**/**LEG-23-00002. If the Planning Commission recommends approval to the City Commission, staff will prepare an Ordinance for consideration by the City Commission to adopt the proposed plan.

IV. EXHIBITS

1. Draft OC Loop Trail Refinement Plan- Draft
    a. Loop Trail Segments Map
2. Applicant's Narrative
3. Public Outreach Materials
    a. OC Loop Trail Postcard and Comment Card
    b. OC Loop Trail Workshop Presentation- October 10, 2022
    c. OC Loop Trail City Commission Worksession Presentation -June 13, 2023
    d. CIC Presentation- November 6, 2023
4. PA 23-00032 Notes and Comments
5. Oregon City Comprehensive Plan (onfile at www.orcity.org)
6. Transportation System Plan (onfile at www.orcity.org)

Oregon City Loop Trail Refinement Plan

September 2023

OREGON CITY

FEHR PEERS

Oregon City Loop Trail Refinement Plan

Executive Summary.....ES-1
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Executive Summary

Overview

The **Oregon City Loop Trail** will create a loop around Oregon City providing travelers with off-street paths and on-street connections along local roadways.

This refinement plan was developed to further define **two segments of the Loop Trail** and **two ancillary paths** that will create local connections to the Loop Trail. This plan includes recommend alignments and cross-sections, planning-level cost-estimates, and phasing that could be considered to align construction of the paths with available funding.

The plan also identifies potential **funding sources** that the City could explore to advance design and construction of the paths.

This plan positions the City **to add projects to the Capital Improvement Program** (CIP), **condition new development** to design and construct portions of the path, and **apply for grant funding**, bringing the City's goal of improving options for people walking and riding a bicycle within the City to fruition.

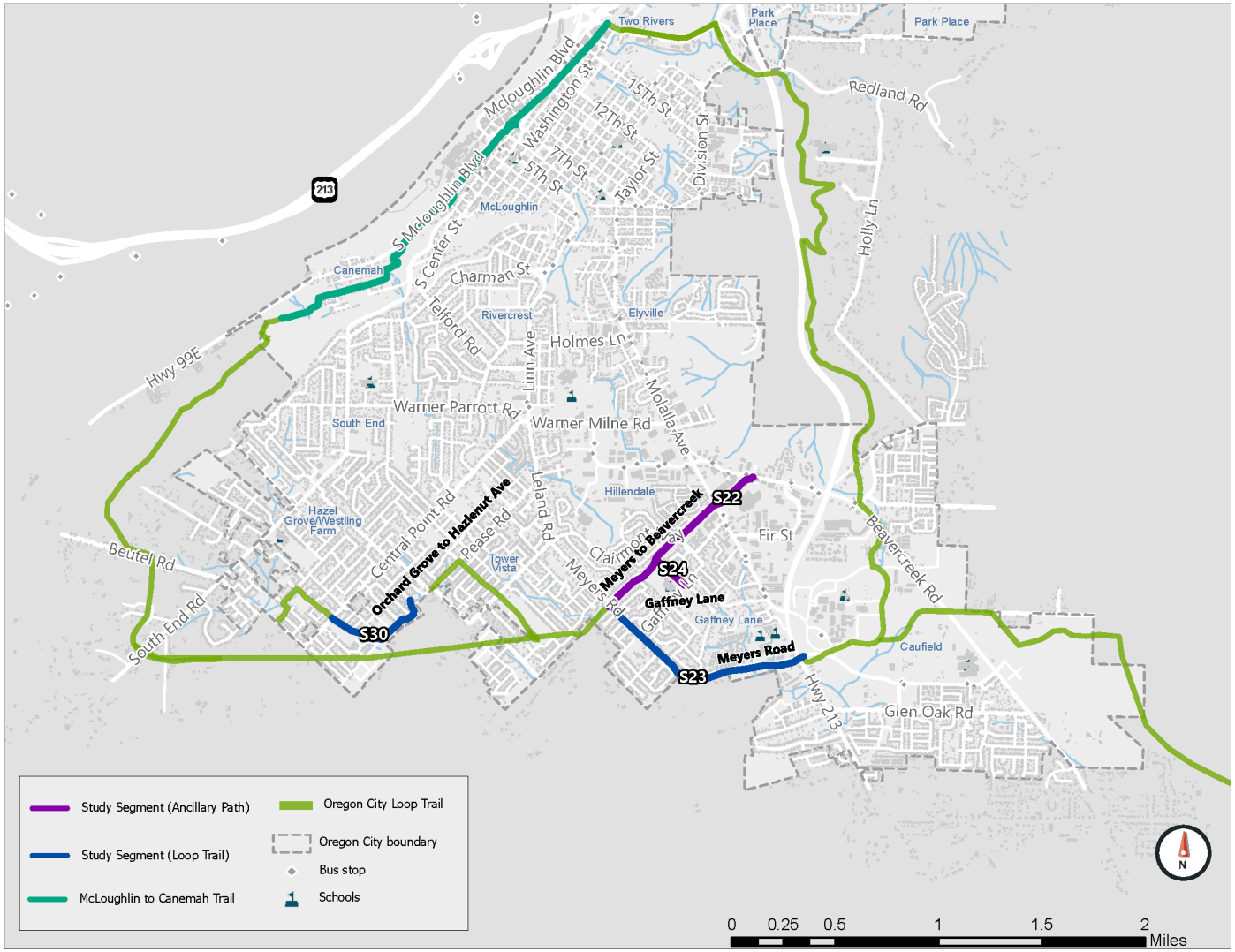

Figure ES-1. Oregon City Loop Trail

Meyers-Beavercreek Shared Use Path (Project S-22)

The Meyers-Beavercreek Shared Use Path is an ancillary path to the Oregon City Loop Trail that will provide an off-street connection for people walking, biking, and using other small mobility devices. This path will connect people from planned regional trails to Meyers Road.

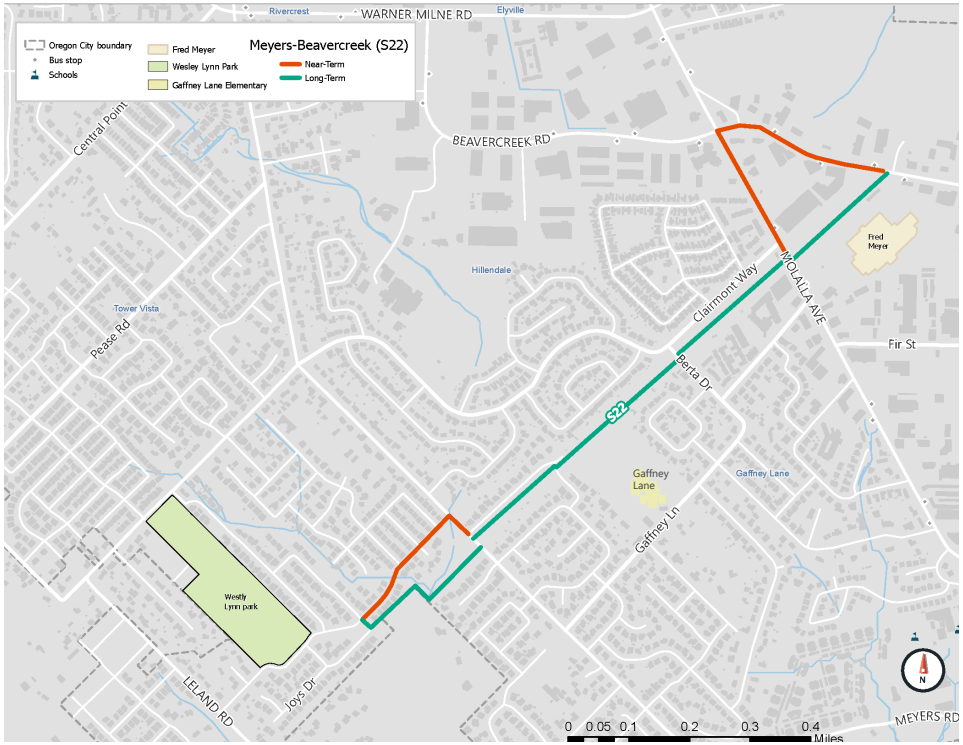

Figure ES-2. Meyers-Beavercreek Alignment

Proposed Cross-Section

The proposed cross-section for this path includes a 12-foot shared use path that is separated from existing roadways by a landscape buffer that will be at least four-feet wide. While the buffer will not be required when the path is not adjacent to roadways, adequate space will be provided to maintain separation from surrounding houses and private property. For additional cross-sections for this path, see **Appendix C: Concepts & Cross-Sections**.

Estimated Cost:

Beavercreek Road to Meyers Road - $2.9M-$4.4M
Near-Term: Meyers Road to Wesley Lynn Park - $325K-$485K
Long-Term: Meyers Road to Wesley Lynn Park - $2.5M-$3.8M
Total Long-Term: $5.4M-$8.2M

Proposed Alignment

The alignment for this path includes two segments that will require substantial coordination and funding to implement. To provide an option that could be implemented sooner, two near-term alignments have been identified. These include:

- **Beavercreek Road to Molalla Avenue** where the near-term alignment uses existing sidewalks and bicycle infrastructure while the long-term alignment provides a direct connection through existing parking lots.
- **Meyers Road to Joys Drive** where the near-term alignment uses existing infrastructure while the long-term alignment constructs a new path through existing green space.

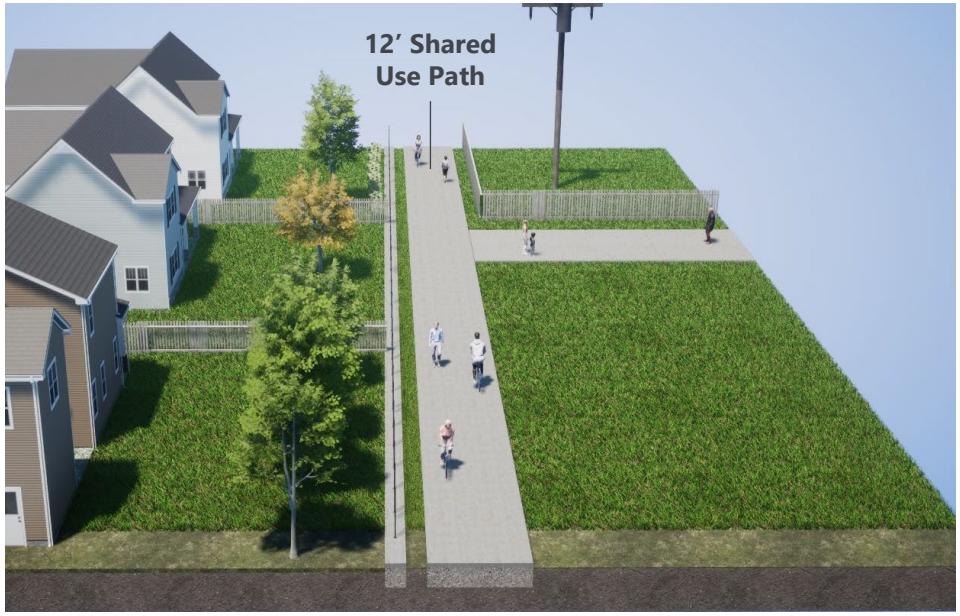

Figure ES-3. Meyers-Beavercreek Cross-Section

Meyers Road Shared Use Path (Project S-23)

The Meyers Shared Use Path is a portion of the Oregon City Loop Trail that will connect people walking, biking, and using other small mobility devices from Oregon Route 213 (OR-213) to the Meyers-Beavercreek Shared Use Path. This path will also provide an important connection from residential areas along Meyers Road to Clackamas County Community College and Oregon City High School.

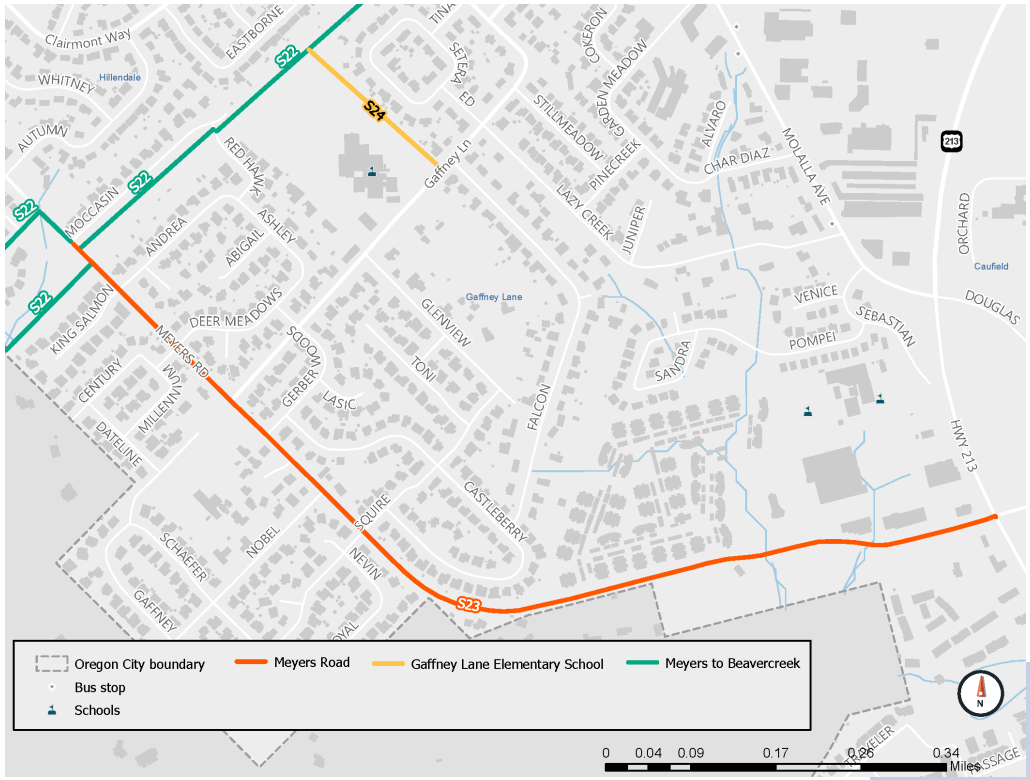

Figure ES-4. Meyers Road Alignment

Proposed Alignment

After a detailed evaluation, the north side of Meyers Road was selected as the ultimate location for the shared use path to:

- Keep the entire shared use path within the City's boundary
- Leverage the Right-of-Way allocated to the continuous sidewalks that exist today
- Minimize impacts to utilities
- Minimize the need to cross Meyers Road if you are accessing the path from the Gaffney Lane neighborhood

Proposed Cross-Section

The cross-section for this path includes a 12-foot shared use path on the north side of Meyers Road. To achieve this, the on-street bicycle lanes will be removed and everyone riding bicycles and small mobility devices will use the shared use path. Moving the bicyclists and small mobility users to the shared use path will allow for moving the north curb in to create space to widen the existing sidewalk and provide a landscaped buffer without substantial impacts to residential properties.

Estimated Cost: $4.8M-$7.2M

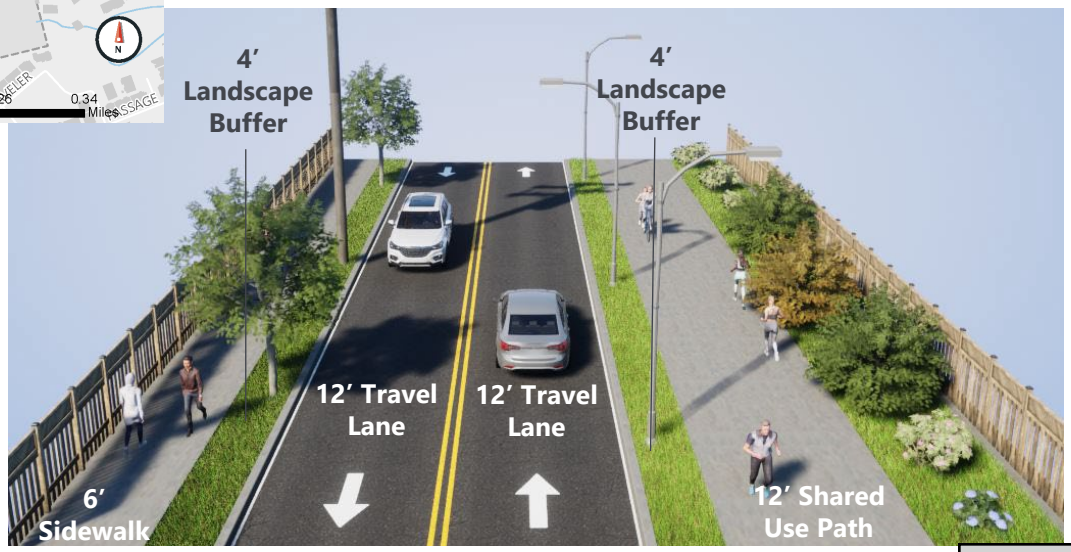

Figure ES-5. Meyers Road Cross-Section

Gaffney Lane Shared Use Path (Project S-24)

The Gaffney Lane Elementary Shared Use Path is an ancillary path that will connect people using the Meyers-Beavercreek Path to Gaffney Lane Elementary Path. This path exists today and is used by people connecting to the school and open space located behind the school. This refinement plan is not making recommendations to change the alignment but has identified the appropriate cross-section to formalize the path.

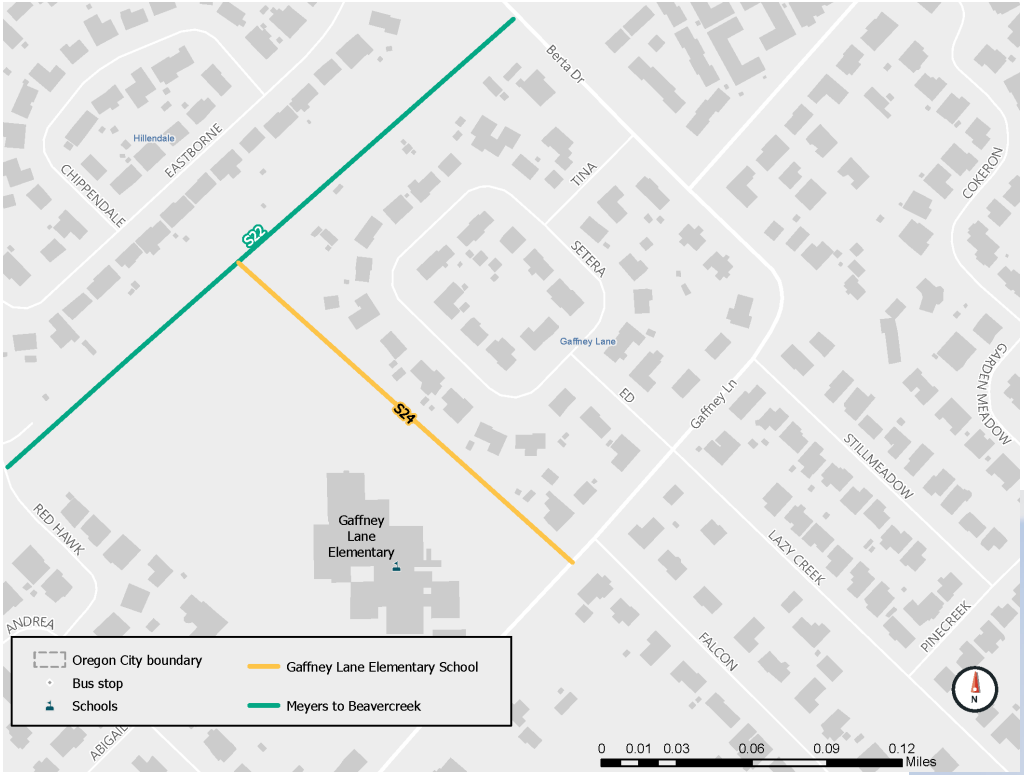

Figure ES-6. Gaffney Lane Alignment

Proposed Alignment

This alignment utilizes the existing rudimentary path that exists today. This path will create an off-street connection for families who live in the surrounding neighborhoods who may choose to walk to school if safe and comfortable facilities that are separated from vehicles are provided.

Proposed Cross-Section & Cost-Estimate

The proposed cross-section for this path includes a 12-foot shared use path that is separated from surrounding properties by existing fences.

Estimated Cost: $472,000 to $708,000

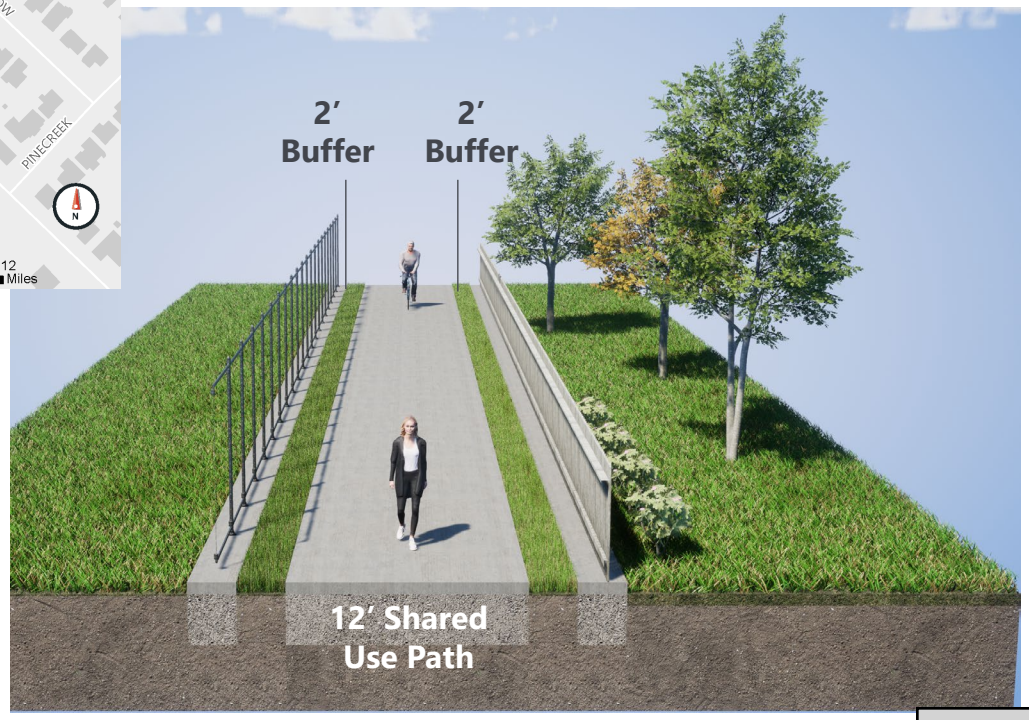

Figure ES-7. Gaffney Lane Cross-Section

Orchard Grove-Hazelnut Shared Use Path (Project S-30)

The Orchard Grove-Hazelnut Shared Use Path is a portion of the Loop Trail that will connect people walking, biking, and using other small mobility devices from Orchard Grove Drive to Hazelnut Court, Hazel Grove Park, and John McLoughlin Elementary School. This portion of the plan will serve as guidance for developers, which will likely be required to fund and build this portion of the Oregon City Loop Trail as development occurs.

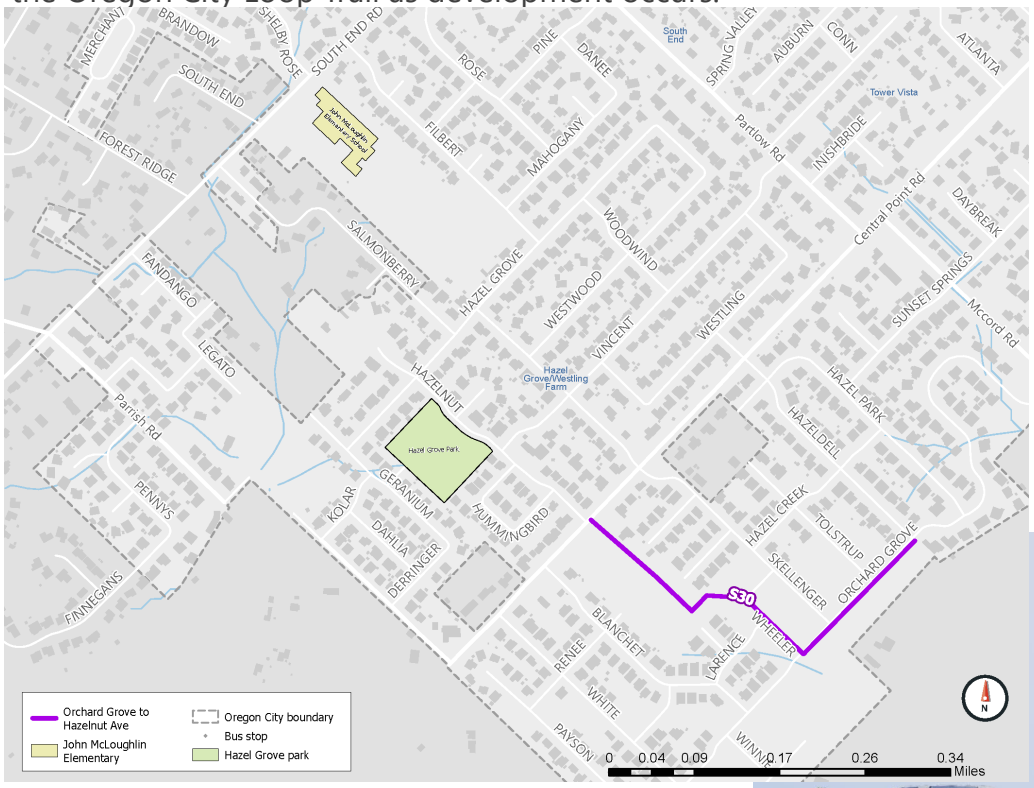

Figure ES-8. Orchard Grove-Hazelnut Alignment

Proposed Alignment

This portion of the Loop Trail runs from Hazeldell Avenue to S. Central Point Road. Unlike other segments refined as part of this plan, the recommended alignment for this portion of the Trail utilizes on-street facilities for people riding a bicycle and sidewalks for people walking.

When construction occurs in the undeveloped lot, it is recommended that the connection be built consistent with the existing Hazelnut alignment.

Proposed Cross-Section & Cost-Estimate

The proposed cross-section utilizes existing streets and sidewalks. The primary addition to existing infrastructure included in the recommended cross-section is the addition of sharrows to indicate the people riding a bicycle or other small mobility devices should use the vehicle travel lane and alert drivers that they should be prepared to share the lane and help to create "family-friendly" streets.

Estimated Cost: $56,000 to $84,000

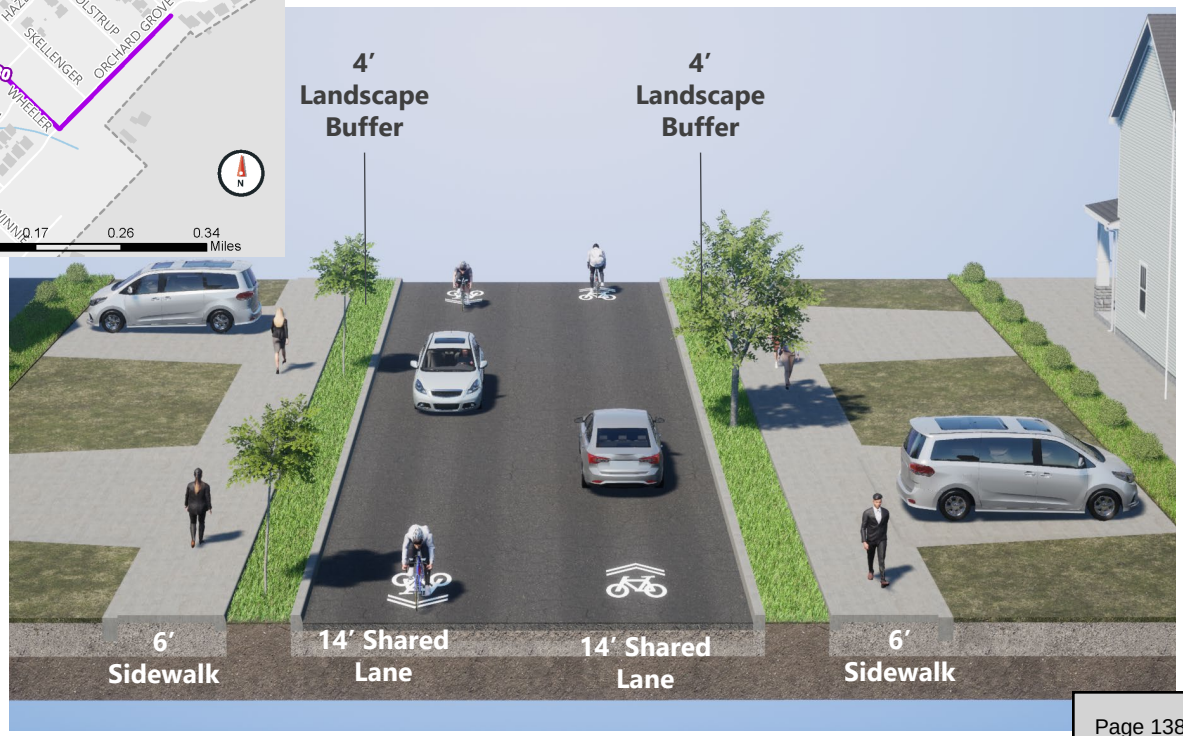

Figure ES-9. Orchard Grove-Hazelnut Cross-Section

Funding

There are three paths to funding design and construction of the four paths included in this plan. The first is by conditioning development to construct portions of the paths as development occurs. The second option is adding the path to the City's CIP, which allows the City to program funding based on the anticipated timeline for construction. Lastly, the City can apply for competitive grants. Four grants that the City could consider applying for to design and construct the paths are summarized below.

Safe Routes to School (SRTS)

The Oregon Department of Transportation provides funding for SRTS projects, under two umbrellas – construction and education. Funds from this program are allocated through a competitive grant process that consists of two applications typically due in March and July.

The paths eligible for funding under this grant program would be the Orchard Grove-Hazelnut, Gaffney Lane Elementary, and portions of the Meyers-Beavercreek Shared Use Paths. It is important to note that based on the demographic makeup of the schools at application, the schools may not be competitive.

Active Transportation Infrastructure Investment Program

This federally funded program is designed to fund communities looking to expand infrastructure for walking and biking. This is aimed at active transportation projects or group of projects with a total cost of over $15 million, or total cost of $100,000 for planning and design grants are eligible for funding under this program.

The Meyers Road and Meyers-Beavercreek Paths are estimated to cost roughly $15 million when combined. As these paths would benefit from being constructed together, the City could consider apply for funding as one large project.

Recreational Trails Programs (RTP)

This federally funded program, which is administered by the Oregon Parks and Recreation Department, provides funds for local agencies to develop, improve, or expand motorized and non-motorized trails and their facilities.

The minimum grant request for this grant and the recommended maximum request is $150,000. As part of the Loop Trail, the Orchard Grove-Hazelnut Shared Use Path, estimated to cost less than $100,000, may be eligible for funding under this grant. The City also could use this grant to cover a portion of the cost for the Gaffney Lane Path.

Oregon Community Paths

The Oregon Community Paths program is geared towards helping communities create and maintain connections through shared use paths. This grant is geared towards projects that create continuous paths that are physically separated from the roadway.

Applications for this grant are on a two-year cycle with pre-applications due in the fall and applications accepted November through January. The two paths most likely to be competitive for this grant are the Meyers Road and Meyers-Beavercreek Shared Use Paths.

Introduction & Purpose

Introduction

The Oregon City Loop Trail, a regional trail planned to connect people walking, riding a bicycle, or other small mobility devices to adjacent communities, will create a loop around Oregon City through a series of shared use paths and on-street connections. This plan refines two segments of the Loop Trail and two ancillary paths, which will connect local users to the Loop Trail. The four segments, shown on **Figure 1**, included in this plan are:

- Meyers-Beavercreek Shared Use Path (S-22)
- Meyers Road Shared Use Path (S-23)
- Gaffney Lane Elementary Shared Use Path (S-24)
- Orchard Grove-Hazelnut Shared Use Path (S-30)

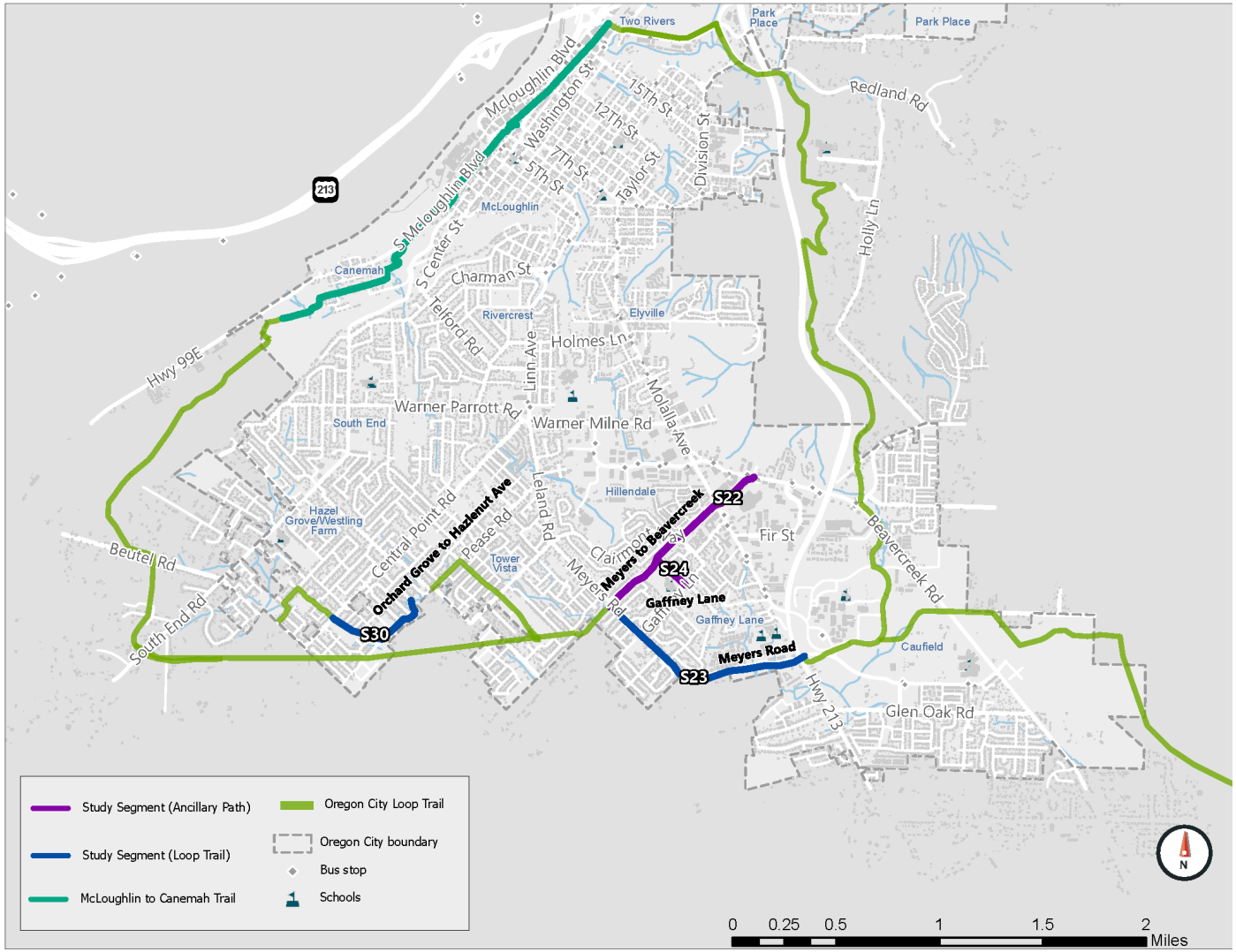

Figure 1. Study Segments

Purpose

One focus of the City's Transportation System Plan (TSP), adopted in 2013, was to emphasize a multimodal approach to solving transportation issues, including improving options for people walking and biking within the city. This approach is woven throughout the TSP goals, objectives, and the project list.

Goal 1 of the TSP states that the City should "Ensure that the transportation system maintains and improves individual health, safety and security by maximizing the comfort and convenience of walking, biking and transit options, public safety and service access." By refining the four segments included in this plan, this effort positions the City to advance the objective of providing a network of family-friendly walking and biking routes. This refinement plan also includes potential funding sources that the City can use to design and construct these paths, aligning with the City's goal of identifying transportation investments that can be made with available funding.

Outcomes

This plan includes the recommended alignment and cross-section for the four paths, phasing that could be used to implement the shared use paths based on funding availability, and planning-level cost-estimates.

Additionally, this plan serves as guidance for Development Review Staff to condition new development to design and construct portions of the path, positions the City to add projects to the Capital Improvement Program (CIP) that would design and construct portions of the path, and most importantly, positions the City to secure grant funding to support design and construction.

Report Organization

This report is organized in the following sections:

- **Stakeholder & Community Input**: Overview of engagement with stakeholders and community members
- **Meyers-Beavercreek Shared Use Path (S-22)**: Opportunities, constraints, and recommendations for the Meyers-Beavercreek Shared Use Path
- **Meyers Road Shared Use Path (S-23)**: Opportunities, constraints, and recommendations for the Meyers Road Shared Use Path
- **Gaffney Lane Elementary Shared Use Path (S-24)**: Opportunities, constraints, and recommendations for the Gaffney Lane Shared Use Path
- **Orchard Grove-Hazelnut Shared Use Path (S-30)**: Opportunities, constraints, and recommendations for the Orchard Grove Shared Use Path
- **Funding Opportunities**: Overview of grants that could be used to design and implement the shared use paths

Stakeholder & Community Input

Stakeholder Input

While portions of the alignments identified in this plan can be constructed on property currently owned by the City, in some cases easements will be required to connect the paths through privately held properties.

To understand concerns from property owners and agencies that could have large portions of the shared use paths traversing or adjacent to their properties, stakeholder interviews were completed early in the planning process. Stakeholder interviews also included representatives from key destinations along the paths and regional planning agencies.

Representatives from the following agencies participated in stakeholder interviews, a summary of which can be found in **Appendix A: Opportunities & Constraints**:

- Clackamas County Community College
- Deering Property Management
- Gaffney Lane Neighborhood Association
- Oregon City Parks Department
- Portland General Electric (PGE)
- Metro
- Oregon City School District

Postcards were used to promote opportunities to share feedback, along with promotion on City websites and social media platforms.

Community Input

Community members had two opportunities to share their concerns and priorities for development of the Loop Trail and ancillary paths.

The first opportunity was through an online survey, which asked community members to share how they would use the paths, what discourages them from walking or riding a bicycle today, and what design features would make them feel safer and more comfortable when using the paths.

Nearly 70 community members responded to the survey. Key takeaways that informed recommendations in this plan include:

- A concern about the loss of privacy in areas where paths may be located next to residential areas
- A desire for amenities such as trash cans, dog waste stations, and landscaping
- A need for separation from vehicles and enhanced lighting
- A need for paths that meet the needs of a wide variety of users

The second opportunity was an in-person workshop held at Gaffney Lane Elementary School which focused on the Gaffney Lane path and the Meyers-Beavercreek path. Feedback from community members included:

- A desire to maintain existing green space between Meyers Road and Frontier Parkway
- Paths that used to traverse the existing school property were highly-utilized; opportunities to follow that alignment should be prioritized
- Concerns about proximity of the paths to houses and the elementary school

Meyers-Beavercreek Shared Use Path (Project S-22)

The Meyers-Beavercreek Shared Use Path is an ancillary path to the Oregon City Loop Trail that will provide an off-street connection for people walking, biking, and using other small mobility devices. This path will connect people from the planned regional trails to the Oregon City Loop Trail on Meyers Road.

Table 1 summarizes the key opportunities and constraints that were identified and used to inform development of the proposed cross-section and alignment for this path.

Table 1. Meyers-Beavercreek Opportunities & Constraints

	• This path is part of the Not Likely to be Funded Transportation System and identified as a Long-term Phase 2 project in the TSP • This path is identified as a Local Trail in the City's Trails Master Plan
	• Between Beavercreek Road and Molalla Avenue, the most direct path requires traversing an existing retail center • The predominate land use along the planned alignment is single-family residential • Gaffney Lane Elementary School and Wesley Lynn Park are the primary generators for bicycle and pedestrian trips along the planned path
	• Much of the planned alignment is along property owned by the City of Oregon City and Oregon City School District • Several homes have fences that extend into the Right-of-Way between Berta Drive and the elementary school • There is an existing easement, granted to Portland General Electric (PGE) from Beavercreek Road to Frontier Parkway that follows the powerlines and is approximately 225-feet wide
	• Existing roadways offer low-speed alternatives as a near-term option until funding can be secured for off-street connections • If the alignment uses on-street connections as a near-term connection, enhancements are needed to improve safety and comfort • This path will connect to the planned Gaffney Lane Elementary Shared Use Path, creating an off-street connection to the elementary school between Beavercreek Road and Meyers Road
	• From Beavercreek Road to Frontier Parkway, the alignment follows high-voltage transmission lines that will require 50-feet of horizontal clearance from the path • There are two stormwater management areas, located on either side of Meyers Road that need to be maintained
	• Water and natural resources in the area between Meyers Road and Frontier Parkway will need to be incorporated in the design for the path • The only geologic hazard present along this path alignment are slopes, which are greater than 25% near the stormwater management areas

Proposed Alignment

This shared use path alignment runs from the signalized intersection on Beavercreek Road that provides access to Fred Meyer to Joys Drive, where it connects users to Frontier Parkway, which can be used to access Wesley Lynn Park.

Along this alignment, this path will intersect with the Meyers Road segment of the Oregon City Loop Trail where it crosses the Meyers Road Path (S-23) and the Gaffney Lane Path (S-24).

While the long-term alignment of the path will provide separated facilities, dedicated space outside the existing roadway, two segments may use existing facilities until funds can be allocated to construct these segments.

Between Beavercreek and Molalla Avenue, the long-term alignment would connect along existing property lines. Constructing a path between the two existing parking lots will require coordination with property owners and significant investment. In the interim, recently improved facilities for people walking and bicycling on Beavercreek Road can be used to connect users to the portion of the path located to the west of Molalla Avenue.

A near-term alignment has also been identified between Meyers Road and Frontier Parkway. While the near-term alignment will connect users to Wesley Lynn Park using the existing sidewalks and sharrows indicating the people riding a bicycle should use the vehicle travel lane, the long-term alignment will provide an off-street connection through existing green space. As this space is privately owned and will require substantial investment to address environmental constraints, this alignment has been identified as long-term.

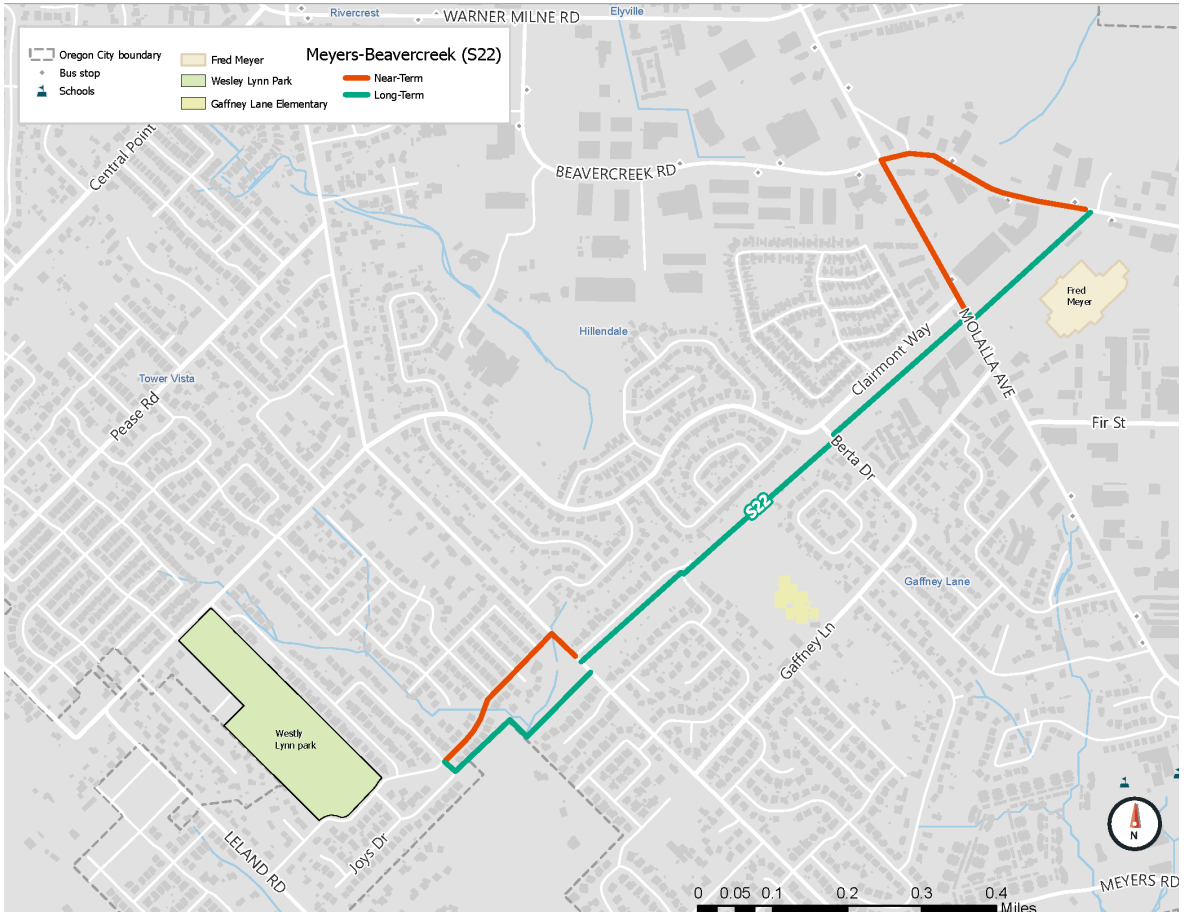

Figure 2. Meyers-Beavercreek Proposed Alignment

Proposed Cross-Section

As shown on **Figure 3**, the proposed cross-section for this path includes a 12-foot shared use path that is separated from existing roadways by a landscape buffer that should be at least four-feet wide.

The cross-section for this path will vary as it traverses the alignment based on the surrounding context. **Figure 4**, shows the proposed cross-section as the path crosses the existing open-space behind Gaffney Lane Elementary. See **Appendix C: Concepts and Cross-Sections**, for more detail on how the cross-section will change along the path.

Additional considerations that will need to be addressed as this path is constructed include:

- Ability to integrate amenities such as dog waste stations and benches
- Adjustment to the alignment may be needed to maintain appropriate distance from existing powerlines and maximize remaining space as plans for empty lots are refined
- An elevated structure may be required to minimize environmental impacts between Meyers Road and Frontier parkway for the long-term alignment
- Opportunities to enhance existing on-street facilities should be explored if the near-term alignment is utilized

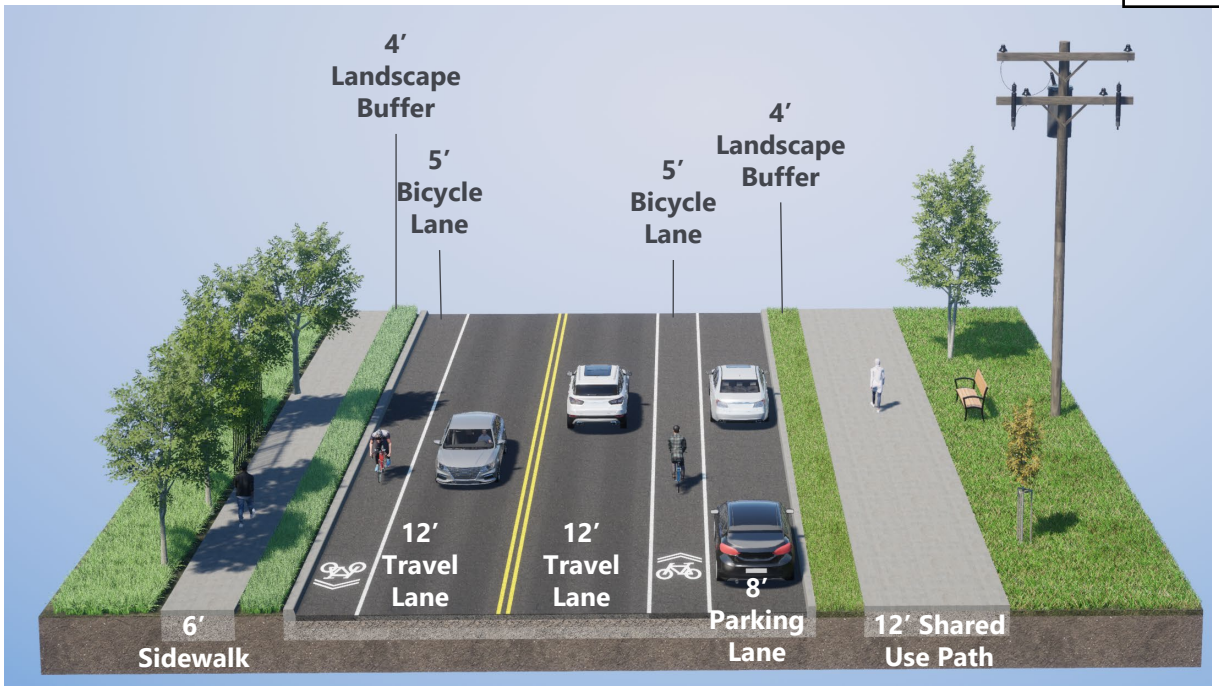

Figure 3. Meyers-Beavercreek Cross-Section Along Clairmont Way

Figure 4. Meyers-Beavercreek Cross-Section Through Open Space

Estimated Cost

The planning-level cost-estimate for this segment was split into two segments: Beavercreek Road to Meyers Road and Meyers Road to Wesley Lynn Park. For the second segment, separate estimates were prepared for the near-term and long-term alignments, as shown in **Table 2**.

Detailed cost-estimates can be found in **Appendix D: Cost-Estimates**.

Table 2. Meyers Beavercreek Cost-Estimate

Segment	Low Estimate (2023 $)	High Estimate (2023 $)
Segment 1: Meyers Road to Beavercreek Road	$2,950,000	$4,420,000
Segment 2 (Near-Term): Meyers Road to Wesley Lynn Park	$325,000	$485,000
Segment 2 (Long-Term): Meyers Road to Wesley Lynn Park	$2,530,000	$3,790,000
Total (with Near-Term):	**$3,275,000**	**$4,905,000**
Total (with Long-Term):	**$5,480,000**	**$8,210,000**

Meyers Road Shared Use Path (Project S-23)

The Meyers Shared Use Path (S-23) is a portion of the Oregon City Loop Trail that will connect people walking, biking, and using other small mobility devices from Oregon Route 213 (OR-213) to the Meyers-Beavercreek Shared Use Path (S-22). This path will also provide an important connection from residential areas along Meyers Road to Clackamas County Community College and Oregon City High School.

Table 3 summarizes the key opportunities and constraints that were identified and used to inform development of the proposed cross-section and alignment for this path.

Table 3. Meyers-Road Opportunities & Constraints	
	• This path is part of the Not Likely to be Funded Transportation System and identified as a Long-term Phase 3 project in the TSP • As part of the Loop Trail, this path is identified as a Regional Trail
	• Land use along the corridor is predominantly single-family homes with areas of high-density residential and commercial at the Meyers Road and OR-213 intersection • This path will provide an important multimodal connection from the residential areas to the west of OR-213 to Clackamas County Community College and Oregon City High School
	• Coordination with private landowners will be required to widen easements for existing sidewalks
	• While there are on-street bicycle lanes on Meyers Road and continuous sidewalks along most of the corridor, enhancements are needed to improve comfort for people walking and riding a bicycle
	• There are no significant on-street utilities along Meyers Road other than utility access holes, catch basins, fire hydrants, electricity poles, and electricity cabinets
	• There are no significant environmental limitations to align the shared use path along Meyers Road

Proposed Alignment

This shared use path alignment runs along Meyers Road from OR-213 to Moccasin Way where it connects to the Meyers-Beavercreek Path (S-22).

After a detailed evaluation, the north side of Meyers Road was selected as the ultimate location for the shared use path.

The north side of Meyers Road was selected for the following reasons:

- This alignment would keep the entire shared use path within the City's boundary.
- There are already continuous sidewalks on the north side of Meyers Road.
- There will be fewer impacts to utilities with widening sidewalks and moving the curb on the north side of the road.
- Placing the shared use path on the north side allows community members that live to the north and east of Meyers Road to access the path without having to cross Meyers Road.

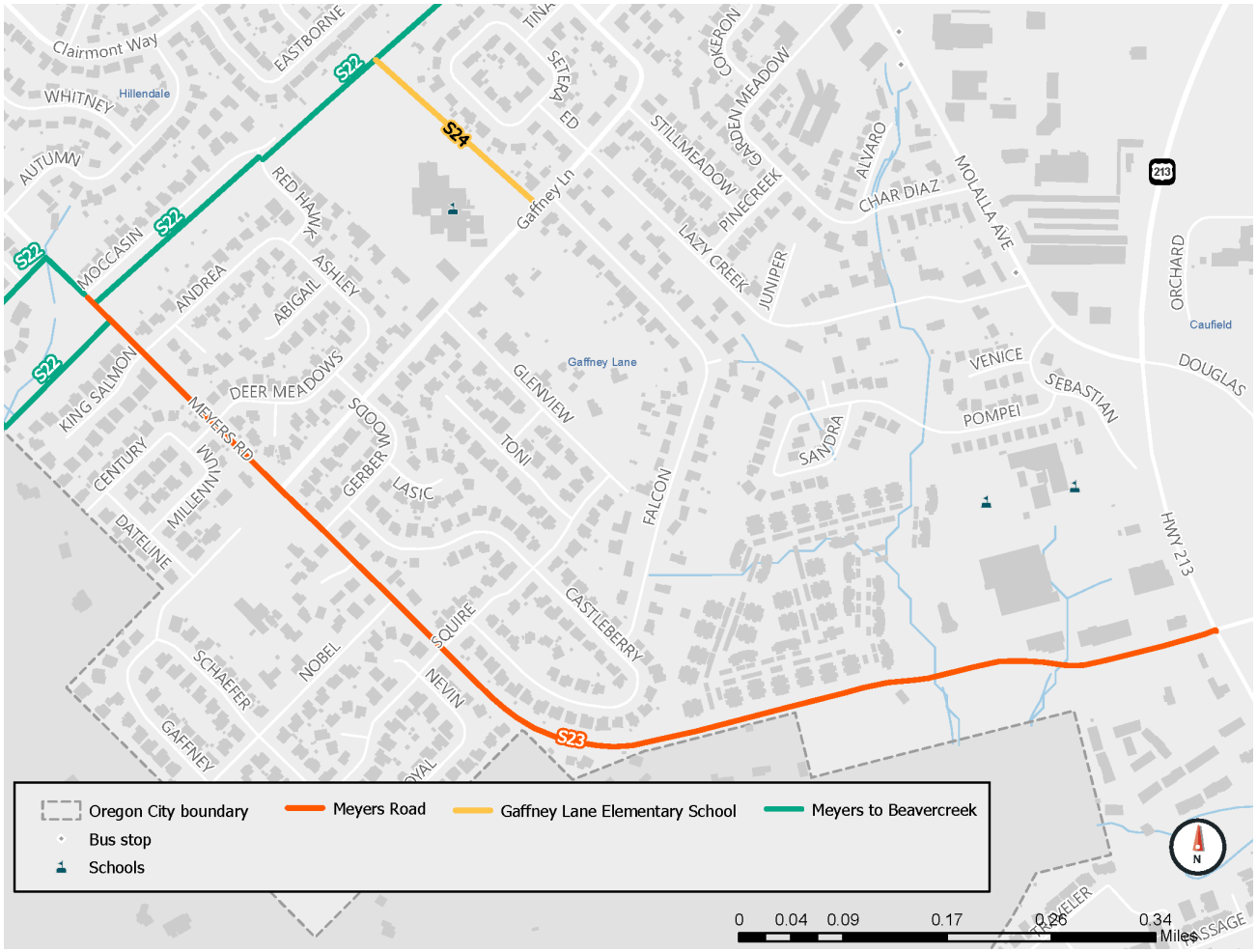

Figure 5. Meyers Road Proposed Alignment

Proposed Cross-Section

As shown on **Figure 7**, the proposed cross-section for this path includes a 12-foot shared use path on the north side of Meyers Road.

To achieve this, the on-street bicycle lanes will be removed and everyone riding bicycles and other small mobility devices will use the shared use path. This will allow for moving the north curb in to create space to widen the existing sidewalk and provide a landscaped buffer without substantial impacts to residential properties.

Additional considerations that will need to be addressed as this path is constructed include:

- Additional treatments to improve safety at driveways and intersections along Meyers Road, including raised crosswalks and additional signage
- There are some locations where existing easements will need to be widened to accommodate the shared use path

Estimated Cost

Based on the planning-level cost-estimate for this segment, the cost for design and construction of this shared use path is between $4.5 million on the low end and $7.16 million on the high end, as shown in **Table 4**.

Concepts used to develop cost-estimates are provided in **Appendix C: Concepts & Cross-Sections** while detailed cost-estimates can be found in **Appendix D: Cost-Estimates**.

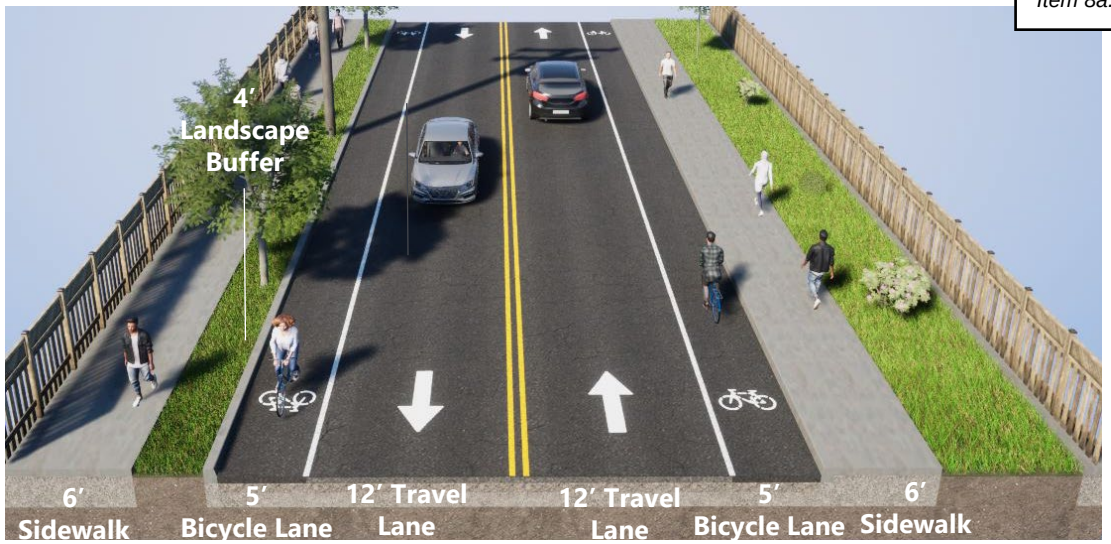

Figure 6. Existing Meyers Road Cross-Section

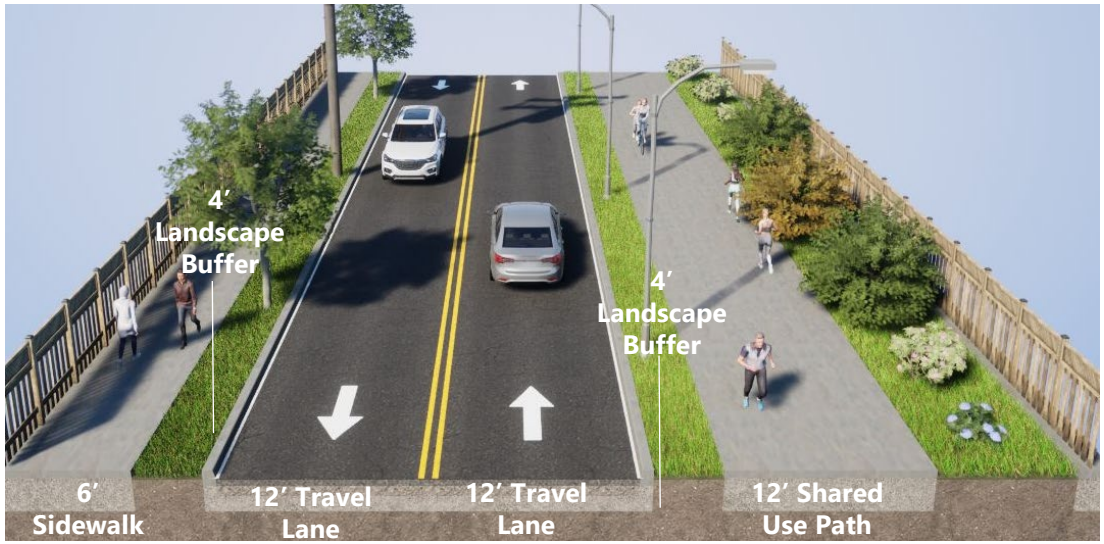

Figure 7. Proposed Meyers Road Cross-Section

Table 4. Meyers Road Cost-Estimate

Segment	Low Estimate (2023 $)	High Estimate (2023 $)
Meyers Road Shared Use Path	$4,776,000	$7,164,0

Gaffney Lane Elementary Shared Use Path (Project S-24)

The Gaffney Lane Elementary Shared Use Path (S-24) is an ancillary path that will create a connection from Gaffney Lane to the Meyers-Beavercreek Path (S-22). This path exists today and is used by people connecting to the school and open space located behind the school. This refinement plan is not making recommendations to change the alignment but has identified the appropriate cross-section to formalize the path.

Table 5 summarizes the key opportunities and constraints that were identified and used to inform development of the proposed cross-section and alignment for this path.

Table 5. Gaffney Lane Opportunities & Constraints	
	• This path is part of the TSP's Likely to be Funded Transportation System and prioritized for implementation before 2035 • This path is identified as a part of the Hillendale South Trail in the City's Master Plan, which will ultimately connect Gaffney Lane to Hillendale Park
	• Land use surrounding the shared use path alignment is entirely built out with single-family homes located east of the path and Gaffney Lane Elementary School located to the west of the path
	• The shared use path alignment is located on two lots, both owned by Oregon City School District who is open to formalizing use of the space by the City for the purpose of the shared use path
	• The alignment for the shared use path is already in place along the first lot owned by the School District with approximately 150-feet of asphalt path before a gravel section, which is approximately 250-feet long
	• There are no utilities that need to be considered until the connection with the planned Meyers-Beavercreek Shared Use Path
	• The proposed alignment does not have any environmental constrains

Proposed Alignment

This shared use path alignment runs from Gaffney Lane to the Proposed Meyers-Beavercreek Shared Use Path (S-22), as shown on **Figure 8**.

This alignment utilizes the existing rudimentary path that exists today and connects people from Gaffney Lane to the open space located behind Gaffney Lane Elementary School.

This path will provide an off-street connection for families who may choose to walk to school, specifically those located behind the school. Once the Meyers-Beavercreek Path is constructed, there would be an off-street connection from Meyers Road to Berta Drive and a connection to Gaffney Lane.

As this alignment exists today, there are no environmental considerations or ROW impacts; however, coordination with surrounding residential areas and the school will be needed to ensure that security and privacy are maintained.

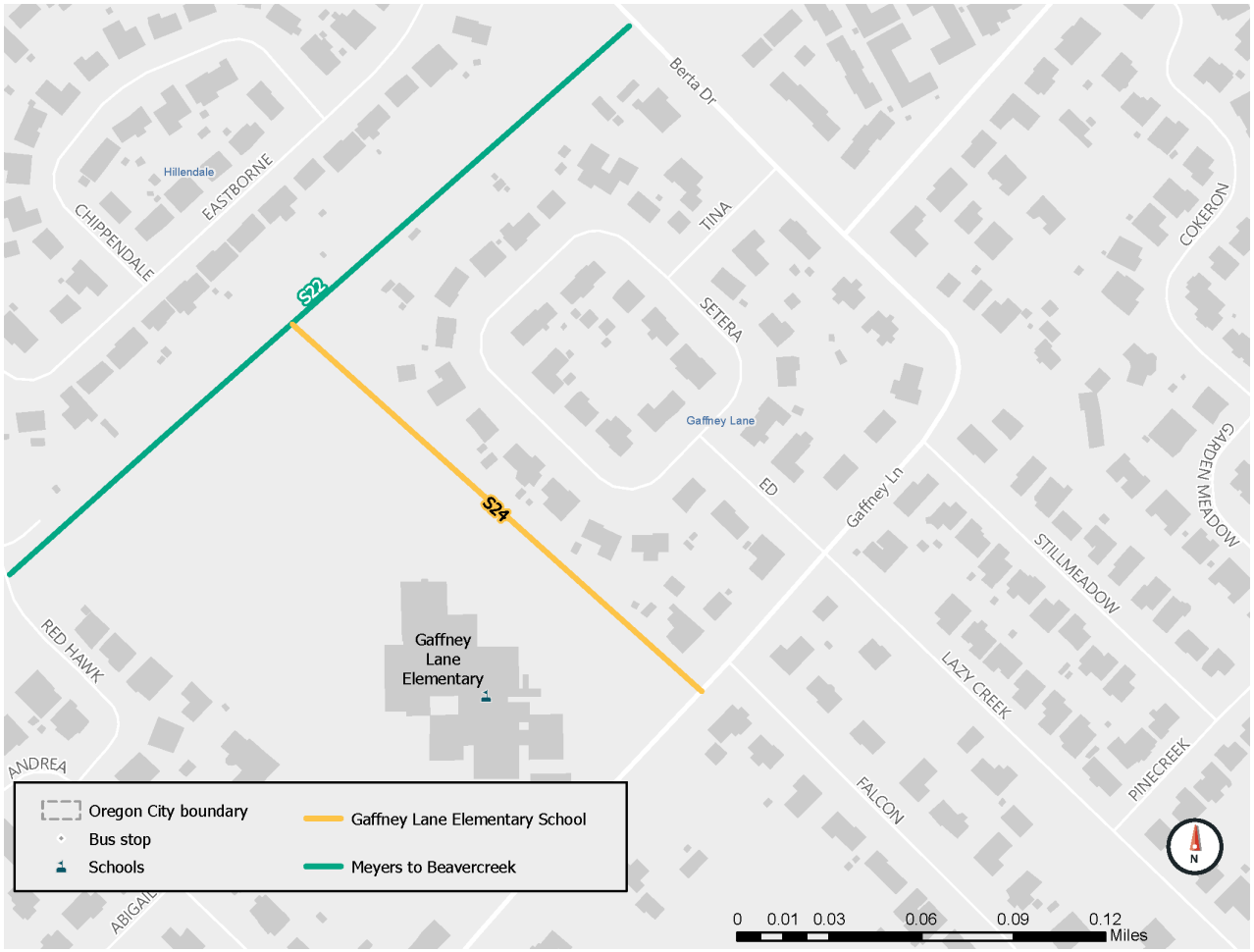

Figure 8. Gaffney Lane Proposed Alignment

Proposed Cross-Section

As shown on **Figure 9**, the proposed cross-section for this path includes a 12-foot shared use path that is separated from surrounding properties by existing fences.

Additional considerations that will need to be addressed as this path is constructed include:

- Coordination with surrounding property owners to determine additional amenities that could be incorporated to maintain both access and privacy
- Coordination with the school to ensure that the path provides direct access to the school while maintaining security for school children
- There are missing sidewalks on Gaffney Lane where this path would end; opportunities to fill sidewalk gaps on Gaffney Lane should be explored to maximize connections to the Gaffney Lane neighborhood

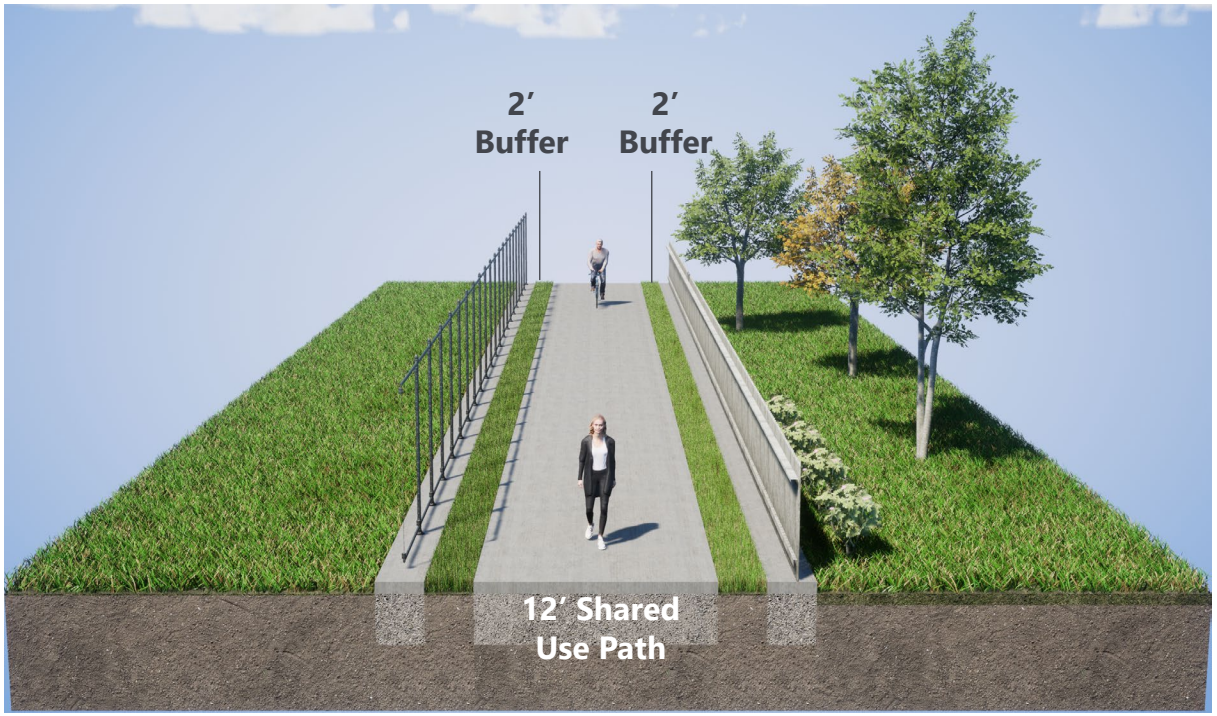

Figure 9. Gaffney Lane Cross-Section

Estimated Cost

Based on the planning-level cost-estimate for this segment, the cost for this path is expected to range from approximately $500,000 to $700,000 as shown in **Table 6**.

Concepts used to develop cost-estimates are provided in **Appendix C: Concepts & Cross-Sections** while detailed cost-estimates can be found in **Appendix D: Cost-Estimates**.

Table 6. Gaffney Lane Cost-Estimate

Segment	Low Estimate (2023 $)	High Estimate (2023 $)
Gaffney Lane Shared Use Path	$472,000	$708,000

Orchard Grove-Hazelnut Shared Use Path (Project S-30)

The Orchard Grove-Hazelnut Shared Use Path is a portion of the Loop Trail that will connect people walking, biking, and using other small mobility devices from Orchard Grove Drive to Hazelnut Court, Hazel Grove Park, and John McLoughlin Elementary School. This portion of the plan will serve as guidance for developers which will likely be required to fund and build this portion of the Loop Trail as development occurs.

Table 7 summarizes the key opportunities and constraints that were identified and used to inform development of the proposed cross-section and alignment for this path.

Table 7. Orchard Grove-Hazelnut Opportunities & Constraints

	• The Transportation System Plan described this section of the regional trail as part of the Not Likely to be Funded Transportation System and is part of the lowest priority projects after the Likely to be Funded Transportation System is implemented • This segment is identified as part of the Oregon City Loop Trail
	• The surrounding land use and zoning is low-density residential • Major generators for the planned trail include Hazel Grove Park and John Mcloughlin Elementary School
	• The off-street portion of the proposed alignment crosses land that is privately owned and undeveloped. • Portions of this segment of the Loop Trail will need to be constructed by private development as it occurs
	• Orchard Grove Drive and Wheeler Way are local streets with a 25-mph speed limit • There are no existing on-street bike lanes in the study area; except for a small gap on Orchard Drive, sidewalks are provided on all existing streets • When implemented, this portion of the Loop Trail will connect people walking, biking, and using small mobility devices to parks and schools using sidewalks and on-street facilities appropriate for the residential context and slow neighborhood streets
	• There are no significant utilities along the proposed alignment
	• There are no significant environmental constraints along the proposed alignment

Proposed Alignment

This portion of the Loop Trail runs from Hazeldell Avenue to S. Central Point Road.

Unlike other segments refined as part of this plan, the recommended alignment for this portion of the Trail utilizes on-street facilities for people riding a bicycle and other small mobility devices and sidewalks for people walking.

This recommendation was based on several factors including:

- The existing streets are low-volume with low-speeds
- Existing sidewalks include a landscape buffer and are compliant with Americans with Disabilities Act (ADA) standards
- As development occurs, this plan can be used to require developers to construct the extension of Hazelnut Avenue consistent with the recommended cross-section for this portion of the trail

Figure 10. Orchard Grove-Hazelnut Proposed Alignment

Proposed Cross-Section

As shown on **Figure 10**, the proposed cross-section utilizes existing streets and sidewalks.

The primary addition to existing infrastructure included in the recommended cross-section is the addition of sharrows to indicate the people riding a bicycle should use the vehicle travel lane and alert drivers that they should be prepared to share the lane.

Additional considerations that will need to be addressed as this path is constructed include:

- The City should require development to construct Hazelnut Avenue with a similar cross-section as development occurs
- Additional safety features may need to be incorporated in the final design to maintain safety and comfort; this could include speed bumps/humps or additional features to limit cut-through traffic
- This route should be developed consistent with the standards for "family friendly routes" identified in the TSP

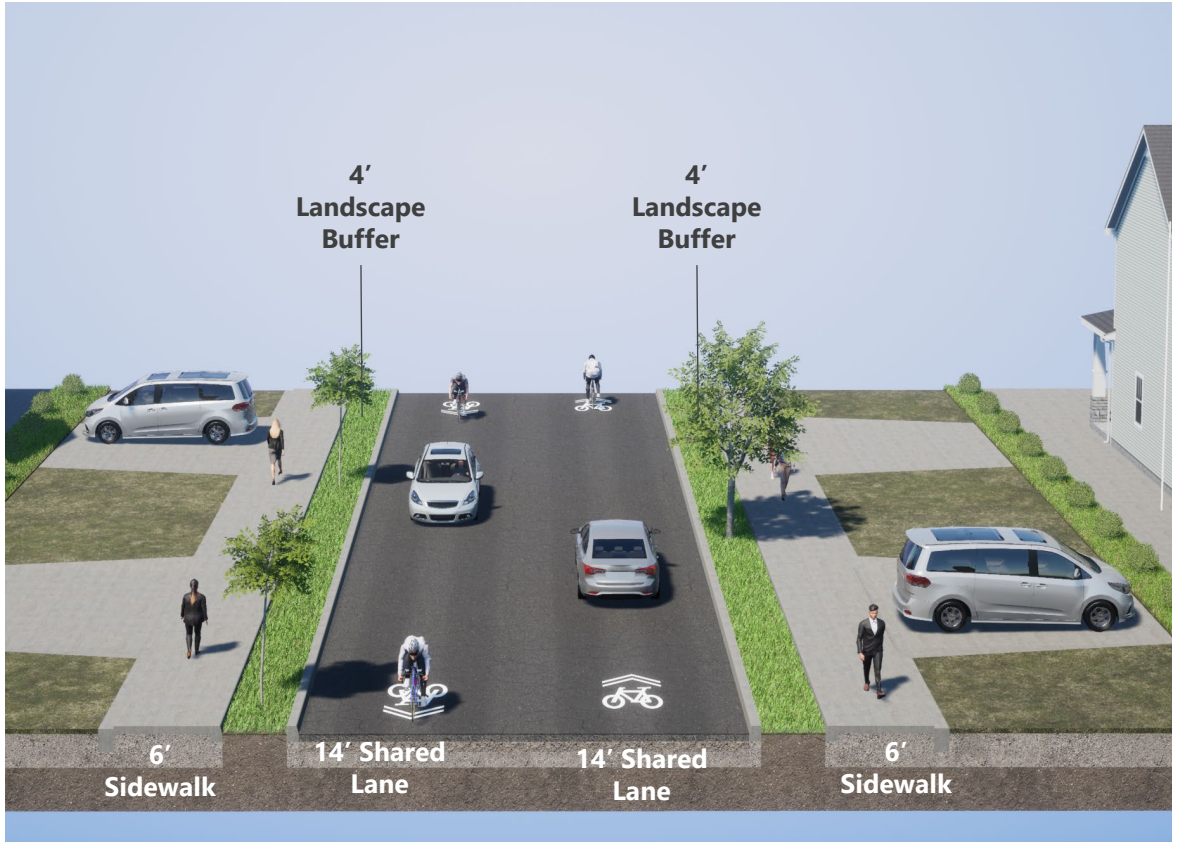

Figure 11. Orchard Grove-Hazelnut Cross-Section

Estimated Cost

The planning-level cost-estimate for this segment includes elements needed to enhance existing streets. This estimate does not include the connection of Hazelnut Avenue as that is expected to be constructed by development. As shown in **Table 8**, the existing portion of the trail could be implemented for less than $100,000.

Concepts used to develop cost-estimates are provided in **Appendix C** while detailed cost-estimates can be found in **Appendix D**.

Table 8. Orchard Grove-Hazelnut Cost-Estimate

Segment	Low Estimate (2023 $)	High Estimate (2023 $)
Orchard Grove-Hazelnut	$56,000	$84,000

Funding Opportunities

One path to funding design and construction of the proposed path is to secure grant funding. Typically, grant funding is secured through competitive grant programs that the City must apply for. These grants often include a local match, requiring the City to provide anywhere from 10 percent to 40 percent of the project funds. The following grants have been identified as potential funding opportunities that the City could explore to implement the shared use paths.

Recreational Trails Programs (RTP)

This federally funded program, which is administered by the Oregon Parks and Recreation Department, provides funds for local agencies to develop, improve, or expand motorized and non-motorized trails and their facilities.

Eligible projects for these funds include:

- Construction of new trails
- Major rehabilitation of existing trails
- Development or improvement of trailhead or other support facilities
- Acquisition of land or easements for the purpose of trail development
- Safety and education projects

Oregon's annual RTP allocation is approximately $1.6 million, which is awarded through an annual grant cycle, which opens in September.

The minimum grant request for this grant and the recommended maximum request is $150,000. As part of the Loop Trail, the Orchard Grove-Hazelnut Shared Use Path, estimated to cost less than $100,000, may be eligible for funding under this grant. Alternatively, the City could use this grant to cover a portion of the cost for the Gaffney Lane Elementary Path.

Oregon Community Paths

The Oregon Community Paths program is geared towards helping communities create and maintain connections through shared use paths. Eligible projects to receiving funding under this grant include:

- Continuous paths made up of one or more connected segments that are primarily physically separated from the roadway
- Paths that connect two or more communities, with each community no more than 15 miles apart, or traverses a single large community with a path that is 10 miles or longer
- Paths that will serve as a connection point for people commuting between communities, or is a part of an officially designated walking and bicycling route
- Paths that are endorsed by elected bodies along path alignment

Applications for this grant are on a two-year cycle with pre-applications due in the fall and applications accepted November through January. The two paths most likely to be competitive for this grant are the Meyers Road and Meyers-Beavercreek Shared Use Paths.

Safe Routes to School (SRTS)

The Oregon Department of Transportation provides funding for SRTS projects, under two umbrellas – construction and education. Projects that are eligible for this funding source include projects that are:

- Within the public road right-of-way
- Within one-mile of a school
- At or within the funding request minimum and maximum
- Have adequate local match
- Have support of the school or school district
- Provide a safety benefit
- Included in or aligned with an existing plan
- Committed to outreach

Funds from this program are allocated through a competitive grant process that consists of two applications typically due in March and July. The two paths eligible for funding under this grant program would be the Orchard Grove-Hazelnut and Gaffney Lane Elementary Shared Use Paths. It is important to note that funding under this program is allocated to schools serving low-income and/or historically disadvantaged communities so based on the demographic makeup of the schools at application, the schools may not be competitive.

Active Transportation Infrastructure Investment Program

This federally funded program is designed to fund communities looking to expand existing infrastructure for walking and biking to safely connect people to destinations and create opportunities for sustainable transportation and recreation.

This program received $45 million in funding in fiscal year 2023 and is aimed at active transportation projects or group of projects with a total cost of over $15 million, or total cost of $100,000 for planning and design grants are eligible for funding under this program.

While none of the proposed paths exceed $15 million individually, the Meyers Road and Meyers-Beavercreek Paths are estimated to cost roughly $15 million when combined. As these paths would benefit from being constructed together, the City could consider apply for funding as one large project to improve multimodal connectivity in this part of the City.

Appendix A:
Opportunities & Constraints

FEHR PEERS

Technical Memorandum

Oregon City Loop Trail Refinement Plan

October 6, 2022

Prepared by Fehr & Peers

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Introduction

The Oregon City Loop Trail, identified in the City's Trails Master Plan, will create a loop around Oregon City providing travelers with both off-street connections and connections along local roadways. The City's Transportation System Plan (TSP) also identifies ancillary shared use paths that will connect people walking, biking, and using other other small mobility devices to the Loop Trail. The Oregon City Loop Trail Refinement Project presents an opportunity to further define two path segments of the Loop Trail and two ancillary paths. While the general route for these connections is known, this project will refine the shared use path alignment along existing roadways, through planned subdivisions and along property lines, and will identify the appropriate cross-section for each of the segments to meet the needs of anticipated users. This project will result in a planning document that will provide guidance for Development Review Staff to condition new development to design and construct portions of the path, position the City to add projects to the Capital Improvement Program (CIP) that would design and construct portions of the path, and most importantly, position the City to secure grant funding to support design and construction.

The four segments, shown on **Figure 1**, that will be refined as part of this project are:

- S22 – Meyers-Beavercreek Shared Use Path
- S23 – Meyers Road Shared Use Path
- S24 – Gaffney Lane Elementary Shared Use Path
- S30 – Orchard Grove-Hazelnut Shared Use Path

Oregon City Loop Trail Refinement Plan

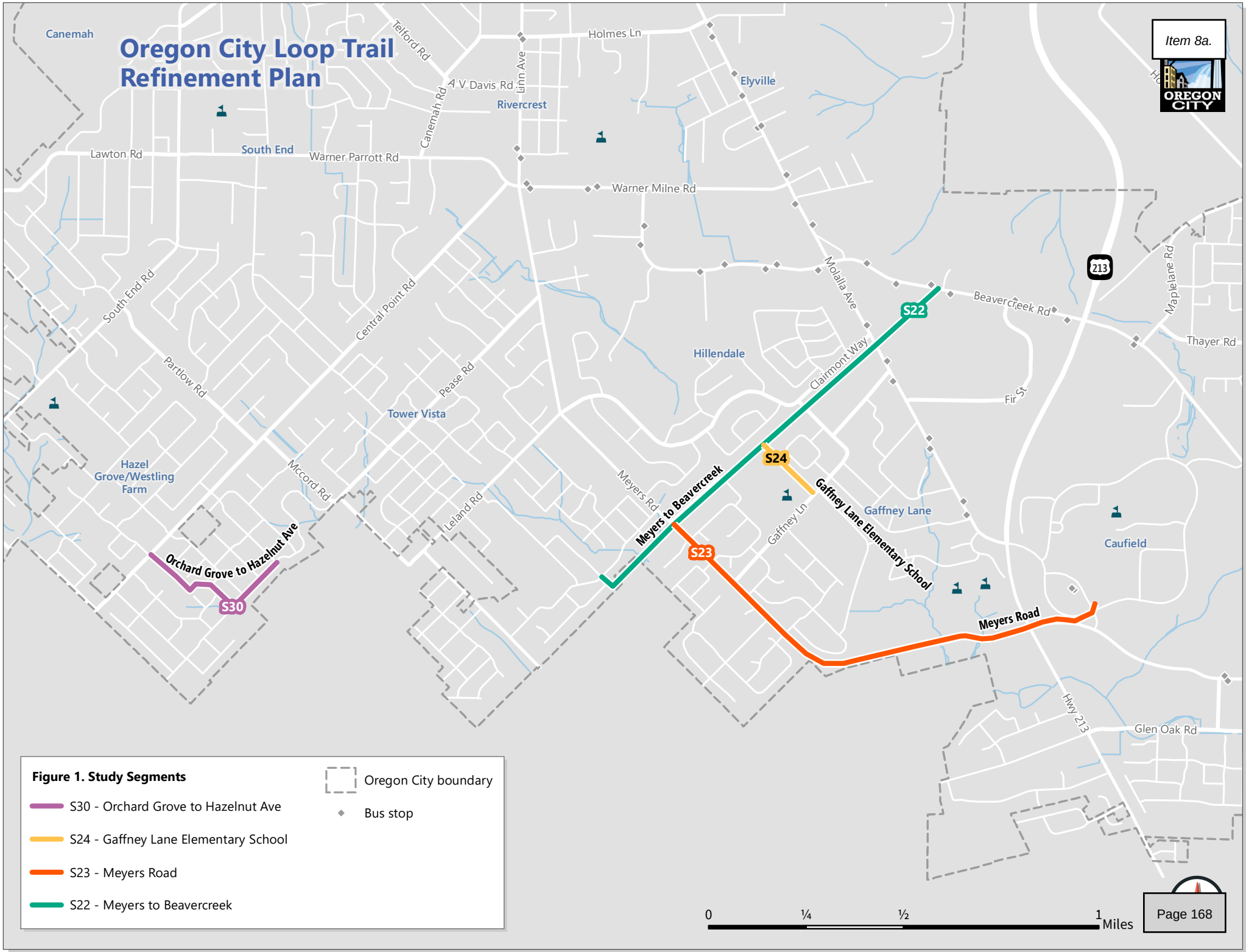


Figure 1. Study Segments

- S30 - Orchard Grove to Hazelnut Ave
- S24 - Gaffney Lane Elementary School
- S23 - Meyers Road
- S22 - Meyers to Beavercreek
- Oregon City boundary
- Bus stop

Purpose

One focus of the City's TSP, adopted in 2013, was to emphasize a multimodal approach to solving transportation issues, including improving options for people walking and biking within the city. This approach is woven throughout the TSP goals, objectives, and the project list.

Goal 1 of the TSP states that the City should "Ensure that the transportation system maintains and improves individual health, safety and security by maximizing the comfort and convenience of walking, biking and transit options, public safety and service access." By beginning the process of refining the four segments identified for this study, this effort is positioning the City to advance the objective of providing a network of family-friendly walking and biking routes. This refinement plan will also identify potential funding sources that the City can use to design and construct these trail segments, aligning with the City's goal of identifying transportation investments that can be made with available funding.

The Loop Trail

The Oregon City Loop Trail will create a loop around Oregon City for people walking, biking, and using other small mobility devices and provide a connection to other planned local and regional trails. In addition to the four segments being evaluated in more detail, early information gathering for this effort also focused on answering questions about two segments of the trail that will be key pieces to connecting the loop, the portion of the trail that will cross Canemah Bluff and the portion that will use the alignment for the old Willamette Valley Southern Railway line through Newell Creek Canyon.

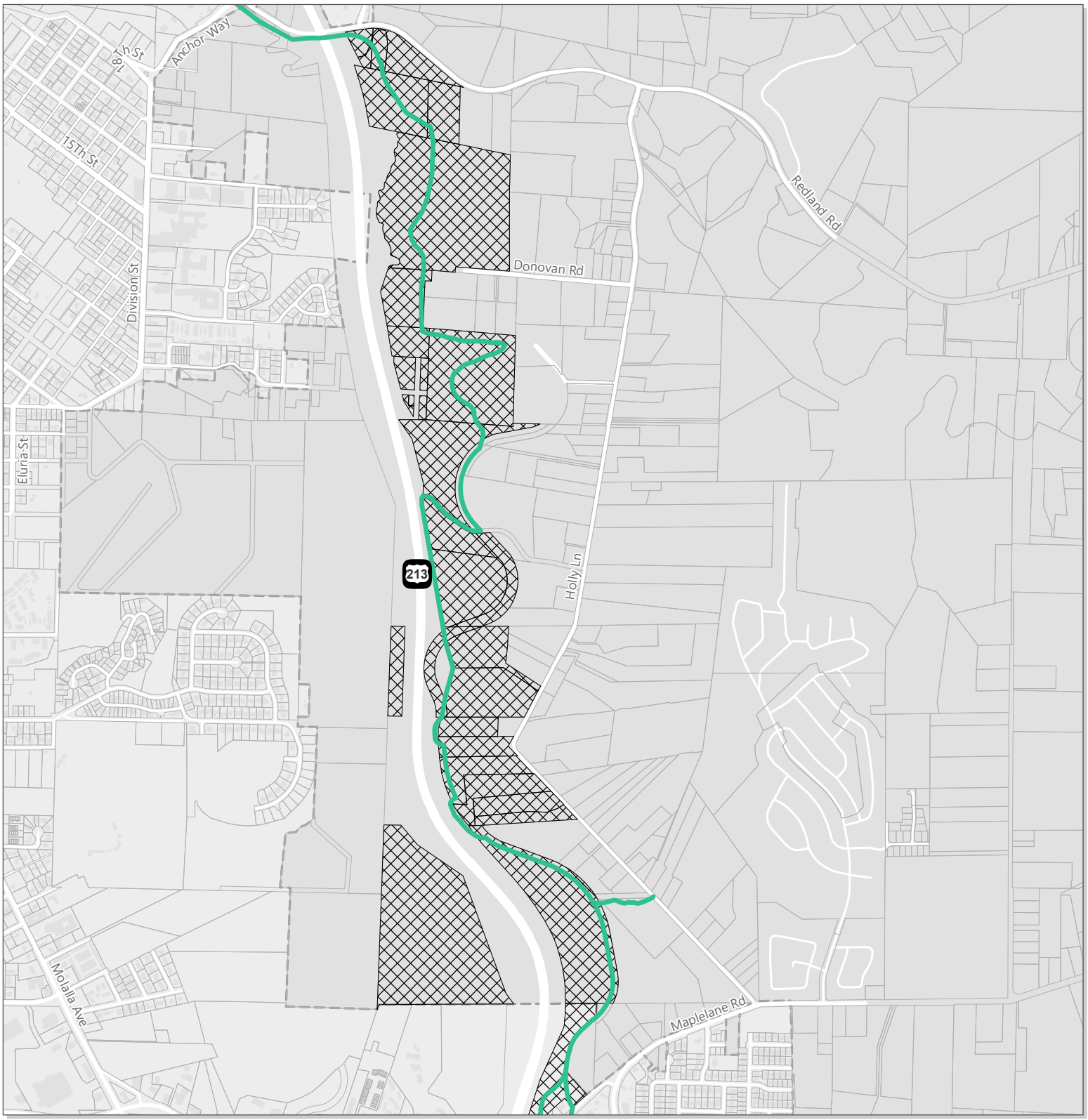
To understand priority for those segments at the regional level and next steps that would be needed to move development of the segments forward, the project team reached out to Metro staff as part of the stakeholder interviews. A summary of all stakeholder interviews is included as **Appendix A** of this document.

In 2018, the City completed the McLoughlin to Canemah Trail Plan, which evaluated options for connecting Canehmah Buff to the McLoughlin Promendae as part of the Loop Trail. The plan identified interim and permanent recommendations for the trail. For the segment of the trail that would connect to the McLoughlin to Canemah Trail and traverse Canemah Bluff Metro shared that developing the trail in this area is a long-term priority due to the resources required and the understanding that this will be a challenging segment to construct due to the need to protect existing wildlife habitats and the challenge of navigating private property in the area.

For the segment through Newell Creek Canyon, Metro shared that much of the property needed to complete that connection is currently held by Metro and efforts to purchase remaining properties needed to complete the connection continue. The existing property owned by Metro along the railroad alignment is shown on **Figure 2**, below. To move development of this segment

of the trail forward, the City would need to initiate and fund development of the trail as a local partner.

Figure 2. Clackamas County Community College to Downtown



Oregon City Loop Trail System

Metro Owned Property

Oregon City Boundary

0 ¼ ½
Miles

Opportunities & Constraints

This technical memorandum will serve as the baseline for the refinement study, documenting opportunities, constraints, and issues for each of the segments that will need to be considered as the alignments and cross-sections are developed. Each topic area reviewed is described below.

Topic Areas

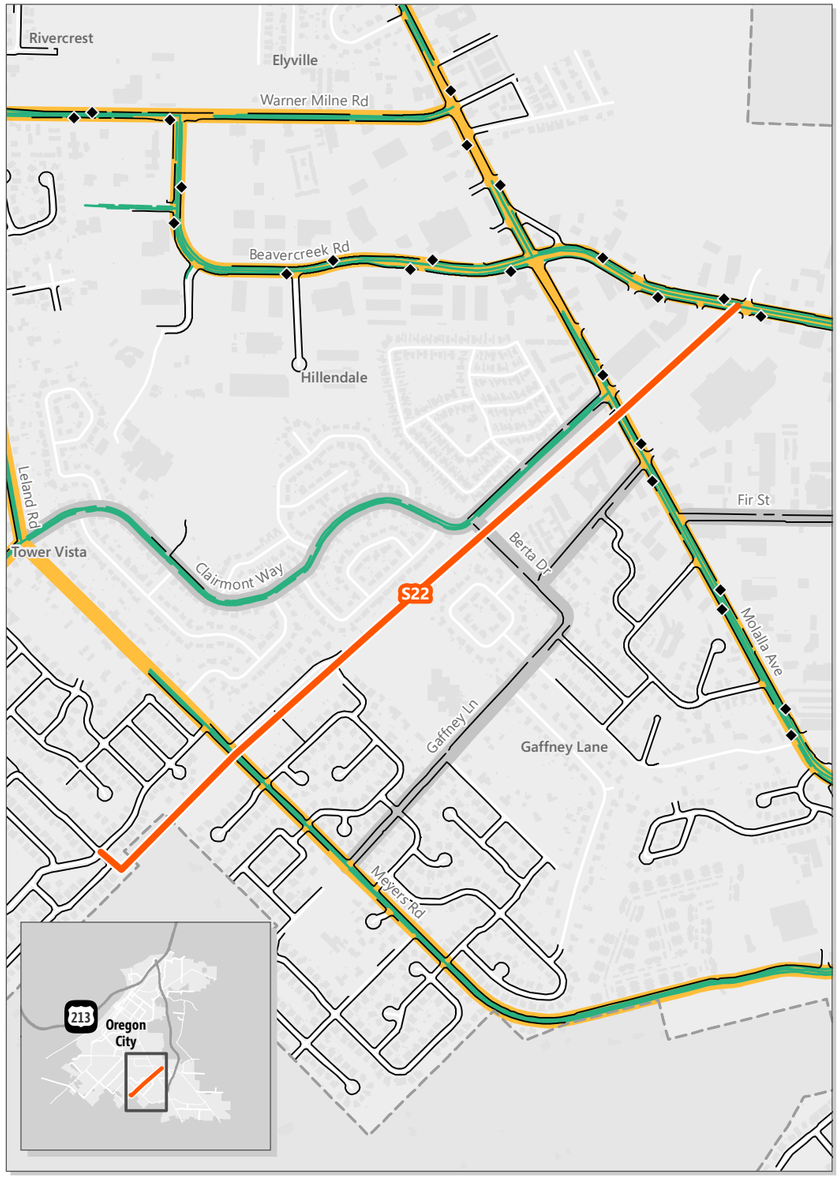
	Previous Planning Efforts: A review of planning documents that identify or provide direction for each of the segments that serve as a starting point for this effort.
	Surrounding Land Use & Context: The existing and planned land uses surrounding each segment, including identification of uses likely to generate bicycle and pedestrian trips such as schools and parks.
	Land Ownership & Right-of-Way (ROW): A review of ownership for the properties that may be needed to construct each of the segments and available ROW.
	Existing Infrastructure: An inventory of the roadway, bicycle, and pedestrian network in the area surrounding each segment.
	Utilities: An inventory of existing utilities within the anticipated alignment of each segment that will need to be considered in the refinement process.
	Environmental Constraints: A description of constraints including geologic hazards, water, and natural resources that will influence alignment and cross-section options.

Stakeholder interviews were also completed with key stakeholders, identified by the City, for each segment. Takeaways for each segment are documented in the following sections and a full summary is included in **Appendix A**.

Oregon City Loop Trail Refinement Plan

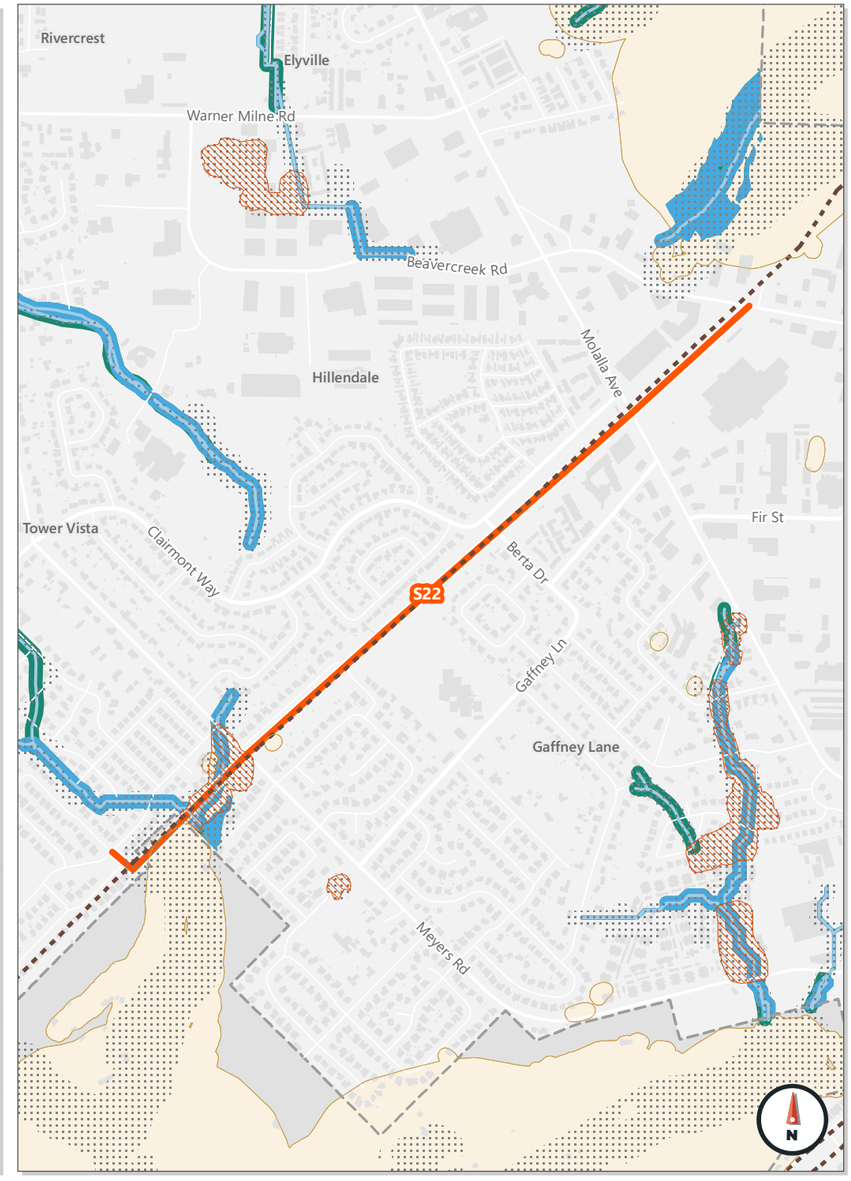
Figure 3. S22 - Meyers to Beavercreek

Transportation



Land Use

Utilities & Environmental



Functional Class
- Freeway
- Collector
- Arterial
- Local

- Bus stop
- Sidewalk
- Bike lane
- Oregon City Boundary

- Easement
- Storm detention basin
- Unimproved ROW
- Privately Owned Tax Lot
- School
- Oregon City Boundary

Zoning
- Commercial
- Industrial
- Institutional
- Mixed use
- Residential

- Natural Resource Overlay District (NROD)
- Wetland
- Riparian area
- Potential vegetated corridor
- Geologic hazard area
- Oregon City Boundary
- Powerline
- Stream

Meyers-Beavercreek Shared Use Path - S22

The Meyers-Beavercreek Shared Use Path is an ancillary path that is intended to provide an off-street connection for people walking, biking, and using other small mobility devices from Beavercreek Road to Meyers Road. **Figure 3** shows the proposed connection, existing infrastructure, surrounding land use, utilities, and environmental constraints. A summary of issues and opportunities is provided below, followed by a detailed description of each of the topic areas.

Meyers-Beavercreek Shared Use Path Opportunities & Constraints	
	• Identified as project S22 in the City's TSP, this project is part of the Not Likely to be Funded Transportation System. As a Long-term Phase 2 project, it is a high priority after the Likely to be Funded Transportation System is implemented. • As a Local Trail, the City's Trails Master Plan states that this shared use path should be designed to provide access for most, if not all, trail users with a width of between 6 to 12 feet and a paved or other smooth surface.
	• Between Beavercreek Road and Molalla Avenue, options for accommodating the path within the developed retail centers or alternate routes will need to be considered. • The predominate land use along the planned alignment is single-family residential. • Gaffney Lane Elementary School and Wesley Lynn Park are the primary generators for bicycle and pedestrian trips along the planned path.
	• Much of the planned alignment is along property owned by the City of Oregon City and Oregon City School District. • There is 12 feet of unimproved ROW between single-family homes from S Berta Drive to Gaffney Lane Elementary; however, several homes have fences that extend into the ROW. • There is an existing easement, granted to Portland General Electric (PGE), from Beavercreek Road to Frontier Parkway that follows the powerlines and is approximately 225 feet wide.
	• The primary consideration for roadways in the area will be how to create a safe crossing for the shared use path. Clairmont Way, Moccasin Way, and Frontier Parkway offer low-speed alternatives if an off-street connection is deemed infeasible or too expensive. • On-street bicycle lanes and sidewalks are provided in the area surrounding the planned path; however, if on-street alternatives are identified, enhancements to the existing on-street bicycle lanes will likely be needed to create a route that is comfortable for users of all ages and abilities. • This path will connect to the planned Gaffney Lane Elementary Shared Use Path, creating an off-street connection to the elementary school between Beavercreek Road and Meyers Road.
	• From Beavercreek Road to Frontier Parkway, the alignment follows high-voltage transmission lines that will require 50 feet of horizontal clearance from the shared use path and any street furniture. • There are two stormwater management areas, located on either side of Meyers Road, in areas where the shared use path is identified as providing an off-street connection.

Meyers-Beavercreek Shared Use Path Opportunities & Constraints

- Water and natural resources in the area between Meyers Road and Frontier Parkway will need to be considered as off-street options in that area are considered.
- The only geologic hazard present along this path alignment are slopes. Areas with slopes greater than 25% are located near the two stormwater management areas.

Previous Planning Efforts

Two planning documents, the City's TSP and Trails Master Plan, include details and guidance related to refinement of this shared use path. As the long-term guide for the City's transportation investments, the TSP provides a starting point for project refinement, while the Trails Master Plan provides design guidance based on the path's purpose and intended users.

TSP

The Meyers-Beavercreek Shared Use Path is identified as project S22 in the City's 2013 TSP. The project is identified as part of the Not Likely to Be Funded Transportation System. The Not Likely to Be Funded Transportation System is a list of projects that are not reasonably expected to be implemented by 2035 but will provide important connections for the transportation system.

The TSP project description states that this project will "Add a shared-use path under the power lines between Morrie Drive and Beavercreek Road. Will require a portion of the parking lot between Molalla and Beavercreek." The project limits are Morrie Drive to Beavercreek Road and it is identified as a Long-term Phase 2 project estimated to cost $1.2 million. Because this project is identified as a Long-term Phase 2 project, it is considered one of the highest priority projects after the Likely to be funded Transportation System is implemented.

Trails Master Plan

The City's Trails Master Plan, completed in 2004, provides guidance on trail designs based on the facility type, the types of anticipated users, available width, and surface options. The Trails Master plan also provides guidance on trail-roadway crossings that will need to be considered for this segment.

The Meyers-Beavercreek Shared Use Path is identified as a proposed local trail in the Trails Master Plan. The Master Plan states that "City trails provide access for most, if not all, trail users within neighborhoods, parks, greenspaces, and other recreational areas. They are similar to regional trails in that they typically have their own right-of-way and serve only non-motorized users. These trails should be at least six feet wide and at least eight feet wide if bicycle use is anticipated. All

efforts should be made so that at least one ADA accessible trail is available and serves the most desirable parts of the area (i.e., picnic areas, viewpoints, playground equipment, etc.)."

Based on the Trail Design Types and Standards in the Master Plan, these trails should be designed with a width of between 6 and 12 feet and should be a paved or other smooth-rolling surface to accommodate all trail users.

This shared use path may have up to four roadway crossings at:

- Beavercreek Road
- Molalla Avenue
- S Berta Drive
- Meyers Road

The Trails Master Plan will be referenced to provide guidance on three potential crossing solutions that will be explored as part of this refinement phase:

- Unprotected/Marked
- Route Users to an Existing Intersection
- Signalized/Controlled

Guidance in the Trails Master Plan will be used to determine which crossing types may be appropriate and what enhancements may be needed based on traffic volume, speed, and line of sight.

Surrounding Land Use & Context

Today, there are three land uses adjacent to the identified alignment for the shared use path: commercial, residential, and institutional.

At the northeast end of the path, from Beavercreek Road to just south of Molalla Avenue, the surrounding land use is retail. The area is zoned as General Commercial and designated as an Enterprise Zone.

The area between the retail use just south of Molalla Avenue and S Berta Drive is zoned as High-Density Residential District; however, along the identified alignment, the land is undeveloped and currently serves as a construction staging area for the city.

Between S Berta Drive and McVey Lane, land use zoning allows for low density residential uses. Today, there are single-family homes on both sides of the proposed shared use path and an elementary school. From McVey Lane to Morrie Drive, the land use is zoned as R-8, another low-density residential use. There is no development between Red Hawk Drive and Meyers Road due

to a stormwater management area. There is also a stormwater management area located directly across Meyers Road. Except for the stormwater ponds, the land use surrounding the shared use path is fully built out.

Today, the primary land use that would generate bicycle and pedestrian trips along the shared use path is the elementary school. When constructed, this path would provide a connection from the Gaffney Lane neighborhood to Wesley Linn Park, another key destination for people walking, biking, and using other small mobility devices in this part of the city.

Land Ownership & Right-of-Way (ROW)

Properties along the proposed alignment are owned by a mix of private and public owners as shown on **Figure 3**. Undeveloped properties along this path alignment are owned by:

- Settlers Point Homeowners Association
- The City of Oregon City
- Oregon City School District

Other property owners along the proposed alignment include:

- Fred Meyer Stores
- Wesberg Family Properties LLC
- Private residence owners

There is an existing easement, the length of the proposed path, that is approximately 225 feet wide between Beavercreek Road and Frontier Parkway. The easement, granted to PGE, allows the land to be used for power lines and includes wooden distribution poles and transmission lines.

Conversations with the School District also indicate that the district is open to collaborating with the City on an easement allowing access and use of their property outside the fenced area that provides access to the school and playground.

In addition to the parcels owned by the City, there are also 12 feet of unimproved ROW between parcels located on Eastborne Drive and Tina Street. This ROW runs from S Berta Drive to about halfway through the parcel owned by the School District. While this ROW appears to be available for public use, several property owners have built privacy fences that extend into this ROW and block access.

Existing Infrastructure

Vehicles

There are seven roadways that will be considered as the design for this shared use path is refined. A brief description of each is provided below.

Beavercreek Road is a four-lane roadway with a posted speed limit of 35 miles per hour (mph) and is identified as a Major Arterial by the City's Functional Roadway Classification System. The primary challenge for this roadway will be determining where and how shared use path users should cross to connect to planned trails northeast of Beavercreek Road.

Molalla Avenue is a two-lane roadway with a center turn lane, a posted speed limit of 35 mph, and is identified as a Major Arterial. Where and how the shared use path crosses Molalla Avenue is the primary challenge for this roadway.

S Fir Street is a two-lane roadway with on-street parking permitted on both sides and a posted speed limit of 25 mph. Identified as a Collector, S Fir Street may be considered as an alternative to a connection through the existing retail area, if needed.

Clairmont Way is a two-lane Collector with a posted speed limit of 25 mph and is adjacent to the shared use path alignment between Molalla Avenue and S Berta Drive. On-street parking is permitted on both sides of the road.

Moccasin Way is a two-lane Local Street with a posted speed limit of 25 mph that serves only as residential access for the homes along it. On-street parking is permitted on both sides of the road. Moccasin Way may be considered as an alternative to constructing the shared use path through the parcel with the stormwater pond.

Meyers Road is a two-lane Minor Arterial with a posted speed limit of 35 mph and no on-street parking permitted near the shared use path. Creating a safe connection across Meyers Road will be the primary challenge for this roadway.

Frontier Parkway is a two-lane Local Street with on-street parking permitted on both sides of the street and a posted speed limit of 25 mph. Frontier Parkway connects to Wesley Lynn Park and may be considered as an alternative to constructing the shared use path through the stormwater retention area southwest of Meyers Road.

Bicycle and Pedestrian

Today, on-street bicycle lanes are provided on the following roadways:

- Beavercreek Road
- S Fir Street (from Beavercreek Road to approximately 0.25 miles south of the intersection)

- Molalla Avenue
- Clairmont Way
- Meyers Road

Except for Molalla Avenue, the on-street bicycle lanes are unprotected and do not have a buffer. On Molalla Avenue, the recent streetscape project included the addition of buffered bicycle lanes.

Sidewalks are also prevalent in the area surrounding this shared use path alignment. Only the south sides of Clairmont Way and Moccasin Way are missing sidewalks.

When constructed, this path will connect to the Gaffney Lane Elementary Shared Use Path, creating an off-street connection to the elementary school between Beavercreek Road and Meyers Road.

Transit

When constructed, this shared use path could provide an off-street connection to transit stops on Beavercreek Road and Molalla Avenue.

Bus stops near the shared use path alignment on Molalla Avenue are served by TriMet Route 33 and 99, which provide connections to Clackamas Town Center and downtown Portland, respectively. On Beavercreek Road, the shared use path would connect travelers to Route 32, which provides service to Milwaukie.

Utilities

Existing powerlines and stormwater facilities are the primary utilities that will need to be considered along the shared use path alignment.

Powerlines: The proposed alignment follows the powerlines from Beavercreek Road to Frontier Parkway. Within the proposed alignment, there are seven lattice towers used for transmission lines and several wooden poles with distribution lines. PG&E owns the transmission and distribution lines. Wooden distribution poles can be relocated, as needed, to provide space for the shared use path. Based on documentation provided by PG&E, 50 feet of clearance will be required between the shared use path and the higher voltage transmission lines. Access for maintenance vehicles, including vehicles as large as a bucket truck, should also be maintained as the shared use path alignment is refined.

Stormwater: There are two stormwater management areas located along the shared use path alignment. One is located on the northeast corner of Moccasin Way and Meyers Road on land owned by the City. The second pond is located directly across Meyers Road on land owned by the Settlers Point Homeowners Association.

Environmental Constraints

For this path, the only area with environmental constraints is the area surrounding the stormwater management areas at the southwest end of the path.

Water and Natural Resources: The area between Meyers Road and Frontier Parkway is home to water and other natural resources that will need to be considered in evaluating off-street options in this area. Those resources include:

- A stream that runs from the northeast side of Meyers Road across Frontier Parkway
- Wetlands
- Riparian Area
- A vegetated corridor

Geologic Hazards: The only geologic hazards that will need to be considered are slopes. In this area, there are small areas with slopes greater than 25% near the stormwater management areas.

Meyers Road Shared Use Path - S23

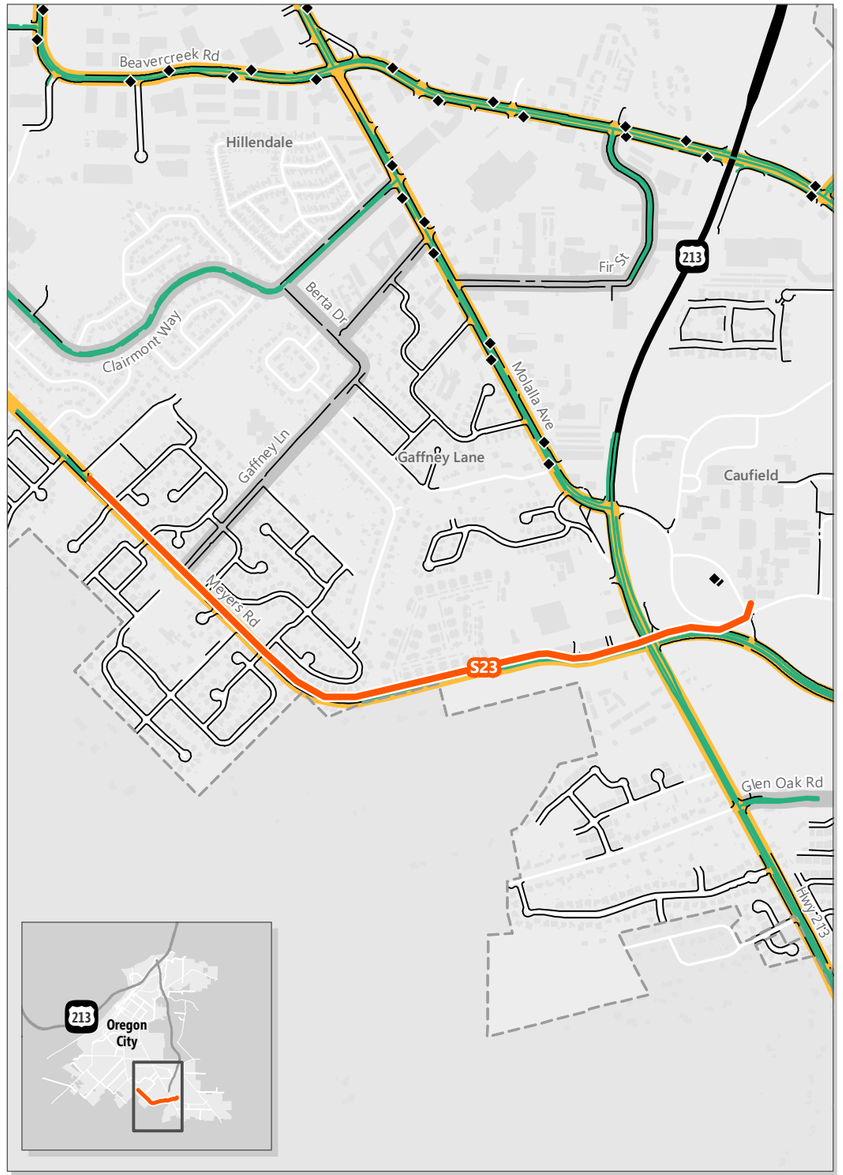
The Meyers Shared Use Path is a portion of the Oregon City Loop Trail that will connect people walking, biking, and using other small mobility devices from Oregon Route 213 (OR-213) to the Meyers-Beavercreek Shared Use Path. **Figure 4** shows the proposed connection, existing infrastructure, surrounding land use, utilities, and environmental constraints. A summary of issues and opportunities is provided below, followed by a detailed description of each of the topic areas.

Meyers Road Shared Use Path Opportunities & Constraints	
	• Identified as project S23 in the City's TSP, this project is part of the Not Likely to Be Funded Transportation System. As a Long-term Phase 3 project, it is part of the lowest priority projects after the Likely to be Funded Transportation System is implemented. • As a Regional Trail, this shared use path may be eligible for regional funding. The City's Trails Master Plan indicates that the trail should be designed to provide two-way travel for people walking and biking with a width of between 10 and 12 feet. • The Linn Avenue, Leland Road, and Meyers Road Corridor Plan identified a preferred cross-section for Meyers Road from Moccasin Way to Leland Road that was created to guide development of the corridor and ensure that when completed the corridor reflected the priorities identified in the City's TSP.
	• Land use along the corridor is predominantly single-family homes, with areas of high-density residential and commercial at the Meyers Road and OR-213 intersection. • This shared use path would provide an important multimodal connection from the residential areas to the west of OR-213 to Clackamas County Community College and Oregon City High School, located just east of OR-213.
	• Coordination with private land owners will be required if connecting existing sidewalks along Meyers Road is identified as the most feasible solution for people walking.
	• Major generators of users are located at the east section of the proposed shared use path. Generators include retail stores, Clackamas Community College, and Oregon City High School.
	• There are no significant on-street utilities along Meyers Road other than utility access holes, catch basins, fire hydrants, electricity poles, and electricity cabinets.
	• There are no significant environmental limitations to align the shared use path along Meyers Road.

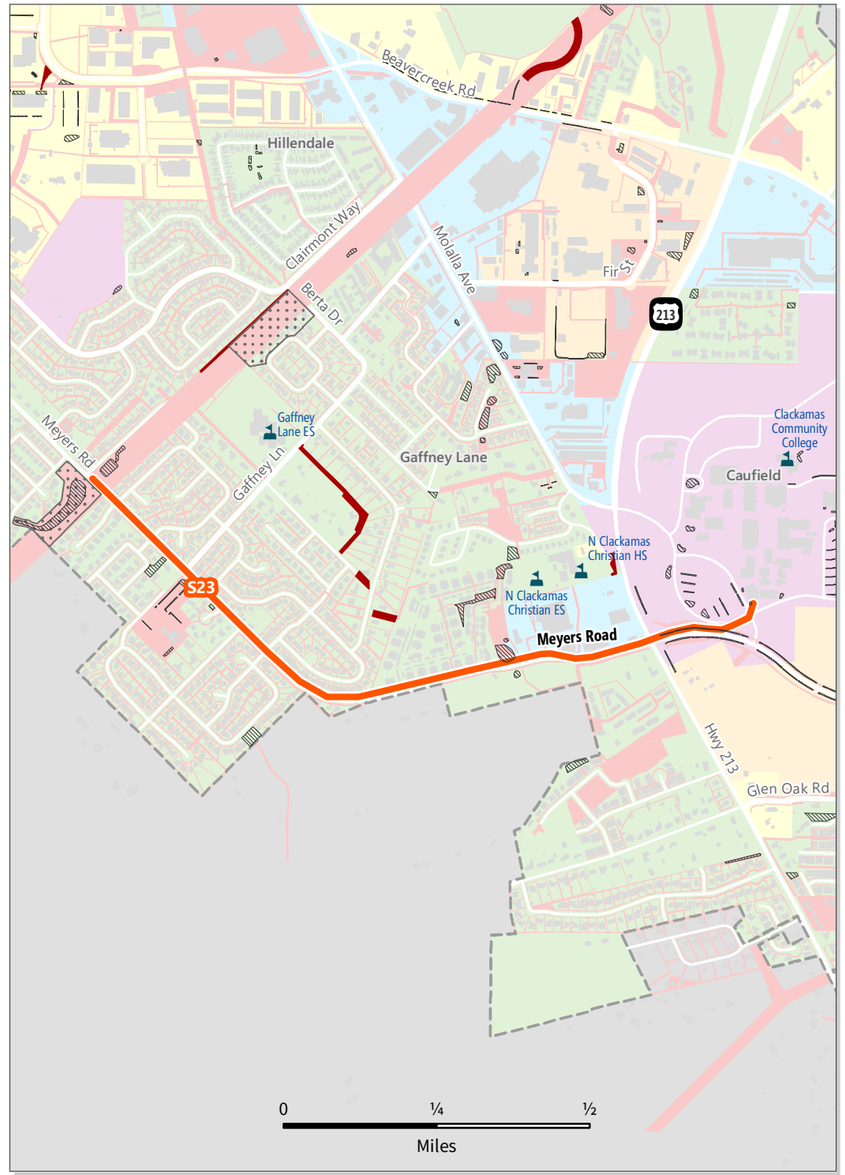
Oregon City Loop Trail Refinement Plan

Figure 4. S23 - Meyers Road

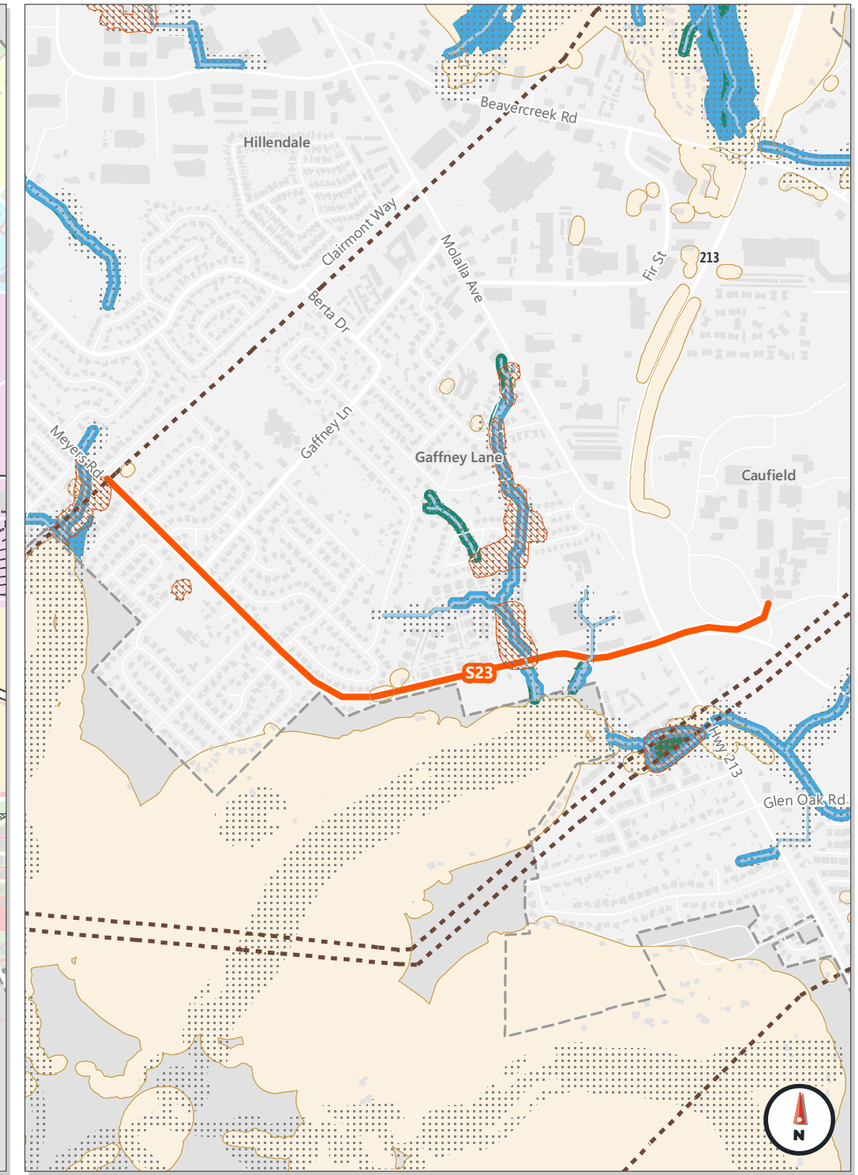
Transportation



Land Use



Utilities & Environmental



Functional Class
- Freeway
- Collector
- Arterial
- Local

- Bus stop
- Sidewalk
- Bike lane
- Oregon City Boundary

- Easement
- Storm detention basin
- Unimproved ROW
- Privately Owned Tax Lot
- School
- Oregon City Boundary

Zoning
- Commercial
- Industrial
- Institutional
- Mixed use
- Residential

- Natural Resource Overlay District (NROD)
- Wetland
- Riparian area
- Potential vegetated corridor
- Geologic hazard area
- Oregon City Boundary
- Powerline
- Stream

Previous Planning Efforts

Three planning documents provide guidance related to refinement of this shared use path: the City's TSP; the Trails Master Plan; and the Linn Avenue, Leland Road, and Meyers Road Corridor Plan.

TSP

The Meyers Road Shared Use Path is identified as project S23 in the City's TSP and is included in the list of projects identified as not likely to be funded prior to 2035.

The TSP project description states that this project will "Add a shared-use path on the south side of Meyers Road between the Meyers-Beavercreek Shared Use Path and the Clackamas Community College Shared Use Path." The project is estimated to cost $1.1 million with project limits defined as between the Meyers-Beavercreek Shared Use Path and OR-213. The project is identified as a Long-term Phase 3 project, meaning it is in the second set of projects identified for implementation after the Likely to be Funded Transportation System is complete.

Trails Master Plan

In 2004 the Trails Master Plan identified Meyers Road as a potential roadway to implement bike lanes to expand the bike network connecting the city in the north-south directions. Meyers Road was also identified as a corridor for the Oregon City Loop Trail. Oregon City Loop Trail is classified as a regional trail, part of the Metro's Regional Transportation Plan (RTP), which makes this section of the shared use path on Meyer Road eligible for regional funding.

According to the City's Trails Master Plan, regional trails should be designed for two-way bicycle and pedestrian traffic with its own ROW and should be able to accommodate maintenance and emergency vehicles. Based on the design guidelines the shared use path should:

- Be between 10 and 12 feet wide with 2 feet of soft shoulders
- Have a paved or other smooth rolling surface to accommodate all trail users, which include bicyclists, pedestrians, wheelchairs, baby strollers, equestrians, and skaters.

This shared use path may have up to nine roadway crossings at the roadways listed below. Except for the OR-213 crossing, these crossings will be unprotected/marked crossings of residential and collector streets. Likely crossings include:

- OR-213
- Squire Drive
- S Nobel Road
- S Gerber Woods Drive
- Gaffney Lane

- Century Drive
- Andrea Street
- S Moccasin Way
- Frontier Parkway

Based on the Trails Master Plan, Type 1 and Type 2 crossings may be appropriate along this segment. Type 1 crossings are unprotected but marked crosswalks, with no additional devices to slow down the traffic. Type 2 crossings are required within 250 feet of existing signalized intersections, and all trail users are diverted to the crosswalk of the existing intersection by using signs and barriers where the trail meets the roadway.

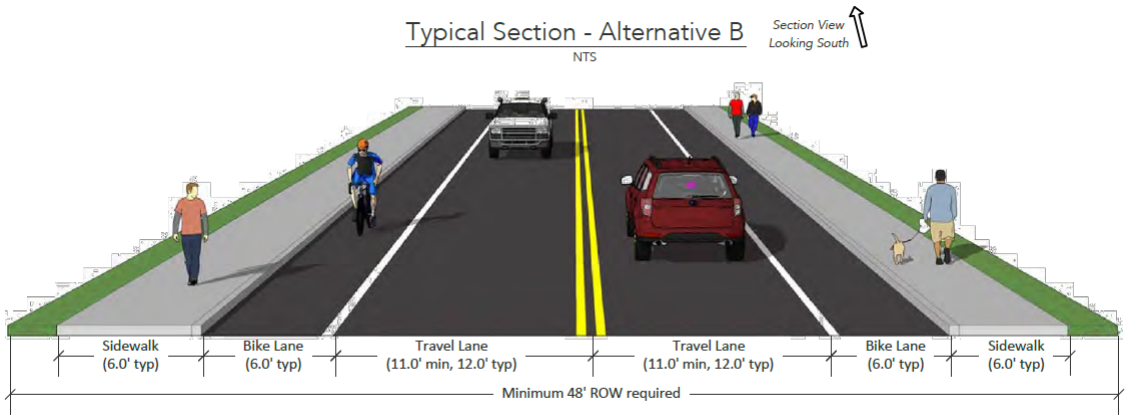
The Trails Master Plan will be referenced to provide guidance as to what enhancements may be needed based on traffic volume, speed, and line of sight for unprotected or marked crossings.

Linn Avenue, Leland Road & Meyers Road Corridor Plan

The Linn Avenue, Leland Road & Meyers Road Corridor Plan was completed in 2015 to guide development along the corridor from Jackson Street to Moccasin Way, the beginning of the Meyers Road Shared Use Path.

This planning effort proposed closing the gaps on the sidewalk and bike networks by building the missing sidewalks and bike lanes along the corridor, enhancing options for residents to travel along the corridor using alternative modes of transportation.

The final cross-section design was defined within 48 feet of right-of-way with two 12-foot travel lanes, one 6-foot-wide bike lane in each direction, one 6-foot sidewalk on each side of the street, see the illustration below.



Source: Linn Avenue, Leland Road, and Meyers Road Corridor Plan 2015.

Surrounding Land Use & Context

The primary land use along Meyers Road is low-density residential as shown on **Figure 4**.

At the intersection of Meyers Road and OR-213, zoning allows for high-density residential and commercial uses.

Between Moccasin Way and Pioneer Ridge, land use along the corridor is fully built out with single-family homes. Between Pioneer Ridge and OR-213 on the north side of Meyers Road, there is multi-family housing and general commercial. The south side of Meyers Road is zoned for high-density residential but has not been developed.

Across OR-213, this shared use path will connect to Clackamas County Community College and Oregon City High School. The Meyers Road Shared Use Path will connect people living in the residential areas west of OR-213 to the institutional land uses to the east.

Data analyzed by Clackamas County Community College in 2020, found that the Gaffney Lane neighborhood is home to many students that attend Clackamas County Community College, with most of the neighborhood having a student density of nearly 15 students per quarter mile. Multi-family developments near the college have a student population density of nearly 60 students per quarter mile, indicating that the college could be a substantial generator of bicycle and pedestrian trips along the corridor if safe and comfortable facilities are provided.

Land Ownership & Right-of-Way (ROW)

As shown on **Figure 4**, all properties along Meyers Road between OR-213 and Moccasin Way are privately owned. Most properties on the south side of Meyers Road have a slope easement granted to the City of Oregon City that is 12 feet in width. There are three properties within the city that do not have an existing easement, and one property located outside the city limits that does not have an easement. On the north side, there are no gaps in the easement between OR-213 and Moccasin Way and the easement varies from 10 feet to 23 feet.

Existing Infrastructure

Vehicles

Meyers Road is a classified as minor arterial which connects local streets and collectors with major arterials such as OR-213. It is a two-lane corridor with a posted speed limit of 35 mph. Between OR-213 and Moccasin Way, there are no signalized intersections or on-street parking.

Bicycle and Pedestrian

Today, Meyers Road has on-street bicycle lanes that provide dedicated space for people biking in both directions. The bicycle lanes are 5-feet wide with no buffer or separation from vehicle travel

lanes. There are several utility accesses covers and storm drain covers located in the bicycle lanes, which, due to the narrow width of the bicycle lane, can be a hazard for people biking.

For people walking, the north side of Meyers Road has continuous sidewalks that are 7-feet wide in most locations and largely free of obstructions. Curb ramps are also present at all intersections on the north side of Meyers Road. On the south side of Meyers Road, there are several gaps in the sidewalks and locations without curb ramps. The largest gap is an approximately half-mile segment from OR-213 to the west end of the Pioneer Ridge development.

Transit

Clackamas County operates the Clackamas County Connects Shuttle Service which connects underserved portions of Oregon City and the Clackamas Industrial Area. The shuttle operates between 6 AM and 6 PM with a route that connects people to destinations between the Oregon City Shopping Center and Clackamas County Community College. There is one stop located just north of Moccasin Way and three stops along the shared use path alignment, one at Gaffney Lane and two stops near the Pioneer Ridge apartment complex.

Utilities

There are two storm ponds located on the north and south side of Meyers Road in the Meyers Road Natural Resource Area. On the north side, the pond is located just eight feet from the road. On the south side, the pond is located 35 feet from the road. The Millennium Park Basin storm pond is also located on Meyers Road just south of the Century Drive intersection. Street lighting is provided by overhead light poles between OR-213 and Moccasin Way. On the south side of Meyers Road, wooden distribution poles are in the ROW between Moccasin Way and Nobel Road.

Environmental Constraints

The Meyers Road Natural Resource Area surrounds the stream that passes under Meyers Road just east of Pioneer Ridge, as shown on **Figure 4**. This area includes a Title 3 riparian area and wetlands and is part of a natural resource overlay district.

Gaffney Lane Elementary Shared Use Path - S24

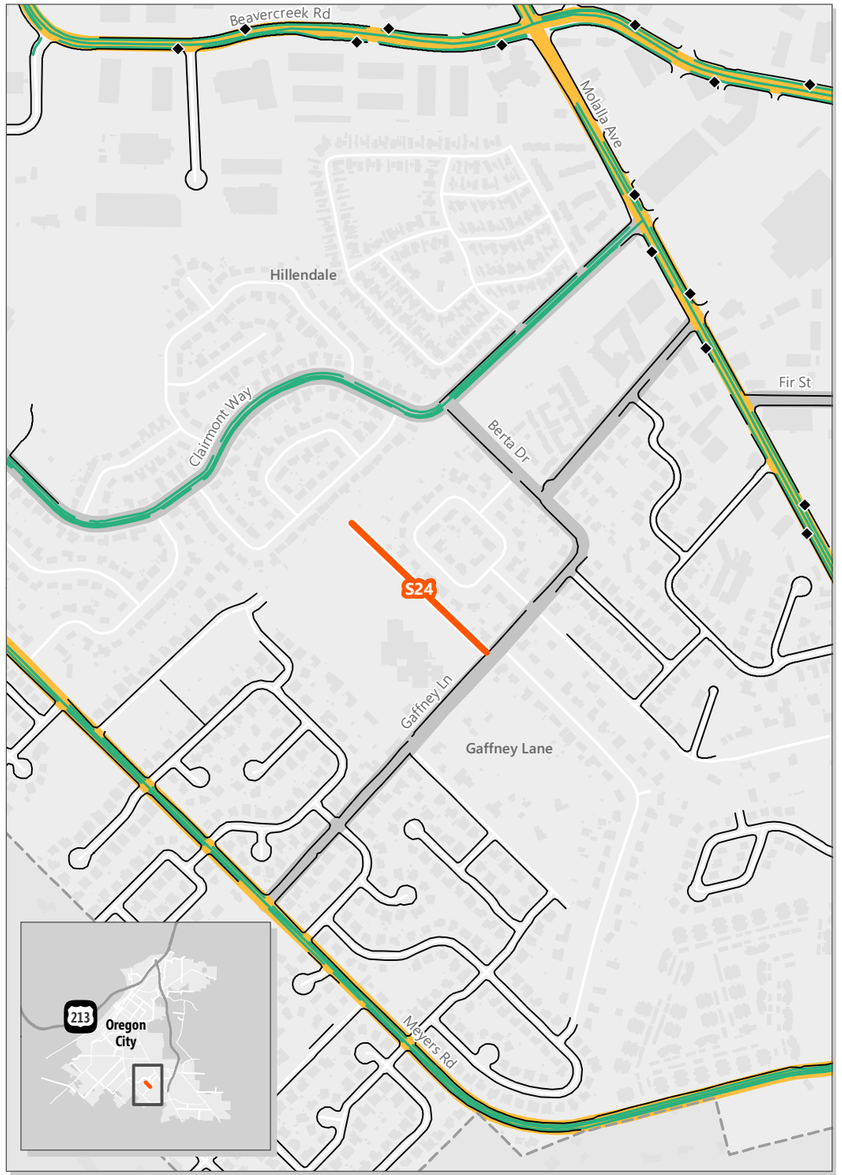
The Gaffney Lane Elementary Shared Use Path is an ancillary path that would connect the Gaffney Lane neighborhood to the Meyers-Beavercreek Shared Use Path (S22), which will provide a connection to the Loop Trail. **Figure 5** shows the proposed connection, existing infrastructure, surrounding land use, utilities, and environmental constraints. Unlike the other segments being evaluated as part of this effort, the alignment for this path already exists. This effort will need to focus on identifying the appropriate width, surface, and potential funding sources for this connection. A summary of issues and opportunities is provided below, followed by a detailed description of each of the topic areas.

Gaffney Lane Elementary Shared Use Path Opportunities & Constraints	
	• Identified as project S24 in the City's TSP, this project was included in the Likely to be Funded Transportation System and prioritized for implementation between 2023 and 2035. • The City's Trails Master Plan identifies this shared use path as part of the Hillendale South Trail which will connect the Gaffney Lane neighborhood to Hillendale Park.
	• Land use surrounding the shared use path alignment is entirely built out with single-family homes located east of the path and Gaffney Lane Elementary School located to the west of the path.
	• The shared use path alignment is located on two lots, both owned by Oregon City School District who is open to formalizing use of the space by the City for the purpose of the shared use path.
	• The alignment for the shared use path is already in place along the first lot owned by the School District. Today, there is approximately 150 feet of asphalt path before a gravel section, which is approximately 250 feet long. The alignment will be refined and specifically designed to enhance the existing conditions.
	• There are no utilities that need to be considered until the connection with the planned Meyers-Beavercreek Shared Use Path.
	• The proposed alignment does not have any environmental constrains.

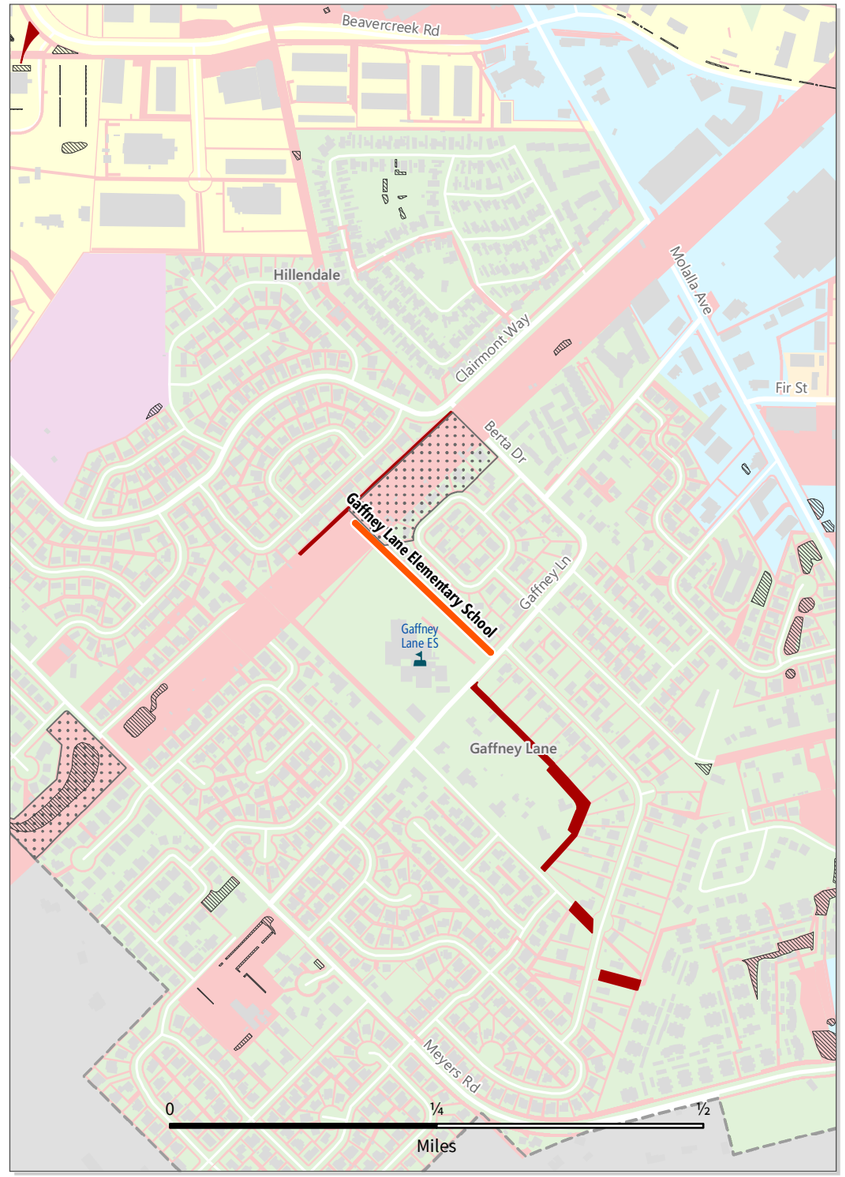
Oregon City Loop Trail Refinement Plan

Figure 5. S24 - Gaffney Lane Elementary School

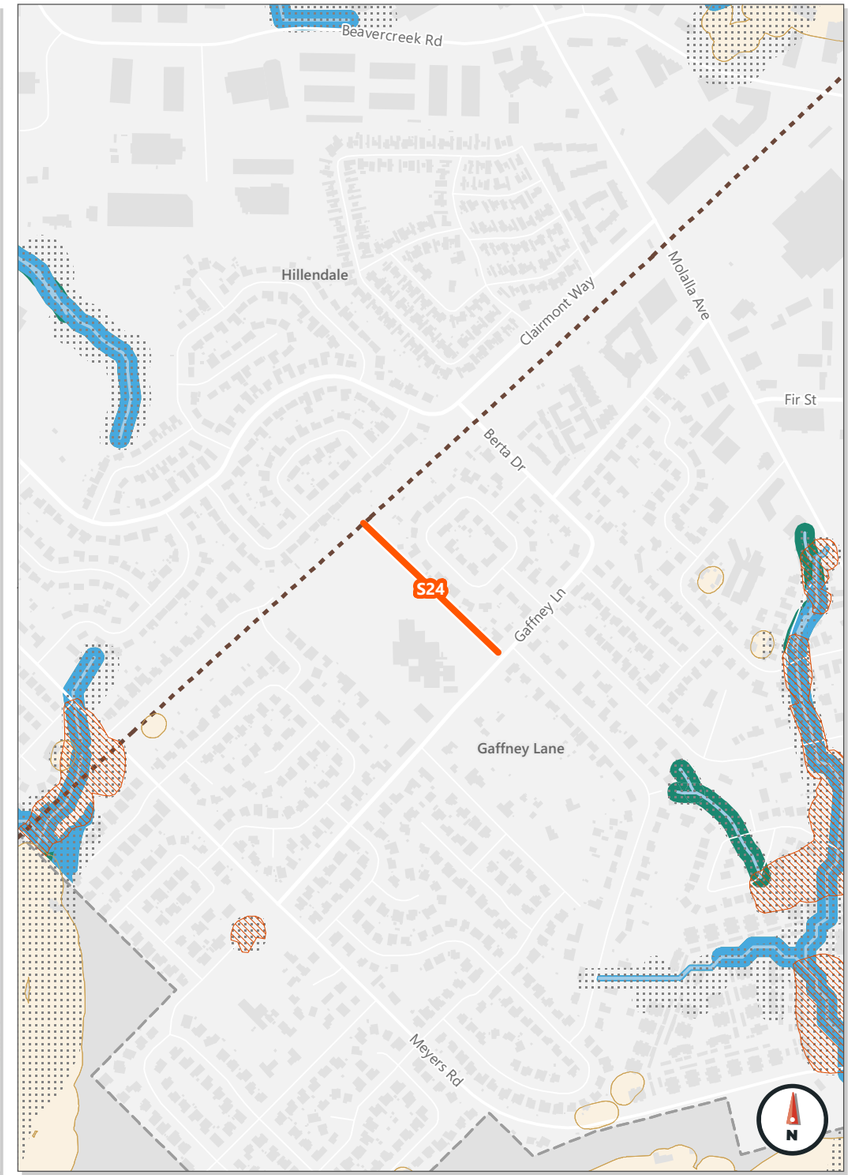
Transportation



Land Use



Utilities & Environmental



Functional Class
- Freeway
- Collector
- Arterial
- Local

- Bus stop
- Sidewalk
- Bike lane
- Oregon City Boundary

- Easement
- Storm detention basin
- Unimproved ROW
- Privately Owned Tax Lot
- School
- Oregon City Boundary

Zoning
- Commercial
- Industrial
- Institutional
- Mixed use
- Residential

- Natural Resource Overlay District (NROD)
- Wetland
- Riparian area
- Potential vegetated corridor
- Geologic hazard area
- Oregon City Boundary
- Powerline
- Stream

Previous Planning Efforts

Two planning documents were reviewed for guidance related to refinement of this shared use path, the City's TSP and Trails Master Plan.

TSP

The Gaffney Lane Elementary Shared Use Path is identified as project S24 in the City's TSP and is included in the Likely to be Funded Transportation System. Identified as a long-term project, this project is slated for implementation between 2023 (10 years after adoption of the TSP) and 2035.

The TSP project description states that this project will "Add a shared use path along the northern boundary of the Gaffney Lane Elementary School between the Eastborne Drive path and Falcon Drive." The project is estimated to cost $216,000 with the project limits defined as Eastborne Drive to Falcon Drive.

Trails Master Plan

The City's Trails Master Plan identifies this shared use path as part of the Hillendale South Trail, which creates a connection from Gaffney Lane to Hillendale Park. This trail is identified as a local trail and planned to utilize sidewalks to connect from the planned Meyers-Beavercreek Shared Use Path to Hillendale Park and continue onto a paved trail along the school's property.

As a local trail, the shared use path should be designed to provide access for most, if not all, users. The trail should have its own right-of-way, serve only non-motorized users, and be at least six feet wide and at least eight feet wide if bicycle use is anticipated. All efforts should be made so that at least one ADA accessible trail is available and serves the most desirable parts of the area (i.e., picnic areas, viewpoints, playground equipment, etc.)."

Based on the Trail Design Types and Standards in the Master Plan, these trails should be designed with a width of between 6 and 12 feet and should be a paved or other smooth-rolling surface to accommodate all trail users.

Surrounding Land Use & Context

The area surrounding the shared use path alignment is zoned for low-density residential. Today, there are single-family homes to the east of the path from Gaffney Lane to the power lines. The shared use path is located on the Gaffney Lane Elementary School property.

The primary generator for bicycle and pedestrian trips for this shared use path is Gaffney Lane Elementary School. When completed, this path would provide an off-street connection to the Meyers-Beavercreek Shared Use Path and residential areas located along it, expanding the number of families able to reach the elementary school using off-street facilities.

Land Ownership & Right-of-Way (ROW)

The proposed alignment of the Gaffney Lane Elementary Shared Use Path spans two lots, both owned by the Oregon City School District. Stakeholder interviews completed with representatives from Oregon City School District indicate the school district is open to formalizing use of the alignment for the shared use path.

Existing Infrastructure

Vehicles

The shared-use path will be off-street and will not interact with any roadways or vehicle traffic.

Bicycle and Pedestrian

Today, an asphalt path that is approximately five feet wide exists for 150 feet beginning at Gaffney Lane. The alignment for the shared use path continues after the asphalt path to the end of the school's first lot but is not paved.

Transit

There are no transit stops located on or near the shared use path alignment.

Utilities

There are no constraints related to existing utilities for this shared use path.

Environmental Constraints

This shared use path does not have any water, natural resources, or geologic hazards that will need to be considered.

Orchard Grove-Hazelnut Shared Use Path - S30

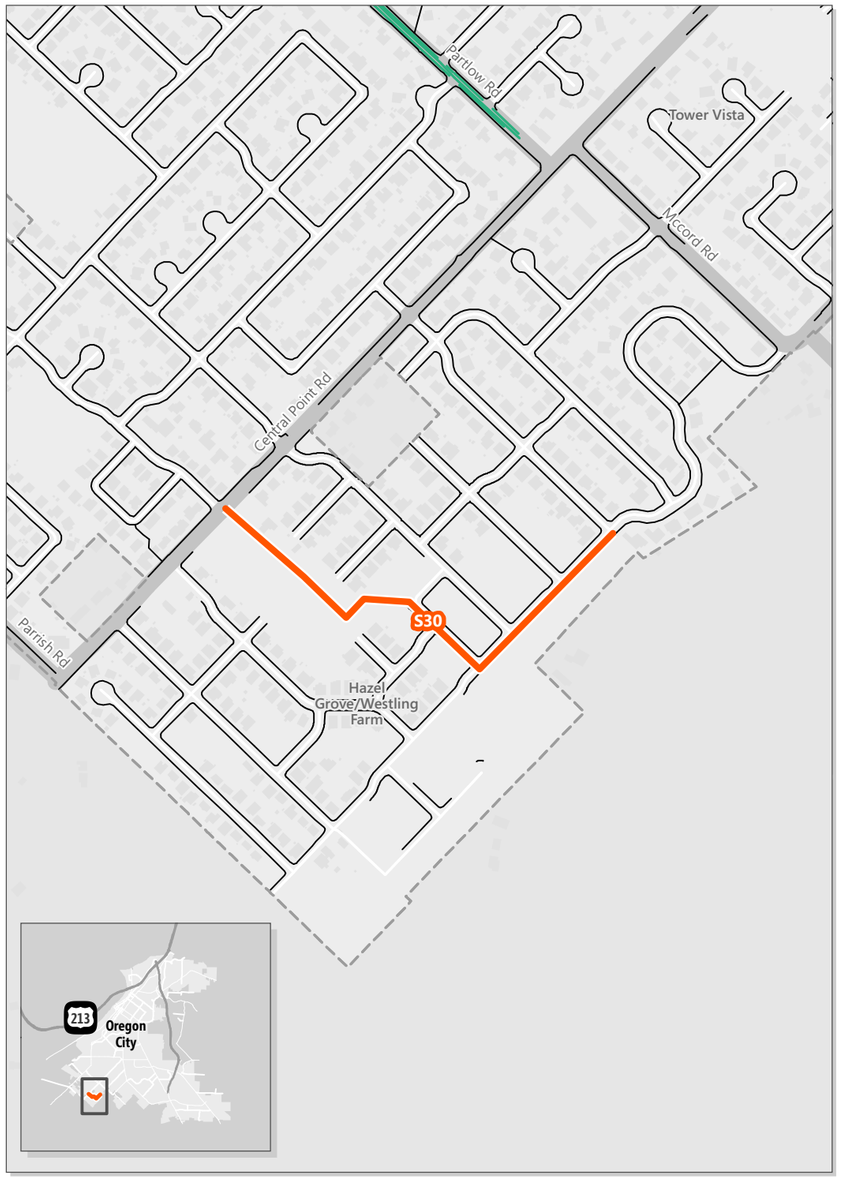
The Orchard Grove-Hazelnut Shared Use Path is a portion of the Loop Trail that will connect people walking, biking, and using other small mobility devices from Orchard Grove Drive to Hazelnut Court, Hazelwood Park, and John McLoughlin Elementary School. This portion of the effort will serve as guidance for private developers which will be in charge to fund and build this portion of the Loop Trail. **Figure 6** shows the proposed connection, existing infrastructure, surrounding land use, utilities, and environmental constraints. A summary of issues and opportunities is provided below, followed by a detailed description of each of the topic areas.

Orchard Grove-Hazelnut Shared Use Path Opportunities & Constraints	
	• The Transportation System Plan described this section of the regional trail as part of the Not Likely to be Funded Transportation System. As a Long-term Phase 3 project, it is part of the lowest priority projects after the Likely to be Funded Transportation System is implemented. • This segment is identified as part of the Oregon City Loop Trail.
	• The surrounding land use and zoning is low-density residential. • Major generators for the planned trail include Hazel Grove Park and John Mcloughlin Elementary School.
	• The off-street portion of the proposed alignment crosses land that is privately owned and undeveloped. • This segment of the Loop Trail will be constructed by private development as it occurs.
	• Orchard Grove Drive and Wheeler Way are local streets with a 25-mph speed limit. • There are no existing on-street bike lanes in the study area; except for a small gap on Orchard Drive, sidewalks are provided on all existing streets. • When implemented, this portion of the Loop Trail will connect people walking, biking, and using small mobility devices to parks and schools using sidewalks and on-street facilities appropriate for the residential context and slow neighborhood streets.
	• There are no significant utilities along the proposed alignment.
	• There are no significant environmental constraints along the proposed alignment.

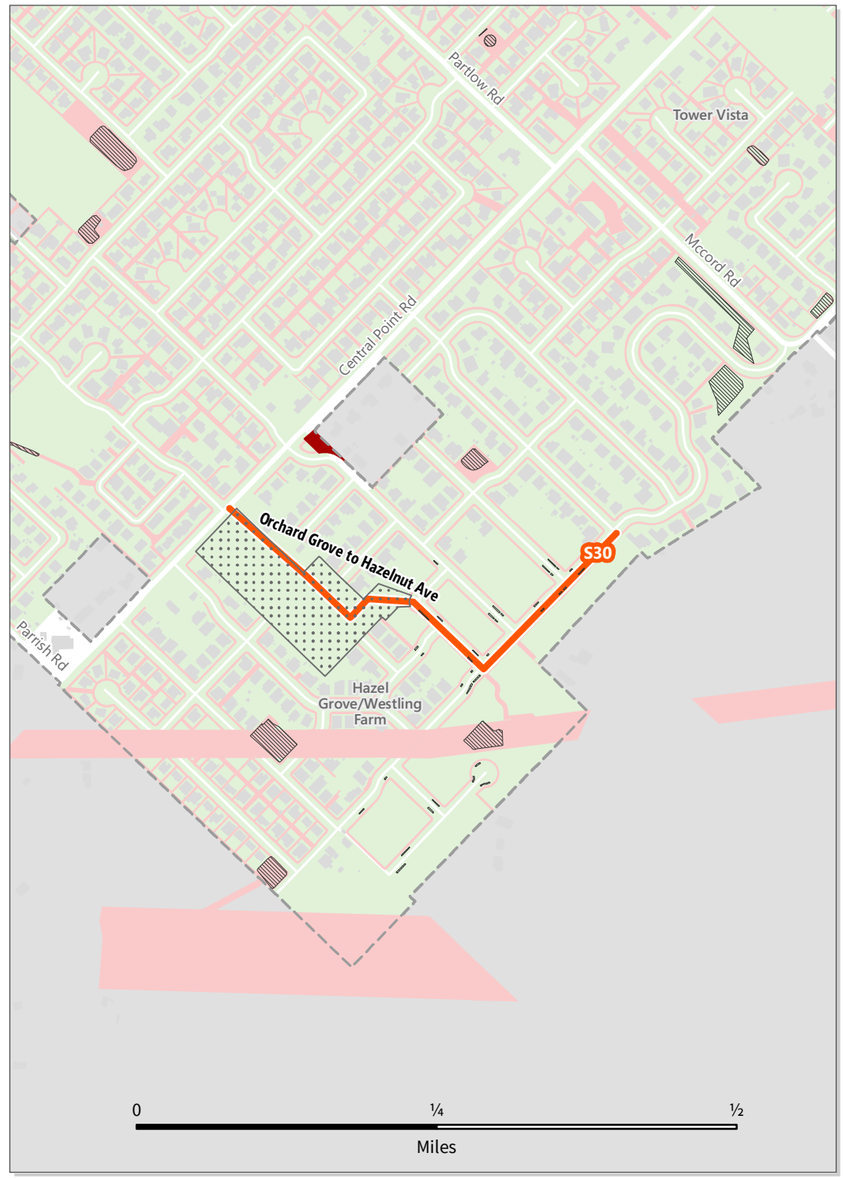
Oregon City Loop Trail Refinement Plan

Figure 6. S30 - Orchard Grove to Hazelnut Ave

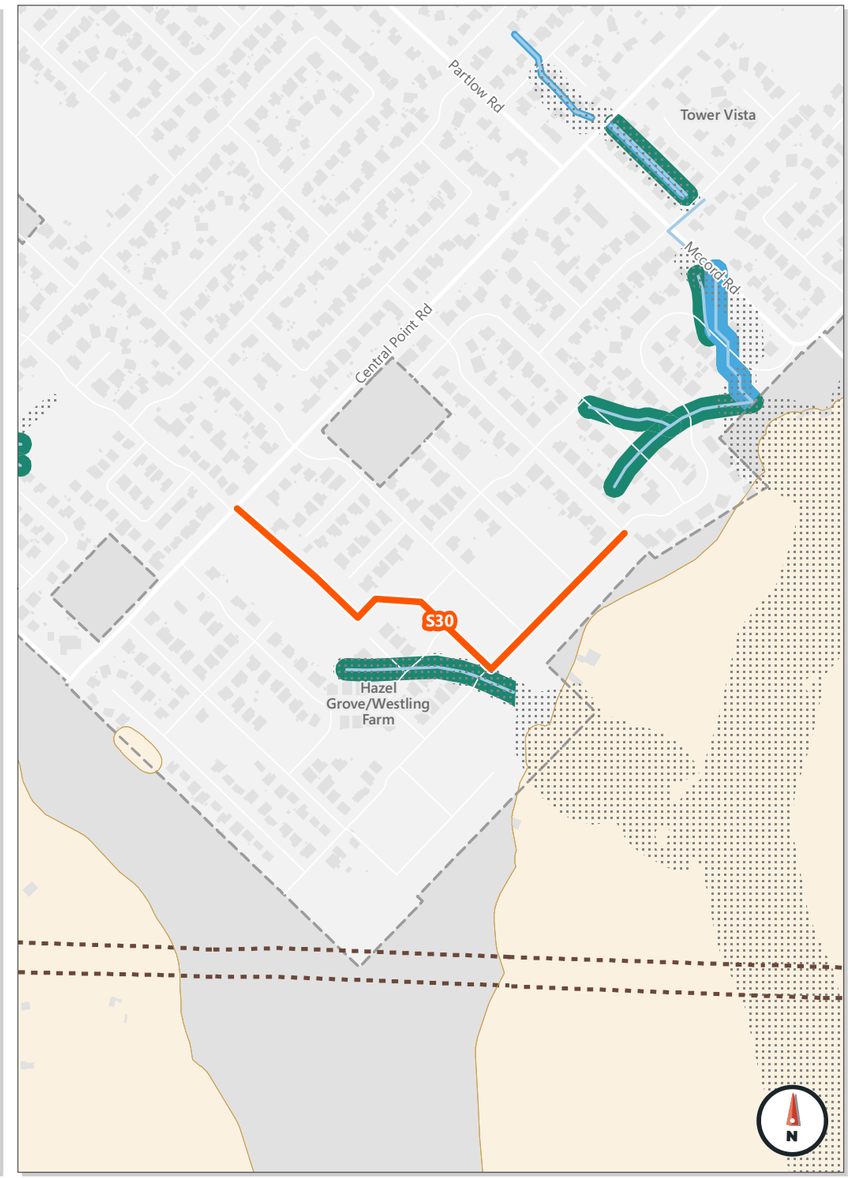
Transportation



Land Use



Utilities & Environmental



Functional Class
- Freeway
- Collector
- Arterial
- Local

- Bus stop
- Sidewalk
- Bike lane
- Oregon City Boundary

- Easement
- Storm detention basin
- Unimproved ROW
- Privately Owned Tax Lot
- School
- Oregon City Boundary

Zoning
- Commercial
- Industrial
- Institutional
- Mixed use
- Residential

- Natural Resource Overlay District (NROD)
- Wetland
- Riparian area
- Potential vegetated corridor
- Geologic hazard area
- Oregon City Boundary
- Powerline
- Stream

Previous Planning Efforts

Two planning documents were reviewed for guidance related to refinement of this shared use path, the City's TSP and Trails Master Plan.

TSP

The Orchard Grove-Hazelnut Shared Use Path is identified as project S30 in the City's TSP. The project is included in the City's Not Likely to Be Funded Transportation System and identified as a Long-term Phase 3 project.

The TSP project description states that this project will "Add a shared use path between Orchard Grove and Hazelnut Court." Based on the project description in the TSP, the project is estimated to cost $375,500.

Trails Master Plan

The Orchard Grove – Hazelnut Shared Use Path is part of the Oregon City Loop Trail described in the City's Trails Master Plan.

As part of a regional trail, the path should be designed for two-way bicycle and pedestrian traffic with its own ROW and should be able to accommodate maintenance and emergency vehicles. Based on the design guidelines the shared use path should:

- Be between 10 and 12 feet wide with 2 feet of soft shoulders
- Have a paved or other smooth rolling surface to accommodate all trail users which include bicyclists, pedestrians, wheelchairs, baby strollers, equestrians, and skaters.

For this segment, it is expected that the Type 1 crossings recommended by the City's Trails Master Plan will be used to create safe crossings where necessary.

The Trails Master Plan will be referenced to provide guidance as to what enhancements may be needed based on traffic volume, speed, and line of sight for unprotected or marked crossings.

Surrounding Land Use & Context

The primary land use surrounding this planned shared use path is single family residential. While the area around the proposed path is generally built out, the undeveloped area the trail will cross is zoned as R-10, low-density residential.

The primary generators for bicycle and pedestrian trips in the surrounding area is Hazel Grove Park, just north of the planned shared use path, and John McLoughlin Elementary School.

Land Ownership & Right-of-Way (ROW)

The section along Orchard Grove Drive between Hazelnut Avenue and Wheeler Way is developed with single-family homes that are privately owned. The section between Wheeler Way and S Central Point Road is undeveloped and privately owned.

This study will refine the preferred alignment of the shared use path, such that when development of the vacant lot occurs, construction of the shared use path can be included in the Conditions of Approval for development.

Existing Infrastructure

Vehicle

Orchard Grove Drive and **Wheeler Way** are defined as local residential streets that provide one lane of travel in each direction and have a posted speed limit of 25mph. On-street parking is allowed on both streets.

Central Point Road is defined as a two-lane minor arterial with a posted speed of 35 mph. On-street parking is permitted where there is available space.

Bicycle and Pedestrian

There are no bicycle facilities in the area; however, sidewalks that are generally seven feet wide and include a planted buffer are provided on all roadways. Today, there is only one gap in the sidewalks, a 230 foot segment on the south side of Orchard Grove Drive where there are no existing sidewalks.

Transit

There are no public transportation routes close to the proposed alignment of this shared use path or in the vicinity of the neighborhood. The closest bus stop is located at S Central Point Road and S McCord Road, approximately half a mile from the planned shared use path.

Utilities

There are no major utilities that will need to be considered as part of this alignment.

Environmental Constraints

There are no major environmental constraints that will need to be considered as part of this alignment.

Appendix A: Stakeholder Interviews

Oregon City Loop Trail Stakeholder Interview Summary

Clackamas County Community College

***Interviewee:* Bob Cochran – Dean of Campus Services**
***Date:* 6/6/2022**

- Recent projects have constructed sidewalks connecting from Beavercreek Road and the Meyers Road into the campus, ideally the Loop Trail project will connect to the sidewalks and connections of the Community College entrance at the entrance of S Douglas Loop and Keyser Way and improve sidewalks at the entrance.
- Today, most people commuting to the college drive. People biking to the college are limited despite bike racks on campus.
- There is an opportunity to connect the Oregon City Loop Trail with the existing exercise and trail loop on Campus and connecting with the High School east of the community college. Today, the campus loop is highly used by people who drive and park on campus to access the trail.

Deering Management

***Interviewee:* Lacey Wright – Property Manager (Oregon/Washington)**
***Date:* 6/14/2022**

- Cut-through traffic from Beavercreek Road to access Fred Meyer is a concern today. If there is an opportunity to close the existing access between this property and Fred Meyer to eliminate this, that would be a positive for this project.
- The speed of vehicles in the parking lot is also a concern for safety of people in the parking lot and potential trail users.
- There is concern about providing a direct connection from the area to the east into the site and question about who would use the trail, specifically if there are no changes to the land use and connections to other recreational areas to the east of the property.
- Recent construction on Molalla Avenue was impactful to access to the property and the landscaping.

Gaffney Lane Association

***Interviewee:* Ray Atkinson – Transportation Systems Analyst Clackamas Community College / Gaffney Lane Resident**
***Date:* 6/9/2022**

Note: Ryan is the transportation analyst at Clackamas Community College, a member of the Gaffney Lane Neighborhood Association, and a member of the Oregon City Transportation Advisory Committee.

- Clackamas County Community College is primarily a commuter school; however, there are many students that live within two miles of the Campus and could bike if there were safe and comfortable facilities that would help to make biking more attractive.
- Clackamas Community College will be restarting the bike program, for students and staff, which allows students to rent bicycles for the semester. The program has up to 10 bikes that can be rented out.
- Along Meyers Road and Gaffney Lane existing bike infrastructure is insufficient, making it uncomfortable to bike or walk. Bike lanes are narrow, there are section with sidewalks gaps, and at points the bike lane disappears, forcing bikes to the edge of the road which is typically covered with gravel.
- Bikeshare programs, including ebikes and scooters, could be an option incentivize more users to use alternative modes of transportation on the existing and proposed multi-use paths and trails and address first- and last-mile gaps.
- This project should consider how it connects to the local network, for example connecting Hillendale Park to the Gaffney Lane neighborhood with bike infrastructure and multi-use paths that use local streets and allows people biking to avoid major roads will make biking more attractive to students and families that live in the area.
- Neighborhood members may be concerned about who will use the trail
- If possible, this project should evaluate options to the pair the trail under the power lines with more active uses such as food trucks.

Oregon City Parks Department

***Interviewee:* Justin Moore – Administrative Assistant, D Conrad, Kendall Reid, Jonathan Waverly – Parks Operations Manager**
***Date:* 6/16/2022**

- For the Power Lines Trail alignment, Parks has considered that area for an off-leash dog park either adjacent to or replacing the area where the City currently stores construction materials.
- At this time, Parks is not planning to add more parks and is not interested in the addition of pocket parks along the trail.

- There are likely to be significant environmental challenges to navigate the stormwater runoff pond at the intersection of Meyers, Moccasin, and Frontier. Based on Parks investigation of this area, using Frontier Street for on-street connections in this area is likely to be the most feasible options.
- Off-street paths, trails and bike infrastructure are maintained by Oregon City Street Division (Public Works). In the future, Parks may oversee the full maintenance of the Loop Trail but at this time they do not have staff or budget to take on additional responsibilities.
- Parks is just starting a project to update the City's Parks Master Plan. The update will include community outreach to identify what are the need and the desires are related to parks and connections to existing parks. The project is estimated to take a year and should be complete in Summer 2023.

Portland General Electric - PGE

***Interviewee:* Jessica North Utility Large Project and Design Engineer Manager, Deanna Kaneshiro – Municipal Program Manager**
***Date:* 6/7/2022**

- This group manages distribution lines and the wooden poles in the study area alignment. The transmission towers are managed by a different group, but they will provide additional contacts and documentation related to those towers.
- For the distribution poles, there are no requirements for a multi-path trail and those poles can easily be relocated.
- As the alignment is refined, additional coordination with PGE will be needed if there are illumination needs and to ensure that PGE can continue to access their infrastructure.
- Th path should be wide enough to allow truck access to those poles and the large transmission towers. The Bucket Truck would be the primary vehicle that would need access to the infrastructure.
- Transmission lines and towers require 50 feet of clearance as to maintain safety. This standard should be considered with the design of the cross-section an alignment of the multi-use path.

Metro

***Interviewee:* Alex Gilbertson – Landscape Architect**
Robert Spurlock – Regional Trails Planner
Rod Wojtanik - *Parks and Nature Planning Manager*
***Date:* 7/7/2022**

- Metro has expressed that the section of the city loop trail on Canemah Bluff Nature Area is on the long-term plans. There are concerns related to the topography of the area, wildlife protection and the door or access to the trail.

- The section of the loop on the northeast end of the city (by OR-213) is well advanced, Metro has purchased and now owns most of the land along the proposed route; there are some sections that are still missing but looks promising.
- Metro team expressed the approach to trail development. Metro does acquire and own the land but looks for partnerships that build and manage such trails. Following this approach, Metro intends to get an agreement with Oregon City to build and manage the trail close to OR-213.
- Metro does not have standards for the cross-section, materials, or users of the trails. It is suggested that these two trails should have multiple users, including bikes. Some regionals trails do not allow for bikes, these city trails should also consider not only asphalt surfaces for bikes, but it should also include probably gravel or dirt to include possible mountain bikes on the trails.

Oregon City School District

***Interviewee:* Michael Sweeten – Director of Operations and Capital Projects**
***Date:* 6/10/2022**

- The school district shared support for both the Gaffney Lane Elementary Shared Use Path and the Meyers Beavercreek Shared Use Path.
- The school district would be open to a maintenance and access agreement with the City to allow access to both paths similar to the agreement being developed at Gardiner Middle School.
- Primary concerns the school district shared were related to ongoing maintenance of the path.
- The school has fenced off all areas used by students and limits access during the day so there are no concerns regarding security and proximity to the paths.

Appendix B:
Community Survey Summary

Oregon City Loop Trail Refinement Plan
Community Survey Summary

November 9, 2022

Prepared by Fehr & Peers

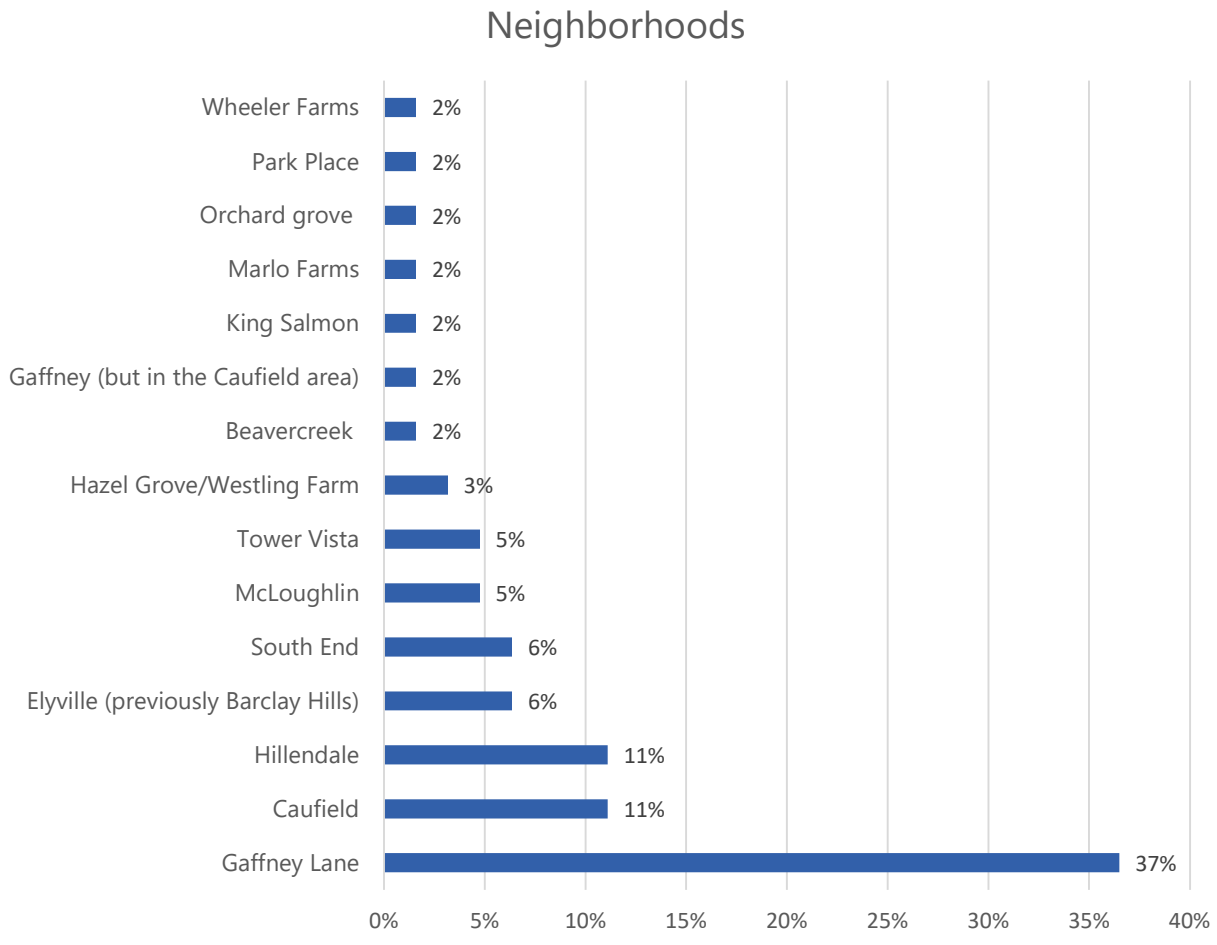
Introduction 2
Overview 4
Meyers Road Shared Use Path – S23 5
Meyers Beavercreek Shared Use Path – S22 10
Gaffney Lane Elementary Shared Use Path – S24 13
Orchard Grove Hazelnut Shared Use Path – S30 17

Introduction

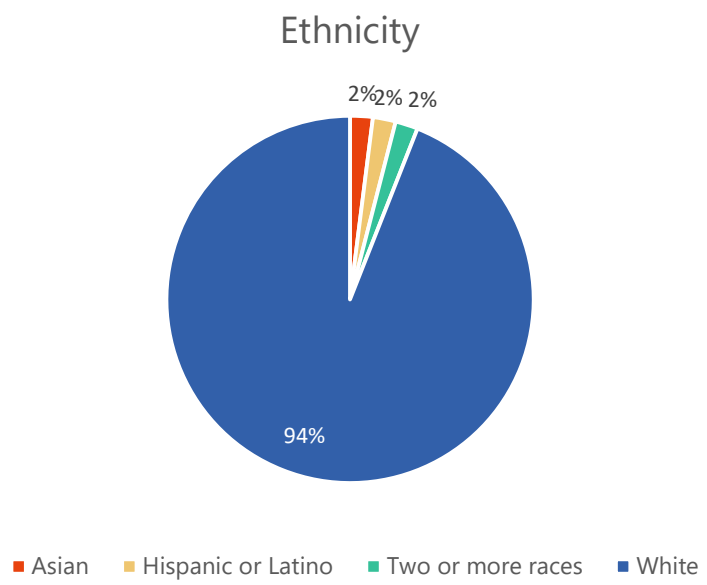
To gather input as part of the early technical work for the Oregon City Loop Trail Refinement Plan, an online community survey was launched in early September and was available for community members to complete through mid-October. This survey focused on two segments of the Oregon City Loop Trail (Meyers Road Shared Use Path and Orchard Grove-Hazelnut Shared Use Path) and two paths that will connect people walking and bicycling to the Loop Trail (Gaffney Lane Elementary School Shared Use Path and Meyers Road to Beavercreek Shared Use Path). This survey asked respondents to share how they would use the proposed paths and to identify challenges, concerns, and opportunities for each of the four paths.

Demographics

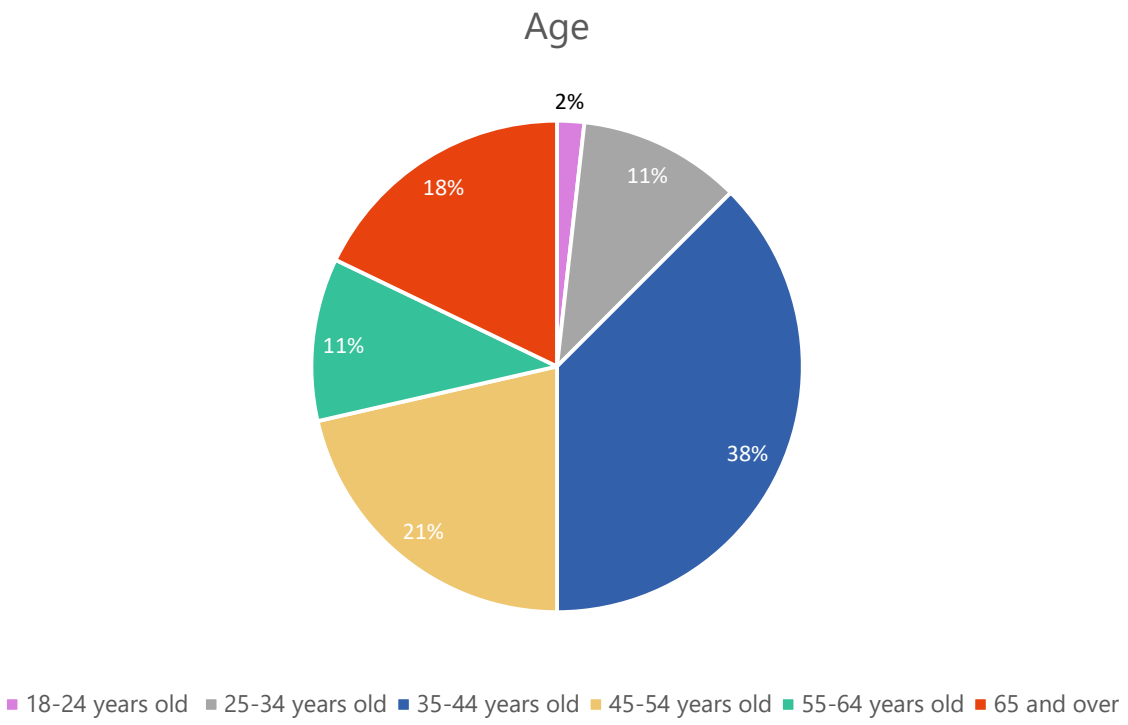
Sixty-eight respondents completed the online survey. While nearly 40 percent of respondents live in the Gaffney Lane neighborhood, with the exception of the Canemah, Rivercrest, and Two Rivers neighborhoods, all other neighborhoods within the City were represented in the responses.



Most respondents, who chose to share, identify as White.



Of respondents who chose to share, nearly 40% identify as 35-44 years old, approximately 20% identify as 45-54 years old, and 20% identify as 65 and over.



Overview

Community members were asked whether they typically walk or bike, the reasons behind their mode choice, why they would use the proposed shared use paths, which challenges they face when walking or bicycling in the area near the proposed paths, and which safety features would encourage them to walk or bike.

Most respondents shared that they currently walk or bike for recreation or exercise and identified that as how they would use each of the proposed paths when constructed.

When asked what prevents them from walking or bicycling today, most respondents identified interactions with cars and poor sidewalks/pavement condition as barriers. Safety is also a major concern for most of the respondents across all shared use paths. Some respondents identified additional concerns, including:

- Concerns about proximity of the houseless/transient population to residential areas
- The need for dog waste stations along the paths
- Lack of connections to existing infrastructure when paths end
- Loss of privacy where trails would be located adjacent to residential areas
- Proximity to Gaffney Lane Elementary School
- Lack of ADA infrastructure in areas where paths may be on-street

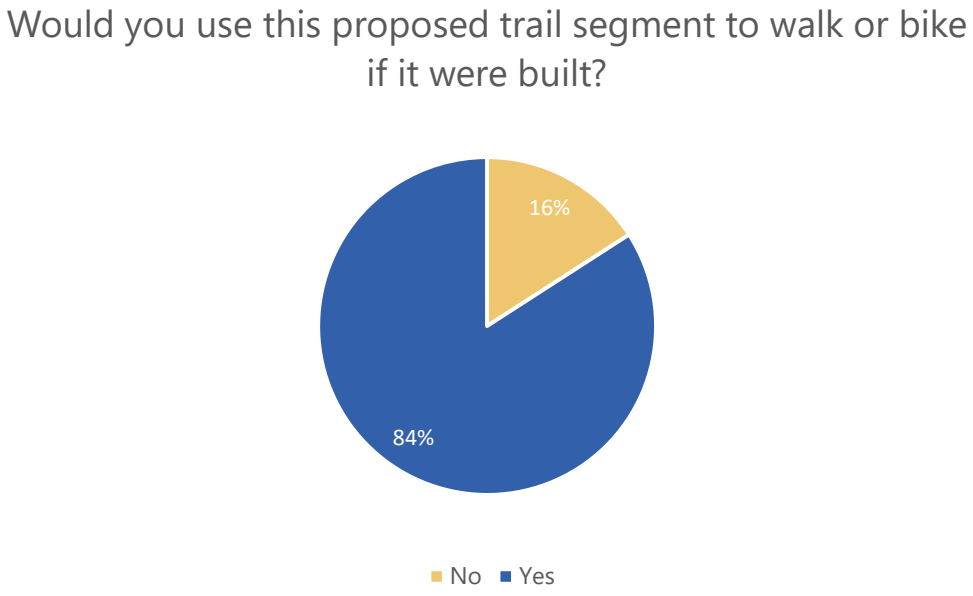
While most respondents would be encouraged to walk or bike more if the proposed paths were separated, many did not feel that on-street facilities with vertical barriers would address their concerns. When asked what additional safety and design features would make it more likely that they would walk or bike, respondents identified:

- Better signage
- Traffic calming measures to slow cars
- A more complete sidewalk network
- Connectivity for biking (instead of connecting to no-outlet streets)
- Improved lighting
- Dog waste stations
- Improved driveways and entrances to businesses

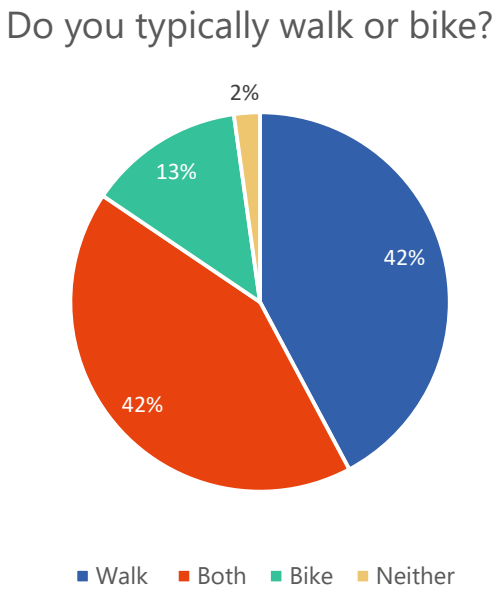
One respondent also expressed desire for trails that can be used for mountain biking and hiking.

Meyers Road Shared Use Path – S23

This segment received the most feedback with 45 responses.

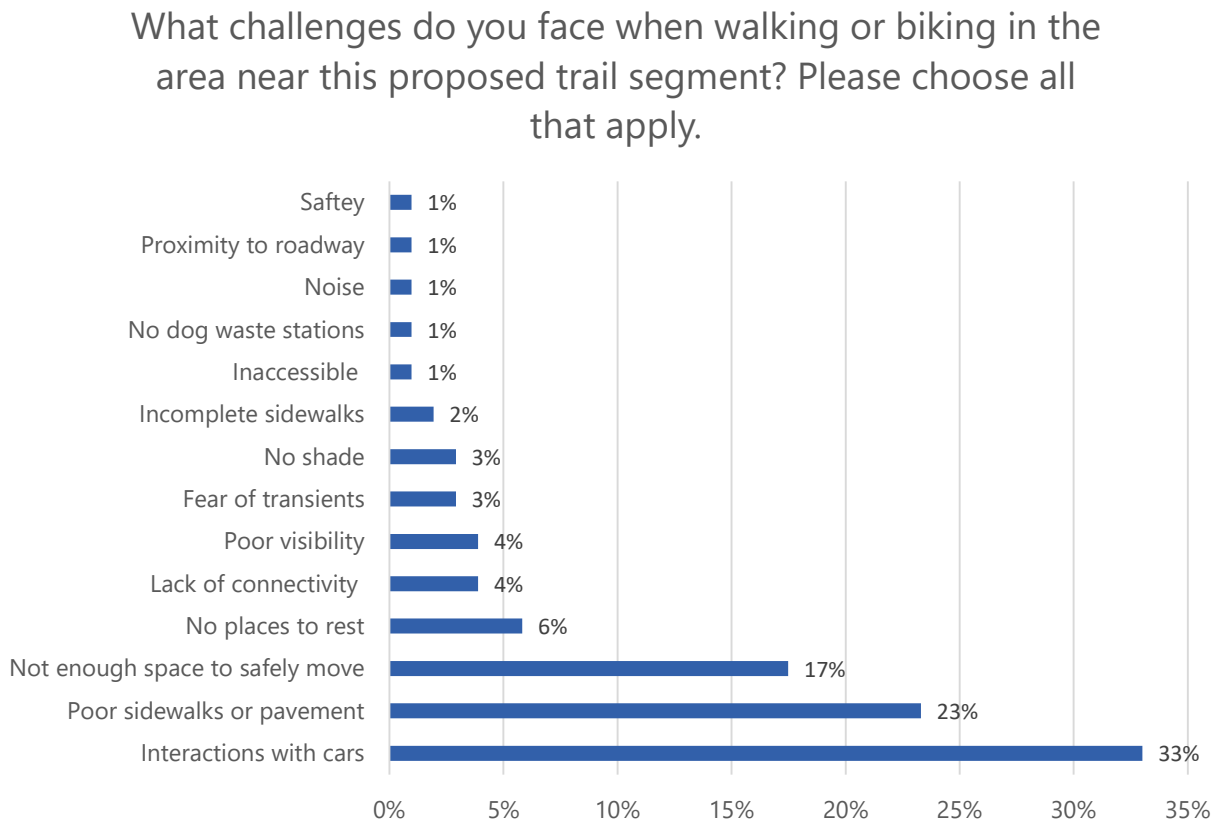


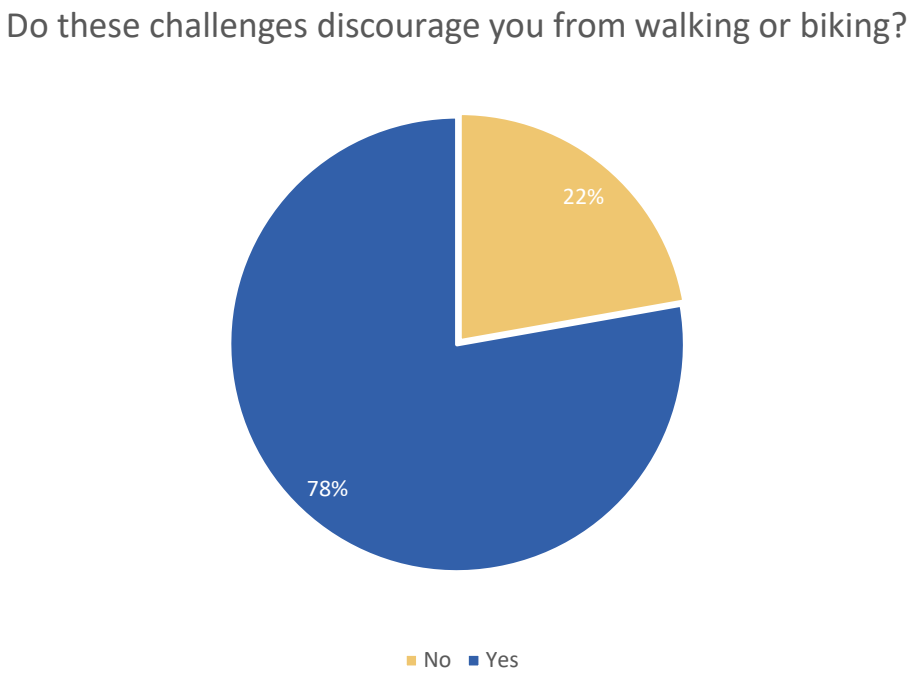
Most respondents either walk, or both walk and bike.



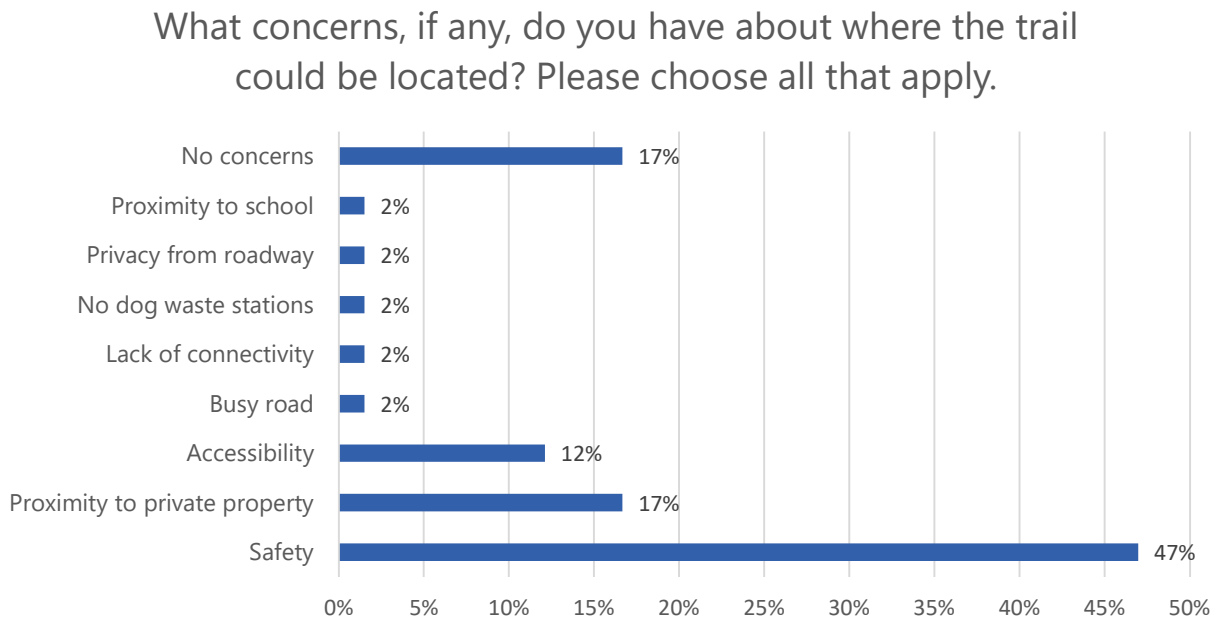
Challenges and Concerns

The main challenges that respondents experience when walking or biking in the area near the proposed Meyers Road Shared Use Path include interactions with cars, poor sidewalks or pavement, and not enough space to travel safely.



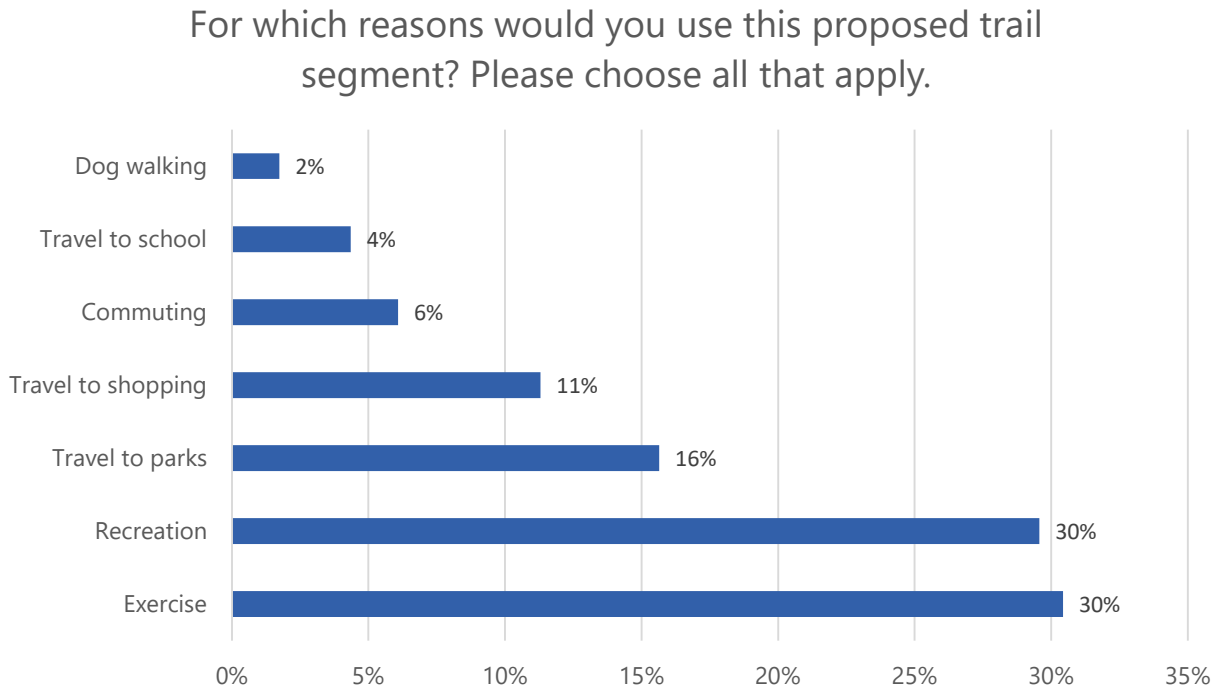


Respondents for this proposed shared use path are primarily concerned with safety.

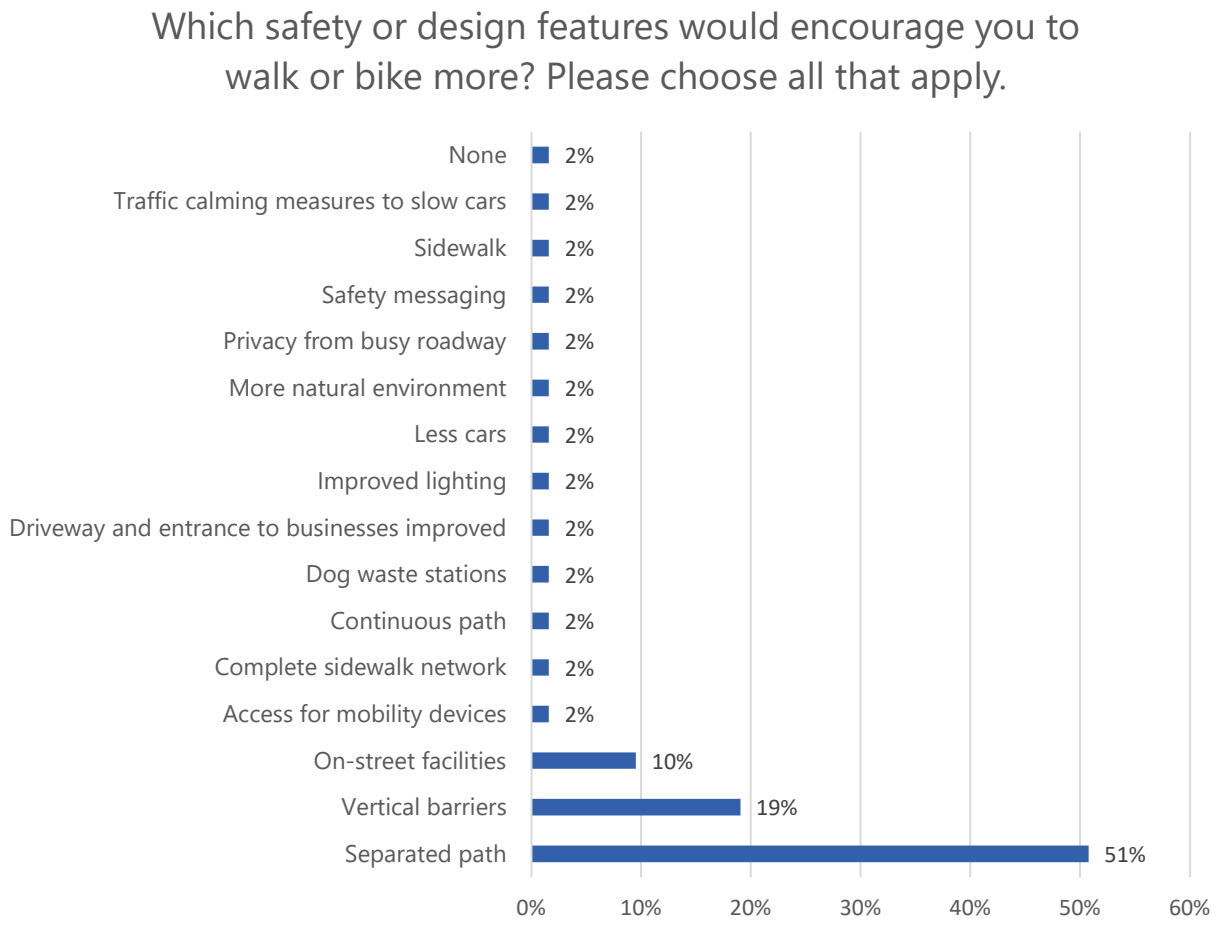


Opportunities

Respondents shared that they would use the proposed shared use path most for recreation or exercise.

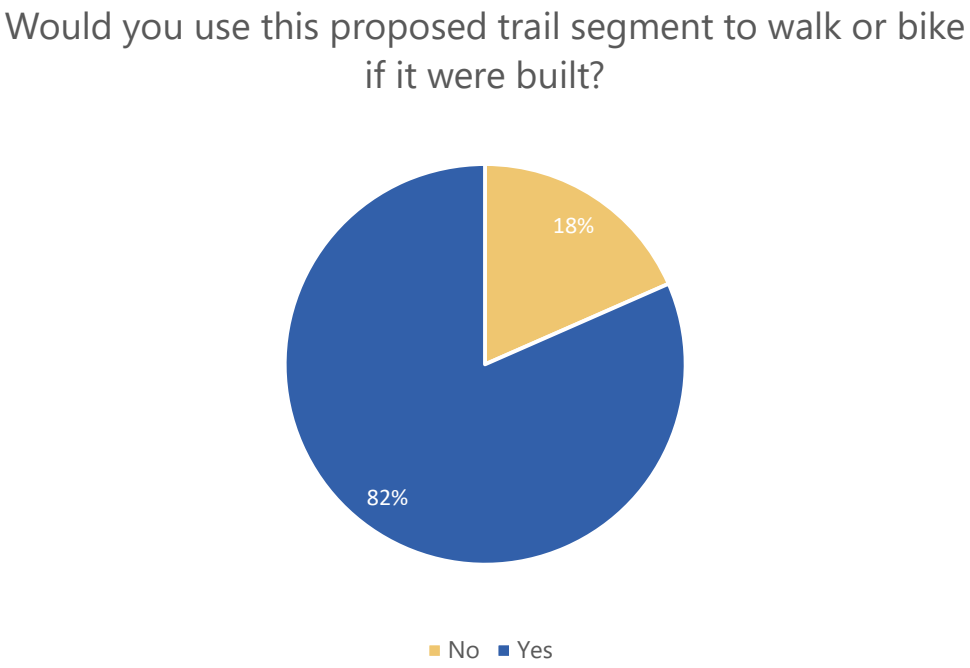


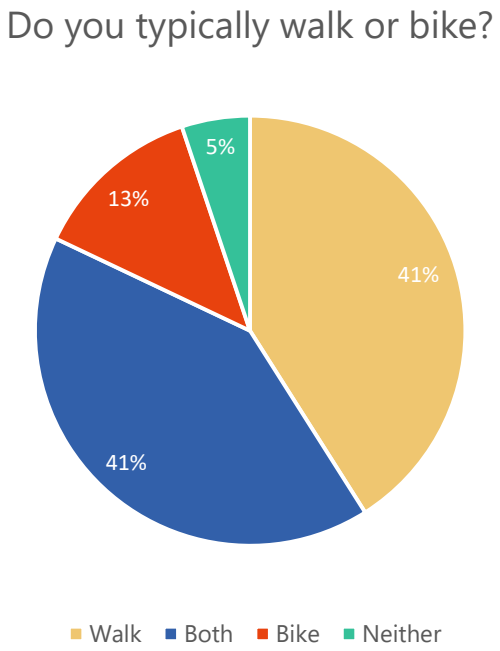
Most respondents would be encouraged to walk or bike more if the proposed path was separated.


Which safety or design features would encourage you to walk or bike more? Please choose all that apply.
None 2%
Traffic calming measures to slow cars 2%
Sidewalk 2%
Safety messaging 2%
Privacy from busy roadway 2%
More natural environment 2%
Less cars 2%
Improved lighting 2%
Driveway and entrance to businesses improved 2%
Dog waste stations 2%
Continuous path 2%
Complete sidewalk network 2%
Access for mobility devices 2%
On-street facilities 10%
Vertical barriers 19%
Separated path 51%
0%
10%
20%
30%
40%
50%
60%

Meyers Beavercreek Shared Use Path – S22

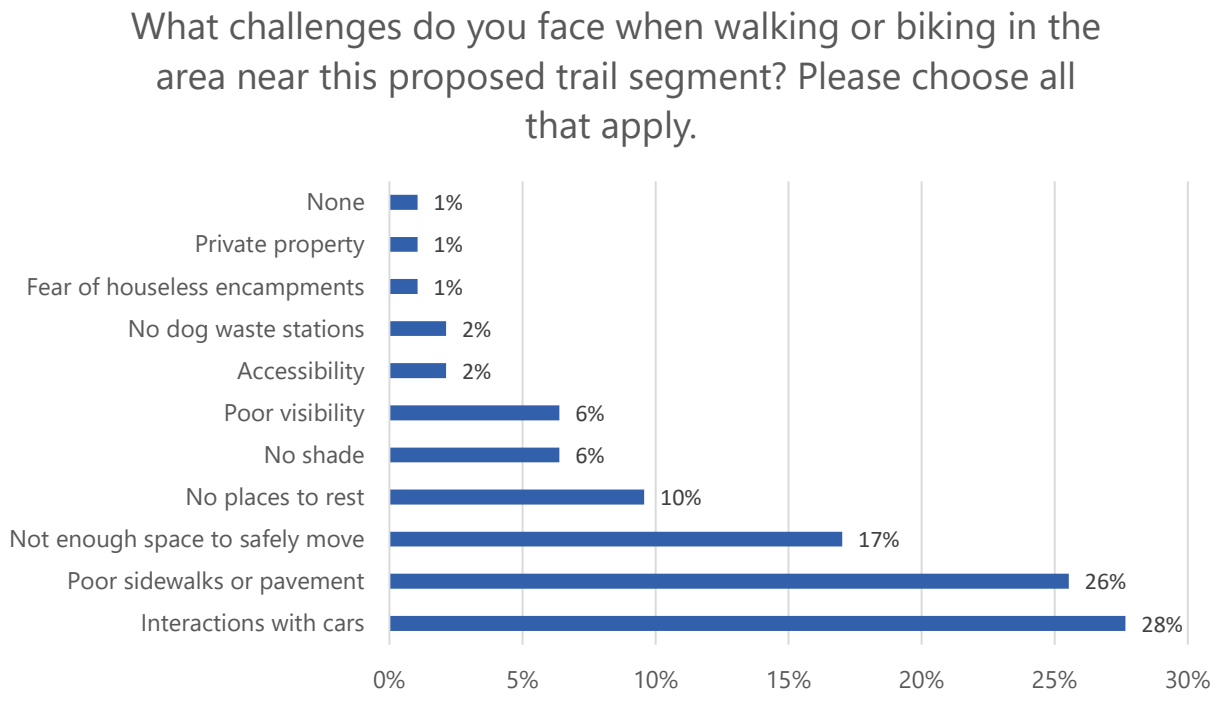
This segment received 39 responses and more than 80% of respondents said they would use the trail if it were built.

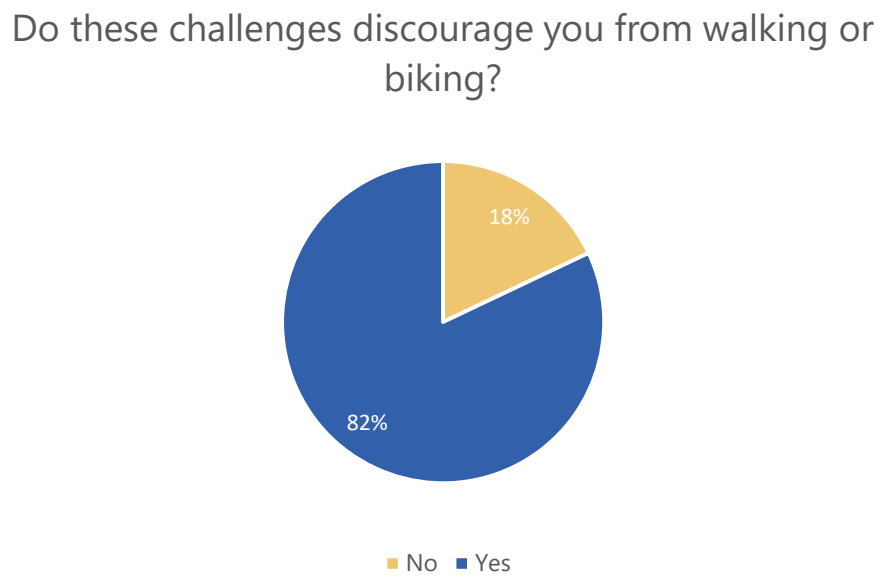




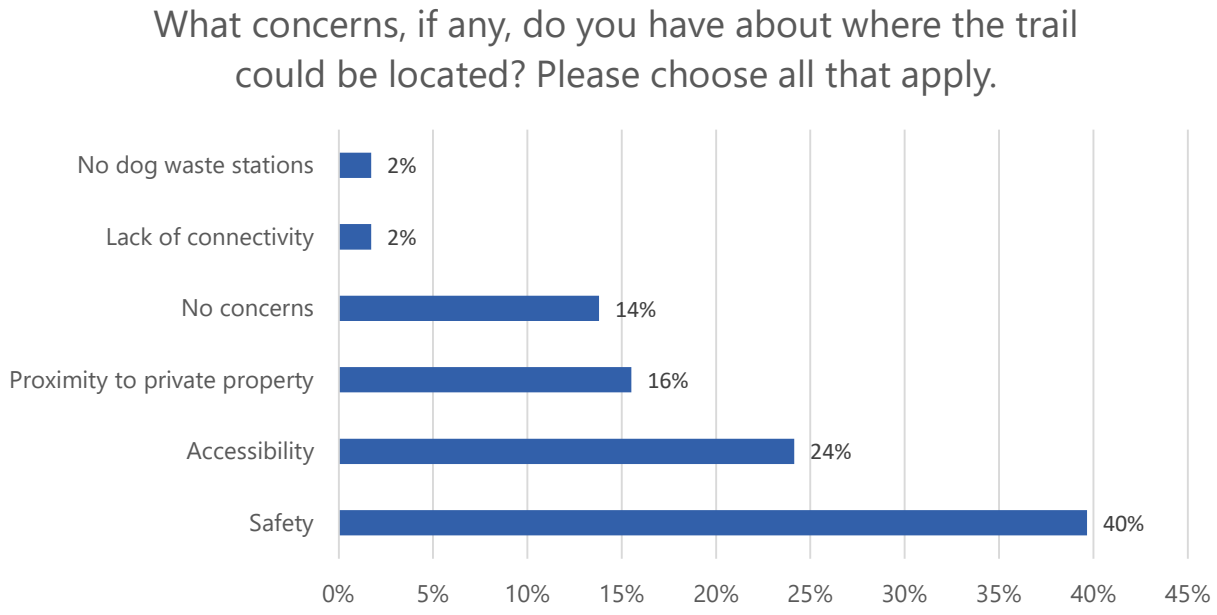
Challenges and Concerns

Respondents identified interactions with cars, poor sidewalks or pavement, and not enough space to safely move as significant challenges. Approximately 80% of respondents said these challenges discourage them from walking or biking.



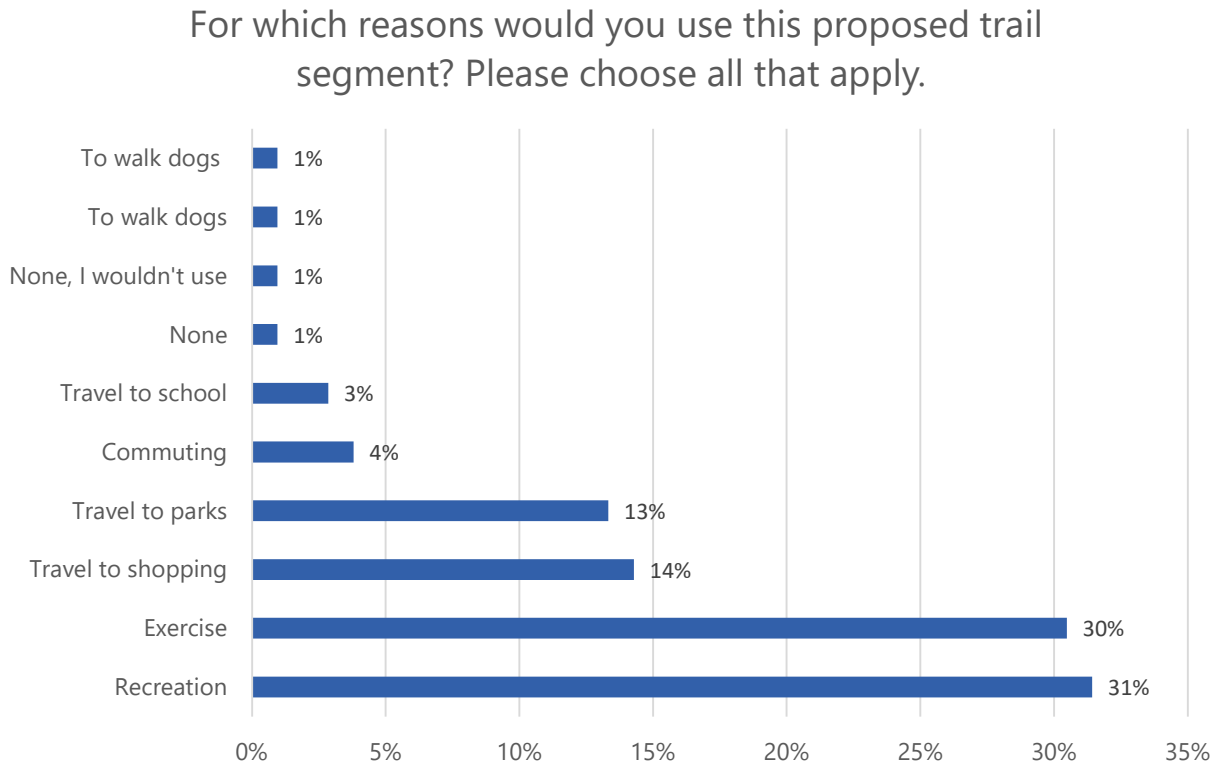


Safety was the primary concern identified by community members when asked about location of the proposed trail.

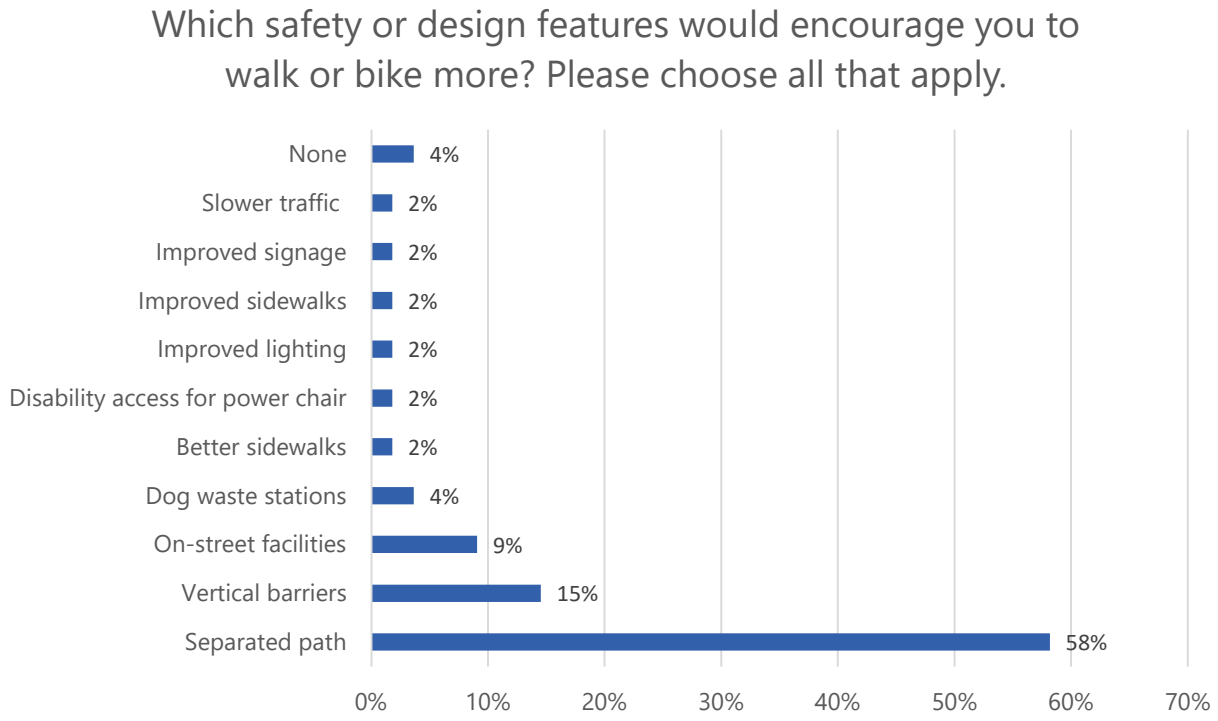


Opportunities

Respondents shared that they would use the proposed shared use path for recreation or exercise. Travel to shopping and travel to parks were other notable reasons for using the proposed path.

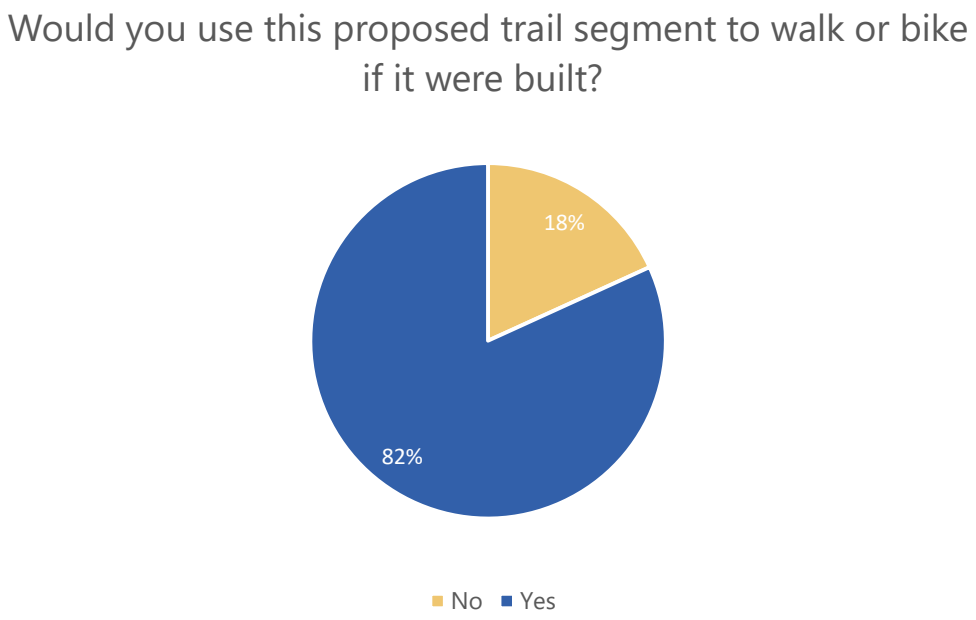


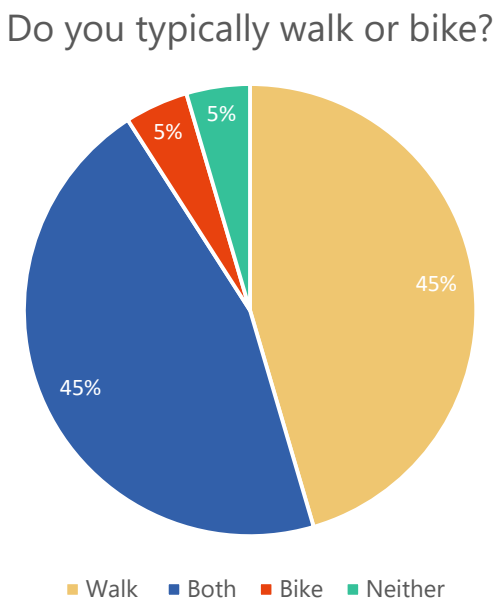
Most respondents would be encouraged to walk or bike more if the proposed path was separated.



Gaffney Lane Elementary Shared Use Path – S24

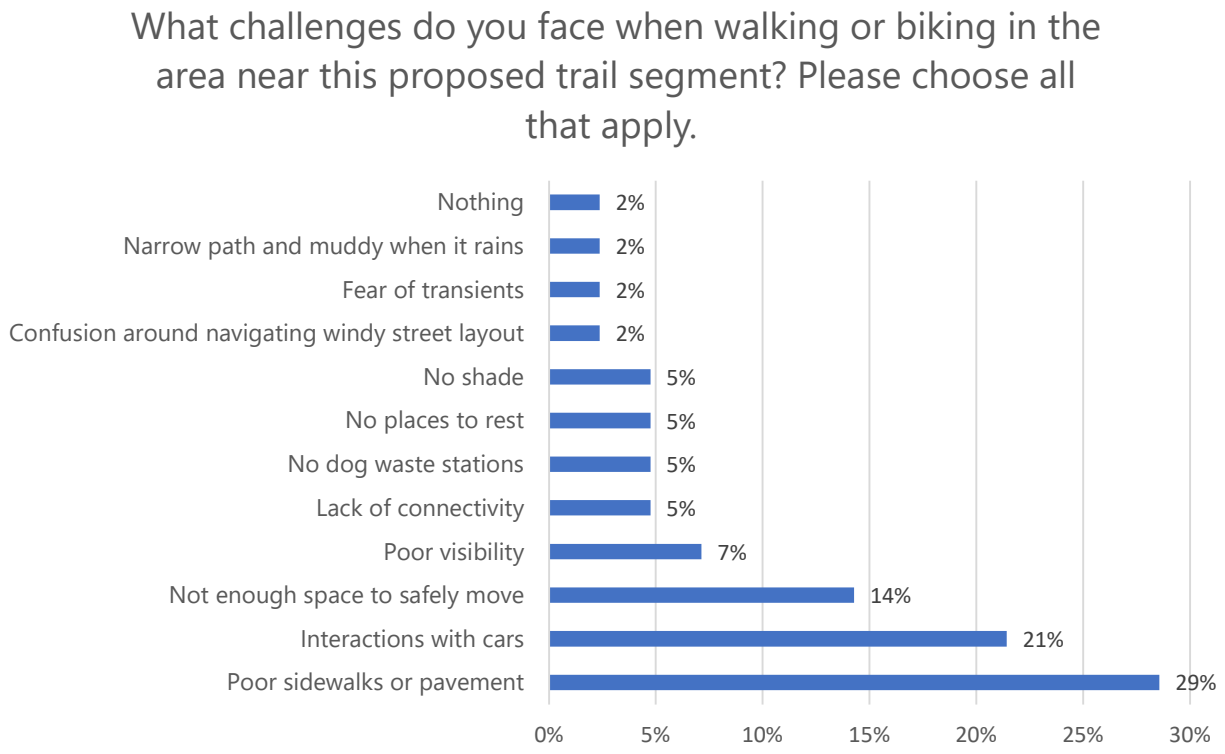
This segment received 22 responses. Similar to other segments, over 80% of respondents said they would walk or bike more frequently if this trail were built.

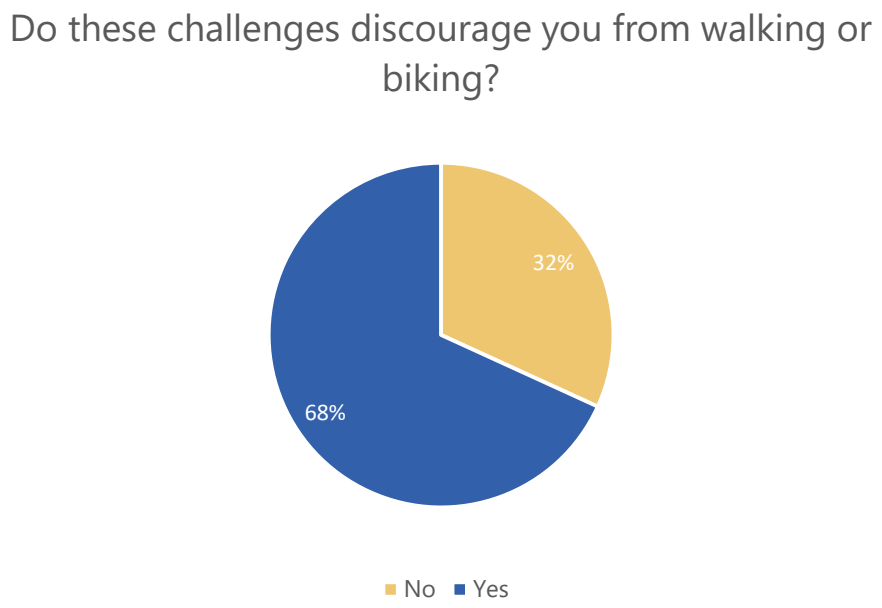




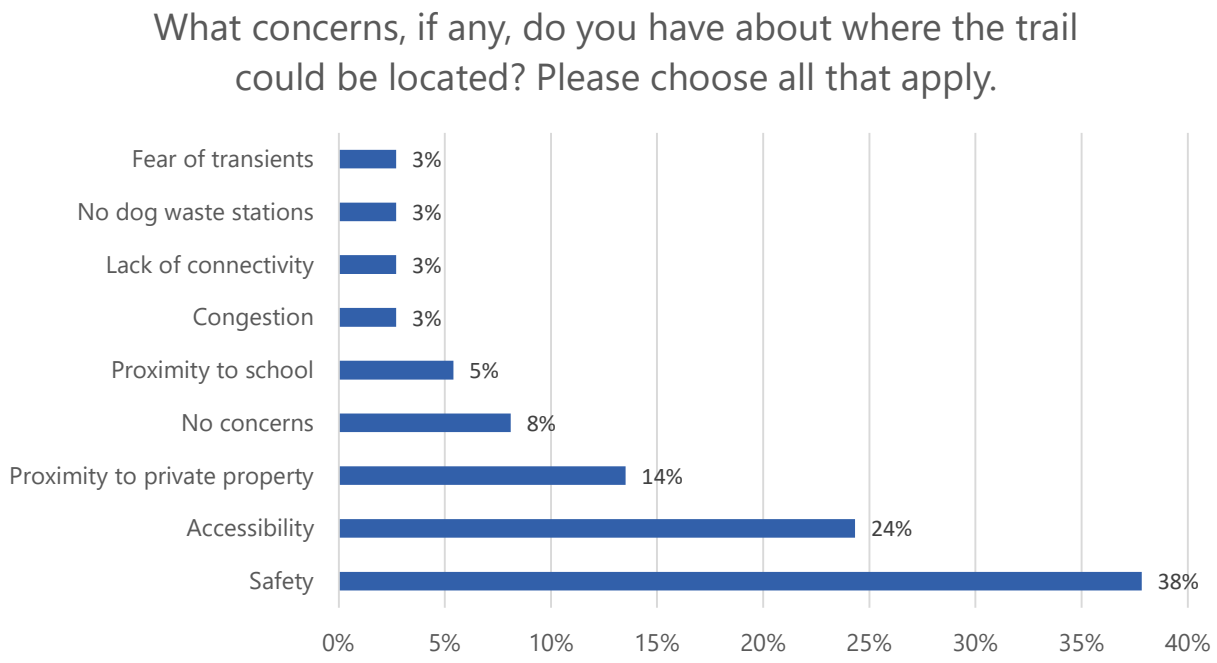
Challenges and Concerns

The major challenges for respondents include poor sidewalks or pavement, interactions with cars, and not enough space to safely move.



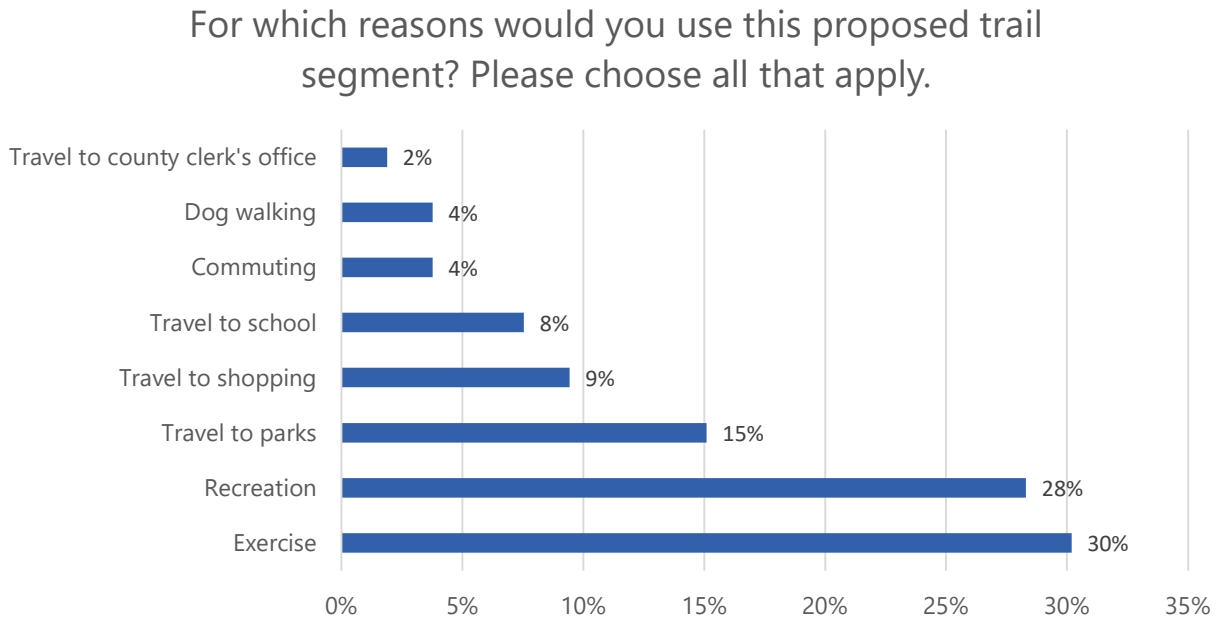


The biggest concerns for respondents when it comes to the location of this shared use path are safety and accessibility.

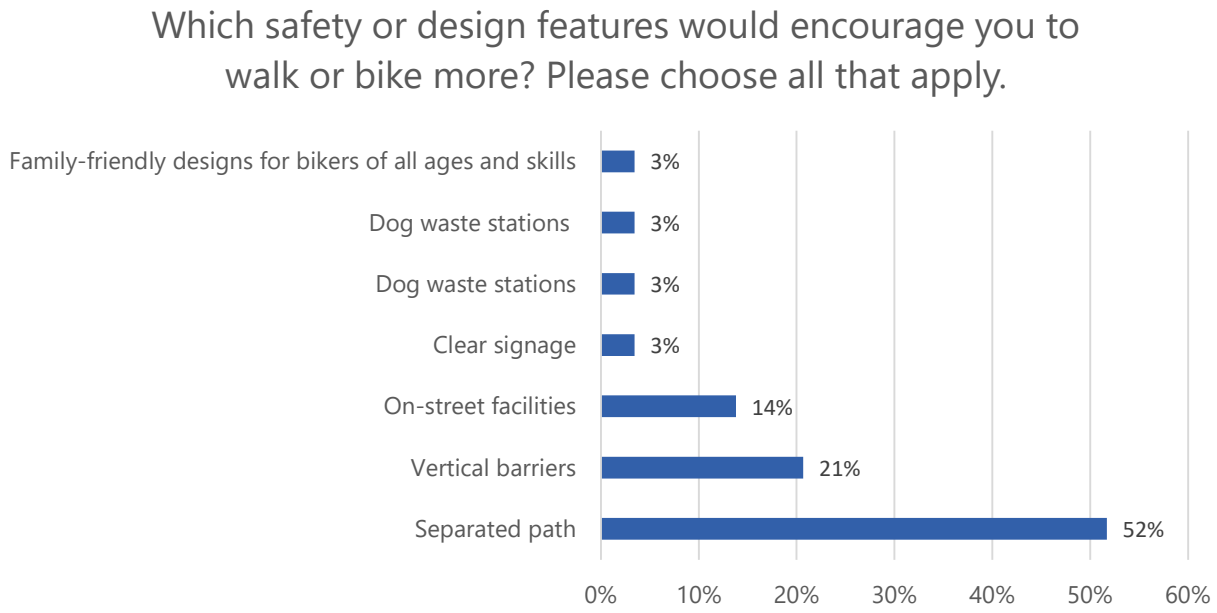


Opportunities

Respondents would likely use the proposed shared use path for recreation or exercise.

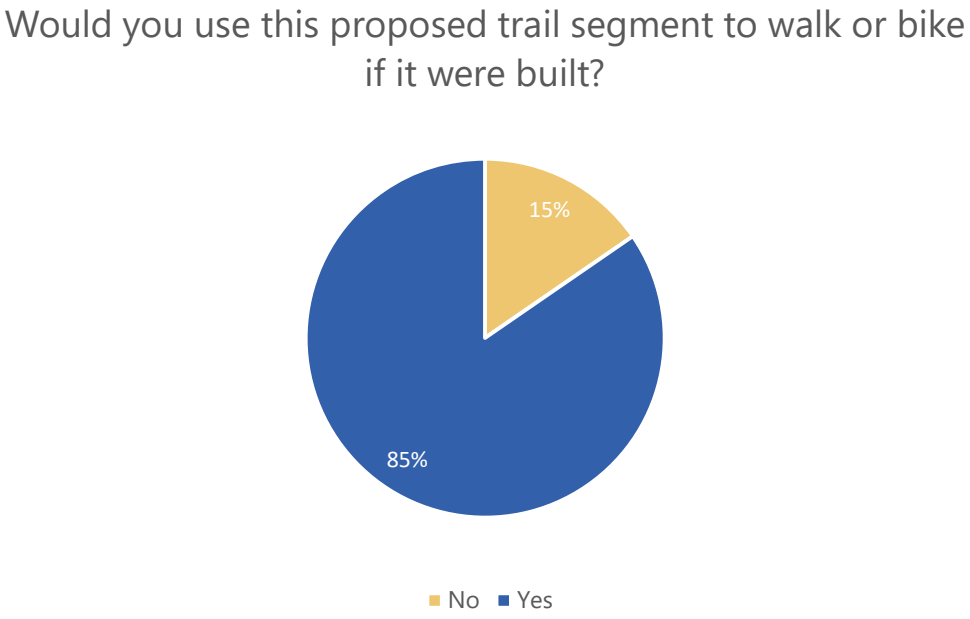


Most respondents would be encouraged to walk or bike more if the proposed path were separated from vehicle traffic.

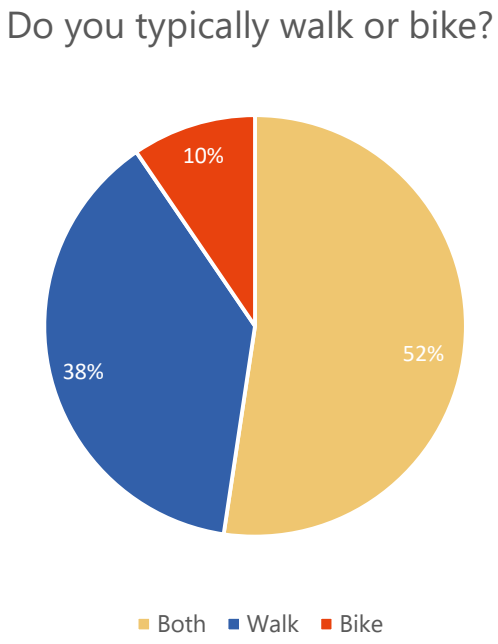


Orchard Grove Hazelnut Shared Use Path – S30

This proposed shared use path received 14 responses.

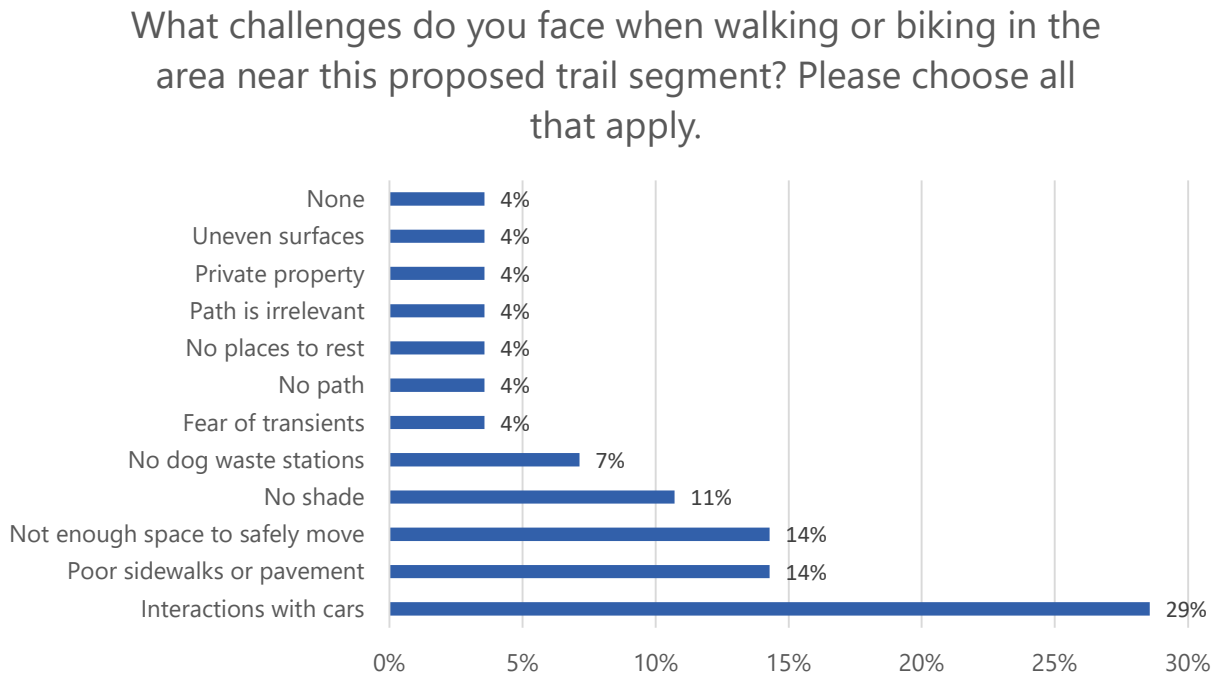


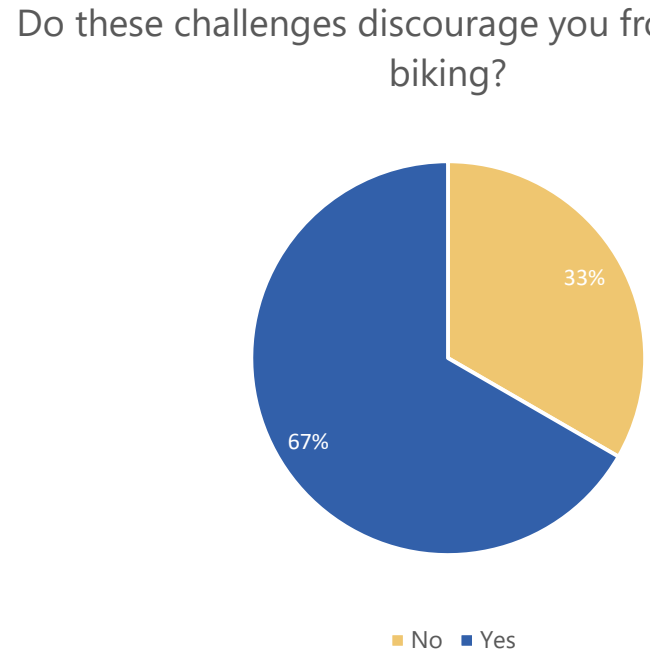
Most respondents typically walk, or both walk and bike.



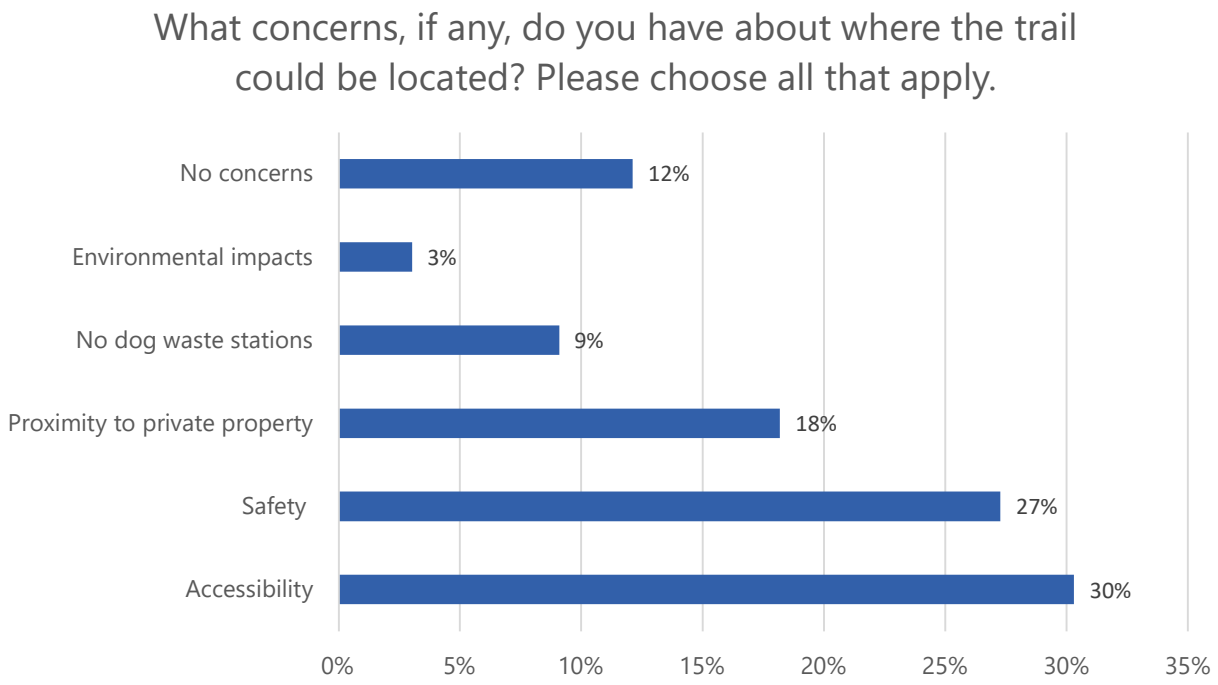
Challenges and Concerns

The challenges that respondents face when walking or biking include interactions with cars, not enough space to safely move, poor sidewalks, and no shade.



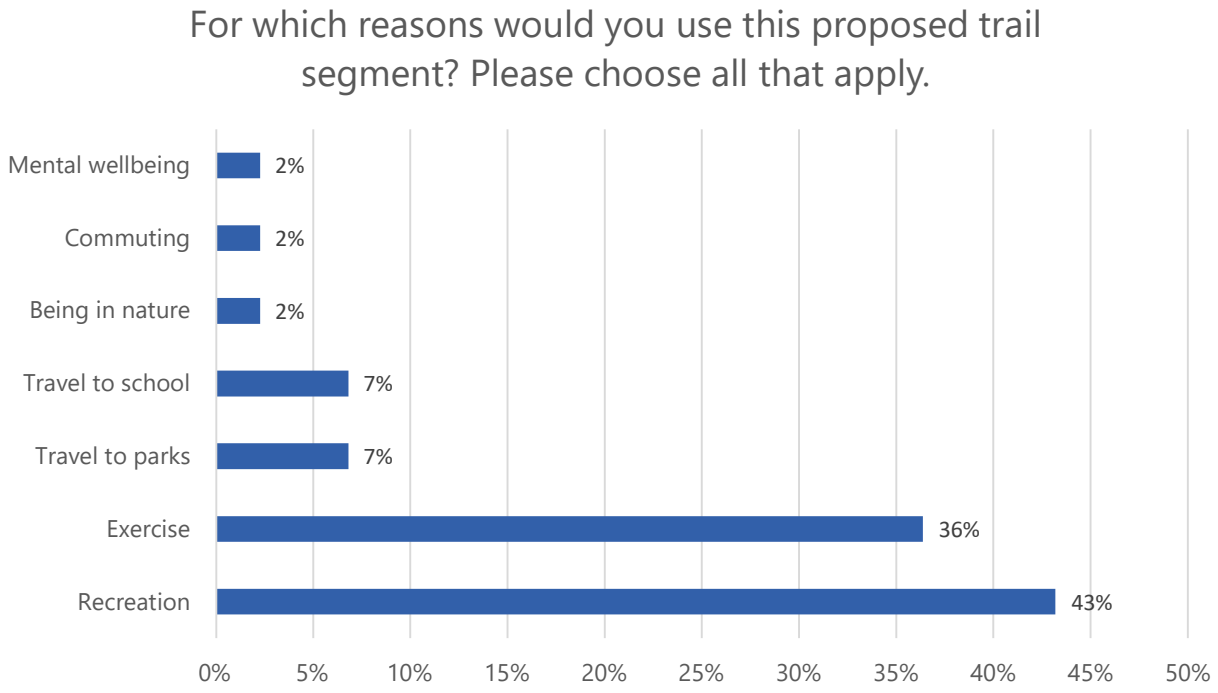


For this segment, respondents are concerned with safety, accessibility, and proximity to private property.

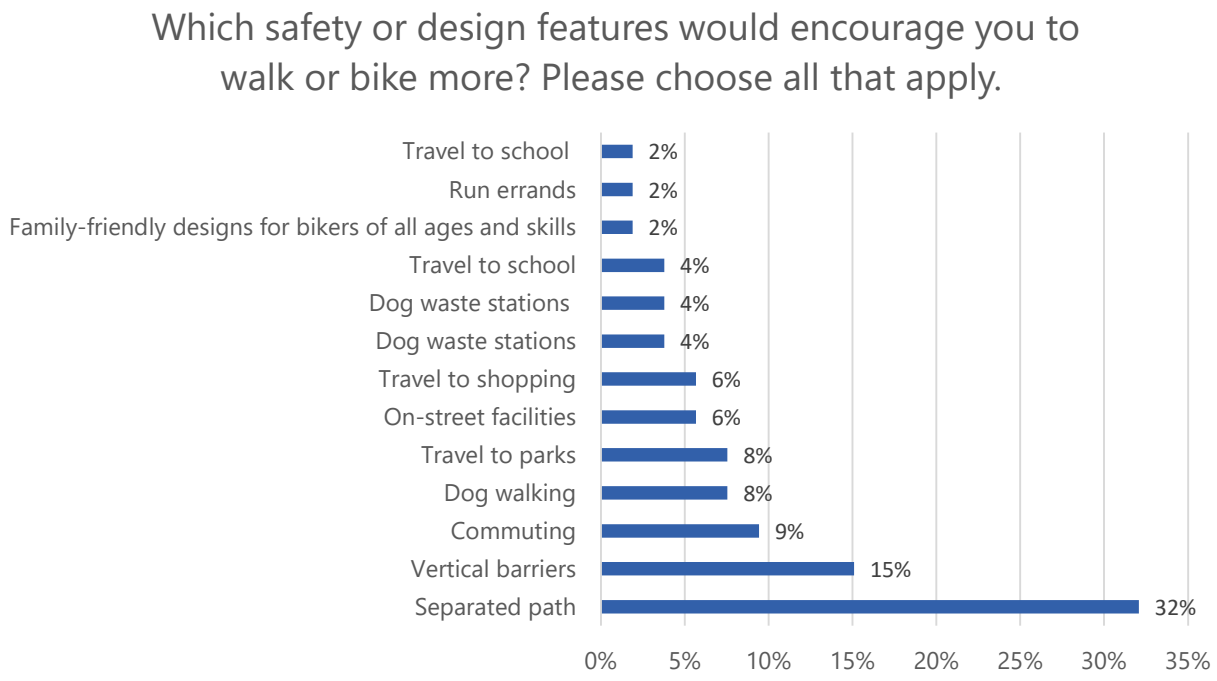


Opportunities

If the proposed path were built, respondents would likely use it for recreation or exercise.



Most respondents would be encouraged to walk or bike more if the proposed path were separated from vehicle traffic.



Appendix C:
Concepts & Cross-Sections

Figure 1

Oregon City Loop Trail
Gaffney Lane & Beavercreek to Meyers Multi-use Paths
Gaffney Lane Elementary School

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL
DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

May 19, 2023 CADD FILE: W:\Portland Data\Projects\2022Projects\PT22-0074_Oregon_City_Loop_Trail\CAD\S24\0074-Concept_Gaffney_v2.dwg

Oregon City Loop Trail
Meyers Road to Beavercreek Road
Frontier Parkway (Alternative 1)

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

CADD FILE: C:\Users\CALVAR~1\AppData\Local\Temp\AcPublish_3172\0074-Concept_Meyers-Beavercreek_082923.dwg
Aug 31, 2023

Sheet 2 or 7

Oregon City Loop Trail
Meyers Road to Beavercreek Road
S Moccasin Way / Meyers Road (Alternative 1)

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL
DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

CADD FILE: C:\Users\CALVAR~1\AppData\Local\Temp\AcPublish_31172\0074--Concept_Meyers-Beavercreek_082923.dwg
Aug 31, 2023

Sheet 3 of 7

Oregon City Loop Trail
Meyers Road to Beavercreek Road
Frontier Parkway (Alternative 2)

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL
DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

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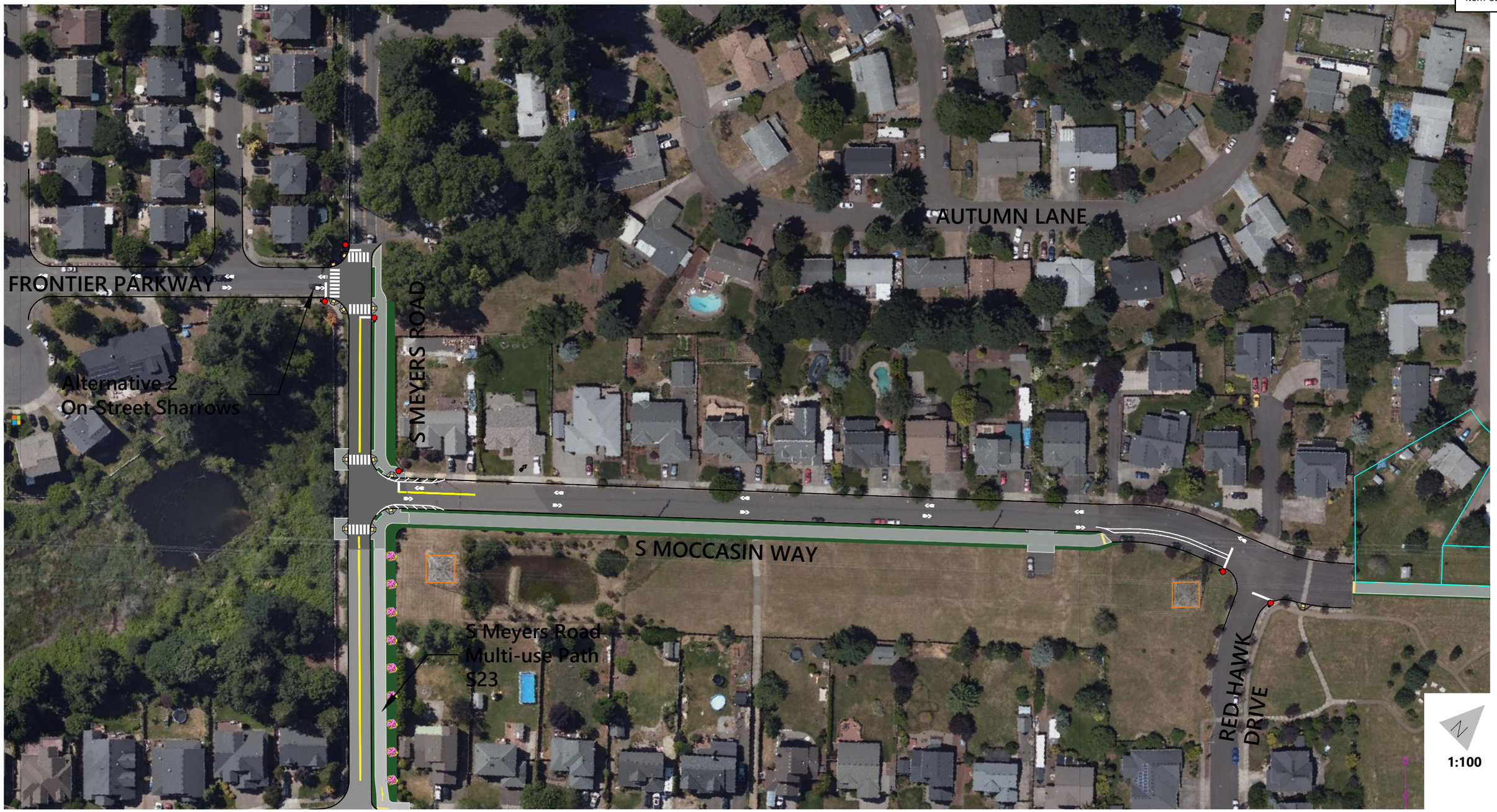


Oregon City Loop Trail
Meyers Road to Beavercreek Road
S Moccasin Way / Meyers Road Alternative 2

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL
DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

CADD FILE: C:\Users\CALVAR~1\AppData\Local\Temp\AcPublish_3172\0074-Concept_Meyers-Beavercreek_082923.dwg
Aug 31, 2023

Oregon City Loop Trail
Meyers Road to Beavercreek Road
Gaffnye Lane Elementary School Park

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

CADD FILE: C:\Users\CALWAR~1\AppData\Local\Temp\AcPublish_3172\0074-Concept_Meyers-Beavercreek_082923.dwg
Aug 31, 2023

Sheet 6 of 7

Oregon City Loop Trail
Meyers Road to Beavercreek Road
Clairmont Way / Molalla Avenue Intersection

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL
DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

Aug 31, 2023 CADD FILE: C:\Users\CALVAR~1\AppData\Local\Temp\AcPublish_3172\0074-Concept_Meyers-Beavercreek_082923.dwg

Sheet 7 of 7

Oregon City Loop Trail
Meyers Road to Beavercreek Road
Beavercreek Road / Fred Meyer Parking Lot

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL
DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

Aug 31, 2023 CADD FILE: C:\Users\CALVAR~1\AppData\Local\Temp\AcPublish_3172\0074-Concept_Meyers-Beavercreek_082923.dwg

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL
DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

Figure 1
Oregon City Loop Trail
Meyers Road

May 09, 2023 CADD FILE: C:\Users\GALVAR~1\AppData\Local\Temp\AcPublish_34996\0074-Concept_MeyersRd.dwg

Figure 2

Oregon City Loop Trail
Meyers Road

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL
DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

May 09, 2023 CADD FILE: C:\Users\CALWAR~1\AppData\Local\Temp\AcPublish_34996\0074-Concept_MeyersRd.dwg

Figure 3

Oregon City Loop Trail
Meyers Road

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL
DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

May 09, 2023 CADD FILE: C:\Users\CALVAR~1\AppData\Local\Temp\AcPublish_34996\\0074-Concept_MeyersRd.dwg

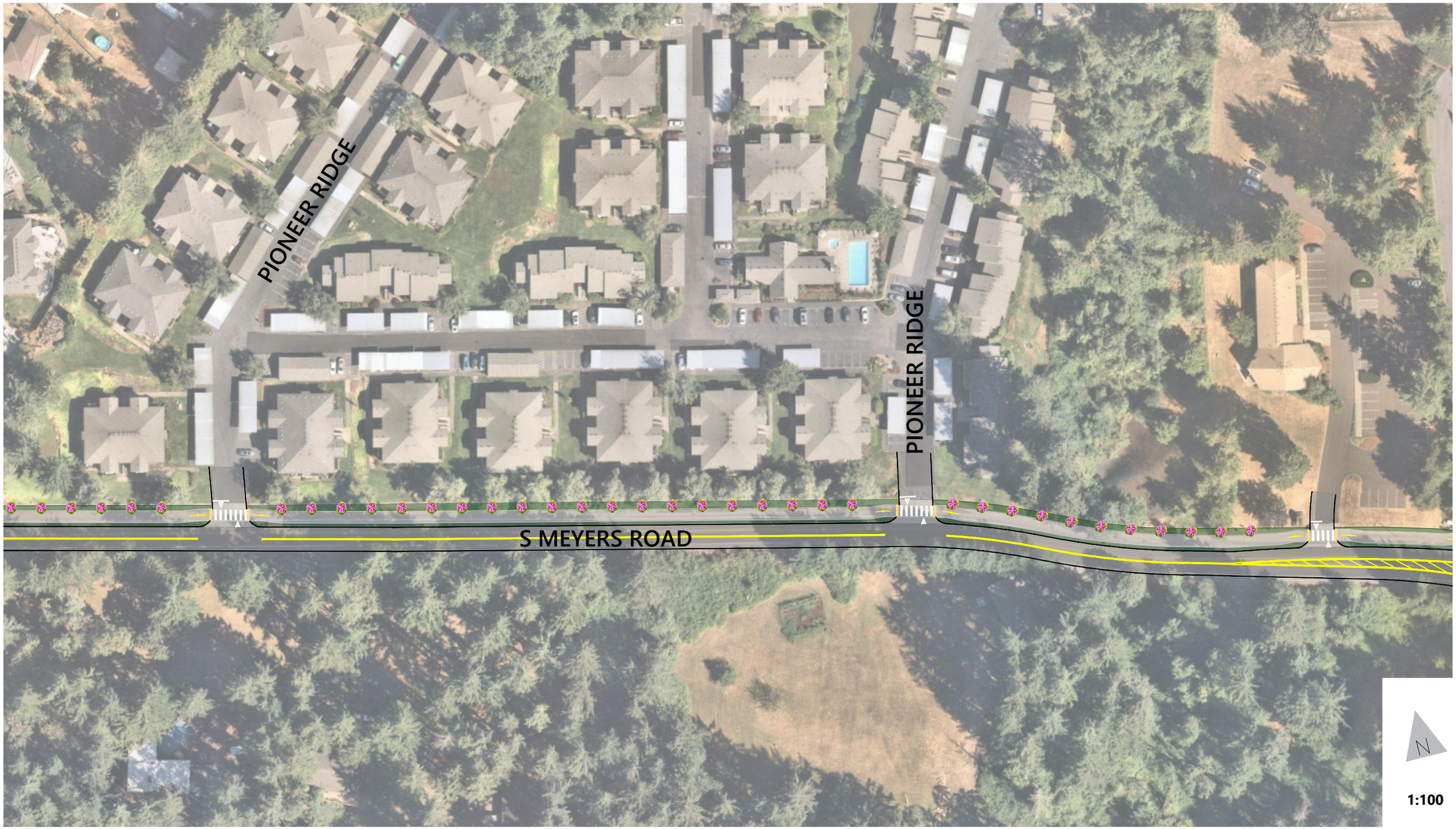


Figure 4

Oregon City Loop Trail
Meyers Road

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL
DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

May 09, 2023 CADD FILE: C:\Users\CALVAR~1\AppData\Local\Temp\AcPublish_34996\0074-Concept_MeyersRd.dwg

Figure 5

Oregon City Loop Trail
Meyers Road

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL
DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

CADD FILE: C:\Users\GALVAR~1\AppData\Local\Temp\AcPublish_34996\0074-Concept_MeyersRd.dwg
May 09, 2023

Figure 1

Oregon City Loop Trail

Orchard Grove - Hazelnut Avenue

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL
DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

CADD FILE: C:\Users\CALWAR~1\AppData\Local\Temp\AcPublish_34996\0074-Concept_Orchard0-HazelnutAve.dwg
May 09, 2023

Figure 2

Oregon City Loop Trail

Orchard Grove - Hazelnut Avenue

CONCEPTUAL - NOT FOR CONSTRUCTION. ADDITIONAL
DETAILED ANALYSIS AND ENGINEERING DESIGN REQUIRED.

May 09, 2023 CADD FILE: C:\Users\CALVAR~1\AppData\Local\Temp\AcPublish_34996\0074-ConceptL_OrchardGr-HazelnutAve.dwg

Additional Cross-Sections

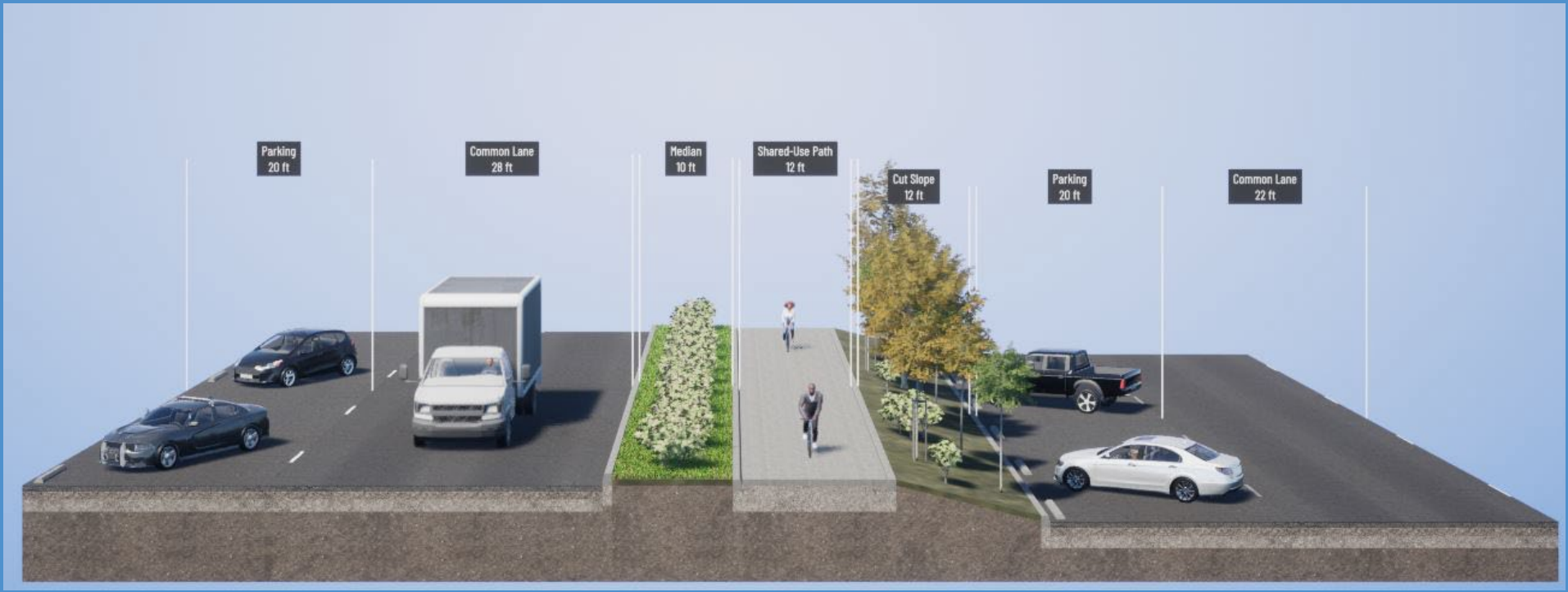


Figure D-1. Meyers-Beavercreek Proposed Cross-Section (Through Retail)

Appendix D: Cost-Estimates

S22 - Meyers to Beavercreek (Beavercreek to Meyers Road)

Item	Unit	Unit Cost ($)	Quantity	Total Cost ($)
General Excavation	C.Y.	$100	6,786	$678,600
Borrow	C.Y.	$35	5,352	$187,320
Granular Base	C.Y.	$40	669	$26,760
Emulsified Asphalt	TON	$700	1,497	$1,047,900
Curb and Gutter	L.F.	$10	5,160	$51,600
Painted Line (white)	L.F.	$2	3,115	$6,230
Painted Line (yellow)	L.F.	$2	2,500	$5,000
Painted Stop Line	S.F	$13	355	$4,615
Painted Traffic Arrow	EACH	$300	25	$7,500
Painted Crosswalk (white, green)	S.F.	$13	890	$11,570
Painted Bike Lane Symbol	EACH	$300	10	$3,000
Painted Bike Sharrows	EACH	$350	11	$3,850
COB Green Plastic Bike Crossing	S.F.	$15	1,760	$26,400
ADA Ramp (New)	EACH	$12,000	20	$240,000
Reflective Stop Sign (New)	EACH	$900	5	$4,500
Traffic Signal Installation - Hawk Signal	Each	$250,000	0	$0
Site Prep & Demolition	15%			$180,300
Traffic Control	20%			$240,400
Mobilization	10%			$120,200
Items Subtotal				**$2,845,745**
Contingency	20%			$372,000
Design Engineering	15%			$279,000
Construction Admin	10%			$186,000
Project Total Cost				**$3,685,000**
Low Cost	-20%			$2,950,000
Base Cost	0%			$3,685,000
High Cost	20%			$4,420,000

Right-Of-Way, environmental permits, retaining walls and match slopes, new and relocation of utilities, and temporary easements are not included in these cost estimates. These estimates are based on planning level analysis of project needs, they are not final. While assumptions were made for quantities the level of information these assumptions were based on was limited. The estimates are based on a conceptual cross-section and a 10% design concept plan, based on the best information available at the time. These are not engineered drawings and further study and design is needed.

S22 - Meyers to Beavercreek (Meyers Road to Wesley Lynn Park, Long-Term)

Item	Unit	Unit Cost ($)	Quantity	Total Cost ($)
General Excavation	C.Y.	$100	2743	$274,000
Borrow	C.Y.	$35	2163	$76,000
Granular Base	C.Y.	$40	271	$11,000
Emulsified Asphalt	TON	$700	605	$424,000
Curb and Gutter	L.F.	$10	250	$3,000
Painted Line (white)	L.F.	$2	0	$0
Painted Line (yellow)	L.F.	$2	600	$1,000
Painted Stop Line	S.F	$13	77	$1,000
Painted Traffic Arrow	EACH	$300	0	$0
Painted Crosswalk (white, green)	S.F.	$13	340	$4,000
Painted Bike Lane Symbol	EACH	$300	3	$1,000
Painted Bike Sharrows	EACH	$350	20	$7,000
COB Green Plastic Bike Crossing	S.F.	$15	0	$0
ADA Ramp (New)	EACH	$12,000	12	$144,000
Reflective Stop Sign (New)	EACH	$900	7	$6,000
Traffic Signal Installation - Hawk Signal	Each	$250,000	1	$250,000
Site Prep & Demolition	30%			$360,600
Traffic Control	5%			$60,100
Mobilization	20%			$240,400
Items Subtotal				**$1,860,000**
Contingency	40%			$744,000
Design Engineering	20%			$372,000
Construction Admin	10%			$186,000
Project Total Cost				**$3,160,000**
Low Cost	-20%			$2,530,000
Base Cost	0%			$3,160,000
High Cost	20%			$3,790,000

Right-Of-Way, environmental permits, retaining walls and match slopes, new and relocation of utilities, and temporary easements are not included in these cost estimates. These estimates are based on planning level analysis of project needs, they are not final. While assumptions were made for quantities the level of information these assumptions were based on was limited. The estimates are based on a conceptual cross-section and a 10% design concept plan, based on the best information available at the time. These are not engineered drawings and further study and design is needed.

S22 - Meyers to Beavercreek (Meyers Road to Wesley Lynn Park, Near-Term)

Item	Unit	Unit Cost ($)	Quantity	Total Cost ($)
General Excavation	C.Y.	$100	948	$95,000
Borrow	C.Y.	$35	747	$26,000
Granular Base	C.Y.	$40	94	$4,000
Emulsified Asphalt	TON	$700	209	$146,000
Curb and Gutter	L.F.	$10	720	$7,000
Painted Line (white)	L.F.	$2	0	$0
Painted Line (yellow)	L.F.	$2	900	$2,000
Painted Stop Line	S.F	$13	77	$1,000
Painted Traffic Arrow	EACH	$300	0	$0
Painted Crosswalk (white, green)	S.F.	$13	600	$8,000
Painted Bike Lane Symbol	EACH	$300	3	$1,000
Painted Bike Sharrows	EACH	$350	32	$11,000
COB Green Plastic Bike Crossing	S.F.	$15	0	$0
ADA Ramp (New)	EACH	$12,000	20	$240,000
Reflective Stop Sign (New)	EACH	$900	8	$7,000
Traffic Signal Installation - Hawk Signal	Each	$250,000	0	$0
Site Prep & Demolition	10%			$54,800
Traffic Control	10%			$54,800
Mobilization	10%			$54,800
Items Subtotal				**$160,000**
Contingency	20%			$109,600
Design Engineering	15%			$82,200
Construction Admin	10%			$54,800
Project Total Cost				**$405,000**
Low Cost	-20%			$325,000
Base Cost	0%			$405,000
High Cost	20%			$485,000

Right-Of-Way, environmental permits, new and relocation of utilities, and temporary easements are not included in these cost estimates. These estimates are based on planning level analysis of project needs, they are not final. While assumptions were made for quantities the level of information these assumptions were based on was limited. The estimates are based on a conceptual cross-section and a 10% design concept plan, based on the best information available at the time. These are not engineered drawings and further study and design is needed.

S23 - Meyers Road Planning Level Cost-Estimate

Item Number	Item	Unit	Unit Cost ($)	Quantity	Total Cost ($)
	General Excavation	C.Y.	$100	7960	$796,000
	Borrow	C.Y.	$35	6280	$220,000
	Granular Base	C.Y.	$40	790	$32,000
	Emulsified Asphalt	TON	$700	1760	$1,232,000
	Curb and Gutter	L.F.	$10	6050	$61,000
	Painted Line (white)	L.F.	$2	2350	$5,000
	Painted Line (yellow)	L.F.	$2	12160	$24,000
	Painted Stop Line	S.F	$13	370	$5,000
	Painted Traffic Arrow	EACH	$300	20	$6,000
	Painted Crosswalk (white, green)	S.F.	$13	1700	$22,000
	Painted Bike Lane Symbol	EACH	$300	10	$3,000
	Painted Bike Sharrows	EACH	$350	30	$11,000
	COB Green Plastic Bike Crossing	S.F.	$15	1600	$24,000
	ADA Ramp (New)	EACH	$4,500	5	$23,000
	Tactile Pad	EACH	$1,500	30	$45,000
	Painted dashed line (yellow)	L.F.	$2	1130	$2,000
	Traffic Signal Installation - Hawk Signal	Each	$250,000	1	$250,000
Site Prep & Demolition	15%				$ 414,000
Traffic Control	10%				$ 276,000
Mobilization	10%				$ 276,000
Items Subtotal					**$4,120,000**
Contingency	20%				$824,000
Design Engineering	15%				$618,000
Construction Admin	10%				$412,000
Project Total Cost					**$5,970,000**
Low Cost	-20%		$4,776,000		$4,776,000
Base Cost	0%		$5,970,000		$5,970,000
High Cost	20%		$7,164,000		$7,164,000

These estimates are based on planning level analysis of project needs, they are not final. While assumptions were made for quantities the level of information these assumptions were based on was limited. The estimates are based on a conceptual cross-section and a 10% design concept plan, based on the best information available at the time. These are not engineered drawings and further study and design is needed.

Right-Of-Way, new and reallocation of utilities, and temporary easements are not included in these cost estimates

S24 - Gaffney Lane Elementary Shared Use Path Planning Level Cost-Estimate

Item Number	Item	Unit	Unit Cost ($)	Quantity	Total Cost ($)
	General Excavation	C.Y.	$100	1170	$117,000
	Borrow	C.Y.	$35	920	$32,000
	Granular Base	C.Y.	$40	120	$5,000
	Emulsified Asphalt	TON	$700	250	$175,000
	ADA Ramp (New)	EACH	$4,500	2	$9,000
Site Prep & Demolition	10%				$34,000
Traffic Control	5%				$17,000
Mobilization	10%				$34,000
Items Subtotal					**$420,000**
Contingency	20%				$84,000
Design Engineering	10%				$42,000
Construction Admin	10%				$42,000
Project Total Cost					**$590,000**
Low Cost	-20%		$472,000		$472,000
Base Cost	0%		$590,000		$590,000
High Cost	20%		$708,000		$708,000

These estimates are based on planning level analysis of project needs, they are not final. While assumptions were made for quantities the level of information these assumptions were based on was limited. The estimates are based on a conceptual cross-section and a 10% design concept plan, based on the best information available at the time. These are not engineered drawings and further study and design is needed.

Right-Of-Way, new and reallocation of utillities, and temporary easements are not included in these cost estimates

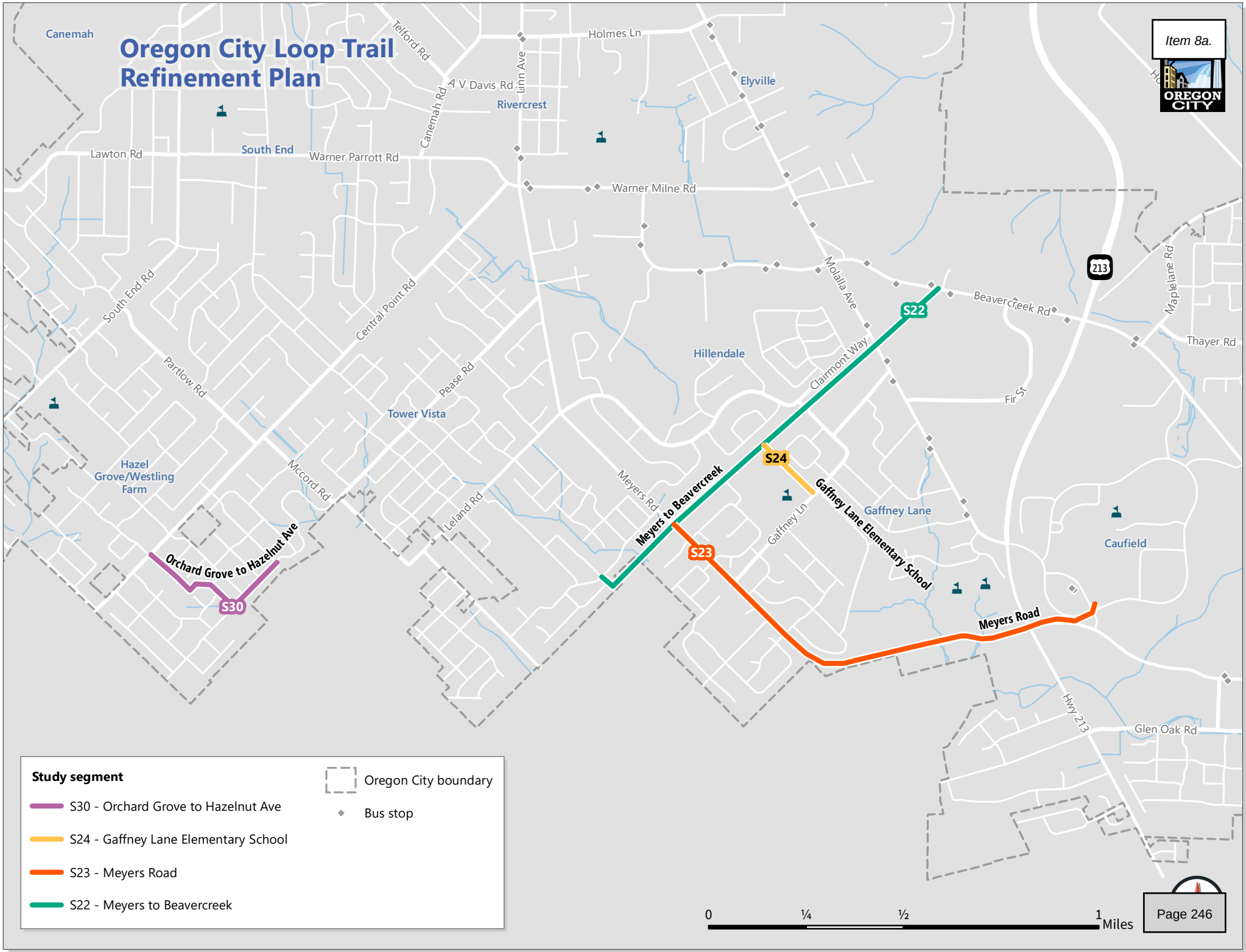
S-30 Orchard Grove-Hazelnut Planning Level Cost-Estimate

Item Number	Item	Unit	Unit Cost ($)	Quantity	Total Cost ($)
	Painted Bike Lane Symbol	EACH	$300	8	$2,400
	Painted Bike Sharrows	EACH	$300	10	$3,000
	ADA Ramp (New)	EACH	$4,500	4	$18,000
	Reflective Stop Sign (New)	EACH	$500	2	$1,000
	W11-2 Sign (Pedestrians Crossing)	EACH	$500	4	$2,000
				0	$0
				0	$0
				0	$0
				0	$0
Site Prep & Demolition	15%				$4,000
Traffic Control	10%				$3,000
Mobilization	10%				$3,000
Items Subtotal					**$40,000**
Contingency	20%				$8,000
Design Engineering	15%				$6,000
Construction Admin	10%				$4,000
Project Total Cost					**$70,000**
Low Cost	-20%		$56,000		$56,000
Base Cost	0%		$70,000		$70,000
High Cost	20%		$84,000		$84,000

These estimates are based on planning level analysis of project needs, they are not final. While assumptions were made for quantities the level of information these assumptions were based on was limited. The estimates are based on a conceptual cross-section and a 10% design concept plan, based on the best information available at the time. These are not engineered drawings and further study and design is needed.

Right-Of-Way, new and reallocation of utilities, and temporary easements are not included in these cost estimates

Oregon City Loop Trail Refinement Plan



Applicant Narrative for a Legislative Proposal

Date of submittal: October 27, 2023

APPLICANT: City of Oregon City, c/o Public Works Department, 13895 Fir Street, Oregon City, OR 97045
John Lewis, PE, Public Works Director
Josh Wheeler, PE, Assistant City Engineer

REQUEST: Legislative. The Public Works Department proposes the inclusion of the Oregon City Loop Trail Refinement Plan, an Ancillary Document to the Oregon City Transportation System Plan and the OC2040 Comprehensive Plan. This proposal amends the Comprehensive Plan.

LOCATION(S): City Wide

I. BACKGROUND:

File No. LEG-23-00002 updates the Oregon City Transportation System Plan (2013) by adopting the Oregon City Loop Trail Refinement Plan. The Oregon City Transportation System Plan is an ancillary document to the Oregon City Comprehensive Plan.

According to the 2004 Oregon City Comprehensive Plan (Introduction, "Implementing the Plan" Page 4): "Ancillary Plans are adopted by the City Commission for such things as parks and recreation, transportation systems, water facilities, and sewer facilities. Usually prepared by City departments through a public process, ancillary plans are approved by the City Planning Commission and adopted by the City Commission to provide operational guidance to city departments in planning for and carrying out city services. These plans are updated more frequently than the Comprehensive Plan."

The Oregon City Loop Trail Plan is a document that proposes street and trail specific cross sections to various streets within the City which defines typical cross sections within the Transportation System Plan (TSP) to more fully align with the existing conditions with the existing road network which will be used as private development occurs or funds becomes available. The specific TSP Projects which were analyzed for this plan are : S-22, S-23, S-24 and S-30.

The Oregon City Loop Trail will create a loop around Oregon City providing travelers with off-street paths and on-street connections along local roadways. This path is shown in the City of Oregon City Trails Master Plan. The segments are those portions of the Trail which lie within City Limits and do not have any plan or site specific cross sections related to them.

PROCESS

Adoption of the code amendments is a legislative action that requires review and recommendation from the Planning Commission prior to adoption by the City Commission following public hearings.

Public Involvement and Public Comment

While portions of the alignments identified in this plan can be constructed on property currently owned by the City, in some cases easements will be required to connect the paths through privately held properties.

To understand concerns from property owners and agencies that could have large portions of the shared use paths traversing or adjacent to their properties, stakeholder interviews were completed early in the planning process. Stakeholder interviews also included representatives from key destinations along the paths and regional planning agencies.

Representatives from the following agencies participated in stakeholder interviews:

- Clackamas County Community College
- Deering Property Management
- Gaffney Lane Neighborhood Association
- Oregon City Parks Department
- Portland General Electric (PGE)
- Metro
- Oregon City School District
- Oregon City Parks Department

A representative from ODOT attended the pre-application meeting and commented to ensure ODOT standards are followed if an ODOT facility ends up being impacted from a future design and construction.

The Oregon City Loop Trail Refinement Plan has been available for review on the Oregon City website at the following address: https://oregoncity.teammunicode.com/publicworks/project/ps-22-002

Postcards were used to promote opportunities to share feedback, along with promotion on City websites and social media platforms.

Community members had two opportunities to share their concerns and priorities for development of the Loop Trail and ancillary paths.

The first opportunity was through an online survey, which asked community members to share how they would use the paths, what discourages them from walking or riding a bicycle today, and what design features would make them feel safer and more comfortable when using the paths.

Nearly 70 community members responded to the survey. Key takeaways that informed recommendations in this plan include:

- A concern about the loss of privacy in areas where paths may be located next to residential areas
- A desire for amenities such as trash cans, dog waste stations, and landscaping
- A need for separation from vehicles and enhanced lighting
- A need for paths that meet the needs of a wide variety of users

The second opportunity was an in-person workshop held at Gaffney Lane Elementary School which focused on the Gaffney Lane path and the Meyers-Beavercreek path. Feedback from community members included:

- A desire to maintain existing green space between Meyers Road and Frontier Parkway
- Paths that used to traverse the existing school property were highly-utilized; opportunities to follow that alignment should be prioritized
- Concerns about proximity of the paths to houses and the elementary school

The Legislative Process as it relates to the Oregon City Comprehensive Plan

The applicable approval criteria for a legislative action are the guidance provided in the Oregon City Comprehensive Plan, the applicable goals and policies of the Oregon City Comprehensive Plan, and any applicable statewide planning goals.

Section 2 – *Land Use* of the 2004 Oregon City Comprehensive Plan indicates that the regular review and updated of the Comprehensive Plan should consider the following:

1. Plan implementation process.
2. Adequacy of the Plan to guide land use actions, including an examination of trends.
3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.
4. Addition of updated factual information including that made available to the City of regional, state and federal governmental agencies.

Oregon City Comprehensive Plan (P.16)

Regular Review and Update

Plan maintenance and updating is a continuous technical review of the Plan by the Planning staff. This review and any subsequent recommendations for Plan updating should be presented to the

Neighborhood Associations, Planning Commission and City Commission for input and discussion in the same manner as requested Plan changes. The continuous review should consider:

1. Plan implementation process;

The Oregon City Loop Trail Refinement Plan is a special purpose plan that is part of the City's Transportation System Plan, an adopted Ancillary Document to the Oregon City Comprehensive Plan. The TSP is both a technical document and a conceptual guide that requires regular review in order to maintain and update it. The applicant, Oregon City Public Works Department, has presented the update for input by the residents, affected agencies, property owners, and the Gaffney Neighborhood Association. The applicant will present to Planning Commission and City Commission in accordance with the recommended method described in the Comprehensive Plan and pursuant to the applicable process described in Oregon City Municipal Code section 17.50.170. The plan implementation process is consistent with the Comprehensive Plan.

The Planning Commission will be initiating the legislative process tentatively scheduled for December 11, 2023.

Staff presented the amendments to the Citizen Involvement Committee on November 6, 2023.

The first evidentiary public hearing for the proposed amendments will be held with the Planning Commission and will follow the notice procedures for a legislative action per OCMC 17.50. The City Commission public hearing will be scheduled once the Planning Commission has completed their review and provided a recommendation on the proposed amendments.

The Department of Land Conservation and Development will be notified as required by ORS 197.610 – 197.625. The Staff Report will be made available at least seven days prior to the public hearing and the application was processed according to the Legislative Hearing Process as required under Oregon City Municipal Code 17.50.170. Implementation of the Plan is discussed further in Criterion 2.

2. Adequacy of the Plan to guide land use actions, including an examination of trends.

The Oregon City Loop Trail Refinement Plan provides an analysis of existing conditions and provides direction for future development, funding and needs. The plan provides cross sections of shared use paths to be used as an adequate guide for future land use actions and the development of criteria to be utilized in land use actions. The plan includes construction cost estimates and contingencies for the planning and design of recommended system facilities.

3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.

Community members had two opportunities to share their concerns and priorities for development of the Loop Trail and ancillary paths.

The first opportunity was through an online survey, which asked community members to share how they would use the paths, what discourages them from walking or riding a bicycle today, and what design features would make them feel safer and more comfortable when using the paths.

Nearly 70 community members responded to the survey. Key takeaways that informed recommendations in this plan include:

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The second opportunity was an in-person workshop held at Gaffney Lane Elementary School which focused on the Gaffney Lane path and the Meyers-Beavercreek path. Feedback from community members included:

- A desire to maintain existing green space between Meyers Road and Frontier Parkway
- Paths that used to traverse the existing school property were highly-utilized; opportunities to follow that alignment should be prioritized
- Concerns about proximity of the paths to houses and the elementary school

4. Addition of updated factual information including that made available to the City by regional, state and federal governmental agencies.

The Oregon City Loop Trail Refinement Plan provides provided factual information concerning environmental impacts and electrical easements.

The impacts and easements determined the best location for the shared use paths with the least amount of conflict with these areas.

Public Notice and Comments

This is a legislative action that requires public notice pursuant to OCMC 17.50.090.C. - *Notice of Public Hearing on a Legislative Proposal*. The Community Development Director will provide the required Post Acknowledgement Plan Amendment (PAPA) notice to the Oregon Department of Land Conservation and Development. Notice of a Planning Commission public hearing will be provided to the Citizen Involvement Committee, Neighborhood Associations, and affected service districts, agencies and parties by email.

II. DECISION-MAKING CRITERIA

The remainder of this staff report provides additional findings to demonstrate that the proposed Oregon City Loop Trail Refinement Plan is consistent with applicable approval criteria.

Chapter 17.68 - Zoning Changes and Comprehensive Plan Amendments

17.68.010 - Initiation of the amendment.
A text amendment to the comprehensive plan, or an amendment to the zoning code or map or the Comprehensive Plan map, may be initiated by:
A. A resolution request by the City Commission;
B. An official proposal by the Planning Commission;
C. An application to the Planning Division; or.
D. A Legislative request by the Planning Division.
All requests for amendment or change in this title shall be referred to the Planning Commission.

Response: The proposal qualifies as initiated as a legislative request by the initiation of a request by the Public Works Department and by Legislative Request by the Planning Division.

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

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

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

C. City Commission Review.
1. City Commission Action. Upon a recommendation from the planning commission on a legislative action, the city commission shall hold at least one public hearing on the proposal. Any interested person may provide written or oral testimony on the proposal at or prior to the hearing. At the conclusion of the hearing, the city commission may adopt, modify or reject the legislative proposal, or it may remand the matter to the planning commission for further consideration. If the decision is to adopt at least some form of the proposal, and thereby amend the city's land use regulations, comprehensive plan, official zoning maps or some component of any of these documents, the city commission decision shall be enacted as an ordinance.
2. Notice of Final Decision. Not later than five days following the city commission final decision, the community development director shall mail notice of the decision to DLCD in accordance with ORS 197.615(2).
Response: This legislative action followed the procedures found in OCMC 17.50.170 including meetings with the Gaffney Neighborhood, Planning Commission, and City Commission where applicable.

17.68.020 - Criteria.
The criteria for comprehensive plan amendment or text or map amendment in the zoning code are set forth as follows:
A. The proposal shall be consistent with the applicable goals and policies of the comprehensive plan;

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

<u>0C2040 Oregon City Comprehensive Plan</u>

According to the OC2040 Comprehensive Plan (Appendix 3): "Ancillary plans are adopted by the City Commission for such things as parks and recreation, transportation systems, water facilities, and sewer facilities. Usually prepared by City departments through a public process, ancillary plans are approved by the City Planning Commission and adopted by the City Commission to provide operational guidance to city departments in planning for and carrying out city services. These plans are updated more frequently than the comprehensive plan."

The Oregon City Loop Trail Refinement Plan will be adopted as an ancillary document to the Oregon City Transportation System Plan (TSP). The TSP is an adopted ancillary document to the Oregon City Comprehensive Plan. The TSP is both a technical document and a conceptual guide that requires regular review.

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

Inset Relevant OC2040 Text, Goals, Policies and Strategies here.

Section 1 Citizen Involvement

Goal 1.2 Community and Comprehensive Planning
Ensure that citizens, neighborhood groups, and affected property owners are involved in all phases of the comprehensive planning program.
Policy 1.2.1 - Encourage citizens to participate in appropriate government functions and land-use planning.

Goal 1.3 Community Education - Provide education for individuals, groups, and communities to ensure effective participation in decision-making processes that affect the livability of neighborhoods.

Goal 1.4 Community Involvement - Provide complete information for individuals, groups, and communities to participate in public policy planning and implementation of policies.
Policy 1.4.1 - Notify citizens about community involvement opportunities when they occur.

Goal 1.5 Government/Community Relations -Provide a framework for facilitating open, two-way communication between City representatives and individuals, groups, and communities.
Finding: Complies as Proposed. Development of the plan included an extensive public involvement effort. Oregon City Public Works Department has presented the project to the public at several meetings including a Gaffney Neighborhood Meeting, Citizen Involvement Committee, Planning

Commission and City Commission. Documentation produced with the corridor plan has been posted on the project website throughout the duration of the project and comments have been integrated into the final product. Direct outreach was completed with directly impacted property owners through mailings and phone calls as discussed in the report. The product will be reviewed through the Legislative approval process.

The public involvement and public comment process included: placing project information on the City's website, (1) meeting with the Gaffney Lane Neighborhood, (8) discussions with directly impacted organizations, and numerous postcards and letters seeking input from directly impacted neighbors meetings.

One survey was completed to get feedback about location and design of the various trails.

This application will be noticed by mailings to all properties within 300 feet of the xxx and notice in the newspaper.

Comprehensive Plan Section 2 Land Use

Section 2: Land Use

Goal 2.1 Efficient Use of Land

Ensure that property planned for residential, commercial, office, and industrial uses is used efficiently and that land is developed following principals of sustainable development

Policy 2.1.3 Encourage sub-area master planning for larger developments or parcels, including re-development, where it may be feasible to develop more mixed uses, or campus-style industrial parks, with shared parking and landscaping areas. Allow development to vary from prescriptive standards if planned and approved under this provision.

Policy 2.1.4 Use redevelopment programs such as urban renewal to help redevelop underutilized commercial and industrial land.

Goal 2.6 Industrial Land Development

Ensure an adequate supply of land for major industrial employers with family-wage jobs.

Policy 2.6.7 Establish priorities to ensure that adequate public facilities are available to support the desired industrial development.

Finding: Complies as Proposed. No change to land uses are proposed. The Plan aims to connect residents to all uses within the neighborhood and beyond.

Goal 2.4: *Neighborhood Livability - Provide a sense of place and identity for residents and visitors by protecting and maintaining neighborhoods as the basic unit of community life in Oregon City while implementing the goals and policies of the other sections of the Comprehensive Plan.*
Policy 2.4.2 Strive to establish facilities and land uses in every neighborhood that help give vibrancy, a sense of place, and a feeling of uniqueness; such as activity centers and points of interest.

Finding: Complies as Proposed. The Plan aims to connect residents to all uses within the neighborhood and beyond, and to provide connections between other pedestrian and bicycle routes. The Plan will add to the vibrancy of the area by creating a safer environment for people to travel within their neighborhoods on foot and by bicycle when funds become available to build the infrastructure.

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

Finding: Complies as Proposed. The Plan aims to connect residents to all uses within the neighborhood and beyond, and to provide connections between other pedestrian and bicycle routes.. The Plan will add to the vibrancy of the area by creating a safer environment for people to travel within their neighborhoods on foot and by bicycle when funds become available to build the infrastructure.

Goal 2.7 Oregon City Comprehensive Plan Land-Use Map

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

> ***Policy 2.7.2*** *Use the following 11 land-use classifications on the Oregon City Comprehensive Plan Land-Use Map to determine the zoning classifications that may be applied to parcels:*
>
> - *Low Density Residential (LR)*
> - *Medium Density Residential (MR)*
> - *High Density Residential (HR)*
> - *Commercial (C)*
> - *Mixed Use Corridor (MUC)*
> - *Mixed Use Employment (MUE)*
> - *Mixed Use Downtown (MUD)*
> - *Industrial (I)*
> - *Public and Quasi-Public (QP)*
> - *Parks (P)*
> - *Future Urban Holding (FUH)*

Finding: This proposal makes no changes to the Comprehensive Plan, zoning, or land use designations for lands within the Urban Growth Boundary. The proposal will maintain the existing Oregon City Land Use Map as the official long range planning guide for land use development of the city by types, density and location (Goal 2.7).

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

Goal 5.1 – Open Space

> ***Policy 5.1.1*** *Conserve open space along creeks, urban drainage ways, steep hillsides, and throughout Newell Creek Canyon.*
>
> ***Policy 5.1.2*** *Manage open space areas for their value in linking citizens and visitors with the natural environment, providing solace, exercise, scenic views and outdoor education. Built features in open space sites should harmonize with natural surroundings.*

Finding: This proposal makes no changes to the existing inventories of open space, scenic and historic areas, and natural resources or the adopted maps, code and policies pertaining thereto. The proposal

will assist in the identification, conservation and management of new resources that may be impacted when improvements are planned and constructed(Goal 5.1).

Goal 5.2 Scenic Views and Scenic Sites

> ***Policy 5.2.1*** *Identify and protect significant views of local and distant features such as Mt. Hood, the Cascade Mountains, the Clackamas River Valley, the Willamette River, Willamette Falls, the Tualatin Mountains, Newell Creek Canyon, and the skyline of the city of Portland, as viewed from within the city.*
>
> ***Policy 5.2.2*** *Maximize the visual compatibility and minimize the visual distraction of new structures or development within important viewsheds by establishing standards for landscaping, placement, height, mass, color, and window reflectivity.*

Finding: This proposal makes no changes to the existing inventories of open space, scenic and historic areas, and natural resources or the adopted maps, code and policies pertaining thereto. The proposal will assist in the identification, conservation and management of new resources that may be impacted when improvements are planned and constructed(Goal 5.1 and 5.2).

Goal 5.3 Historic Resources

> ***Policy 5.3.3*** Promote the designation of qualifying properties outside Historic and Conservation Districts as historic.
>
> ***Policy 5.3.8*** Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.

Finding: This proposal makes no changes to the existing inventories of open space, scenic and historic areas, and natural resources or the adopted maps, code and policies pertaining thereto. The proposal will assist in the identification, conservation and management of new resources that may be impacted when improvements are planned and constructed (Goal 5.1 – 5.3).

Goal 5.4 Natural Resources

> ***Policy 5.4.1*** *Conserve and restore ecological structure, processes and functions within the city to closely approximate natural ecosystem structure, processes, and functions.*
>
> ***Policy 5.4.5*** *Ensure that riparian corridors along streams and rivers are conserved and restored to provide maximum ecological value to aquatic and terrestrial species. This could include an aggressive tree and vegetation planting program to stabilize slopes, reduce erosion, and mitigate against invasive species and stream impacts where appropriate.*
>
> ***Policy 5.4.9*** *Protect and enhance riparian corridors along streams in Oregon City to increase shade, reduce streambank erosion and intrusion of sediments, and provide habitat for a variety of plants, animals, and fish.*
>
> ***Policy 5.4.12*** *Use a watershed-scale assessment when reviewing and planning for the potential effects from development, whether private or public, on water quality and quantity entering streams.*

Policy 5.4.13 *Adopt and/or establish standards for all new development that promote the use of pervious surfaces and prevent negative ecological effects of urban stormwater runoff on streams, creeks and rivers.*

Policy 5.4.16 *Protect surfacewater quality by:*

- *providing a vegetated corridor to separate protected water features from development*
- *maintaining or reducing stream temperatures with vegetative shading*
- *minimizing erosion and nutrient and pollutant loading into water*
- *providing infiltration and natural water purification by percolation through soil and vegetation*

Policy 5.4.18 *Encourage use of native and hardy plants such as trees, shrubs and groundcovers to maintain ecological function and reduce maintenance costs and chemical use.*

Finding: This proposal makes no changes to the existing inventories of open space, scenic and historic areas, and natural resources or the adopted maps, code and policies pertaining thereto. The proposal will assist in the identification, conservation and management of new resources that may be impacted when improvements are planned and constructed (Goal 5.4).

Section 6: Quality of Air, Water and Land Resources

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

Policy 6.1.2 -Ensure that development practices comply with or exceed regional, state, and federal standards for air quality.

Policy 6.3.3 Employ practices in City operations and facilities, including street lighting, which increases safety and reduces unnecessary glare, light trespass, and light pollution.

Finding: Complies as Proposed. The plan included an analysis of natural resources. Creating safe travel corridors for pedestrian and bikes will allow more people to avoid driving, which will better preserve and protect natural resources. When permits are sought for construction, any applicable land use review for Natural Resource Overlay District and Geologic Hazard Overlay District will be required.

Goal 7.1: Natural Hazards

Protect life and reduce property loss from the destruction associated with natural hazards.

Finding: Complies as Proposed. The plan included an analysis of natural resources. Creating safe travel corridors for pedestrian and bikes will allow more people to avoid driving, which will better preserve and protect natural resources. When permits are sought for construction, any applicable land use review for Natural Resource Overlay District and Geologic Hazard Overlay District will be required.

Goal 11: Public Facilities

Policy 11.1.1 *Ensure adequate public funding for the following public facilities and services, if feasible:*

Transportation infrastructure • Wastewater collection • Stormwater management • Police protection • Fire protection • Parks and recreation • Water distribution • Planning, zoning and subdivision regulation • Library services • Aquatic Center • Carnegie Center • Pioneer Community Center • City Hall • Buena Vista House • Ermatinger House

Policy 11.4.2 *Adopt "green streets" standards to reduce the amount of impervious surface and increase the use of bioswales for stormwater retention where practicable.*

Finding: Complies as Proposed. Goal 11 requires that public facilities and services be provided in a timely, orderly and efficient manner. The goal's central concept is that local governments should plan public services in accordance with the community's needs as a whole rather than be forced to respond to individual developments as they occur. The Oregon City Loop Trail Refinement Plan will provide a design for public facilities as well as a means to obtain future funding.

Policy 11.4.4 *Maintain existing drainageways in a natural state for maximum water quality, water resource preservation, and aesthetic benefits.*

Finding: Complies as Proposed. The plan included an analysis of natural resources. Creating safe travel corridors for pedestrian and bikes will allow more people to avoid driving, which will better preserve and protect natural resources. When permits are sought for construction, any applicable land use review for Natural Resource Overlay District and Geologic Hazard Overlay District will be required.

Goal 12: Transportation

Policy 12.1.1 *Maintain and enhance citywide transportation functionality by emphasizing multi-modal travel options for all types of land uses.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the City through the addition of sidewalks and bike lanes.

Policy 12.1.2 *Continue to develop corridor plans for the major arterials in Oregon City, and provide for appropriate land uses in and adjacent to those corridors to optimize the land use-transportation connection.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the City through the addition of sidewalks and bike lanes.

Policy 12.1.4 *Provide walkable neighborhoods. They are desirable places to live, work, learn and play, and therefore a key component of smart growth.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the City through the addition of sidewalks and bike lanes.

Policy 12.3.1 *Provide an interconnected and accessible street system that minimizes vehicle-miles-traveled and inappropriate neighborhood cut-through traffic.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the City through the addition of sidewalks and bike lanes.

Policy 12.3.2 *Provide an interconnected and accessible pedestrian system that links residential areas with major pedestrian generators such as employment centers, public facilities, and recreational areas.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the City through the addition of sidewalks and bike lanes.

Policy 12.3.3 *Provide a well-defined and accessible bicycle network that links residential areas, major bicycle generators, employment centers, recreational areas, and the arterial and collector roadway network.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the City through the addition of sidewalks and bike lanes.

Policy 12.3.4 *Ensure the adequacy of pedestrian and bicycle connections to local, county, and regional trails.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the City through the addition of sidewalks and bike lanes.

Policy 12.6.1 *Provide a transportation system that serves existing and projected travel demand.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the City through the addition of sidewalks and bike lanes.

Policy 12.6.2 *Identify transportation system improvements that mitigate existing and projected areas of congestion.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the City through the addition of sidewalks and bike lanes.

Policy 12.6.3 *Ensure the adequacy of travel mode options and travel routes (parallel systems) in areas of congestion.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the City through the addition of sidewalks and bike lanes.

Policy 12.6.4 *Identify and prioritize improved connectivity throughout the city street system.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the City through the addition of sidewalks and bike lanes.

Section 14 Urbanization

Goal 14.3 Orderly Provision of Services to Growth Areas

Plan for public services to lands within the Urban Growth Boundary through adoption of a concept plan and related Capital Improvement Program, as amendments to the Comprehensive Plan.

Policy 14.3.1

Maximize new public facilities and services by encouraging new development within the Urban Growth Boundary at maximum densities allowed by the Comprehensive Plan.

Policy 14.3.2

Ensure that the extension of new services does not diminish the delivery of those same services to existing areas and residents in the city.

Policy 14.3.3

Oppose the formation of new urban services districts and oppose the formation of new utility districts that may conflict with efficient delivery of city utilities within the Urban Growth Boundary.

Policy 14.3.4

Ensure the cost of providing new public services and improvements to existing public services resulting from new development are borne by the entity responsible for the new development to the maximum extent allowed under state law for Systems Development Charges.

Finding: This proposal makes no changes to the Comprehensive Plan, zoning, or land use designations for lands within the Urban Growth Boundary. The proposed Oregon City Loop Trail Refinement Plan may assist in assuring the orderly provision of services to growth areas (Goal 14.3).

Goal 14.5 Urbanization

Policy 14.5.2

Coordinate public facilities, services and land-use planning through intergovernmental agreements with the school district, Clackamas Community College, Clackamas County Fire District #1, Tri-Cities Services District and other public entities as appropriate.

Finding: This proposal makes no changes to the Comprehensive Plan, zoning, or land use designations for lands within the Urban Growth Boundary. The proposed Oregon City Loop Trail Refinement Plan may assist in assuring the orderly provision of services to growth areas (Goal 14.3).

Statewide Planning Goals

Response: This proposal makes no changes to the Comprehensive Plan, zoning, or land use designations for lands within the Urban Growth Boundary. Since the City's Comprehensive Plan and its ancillary documents are already acknowledged by the Oregon Department of Land Use and Conservation (DLCD), no further analysis for consistency with Statewide Planning Goals is required.

Chapter 17.50 Administration and Procedures

17.50.050 – Pre-application conference.

A. Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the pre-application conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal.

1. To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.

2. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.

3. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.

B. A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.

C. Notwithstanding any representations by City staff at a pre-application conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

Response: Staff held the required pre-application conference meeting (File PA-23-00032), on October 24, 2023. The pre-application conference notes are attached to the application.

17.50.055 - Neighborhood association meeting.

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

A. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.

B. The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the Citizen Involvement Committee.

C. A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, Citizen Involvement Committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a City facility.

D. If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the Citizen Involvement Committee.

E. To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.

Response: Staff presented the amendments to the Citizen Involvement Committee on November 6, 2023. A copy of the PowerPoint presentation is attached to the application.

17.50.070 - Completeness review and one hundred twenty-day rule.

C. Once the Community Development Director determines the application is complete enough to process, or the applicant refuses to submit any more information, the City shall declare the application complete. Pursuant to ORS 227.178, the City will reach a final decision on an application within one hundred twenty calendar days from the date that the application is determined to be or deemed complete unless the applicant agrees to suspend the one hundred twenty calendar day time line or unless State law provides otherwise. The one hundred twenty-day period, however, does not apply in the following situations:

1. Any hearing continuance or other process delay requested by the applicant shall be deemed an extension or waiver, as appropriate, of the one hundred twenty-day period.

2. Any delay in the decision-making process necessitated because the applicant provided an incomplete set of mailing labels for the record property owners within three hundred feet of the subject property shall extend the one hundred twenty-day period for the amount of time required to correct the notice defect.

3. *The one hundred twenty-day period does not apply to any application for a permit that is not wholly within the City's authority and control.*
4. *The one hundred twenty-day period does not apply to any application for an amendment to the City's comprehensive plan or land use regulations nor to any application for a permit, the approval of which depends upon a plan amendment.*

D. *A one-hundred day period applies in place of the one-hundred-twenty day period for affordable housing projects where:*
   1. *The project includes five or more residential units, including assisted living facilities or group homes;*
   2. *At least 50% of the residential units will be sold or rented to households with incomes equal to or less than 60% of the median family income for Clackamas County or for the state, whichever is greater; and*
   3. *Development is subject to a covenant restricting the owner and successive owner from selling or renting any of the affordable units as housing that is not affordable for a period of 60 years from the date of the certificate of occupancy.*

E. *The one hundred twenty-day period specified in OCMC 17.50.070.C or D may be extended for a specified period of time at the written request of the applicant. The total of all extensions may not exceed two hundred forty-five calendar days.*

F. *The approval standards that control the City's review and decision on a complete application are those which were in effect on the date the application was first submitted.*

Response: Legislative actions are not subject to the 120-day deadline.

III. CONCLUSION

Provide conclusion

Oregon City
Loop Trail Plan

WE WANT TO HEAR FROM YOU!

Oregon City Public Works is developing a plan for **four segments of the Oregon City Loop Trail** that are included in the City's Transportation System Plan. This plan will identify **where to build the trails** and **what type of trail** to build.

To share your thoughts on the proposed trails, please take our survey which can be found here:

https://bit.ly/3AOkpzu

For updates on the project, visit the project website here:

https://www.orcity.org/publicworks/project/ps-22-002

THE SURVEY IS AVAILABLE FROM SEPTEMBER 9 TO OCTOBER 3, 2022

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OREGON CITY PUBLIC WORKS
13895 FIR STREET
OREGON CITY, OR 97045
971-204-4601

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THE SURVEY IS AVAILABLE FROM SEPTEMBER 9 TO OCTOB

Oregon City Loop Trail
Neighborhood Workshop October 10, 2022

Meyers-Beavercreek Shared Use Path

Project Overview:

This project would construct a shared-use path under the power lines between Frontier Parkway and Beavercreek Road to connect residential neighborhoods to planned trails and Wesley Lynn Park.

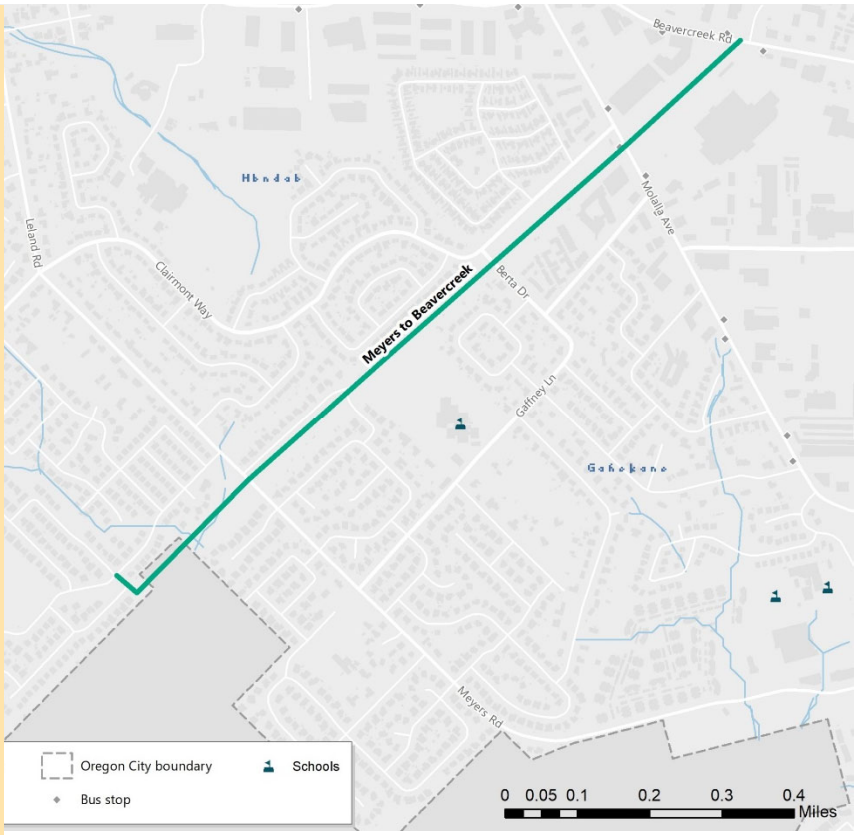
What will be the outcomes of this study?

This study will identify a preferred alignment and cross-section for the path between Beavercreek Road and Frontier Parkway and identify potential funding sources for design and construction of the path.

What do we want to hear from you?

Please share any opportunities or constraints you would like the project team to be aware of as this study is completed. We'd also like to hear if you would use the proposed path, how you would use it, and any concerns you'd like to have considered.

Please use the space below to share any thoughts or feedback you have for this project!



Stay Connected!

orcity.org/publicworks/project/ps-22-002

971-204-4634

Oregon City Loop Trail Connections Stakeholder Workshop

October 10, 2022

Agenda

5 minutes	Meeting Welcome & Overview
15 minutes	Overview Presentation & Questions
30 minutes	Walking Audit
10 minutes	Wrap-Up

Meeting Purpose & Objectives

- Provide an overview of the Oregon City Loop Trail Plan Study
- Gather feedback on the proposed Meyers-Beavercreek segment
- Share opportunities and constraints for the Meyers-Beavercreek segment
- Provide an opportunity for stakeholders to ask questions

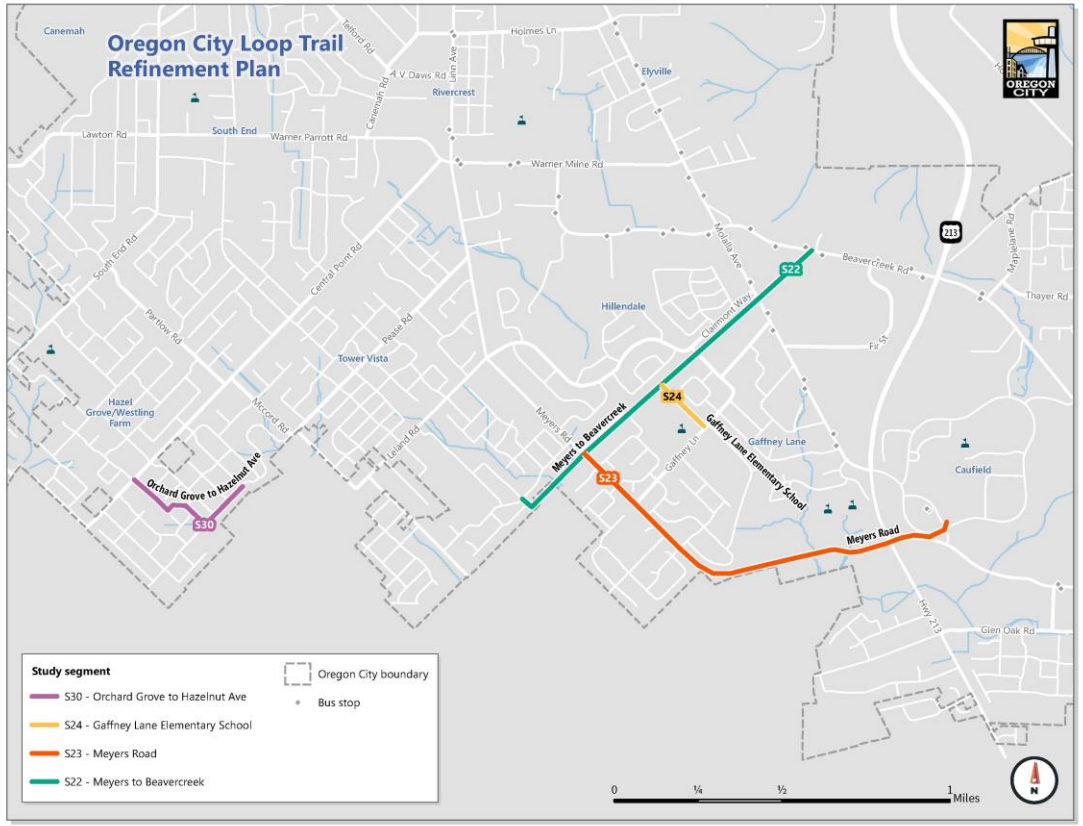
Project Overview

- In 2004, the Oregon City Trails Master Plan was completed
- Sets the vision for the City's trail system
- Identified the Oregon City Loop Trail as a regional trail
- Provides guidance for how trails should be constructed

Insert map of entire Loop Trail

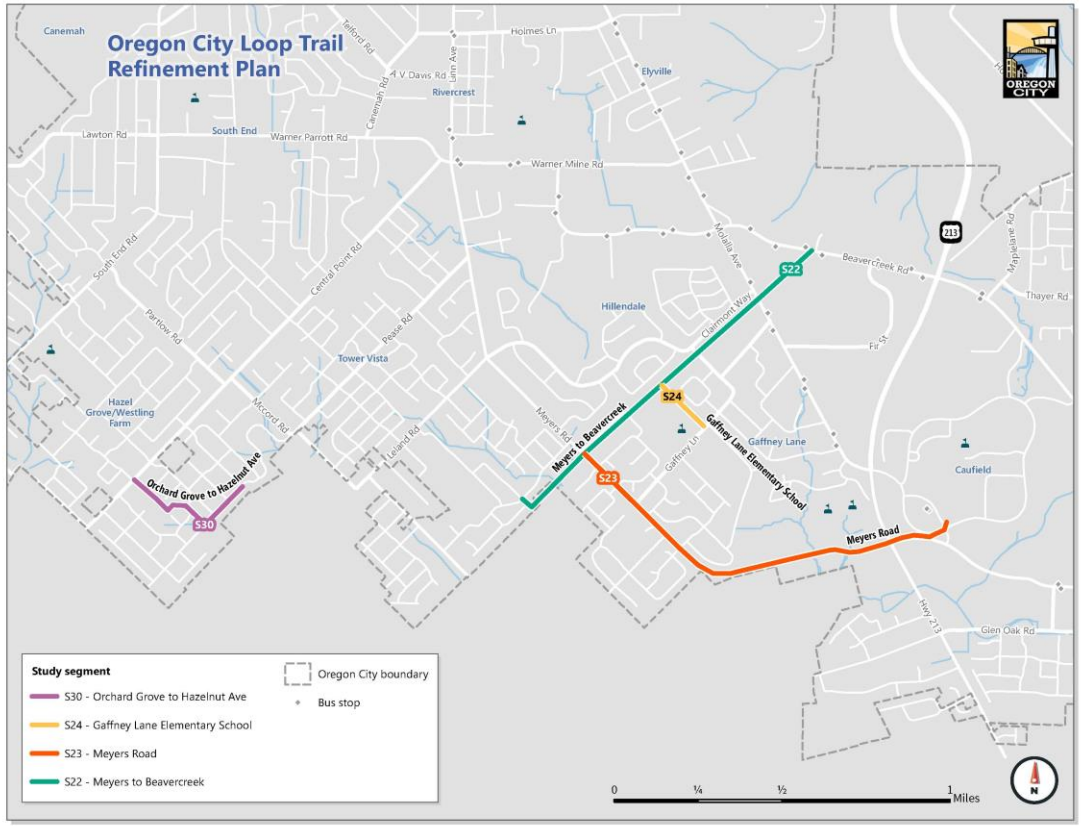
Project Overview

- In 2013, the Oregon City Transportation System Plan (TSP) was completed
- Provides a long-term guide for City transportation investments
- Includes projects that would build segments of the Loop Trail and connections to the Loop Trail
- This study is focusing on four segments identified in the TSP



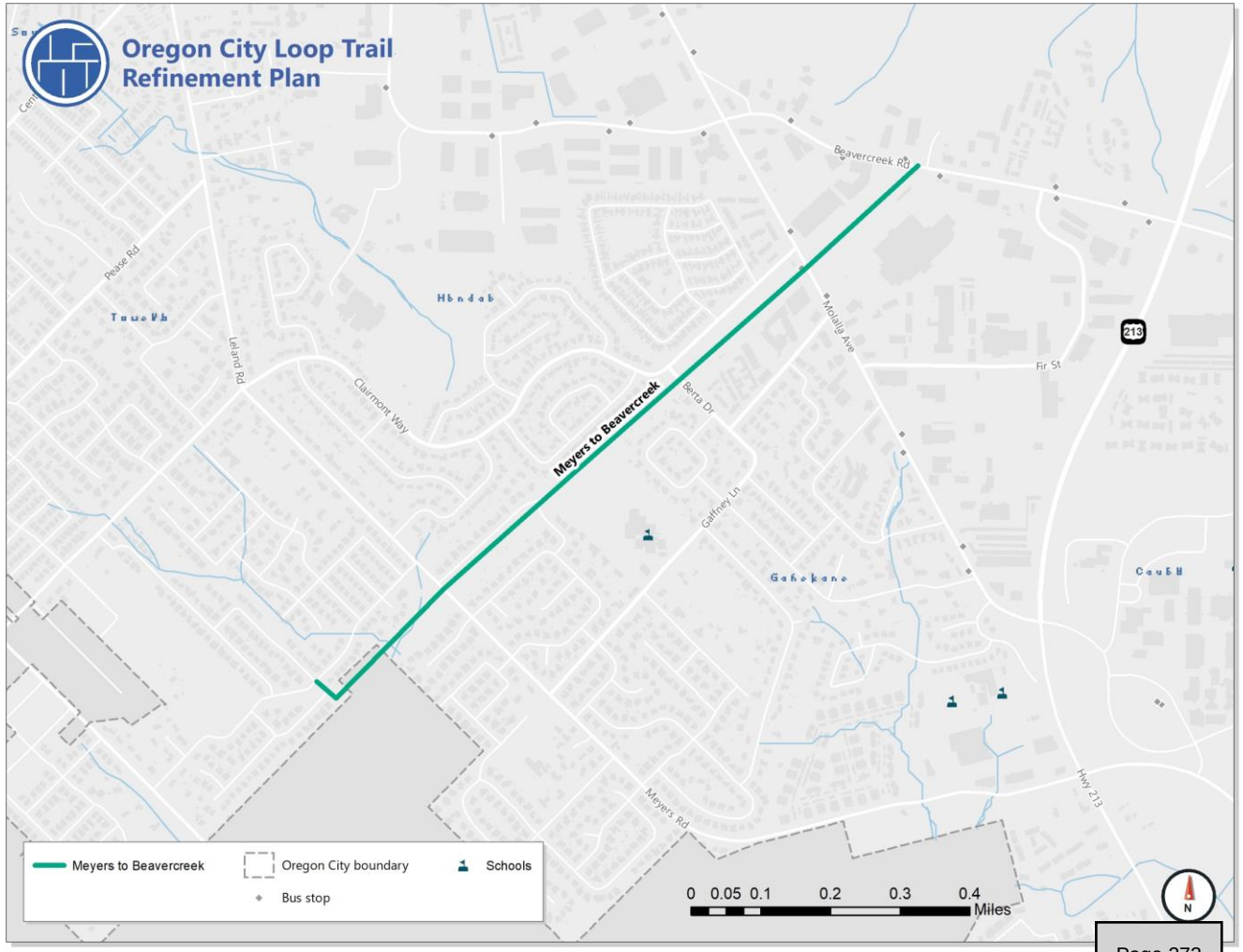
Project Goals

- Refine proposed design for the four segments
- Identify where to build the trail
- Determine how wide the trail should be and what type of trail should be built
- Position the City to secure funding to construct trails or require development to construct them



Meyers-Beavercreek (Power Lines Trail)

- Intended to provide an off-street connection to the Loop Trail for people walking and biking
- Proposed to follow the power lines
- As a local trail, it should provide access for all users



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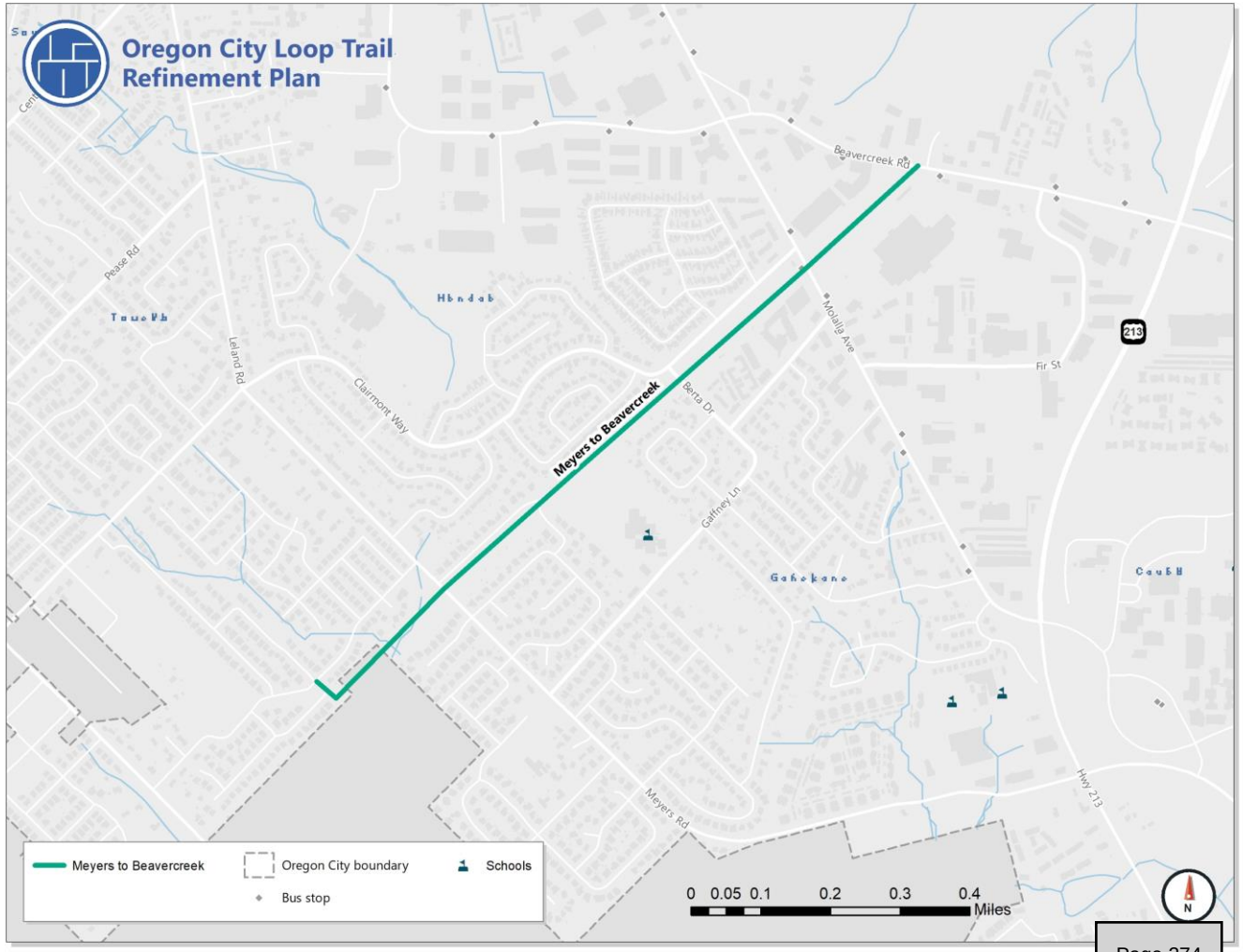


Opportunities

- Provide an off-street connection for walking and biking to Gaffney Lane Elementary School
- Existing easement for power lines from Beavercreek Road to Frontier Parkway
- Large portions of the proposed trail are owned by the City
- School district is supportive

Insert simplified Land Use Map highlighting opportunities

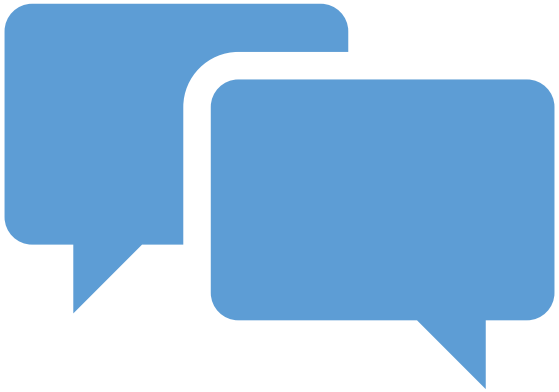
Constraints

- Navigating retail center between Beavercreek Road and Molalla Avenue
- Access between Berta Drive and elementary school
- Meyers Road to Frontier Parkway connection
- Maintaining adequate distance from power lines

Insert simplified Land Use Map highlighting constraints

Share your thoughts!

- Questions about the study
- Concerns about the trail and proposed alignment
- Would you use the trail?
- Where would you use the trail to go?



Next Steps

- Project team will be developing alternatives for alignments
- Once alignment is identified the appropriate trail width and surface will be identified
- Share updates and opportunities for input throughout the study

Oregon City Loop Trail: Project Update

June 13, 2023

Agenda

- Project Background & Purpose
- Meyers to Beavercreek (S22): Opportunities & Constraints and Outcomes
- Gaffney Lane Elementary (S24): Opportunities & Constraints and Outcomes
- Meyers Road (S23): Opportunities & Constraints and Outcomes
- Orchard Road (S30): Opportunities & Constraints and Outcomes
- Next Steps

Project Update

- **Provide** an overview of the project background and purpose
- **Present** the proposed alignments and cross-sections for each trail
- **Share** next steps and answer questions

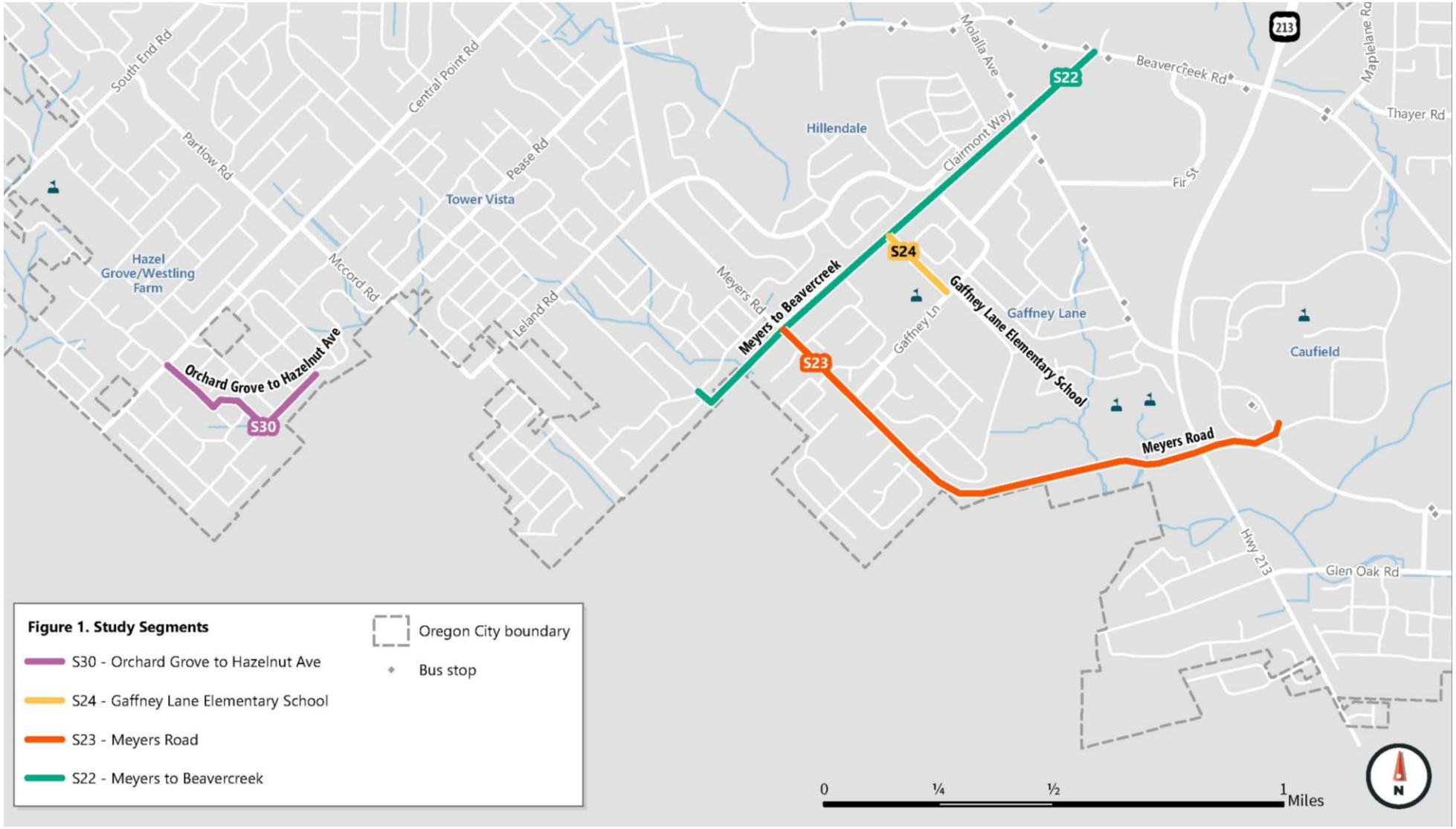
Project Background & Purpose

- Oregon City Loop Trail is identified in the City's **Trails Master Plan**
- The **Transportation System Plan (TSP)** includes projects to complete segments of trail and ancillary paths
- This project begins the **project refinement** process
- Positions the City to add projects to the CIP, **apply for grant funding**, and condition development to design/construct portions of the trail

Project Outcomes

- **Determine** the appropriate alignment for the trail segments
- **Develop** cross-sections for the segments based on available Right-of-Way (ROW)
- **Prepare** cost-estimates based on alignment and cross-sections.
- **Identify** grants that the City could apply for to fund design/construction of trails

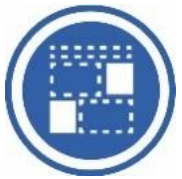
Project Overview: Trail Segments



Opportunities & Constraints

- Identifying opportunities & constraints focused on:

Previous Planning Efforts



Surrounding Land Use & Context

Land Ownership & Right-of-Way (ROW)

Existing Infrastructure

Utilities

Environmental Constraints

Community Outreach

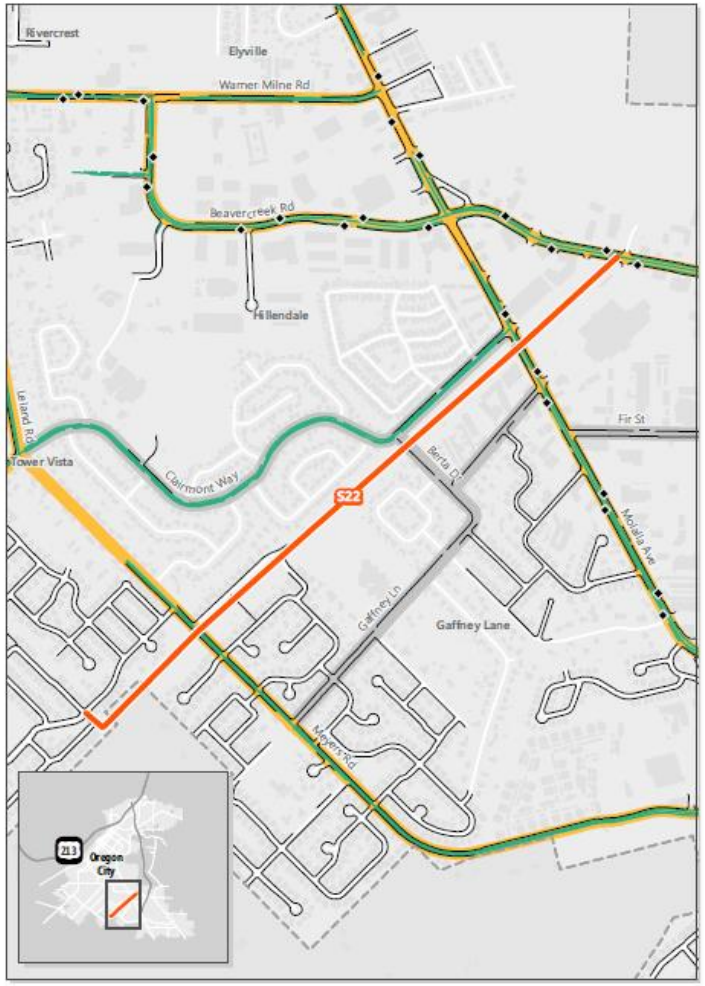
Opportunities for community members to participate included:

- Online survey – live from September 9th to October 3rd , 2022.
  - Promoted with a postcard and on City's social media
- In-Person Workshop – October 10th, 2022.
  - Held at Gaffney Lane Elementary
  - 24 Attendees
  - Shared opportunities and constraints for Meyers-Beavercreek and included walking audit

Development of Trail Alignment

- Developed evaluation framework to evaluate potential alignment options
- Key evaluation criteria included:
  - Does the proposed alignment minimize **impact to privately owned properties**?
  - Does the proposed alignment **minimize impacts to natural resource areas**?
  - Does the proposed alignment utilize areas where there is an **existing easement or city owned land**?
  - Does the proposed alignment align with **regional priorities for trails funding**?

S22 – Meyers Road to Beavercreek Road



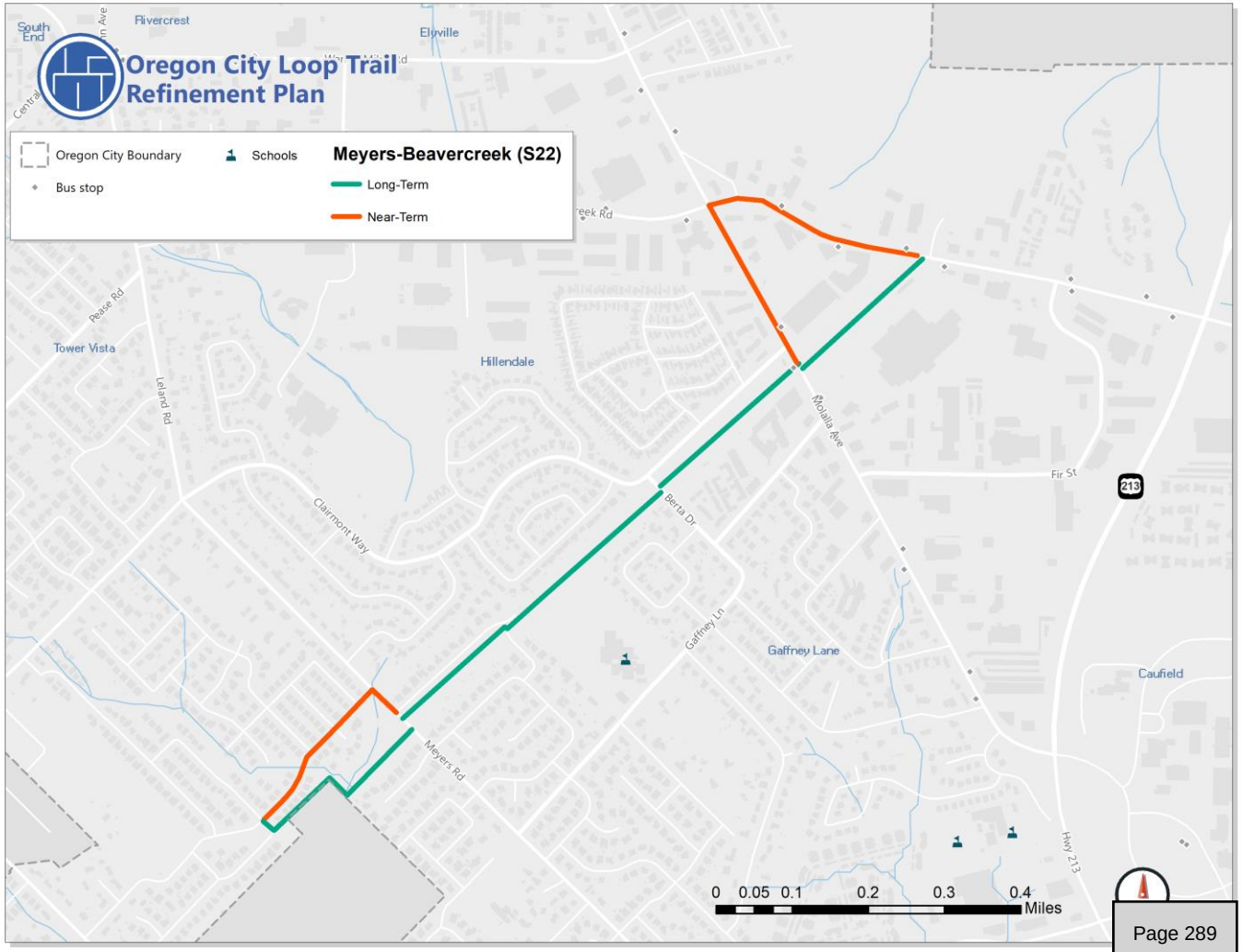
Functional Class
- Freeway
- Collector
- Arterial
- Local

- Bus stop
- Sidewalk
- Bike lane
- Oregon City Boundary

- Segment would create a connection from planned regional trails to Wesley Lynn Park
- **Opportunities:**
  - Land along proposed alignment owned by the City & School District
  - Connection to Gaffney Lane Elementary
- **Constraints:**
  - Stormwater detention basin and wetland areas near Meyers Road
  - Proximity to homes between Berta Drive and Meyers Road

S22 – Meyers Road to Beavercreek Road

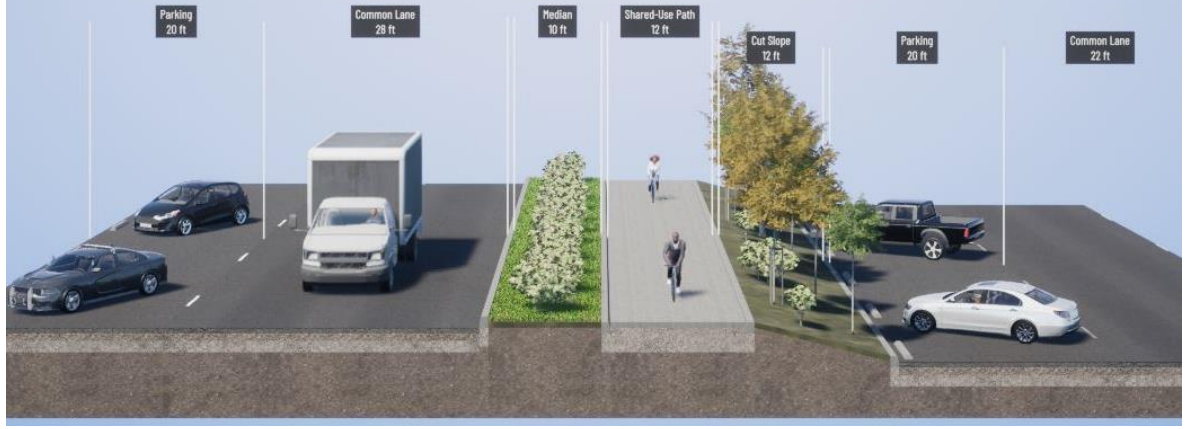
- Alignment includes two portions with near-term options
- Near-term options utilize existing roadways to create connections where long-term alignment will be more challenging to construct



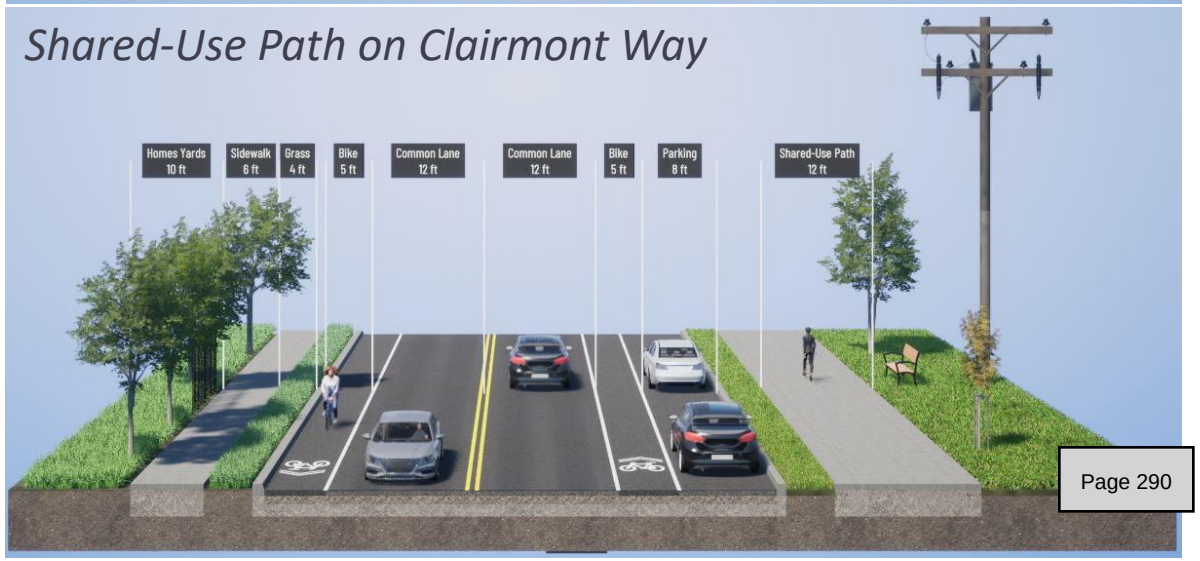
S22 – Meyers Road to Beavercreek Road

- Near-term options use existing sidewalks and bicycle lanes on Beavercreek and Molalla to make connections in the near-term
- Long-term vision would create a path outside the existing roadway between Beavercreek & Frontier Parkway
- Proposed cross-section provides a 12’ shared-use path

Connection through Retail Parking Lot



Shared-Use Path on Clairmont Way

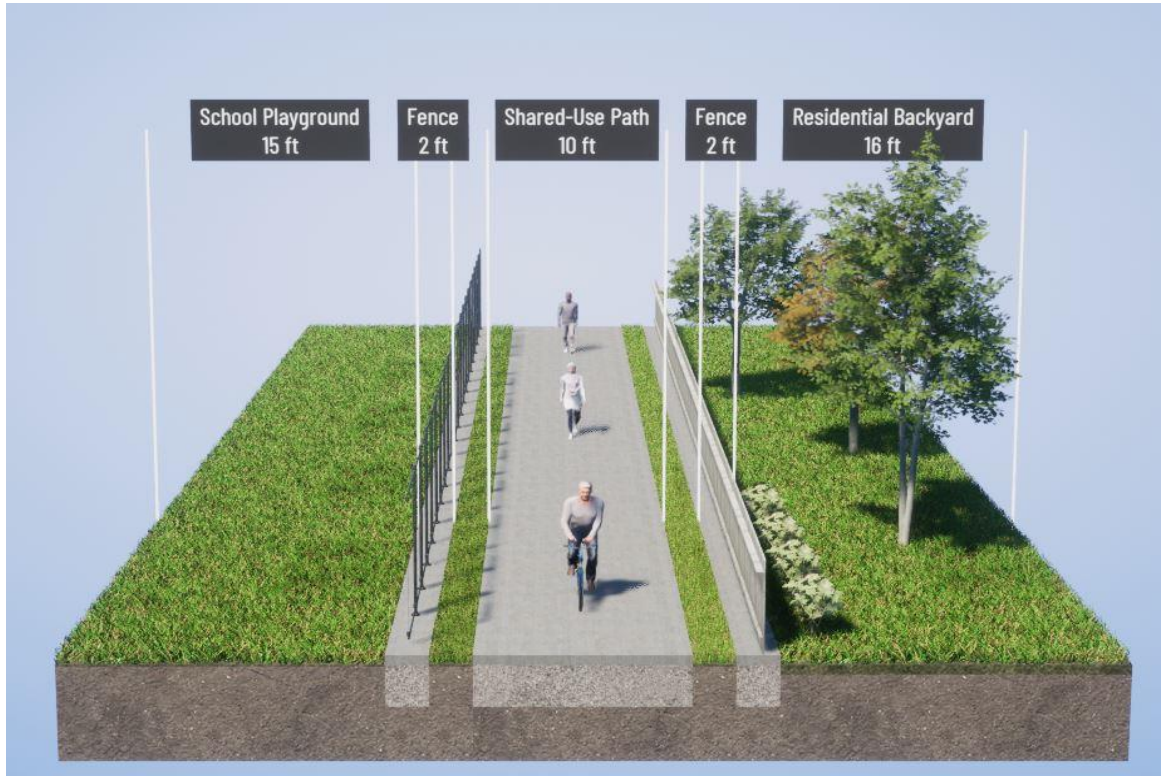


S24 – Gaffney Lane

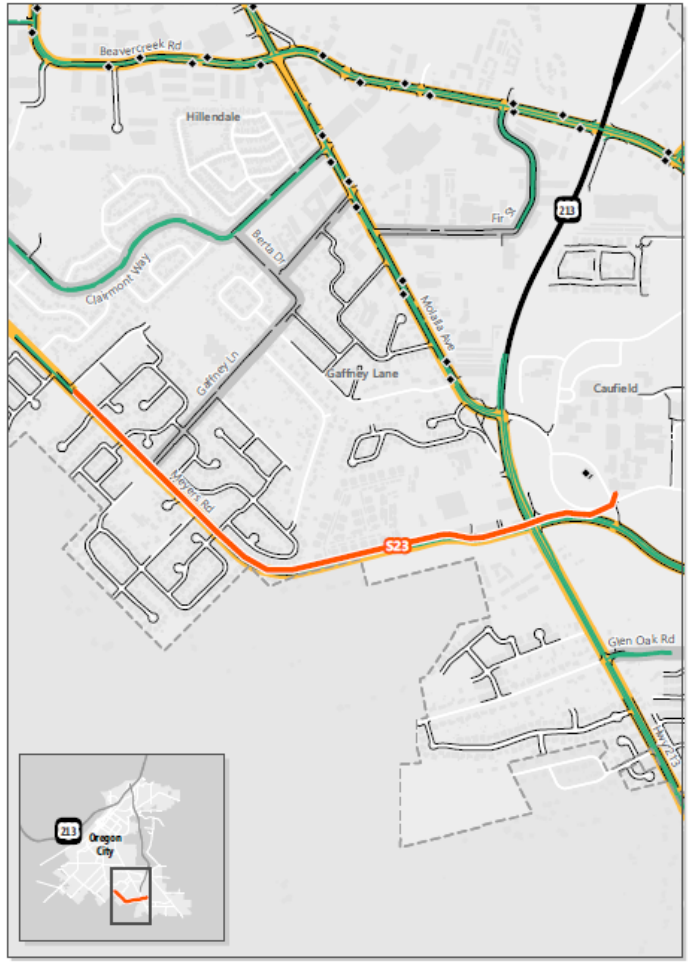
- Provide a connection for elementary students to off-street connections and residential areas
- **Opportunities**
  - Rudimentary path already exists and is well utilized
  - School district is supportive of improving connection
- **Constraints**
  - Existing sidewalks gaps on Gaffney Lane will need to be addressed to improve future connections

S24 – Gaffney Lane

- Proposed cross-section provides a 10’ shared-use path
- Will widen and pave existing path
- Uses space between the school playground and residential homes
- Enhances connection to planned Meyers-Beavercreek Trail



S23 – Meyers Road



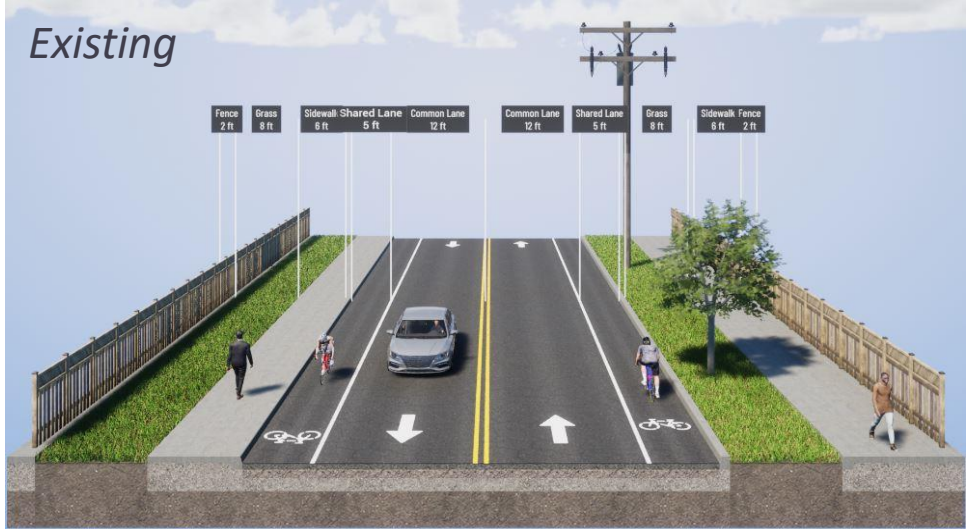
Functional Class
- Freeway
- Collector
- Arterial
- Local

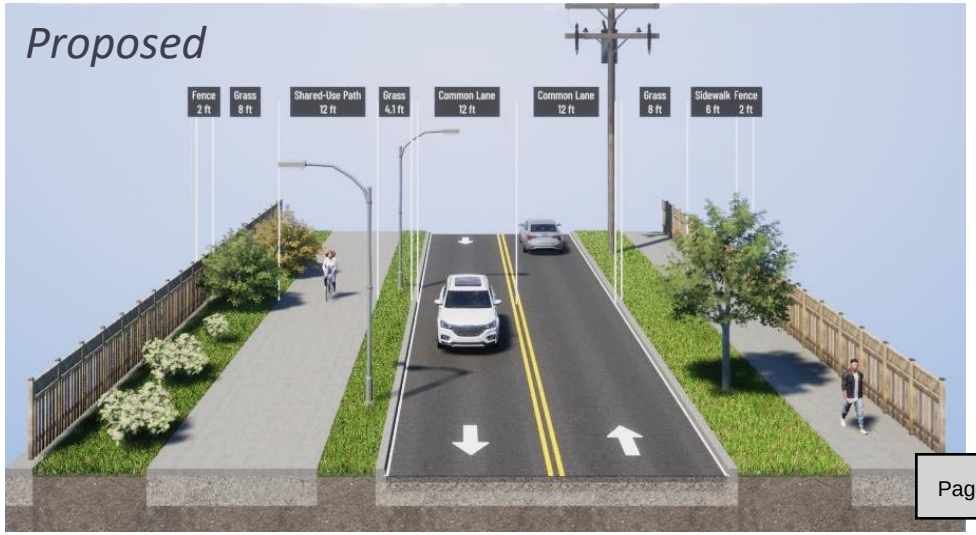
- Bus stop
- Sidewalk
- Bike lane
- Oregon City Boundary

- Portion of Oregon City Loop Trail that will connect from Clackamas County Community College to Frontier Parkway
- **Opportunities**
  - Many CCC students live in apartments on Meyers Road
  - People currently travel to CCC for recreational walking/biking
- **Constraints**
  - Land use along Meyers Road is built out
  - No space to improve existing facilities within the current cross-section

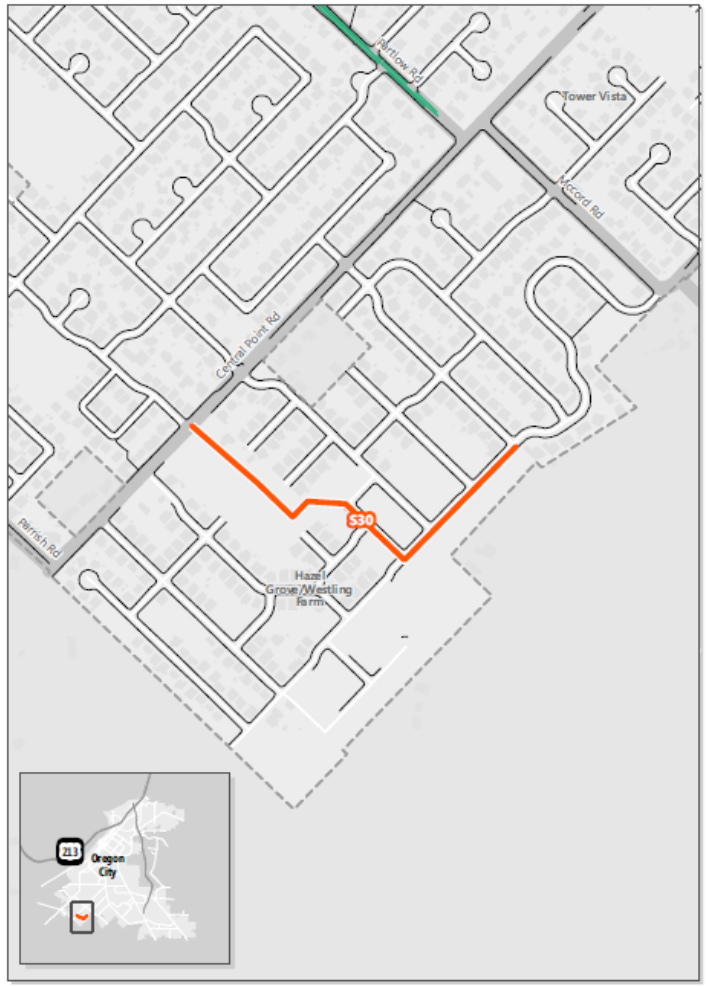
S23 – Meyers Road

- Proposing to move the existing curb and remove existing on-street bicycle lanes
- Create a 12’ shared-use path on the north side
- Maintain existing sidewalks on the south side
- Off-street connection would qualify for trails funding





S30 – Orchard Grove Dr / Hazelnut Avenue



Functional Class
- Freeway
- Collector
- Arterial
- Local

- Bus stop
- Sidewalk
- Bike lane
- Oregon City Boundary

- Portion of the Loop Trail that will connect to Hazelwood Park and John McLoughlin Elementary School
- **Opportunities:**
  - Portions of the roadway network have not been built yet
  - Most existing roadways have sidewalks and bike lanes
- **Constraints:**
  - Connection through undeveloped property will be reliant on development

S30 – Orchard Grove Dr / Hazelnut Avenue

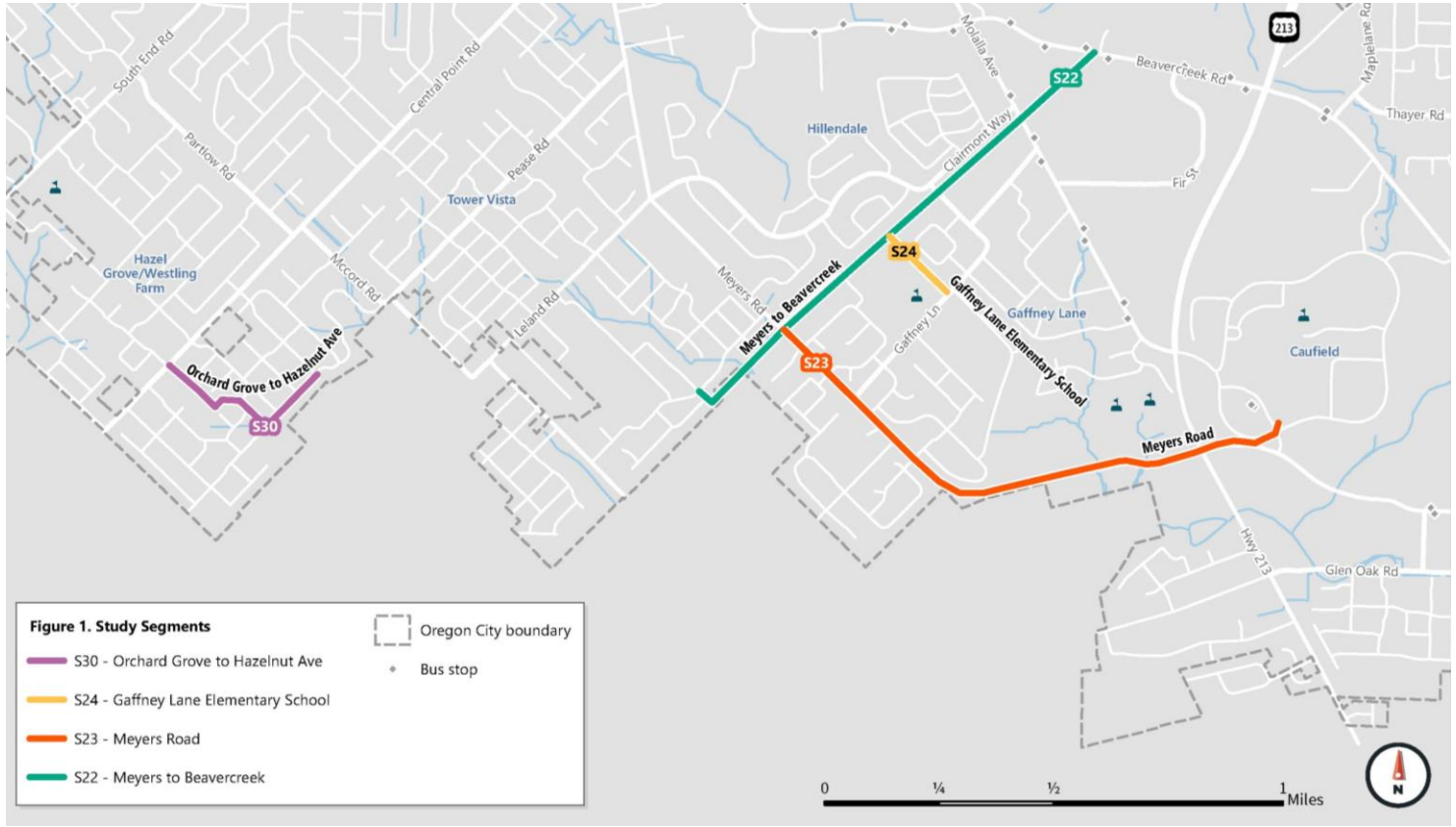
- Proposed concept maintains the existing roadway cross-section
- People walking will use existing sidewalks
- Vehicle travel lane will be shared with people riding bicycles
- New roadway connections should be built with the same cross-section

Next Steps

- Finalize cost-estimates
- Share outcomes with residential areas surrounding Meyers Road
- Finalize report documenting outcomes

Project Overview – Trail Segments

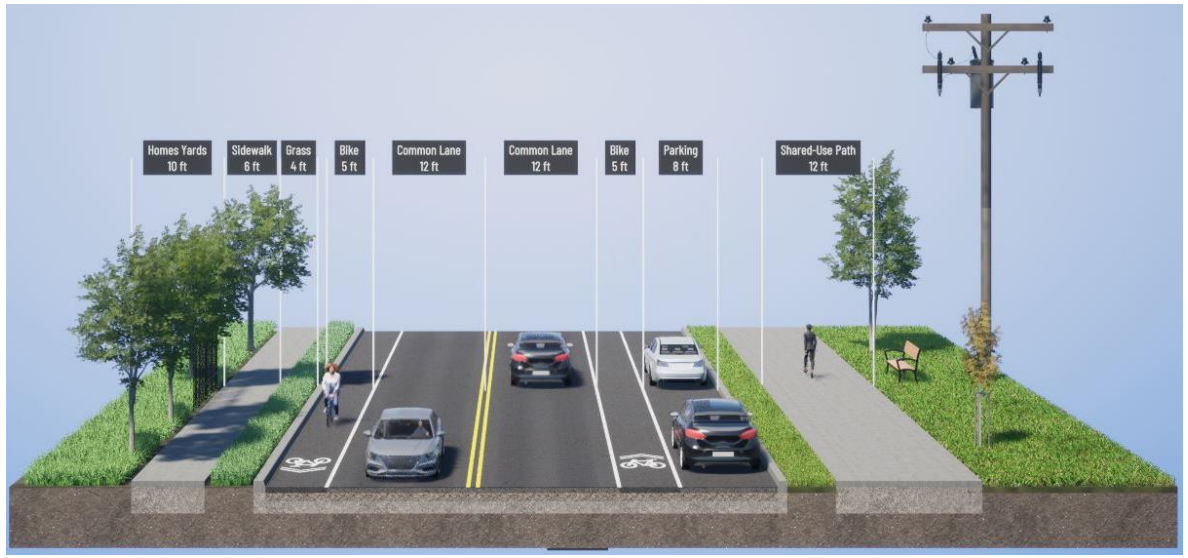
- Loop Trail : Part of Trails Master Plan
- Segments within City Limits
  - S22 - Clairmont
  - S23 – Meyers
  - S24 - Gaffney
  - S30 – Orchard Grove



Some Refinement Plan Cross Sections

S22 – Along Clairmont

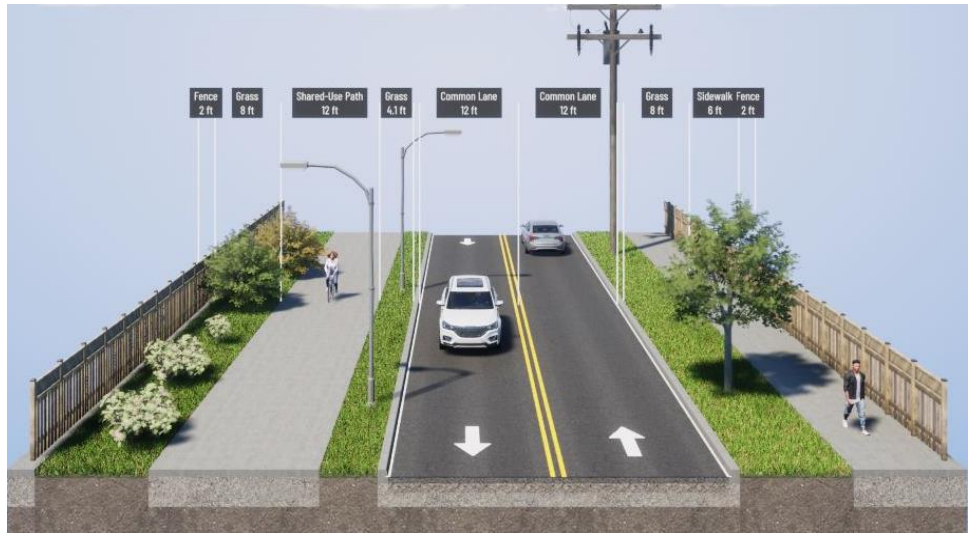
- Continue behind Gaffney School and connect to S24



Project S30 would be completed by private development.

S23 – Along Meyers

- Shift Road, place bikes on path



Refinement Plan allows City to seek grants.

OREGON CITY

Community Development – Planning

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

PA-23-000032
Pre-Application Conference Notes
Meeting Date: 10/24/2023
Final Notes

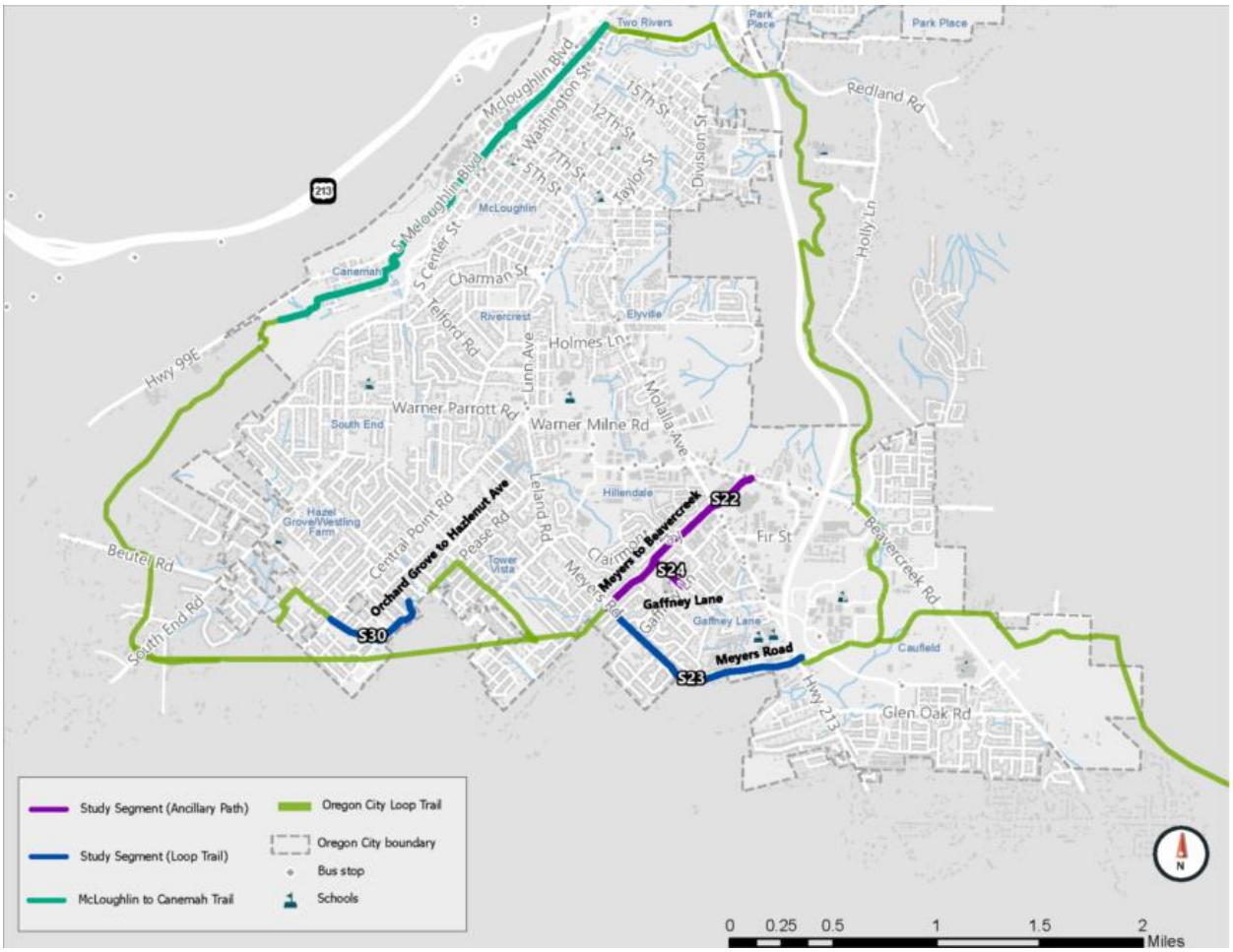
These non-binding pre-application conference notes reflect the applicant's submission to the City along with the discussion at the meeting. The applicant has one week from the receipt of the notes to notify City staff of any perceived mistake or omission in the notes; staff will then review and respond to the inquiry, and the inquiry will be added to the City's file. If no notification is received within 7 business days, the notes will be considered final and will not be modified. See additional disclaimers at the end of this document.

Proposed Project: OC Loop Trail – TSP Amendments

Address: citywide

General Information: The Oregon City Loop Trail will create a loop around Oregon City providing travelers with off-street paths and on-street connections along local roadways. This refinement plan was developed to further define two segments of the Loop Trail and two ancillary paths that will create local connections to the Loop Trail. This plan includes recommended alignments and cross sections, planning-level cost estimates, and phasing that could be considered to align construction of the paths with available funding.

The plan also identifies potential funding sources that the City could explore to advance design and construction of the paths. This plan positions the City to add projects to the Capital Improvement Program (CIP), condition new development to design and construct portions of the path, and apply for grant funding**,** bringing the City's goal of improving options for people walking and riding a bicycle within the City to fruition.



Review Process: The Legislative Application will be a Type IV City Commission decision. The application is anticipated to consist of the following land use application review types:

Application / Review	Oregon City Municipal Code Chapter, (Section)**	Review Fee*
Legislative File	OCMC 17.58	**$5,588**
Mailing Labels		**$20.00**

* https://www.orcity.org/DocumentCenter/View/3274/2023-Planning-Fee-Schedule-Effective-May-3-2023-PDF?bidId=

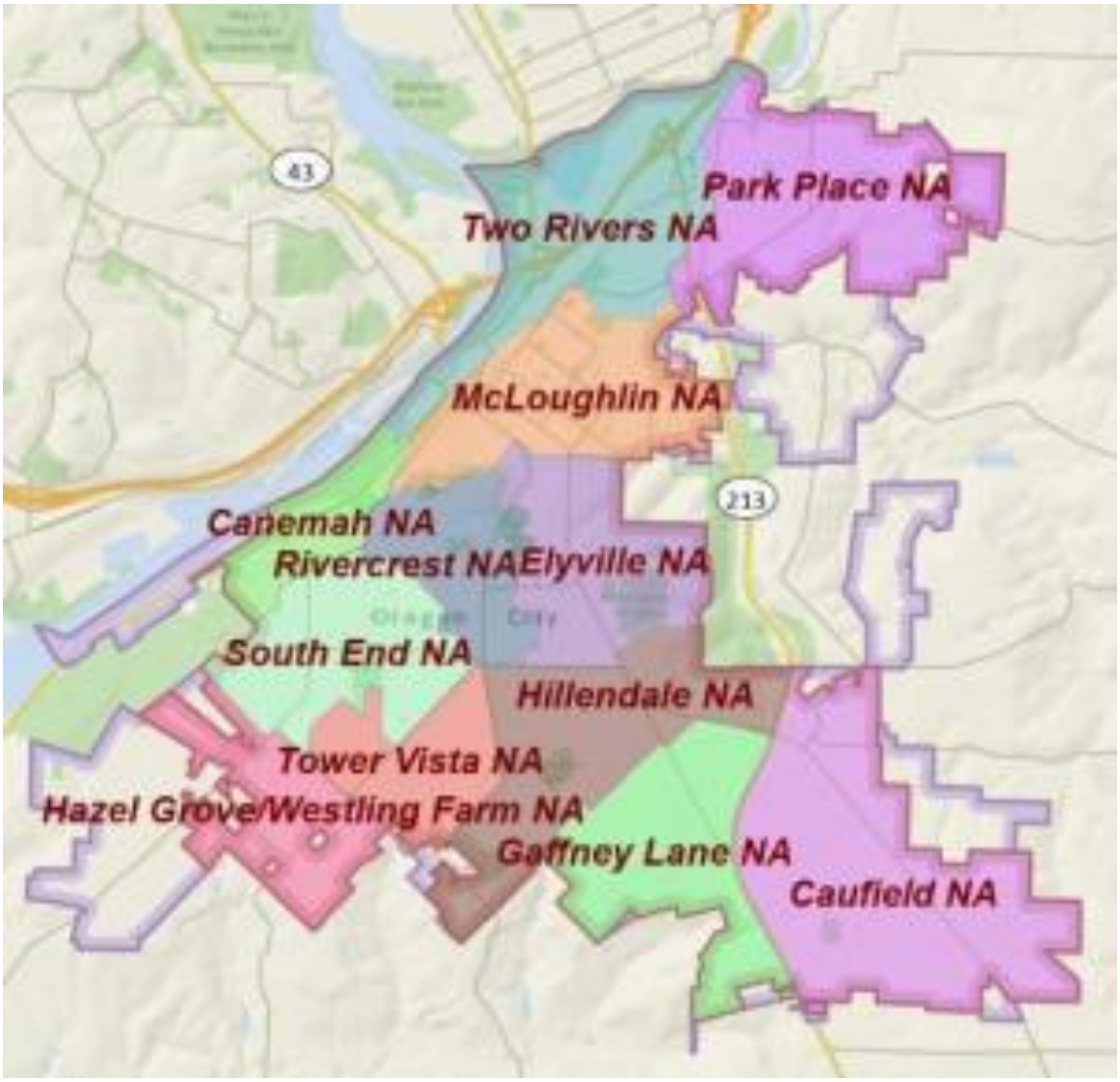
** Planning staff will provide the applicant with a Code Response template with applicable approval criteria from the Oregon City Municipal Code, and applicable Comprehensive Plan Goals and Policies to address in the application narrative.

Affected Neighborhood Association: Hazelgrove/Westling Farm, Hillendale, Gaffney Lane
A Neighborhood Association meeting is required for each effective NA or through the CIC.

17.50.055 - Neighborhood association meeting.

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

A. Applicants applying for annexations, zone change, **comprehensive plan amendments**, conditional use, planning commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the city-recognized neighborhood association in whose territory the application is proposed **no earlier than one year prior to the date of application**. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.



Tentative Hearing Schedule

	Schedule A
Submit Land Use App (Zone Change / Comp. Plan Amendment / Zoning Text Amendment)	October 25
Application Complete	?
DLCD 35-Day Notice Sent	November 6
Application Noticed	November 15
Planning Commission Hearing	**December 11**
City Commission Hearing	**January 17**
CC Continuation (if needed)	Feb 7

List of Applicable Code Chapters

The following code chapters may be applicable to the review of this proposal. Staff will provide you with a Code Response template to assist you with the preparation of your application. Development chapters do not require a response, but NROD and GER chapters should have a general comment that they were taken into account when choosing alignment and complaince will be required at the time of development.

CHAPTER 17.68 - ZONING CHANGES AND AMENDMENTS
OREGON CITY COMPREHENSIVE PLAN
OREGON CITY TRANSPORTATION SYSTEM PLAN

Planning Division:

Christina Robertson-Gardiner, Senior Planner, reviewed the pre-application submittal and prepared these conference notes. Chritina will be the reviewer for the land use application and your point of contact for all review-related matters. The Planning Division uses third-party consultants to review certain parts of the application for compliance with city code. Additional review costs could apply for this review. Consultants could include:

- Transportation Impact Analysis: DKS Engineering
- Natural Resources Overlay District Review: David Evans and Associates
- Geologic Hazards Overlay District Review: Pali Consulting, Inc.

Email: crobertson@orcity.org, Phone: (503) 496-1564

Clackamas County Fire:

Your application was transmitted to Mike Boumann, Lieutenant Deputy Fire Marshal of Clackamas County Fire District #1. No comments were returned regarding your application. You may contact Mr. Boumann at 503.742.2660 or at mike.boumann@ClackamasFire.com .

Public Disclosure:

The purpose of a pre-application meeting is to introduce the impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal (City Code 17.50.050). Omissions or failures by staff to identify all relevant applicable land use requirements or how they might affect a proposal may occur, either as a result of a limited pre-application submittal or the consideration of discretionary criteria.

All pre-application conference related communications, including these notes, are informational only. They do not substitute for a public hearing and no land use decision is rendered at this phase. Notwithstanding any representations by City staff at a preapplication conference, staff is not authorized to waive any requirements of the Oregon City Municipal Code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

Pre-application conferences are required by Section 17.50.050 of the City Code, as follows:

A. *Preapplication Conference. Prior to submitting an application for any form of permit, the applicant shall schedule and attend a preapplication conference with City staff to discuss the proposal. To schedule a preapplication conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans. The purpose of the preapplication conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the preapplication conference. Notwithstanding any representations by City staff at a preapplication conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.*

B. *A preapplication conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant must schedule and attend another conference before the City will accept a permit application. The community development director may waive the preapplication requirement if, in the Director's opinion, the development does not warrant this step. In no case shall a preapplication conference be valid for more than one year.*

Christina Robertson-Gardiner

From: WERTH Kenneth <Kenneth.WERTH@odot.oregon.gov>
Sent: Tuesday, October 24, 2023 12:57 PM
To: Oregon City Planning
Cc: Josh Wheeler; Denise Toyooka; Planning; Christina Robertson-Gardiner
Subject: Comments on PA-23-00032 Ordinance OC Loop Trail

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

Hi there,

Apologies again for having connection issues during the Zoom pre-application conference. If I heard correctly, Josh Wheeler explained that the City of Oregon City does not plan to interact with any ODOT facilities. If that is the case, then there might not be a need for ODOT to comment on these amendments to the Oregon City TSP.

However, in Appendix C, page 110, the Meyers Road Shared Use Path (S-23) along Meyers Road intersects with Cascade Highway. In the conceptual rendering of the intersection on page 110, it shows dashed green bike lanes and green two-stage turn queue boxes within the intersection. Therefore, while this rendering might be conceptual in nature, ODOT simply states that while no decisions need to be made at this stage in planning, more thought and discussion about the design of this intersection would be needed for ODOT support.

Please let me know if you have any questions.

Thank you,
Kenny

Kenny Werth (he/him)
Associate Planner
Oregon Department of Transportation, Region 1
Cell: 971-325-5066

Please note: This email, related attachments and any response may be subject to public disclosure under state law.

Pali Consulting

September 26, 2023
Re: Oregon City Loop Trail, Oregon City
PA-23-00032

The following provides our preliminary notes for PA-23-00032, Oregon City Loop Trail, Segments S22, S23, S24, & S30, Oregon City, Oregon. The project is a multi-use trail that will create a loop around Oregon City providing travelers with off-street paths and on-street connections along local roadways. The current submittal includes four trail segments as noted above. In general, these segments are on flat to moderate ground outside of mapped geologic hazard zones, except segment S23. Based on documents provided by the applicant and our desktop review, a portion of Segment S23 is located within The Geologic Overlay Zone based on areas of steep slopes and their buffer zones.

Although a portion of Segment S23 is within a Geologic Hazard Overly Zone, it is our opinion that the provisions for Chapter 17.44 - Geologic Hazards be waived and that a Geological Assessment and Geotechnical Report not be required. Our recommendation is because the geologic hazard consists of a relatively low steep slope constructed on the north side of Meyers Road, just below Castleberry Loop. This cut slope is an engineered slope, not a natural geologic hazard, that likely presents a low risk to the project at this location.

This recommendation applies only to the segments noted and is based on the information the applicant submitted. Other segments have not been evaluated. If the scope of activities materially changes from what is outlined in the Pre-Application Conference Request, or other segments are added to the application form submitted by Josh Wheeler of the Oregon City Public Works Department, dated September 11, 2023, our recommendations may change from those stated.

PALI CONSULTING, INC.

TIMOTHY W. BLACKWOOD, PE, GE, CEG
President/Principal Geotechnical Engineer

Doc ID: PA 23-00032 Pre-App Letter

www.pali-consulting.com
4891 Willamette Falls Dr Suite 1
West Linn, OR 97068
Tel 503.502 0820

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All Rights Reserved. Information is proprietary and company-confidential.

Christina Robertson-Gardiner

From: Pete Walter
Sent: Monday, January 8, 2024 9:35 AM
To: Josh Wheeler; Christina Robertson-Gardiner
Subject: FW: Oregon City Loop Trail

From: Jakob Wiley <jwiley@orcity.org>
Sent: Monday, January 8, 2024 8:41 AM
To: Commission <commission@orcity.org>
Cc: Recorder Team <recorderteam@orcity.org>; Tony Konkol <tkonkol@orcity.org>; Aquilla Hurd-Ravich <ahurdravich@orcity.org>; Pete Walter <pwalter@orcity.org>
Subject: FW: Oregon City Loop Trail

Dear City Commissioners,

Please see the below public comment.

Thank you,
Jakob

Jakob Wiley, JD, MS
City Recorder
Jwiley@orcity.org
City of Oregon City
PO Box 3040
625 Center Street
Oregon City, Oregon 97045
Office Hours: Mon – Fri, 8 am – 5 pm
503-496-1509 Direct phone
503-657-0891 City phone
503-657-7026 Fax

The City of Oregon City continues to offer services and programs in-person and online - find facility hours of operation here.

Website: www.orcity.org | Recorder Page |Facebook!|Twitter
PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: anthony treacy <anthony.treacy@hotmail.com>
Sent: Saturday, January 6, 2024 2:52 PM
To: Recorder Team <recorderteam@orcity.org>
Subject: Oregon City Loop Trail

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

Hi, I am a regular cyclist for small errands in the top of the hill area. The path designs look nice, but they both dump the cyclist at the busy road junctions of S22 / Mollala ave and S33 / Hwy 213 just as the situation is now. What is the plan to make these crossings less intimidating / dangerous for use?

These two crossings will continue to make end to end use of S22 and S23 unsuitable for recreational or shopping purposes, unless there is footbridge or underpass. I speak from personal experience at these crossings. They are both quite intimidating for a cyclist or walkers.
The current intersection environment in this area is far from cycling friendly for inexperienced riders.
Has there been any research at all on number of cyclists using the current low traffic back streets in Oregon City? I ride frequently, and I can tell you there are only a handful of regular riders in the top of the hill area. The major intersections are huge road blocks to cyclists.

I would like to bring this up at the meeting, to understand your plan for these intersections on S22 and S23

Regards
Tony Treacy
Oregon City Cyclist.

Get Outlook for iOS

Christina Robertson-Gardiner

From: Josh Wheeler
Sent: Wednesday, January 10, 2024 10:20 AM
To: Christina Robertson-Gardiner
Subject: OC Loop Trail Public Comment

Hello Christina,

Can you please add this to the record :

I spoke to several citizens over the phone about the Loop Trail. Here is who I talked to :

- 13450 Clairmont
- 19356 Orchard Grove
- 19572 Orchard Grove
- 13300 Gaffney
- 19862 Castleberry
- Jimmy's Os

The conversations were inquiries asking what the project was about, if there would be any impact. The biggest concern was 'would a path bring homeless to their area'.

My response was that the plan was for refinement purposes, refining the TSP and Trails Master Plan. This plan will prepare the City to have a greater chance to be awarded grant funds if and when they become available. At this time, construction is not planned. When and If a project is funded, the public will get new opportunities to discuss any adjustments to design for portions directly adjacent to their properties.

Josh Wheeler, PE
Assistant City Engineer
Public Works Department
City of Oregon City
13895 Fir Street
Oregon City, Oregon 97045
Email: jwheeler@orcity.org
971.204.4634 Office
971.322.9745 Cell

Engineering Development Services Public Counter Hours at 13895 Fir Street are 9:00 AM to 4:00 PM Monday through Thursday. We are available for in-person discussions on Friday by appointment only.

The City of Oregon City continues to offer services and programs in-person and online - find facility hours of operation here.

Website: www.orcity.org
Visit us on Facebook! and Twitter
PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 02/07/2024

From: Aquilla Hurd Ravich, Community Development Director

Pete Walter, Planning Manager

SUBJECT:

First Reading of Ordinance 24-1002 approving Planning Files GLUA-23-00039 / ZC-23-00004: Zoning Text Amendments to I - Institutional District to allow recreational vehicle parks as an allowed accessory use for Clackamette Park to subsection 17.39.030 of Chapter 17.39 – I Institutional Zone.

STAFF RECOMMENDATION:

Staff recommends approval of the first Reading of Ordinance 24-1002.

EXECUTIVE SUMMARY:

Overnight parking and camping for recreational vehicles is not a listed permitted use in the I – Institutional District. The proposed zoning code amendment consists of adding recreational vehicle parks as an allowed accessory use for Clackamette Park to subsection 17.39.030 of Chapter 17.39 – I Institutional Zone.

BACKGROUND:

January 8 Planning Commission Decision and Recommendation

On January 8, 2024, the Planning Commission recommended approval of a text amendment to allow an RV-park associated with Clackamette Park as an allowed accessory use within the I-Institutional Zone District.

The Planning Commission expressed concerns that the text amendment as originally proposed allowed little flexibility to allow an RV Park that was not city-managed, and recommended that term “city managed” be removed from the amended text.

The Planning Commission’s discussion prior to making this amended recommendation included the following points:

- There is no other zone in the city that permits recreational RV parks.

- Allowing only a city-managed RV park could hinder the city's flexibility to allow privately run RV parks on city property, effectively creating a monopoly and restricting private enterprise.
- There is currently no definition for a recreational vehicle park in the zoning code and there should be a basic definition for the purpose of this code amendment.
- Future code work and definitions for recreational vehicle parks should clearly distinguish temporary recreational use from permanent residential RV parks / manufactured home parks and also clarifies the difference between a city-managed or owned RV park and a private RV park.

Separate Recommendation from the Planning Commission
The Planning Commission also made a separate recommendation to request that the City Commission direct staff to evaluate the idea of allowing recreational vehicle parks as an allowed use in appropriate zones and location within the city. This would be a legislative process that could take up to a year or more, with community engagement, drafting code, work sessions and the public hearing and adoption process.

Clackamette Park Master Plan approval by the Planning Commission

Prior to this text amendment proposal, the Planning Commission conditionally approved the Clackamette Park Master Plan, Planning Files GLUA-23-00012 / MAS-23-00001, on July 13, 2023.

The location of the RV park is under further discussion by the City Commission. At a work session on December 12, 2023 the City Commission directed staff to pursue the text amendment to the code language for the Institutional zone to add a city-managed recreational vehicle park as an allowed accessory use for Clackamette Park.

Once a text amendment is adopted, the City Commission will make a determination about the exact preferred location of the RV park and a separate application for a zone change and comprehensive plan amendment may be needed for whatever location is chosen.

Because the original approval by the Planning Commission was made based on an RV Park location which is now being re-evaluated by the City Commission, the Master Plan and condition of approval associated with the RV park may require additional review by the Planning Commission when an exact location for the RV park has been selected by the City Commission.

Proposed Text Amendment as Recommended by Planning Commission
Parks, playgrounds, playfields and community or neighborhood community centers are permitted outright in the I-Institutional Zone District. Recreational vehicle parks are not a listed permitted use in the I – Institutional District, however, accessory uses that are supportive of permitted uses in the district are listed in a separate subsection.

The Planning Commission recommends that the proposed zoning code amendment add a recreational vehicle park for Clackamette Park as a new Accessory Use to subsection 17.39.030 of Chapter 17.39 – I Institutional Zone with the term "city-managed" removed as indicated below.

17.39.030 Accessory uses.

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

A. Offices;

B. Retail (not to exceed twenty percent of total gross floor area of all building);

C. Child care centers or nursery schools;

D. Scientific, educational, or medical research facilities and laboratories;

E. Religious institutions.

F. A ~~city-managed~~ recreational vehicle park for Clackamette Park.

Definition of Recreational Vehicle Park
Staff has prepared a draft definition for a recreational vehicle park for the City Commission's consideration. The new definition would be added to Chapter 17.04 of the zoning code as follows:

17.04.1013 – Recreational Vehicle (RV) Park
"Recreational vehicle park" means a property developed with facilities and spaces for accommodating motor homes or other recreational vehicles for temporary recreational use by the general public. Uses where unoccupied recreational vehicles are offered for sale or lease, or are stored, are not included as Recreational vehicle parks. A Manufactured Home Park or Subdivision for permanent residential use is not a Recreational vehicle park.

OPTIONS:

1. Approve file GLUA-23-00039 / ZC-23-00004 recommended.
2. Approve file GLUA-23-00039 / ZC-23-00004 recommended with revisions.
3. Deny files GLUA-23-00039 / ZC-23-00004. If this option is proposed, provide direction to staff to revise the recommended findings to support a denial.

BUDGET IMPACT: N/A

ORDINANCE NO. 24-1002

AN ORDINANCE OF THE CITY OF OREGON CITY APPROVING AN AMENDMENT TO TITLE 17 – ZONING, CHAPTER 17.39, OF THE OREGON CITY MUNICIPAL CODE TO ALLOW A RECREATIONAL VEHICLE PARK FOR CLACKAMETTE PARK AS AN ALLOWED ACCESSORY USE WITHIN THE I – INSTITUTIONAL ZONE DISTRICT AND AN AMENDMENT TO TITLE 17-ZONING, CHAPTER 17.04, OF THE OREGON CITY MUNICIPAL CODE TO ADD A DEFINITION OF A RECREATION VEHICLE PARK

WHEREAS, the City of Oregon City has adopted a Zoning Code to implement the Comprehensive Plan in conformance with statutory requirements and the requirements of the Statewide Land Use goals; and

WHEREAS, the City of Oregon City Zoning Code may be amended and updated as necessary upon findings of facts that satisfy approval criteria in the City of Oregon City Municipal Code Section 17.68.020; and

WHEREAS, the Clackamette Park Master Plan provides for a Recreational Vehicle Park as a complimentary and necessary recreational asset for the benefit of the public who use the park; and

WHEREAS, approval of the requested amendment is necessary to allow a Recreational Vehicle Park as an Accessory Use to Clackamette Park as a part of that permitted use; and

WHEREAS, future amendments to the Clackamette Park Master Plan, the Comprehensive Plan and the Zoning Map are necessary in order to accommodate the Recreational Vehicle Park; and

WHEREAS, on January 8, 2024 the Planning Commission held a public hearing and, after considering all the public testimony and reviewing all the evidence in the record, approved the requested amendment with revisions by a vote of 7-0; and

WHEREAS, on February 7, 2024 the City Commission held a public hearing and, after considering all the public testimony and reviewing all the evidence in the record, approved the requested amendment by a vote of _-_; and

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. The City hereby amends the portions of the existing Oregon City Municipal Code Title 17: Zoning, Chapter 17.39 - Institutional Zone District, Section 17.39.030 – Accessory Uses, and Chapter 17.04 – Definitions, which are attached hereto as Exhibit ‘A’.

Section 2. The Commission adopts as its own the Staff Report and Recommendation for files GLUA-23-00039 / ZC-23-00004 and associated documents, attached hereto as Exhibit ‘B’.

Read for the first time at a regular meeting of the City Commission held on the 7th day of February, and the City Commission finally enacted the foregoing ordinance this 21st day of February, 2024.

Exhibits:

Exhibit A – Amended Sections of the Oregon City Municipal Code: OCMC 17.39.030 and OCMC 17.04.1013

Exhibit B – GLUA-23-00039 / ZC-23-00004 – Staff Report and Recommendation and Associated Documents

DENYSE C. MCGRIFF
Mayor

Attested to this day of ,

Jakob Wiley, City Recorder

Approved as to legal sufficiency:

City Attorney

OREGON CITY

Community Development – Planning

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

TYPE IV LAND USE DECISION

Zoning Code Text Amendment

Planning Commission Findings and Recommendation

CC HEARING #2: Second Reading of Ordinance 24-1002, February 21, 2024

CC HEARING #1: First Reading of Ordinance 24-1002, February 7, 2024

PC HEARING: January 8, 2024

FILE NUMBERS: GLUA-23-00039 / ZC-23-00004

APPLICANT: City of Oregon City, Parks and Recreation Department
Kendall Reid, Director

OWNER: City of Oregon City
Attn: Tony Konkol, City Manager

REQUEST: The Oregon City Parks and Recreation Department is requesting a Zoning Code Amendment to Chapter 17.39 – *I Institutional District*, to allow a city-owned RV parks as an allowed accessory use to Clackamette Park.

LOCATION: Clackamette Park is located at the northern end of Clackamette Drive near the confluence of the Clackamas River and the Willamette River, west of McLoughlin Boulevard (OR 99-E). The exact location of the RV Park for Clackamette Park has not been determined at this time.

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

PROCESS: Per OCMC 17.50.030.D. Type IV decisions include only quasi-judicial plan amendments and zone changes. These applications involve the greatest amount of discretion and evaluation of subjective approval standards and shall be heard by the city commission for final action. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and planning commission hearing is published and mailed to the applicant, recognized neighborhood association(s) and property owners within three hundred feet. Notice shall be issued at least twenty days pre-hearing, and the staff report shall be available at least seven days pre-hearing. At the evidentiary hearing held before the planning commission, all issues are addressed. If the planning commission denies the application, any party with standing (i.e., anyone who appeared before the planning commission either in person or in writing within the comment period) may appeal the planning

commission denial to the city commission. If the planning commission denies the application and no appeal has been received within fourteen days of the issuance of the final decision, then the action of the planning commission becomes the final decision of the city. If the planning commission votes to approve the application, that decision is forwarded as a recommendation to the city commission for final consideration. In either case, any review by the city commission is on the record and only issues raised before the planning commission may be raised before the city commission. The city commission decision is the city's final decision and is subject to review by LUBA within twenty-one days of when it becomes final.

I. BACKGROUND:

January 8 Planning Commission Decision and Recommendation

On January 8, 2024, the Planning Commission recommended approval of a text amendment to allow an RV-park associated with Clackamette Park as an allowed accessory use within the I-Institutional Zone District.

The Planning Commission expressed concerns that the text amendment as originally proposed allowed little flexibility to allow an RV Park that was not city-managed, and recommended that term “city managed” be removed from the amended text.

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- There is no other zone in the city that permits recreational RV parks.
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Recreational vehicle parks. A Manufactured Home Park or Subdivision for permanent residential use is not a Recreational vehicle park.

II. APPROVAL CRITERIA:

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

CHAPTER 17.68 ZONING CHANGES AND COMPREHENSIVE PLAN AMENDMENTS

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

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

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

Finding: this application requests a text amendment to the zoning code, and has been initiated by an application to the Planning Division by the Parks and Recreation Department.

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

Finding: this application is subject to a Type IV land use review process pursuant to OCMC 17.50.030.D.

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

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

Finding: The proposal is consistent with the applicable goals and policies of the comprehensive plan as detailed below.

(P.33) Land Use

Land Use

Oregon City promotes community vitality through good design, efficient use of land, and strategies and actions that ensure new development contributes to the City's overall character and quality of life. The City also acknowledges the critical role of corridors and the opportunity they provide for transit-oriented, higher-intensity, mixed-use development patterns. Connections - particularly multi-modal connections - between neighborhoods, Downtown, the waterfront, and other activity centers are emphasized in

planning efforts so that residents and visitors can easily move around and meet their daily needs without having to travel long distances.

All land use types are regulated through the Zoning Map, and are generally categorized as residential, commercial, industrial, institutional/civic, or open space/natural areas. The City's land use categories include:

• Low Density Residential (LR) — primarily single-family detached homes and middle housing.

• Medium Density Residential (MR) — residential developments with dwelling unit types such as attached single-family units, rowhouses, and townhouses.

• High Density Residential (HR) — typically high-density, multiple dwelling residential. Permitted uses include apartments, condominiums, and single-family attached and rowhouse dwellings.

• Commercial (C) — commercial uses serving local, city-wide, and regional needs, such as retail and service commercial. Typically, this classification is associated with newer, suburban development and located along arterial streets.

• Industrial (I) — uses related to manufacturing, processing, and distribution of goods. Employment based uses are encouraged. Intensive or heavy industrial uses are allowed in certain zones. Zones in the Comprehensive Plan Land-Use Map district are designed to comply with requirements of Title 4 of Metro's Urban Growth Management Functional Plan (1998).

• Mixed Use Corridor (MUC) — higher density mixed uses that are supportive of transit and conducive to pedestrian traffic. Urban density residential and commercial goods and services are typical uses. Zones in the Comprehensive Plan Land-Use Map district are intended to be compatible with Metro's Corridor design type.

• Mixed Use Employment (MUE) — employment-intensive uses such as offices, research and development, light manufacturing, and associated commercial uses.

• Mixed Use Downtown (MUD) — urban density, mixed uses that are conducive to pedestrian and transit uses. This category is intended to be used to implement the Oregon City Downtown Community Plan (1999), the Oregon City Waterfront Master Plan (2002), and Metro's Regional Center concept, particularly in terms of connecting the Downtown with the waterfront. A design overlay is included in this area and is intended to promote development consistent with Oregon City's traditional Downtown form.

• Public and Quasi-Public (QP) — publicly owned lands other than city parks, such as schools, cemeteries, undeveloped lands, open space, government buildings and public utility facilities, such as the sewage treatment plant and water reservoirs.

• Parks (P) — City parks.

• Future Urban Holding (FUH) — undesignated, pending development and approval of a "concept plan," a Metro requirement that cities plan land uses in areas being converted from rural to urban uses.

Finding: the proposed code amendment does not change the adopted comprehensive plan map or zoning map. City parks typically have a Comprehensive Plan designation of **QP** - Public / Quasi Public or **P** – Parks and are zoned I - Institutional. Clackamette Park is designated P – Parks and is zoned I – Institutional.

(P.53) Parks and Recreation

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

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

(P.54) Natural Resources

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

Comprehensive Plan Chapter 1. Healthy and Welcoming Communities

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

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

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

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

Comprehensive Plan Chapter 2. Diverse Economy

POLICY 1.6 Promote the city's destinations, natural resources, and historic and cultural amenities to grow the tourism industry.

STRATEGY 1.6.C Ensure land uses and transportation connections that support tourism as an important aspect of the City's economic development strategy. This includes important cultural and historical amenities.

POLICY 4.3 Utilize urban design principles that create comfortable and attractive public spaces that are reflective of Oregon City's community vision.

Comprehensive Plan Chapter 3. Connected Infrastructure

GOAL 1 Provide a safe, comfortable, and accessible transportation network that serves all modes of travel, including non- motorized modes.

POLICY 1.2 Reduce Oregon City's carbon footprint by supporting and emphasizing non-motorized modes.

STRATEGY 1.2.A Provide an interconnected and accessible pedestrian system that links residential areas with major pedestrian generators such as employment centers, public facilities, and recreational areas.

STRATEGY 1.2.B Provide a well-defined and accessible bicycle network that links residential areas, major bicycle generators, employment centers, recreational areas, and the arterial and collector roadway network.
STRATEGY 1.2.C Construct bikeways and sidewalks and require connectivity of these facilities to reduce the use of petroleum-fueled transportation.

POLICY 1.3 Promote safety by implementing street design that equally considers and serves non-motorized and motorized users.

STRATEGY 1.3.A Identify and implement ways to minimize conflict points between different modes of travel.

Finding: the proposed code amendment is consistent with Goal 1 since the conceptual design includes street improvements, trails, crosswalks on Clackamette Drive and Main Street, sidewalks and bicycle lanes to improve recreation, and pedestrian and bicycle connections in and abutting the park. Recreational Vehicle park users often bring their bicycles, scooters, and other forms of transportation with them, which increases multi-modal activity. The code amendment would support additional park use by RV users of all ages and abilities.

Comprehensive Plan Chapter 4: Protected Environment

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

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

STRATEGY 1.4.A Manage open space areas for their value in linking citizens and visitors with the natural environment, providing solace, exercise, scenic views and outdoor education. Built features in open space sites should harmonize with natural surroundings.

Finding: The proposed code amendment is consistent with Goal 1, because it would allow accessibility to parks by users of all ages and abilities who need the convenience that overnight recreational vehicle use allows. The exact location and design for the RV park has not been completed at this point.

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

POLICY 2.4 Protect and enhance the urban forest tree canopy.

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

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

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

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

Finding: The proposed code amendment is consistent with Goal 2, through the application of development codes and overlay district regulations and in the OCMC that are acknowledged and consistent with the Statewide land use planning goals of the State of Oregon, through the application of engineering and public works design standards for stormwater management, erosion control and drainage. The city has an adopted tree code. The proposed code amendment would allow flexibility for the RV park to be located away from areas that are impacted by seasonal flooding or which have sensitive habitat and water quality.

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

STRATEGY 2.7.A Promote land-use patterns that reduce the need for distance travel by single-occupancy vehicles and increase opportunities for walking, biking and/or transit to destinations such as places of employment, shopping and education.

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

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

STRATEGY 2.9.A Conserve natural resources that have significant functions and values related to flood protection, sediment and erosion control, water quality, groundwater recharge and discharge, education, vegetation, and fish and wildlife habitat.

Finding: The proposed code amendment is consistent with Goal 2 through the application of development codes and overlay district regulations in the Oregon City Municipal Code that are acknowledged and consistent with the Statewide land use planning goals of the State of Oregon, and through the application of engineering and public works design standards for stormwater management, erosion control and drainage.

GOAL 3
Ensure the safety of residents and property by supporting plans, programs, and investments that minimize the impacts of future natural hazard events and aid in rapid response and recovery.

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

Finding: The proposed code amendment is consistent with the Goal 3, through the application of the Clackamas County Hazard Mitigation Plan and through application of development codes and overlay district regulations in the OCMC.

> *GOAL 4*
> *Ensure the environmental and economic health of the Willamette River Greenway (WRG) as a key feature of Oregon City and the broader region*
>
> *POLICY 4.1 Protect the significant fish and wildlife habitat of the Willamette River by maximizing the preservation of trees and vegetative cover.*
>
> *POLICY 4.2 Preserve major scenic views, drives and sites of the WRG.*
>
> *POLICY 4.3 Encourage access to and along the river consistent with the Oregon City Park and Recreation Master Plan.*
>
> *POLICY 4.5 Protect and maintain parks and recreation areas and facilities along the Willamette River to minimize effects in the WRG, in accordance with the Oregon City Park and Recreation Master Plan.*

Finding: The proposed code amendment is consistent with Goal 2 through the application of development codes and overlay district regulations in the Oregon City Municipal Code that are acknowledged and consistent with the Statewide land use planning goals of the State of Oregon, and through the application of engineering and public works design standards for stormwater management, erosion control and drainage.

B. *That public facilities and services (water, sewer, storm drainage, transportation, schools, police and fire protection) are presently capable of supporting the uses allowed by the zone or plan amendment, or can be made available prior to issuing a certificate of occupancy. Service shall be sufficient to support the range of uses and development allowed by the zone or plan amendment;*

Finding: this criterion is not applicable at this time since a site specific development plan has not yet been proposed.

Further review of adequacy of public facilities and required improvements will be determined at the time of Detailed Development Plan submittal.

C. *The land uses authorized by the proposal are consistent with the existing or planned function, capacity and level of service of the transportation system serving the proposed zoning district or plan amendment; and*

Finding: The applicant submitted a Transportation Analysis Letter (TAL) for the Clackamette Park master plan application prepared by Kittelson & Associates Transportation Engineers. In general terms, the TAL is applicable to smaller developments that are presumed to have a lesser transportation impact. The TAL

was based on a conceptual site plan, and additional traffic impact analysis will be required when the exact location of an RV park and a site plan is proposed.

Overall, there will be a net increase of 198 daily added trips for the build-out of the park master plan. The relocated RV park will reduce the number of RV park sites from 38 to 18, resulting in a reduced number of site trips associated with RV use. The new RV park will generate 49 daily trips, 4 am peak hour trips and 5 pm peak hour trips. The proposed zoning map and code amendments will have a minimal impact on the transportation system; however, additional transportation analysis will be required when a detailed development plan is proposed. The TAL was not required to include an analysis of intersection capacity.[1]

D. *Statewide planning goals shall be addressed if the comprehensive plan does not contain specific policies or provisions which control the amendment.*

Finding: The City has adopted a Comprehensive Plan acknowledged by the Department of Land Conservation and Development which addresses goals, policies and strategies that control the amendment, so there is no need to address statewide planning goals.

17.68.025 - Zoning for land annexed into the City.
Upon annexation into the City, the property shall be rezoned from County zoning to the corresponding City zoning designation as identified in Table 17.06.030, provided the criteria for a zone change can be met.

Finding: not applicable. The proposal does not include annexation.

17.68.040 - Approval by the Commission.
If the Planning Commission finds that the request or application for an amendment, or change, complies with the criteria of OCMC 17.68.020, it shall forward its findings and recommendation to the City Commission for action thereon by that body.

Finding: the applicant understands that the City Commission decision will be based on the recommendations of the Planning Commission.

17.68.050 - Conditions.
In granting a change in zoning classification to any property, the Commission may attach such conditions and requirements to the zone change as the Commission deems necessary in the public interest and such conditions and restrictions shall thereafter apply to the zone change or map amendment.

[1] Transportation Analysis Letter (TAL) requirements are detailed in the City's adopted Guidelines for Transportation Analysis. TAL analysis is appropriate: (a) if the development generates fewer than 24 peak hour trips during either the AM or PM peak hour and fewer than 250 daily trips, (b) the development is not expected to further impact intersections that currently fail to meet the City's mobility standards or intersections that are operating near the limits of the acceptable thresholds during a peak operating hour. (Mobility standards are defined in 7.9.1), and (c) the development is not expected to significantly impact adjacent roadways and intersections that are high accident locations, areas that contain an identified safety concern, or high concentration of pedestrians or bicyclists such as school zones. The master plan proposal met the requirements for a TAL.

Finding: the applicant understands that the Planning Commission may recommend, and that the City Commission may add conditions of approval.

CHAPTER 17.50 – ADMINISTRATION AND PROCEDURES

17.50.010 Purpose.

This chapter provides the procedures by which Oregon City reviews and decides upon applications for all permits relating to the use of land authorized by ORS 92, 197 and 227. These permits include all form of land divisions, land use, limited land use and expedited land division and legislative enactments and amendments to the Oregon City Comprehensive Plan and Titles 16 and 17 of this code. Pursuant to ORS 227.175, any applicant may elect to consolidate applications for two or more related permits needed for a single development project. Any grading activity associated with development shall be subject to preliminary review as part of the review process for the underlying development. It is the express policy of the City of Oregon City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.

Finding: this application is subject to a Type IV review process under this code Chapter.

17.50.030 Summary of the City's decision-making processes.

The following decision-making processes chart shall control the City's review of the indicated permits:

Table 17.50.030 – Permit Approval Process

Permit Type	***I***	***II***	***III***	***IV***
Plan or code amendment				*X*
Zone Change				*X*

D. *Type IV decisions include only quasi-judicial plan amendments and zone changes. These applications involve the greatest amount of discretion and evaluation of subjective approval standards and shall be heard by the City Commission for final action. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and Planning Commission hearing is published and mailed to the applicant, recognized neighborhood association(s) and property owners within three hundred feet. Notice shall be issued at least twenty days pre-hearing, and the staff report shall be available at least seven days pre-hearing. At the evidentiary hearing held before the Planning Commission, all issues are addressed. If the Planning Commission denies the application, any party with standing (i.e., anyone who appeared before the Planning Commission either in person or in writing within the comment period) may appeal the Planning Commission denial to the City Commission. If the Planning Commission denies the application and no appeal has been received within fourteen days of the issuance of the final decision, then the action of the Planning Commission becomes the final decision of the City. If the Planning Commission votes to approve the application, that decision is forwarded as a recommendation to the City Commission for final consideration. In either case, any review by the City Commission is on the record and only issues raised before the Planning Commission may be raised before the City Commission. The City Commission decision is the City's final decision and is subject to review by LUBA within twenty-one days of when it becomes final.*

Finding: this application is subject to a Type IV review process and the applicable public notice and hearings before the Planning Commission and City Commission.

17.50.040 Development review in overlay districts and for erosion control.
For any development subject to regulation of geologic hazards overlay district under OCMC 17.44; natural resource overlay district under OCMC 17.49; Willamette River Greenway Overlay District under OCMC 17.48; historic overlay district under OCMC 17.40, and erosion and sediment control under OCMC 17.47, compliance with the requirements of these chapters shall be reviewed as part of the review process required for the underlying development for the site.

Finding: No development is proposed at this time, however the applicant acknowledges that subsequent detailed development plans will be subject to compliance with the applicable overlay districts requirements and Erosion and Sediment Control standards. The properties are within the Geologic Hazards (OCMC 17.44), Willamette River Greenway (OCMC 17.48), and Flood Management Overlay Districts (OCMC 17.40).

17.50.050 – Pre-application conference.

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

Finding: The applicant attended the required pre-application conference (file PA-22-00046) for the master plan on 9/28/2022. A second meeting was held by staff on August 30, 2023 to cover the procedures for the Comprehensive Plan Map, Zoning Map and Zoning Code amendments.

17.50.055 - Neighborhood association meeting.

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

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

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

17.50.060 Application requirements.
A permit application may only be initiated by the record property owner or contract purchaser, the City Commission or Planning Commission. If there is more than one record owner, then the City will not complete a Type II—IV application without signed authorization from all record owners. All permit applications shall be submitted on the form provided by the City, along with the appropriate fee and all necessary supporting documentation and information, sufficient to demonstrate compliance with all applicable approval criteria. The applicant has the burden of demonstrating, with evidence, that all applicable approval criteria are, or can be, met.

Finding: the city manager signed the land use application on behalf of the city. Additional materials in support of the proposal are provided with this submittal.

17.50.070 Completeness review and one hundred twenty-day rule.

A. *Upon submission, the Community Development Director shall date stamp the application form and verify that all of the appropriate application review fee(s) have been submitted. Upon receipt of all review fees and an application form, the Community Development Director will then review the application and all information submitted with it and evaluate whether the application is complete enough to process. Within thirty days of receipt of the application and all applicable review fees, the Community Development Director shall complete this initial review and issue to the applicant a written statement indicating whether the application is complete enough to process, and if not, what information shall be submitted to make the application complete.*

B. *The applicant has one hundred eighty days from the date the application was made to submit the missing information or the application shall be rejected and the unused portion of the application fee returned to the applicant. If the applicant submits the requested information within the one hundred eighty-day period, the Community Development Director shall again verify whether the application, as augmented, is complete. Each such review and verification shall follow the procedure in subsection A of this section.*
The application will be deemed complete for the purpose of this section upon receipt by the Community Development Director of:
    1. *All the missing information;*
    2. *Some of the missing information and written notice from the applicant that no other information will be provided; or*
    3. *Written notice from the applicant that none of the missing information will be provided.*

C. *Once the Community Development Director determines the application is complete enough to process, or the applicant refuses to submit any more information, the City shall declare the application complete. Pursuant to ORS 227.178, the City will reach a final decision on an application within one hundred twenty calendar days from the date that the application is determined to be or deemed complete unless the applicant agrees to suspend the one hundred twenty-calendar-day timeline or unless state law provides otherwise. The one hundred twenty-day period, however, does not apply in the following situations:*
    1. *Any hearing continuance or other process delay requested by the applicant shall be deemed an extension or waiver, as appropriate, of the one hundred twenty-day period.*
    2. *Any delay in the decision-making process necessitated because the applicant provided an incomplete set of mailing labels for the record property owners within three hundred feet of the subject property shall extend the one hundred twenty-day period for the amount of time required to correct the notice defect.*
    3. *The one hundred twenty-day period does not apply to any application for a permit that is not wholly within the City's authority and control.*
    4. *The one hundred twenty-day period does not apply to any application for an amendment to the City's comprehensive plan or land use regulations nor to any application for a permit, the approval of which depends upon a plan amendment.*

D. *A one hundred day-period applies in place of the one hundred twenty-day period for affordable housing projects where:*
    1. *The project includes five or more residential units, including assisted living facilities or group homes;*
    2. *At least fifty percent of the residential units will be sold or rented to households with incomes equal to or less than sixty percent of the median family income for Clackamas County or for the state, whichever is greater; and*

3. *Development is subject to a covenant restricting the owner and successive owner from selling or renting any of the affordable units as housing that is not affordable for a period of sixty years from the date of the certificate of occupancy.*

E. *The one hundred twenty-day period specified in OCMC 17.50.070.C or D may be extended for a specified period of time at the written request of the applicant. The total of all extensions may not exceed two hundred forty-five calendar days.*

F. *The approval standards that control the City's review and decision on a complete application are those which were in effect on the date the application was first submitted.*

Finding: The applicant acknowledges the obligation to file a complete application and that the 120-day decision deadline applies once the proposal has been deemed complete by the Community Development Director.

17.50.080 Complete application—Required information.
Unless stated elsewhere in OCMC 16 or 17, a complete application includes all the materials listed in this subsection. The Community Development Director may waive the submission of any of these materials if not deemed to be applicable to the specific review sought. Likewise, within thirty days of when the application is first submitted, the Community Development Director may require additional information, beyond that listed in this subsection or elsewhere in Titles 12, 14, 15, 16, or 17, such as a traffic study or other report prepared by an appropriate expert. In any event, the applicant is responsible for the completeness and accuracy of the application and all of the supporting documentation, and the City will not deem the application complete until all information required by the Community Development Director is submitted. At a minimum, the applicant shall submit the following:

A. *One copy of a completed application form that includes the following information:*
   1. *An accurate address and tax map and location of all properties that are the subject of the application;*
   2. *Name, address, telephone number and authorization signature of all record property owners or contract owners, and the name, address and telephone number of the applicant, if different from the property owner(s);*

B. *A complete list of the permit approvals sought by the applicant;*

C. *A complete and detailed narrative description of the proposed development;*

D. *A discussion of the approval criteria for all permits required for approval of the development proposal that explains how the criteria are or can be met or are not applicable, and any other information indicated by staff at the pre-application conference as being required;*

E. *One copy of all architectural drawings and site plans shall be submitted for Type II—IV applications.*
   One paper copy of all application materials shall be submitted for Type I applications;

F. *For all Type II—IV applications, the following is required:*
   1. *An electronic copy of all materials.*
   2. *Mailing labels or associated fee for notice to all parties entitled under OCMC 17.50.090 to receive mailed notice of the application. The applicant shall use the names and addresses of property owners within the notice area indicated on the most recent property tax rolls.*
   3. *Documentation indicating there are no liens favoring the City on the subject site.*
   4. *A receipt from the county assessor's office indicating that all taxes for the lot or parcels involved are paid in full for the preceding tax year.*
   5. *A current preliminary title report or trio for the subject property(ies);*

G. All required application fees;
H. Annexation agreements, traffic or technical studies (if applicable);
I. Additional documentation, as needed and identified by the Community Development Director.

Finding: The application does not propose any development at this time. A basic conceptual site plan of the subject properties has been submitted, which will be refined when a Detailed Development Plan is proposed.

17.50.090 - Public notices.
All public notices issued by the City announcing applications or public hearings of quasi-judicial or legislative actions, shall comply with the requirements of this section.

B. Notice of Public Hearing on a Type III or IV Quasi-Judicial Application. Notice for all public hearings concerning a quasi-judicial application shall conform to the requirements of this subsection. At least twenty days prior to the hearing, the City shall prepare and send, by first class mail, notice of the hearing to all record owners of property within three hundred feet of the subject property and to any city-recognized neighborhood association whose territory includes the subject property. The City shall also publish the notice on the City website within the City at least twenty days prior to the hearing. Pursuant to OCMC 17.50.080.H, the applicant is responsible for providing an accurate and complete set of mailing labels for these property owners and for posting the subject property with the City-prepared notice in accordance with OCMC 17.50.100. Notice of the application hearing shall include the following information:

1. *The time, date and location of the public hearing;*
2. *Street address or other easily understood location of the subject property and city-assigned planning file number;*
3. *A description of the applicant's proposal, along with a list of citations of the approval criteria that the City will use to evaluate the proposal;*
4. *A statement that any interested party may testify at the hearing or submit written comments on the proposal at or prior to the hearing and that a staff report will be prepared and made available to the public at least seven days prior to the hearing;*
5. *A statement that any issue which is intended to provide a basis for an appeal to the City Commission shall be raised before the close of the public record. Issues must be raised and accompanied by statements or evidence sufficient to afford the City and all parties to respond to the issue;*
6. *The notice shall state that a city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290.C must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal;*
7. *A statement that the application and all supporting materials and evidence submitted in support of the application may be inspected at no charge and that copies may be obtained at reasonable cost at the planning division offices during normal business hours; and*
8. *The name and telephone number of the planning staff person responsible for the application or is otherwise available to answer questions about the application.*

Finding: The applicant acknowledges the public notice requirements for a Type IV application.

17.50.100 - Notice posting requirements.

Where this chapter requires notice of a pending or proposed permit application or hearing to be posted on the subject property, the requirements of this section shall apply.

A. *City Guidance and the Applicant's Responsibility. The City shall supply all of the notices which the applicant is required to post on the subject property and shall specify the dates the notices are to be posted and the earliest date on which they may be removed. The City shall also provide a statement to be signed and returned by the applicant certifying that the notice(s) were posted at the correct time and that if there is any delay in the City's land use process caused by the applicant's failure to correctly post the subject property for the required period of time and in the correct location, the applicant agrees to extend the applicable decision-making time limit in a timely manner.*
B. *Number and Location. The applicant shall place the notices on each frontage of the subject property. If the property's frontage exceeds six hundred feet, the applicant shall post one copy of the notice for each six hundred feet or fraction thereof. Notices do not have to be posted adjacent to alleys or unconstructed right-of-way. Notices shall be posted within ten feet of the street and shall be visible to pedestrians and motorists. Notices shall not be posted within the public right-of-way or on trees. The applicant shall remove all signs within ten days following the event announced in the notice.*

Finding: The applicant acknowledges the public notice requirements for a Type IV application.

17.50.110 Assignment of decision-makers.
The following City entity or official shall decide the following types of applications:

A. *Type I Decisions. The Community Development Director shall render all Type I decisions. The Community Development Director's decision is the City's final decision on a Type I application.*
B. *Type II Decisions. The Community Development Director shall render the City's decision on all Type II permit applications, which are then appealable to the City Commission with notice to the Planning Commission. The City's final decision is subject to review by LUBA.*
C. *Type III Decisions. The Planning Commission or Historic Review Board, as applicable, shall render all Type III decisions. Such decision is appealable to the City Commission, on the record. The City Commission 's decision is the city's final decision and is subject to review by LUBA within twenty-one days of when it becomes final.*
D. *Type IV Decisions. The Planning Commission shall render the initial decision on all Type IV permit applications. If the Planning Commission denies the Type IV application, that decision is final unless appealed in accordance with OCMC 17.50.190. If the Planning Commission recommends approval of the application, that recommendation is forwarded to the City Commission. The City Commission decision is the City's final decision on a Type IV application and is subject to review LUBA.*
E. *Expedited Land Division (ELD). The Community Development Director shall render the initial decision on all ELD applications. The Community Development Director's decision is the City's final decision unless appealed in accordance to ORS 197.375 to a City-appointed hearings referee. The hearings referee decision is the City's final decision which is appealable to the Oregon Court of Appeals.*

Finding: this application is a Type IV decision and will be processed pursuant to (D).

17.50.120 Quasi-judicial hearing process.

All public hearings pertaining to quasi-judicial permits, whether before the Planning Commission, Historic Review Board, or City Commission, shall comply with the procedures of this section. In addition, all public hearings held pursuant to this chapter shall comply with the Oregon Public Meetings Law, the applicable provisions of ORS 197.763 and any other applicable law.

A. *Once the Community Development Director determines that an application for a Type III or IV decision is complete, the planning division shall schedule a hearing before the Planning Commission or Historic Review Board, as applicable. Once the Community Development Director determines that an appeal of a Type II, Type III or Type IV decision has been properly filed under OCMC 17.50.190, the planning division shall schedule a hearing pursuant to OCMC 17.50.190.*
B. *Notice of the Type III or IV hearing shall be issued at least twenty days prior to the hearing in accordance with OCMC 17.50.090.B.*
C. *Written notice of an appeal hearing shall be sent by regular mail no later than fourteen days prior to the date of the hearing to the appellant, the applicant if different from the appellant, the property owner(s) of the subject site, all persons who testified either orally or in writing before the hearing body and all persons that requested in writing to be notified.*
D. *The Community Development Director shall prepare a staff report on the application which lists the applicable approval criteria, describes the application and the applicant's development proposal, summarizes all relevant city department, agency and public comments, describes all other pertinent facts as they relate to the application and the approval criteria and makes a recommendation as to whether each of the approval criteria are met.*
E. *At the beginning of the initial public hearing at which any quasi-judicial application or appeal is reviewed, a statement describing the following shall be announced to those in attendance:*
    1. *That the hearing will proceed in the following general order: Staff report, applicant's presentation, testimony in favor of the application, testimony in opposition to the application, rebuttal, record closes, commission deliberation and decision;*
    2. *That all testimony and evidence submitted, orally or in writing, shall be directed toward the applicable approval criteria. If any person believes that other criteria apply in addition to those addressed in the staff report, those criteria shall be listed and discussed on the record. The meeting chairperson may reasonably limit oral presentations in length or content depending upon time constraints. Any party may submit written materials of any length while the public record is open;*
    3. *Failure to raise an issue on the record with sufficient specificity and accompanied by statements or evidence sufficient to afford the City and all parties to respond to the issue, will preclude appeal on that issue to the land use board of appeals;*
    4. *Any party wishing a continuance or to keep open the record shall make that request while the record is still open;*
    5. *That the commission chair shall call for any ex-parte contacts, conflicts of interest or bias before the beginning of each hearing item; and*
    6. *For appeal hearings, only those persons who participated either orally or in writing in the decision or review will be allowed to participate either orally or in writing on the appeal.*
F. *Requests for continuance and to keep open the record: The hearing may be continued to allow the submission of additional information or for deliberation without additional information. New notice of a continued hearing need not be given so long as a time-certain and location is established for the continued hearing. Similarly, hearing may be closed but the record kept open for the submission of additional written material or other documents and exhibits. The chairperson may limit the factual and legal issues that may be addressed in any continued hearing or open record period.*

Finding: The applicant acknowledges the public hearing procedures that apply for a Type IV land use application.

17.50.130 Conditions of approval and notice of decision.

A. *All City decision-makers have the authority to impose reasonable conditions of approval designed to ensure that all applicable approval standards, including standards set out in city overlay districts, the City's master plans, and City public works design standards, are, or can be met.*
B. *Failure to comply with any condition of approval shall be grounds for revocation of the permit(s) and grounds for instituting code enforcement proceedings pursuant to OCMC 1.20 of this code and ORS 30.315.*
C. *Notice of Decision. The City shall send, by first class mail, a notice of all decisions rendered under this chapter to all persons with standing, i.e., the applicant, all others who participated either orally or in writing before the close of the public record and those who specifically requested notice of the decision. The notice of decision shall include the following information:*
    1. *The file number and date of decision;*
    2. *The name of the applicant, owner and appellant (if different);*
    3. *The street address or other easily understood location of the subject property;*
    4. *A brief summary of the decision, and if an approval, a description of the permit approved;*
    5. *A statement that the decision is final unless appealed and description of the requirements for perfecting an appeal;*
    6. *The contact person, address and a telephone number whereby a copy of the final decision may be inspected or copies obtained.*
D. *Modification of Conditions. Any request to modify a condition of permit approval is to be considered either minor modification or a major modification, unless otherwise authorized. A minor modification shall be processed as a Type I. A major modification shall be processed in the same manner and shall be subject to the same standards as was the original application. However, the decision-maker may at their sole discretion, consider a modification request and limit its review of the approval criteria to those issues or aspects of the application that are proposed to be changed from what was originally approved.*

Finding: the applicant acknowledges that conditions of approval may be applied to this decision to assure compliance with the code.

<u>CHAPTER 17.39 I INSTITUTIONAL DISTRICT</u>

17.39.010 - Designated.

The purpose of this district is designed to facilitate the development of major public institutions, government facilities and parks and ensure the compatibility of these developments with surrounding areas. The I—Institutional zone is consistent with the public/quasi-public and park designations on the comprehensive plan map.

Finding: Complies as proposed. This proposal includes a code amendment to the I – Institutional District to allow RV parks as an accessory use to parks, which is a permitted primary use in the I – Institutional Zone. The proposed amendment is consistent with park use. Clackamette Park has had an RV park for a long time, and any relocation of the park would continue to be consistent with that use.

17.39.020 - Permitted uses.
Permitted uses in the institutional district are:

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

Finding: RV parks are not currently listed as a permitted use in the I - Institutional zone district. This proposal includes a code amendment to section *17.39.030 – Accessory Uses* of the code to add city managed RV parks as a permitted accessory use to a park in the institutional district.

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

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

Finding: This proposal includes a code amendment to this section of the code to add an RV park for Clackamette Park as a permitted accessory use to part B of this section in the institutional district.

17.39.040 - Conditional uses.
Uses requiring conditional use permit are:

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

Finding: Not applicable. The applicant has not proposed a Conditional Use. See section .030 above.

17.39.045 - Prohibited uses.
Prohibited uses in the I district are:

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

B. Marijuana businesses;

Finding: currently, the proposed RV park use is not permitted since it is not listed expressly in OCMC 17.39.020, 17.39.030 or 17.39.040.This proposal includes a code amendment to section 17.39.030 of the code to expressly list an RV park for Clackamette Park as a permitted accessory use to section .030.

17.39.050 - Dimensional standards.
Dimensional standards in the I district are:

A. Maximum building height: Within one hundred feet of any district boundary, not to exceed thirty-five feet; elsewhere, not to exceed seventy feet.
B. Minimum required setbacks: Twenty-five feet from property line except when the development is adjacent to a public right-of-way. When adjacent to a public right-of-way, the minimum setback is zero feet and the maximum setback is five feet.
Public utility easements may supersede the minimum setback. Maximum setback may be increased per OCMC 17.62.055.D.
C. Minimum required landscaping (including landscaping within a parking lot): Fifteen percent.

Finding: not applicable. No structures are proposed at this time, so the dimensional standards of this section do not apply. New structures would be reviewed at the time of detailed development plan.

17.39.060 - Relationship to master plan.

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

Finding: A master plan was submitted and approved by the Planning Commission for Clackamette Park which totals approximately 20 acres. The Notice of Decision for GLUA-23-00012 / MAS-23-00001 was issued 7/14/2023, with conditions. Because the original approval by the Planning Commission was made based on an RV Park location which is now being re-evaluated by the City Commission, the Master Plan and condition of approval associated with the RV park may require additional review by the Planning Commission when an exact location for the RV park has been selected by the City Commission.

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

Finding: not applicable. The applicant did not request any adjustments to the dimensional standards of the I zone district with this application. Site plan and design review will be required when a proposed location and site specific design for a new RV park is determined.

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

Finding: not applicable. The applicant did not request any modifications to any other development standards with this application.

III. CONCLUSION AND RECOMMENDATION:

Based on the analysis and findings as described above and the recommendation of the Planning Commission, the Community Development Director concludes that the proposed Zoning Code Amendment to Chapter 17.39 – I Institutional District, to allow RV parks as an allowed accessory use to Clackamette Park, meets the applicable requirements for a zoning code amendment in the Oregon City Municipal. Therefore, the Community Development Director recommends approval of the proposal, based upon the findings and exhibits contained in this staff report.

EXHIBITS:

1. Clackamette Park Master Plan Concept Vicinity Map
2. Applicant's Narrative
3. Public Notice
4. DLCD Notice
5. GLUA-23-00012 / MAS-23-00001 - Clackamette Park Master Plan – Planning Commission Approval July 13, 2023 / Notice of Decision, July 14, 2023
6. Video Recording of the January 8, 2024 Planning Commission meeting: https://meetings.municode.com/MeetingDetailsPage/index?clientCode=OREGONCITY&meetingId=ace49924-ed01-441f-a89b-da0087926390
7. City YouTube Channel Video of the January 8, 2024 Planning Commission meeting: https://www.youtube.com/live/aTOOjn5TkPY?si=t6X_uy_F5DYjgf1l

Chapter 17.39 I INSTITUTIONAL DISTRICT[1]

17.39.010 Designated.

The purpose of this district is designed to facilitate the development of major public institutions, government facilities and parks and ensure the compatibility of these developments with surrounding areas. The I—Institutional zone is consistent with the public/quasi-public and park designations on the comprehensive plan map.

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

17.39.020 Permitted uses.

Permitted uses in the institutional district are:

A. Private and/or public educational or training facilities;

B. Parks, playgrounds, playfields and community or neighborhood community centers;

C. Public facilities and services including courts, libraries and general government offices and maintenance facilities;

D. Stadiums and arenas;

E. Banquet, conference facilities and meeting rooms;

F. Government offices;

G. Transportation facilities;

H. Mobile food units.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 13-1003, § 1(Exh. 1), 7-17-2013; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.39.030 Accessory uses.

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

A. Offices;

B. Retail (not to exceed twenty percent of total gross floor area of all building);

C. Child care centers or nursery schools;

D. Scientific, educational, or medical research facilities and laboratories;

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[1]Editor's note(s)—Ord. No. 08-1014, adopted July 1, 2009, repealed Chapter 17.39 in its entirety and enacted new provisions to read as herein set out. Prior to amendment, Chapter 17.39 pertained to similar subject matter. See Ordinance Disposition List for derivation.

E. Religious institutions.

F. A ~~city-managed~~ recreational vehicle park for Clackamette Park.

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

17.39.040 Conditional uses.

Uses requiring conditional use permit are:

A. Any uses listed under OCMC 17.39.030 that are not accessory to the primary institutional use;

B. Boarding and lodging houses, bed and breakfast inns;

C. Cemeteries, crematories, mausoleums, and columbariums;

D. Correctional facilities;

E. Helipad in conjunction with a permitted use;

F. Parking lots not in conjunction with a primary use;

G. Public utilities, including sub-stations (such as buildings, plants and other structures);

H. Fire stations;

I. Police station.

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

17.39.045 Prohibited uses.

Prohibited uses in the I district are:

A. Any use not expressly listed in OCMC 17.39.020, 17.39.030 or 17.39.040;

B. Marijuana businesses.

(Ord. No. 16-1008, § 1(Exh. A), 10-19-2016, ballot 11-8-2016; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.39.050 Dimensional standards.

Dimensional standards in the I district are:

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

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

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

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

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019; Ord. No. 21-1007, § 1(Exh. A), 4-21-2021)

17.39.060 Relationship to master plan.

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

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

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

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

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

17.04.1010 Recreational vehicle.

"Recreational vehicle" means a vehicle which is:

1. Built on a single chassis;
2. Four hundred square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily as temporary quarters for recreational, camping, travel or seasonal use and not for use as a dwelling.

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

17.04.1013 Recreational vehicle park.

"Recreational vehicle park" means a property developed with facilities and spaces for accommodating motor homes or other recreational vehicles for temporary recreational use by the general public. Uses where unoccupied recreational vehicles are offered for sale or lease, or are stored, are not included as Recreational vehicle parks. A Manufactured Home Park or Subdivision for permanent residential use is not a Recreational vehicle park.

Type IV Land Use Decision

Comprehensive Plan Map, Zoning and Text Amendment

Applicant's Narrative and Responses to City Code Requirements

11/21/2023

APPLICANT: City of Oregon City, Parks and Recreation Department
Kendall Reid, Director

OWNER: City of Oregon City
Attn: Tony Konkol, City Manager

REQUEST: The Oregon City Parks and Recreation Department is requesting a Zoning Code Amendment to Chapter 17.39 – *I Institutional District*, to allow a city-owned RV parks as an allowed accessory use to Clackamette Park. This application is submitted at the direction of the City Commission in response to Condition of Approval #32 of Planning Files GLUA-23-00012 / MAS-23-00001, Clackamette Park Master Plan.

LOCATION: Clackamette Park is located at the northern end of Clackamette Drive near the confluence of the Clackamas River and the Willamette River, west of McLoughlin Boulevard (OR 99-E). The exact location of the RV Park for Clackamette Park has not been determined at this time.

I. BACKGROUND:

The Planning Commission conditionally approved the Clackamette Park Master Plan, Planning Files GLUA-23-00012 / MAS-23-00001, on July 13, 2023.

The plan includes the relocation of the city managed RV park from it's current location. The master plan and the location of the RV park are under further discussion by the City Commission. The action the City Commission has directed staff to pursue is to amend the code language for the Institutional zone only to allow overnight parking and camping for recreational vehicles for Clackamette Park.

Should the City Commission keep the current Master Plan layout for Clackamette Park, a zone change, and comprehensive plan amendment will be needed for two parcels that would be used for the RV park, but the text amendment will have already occurred.

Description of Code Amendment

Overnight parking and camping for recreational vehicles is not a listed permitted use in the MUD - Mixed Use Downtown zone district per OCMC 17.34.020.

The proposed zoning code amendment consists of adding city-managed recreational vehicle parks as an allowed accessory use for Clackamette Park to subsection 17.39.030 of Chapter 17.39 – I Institutional Zone.

II. APPROVAL CRITERIA:

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

CHAPTER 17.68 ZONING CHANGES AND COMPREHENSIVE PLAN AMENDMENTS

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

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

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

Applicant's Response: this application seeks to amend the zoning code text, zoning map and Comprehensive Plan Map and has been initiated by an application to the Planning Division by the Parks and Recreation Department.

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

Applicant's Response: See responses above**.**

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

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

Applicant's Response: The proposal is consistent with the applicable goals and policies of the comprehensive plan as detailed below.

(P.33) Land Use

Land Use

Oregon City promotes community vitality through good design, efficient use of land, and strategies and actions that ensure new development contributes to the City's overall character and quality of life. The City also acknowledges the critical role of corridors and the opportunity they provide for transit-oriented, higher-intensity, mixed-use development patterns. Connections - particularly multi-modal connections - between neighborhoods, Downtown, the waterfront, and other activity centers are emphasized in

planning efforts so that residents and visitors can easily move around and meet their daily needs without having to travel long distances.

All land use types are regulated through the Zoning Map, and are generally categorized as residential, commercial, industrial, institutional/civic, or open space/natural areas. The City's land use categories include:

• Low Density Residential (LR) — primarily single-family detached homes and middle housing.

• Medium Density Residential (MR) — residential developments with dwelling unit types such as attached single-family units, rowhouses, and townhouses.

• High Density Residential (HR) — typically high-density, multiple dwelling residential. Permitted uses include apartments, condominiums, and single-family attached and rowhouse dwellings.

• Commercial (C) — commercial uses serving local, city-wide, and regional needs, such as retail and service commercial. Typically, this classification is associated with newer, suburban development and located along arterial streets.

• Industrial (I) — uses related to manufacturing, processing, and distribution of goods. Employment based uses are encouraged. Intensive or heavy industrial uses are allowed in certain zones. Zones in the Comprehensive Plan Land-Use Map district are designed to comply with requirements of Title 4 of Metro's Urban Growth Management Functional Plan (1998).

• Mixed Use Corridor (MUC) — higher density mixed uses that are supportive of transit and conducive to pedestrian traffic. Urban density residential and commercial goods and services are typical uses. Zones in the Comprehensive Plan Land-Use Map district are intended to be compatible with Metro's Corridor design type.

• Mixed Use Employment (MUE) — employment-intensive uses such as offices, research and development, light manufacturing, and associated commercial uses.

• Mixed Use Downtown (MUD) — urban density, mixed uses that are conducive to pedestrian and transit uses. This category is intended to be used to implement the Oregon City Downtown Community Plan (1999), the Oregon City Waterfront Master Plan (2002), and Metro's Regional Center concept, particularly in terms of connecting the Downtown with the waterfront. A design overlay is included in this area and is intended to promote development consistent with Oregon City's traditional Downtown form.

• Public and Quasi-Public (QP) — publicly owned lands other than city parks, such as schools, cemeteries, undeveloped lands, open space, government buildings and public utility facilities, such as the sewage treatment plant and water reservoirs.

• Parks (P) — City parks.

• Future Urban Holding (FUH) — undesignated, pending development and approval of a "concept plan," a Metro requirement that cities plan land uses in areas being converted from rural to urban uses.

Applicant's Response: the proposed code amendment does not change the adopted comprehensive plan map or zoning map. City parks typically have a Comprehensive Plan designation of **QP** - Public / Quasi Public or **P** – Parks and are zoned I - Institutional. Clackamette Park is designated P – Parks and is zoned I – Institutional.

(P.53) Parks and Recreation

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

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

(P.54) Natural Resources

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

Comprehensive Plan Chapter 1. Healthy and Welcoming Communities

> *GOAL 1 Implement and maintain a community engagement program that provides broad and inclusive opportunities for all Oregon City community members to learn about and understand city government processes, including land use planning, and participate meaningfully in decisions that impact their communities.*
>
> *POLICY 1.5 Provide on-going education to the community regarding land use projects and processes and ensure clear communication about when and how to be involved at key points in the process.*

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

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

Comprehensive Plan Chapter 2. Diverse Economy

POLICY 1.6 Promote the city's destinations, natural resources, and historic and cultural amenities to grow the tourism industry.

STRATEGY 1.6.C Ensure land uses and transportation connections that support tourism as an important aspect of the City's economic development strategy. This includes important cultural and historical amenities.

POLICY 4.3 Utilize urban design principles that create comfortable and attractive public spaces that are reflective of Oregon City's community vision.

Comprehensive Plan Chapter 3. Connected Infrastructure

GOAL 1 Provide a safe, comfortable, and accessible transportation network that serves all modes of travel, including non- motorized modes.

POLICY 1.2 Reduce Oregon City's carbon footprint by supporting and emphasizing non-motorized modes.

STRATEGY 1.2.A Provide an interconnected and accessible pedestrian system that links residential areas with major pedestrian generators such as employment centers, public facilities, and recreational areas.

STRATEGY 1.2.B Provide a well-defined and accessible bicycle network that links residential areas, major bicycle generators, employment centers, recreational areas, and the arterial and collector roadway network.
STRATEGY 1.2.C Construct bikeways and sidewalks and require connectivity of these facilities to reduce the use of petroleum-fueled transportation.

POLICY 1.3 Promote safety by implementing street design that equally considers and serves non-motorized and motorized users.

STRATEGY 1.3.A Identify and implement ways to minimize conflict points between different modes of travel.

Applicant's Response: the proposed code amendment is consistent with Goal 1 since the conceptual design includes street improvements, trails, crosswalks on Clackamette Drive and Main Street, sidewalks and bicycle lanes to improve recreation, and pedestrian and bicycle connections in and abutting the park. Recreational Vehicle park users often bring their bicycles, scooters, and other forms of transportation with them, which increases multi-modal activity. The code amendment would support additional park use by RV users of all ages and abilities.

Comprehensive Plan Chapter 4: Protected Environment

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

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

STRATEGY 1.4.A Manage open space areas for their value in linking citizens and visitors with the natural environment, providing solace, exercise, scenic views and outdoor education. Built features in open space sites should harmonize with natural surroundings.

Applicant's Response: The proposed code amendment is consistent with Goal 1, because it would allow accessibility to parks by users of all ages and abilities who need the convenience that overnight recreational vehicle use allows. The exact location and design for the RV park has not been completed at this point.

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

POLICY 2.4 Protect and enhance the urban forest tree canopy.

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

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

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

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

Applicant's Response: The proposed code amendment is consistent with Goal 2, through the application of development codes and overlay district regulations and in the OCMC that are acknowledged and consistent with the Statewide land use planning goals of the State of Oregon, through the application of engineering and public works design standards for stormwater management, erosion control and drainage. The city has an adopted tree code. The proposed code amendment would allow flexibility for the RV park to be located away from areas that are impacted by seasonal flooding or which have sensitive habitat and water quality.

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

STRATEGY 2.7.A Promote land-use patterns that reduce the need for distance travel by single-occupancy vehicles and increase opportunities for walking, biking and/or transit to destinations such as places of employment, shopping and education.

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

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

STRATEGY 2.9.A Conserve natural resources that have significant functions and values related to flood protection, sediment and erosion control, water quality, groundwater recharge and discharge, education, vegetation, and fish and wildlife habitat.

Applicant's Response: The proposed code amendment is consistent with Goal 2 through the application of development codes and overlay district regulations in the Oregon City Municipal Code that are acknowledged and consistent with the Statewide land use planning goals of the State of Oregon, and through the application of engineering and public works design standards for stormwater management, erosion control and drainage.

GOAL 3
Ensure the safety of residents and property by supporting plans, programs, and investments that minimize the impacts of future natural hazard events and aid in rapid response and recovery.

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

Applicant's Response: The proposed code amendment is consistent with the Goal 3, through the application of the Clackamas County Hazard Mitigation Plan and through application of development codes and overlay district regulations in the OCMC.

GOAL 4
Ensure the environmental and economic health of the Willamette River Greenway (WRG) as a key feature of Oregon City and the broader region

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

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

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

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

Applicant's Response: The proposed code amendment is consistent with Goal 2 through the application of development codes and overlay district regulations in the Oregon City Municipal Code that are acknowledged and consistent with the Statewide land use planning goals of the State of Oregon, and through the application of engineering and public works design standards for stormwater management, erosion control and drainage.

B. *That public facilities and services (water, sewer, storm drainage, transportation, schools, police and fire protection) are presently capable of supporting the uses allowed by the zone or plan amendment, or can be made available prior to issuing a certificate of occupancy. Service shall be sufficient to support the range of uses and development allowed by the zone or plan amendment;*

Applicant's Response: this criterion is not applicable at this time since a site specific development plan has not yet been proposed.

Further review of adequacy of public facilities and required improvements will be determined at the time of Detailed Development Plan submittal.

C. *The land uses authorized by the proposal are consistent with the existing or planned function, capacity and level of service of the transportation system serving the proposed zoning district or plan amendment; and*

Applicant's Response: The applicant submitted a Transportation Analysis Letter (TAL) for the Clackamette Park master plan application prepared by Kittelson & Associates Transportation Engineers. In general terms, the TAL is applicable to smaller developments that are presumed to have a lesser transportation impact. The TAL was based on a conceptual site plan, and additional traffic impact analysis will be required when the exact location of an RV park and a site plan is proposed.

Overall, there will be a net increase of 198 daily added trips for the build-out of the park master plan. The relocated RV park will reduce the number of RV park sites from 38 to 18, resulting in a reduced number of site trips associated with RV use. The new RV park will generate 49 daily trips, 4 am peak hour trips and 5 pm peak hour trips. The proposed zoning map and code amendments will have a minimal impact on the transportation system; however, additional transportation analysis will be

required when a detailed development plan is proposed. The TAL was not required to include an analysis of intersection capacity.[1]

D. *Statewide planning goals shall be addressed if the comprehensive plan does not contain specific policies or provisions which control the amendment.*

Applicant's Response: The City has adopted a Comprehensive Plan acknowledged by the Department of Land Conservation and Development which addresses goals, policies and strategies that control the amendment, so there is no need to address statewide planning goals.

17.68.025 - Zoning for land annexed into the City.
Upon annexation into the City, the property shall be rezoned from County zoning to the corresponding City zoning designation as identified in Table 17.06.030, provided the criteria for a zone change can be met.

Applicant's Response: not applicable. The proposal does not include annexation.

17.68.040 - Approval by the Commission.
If the Planning Commission finds that the request or application for an amendment, or change, complies with the criteria of OCMC 17.68.020, it shall forward its findings and recommendation to the City Commission for action thereon by that body.

Applicant's Response: the applicant understands that the City Commission decision will be based on the recommendations of the Planning Commission.

17.68.050 - Conditions.
In granting a change in zoning classification to any property, the Commission may attach such conditions and requirements to the zone change as the Commission deems necessary in the public interest and such conditions and restrictions shall thereafter apply to the zone change or map amendment.

Applicant's Response: the applicant understands that the Planning Commission may recommend, and that the City Commission may add conditions of approval.

<u>CHAPTER 17.50 – ADMINISTRATION AND PROCEDURES</u>
17.50.010 Purpose.
This chapter provides the procedures by which Oregon City reviews and decides upon applications for all permits relating to the use of land authorized by ORS 92, 197 and 227. These permits include all form of land divisions, land use, limited land use and expedited land division and legislative enactments and amendments to the Oregon City Comprehensive Plan and Titles 16 and 17 of this code. Pursuant to ORS

[1] Transportation Analysis Letter (TAL) requirements are detailed in the City's adopted Guidelines for Transportation Analysis. TAL analysis is appropriate: (a) if the development generates fewer than 24 peak hour trips during either the AM or PM peak hour and fewer than 250 daily trips, (b) the development is not expected to further impact intersections that currently fail to meet the City's mobility standards or intersections that are operating near the limits of the acceptable thresholds during a peak operating hour. (Mobility standards are defined in 7.9.1), and (c) the development is not expected to significantly impact adjacent roadways and intersections that are high accident locations, areas that contain an identified safety concern, or high concentration of pedestrians or bicyclists such as school zones. The master plan proposal met the requirements for a TAL.

227.175, any applicant may elect to consolidate applications for two or more related permits needed for a single development project. Any grading activity associated with development shall be subject to preliminary review as part of the review process for the underlying development. It is the express policy of the City of Oregon City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.

Applicant's Response: this application is subject to a Type IV review process under this code Chapter.

17.50.030 Summary of the City's decision-making processes.
The following decision-making processes chart shall control the City's review of the indicated permits:
Table 17.50.030 – Permit Approval Process

Permit Type	***I***	***II***	***III***	***IV***
Plan or code amendment				*X*
Zone Change				*X*

D. *Type IV decisions include only quasi-judicial plan amendments and zone changes. These applications involve the greatest amount of discretion and evaluation of subjective approval standards and shall be heard by the City Commission for final action. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and Planning Commission hearing is published and mailed to the applicant, recognized neighborhood association(s) and property owners within three hundred feet. Notice shall be issued at least twenty days pre-hearing, and the staff report shall be available at least seven days pre-hearing. At the evidentiary hearing held before the Planning Commission, all issues are addressed. If the Planning Commission denies the application, any party with standing (i.e., anyone who appeared before the Planning Commission either in person or in writing within the comment period) may appeal the Planning Commission denial to the City Commission. If the Planning Commission denies the application and no appeal has been received within fourteen days of the issuance of the final decision, then the action of the Planning Commission becomes the final decision of the City. If the Planning Commission votes to approve the application, that decision is forwarded as a recommendation to the City Commission for final consideration. In either case, any review by the City Commission is on the record and only issues raised before the Planning Commission may be raised before the City Commission. The City Commission decision is the City's final decision and is subject to review by LUBA within twenty-one days of when it becomes final.*

Applicant's Response: this application is subject to a Type IV review process and the applicable public notice and hearings before the Planning Commission and City Commission.

17.50.040 Development review in overlay districts and for erosion control.
For any development subject to regulation of geologic hazards overlay district under OCMC 17.44; natural resource overlay district under OCMC 17.49; Willamette River Greenway Overlay District under OCMC 17.48; historic overlay district under OCMC 17.40, and erosion and sediment control under OCMC 17.47, compliance with the requirements of these chapters shall be reviewed as part of the review process required for the underlying development for the site.

Applicant's Response: No development is proposed at this time, however the applicant acknowledges that subsequent detailed development plans will be subject to compliance with the applicable overlay districts requirements and Erosion and Sediment Control standards. The properties are within the

Geologic Hazards (OCMC 17.44), Willamette River Greenway (OCMC 17.48), and Flood Management Overlay Districts (OCMC 17.40).

17.50.050 – Pre-application conference.

A Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the pre-application conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal.

1. *To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.*
2. *At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.*
3. *The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.*

B. A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.

C. Notwithstanding any representations by City staff at a pre-application conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

Applicant's Response: The applicant attended the required pre-application conference (file PA-22-00046) for the master plan on 9/28/2022. A second meeting was held by staff on August 30, 2023 to cover the procedures for the Comprehensive Plan Map, Zoning Map and Zoning Code amendments.

17.50.055 - Neighborhood association meeting.

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

A. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.

B. *The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the citizen involvement committee.*
C. *A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, citizen involvement committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a city facility.*
D. *If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the citizen involvement committee.*
E. *To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.*

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

17.50.060 Application requirements.
A permit application may only be initiated by the record property owner or contract purchaser, the City Commission or Planning Commission. If there is more than one record owner, then the City will not complete a Type II—IV application without signed authorization from all record owners. All permit applications shall be submitted on the form provided by the City, along with the appropriate fee and all necessary supporting documentation and information, sufficient to demonstrate compliance with all applicable approval criteria. The applicant has the burden of demonstrating, with evidence, that all applicable approval criteria are, or can be, met.

Applicant's Response: the city manager signed the land use application on behalf of the city. Additional materials in support of the proposal are provided with this submittal.

17.50.070 Completeness review and one hundred twenty-day rule.
A. *Upon submission, the Community Development Director shall date stamp the application form and verify that all of the appropriate application review fee(s) have been submitted. Upon receipt of all review fees and an application form, the Community Development Director will then review the application and all information submitted with it and evaluate whether the application is complete enough to process. Within thirty days of receipt of the application and all applicable review fees, the Community Development Director shall complete this initial review and issue to the applicant a written statement indicating whether the application is complete enough to process, and if not, what information shall be submitted to make the application complete.*
B. *The applicant has one hundred eighty days from the date the application was made to submit the missing information or the application shall be rejected and the unused portion of the*

application fee returned to the applicant. If the applicant submits the requested information within the one hundred eighty-day period, the Community Development Director shall again verify whether the application, as augmented, is complete. Each such review and verification shall follow the procedure in subsection A of this section.

The application will be deemed complete for the purpose of this section upon receipt by the Community Development Director of:

1. *All the missing information;*
2. *Some of the missing information and written notice from the applicant that no other information will be provided; or*
3. *Written notice from the applicant that none of the missing information will be provided.*

C. *Once the Community Development Director determines the application is complete enough to process, or the applicant refuses to submit any more information, the City shall declare the application complete. Pursuant to ORS 227.178, the City will reach a final decision on an application within one hundred twenty calendar days from the date that the application is determined to be or deemed complete unless the applicant agrees to suspend the one hundred twenty-calendar-day timeline or unless state law provides otherwise. The one hundred twenty-day period, however, does not apply in the following situations:*
   1. *Any hearing continuance or other process delay requested by the applicant shall be deemed an extension or waiver, as appropriate, of the one hundred twenty-day period.*
   2. *Any delay in the decision-making process necessitated because the applicant provided an incomplete set of mailing labels for the record property owners within three hundred feet of the subject property shall extend the one hundred twenty-day period for the amount of time required to correct the notice defect.*
   3. *The one hundred twenty-day period does not apply to any application for a permit that is not wholly within the City's authority and control.*
   4. *The one hundred twenty-day period does not apply to any application for an amendment to the City's comprehensive plan or land use regulations nor to any application for a permit, the approval of which depends upon a plan amendment.*

D. *A one hundred day-period applies in place of the one hundred twenty-day period for affordable housing projects where:*
   1. *The project includes five or more residential units, including assisted living facilities or group homes;*
   2. *At least fifty percent of the residential units will be sold or rented to households with incomes equal to or less than sixty percent of the median family income for Clackamas County or for the state, whichever is greater; and*
   3. *Development is subject to a covenant restricting the owner and successive owner from selling or renting any of the affordable units as housing that is not affordable for a period of sixty years from the date of the certificate of occupancy.*

E. *The one hundred twenty-day period specified in OCMC 17.50.070.C or D may be extended for a specified period of time at the written request of the applicant. The total of all extensions may not exceed two hundred forty-five calendar days.*

F. *The approval standards that control the City's review and decision on a complete application are those which were in effect on the date the application was first submitted.*

Applicant's Response: The applicant acknowledges the obligation to file a complete application and that the 120-day decision deadline applies once the proposal has been deemed complete by the Community Development Director.

17.50.080 Complete application—Required information.
Unless stated elsewhere in OCMC 16 or 17, a complete application includes all the materials listed in this subsection. The Community Development Director may waive the submission of any of these materials if not deemed to be applicable to the specific review sought. Likewise, within thirty days of when the application is first submitted, the Community Development Director may require additional information, beyond that listed in this subsection or elsewhere in Titles 12, 14, 15, 16, or 17, such as a traffic study or other report prepared by an appropriate expert. In any event, the applicant is responsible for the completeness and accuracy of the application and all of the supporting documentation, and the City will not deem the application complete until all information required by the Community Development Director is submitted. At a minimum, the applicant shall submit the following:

A. One copy of a completed application form that includes the following information:
    1. An accurate address and tax map and location of all properties that are the subject of the application;
    2. Name, address, telephone number and authorization signature of all record property owners or contract owners, and the name, address and telephone number of the applicant, if different from the property owner(s);
B. A complete list of the permit approvals sought by the applicant;
C. A complete and detailed narrative description of the proposed development;
D. A discussion of the approval criteria for all permits required for approval of the development proposal that explains how the criteria are or can be met or are not applicable, and any other information indicated by staff at the pre-application conference as being required;
E. One copy of all architectural drawings and site plans shall be submitted for Type II—IV applications.
    One paper copy of all application materials shall be submitted for Type I applications;
F. For all Type II—IV applications, the following is required:
    1. An electronic copy of all materials.
    2. Mailing labels or associated fee for notice to all parties entitled under OCMC 17.50.090 to receive mailed notice of the application. The applicant shall use the names and addresses of property owners within the notice area indicated on the most recent property tax rolls.
    3. Documentation indicating there are no liens favoring the City on the subject site.
    4. A receipt from the county assessor's office indicating that all taxes for the lot or parcels involved are paid in full for the preceding tax year.
    5. A current preliminary title report or trio for the subject property(ies);
G. All required application fees;
H. Annexation agreements, traffic or technical studies (if applicable);
I. Additional documentation, as needed and identified by the Community Development Director.

Applicant's Response: The application does not propose any development at this time. A basic conceptual site plan of the subject properties has been submitted, which will be refined when a Detailed Development Plan is proposed.

17.50.090 - Public notices.
All public notices issued by the City announcing applications or public hearings of quasi-judicial or legislative actions, shall comply with the requirements of this section.

B. Notice of Public Hearing on a Type III or IV Quasi-Judicial Application. Notice for all public hearings concerning a quasi-judicial application shall conform to the requirements of this subsection. At least twenty days prior to the hearing, the City shall prepare and send, by first

class mail, notice of the hearing to all record owners of property within three hundred feet of the subject property and to any city-recognized neighborhood association whose territory includes the subject property. The City shall also publish the notice on the City website within the City at least twenty days prior to the hearing. Pursuant to OCMC 17.50.080.H, the applicant is responsible for providing an accurate and complete set of mailing labels for these property owners and for posting the subject property with the City-prepared notice in accordance with OCMC 17.50.100. Notice of the application hearing shall include the following information:

1. *The time, date and location of the public hearing;*
2. *Street address or other easily understood location of the subject property and city-assigned planning file number;*
3. *A description of the applicant's proposal, along with a list of citations of the approval criteria that the City will use to evaluate the proposal;*
4. *A statement that any interested party may testify at the hearing or submit written comments on the proposal at or prior to the hearing and that a staff report will be prepared and made available to the public at least seven days prior to the hearing;*
5. *A statement that any issue which is intended to provide a basis for an appeal to the City Commission shall be raised before the close of the public record. Issues must be raised and accompanied by statements or evidence sufficient to afford the City and all parties to respond to the issue;*
6. *The notice shall state that a city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290.C must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal;*
7. *A statement that the application and all supporting materials and evidence submitted in support of the application may be inspected at no charge and that copies may be obtained at reasonable cost at the planning division offices during normal business hours; and*
8. *The name and telephone number of the planning staff person responsible for the application or is otherwise available to answer questions about the application.*

Applicant's Response: The applicant acknowledges the public notice requirements for a Type IV application.

17.50.100 - Notice posting requirements.
Where this chapter requires notice of a pending or proposed permit application or hearing to be posted on the subject property, the requirements of this section shall apply.

A. *City Guidance and the Applicant's Responsibility. The City shall supply all of the notices which the applicant is required to post on the subject property and shall specify the dates the notices are to be posted and the earliest date on which they may be removed. The City shall also provide a statement to be signed and returned by the applicant certifying that the notice(s) were posted at the correct time and that if there is any delay in the City's land use process caused by the applicant's failure to correctly post the subject property for the required period of time and in the correct location, the applicant agrees to extend the applicable decision-making time limit in a timely manner.*
B. *Number and Location. The applicant shall place the notices on each frontage of the subject property. If the property's frontage exceeds six hundred feet, the applicant shall post one copy of the notice for each six hundred feet or fraction thereof. Notices do not have to be posted adjacent to alleys or unconstructed right-of-way. Notices shall be posted within ten feet of the*

street and shall be visible to pedestrians and motorists. Notices shall not be posted within the public right-of-way or on trees. The applicant shall remove all signs within ten days following the event announced in the notice.

Applicant's Response: The applicant acknowledges the public notice requirements for a Type IV application.

17.50.110 Assignment of decision-makers.
The following City entity or official shall decide the following types of applications:

A. *Type I Decisions. The Community Development Director shall render all Type I decisions. The Community Development Director's decision is the City's final decision on a Type I application.*
B. *Type II Decisions. The Community Development Director shall render the City's decision on all Type II permit applications, which are then appealable to the City Commission with notice to the Planning Commission. The City's final decision is subject to review by LUBA.*
C. *Type III Decisions. The Planning Commission or Historic Review Board, as applicable, shall render all Type III decisions. Such decision is appealable to the City Commission, on the record. The City Commission 's decision is the city's final decision and is subject to review by LUBA within twenty-one days of when it becomes final.*
D. *Type IV Decisions. The Planning Commission shall render the initial decision on all Type IV permit applications. If the Planning Commission denies the Type IV application, that decision is final unless appealed in accordance with OCMC 17.50.190. If the Planning Commission recommends approval of the application, that recommendation is forwarded to the City Commission. The City Commission decision is the City's final decision on a Type IV application and is subject to review LUBA.*
E. *Expedited Land Division (ELD). The Community Development Director shall render the initial decision on all ELD applications. The Community Development Director's decision is the City's final decision unless appealed in accordance to ORS 197.375 to a City-appointed hearings referee. The hearings referee decision is the City's final decision which is appealable to the Oregon Court of Appeals.*

Applicant's Response: this application is a Type IV decision and will be processed pursuant to (D).

17.50.120 Quasi-judicial hearing process.
All public hearings pertaining to quasi-judicial permits, whether before the Planning Commission, Historic Review Board, or City Commission, shall comply with the procedures of this section. In addition, all public hearings held pursuant to this chapter shall comply with the Oregon Public Meetings Law, the applicable provisions of ORS 197.763 and any other applicable law.

A. *Once the Community Development Director determines that an application for a Type III or IV decision is complete, the planning division shall schedule a hearing before the Planning Commission or Historic Review Board, as applicable. Once the Community Development Director determines that an appeal of a Type II, Type III or Type IV decision has been properly filed under OCMC 17.50.190, the planning division shall schedule a hearing pursuant to OCMC 17.50.190.*
B. *Notice of the Type III or IV hearing shall be issued at least twenty days prior to the hearing in accordance with OCMC 17.50.090.B.*
C. *Written notice of an appeal hearing shall be sent by regular mail no later than fourteen days prior to the date of the hearing to the appellant, the applicant if different from the appellant, the property owner(s) of the subject site, all persons who testified either orally or in writing before the hearing body and all persons that requested in writing to be notified.*

D. The Community Development Director shall prepare a staff report on the application which lists the applicable approval criteria, describes the application and the applicant's development proposal, summarizes all relevant city department, agency and public comments, describes all other pertinent facts as they relate to the application and the approval criteria and makes a recommendation as to whether each of the approval criteria are met.

E. At the beginning of the initial public hearing at which any quasi-judicial application or appeal is reviewed, a statement describing the following shall be announced to those in attendance:

1. That the hearing will proceed in the following general order: Staff report, applicant's presentation, testimony in favor of the application, testimony in opposition to the application, rebuttal, record closes, commission deliberation and decision;

2. That all testimony and evidence submitted, orally or in writing, shall be directed toward the applicable approval criteria. If any person believes that other criteria apply in addition to those addressed in the staff report, those criteria shall be listed and discussed on the record. The meeting chairperson may reasonably limit oral presentations in length or content depending upon time constraints. Any party may submit written materials of any length while the public record is open;

3. Failure to raise an issue on the record with sufficient specificity and accompanied by statements or evidence sufficient to afford the City and all parties to respond to the issue, will preclude appeal on that issue to the land use board of appeals;

4. Any party wishing a continuance or to keep open the record shall make that request while the record is still open;

5. That the commission chair shall call for any ex-parte contacts, conflicts of interest or bias before the beginning of each hearing item; and

6. For appeal hearings, only those persons who participated either orally or in writing in the decision or review will be allowed to participate either orally or in writing on the appeal.

F. Requests for continuance and to keep open the record: The hearing may be continued to allow the submission of additional information or for deliberation without additional information. New notice of a continued hearing need not be given so long as a time-certain and location is established for the continued hearing. Similarly, hearing may be closed but the record kept open for the submission of additional written material or other documents and exhibits. The chairperson may limit the factual and legal issues that may be addressed in any continued hearing or open record period.

Applicant's Response: The applicant acknowledges the public hearing procedures that apply for a Type IV land use application.

17.50.130 Conditions of approval and notice of decision.

A. All City decision-makers have the authority to impose reasonable conditions of approval designed to ensure that all applicable approval standards, including standards set out in city overlay districts, the City's master plans, and City public works design standards, are, or can be met.

B. Failure to comply with any condition of approval shall be grounds for revocation of the permit(s) and grounds for instituting code enforcement proceedings pursuant to OCMC 1.20 of this code and ORS 30.315.

C. Notice of Decision. The City shall send, by first class mail, a notice of all decisions rendered under this chapter to all persons with standing, i.e., the applicant, all others who participated either orally or in writing before the close of the public record and those who specifically requested notice of the decision. The notice of decision shall include the following information:

1. *The file number and date of decision;*
2. *The name of the applicant, owner and appellant (if different);*
3. *The street address or other easily understood location of the subject property;*
4. *A brief summary of the decision, and if an approval, a description of the permit approved;*
5. *A statement that the decision is final unless appealed and description of the requirements for perfecting an appeal;*
6. *The contact person, address and a telephone number whereby a copy of the final decision may be inspected or copies obtained.*

D. *Modification of Conditions. Any request to modify a condition of permit approval is to be considered either minor modification or a major modification, unless otherwise authorized. A minor modification shall be processed as a Type I. A major modification shall be processed in the same manner and shall be subject to the same standards as was the original application. However, the decision-maker may at their sole discretion, consider a modification request and limit its review of the approval criteria to those issues or aspects of the application that are proposed to be changed from what was originally approved.*

Applicant's Response: the applicant acknowledges that conditions of approval may be applied to this decision to assure compliance with the code.

CHAPTER 17.39 I INSTITUTIONAL DISTRICT

17.39.010 - Designated.

The purpose of this district is designed to facilitate the development of major public institutions, government facilities and parks and ensure the compatibility of these developments with surrounding areas. The I—Institutional zone is consistent with the public/quasi-public and park designations on the comprehensive plan map.

Response: This proposal includes a code amendment to the I – Institutional District to allow city-managed RV parks as an accessory use to parks, which is a permitted primary use in the I – Institutional Zone.

The proposed amendment is consistent with park use. Clackamette Park has long had an RV park, and any relocation of the park would continue to be consistent with that use.

17.39.020 - Permitted uses.

Permitted uses in the institutional district are:

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

Applicant's Response: RV parks are not currently listed as a permitted use in the I - Institutional zone district. This proposal includes a code amendment to section *17.39.030 – Accessory Uses* of the code to add city managed RV parks as a permitted accessory use to a park in the institutional district.

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

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

Applicant's Response: This proposal includes a code amendment to this section of the code to add city-managed RV parks for Clackamette Park as a permitted accessory use to part B of this section in the institutional district.

17.39.040 - Conditional uses.
Uses requiring conditional use permit are:

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

Applicant's Response: Not applicable. See section .030 above.

17.39.045 - Prohibited uses.
Prohibited uses in the I district are:

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

Applicant's Response: Currently, the use is not permitted since it is not listed expressly in OCMC 17.39.020, 17.39.030 or 17.39.040.This proposal includes a code amendment to this section of the code to add a city-managed RV park for Clackamette Park as a permitted accessory use to section .030.

17.39.050 - Dimensional standards.
Dimensional standards in the I district are:

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

B. *Minimum required setbacks: Twenty-five feet from property line except when the development is adjacent to a public right-of-way. When adjacent to a public right-of-way, the minimum setback is zero feet and the maximum setback is five feet.*
Public utility easements may supersede the minimum setback. Maximum setback may be increased per OCMC 17.62.055.D.
C. *Minimum required landscaping (including landscaping within a parking lot): Fifteen percent.*

Applicant's Response: Not applicable. No structures are proposed at this time, so the dimensional standards of this section do not apply. New structures would be reviewed at the time of detailed development plan.

17.39.060 - Relationship to master plan.

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

Applicant's Response: A master plan was submitted and approved by the Planning Commission for Clackamette Park which totals approximately 20 acres. The Notice of Decision for GLUA-23-00012 / MAS-23-00001 was issued 7/14/2023, with conditions. This proposal would respond to the approved Condition of Approval #31 to seek a zoning amendment to allow the RV park consistent with the approved master plan.

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

Applicant's Response: not applicable. The applicant did not request any adjustments to the dimensional standards of the I zone district with this application.

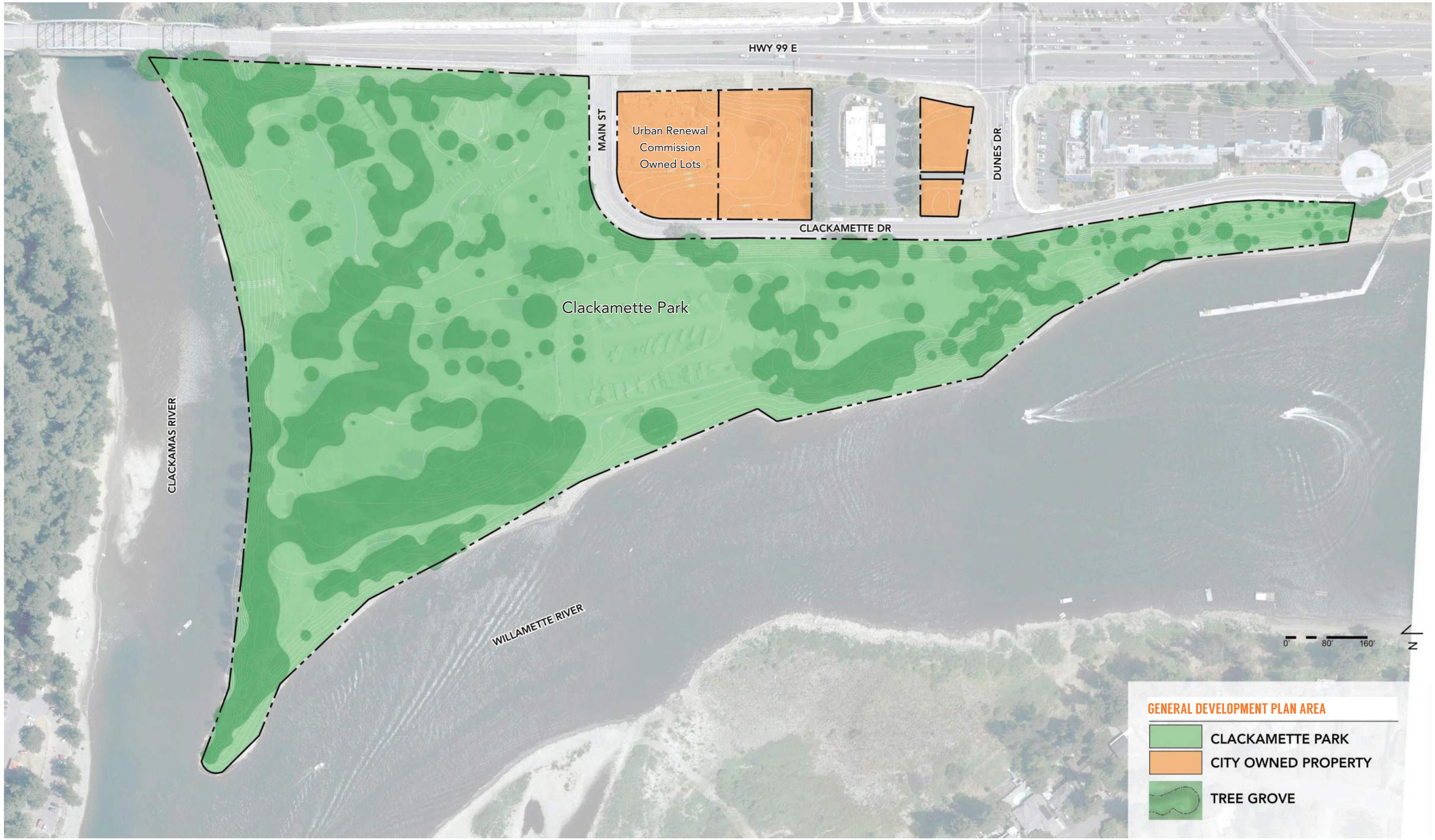
C. *Modifications to other development standards in the code may be made as part of the phased master plan adjustment process. All modifications shall be in accordance with the requirements of the master plan adjustment process identified in OCMC 17.65.070.*

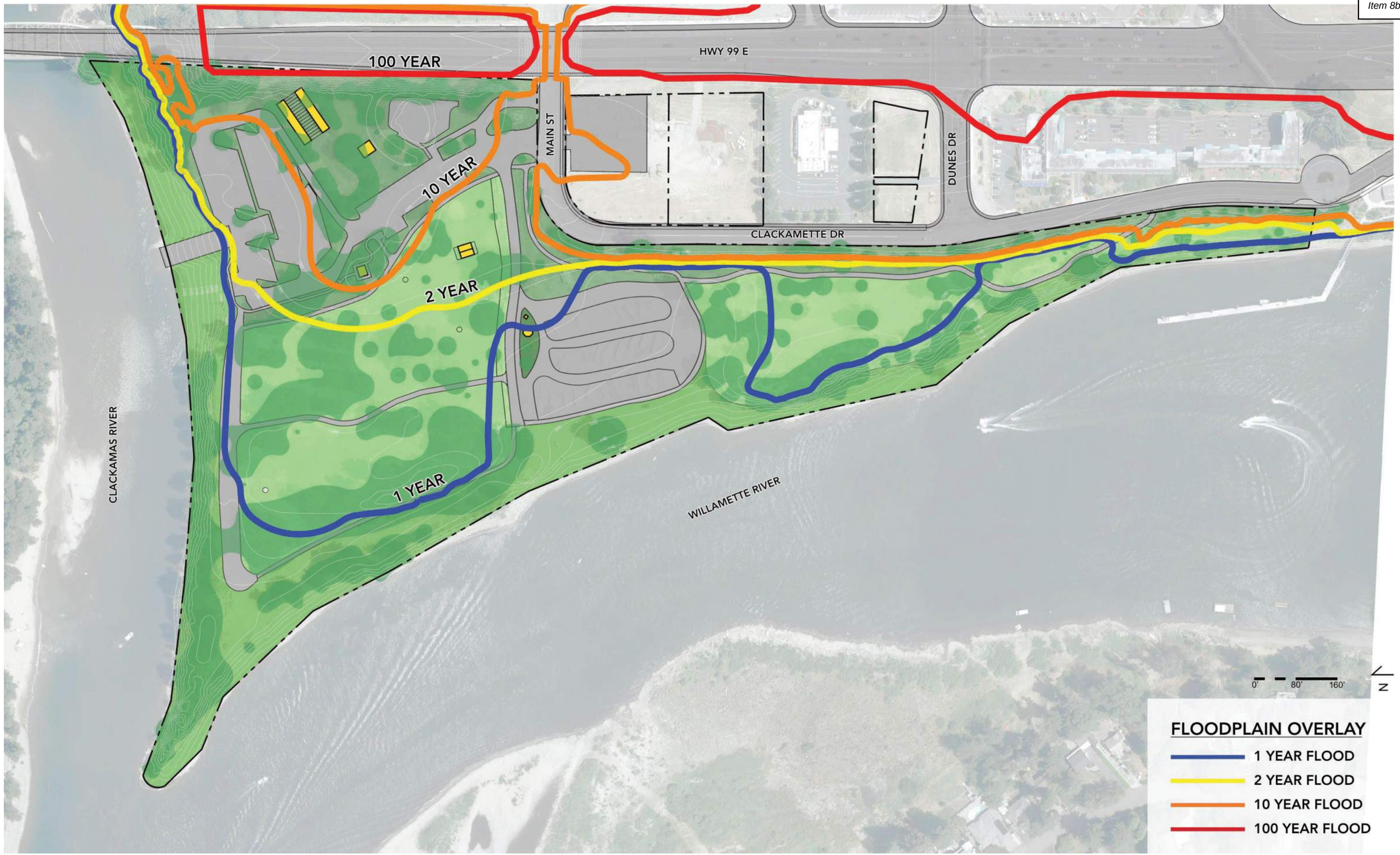
Applicant's Response: not applicable. The applicant did not request any modifications to any other development standards with this application.

Summary

For the reasons stated above, the City Commission may find that proposed code amendment to allow a City-managed recreational vehicle park as an accessory use to a city park within the I-Institutional District for Clackamette Park is consistent with the applicable sections of the Oregon City Comprehensive Plan and zoning code.

DOWNTOWN GLADSTONE
OREGON CITY LIMITS
CLACKAMETTE COVE
HWY 99 E
MAIN ST
DUNES DR
CLACKAMETTE DR
DOWNTOWN OREGON CITY
JON STORM PARK
CLACKAMETTE PARK
CLACKAMAS RIVER
OREGON CITY LIMITS
I-205 - ABERNATHY BRIDGE
WILLAMETTE RIVER
WEST LINN
PARK CONTEXT PLAN
CITY LIMITS


HWY 99 E
MAIN ST
Urban Renewal
Commission
Owned Lots
DUNES DR
CLACKAMETTE DR
Clackamette Park
CLACKAMAS RIVER
WILLAMETTE RIVER
0'
80'
160'
N
GENERAL DEVELOPMENT PLAN AREA
CLACKAMETTE PARK
CITY OWNED PROPERTY
TREE GROVE


100 YEAR
HWY 99 E
MAIN ST
10 YEAR
DUNES DR
CLACKAMETTE DR
2 YEAR
CLACKAMAS RIVER
1 YEAR
WILLAMETTE RIVER
0'
80'
160'
N
FLOODPLAIN OVERLAY
1 YEAR FLOOD
2 YEAR FLOOD
10 YEAR FLOOD
100 YEAR FLOOD

HWY 99 E
MAIN ST
DUNES DR
CLACKAMETTE DR
CLACKAMAS RIVER
WILLAMETTE RIVER
0'
80'
160'
N
EXISTING CONDITIONS SITE PLAN
1 SKATE PARK
2 HORSESHOE PITS
3 RESTROOMS
4 OPEN SPACE LAWN
5 PLAYGROUND
6 COVERED HORSESHOE PITS
7 PICNIC SHELTER
8 INTERPRETIVE KIOSK
9 RV PICNIC SHELTER
10 PAVED PATH
11 RV PARK
12 RV DUMP STATION
13 BOAT LAUNCH
14 BOAT TRAILER PARKING
15 AUTO PARKING
DEVELOPMENT BOUNDARY

4 - FINAL MASTER PLAN

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

LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A)
- ☐ Compatibility Review
  - ☐ WRG
  - ☐ Comm. Fac
- ☐ Lot Line Adjustment
- ☐ Non-Conforming Use Review
- ☐ Natural Resource (NROD)
- ☐ Verification
- ☐ Minor Site Plan & Design Review
- ☐ Extension of Approval
- ☐ Historic Review – Remodel
- ☐ Detailed Dev. Plan (DDP)

Type II (OCMC 17.50.030.B)
- ☐ Master Plan / PUD / GDP or Amendment
- ☐ Detailed Development Plan (DDP)
- ☐ Floodplain Review
- ☐ Geologic Hazard Overlay
- ☐ Minor Partition (<4 lots)
- ☐ Minor Site Plan & Design Review
- ☐ Non-Conforming Use Review
- ☐ Site Plan and Design Review / DDP
- ☐ Subdivision (4+ lots)
- ☐ Minor Variance
- ☐ Natural Resource (NROD) Review
- ☐ Public Improvement Modification
- ☐ Willamette Greenway

Type III / IV (OCMC 17.50.030.C & D.)
- ☐ Annexation
- ☐ Code Interpretation / Similar Use
- ☐ Master Plan / PUD / GDP Amendment
- ☐ Conditional Use
- ☐ Comprehensive Plan / Legislative Amendment (Code /Map)
- ☐ Detailed Development Plan DDP
- ☐ Historic Review
- ☐ Municipal Code Amendment
- ☐ Parking Adjustment
- ☐ Variance ☐ Sign Variance
- ☐ Natural Resource (NROD) Review
- ☑ Zone Change (Text/Map)
- ☐ Willamette Greenway

ELD Process (OCMC 17.50.030.E)
- ☐ Expedited Land Division

Legislative Action (OCMC 17.50.170)
- ☐ Legislative

File Number(s): GLUA-23-00039 / ZC-23-00004	**Application Date:** 11/21/23
Project Name: Clackamette Park Master Plan - RV Park	
Proposed Land Use or Activity: Zoning Code Amendment to allow a City-Managed RV Park for Clackamette Park in I - Institutional District	**# of Lots Proposed (If Applicable):** TBD
Physical Address(es) of Site: 1955 CLACKAMETTE DROREGON CITY, OR 97045	
Clackamas County Map and Tax Lot Number(s): 2-2E-30, Tax Lots 600, 500, 100, 601, 102, 1300	

Applicant(s)

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

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

Property Owner #1 Tony Konkol		
Property Owner#1 Signature		
Property Owner#1 Name Printed: Tony Konkol		Date:
Mailing Address: 625 Center St Oregon City, OR 97045		
Ownership Address:		
Phone: 503 496 1504	Fax: 503-657-7026	Email: tkonkol@orcity.org

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

Representative(s)

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

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

OREGON CITY 2040 COMPREHENSIVE PLAN

LETTER FROM THE MAYOR

On behalf of the Oregon City Commission, it is a great pleasure to present Oregon City's OC 2040 Comprehensive Plan. The last time the city's plan was completely updated was in 2004. Oregon City was a very different place. The population was 28,000 and today it is about 38,000. We have been discovered!

This document is the collective work of over 1,000 citizens over a period of two years. Those comments, opinions, and thoughts were reviewed by the Project Advisory Team (PAT) who helped create a shared vision that supports all of our community members and equitability reflects our aspirations and supports our needs. The PAT was comprised of a large and diverse group of volunteers who helped craft a road map for our future. The creation of this OC 2040 vison and plan was about listening more than talking. It was about respecting and learning from our differences and diversity.

Our current community and our future community does and will support our "Hometown Feel", and heritage. We will continue to be a place that is safe and connected; where all types of families are welcome; where family-wage jobs and a variety of housing types/options are available; where people can walk to parks; where the environment is protected; and where businesses thrive.

We look forward to working with you to ensure Oregon City continues to be a great place to live, work, play, and visit for everyone.

Denyse C. McGriff

Our best regards,

Denyse C. McGriff, Mayor

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INTRODUCTION

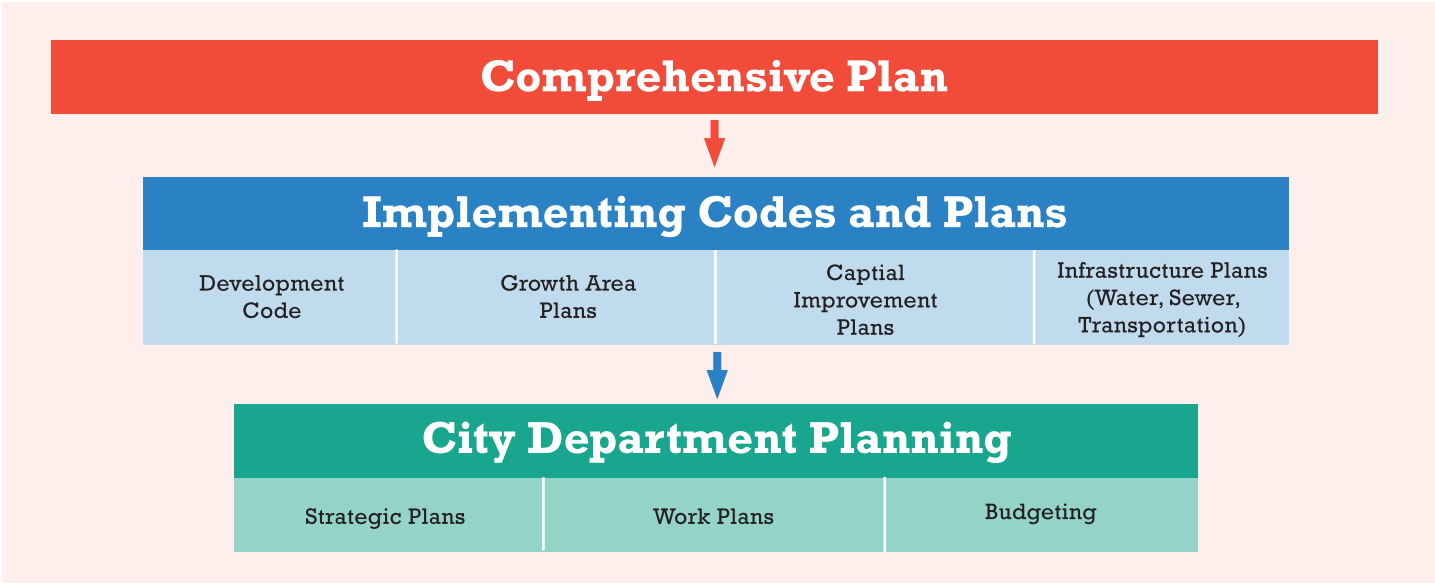
What is a Comprehensive Plan?

The Comprehensive Plan is a planning document that directs all activities related to land use and the future of natural and man-made systems and services in Oregon City over the next 20 years. The Comprehensive Plan helps manage expected population and employment growth through a set of goals, policies and implementation measures that align with the community's vision. This framework of goals and policies is rooted in a factual basis that helps inform other critical planning documents and implementing tools that serve as a coordinated, overarching strategy for the community. City leaders use the Comprehensive Plan to coordinate public investments and make decisions about how and where land is developed. Land use planning regulations and procedures connect the aspirations set forth in the vision and goal statements of a Comprehensive Plan to the administrative review process for development applications. This is the mechanism for translating a community's vision through land use planning operations. These procedures establish mechanisms for ensuring consistency between the goals and policies of the Comprehensive Plan with the development code, capital improvement plans, and infrastructure plans, among others.

A Brief Overview of Oregon's Land Use Planning Requirements

Comprehensive planning in Oregon was mandated by the 1973 Legislature with the adoption of Senate Bill 100 (ORS Chapter 197). Under this Act, the Land Conservation and Development Commission (LCDC) was created and directed to adopt Statewide Planning Goals and Guidelines. These Goals and Guidelines were adopted by LCDC in December 1974 and became effective January 1, 1975.

To date, Oregon has adopted nineteen Statewide Planning Goals, and all Oregon cities and counties are required to have a Comprehensive Plan that is consistent with these Goals. Statewide Planning Goals include topics such as land use planning, citizen involvement, housing supply, economic development, transportation systems, natural resources management, recreation, and more. Each Statewide Planning Goal includes a set of guidelines that, in conjunction with community priorities, help direct the content within Comprehensive Plans. Once adopted, all of a City or County's community and area plans, zoning codes, permits, and public improvements are required be consistent with the Comprehensive Plan. This structure ensures that cities and counties implement the State's policy goals first through the Comprehensive Plan, and then by more detailed supporting and implementing documents.



How are Comprehensive Plans used?

Zoning and development code serves as the major implementation mechanism of the Comprehensive Plan. LCDC Goals and Guidelines require "ordinances controlling the use and construction on the land, such as building codes, sign ordinances, subdivision and zoning ordinances" be adopted to carry out the Plan. Oregon City's zoning map shows the type, location and density of land development and redevelopment permitted and may be updated to reflect the framework established by the Comprehensive Plan. The Comprehensive Plan is also implemented through area-specific and topic-specific plans, which guide public investments. Area specific planning efforts take place for a smaller part of the city, like a district or neighborhood, such as the Thimble Creek Concept Plan and the South End Concept Plan. Oregon City also adopts plans that are topic or infrastructure-specific, such as Transportation, Sanitary Sewer, and Water Master Plans. These plans contain many components, such as background information, assessment of existing conditions or system deficiencies, overarching goals or evaluation criteria, potential capital improvement projects, as well as strategies, code amendments, and land use or zoning map changes. These plans should follow the ethos of the Comprehensive Plan and should not contradict its goals. The components of area-specific or topic-specific plans either can be adopted by ordinance or resolution. They can also result in an amendment to the Comprehensive Plan or its implementation tools to ensure they stay current over time. Area or topic-specific plans direct the work of a City's departments, like Planning, Public Works and Parks and Recreation, through action plans and departmental budgeting.

Thirteen of the nineteen Statewide Planning Goals apply to Oregon City. These include:

- Goal 1: Citizen Involvement
- Goal 2: Land Use Planning
- Goal 5: Natural Resources, Scenic and Historic Areas, And Open Spaces
- Goal 6: Air, Water, And Land Resource Quality
- Goal 7: Areas Subject to Natural Hazards
- Goal 8: Recreational Needs
- Goal 9: Economic Development
- Goal 10: Housing
- Goal 11: Public Facilities
- Goal 12: Transportation
- Goal 13: Energy Conservation
- Goal 14: Urbanization
- Goal 15: Willamette River Greenway

All community members may use the Plan to:

- Support or advocate for specific programs in the City's work plan;
- Review and comment on proposed land use projects, infrastructure improvements, and public service provisions;
- Learn about planning topics, issues, and trends in Oregon City, as well as specific land use designations for their property and neighborhood; and
- Inform development of applications for grants or other funding.

Who uses the Comprehensive Plan?

In addition to its use by City Commission, appointed commissions, committees, boards, and City staff, a Comprehensive Plan should be designed to be used by individuals and groups, including public agencies, organizations, residents, businesses, and developers.

- **Public Agencies:** The State of Oregon and Metro may refer to the Comprehensive Plan when determining the consistency of a supporting document or development project. Service coordination partners, such as Clackamas County or the Oregon City School District, may also use the plan to determine whether a proposed requirement, project, or program is consistent with the Plan.
- **Organizations:** The Comprehensive Plan includes goals and strategies to address a variety of community needs. Private and nonprofit organizations may refer to the Comprehensive Plan to learn more about the City's planned actions and investments supporting their mission and may identify opportunities to collaborate for more effective efforts.
- **Community Members:**
  - *Property Owners.* The Comprehensive Plan describes the land use changes that may affect the form and character of neighborhoods, the strategies for attracting businesses that provide jobs and needed goods and services, and plans for infrastructure improvements that support existing residents and allow for future growth.
  - *Businesses.* The Comprehensive Plan includes the policies for guiding investments the City will make to support businesses and indicates where and how these investments will be made. Businesses may also refer to the Comprehensive Plan Map to determine how policy or land use changes may shape the business environment in an area.
  - *Developers.* Since the Comprehensive Plan guides where and how development may take place, developers may use the Comprehensive Plan to determine the land use designations for particular sites or areas. Certain projects are required to demonstrate consistency with Comprehensive Plan goals and policies. The Plan also contains or references background information that could inform a development application or the development process.

Elements of a Comprehensive Plan

In addition to goals and strategies for a broad range of topics, Comprehensive Plans are required to include other components. This includes technical analyses and background research to help set the policy framework, as well as implementing plans that provide detailed guidance for specific systems and geographies. While these analyses and background documents are generally incorporated in a Comprehensive Plan by reference, they provide a foundation for the development of goals and policies.

In addition to referencing a factual basis and establishing goals and policies, a Comprehensive Plan also includes a Comprehensive Plan map that spatially designates residential, employment, and mixed-use development and resource lands in a way that best implements the goals and policies included in the Comprehensive Plan.

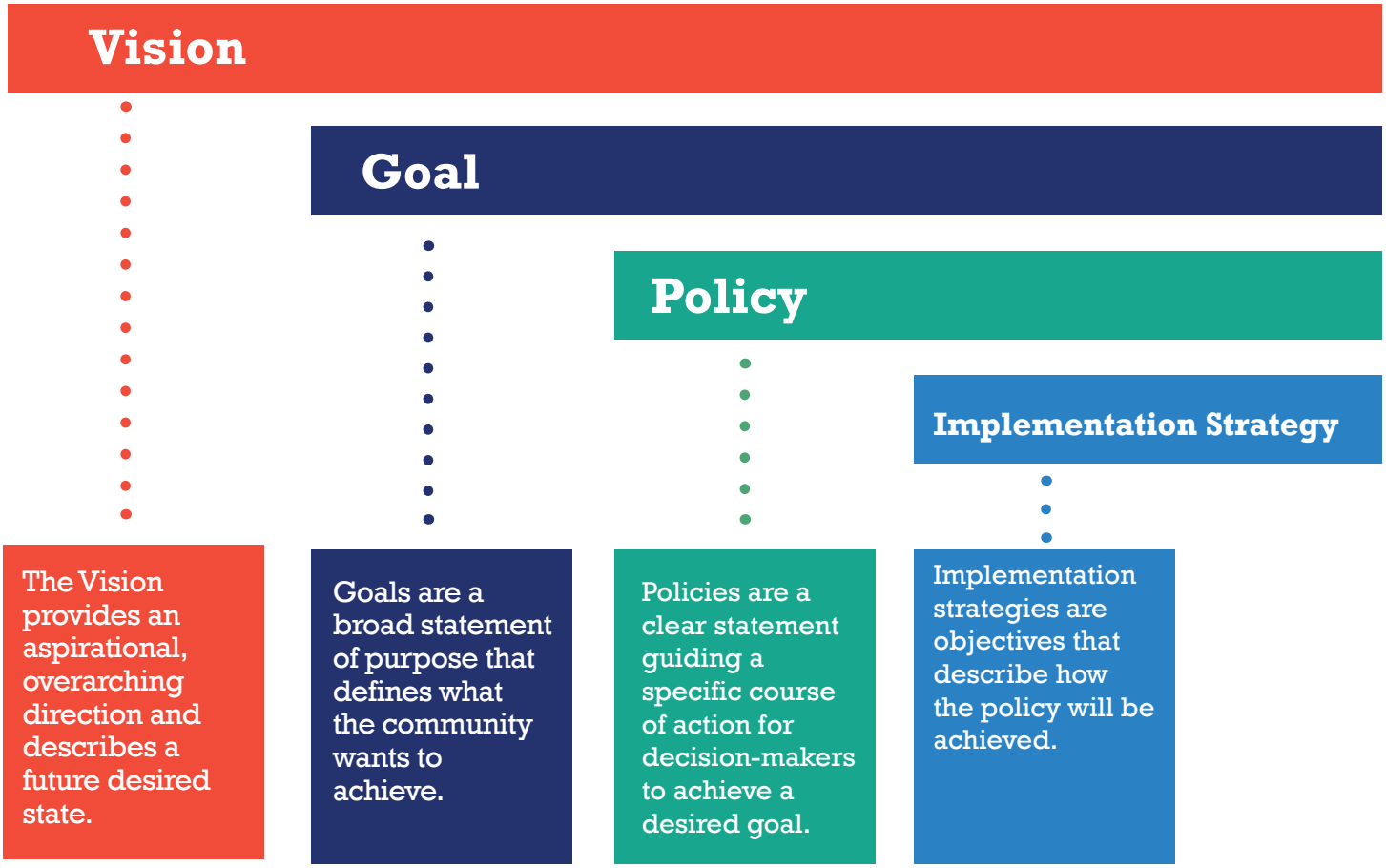
In terms of document organization, some communities prepare Comprehensive Plans that follow the order and title of the statewide planning goals, whereas other communities organize the document by broader topics relevant to their community.

Developing Goals and Policies

The heart of the Comprehensive Plan is the community's vision for the future. The goals and policies are a direct expression of the desires of the community, as captured in a vision statement, and are organized in a nested hierarchy.

Goals and policies are official statements from the City Commission that provide standards for applying land-use plan designations to real property and making decisions about specific development. A goal is a general statement of a future condition towards which actions are aimed. Each goal can have one or more policies, which are concise statements that provide a specific course of action. In implementation, each policy may lead to one or more implementation strategies, which is a statement of measurable activity or a more specific benchmark to be reached in pursuit of the policy. Implementation strategies can be included in Comprehensive Plans but are also established separately as part of a departmental action plan.

Because the Comprehensive Plan directs land use by law, there is no hierarchy implied in the order of the sections and none of the goals or policies has priority except as stated in particular policies. When used to make decisions, all relevant goals and policies must be accounted for and considered.



Why are we updating our plan now?

The Comprehensive Plan is a living document. As demographics, economics and technology change, so do the attitudes and aspirations of the community. The Plan will periodically undergo a major review as required by state law to assure it remains a relevant and workable framework for growth and development. If rapidly changing conditions warrant reconsideration of the Plan's Goals and Policies every 10 years (generally), modifications may be initiated by the City Commission or Planning Commission. Any citizen or group may request the Council or Commission initiate a Plan amendment, but formal direction for study may only come from these official bodies.

Not all Comprehensive Plan updates begin with a community-wide visioning process. However, communities like Oregon City that have seen significant economic and demographic change over a 15-20 year period will often initiate a broad community engagement effort to establish a new vision for the future, understand community priorities and reset the policy framework of the Comprehensive Plan.

OC2040 Vision

The OC2040 process engaged over a thousand Oregon City community members to understand what makes Oregon City special and what we want to see in the future.

Developing the OC2040 Vision

Between Fall 2020 and Summer 2021, Oregon City residents and business owners participated in numerous outreach and engagement activities around the OC2040 process. This included community conversations, an online survey, interactive poster displays around town, and a social media vision board. Paper copies of the online survey were available in apartment complexes around Oregon City, along with gift card incentives to local businesses for participants who completed surveys. All the engagement activities prompted participants to share what they love about Oregon City today and what they want to see in the future. Over a thousand community members engaged in the OC2040 process through these outreach activities.

Approximately 30 groups, clubs, committees and/or organizations met to discuss the future of Oregon City through community conversations, including:

- Three Rivers Art Guild (TRAG)
- Oregon City Farmers' Market Board
- Oregon City Business Alliance Board
- Abernethy Center employees
- The Fowler Family (3 generations of Oregon City residents)
- Building Blocks 4 Kids
- Elyville (formally Barclay Hills) Neighborhood Association
- Homeless Solutions Coalition of Clackamas County
- Oregon City Planning Commission
- Oregon City Parks and Recreation Advisory Committee
- Oregon City Historic Review Board
- Friends of the Ermatinger
- Downtown Oregon City Association
- Oregon City Development Stakeholder Group
- Park Place Neighborhood Association Transportation Committee
- Park Place Neighborhood Association Steering Committee
- River Crest Memory Care
- OCHS Student Council
- Oregon City Neighborhood Association Officers
- Natural Resources Committee
- CCC Associated Student Government Meeting 1
- CCC Associated Student Government Meeting 2
- Rivercrest Neighborhood - Elderly Residents
- Black Lives Matter Rally
- Unite Oregon City
- CCC Multicultural Center / International Students
- Oregon City Optimists Club
- Oregon City Parks Foundation
- Apartment Complex – rental units
- Village at the Falls

To guide the OC2040 Vision and Comprehensive Plan, a 30-member Project Advisory Team (PAT) was convened to represent a broad cross-section of community interests and areas of expertise. As a large and diverse body of appointed volunteers, the PAT was instrumental in guiding engagement efforts, reviewing community input, crafting the vision statement and the goals and policies of the new Comprehensive Plan. The PAT guided all work products and acted as liasions to specific constituencies and interest groups to champion the OC2040 process.

Project Advisory Team:

Members of the Project Advisory Team included the following representatives and/or community advocates:

- Advocate for Persons with Physical Disabilities
- Clackamas Community College
- Rental Housing / Public Assistance
- Active Transportation / Bicycle / Pedestrian
- Alternative Housing Developer
- City Commission
- Planning Commission
- Latinx / Hispanic Business Association / Chamber of Commerce
- Russian Speaking Business or Representative
- Elderly / Aging in Place Advocate
- Confederated Tribes of Grande Ronde
- Youth Representative
- Oregon City Citizen Involvement Committee (CIC)
- Oregon City Historic Review Board (HRB)
- Oregon City Natural Resources Committee (NRC)
- Oregon City Parks and Recreation Advisory Committee (PRAC)
- Oregon City Transportation Advisory Committee
- Residential Developer / Home Builders Association / Realtor
- Large Employer
- Small Employer
- Downtown Oregon City Association (DOCA)
- Faith Based / Youth Pastor / LGBTQ / Latinx
- At Large Community Member
- LGBTQ+ Advocate
- Advocate for Persons with Mental Disabilities
- Homeless Community Advocate
- Community Health Advocate
- African American / Homebuilder
- Asian American / Pacific Island Community

Feedback from all outreach activities was compiled, reviewed and coded for key themes, topics and ideas. With this input, the Project Advisory Team (PAT) drafted a Community Vision Statement around four (4) overarching themes: Healthy and Welcoming Community, Diverse Economy, Connected Infrastructure, and Protected Environment.

Upon completion of a draft vision statement, an online Community Vision Forum was launched, available in both English and Spanish. The Forum provided an opportunity to learn about the OC02040 project, review key themes from all the engagement efforts to date, and comment on the draft OC2040 Vision Statement.

Overall, there was a high level of support for each of the four vision statement themes, with over 80-90% of respondents indicating that they "loved" or "liked most of" the vision statement. Feedback from the Community Vision Forum and the PAT guided additional revisions to the OC2040 Vision Statement.

In August 2021, City Commission adopted the final OC2040 Vision, crafted from months of broad outreach and engagement with residents and business owners. The four key themes that emerged from community outreach and became the organizing principles of the Vision Statement also serve as the framework for the Comprehensive Plan.

The Role of Equity in the Context of Planning:

A key objective of the process was to frame the OC2040 Comprehensive Plan through an equity lens. The engagement process was designed to engage community members early and often using a variety of means, and to lift up the voices of underrepresented populations, such as communities of color, those living in subsidized housing, and the homeless, so as to better understand how to support all our community members. Key objectives of the community engagement process included:

- Developing a robust and equitable community outreach program.
- Providing timely, transparent, and accurate information.
- Ensuring a representative cross-section of Oregon City residents, businesses, and partners.
- Consulting the community in policy updates.
- Ensuring community members understand how decisions are made, feel their concerns are heard, and know how their feedback influenced decisions.
- Conducting outreach in a culturally and linguistically appropriate manner, using methods and locations that are safe and familiar.
- Employing accessible and appropriate tools and technologies.

An equity lens was also applied when developing the goals and strategies of the Comprehensive Plan, helping address two key attributes that mark the term:

Disproportionality: When the outcomes of a project or plan create or amplify disparities in only part of community, the disproportionate impacts can lead to further social and economic impairment of some groups while others receive the full benefit of the effort.

Institutionalized: Inequity is often embedded in methodologies that justify systemic strategies, and ignore negative outcomes and disproportionate impacts.

OC2040 Vision Statement

The OC2040 process engaged over a thousand Oregon City community members to understand what makes Oregon City special and what we want to see in the future. In August 2021, City Commission adopted the OC2040 Vision, crafted from months of broad outreach and engagement with residents and business owners.

The Vision Statement is organized around four key themes that emerged from community outreach, and these themes serve as the framework for the new OC2040 Comprehensive Plan.

Healthy and Welcoming Community

By 2040, Oregon City is a place of vitality, support, and opportunity. As the ancestral homelands of many Native American Tribes, and the location of the "End of the Oregon Trail," Oregon City lives and breathes its rich and varied history. Oregon City honors its past and looks to the future through education, art, cultural programming and the preservation of our National Register Historic District and local Conservation District. Residents have access to quality education, and partners such as Oregon City School District and Clackamas Community College engage community members of all ages in lifelong learning. This culture of learning leads to engaged residents and a diverse, equitable and inclusive community. People from historically disadvantaged communities have equitable access to quality-of-life services that are essential for health, livability and economic advancement. Police, fire and medical services help neighbors feel safe and connect residents to services that promote health and well-being. Oregon City is a city of welcoming neighborhoods, both new and historic, that foster community, connect to nature and are grounded in a strong sense of place.

Diverse Economy

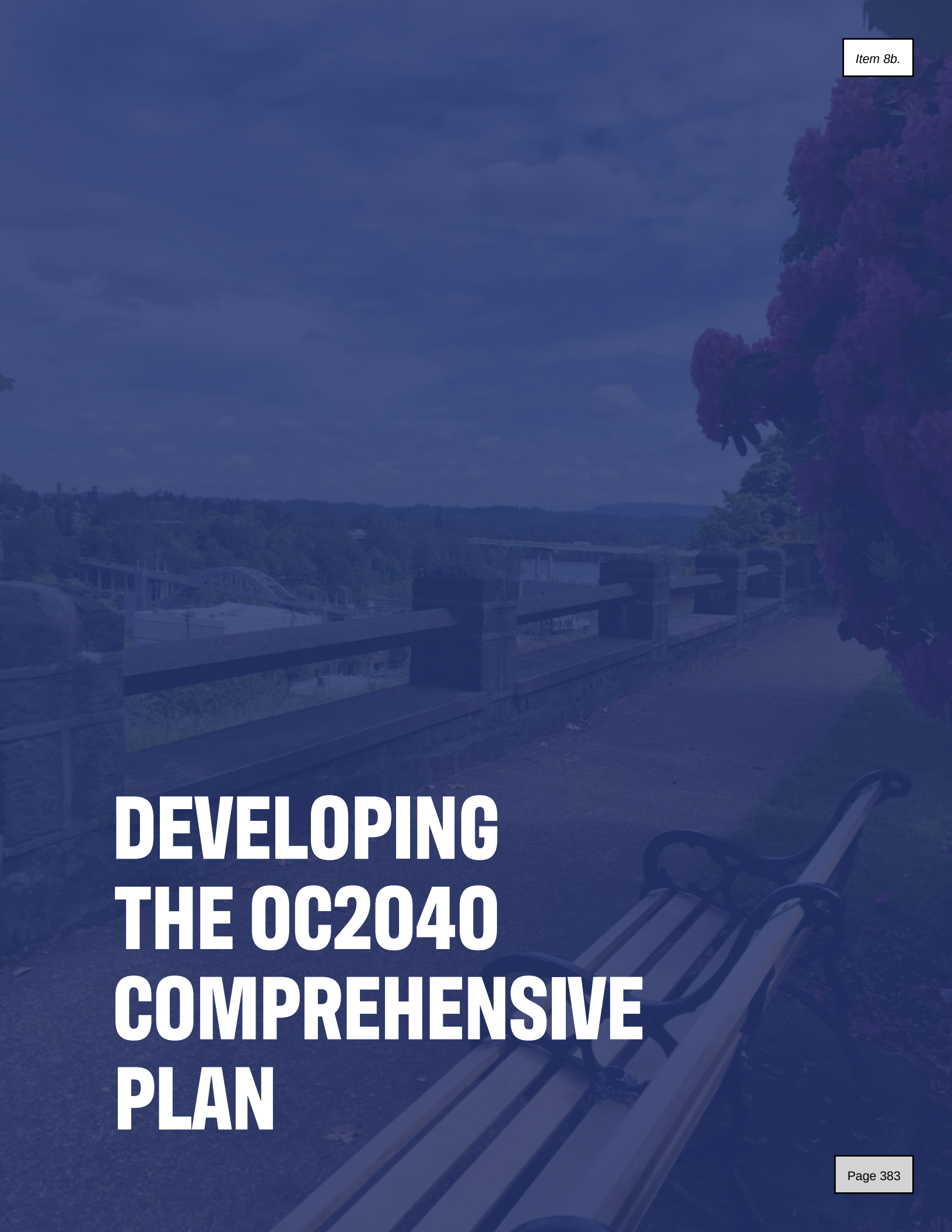
By 2040, Oregon City's economy is vibrant, diversified, and resilient. Oregon City is a thriving town where residents live, work and play while having access to the amenities of the greater metro region. A robust economy creates upward mobility and living-wage jobs. Businesses of all sizes flourish in a progressive environment, and thriving commercial and industrial districts are enhanced by partnerships with educational institutions. A strong tourism industry celebrates the Willamette Falls and Landings Heritage Area and provides economic opportunities for the community. Visitors come to Oregon City to experience the town's historic and cultural attractions, and enjoy community events, the lively downtown and local dining and shopping throughout the City. Good jobs are balanced with a variety of diverse housing choices that ensures residents have more options to remain in their neighborhoods and be near family, friends, caregivers, and services. Affordable childcare and youth opportunities allow children growing up in Oregon City to stay and thrive. Residents can age in place and meet their housing needs through different stages of life, and our houseless neighbors find shelter, services and jobs in a strong and supportive economy.

Connected Infrastructure

By 2040, Oregon City residents are connected physically and digitally. In the same way the Municipal Elevator ties neighborhoods together within the city, Oregon City connects people to places through a network of safe and convenient streets, sidewalks, bike paths and multi-use trails. Public transit facilities bring residents and visitors to their destinations efficiently, and community members of all ages and abilities can walk, bike and roll safely between school, work, play and home. A culture of equity, coordination, thoughtful planning and fiscal responsibility guide growth and development while preserving our small-town feel. Infrastructure and utilities such as water, sewer and stormwater are maintained and improved in established neighborhoods and strategically planned in developing areas. Access to state-of-the-art communication infrastructure closes the digital divide, strengthening education and engagement, and provides a lifeline to emergency services. Oregon City is a collaborative and effective partner that coordinates with neighboring jurisdictions, and regional, statewide and federal agencies to advance transportation, utility and communication infrastructure.

Protected Environment

By 2040, Oregon City preserves the integrity of its natural resources, and connects people to nature. Oregon City is a leader in protecting the environment and reducing the community's carbon footprint because of the City's ability to adapt and be innovative. A Climate Action Plan guides the City's investments in clean energy, waste reduction, air and water quality. The City promotes an efficient use of land that responds to the town's landscape and topography and weaves natural resources into the fabric of its neighborhoods. The powerful Willamette Falls and clean Willamette and Clackamas Rivers are the jewels of Oregon City, supporting healthy habitats for fish, wildlife and native vegetation. Oregon City is known for its extensive tree canopy and majestic groves, meandering creeks and streams and undisturbed wildlife. A network of accessible trails and greenways connect local parks, waterways and open spaces and inspire residents and visitors to boat, hike, bike, fish and recreate throughout the City.



DEVELOPING THE OC2040 COMPREHENSIVE PLAN

Overview of the Process

Upon adoption of the OC2040 Vision Statement, the next phase of the process focused on developing goal and policy concepts for the Comprehensive Plan, based on the framework set forth by the Vision Statement.

With PAT guidance, broad outreach was conducted over the course of seven months to gather and identify ideas and priorities about each of the four themes. A series of virtual Comprehensive Plan Summits in Fall 2021 encouraged discussion around community priorities for the topics covered by each theme. A corresponding online survey provided an additional avenue for input. The Project Advisory Team (PAT) attended the summits and reviewed the community feedback from the events and online survey to develop draft goal and policy statements. New and revised goals and policies were also supported through a review of the existing Comprehensive Plan, best practices, and input from City staff.

To vet the draft goal and policy statements developed through this process, an online Comprehensive Plan Forum was open to the public for two months in early 2022. During that time, City staff also met with City Committees to review the draft goal and policy statements. This feedback shaped additional revisions and were then presented through a series of worksessions to Planning Commission and City Commission for further refinement and inclusion in the final document.

From a Vision to a Comprehensive Plan

The OC2040 Visioning Process included extensive community engagement that resulted in over 1000 touches with the community.

Combed through the community priorities identified through outreach to develop the OC2040 Vision Statement around four themes: Healthy and Welcoming Community, Diverse Economy, Connected Infrastructure and Protected Environment.

The four themes are mapped to the required Statewide Planning Goals.

Goals and policies are identified through a series of community-wide Comprehensive Plan Summits.

A first draft of goals and policies are developed by the Project Advisory Committee, City Staff and the project team.

A second draft of goals and policies are reviewed by the Project Advisory Committee, City staff, City-wide committees, Planning Commission, City Commission and the broader public.

The final goals and policy language is incorporated into a new OC2040 Comprehensive Plan.

City Commission reviews and approves the new OC2040 Comprehensive Plan through a series of worksessions and public hearings.

State of Oregon's Department of Land Conservation and Development (DLCD) approves the new OC2040 Comprehensive Plan.

The adopted OC2040 Comprehensive Plan's goals and policies inform development code, regulations, work plans and budgets.

Future projects and programs are implemented that reflect the policy direction of Oregon City.

Linking the Plan to Statewide Planning Goals

The OC2040 Comprehensive Plan is organized around four key themes outlined in the vision statement:

HEALTHY AND WELCOMING COMMUNITY

DIVERSE ECONOMY

CONNECTED INFRASTRUCTURE

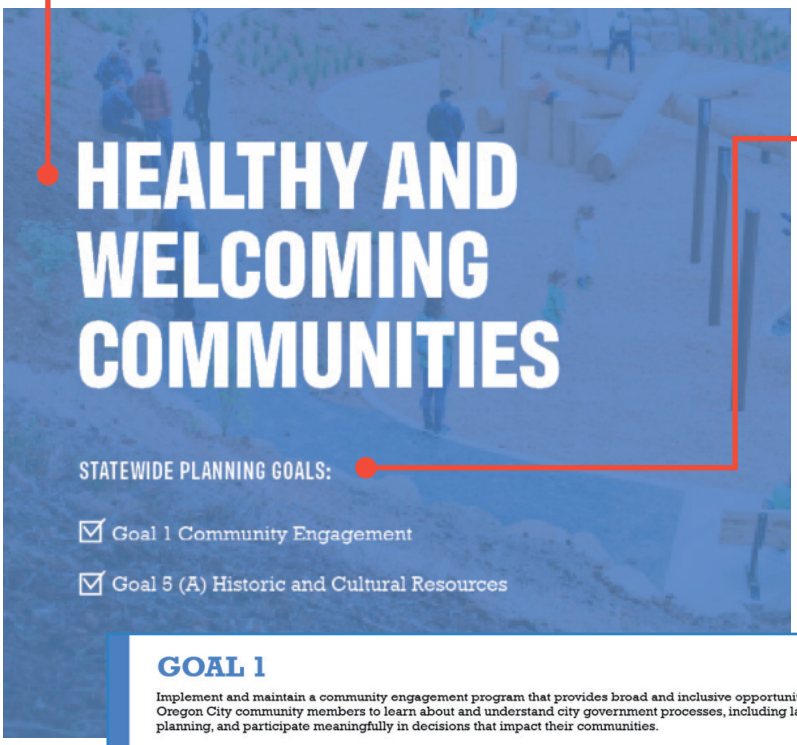
PROTECTED ENVIRONMENT

Each theme constitutes a "chapter" of the OC2040 Comprehensive Plan. These chapters cover a broad variety of interconnected topics, all while meeting the requirements of applicable statewide planning goals. Because of the interconnected nature of the topics, some statewide planning goals apply across more than one theme (potential overlapping goals denoted "A" and "B"). A matrix of the vision themes to potential topics and statewide planning goals is shown below:

Vision Theme/ Comprehensive Plan Chapter	Statewide Planning Goals
HEALTHY AND WELCOMING COMMUNITY	Goal 1: Citizen Involvement
	Goal 5: Scenic and Historic Resources (A)
DIVERSE ECONOMY	Goal 2: Land Use Planning
	Goal 9: Economic Development
	Goal 10: Housing
	Goal 14: Urbanization
CONNECTED INFRASTRUCTURE	Goal 11: Public Facilities and Services
	Goal 12: Transportation
	Goal 13: Energy Conservation (A)
PROTECTED ENVIRONMENT	Goal 5: Natural Resources and Open Space (B)
	Goal 6: Air, Water and Land Resource Quality
	Goal 7: Natural Hazards
	Goal 8: Recreational Needs
	Goal 13: Energy Conservation (B)
	Goal 15: Willamette River Greenway

How to Use this Document

Each chapter opens with a short summary of the relevant topics, then lists a series of goal statements. Each goal includes a suite of policies and implementation strategies, where applicable.



GOAL 1

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

POLICIES:

POLICY 1	Support the Citizen Involvement Committee (CIC) and Neighborhood Associations to engage and educate Oregon City community members in land use planning.
STRATEGY 1A	Utilize neighborhood associations as the vehicle for neighborhood-based input to meet the requirements of the Land Conservation and Development Commission (LCDC) Statewide Planning Goal 1, Citizen Involvement. The Citizen Involvement Committee (CIC) shall serve as the officially recognized citizen committee needed to meet LCDC Statewide Planning Goal 1.
POLICY 2	Actively seek input from a diverse range of participants and enhance engagement opportunities for community members with barriers (language, disability, income, age, technology) through services and methods that bolster inclusive participation.
STRATEGY 2A	Solicit and support citizen participation on citizen advisory committees and commissions. Identify desirable expertise from the Portland metro area as needed to best serve the interests of Oregon City.
POLICY 3	Seek opportunities to develop and enhance relationships with community-based organizations (CBOs) who are working in Oregon City and the larger region.

Chapter Header. The four themes uncovered through the OC2040 visioning process constitute the chapter headers of the OC2040 Comprehensive Plan.

Statewide Planning Goals. Local comprehensive plans must be consistent with Oregon's Statewide Planning Goals. The applicable statewide goals for each chapter are listed here. Those denoted with an (A) or (B) indicate that the statewide planning goal applies to more than one chapter.

Goal. Goals are broad statements of purpose that define what the community wants to achieve.

Policies. Policies are clear statements guiding a specific course of action for decision-makers to achieve a desired goal. Policies are regulatory.

Strategies. Strategies are a statement of measurable activity or a more specific benchmark to be reached in pursuit of the strategy. Strategies are not regulatory.

OC2040 GOALS, POLICIES, & STRATEGIES

CHAPTER 1: HEALTHY AND WELCOMING COMMUNITIES

STATEWIDE PLANNING GOALS:

- ☑ Goal 1 Community Engagement
- ☑ Goal 5 (A) Historic and Cultural Resources

Background Information

The following background summary presents information about current conditions, assets and trends specific to the statewide planning goals applicable to Oregon City and captured by the topics of this theme.

Community Engagement

Oregon City established a Citizen Involvement Program in the 1980s to recognize the importance of providing residents and stakeholders opportunities to be informed, and involved, in the planning process. The program is comprised of two components: neighborhood associations and a Citizen Involvement Committee (CIC). The CIC is responsible for developing, implementing, and evaluating the Citizen Involvement Program and ensuring consistency with Statewide Planning Goal 1 Citizen Involvement. The CIC coordinates and communicates various aspects of community participation and advises the City Commission, Planning Commission, and other advisory bodies. The CIC typically meets the first Monday of each month and information about the meetings is available on the City's CIC webpage. Citizen participation is also encouraged by neighborhood associations which provide another, more localized, path for promoting community education and participation in planning activities. The neighborhood associations are not entities of the City but are supported through agreements and the CIC. There are twelve active neighborhood associations in Oregon City, each with its own board, bylaws, schedule of activities, and set of priorities.

Historic and cultural resources

Oregon City stands out in the region because of its rich history, dedication to preservation, and desire to retain historic neighborhood character. Oregon City was a gathering space for indigenous communities and the capital of the Oregon Territory from 1849-1850 and the first incorporated town west of the Missouri River. There are many sites, buildings, and landmarks existing today that have ties back to that important time in history. Oregon City is designated as a Certified Local Government (CLG); the CLG program integrates local governments with the National Historic Preservation Program to strengthen decision-making regarding historic places at the local level. Participation in this program allows Oregon City to apply for grants administered by the State Historic Preservation Office, which have funded surveys of the McLoughlin District and Historic Downtown District.

Today, Oregon City has one local historic district and one conservation district, including:

- *Existing Historic District: Canemah.* Historic Districts are areas where buildings with national or local historical and/or architectural significance are concentrated. A Historic District is recognized for retaining its "sense of place," meaning that a traditional atmosphere of distinct character is evident. Generally, a Historic District designation requires, through the Historic Overlay Ordinance, that proposed construction, exterior alterations, and demolitions within the district's boundaries be reviewed. To be designated as a Historic District, an area must:

  - have architectural features that are well-related and have continuity
  - appear as a discrete entity
  - exhibit visual harmony in the character of public ways consistent with the architectural character of the area
  - have generally compatible uses, including intended uses
  - have a majority of properties with historic significance

  Canemah is an important example of a relatively intact riverboat town with architectural resources dating from the 1860s. Having evolved from a community for the elite of the riverboat industry to a workers' community, Canemah retains essentially the same sense of place it had in the latter half of the 19th century. Situated above the Falls of the Willamette, it was an important portage town and the major shipbuilding center on the upper Willamette River. Canemah was listed as a Historic District in the National Register of Historic Places in 1977. The area was zoned in 1954 for industry along the river, commercial and multi-family along McLoughlin Boulevard, and multi-family along Third Avenue and portions of Fifth Avenue. In 1982, a majority of the area was rezoned as residential except for a small strip on McLoughlin Boulevard, which was rezoned to Historic Commercial. In the last 20 years, many homes within the district have been rehabilitated, but some have not been maintained to a level that ensures their significance and status as contributing structures. New construction and exterior alterations need to be reviewed for their long-term effect on the neighborhood and National Register Historic District status.

- *Existing Conservation District: McLoughlin.* A Conservation District designation is intended to protect the buildings within the district through an ordinance that requires a review of proposed construction, exterior alterations to designated structures, and demolitions. Although not as comprehensive as a Historic District, a Conservation District can ensure that a neighborhood's significance does not erode.

  Many of Oregon City's historic and architecturally significant buildings are above the bluff in the McLoughlin neighborhood. The original Oregon City plat includes the neighborhood area up to Van Buren Street, and it is within this area that early residential development took place, beginning in the 1850s. As the Downtown area changed from a residential to commercial district, home building increased above the bluff. All of the churches that originally stood in the Downtown eventually relocated to the McLoughlin area as well.

- *Present Status:* A survey was undertaken in 2002, to update the original survey, to determine the current status of buildings and the potential for the area to be listed as a National Register Historic District. In 2003, Oregon City High School moved from the McLoughlin neighborhood to a new facility on Beavercreek Road. Moving the school provides the City an opportunity to work with the school district to reuse the historic high school building. The City supports any rehabilitation of the campus that would continue its role as a community gathering place and keep it consistent with the Secretary of Interior Standards for Rehabilitation and the Goals and Policies of the Historic Review Board.

There are many historic buildings and landmarks outside the designated Historic Districts. Historic designation generally requires review of the exterior of structures and alterations by the Historic Review Board in order to maintain the integrity of the district. Designation and protection of historic buildings and landmarks is an ongoing effort in Oregon City. Other areas of the City have been surveyed to identify the appropriateness of additional districts but have not been designated. Designation of new structures and districts is feasible though the Historic Review Board and requires property owner consent. Oregon City also has important prehistoric and historic resources, including Willamette Falls as a center for Native American culture. Archeological resources associated with this history have, in the past, been overlooked and resources have been lost due to damage from development. Currently, there are several state and federal laws that provide some level of protection for archeological sites and notice of development is sent to the State Historic Preservation Office as well as five Tribes with interests in Oregon City.

GOAL 1

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

POLICIES:

POLICY 1.1

Support the Citizen Involvement Committee (CIC) and Neighborhood Associations to engage and educate Oregon City community members in land use planning.

STRATEGY 1.1.A

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

POLICY 1.2

Actively seek input from a diverse range of participants and enhance engagement opportunities for community members with barriers (language, disability, income, age, technology) through services and methods that bolster inclusive participation.

STRATEGY 1.2.A

Solicit and support citizen participation on citizen advisory committees and commissions. Identify desirable expertise from the Portland metro area as needed to best serve the interests of Oregon City.

POLICY 1.3

Seek opportunities to develop and enhance relationships with community-based organizations (CBOs) who are working in Oregon City and the larger region.

POLICY 1.4

Utilize innovative forms of communication technology to enhance the City's public engagement efforts.

STRATEGY 1.4.A

Explore meaningful engagement techniques and tools that allow for multiple forms of public engagement through in person events, on-line tools, and hybrid options.

POLICY 1.5

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

STRATEGY 1.5.A

Notify citizens about community involvement opportunities when they occur.

POLICY 1.6 Include nearby communities in public engagement efforts, where appropriate, to provide an outside perspective to Oregon City land use planning.

STRATEGY 1.6.A Develop a program for reaching out to representatives of nearby communities such as the City of West Linn, City of Gladstone, recognized Hamlets or Villages in Clackamas County, and Community Planning Organizations in unincorporated Clackamas County to participate in public planning processes on regional issues.

GOAL 2

Acknowledge, protect, enhance, and commemorate Oregon City's historic, artistic, and cultural resources.

POLICIES:

POLICY 2.1 Promote the Willamette and Clackamas Rivers as a community benefit for cultural connection and understanding.

POLICY 2.2 Recognize and celebrate the history of tribal presence in Oregon City and seek opportunities to educate community members and elevate understanding.

POLICY 2.3 Facilitate historic preservation programs for retention of federal, state, and locally designated historic districts and sites.

STRATEGY 2.3.A Promote the designation of qualifying properties outside Historic and Conservation Districts as historic.

STRATEGY 2.3.B Maintain Oregon City's status as a Certified Local Government in the National Historic Preservation Program.

STRATEGY 2.3.C Encourage property owners to preserve historic structures in a state as close to their original construction as possible while allowing the structure to be used in an economically viable manner.

POLICY 2.4 Identify and protect important artistic and cultural resources and historic amenities through programs, designation, interpretive signage, and other means to increase awareness and generate appreciation.

STRATEGY 2.4.A Support the preservation of Oregon City's historic resources through public information, advocacy and leadership within the community, and the use of regulatory tools and incentive programs.

STRATEGY 2.4.B Support the preservation and initiatives of Oregon City's artistic resources through public information, advocacy and leadership within the community, and the use of regulatory tools and incentive programs.

POLICY 2.5 Provide activities and programs for residents and visitors that weave together historic, artistic, and cultural resources, education, and recreation.

STRATEGY 2.5.A Recognize the value of diverse cultural and historic resources and modern civic amenities. Integrate educational and recreational opportunities with the City's preservation efforts.

GOAL 3

Strengthen wellbeing, quality of life, and livability[1] across all Oregon City neighborhoods by creating places that are safe and comfortable with convenient access to community services.

POLICIES:

POLICY 3.1 Support the City's network of community-based organizations, programs, and centers that provide services for Oregon City residents.

POLICY 3.2 Improve equitable access to health care for all residents through cross-sector partnerships and coordination with service providers.

STRATEGY 3.2.A Work with Clackamas County as needed to ensure that county services are sited appropriately and that citizens of Oregon City continue to have access to County health and human services.

STRATEGY 3.2.B Coordinate with the master planning efforts by Willamette Falls Hospital to address environmental, neighborhood and health provider concerns about expansion plans, parking, traffic, and circulation.

POLICY 3.3 Provide opportunities for learning and civic engagement for all ages through City services and partnerships with local schools.

1. Livability is defined as "the building and maintaining of community amenities that enhance the quality of life through actions to improve local environments and provide safe conditions in places where people live." (Oregon City Urban Renewal Plan, Amended 2022)

POLICY 3.4 Support and promote availability of affordable healthy food for all Oregon City neighborhoods.

STRATEGY 3.4.A Allow and encourage the development of small retail centers in residential neighborhoods that provide goods and services for local residents and workers.

POLICY 3.5 Build and enhance partnerships between police, government agencies, neighborhoods, and civic/business organizations to enhance community safety and positive health outcomes.

POLICY 3.6 Support services and programs that serve Oregon City's unhoused residents in meeting daily needs while offering stable and lasting solutions.

GOAL 4

Integrate diversity, equity, and inclusion (DEI) best practices when evaluating all city functions, including land use policies, programs, and regulations.

POLICIES:

POLICY 4.1 Implement DEI practices in City business and operations, and when evaluating and selecting public improvement projects.

POLICY 4.2 Support opportunities for home ownership and rental availability for all household sizes, types and incomes through housing policies and regulations.

POLICY 4.3 Establish land use patterns and regulations that promote a balance of jobs and housing across Oregon City to strengthen access to employment.

CHAPTER 2: DIVERSE ECONOMY

STATEWIDE PLANNING GOALS:

- ☑ Goal 9 Economic Development
- ☑ Goal 10 Housing
- ☑ Goal 14 Urbanization
- ☑ Goal 2 Land Use

Background Information

The following background summary presents information about current conditions, assets and trends specific to the statewide planning goals applicable to Oregon City and captured by the topics of this theme.

Economic Development

Oregon City's role in regional and statewide commerce is significant, in part because of its location on the banks of the Willamette River and its history as a hub for the exchange and transfer of goods from the upper and lower Willamette River and associated land routes. Oregon City supports a diverse industrial and commercial business base that is comprised primarily of small to medium-sized businesses. Approximately one-third of total employment in Oregon City is in the public sector, including Clackamas County, the Oregon City School District and Clackamas Community College.

In 2006, Oregon City developed an Economic Development Strategy to focus on Oregon City's designation as Regional Center by Metro's 2040 Growth Concept Plan. The *Oregon City Futures: A Strategy for Economic Development, Phase I Summary and Recommendations* report identified broad goals for economic development for Oregon City:

1. Increase the community's assessed value
2. Increase the diversification of businesses and industries
3. Increase number and quality of jobs
4. Develop sound businesses with staying power
5. Enhance the appeal and attractiveness of community
6. Provide an environment for strong business and industrial growth
7. Leverage urban renewal and public dollars to maximize the total investment and development effort.
8. Create tax increment with each investment or create an environment in which private investment will follow public investment (urban renewal).

Housing

Oregon City recognizes that the health of its community depends heavily on the health of its neighborhoods and its ability to provide housing that meets the diverse needs of all residents. The goals and strategies of the 2004 Plan were largely focused on protecting the character of existing residential neighborhoods and planning for new neighborhoods, both of which are supported by a range of housing types and neighborhood services. The need to maintain that balance still applies today and played a large role in development of housing strategies for the OC2040 Plan.

In 2021, the City adopted a Housing Needs Analysis (HNA) to understand how much housing will be needed in the future and if the City has enough available land to accommodate the community's housing needs through 2041. The HNA provides recent information about Oregon City's housing market and forecasted housing needs, along with data on Oregon City's demographic and socioeconomic trends, to support future planning efforts related to housing as well as options for addressing unmet housing needs in Oregon City. Key findings of the HNA include:

- Growth in housing will be driven by growth in households. The number of households in Oregon City's Planning Area is forecast to grow from 14,778 households to 22,213 households, an increase of 7,435 households between 2021 and 2041.

- Oregon City is planning for growth of 7,435 new dwelling units. To accommodate those units over the 20-year planning period, Oregon City will average 372 new dwelling units annually, and will plan for more single-family attached and multifamily dwelling units in the future to meet the city's housing needs. The factors driving the shift in types of housing needed in Oregon City include changes in demographics and decreases in housing affordability. The aging of senior populations and the household formation of young adults will drive demand for renter and owner-occupied housing, such as small single-family detached housing, townhouses, duplexes, and apartments/condominiums. Both groups may prefer housing in walkable neighborhoods, with access to services.

- Oregon City is meeting Metro's requirements for net density and housing mix. OAR 660-007-0035 sets specific density targets for cities in the Metro UGB and requires that cities within the Metro UGB "provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing." Based on the HNA findings, Oregon City is exceeding average density targets at an average net density of 9.5 dwelling units per net acre, and the City is assuming that 20% of new dwelling units will be single-family attached, 10% of new units will be duplexes, triplexes, or quadplexes, and 20% of new units will be multifamily.

- Oregon City has an unmet need for affordable housing. About 34% of Oregon City's households are cost burdened, with 50% of renters cost burdened and 28% of owners cost burdened. Oregon City's level of cost burden is similar to other communities in Clackamas County.

- Oregon City met the requirements of House Bill 2001 and as of 2022, the City adopted zoning code to comply with the requirements of HB 2001.

Urbanization

Cities in Oregon must estimate future growth and the need for land and apply appropriate zoning to that land in order to meet the need. Building from inventories of buildable land and studies like Housing Needs Analysis and an Economic Development Strategy, urban growth boundaries must be established, and cities must designate urbanizable land from rural land.

While Oregon City continues to grow and evaluate jobs and housing needs, there are many factors that are considered during the process of urbanization:

- Balancing existing development with new growth
- Ensuring an adequate supply of housing that is affordable to and meets the needs of a range of households
- Providing opportunity for businesses and vibrant, mixed-use centers
- Extending public services in a way that is efficient and economical
- Protecting open spaces and natural resources
- Balancing property rights with public goals
- Physical constraints (Oregon City cannot expand west or north because of rivers and adjacent cities of West Linn and Gladstone)

A 1990 Urban Growth Management Agreement between Oregon City and Clackamas County guides land use designations and extension of public services to urbanizing areas. Per that agreement, Oregon City (rather than the County) provides public services in urbanizing areas and applies Comprehensive Plan designations to those areas. Clackamas County applies zoning to land within the UGB (but outside city limits) to generally designate it as Future Urbanizable (FU-10) until the City annexes those properties and applies City zoning.

Metro's Urban Growth Management Functional Plan, Title 11, establishes the regulations for how and when cities can expand their urban growth boundaries to ensure a 20-year adequate land supply. The most recent UGB expansions in Oregon City were the addition of the Park Place neighborhood (500 acres in 2002); the Beavercreek Road area, which is now called Thimble Creek (453 acres in 2004, re-adopted in 2020); and the South End neighborhood (611 acres in 2016). Currently, there are no UGB expansions under consideration for Oregon City.

Land Use

Oregon City promotes community vitality through good design, efficient use of land, and strategies and actions that ensure new development contributes to the City's overall character and quality of life. The City also acknowledges the critical role of corridors and the opportunity they provide for transit-oriented, higher-intensity, mixed-use development patterns. Connections - particularly multi-modal connections - between neighborhoods, Downtown, the waterfront, and other activity centers are emphasized in planning efforts so that residents and visitors can easily move around and meet their daily needs without having to travel long distances.

All land use types are regulated through the Zoning Map, and are generally categorized as residential, commercial, industrial, institutional/civic, or open space/natural areas. The City's land use categories include:

- Low Density Residential (LR) — primarily single-family detached homes and middle housing.
- Medium Density Residential (MR) — residential developments with dwelling unit types such as attached single-family units, rowhouses, and townhouses.
- High Density Residential (HR) — typically high-density, multiple dwelling residential. Permitted uses include apartments, condominiums, and single-family attached and rowhouse dwellings.

- Commercial (C) — commercial uses serving local, city-wide, and regional needs, such as retail and service commercial. Typically, this classification is associated with newer, suburban development and located along arterial streets.

- Industrial (I) — uses related to manufacturing, processing, and distribution of goods. Employment-based uses are encouraged. Intensive or heavy industrial uses are allowed in certain zones. Zones in the Comprehensive Plan Land-Use Map district are designed to comply with requirements of Title 4 of Metro's Urban Growth Management Functional Plan (1998).

- Mixed Use Corridor (MUC) — higher density mixed uses that are supportive of transit and conducive to pedestrian traffic. Urban density residential and commercial goods and services are typical uses. Zones in the Comprehensive Plan Land-Use Map district are intended to be compatible with Metro's Corridor design type.

- Mixed Use Employment (MUE) — employment-intensive uses such as offices, research and development, light manufacturing, and associated commercial uses.

- Mixed Use Downtown (MUD) — urban density, mixed uses that are conducive to pedestrian and transit uses. This category is intended to be used to implement the Oregon City Downtown Community Plan (1999), the Oregon City Waterfront Master Plan (2002), and Metro's Regional Center concept, particularly in terms of connecting the Downtown with the waterfront. A design overlay is included in this area and is intended to promote development consistent with Oregon City's traditional Downtown form.

- Public and Quasi-Public (QP) — publicly owned lands other than city parks, such as schools, cemeteries, undeveloped lands, open space, government buildings and public utility facilities, such as the sewage treatment plant and water reservoirs.

- Parks (P) — City parks.

- Future Urban Holding (FUH) — undesignated, pending development and approval of a "concept plan," a Metro requirement that cities plan land uses in areas being converted from rural to urban uses.

GOAL 1

Provide opportunities for a variety of goods, services, and employment options to work toward a dynamic, ecologically sound, and socially equitable economy.

POLICIES:

POLICY 1.1

Regularly update City-wide economic studies to guide development of strategies and policies that improve economic health and resiliency.

STRATEGY 1.1.A

Conduct an Economic Opportunities Analysis to understand which industries and services will thrive in Oregon City's area, and how to best use land within the City's Urban Growth Boundary.

POLICY 1.2

Ensure a suitable amount of land is dedicated to employment uses.

STRATEGY 1.2.A

Work with Metro to ensure that there is enough land available within the Urban Growth Boundary to meet the need for industrial and/or commercial development. If there is not enough, identify areas outside the boundary that may be appropriate to annex. The selection of these areas will be based on market factors, protection of environmentally sensitive areas, compatibility with adjoining and nearby uses, public facilities and infrastructure, proximity to expressways and transit, site requirements of specific types of industries, and the desires of the property owners.

STRATEGY 1.2.B

Ensure that land zoned or planned for employment use is used for industrial purposes, and that exceptions are allowed only where some other use supports employment development. New non-industrial uses should especially be restricted in already developed, active industrial sites.

POLICY 1.3

Support retention and expansion of local businesses, as well as recruitment of new businesses, across a variety of sizes and types

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POLICY 1.4

Provide fair and equitable opportunities to compete for city contracts for all businesses.

STRATEGY 1.4.A

Ensure diversity, equity and inclusion actions are incorporated into City contracting practices

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POLICY 1.5

Create and maintain cooperative partnerships with other public agencies and private business groups interested in promoting economic development.

STRATEGY 1.5.A

Target public infrastructure investments and create public/private partnerships to leverage maximum benefits from public investment and to help ensure that the Regional Center develops to its maximum capacity and realizes its full potential.

STRATEGY 1.5.B

Seek input from local businesses when making decisions that will have a significant economic impact on them.

STRATEGY 1.5.C

Use public-private partnerships as a means to leverage private investment when appropriate.

POLICY 1.6 Promote the city's destinations, natural resources, and historic and cultural amenities to grow the tourism industry.

STRATEGY 1.6.A Encourage the development of a strong and healthy Historic Downtown retail, office, cultural, and residential center.

STRATEGY 1.6.B Working with major stakeholders, develop and implement a strategy to help the Historic Downtown Area enhance its position as a retail district. Such a strategy might include funding for a "Main Street" or similar program.

STRATEGY 1.6.C Ensure land uses and transportation connections that support tourism as an important aspect of the City's economic development strategy. This includes important cultural and historical amenities.

STRATEGY 1.6.D Encourage private development of tourism related uses such as: hotel, bed and breakfast, restaurant facilities and other visitor services.

POLICY 1.7 Support a healthy and balanced workforce through a variety of programs and policies.

STRATEGY 1.7.A Attract high-quality commercial and industrial development that provides stable, high-paying jobs in safe and healthy work environments, that contributes to a broad and sufficient tax base, and that does not compromise the quality of the environment.

STRATEGY 1.7.B Support a program for providing affordable childcare options to foster a stable workforce.

GOAL 2

Provide housing options, including both rental and ownership opportunities, that are attainable for the full range of Oregon City households.

POLICIES:

POLICY 2.1 Plan for housing supply that supports and implements the recommendations of the current Housing Needs Analysis.

STRATEGY 2.1.A Ensure housing policies allow for increased opportunities for home ownership by regularly evaluating housing supply, market demand, buildable land, and infrastructure costs through a Housing Needs Analysis.

POLICY 2.2 Ensure that land use designations and zoning code provisions allow and encourage a wide range of housing types.

STRATEGY 2.2.A Designate residential land for a balanced variety of densities and types of housing, such as single-family attached and detached, and a range of multi-family densities and types, including mixed-use development.

POLICY 2.3 Support retention of existing homes and opportunities for community members to "age in place".

POLICY 2.4 Support and encourage transit-oriented development opportunities.

STRATEGY 2.4.A Ensure planning for transit corridors includes facilities and access management, aesthetics (including signage and building facade improvements), infill and redevelopment opportunities, high-density residential development, and business assistance to existing businesses.

STRATEGY 2.4.B Provide incentives that encourage the location of affordable housing developments near public transportation routes. Incentives could include reduction of development-related fees and/or increases in residential density (density bonuses).

POLICY 2.5 Support development of subsidized and affordable housing.

STRATEGY 2.5.A Aim to reduce the isolation of income groups within communities by encouraging diversity in housing types within neighborhoods consistent with the Clackamas County Consolidated Plan, while ensuring that needed affordable housing is provided.

STRATEGY 2.5.B Retain affordable housing potential by evaluating and restricting the loss of land reserved or committed to residential use. When considering amendments to the Comprehensive Plan Land-Use Map, ensure that potential loss of affordable housing is mitigated.

STRATEGY 2.5.C Allow increases in residential density (density bonuses) for housing development that would be affordable to Oregon City residents earning less than 50 percent of the median income for Oregon City.

STRATEGY 2.5.D Investigate variable System Development Charges (SDCs) and other incentives to support middle housing and affordable housing development.

GOAL 3

Guide growth and development in a manner that implements the City's 2040 Vision and maintains an urban growth boundary that supports and accommodates projected population and employment during the 20-year planning period.

POLICIES:

POLICY 3.1

Promote efficient use of land and public infrastructure and plan for appropriate infill development, redevelopment, and new development.

STRATEGY 3.1.A Create incentives for new development to use land more efficiently, such as by having minimum floor area ratios and maximums for parking and setbacks.

STRATEGY 3.1.B Encourage the vertical and horizontal mixing of different land-use types in selected areas of the city where compatible uses can be designed to reduce the overall need for parking, create vibrant urban areas, reduce reliance on private automobiles, create more business opportunities and achieve better places to live.

STRATEGY 3.1.C Use redevelopment programs such as urban renewal to help redevelop underutilized commercial and industrial land.

STRATEGY 3.1.D Establish priorities to ensure that adequate public facilities are available to support the desired industrial development.

STRATEGY 3.1.E Encourage sub-area master planning for larger developments or parcels, including re-development, where it may be feasible to develop more mixed uses, or campus-style industrial parks, with shared parking and landscaping areas. Allow developments to vary from prescriptive standards if planned and approved under this provision.

STRATEGY 3.1.F Support density transfers for lots of record that are located within the Natural Resource Overlay District.

POLICY 3.2

Promote development of walkable neighborhoods to reduce transportation demand and enhance localized access to community services and amenities.

STRATEGY 3.2.A Promote connectivity between neighborhoods and neighborhood commercial centers through a variety of transportation modes.

POLICY 3.3

Designate land uses in a manner that balances opportunities for housing and jobs and ensures development is consistent and compatible with the community's needs and resources.

STRATEGY 3.3.A Protect existing and planned undeveloped and underdeveloped industrial lands from incompatible land uses and minimize deterrents to desired industrial development.

STRATEGY 3.3.B Ensure that land-use patterns create opportunities for residents to live closer to their workplace.

STRATEGY 3.3.C Maintain a sufficient land supply within the city limits and the Urban Growth Boundary to meet local, regional, and state requirements for accommodating growth.

POLICY 3.4

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

STRATEGY 3.4.A

Use the following 11 land-use classifications on the Oregon City Comprehensive Plan Land-Use Map to determine the zoning classifications that may be applied to parcels:

- Low Density Residential (LR)
- Medium Density Residential (MR)
- High Density Residential (HR)
- Commercial (C)
- Mixed Use Corridor (MUC)
- Mixed Use Employment (MUE)
- Mixed Use Downtown (MUD)
- Industrial (I)
- Public and Quasi-Public (QP)
- Parks (P)
- Future Urban Holding (FUH)

GOAL 4

Encourage and support new development that incorporates supportive community features and sustainability principles in site design and building construction.

POLICIES:

POLICY 4.1

Promote best practices for integrating residential infill development into the fabric of existing neighborhoods.

STRATEGY 4.1.A

Use a combination of incentives and development standards to promote and encourage well-designed residential developments that result in neighborhood livability and stability.

POLICY 4.2

Incorporate resource efficiency and sustainability in the built environment by emphasizing energy-saving features and practices in construction and development regulations.

STRATEGY 4.2.A

Encourage designs that achieve a minimum "Certified" level of LEED (Leadership in Energy and Environmental Design) certification.

STRATEGY 4.2.B

Encourage commercial and industrial development that enhances livability of neighborhoods through the design of attractive LEEDTM-certified buildings and environmentally responsible landscaping that uses native vegetation wherever possible, and by ensuring that development is screened and buffered from adjoining residential neighborhoods and access is provided by a variety of transportation modes.

STRATEGY 4.2.C

Encourage siting and construction of new development to take advantage of solar energy, minimize energy usage, and maximize opportunities for public transit.

POLICY 4.3 Utilize urban design principles that create comfortable and attractive public spaces that are reflective of Oregon City's community vision

POLICY 4.4 Support and promote site and building design alternatives that balance high-quality and durable construction with affordability.

GOAL 5

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

POLICIES:

POLICY 5.1 Ensure the Urban Growth Boundary conforms to Title 11 of the Code of the Metropolitan Service District and provides sufficient land to accommodate 20-year urban land needs, resulting in efficient urban growth and a distinction between urban uses and surrounding rural lands, and promoting appropriate infill and redevelopment in the city.

STRATEGY 5.1.A Include an assessment of the fiscal impacts of providing public services to unincorporated areas upon annexation, including the costs and benefits to the city as a whole as a requirement for concept plans.

POLICY 5.2 Reduce the need to develop land within the Urban Growth Boundary by encouraging redevelopment of underdeveloped areas within the existing city limits.

POLICY 5.3 Plan for public services to lands within the Urban Growth Boundary through adoption of a concept plan and related Capital Improvement Program, as amendments to the Comprehensive Plan.

STRATEGY 5.3.A Maximize new public facilities and services by considering new development within the Urban Growth Boundary at reasonable densities allowed by the Comprehensive Plan.

STRATEGY 5.3.B Ensure that the extension of new services does not diminish the delivery of those same services to existing areas and residents in the city.

POLICY 5.4

Annex lands to the city through a process that considers the effects on public services and the benefits to the city as a whole and ensures that development within the annexed area is consistent with the Oregon City Comprehensive Plan, City ordinances, and the City Charter.

STRATEGY 5.4.A

Promote compact urban form and support efficient delivery of public services by ensuring that lands to be annexed are within the City's Urban Growth Boundary, and contiguous with the city limits. Do not consider long linear extensions, such as cherry stems and flag lots, to be contiguous with the city limits.

STRATEGY 5.4.B

Evaluate and in some instances require that parcels adjacent to proposed annexations be included to:

i. avoid creating unincorporated islands within the city;

ii. enable public services to be efficiently and cost-effectively extended to the entire area; or

iii. implement a concept plan or sub-area master plan that has been approved by the Planning and City Commissions.

STRATEGY 5.4.C

Expedite the annexation of property as provided by state law in order to provide sewer service to adjacent unincorporated properties when a public health hazard is created by a failing septic tank sewage system.

POLICY 5.5

Create and maintain cooperative, collaborative partnerships with other public agencies responsible for servicing the Oregon City area.

STRATEGY 5.5.A

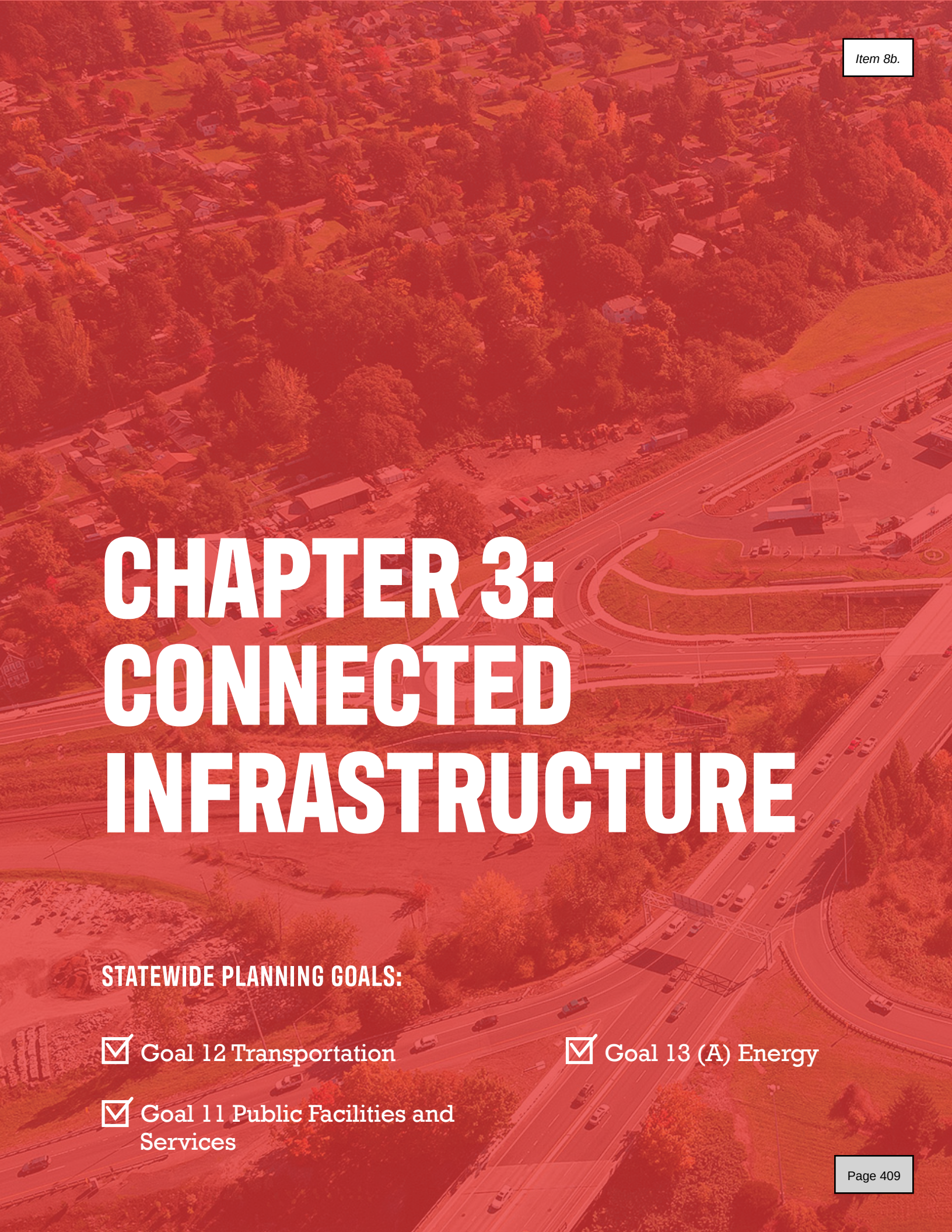
Amend as necessary the 1990 Urban Growth Management Agreement with Clackamas County to control land uses in the unincorporated area around the city to ensure that conversion of rural lands to urban uses upon annexation is orderly and efficient and in conformance with the Comprehensive Plan for Oregon City.

STRATEGY 5.5.B

Coordinate public facilities, services and land-use planning through intergovernmental agreements with the school district, Clackamas Community College, Clackamas County Fire District #1, Tri-Cities Services District and other public entities as appropriate.

STRATEGY 5.5.C

Coordinate with Clackamas County and Metro to contain city boundaries and future urban land uses to areas on relatively level land north of the steep lands of Beaver Creek and its tributaries that border the southern portion of the city and the steep lands of the tributaries to Abernethy Creek that border the east and southeasterly portions of the city. *Please refer to the Oregon City Urban Reserves map in the Appendix.*



CHAPTER 3: CONNECTED INFRASTRUCTURE

STATEWIDE PLANNING GOALS:

- ☑ Goal 12 Transportation
- ☑ Goal 11 Public Facilities and Services
- ☑ Goal 13 (A) Energy

Background Information

The following background summary presents information about current conditions, assets and trends specific to the statewide planning goals applicable to Oregon City and captured by the topics of this theme.

Transportation

The 2013 Oregon City Transportation System Plan (TSP) is an ancillary plan to the Comprehensive Plan and serves as the guide for development and management of the City's transportation facilities for the 20-year planning horizon. There are several additional documents and projects that have been added to the TSP since 2013, such as the Linn Avenue, Leland Road & Meyers Road Corridor Plan, the McLoughlin-Canemah Trail Plan, and alternate mobility targets for the intersection of Highway 213 and Beavercreek Road. The TSP provides a framework for:

- The roadway system, including alignments and classifications
- Design standards for roadways, based on classification
- Planning and design for multi-modal transportation that emphasizes non-vehicle modes of travel
- Rail and air transportation considerations
- Marine transportation related to the Willamette and Clackamas Rivers, both for commercial and recreational uses
- Information technologies to improve the overall transportation system function and efficiency
- Parking demand management, maintenance, and metering

In 2017, Oregon City prepared a Transportation Demand Management Plan (TDM) to examine opportunities and challenges related to parking, access, and transportation systems in the vicinity of Willamette Falls and downtown Oregon City. The document highlights recommended strategies and a general phasing plan for those strategies to help the City plan for redevelopment of the site, leverage existing opportunities, and mitigate potential impacts to the transportation system.

Public Facilities and Services

Oregon City is committed to providing its residents with safe and accessible public services that are developed in a timely, orderly, and efficient manner and contribute to Oregon City's quality of life. The City is served by the following types of public facilities and services, provided by the City or other entities:

- Wastewater collection and treatment, water distribution, and stormwater management
- Solid waste disposal
- Transportation infrastructure
- Fire protection and emergency services
- Police protection
- Electricity, gas and telecommunications
- Health care
- Education, Library
- Parks and recreation

The City plans for, and regulates, many public facilities and services through master plans and public works design standards and specifications. This guides public investments and capital improvement projects. Funding for these public facilities and services is done in a number of ways:

- The General Fund is a limited revenue source from property taxes and shared by a multitude of other governmental agencies and special districts.
- Urban Renewal funding comes from designating specific areas as deficient in assessed values and development ability and creating a plan for increasing property tax values and revenues through public infrastructure improvements and private development incentives. The Urban Renewal tax mechanism affords municipalities the opportunity to collect revenues for highly needed, value-based improvements for which other resources are insufficient. The improvements, in turn, provide a higher tax base for future City budgets.
- The Capital Improvement Program provides a detailed financial analysis of proposed projects. It is generally a short-term plan (one to five years) for public facility improvements and extension.
- Special levies or bond issues can be submitted to voters to raise funds for specific projects. These tools have traditionally been used for large projects such as school funding, construction or purchase of recreational facilities, and sewer or water system replacement.
- Grants may be available for many projects meeting certain federal and/or state guidelines.
- Local Improvement Districts (LIDs) are useful for many projects deemed necessary for small areas.
- User fees can be assessed for many services. Water, wastewater, stormwater, street maintenance, power, gas, telephone, garbage removal, health services, and some governmental services (courts and permit issuance) can be funded in this manner.
- System development charges (SDCs) are collected when building permits are issued and are used to construct infrastructure required to serve new development and growth of system needs. The SDC is directly related to the Capital Improvement Program for transportation, water, wastewater, stormwater, and parks.
- Tax increases may also be used, although they are usually insufficient and highly unpopular.
- Zoning, subdivision control, site plan review. Although funding is not directly addressed, many planning mechanisms, including zoning, subdivision control, site plan review, and others are used to require or encourage installation of many public facilities and services.
- Better coordination of services and improved operating efficiency are highly desirable, when possible.
- Builders and residents. The cost of public facilities serving new developments should be borne as much as possible by builders and residents of developments. Development proposals should be approved only if the vital public facilities necessary for additional land development and population growth are existing or committed.

Energy

Oregon City recognizes that energy consumption is affected by many factors – land use patterns, placement of buildings, modes of transportation, protection of natural resources, and many others. The City is committed to energy conservation, particularly as the cost of non-renewable energy sources continues to increase and renewable sources become more prominent and available. The Willamette River is one such source of renewable energy; currently, the Willamette Falls Hydroelectric Project generates about 122 million kilowatt-hours per year – enough to power about 11,000 homes.

The goals and strategies of the OC2040 Plan emphasize the following types of energy conservation methods:

- Land use techniques, particularly promoting mixed-use development to make efficient use of land and reduce distances between homes and daily destinations.
- Transportation elements that emphasize efficiency of the system and use of alternative modes of travel (biking, walking, rolling).
- Promoting sustainable building practices and use of sustainable materials.
- Incentives for projects that utilize energy conservation practices.

GOAL 1

Provide a safe, comfortable, and accessible transportation network that serves all modes of travel, including non-motorized modes.

POLICIES:

POLICY 1.1

Plan for and develop multi-modal connectivity throughout Oregon City, with an emphasis on access to community services, amenities, and key points of interest.

STRATEGY 1.1.A — Make investments to accommodate multi-modal traffic as much as possible to include bike lanes, bus turnouts and shelters, sidewalks, etc., especially on major and minor arterial roads, and in regional and employment centers.

STRATEGY 1.1.B — Provide an interconnected and accessible street system that minimizes vehicle miles traveled and inappropriate neighborhood cut-through traffic.

STRATEGY 1.1.C — Ensure the adequacy of travel mode options and travel routes (parallel systems) in areas of congestion.

STRATEGY 1.1.D — Identify and prioritize improved connectivity throughout the city street system.

POLICY 1.2

Reduce Oregon City's carbon footprint by supporting and emphasizing non-motorized modes.

STRATEGY 1.2.A — Provide an interconnected and accessible pedestrian system that links residential areas with major pedestrian generators such as employment centers, public facilities, and recreational areas.

STRATEGY 1.2.B — Provide a well-defined and accessible bicycle network that links residential areas, major bicycle generators, employment centers, recreational areas, and the arterial and collector roadway network.

STRATEGY 1.2.C — Construct bikeways and sidewalks and require connectivity of these facilities to reduce the use of petroleum-fueled transportation.

POLICY 1.3

Promote safety by implementing street design that equally considers and serves non-motorized and motorized users.

STRATEGY 1.3.A — Identify and implement ways to minimize conflict points between different modes of travel.

STRATEGY 1.3.B — Improve the safety of vehicular, rail, bicycle, and pedestrian crossings.

POLICY 1.4

Ensure transportation investments are equitably applied across Oregon City neighborhoods.

STRATEGY 1.4.A — Ensure efficient use of local transit by providing frequent, reliable links between the land uses and community associated with the Hilltop, Downtown, the Hospital, the Beavercreek educational and employment centers, and the adjacent neighborhoods.

POLICY 1.5 Support opportunities for safe, affordable, and accessible transit service, including regional efforts to expand public transportation networks.

STRATEGY 1.5.A Promote and encourage a public transit system that ensures efficient accessibility, mobility, and interconnectivity between travel modes for all residents of Oregon City.

STRATEGY 1.5.B Explore options for better connections throughout the region through Transportation System Plan updates and projects.

POLICY 1.6 Improve public parking programs and transportation demand management in downtown Oregon City while managing impacts to adjacent residential areas.

GOAL 2

Ensure public utilities and infrastructure are maintained and improved to adequately serve all existing areas of Oregon City and can be extended to serve newly developing areas in a logical and fiscally responsible manner.

POLICIES:

POLICY 2.1 Regularly update all City infrastructure and utility master plans.

POLICY 2.2 Adjust system development charges to ensure the benefit of new development is captured while impacts to the system are proportionally shared.

POLICY 2.3 Ensure public infrastructure investments are equitably applied across Oregon City neighborhoods.

STRATEGY 2.3.A Implement the City's wastewater policies through the City of Oregon City Sanitary Sewer Master Plan.

STRATEGY 2.3.B Plan, operate and maintain the water distribution system for all current and anticipated city residents within its existing Urban Growth Boundary and plan strategically for future expansion areas.

STRATEGY 2.3.C Plan, operate, and maintain the stormwater management system for all current and anticipated city residents within Oregon City's existing Urban Growth Boundary and plan strategically for future expansion areas.

STRATEGY 2.3.D Identify neighborhoods that are underserved by transportation and other infrastructure investments to ensure equitable future investments.

POLICY 2.4 Increase resiliency to climate change, natural hazard events, and cyber intrusions in public utility infrastructure.

POLICY 2.5 Coordinate City-wide communication and outreach efforts around utility rates and other operational changes.

POLICY 2.6 Support public-private partnerships to expand availability of highspeed internet service City-wide.

STRATEGY 2.6.A Encourage development of broadband networks in street rights-of-way in a coordinated way to provide state-of-the-art technology to residents.

GOAL 3

Serve the health, safety, and welfare of all Oregon City residents through provision of comprehensive public facilities and services.

POLICIES:

POLICY 3.1 Seek and support opportunities to increase access to digital communications for all Oregon City residents and businesses.

POLICY 3.2 Maintain a high level of police and fire protection in all areas of the city.

POLICY 3.3 Support and promote emergency preparedness and climate change resiliency efforts and programs.

POLICY 3.4 Coordinate with service providers to ensure high levels of public utility and infrastructure service.

STRATEGY 3.4.A Work with the Clackamas Water Environment Services to provide enough collection capacity to meet standards established by the Oregon Department of Environmental Quality (DEQ) to avoid discharging inadequately treated sewage into surface water.

POLICY 3.5 Pursue adequate funding to pay for public facilities and services.

STRATEGY 3.5.A Enhance efficient use of existing public facilities and services by considering development at reasonable levels permitted in the Comprehensive Plan, implementing minimum residential densities, and adopting an Accessory Dwelling Unit Ordinance to infill vacant land.

STRATEGY 3.5.B Provide incentives for private sector contributions to multi-modal transportation links and facilities, for example, establishing new standards in the zoning code.

GOAL 4

Promote and support energy conservation, sustainability, and resiliency through best practices in infrastructure planning, operations, and management.

POLICIES:

POLICY 4.1

Identify and seek opportunities for sustainable practices in management and operation of public facilities and services.

STRATEGY 4.1.A — Support development on underdeveloped or vacant buildable land within the city where public facilities and services are available or can be provided and where land-use compatibility can be found relative to the environment, zoning, and Comprehensive Plan goals.

STRATEGY 4.1.B — Adopt a progressive water rate structure that will encourage water conservation.

STRATEGY 4.1.C — Wherever possible, design and develop public facilities to take advantage of solar energy, develop co-generation, and conserve energy in operations and public access

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POLICY 4.2

Continue to implement green, sustainable, and low-impact approaches to stormwater management.

STRATEGY 4.2.A — Ensure parking lot designs that mitigate stormwater impacts. Take measures to reduce waterflow and increase water absorption using bioswales, vegetated landscaped islands with curb cuts to allow water inflow, and increase tree planting

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POLICY 4.3

Prioritize street design in new development and redevelopment that implements localized stormwater treatment and other sustainable practices.

STRATEGY 4.3.A — Increase the use of bioswales for stormwater retention where practical.

POLICY 4.4

Coordinate infrastructure to support the equitable development of "Climate-Friendly Areas," as defined by DLCD[2].

STRATEGY 4.4.A — Promote mixed-use development, increased densities near activity centers, and home-based occupations (where appropriate).

STRATEGY 4.4.B — Create commercial nodes in neighborhoods that are underserved to reduce vehicle miles traveled.

STRATEGY 4.4.C — Plan for complementary mixed uses when considering annexation of new, under- or undeveloped areas so that new urban residential areas have closer access to jobs and services.

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2. DLCD defines Climate-Friendly Areas as an area where residents, workers, and visitors can meet most of their daily needs without having to drive. They are urban mixed-use areas that contain, or are planned to contain, a greater mix and supply of housing, jobs, businesses, and services. These areas are served, or planned to be served, by high quality pedestrian, bicycle, and transit infrastructure to provide frequent, comfortable, and convenient connections to key destinations within the city and region. (Retrieved July 21, 2022 from: https://www.oregon.gov/lcd/LAR/Documents/SixPageOverview.pdf)

POLICY 4.5 Support opportunities to increase densities near activity and transit centers.

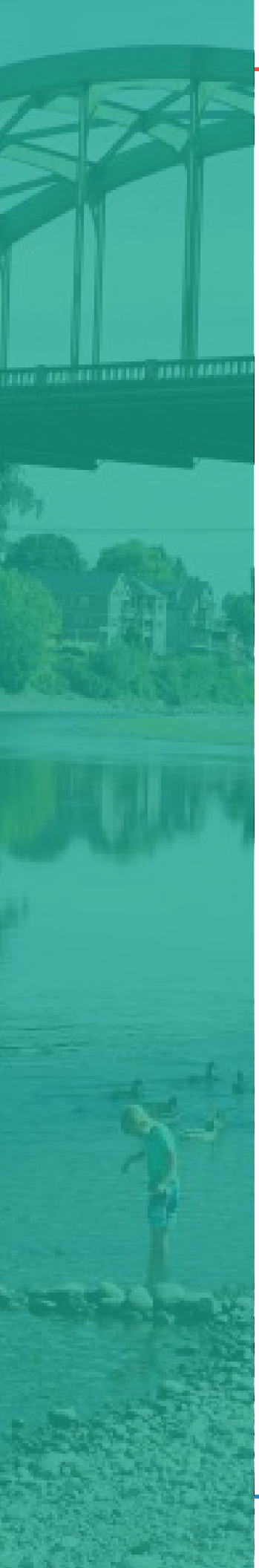
STRATEGY 4.5.A Support mixed uses with higher residential densities in transportation corridors and include a consideration of financial and regulatory incentives to upgrade existing buildings and transportation systems.

STRATEGY 4.5.B Promote public transit (such as: bus, light rail, streetcar, bus rapid transit, commuter rail, ferry, river transportation, etc.) that serves Oregon City and locate park-and-ride facilities at convenient neighborhood nodes to facilitate access to regional transit.

CHAPTER 4: PROTECTED ENVIRONMENT

STATEWIDE PLANNING GOALS:

- ☑ Goal 5 (B) Natural Resources
- ☑ Goal 6: Air, Water, Land Resources
- ☑ Goal 7 Natural Hazards
- ☑ Goal 8 Parks and Recreation
- ☑ Goal 13 (B): Energy Conservation
- ☑ Goal 15 Willamette River Greenway



Background Information

The following background summary presents information about current conditions, assets and trends specific to the statewide planning goals applicable to Oregon City and captured by the topics of this theme.

Parks and Recreation

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

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

In addition, the City adopted a Trails Master Plan in 2004. The Plan proposes the development of a hierarchical trail system that integrates regional trails, community trails, and local trails in a series of loops. The Plan recommends improvements that will upgrade the existing system where needed, fill in the missing gaps, and connect to significant environmental features, schools, public facilities, local neighborhoods, and business districts in Oregon City and throughout the region.

Natural Resources

Oregon City enjoys a richness of natural resources and a topography that provides scenic views and sites that create a sense of place and civic identity for residents and visitors. The City strives to identify, enhance and protect its natural and scenic resources to ensure their continued existence and contribution to Oregon City's character and livability. This includes the protection of wetlands, streams, water quality, and vegetation (trees and riparian corridors), as well as air, water, and land quality. While air quality standards are established by the Oregon Department of Environmental Quality, Oregon City is committed to meeting those standards and to promoting land use and transportation practices that contribute to better air quality (reduction in vehicle miles, for example).

Water resources critical to Oregon City's residents include:

- Willamette and Clackamas Rivers
- Tributaries of Abernathy, Newell, and Beaver Creeks
- Various bogs and wetlands
- Groundwater supply under the City

Natural resources are inventoried and protected through the City's Natural Resource Overlay District, Chapter 17.49 of the Zoning Code which discourages development within vegetated corridors associated streams and wetlands; the Geologic Hazards Overlay District in Chapter 17.44 which reviews development on slopes and in landslide areas; the Flood Management Overlay District in Chapter 17.42 which protects development within the floodplain and recently flooded areas; and implementation of the City's National Pollutant Discharge Elimination System (NPDES) permit which includes processes related to stormwater.

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

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

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

Natural Hazards

Oregon City is subject to a number of natural hazards. The City works to minimize the risks and impacts of natural hazards by limiting development in areas where hazardous events are most likely to occur and by working with the residents of these areas.

Oregon City was incorporated into Clackamas County's Natural Hazards Mitigation Plan in 2009. Since that time, Clackamas County adopted a new Clackamas County Natural Hazards Mitigation Plan in 2012 and 2019. The latest Oregon City Addendum to the NHMP was approved by FEMA on September 25, 2019. The plan describes potential hazards in Oregon City, lists goals, objectives and mitigation measures, and describes an action plan. The plan also contains maps of the 100-year and 1996 flood areas, potential landslide areas, relative earthquake hazard, and the location of hazardous materials, natural gas pipelines, and essential facilities. The most prominent hazards that face Oregon City include:

- **Flooding:** most flooding in Oregon City is the result of overflows of one or more of its three major streams—the Willamette River, Clackamas River, and Abernethy Creek—although localized, minor flooding can occur during storms. Flooding is most likely between October and April and generally results from a series of heavy rainfall events that can be aggravated by concurrent snowmelt in the watershed.

- **Unstable Soils:** unstable soils are types of soils or soils in locations, such as on steep slopes, that are not stable enough to support development, and may be hazardous to surrounding uses. Areas of unstable foundation soils have been mapped for Oregon City and the City has a Geologic Hazards Overlay District to provide "safeguards in connection with development on or adjacent to steep hillside and landslide areas and other identified known or potential hazard areas, thereby preventing undue hazards to public health, welfare and safety."

- **Seismic Activity:** Oregon is in a region with a history of intense seismic activity. The most hazardous area coincides with the most severe flood-prone area north of Abernethy Creek, due primarily to the alluvial soil and high-water table that are most vulnerable to liquefaction during an earthquake. Areas in the McLoughlin neighborhood and on the Hilltop are far less vulnerable to groundshaking because they are underlain by basalt flows with little soil cover.

- **Wildfires:** dry summers, dense vegetation, and the invasion of non-native weeds in parts of Oregon City make the community vulnerable to wildfires. Wildfires are particularly likely in areas with steep slopes and limited groundwater, leading to dry vegetation in late summer, where there is combustible brush or debris, and where structures with flammable exterior materials are present. Oregon City's vulnerability to wildfires is greater in areas of "wildland-urban interface," where dwellings are in the middle of heavily treed or vegetated areas and where steep, vegetated terrain can contribute to a "chimney effect" as fires burn uphill. The same conditions could apply to areas near Waterboard Park, Canemah Bluffs, Park Place, and canyons such as Singer Creek and Newell Creek.

- **Wind and Ice Storms:** in fall and winter, major storms from the Pacific Ocean bring high winds to the Oregon coast but are generally moderated by the time they reach Oregon City. However, some storm events result in damaging high winds, freezing rain and ice storms throughout western Oregon, which can result in loss of life and property damage. These storms affect the entire City but damage can be more severe where trees are blown over and trees limbs droop onto power and telephone lines. Electrical power service can be interrupted because of downed lines, which can lead to additional safety and comfort complications for the City and for residents. Traffic signals, emergency communications, roads, and other public facilities are especially vulnerable.

- **Volcanic Activity:** Oregon City's landscape was shaped by volcanic activity; much of Oregon City lies on a series of basalt flows that resulted from volcanic eruptions many thousands of years ago. While volcanic events are rare, they can occur at any time and with enormous force. It is unlikely that Oregon City would be directly affected by a volcanic eruption in the region. More likely are secondary effects from airborne ash that would severely affect air quality. Ash, mudflows, and pyroclastic flows would affect the Clackamas River watershed, thus potentially compromising the supply of water for Oregon City and West Linn.

GOAL 1

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

POLICIES:

POLICY 1.1

Provide additional parklands to adequately serve the City's current and estimated future population based on adopted service levels and community needs.

STRATEGY 1.1.A — When property adjacent to an existing neighborhood or community park becomes available, consider adding property to the park and developing it to meet the current needs of existing neighborhoods.

STRATEGY 1.1.B — Identify and protect land for parks and recreation within the Urban Growth Boundary.

STRATEGY 1.1.C — Require or encourage developers to dedicate park sites as part of the subdivision review process. When possible, require or encourage developers to build parks to City standards and give them to the City to operate and maintain.

POLICY 1.2

Provide equitable distribution of parks and trails across the city.

STRATEGY 1.2.A — Ensure the adequacy of pedestrian and bicycle connections to local, county, and regional trails.

STRATEGY 1.2.B — Ensure adequate park and trail development in high density development and neighborhoods lacking access to these amenities.

POLICY 1.3

Provide a network of signage and trails to enhance connections within parks, and between parks, neighborhoods, and public amenities.

POLICY 1.4

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

STRATEGY 1.4.A — Manage open space areas for their value in linking citizens and visitors with the natural environment, providing solace, exercise, scenic views and outdoor education. Built features in open space sites should harmonize with natural surroundings.

GOAL 2

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

POLICIES:

POLICY 2.1

Develop and adopt a Climate Action Plan for Oregon City.

POLICY 2.2

Implement site development and design practices that incorporate natural ecosystem enhancement, minimize impacts on natural resources, and avoid degradation or loss of wetlands, watershed, and habitat.

STRATEGY 2.2.A

Adopt and/or establish standards for all new development that promote the use of pervious surfaces and prevent negative ecological effects of urban stormwater runoff on streams, creeks and rivers.

STRATEGY 2.2.B

Encourage use of native and hardy plants such as trees, shrubs and groundcovers to maintain ecological function and reduce maintenance costs and chemical use.

POLICY 2.3

Bolster efforts to reduce landfill demand through re-use, recycling, and composting methods.

STRATEGY 2.3.A

Commit to long-term sustainability and recognize the link between reduction of solid waste, reuse and recycling of materials, and protection of natural resources.

POLICY 2.4

Protect and enhance the urban forest tree canopy.

STRATEGY 2.4.A

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

POLICY 2.5

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

STRATEGY 2.5.A

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

STRATEGY 2.5.B

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

POLICY 2.6

Promote outdoor lighting that is designed to reduce the negative impacts of light pollution.

STRATEGY 2.6.A

Encourage new developments to provide even and energy-efficient lighting that ensures safety and discourages vandalism. Encourage existing developments to retrofit when feasible.

STRATEGY 2.6.B

Adopt lighting practices in streets and other public facilities, and encourage them in private development, that reduce glare, light pollution, light trespass, and energy use, while maintaining even lighting ensuring good visibility and safety for the public.

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

STRATEGY 2.7.A Promote land-use patterns that reduce the need for distance travel by single-occupancy vehicles and increase opportunities for walking, biking and/or transit to destinations such as places of employment, shopping and education.

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

STRATEGY 2.8.A Conserve open space along creeks, urban drainage ways, steep hillsides, and throughout Newell Creek Canyon.

STRATEGY 2.8.B Encourage preservation over mitigation when making decisions that affect wetlands and a "no net loss" approach to wetland protection.

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

STRATEGY 2.9.A Conserve natural resources that have significant functions and values related to flood protection, sediment and erosion control, water quality, groundwater recharge and discharge, education, vegetation, and fish and wildlife habitat.

GOAL 3

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

POLICIES:

POLICY 3.1 Utilize public-private partnerships to educate residents on the importance of community hazard planning and resilience.

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

STRATEGY 3.2.A Protect existing development from natural hazards through mitigation measures identified in the Clackamas County Hazard Mitigation Plan.

POLICY 3.3 Invest in retrofits and infrastructure redundancies to minimize service losses during an extreme weather or natural hazard event.

STRATEGY 3.3.A Require local service lines in new subdivisions be placed underground.

POLICY 3.4 Prioritize restoration of critical services following a natural hazard event.

STRATEGY 3.4.A Ensure that key public facilities (emergency service) are located outside recognized hazard areas.

STRATEGY 3.4.B Ensure that key public services, such as water and sewer; and key public facilities such as police, fire, and hospital structures have the capability to back-up electricity during emergencies.

POLICY 3.5 Collaborate with adjacent jurisdictions to coordinate emergency communication systems and distribution of resources in the event of an emergency or natural disaster.

GOAL 4

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

POLICIES:

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

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

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

POLICY 4.4 Restrict new substations and power line towers in the WRG and river view corridor.

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

Acknowledgements

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ODOT TGM DLCD
TRANSPORTATION AND GROWTH MANAGEMENT
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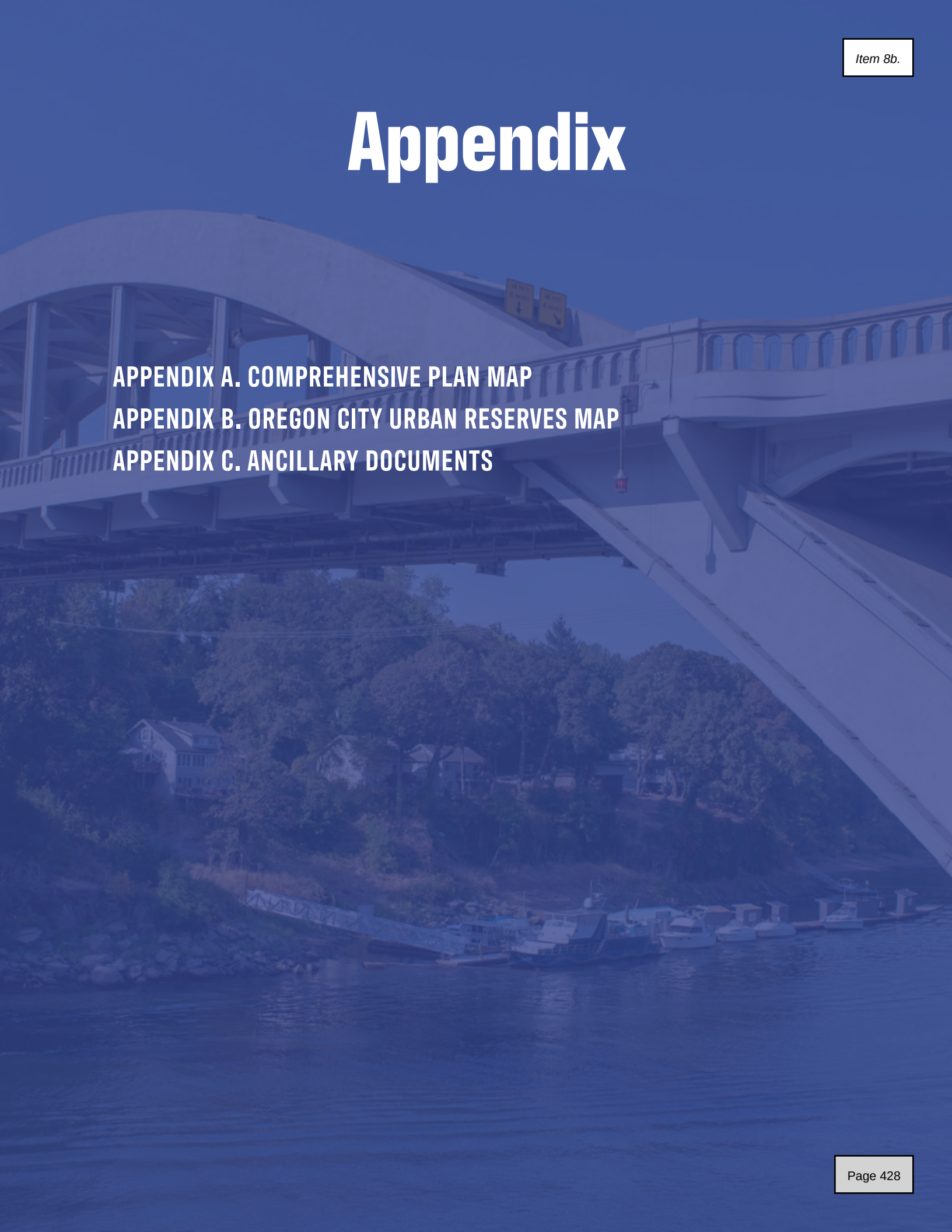
Appendix

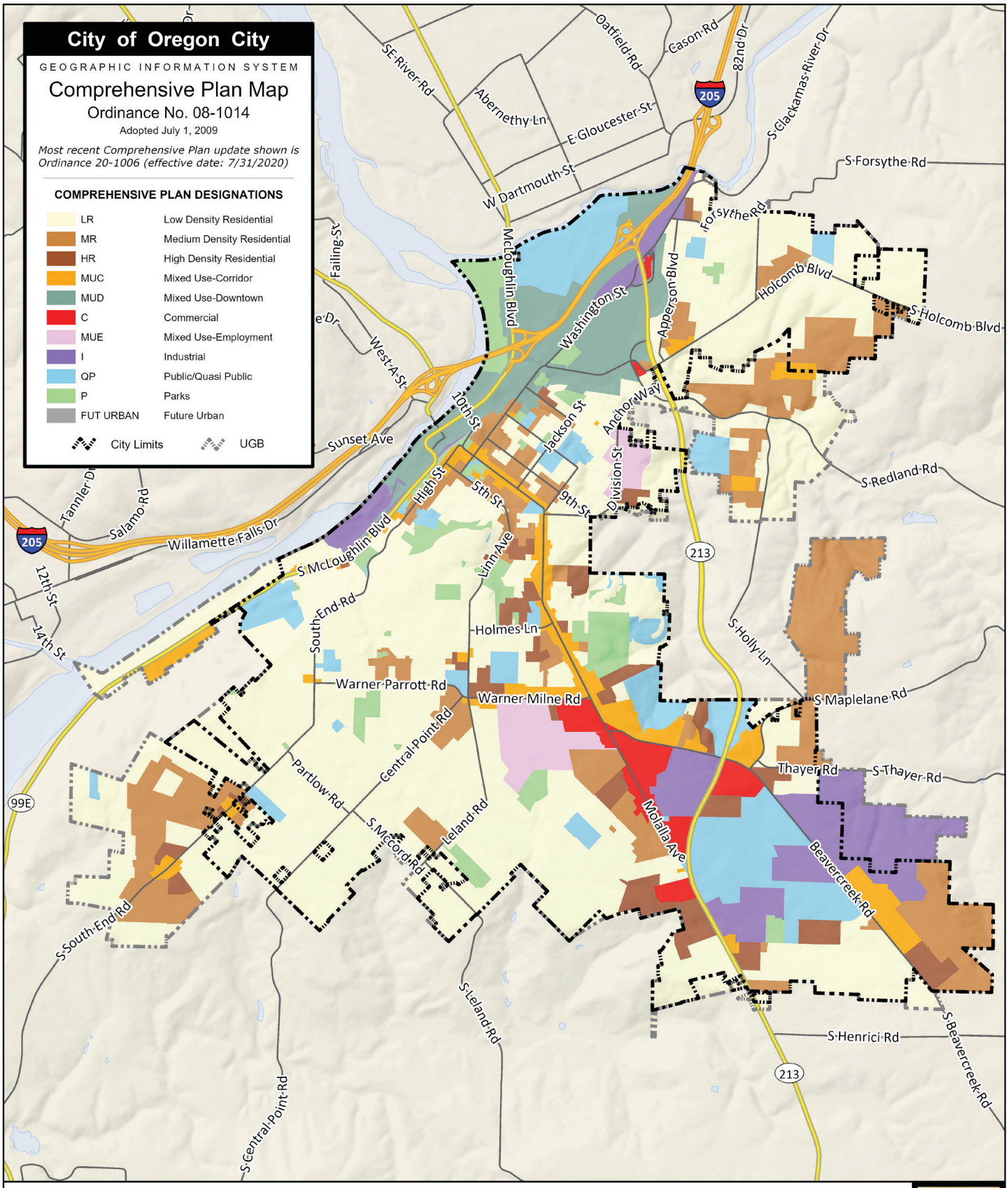


APPENDIX A. COMPREHENSIVE PLAN MAP

APPENDIX B. OREGON CITY URBAN RESERVES MAP

APPENDIX C. ANCILLARY DOCUMENTS

APPENDIX A. COMPREHENSIVE PLAN MAP



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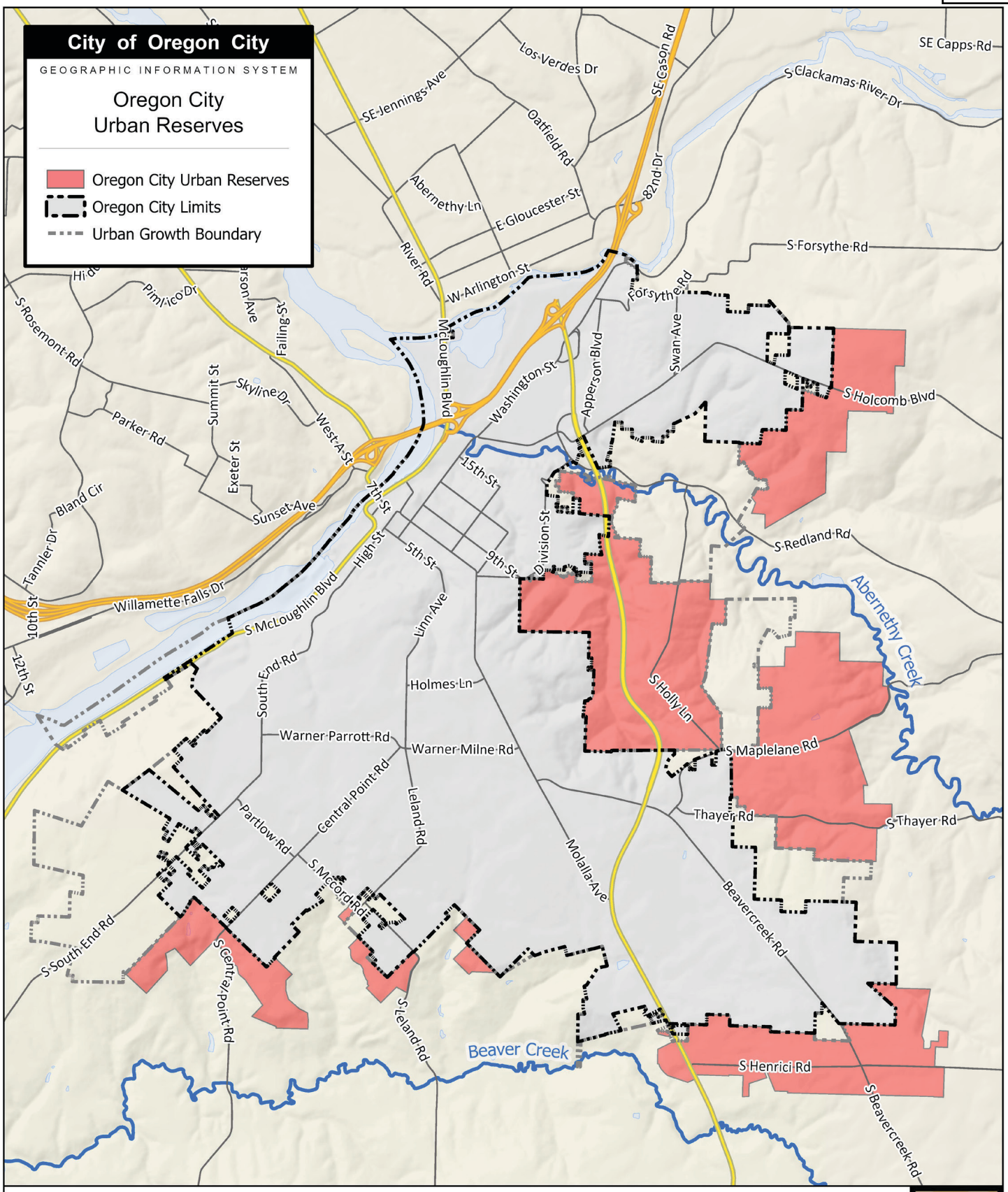
City of Oregon City
P.O. Box 3040
625 Center St
Oregon City, OR 97045
503-657-0891
www.orcity.org

Plot date: 10/12/2022; Plot name: Comprehensive - 8_5x11P - 20221012.pdf; Map name: Comprehensive Maps Pro.aprx|Comprehensive Map - 8_5x11P

APPENDIX B. OREGON CITY URBAN RESERVES MAP



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Plot date: 10/14/2022; Plot name: Urban Reserves - 8_5x11P - 20221014.pdf; Map name: Urban Reserves.aprx|Urban Reserves - 8_5x11P

OREGON CITY

Community Development – Planning

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

Submitted: 04/18/2023
Complete: 05/10/2023
120-day Deadline: 9/7/2023
NOD:

TYPE III STAFF RECOMMENDATION - REVISED
7/3/2023

HEARING DATE: July 10, 2023, continued from June 26, 2023, Planning Commission

FILE NUMBERS: GLUA-23-00012 / MAS-23-00001

APPLICANT: Lango Hansen Landscape Architects, Attn: Brian Martin
1100 NW Glisan St, Ste. 3A, Portland, OR 97209
Representing: Kendall Reid, Director, Oregon City Parks and Recreation Department

OWNER: City of Oregon City
625 Center St, Oregon City, OR 97045

REQUEST: Approval of a Master Plan / General Development Plan for Clackamette Park

LOCATION: 1955 Clackamette Drive and adjacent parcels.
2-2E-30 -00600, 2-2E-30 -00100, 2-2E-30 -00102, 2-2E-30 -00500,
2-2E-30 -00601, 2-2E-30 -01300

ZONING: I – Institutional, MUD – Mixed Use Downtown

REVIEWER: Pete Walter, Planning Manager
Sang Pau, Development Services Project Manager

RECOMMENDATION: Approval with Conditions.

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

OREGON CITY

Community Development – Planning

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

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

Chapter ..... Page

CHAPTER 17.34 MUD MIXED USE DOWNTOWN DISTRICT 13

CHAPTER 17.39 I INSTITUTIONAL DISTRICT 17

CHAPTER 17.41 TREE PROTECTION, PRESERVATION, REMOVAL AND REPLANTING STANDARDS 19

CHAPTER 17.42 FLOOD MANAGEMENT OVERLAY DISTRICT 24

CHAPTER 17.44 – GEOLOGIC HAZARDS 25

CHAPTER 17.47 – EROSION AND SEDIMENT CONTROL 26

CHAPTER 17.48 WRG WILLAMETTE RIVER GREENWAY OVERLAY DISTRICT 26

CHAPTER 17.49 NATURAL RESOURCES OVERLAY DISTRICT 31

CHAPTER 17.50 ADMINISTRATION AND PROCEDURES 38

CHAPTER 17.52 OFF-STREET PARKING AND LOADING 42

CHAPTER 17.54 SUPPLEMENTAL ZONING REGULATIONS AND EXCEPTIONS 44

CHAPTER 17.62 - SITE PLAN AND DESIGN REVIEW 44

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CHAPTER 12.04 – STREETS SIDEWALKS AND PUBLIC SPACES 57

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CHAPTER 15.48 – GRADING, FILLING AND EXCAVATING 65

CHAPTER 16.12 – MINIMUM PUBLIC IMPROVEMENTS AND DESIGN STANDARDS FOR DEVELOPMENT 66

Recommended Conditions of Approval

GLUA-23-00012 / MAS-23-00001

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

1. Future Detailed Development Plans (DDPs) shall comply with the conditional approval of Planning file GLUA-23-00012 / MAS-23-00001 and any amendments within this application. *(P & DS)*
2. Detailed Development Plans (DDPs) within the master plan area shall provide engineered drainage plan(s), drainage report(s), and design flow calculation report(s) stamped and signed by a licensed engineer addressing all items from Section 9 of the Public Works Stormwater and Grading Design Standards. (DS)
3. The developer for future DDPs shall obtain a 1200-C (NPDES) permit from Oregon Department of Environmental Quality (DEQ) for construction activities one acre or greater prior to receiving any city permits for construction. (DS)
4. If construction activities are proposed within the jurisdiction of Oregon State Division of State Lands (DSL) and/or United States Army Corps of Engineers (USACE), the developer shall obtain permits from those government agencies. (DS)
5. If construction activities are proposed within the jurisdiction of Oregon State Department of Fish and Wildlife (ODFW), the developer shall obtain permits from those government agencies. (DS)
6. Each individual phase of the master plan shall submit or address all items in section 16.12.014 of the Oregon City Municipal Code based on the timing requirements contained therein and as deemed applicable by the City. (DS)
7. Project C1 of the Transportation System Plan (TSP) shall be completed with completion of the RV Park located on the south side of Main Street. TSP projects S1 and W2 shall be completed by when the master plan completes more than 75% of the master plan.
   S1 – Shared-Use Path (this path will fulfill a portion of Regional Trail R1): Add a 10-foot-wide (or wider) shared-use path on the north side of the Main Street which connects to the pedestrian path for the park.
   W2 – Main Street Sidewalk Infill. (A shared-use path added per project S1 may fulfill a portion of this): Construction sidewalk along the frontage of the development properties (along Main Street and Clackamette Drive).
   C1 – Clackamette Drive Crossing. Provide an ADA compliant crosswalk (including ADA compliant curb ramps) and pedestrian activated signal from Clackamette Park overflow lot to the Clackamette Park entrance. (DS)
8. Street trees shall be placed in 5’x5’ tree wells or in other acceptable locations, as prescribed by OCMC 12.08. Tree wells, if utilized, shall not encroach into the 10-foot-wide pedestrian path required along the frontage of the development. The Detailed Development Plan (DDP)

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

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

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

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

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

I. BACKGROUND

1. Existing Conditions

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

Existing Zoning and Uses

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

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

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

Figure 2: Existing Conditions

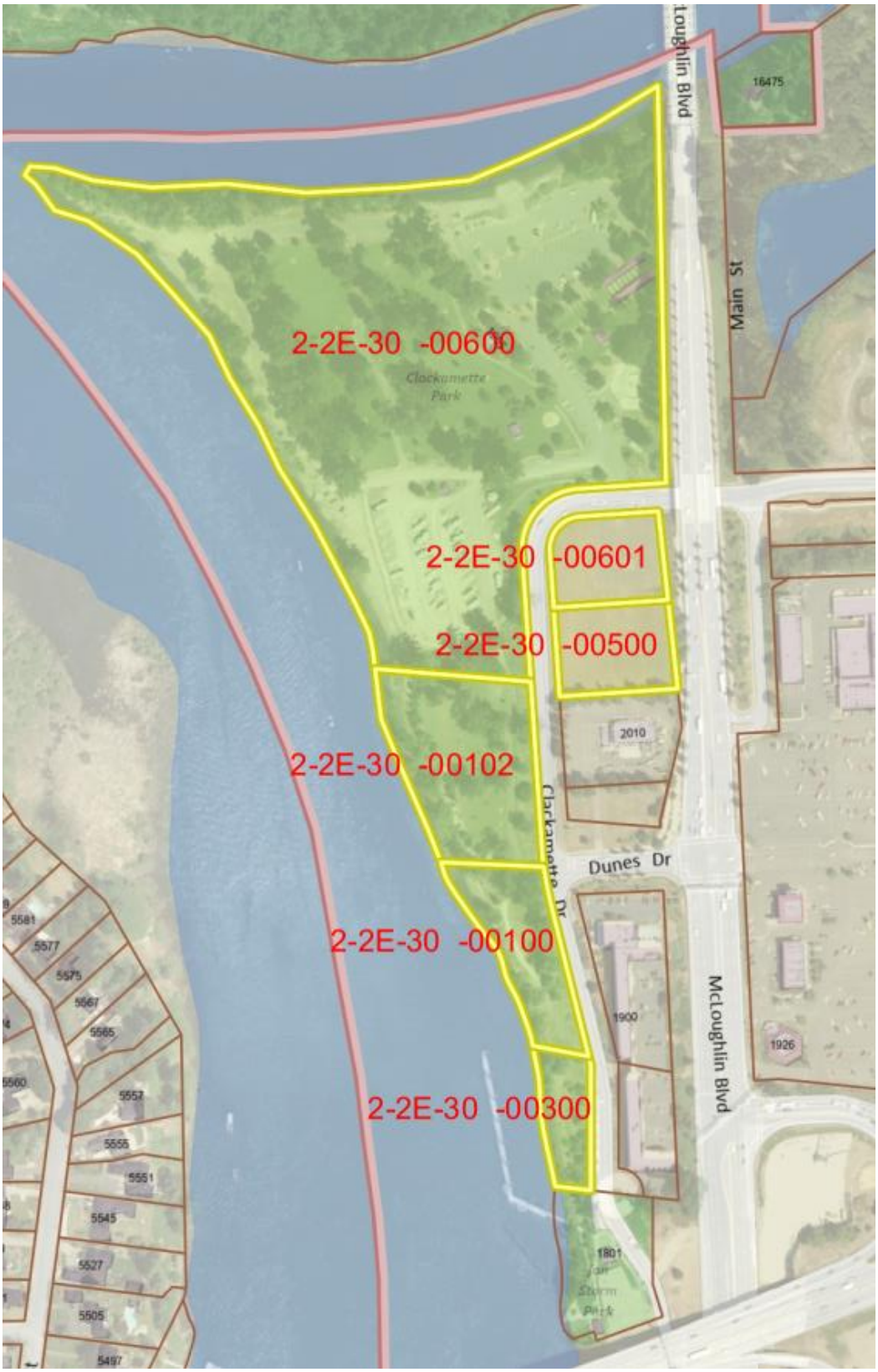


Figure 3. Tax lots indicated with yellow border.

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

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

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

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

2. Project Description

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

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

Figure 4: Proposed Site Plan (Concept)

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

4. **Public Comment**

Public comments submitted include (Exhibit 3):

Russ Watkins

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

Oregon City Natural Resources Committee

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

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

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

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

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

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

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

II. ANALYSIS AND FINDINGS:

CHAPTER 17.34 MUD MIXED USE DOWNTOWN DISTRICT

17.34.020 - Permitted uses.

Permitted uses in the MUD district are defined as:

A. Banquet, conference facilities and meeting rooms;
B. Bed and breakfast/boarding houses, hotels, motels, and other lodging facilities;
C. Child care centers and/or nursery schools;
D. Indoor entertainment centers and arcades;
E. Health and fitness clubs;
F. Medical and dental clinics, outpatient; infirmary services;
G. Museums, libraries and cultural facilities;
H. Offices, including finance, insurance, real estate and government;
I. Outdoor markets, such as produce stands, craft markets and farmers markets that are operated on the weekends and after six p.m. during the weekday;
J. Postal services;
K.. Repair shops, for radio and television, office equipment, bicycles, electronic equipment, shoes and small appliances and equipment;
L. Multifamily residential, 3-4 plex residential;
M. 1 or 2 units in conjunction with a nonresidential use provided that the residential use occupies no more than 50% of the total square footage of the development;
N. Restaurants, eating and drinking establishments without a drive through;
O. Services, including personal, professional, educational and financial services; laundry and dry-cleaning;
P. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores provided the maximum footprint of a freestanding building with a single store does not exceed sixty thousand square feet (a freestanding building over sixty thousand square feet is allowed as long as the building contains multiple stores);
Q. Seasonal sales;
R. Residential care facilities, assisted living facilities; nursing homes and group homes for over fifteen patients licensed by the state;
S. Studios and galleries, including dance, art, photography, music and other arts;
T. Utilities: Basic and linear facilities, such as water, sewer, power, telephone, cable, electrical and natural gas lines, not including major facilities such as sewage and water treatment plants, pump stations, water tanks, telephone exchanges and cell towers;
U. Veterinary clinics or pet hospitals, pet day care;
V. Home occupations;
W. Research and development activities;
X. Temporary real estate offices in model dwellings located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
Y. Transportation facilities;
Z. Live/work dwellings;
AA. After-hours public parking;
BB. Marinas;
CC. Religious institutions.
DD. Mobile food units outside of the downtown design district.

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

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

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

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

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

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

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

17.34.030 - Conditional uses.

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

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

Finding: not applicable. No conditional uses are proposed.

17.34.040 - Prohibited uses.

The following uses are prohibited in the MUD district:

A. Kennels;
B. Outdoor storage and sales, not including outdoor markets allowed in OCMC 17.34.030;
C. Self-service storage;
D. Single-Family attached and detached residential units and duplexes;
E. Motor vehicle and recreational vehicle repair/service;
F. Motor vehicle and recreational vehicle sales and incidental service;
G. Heavy equipment service, repair, sales, storage or rental[2] (including but not limited to construction equipment and machinery and farming equipment);
H. Marijuana production, processing, wholesaling, research, testing, and laboratories;
I. Mobile food units within the downtown design district unless a special event has been issued.

Finding: Not applicable. No prohibited uses are proposed.

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

A. Minimum lot area: None.

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

B. Minimum floor area ratio: 0.30.

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

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

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

D. Maximum building height: Seventy-five feet, except for the following location where the maximum building height shall be forty-five feet:
1. Properties between Main Street and McLoughlin Boulevard and 11th and 16th streets;
2. Property within five hundred feet of the End of the Oregon Trail Center property; or
3. Property abutting single-family detached or attached units.
Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

E. Minimum required setbacks, if not abutting a residential zone: None.
Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

F. Minimum required interior side yard and rear yard setback if abutting a residential zone: Fifteen feet, plus one additional foot in yard setback for every two feet in height over thirty-five feet.
Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

G. Maximum Allowed Setbacks.
1. Front yard: Twenty feet.
Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

2. Interior side yard: No maximum.
Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

3. Corner side yard abutting street: Twenty feet.
Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

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

5. Rear yard abutting street: Twenty feet.
Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

H. Maximum site coverage including the building and parking lot: Ninety percent.
Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

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

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

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

CHAPTER 17.39 I INSTITUTIONAL DISTRICT

17.39.020 - Permitted uses.

Permitted uses in the institutional district are:

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

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

17.39.030 - Accessory uses.

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

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

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

17.39.040 - Conditional uses.

Uses requiring conditional use permit are:

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

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

17.39.045 - Prohibited uses.

Prohibited uses in the I district are:

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

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

17.39.050 - Dimensional standards.

Dimensional standards in the I district are:

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

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

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

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

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

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

17.39.060 - Relationship to master plan.

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

1. Is for a new development on a vacant property;

2. Is for the redevelopment of a property previously used an a non-institutional use; or

3. Increases the floor area of the existing development by ten thousand square feet over existing conditions

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

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

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

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

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

CHAPTER 17.41 TREE PROTECTION, PRESERVATION, REMOVAL AND REPLANTING STANDARDS

17.41.020 - Tree protection—Applicability.

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

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

17.41.030 - Tree protection—Conflicting code provisions.

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

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

17.41.040 - Exemptions.

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

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

17.41.050 - Compliance options.

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

A. Option 1—Mitigation. Retention and removal of trees, with subsequent mitigation by replanting pursuant to OCMC 17.41.060.

B. Option 2—Dedicated Tract. Protection of trees or groves by placement in a tract within a new subdivision or partition plat pursuant to OCMC 17.41.080; or

C. Option 3—Restrictive Covenant. Protection of trees or groves by recordation of a permanent restrictive covenant pursuant to OCMC 17.41.110; or

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

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

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

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

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

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

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

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

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

Table 17.41.060-1
Tree Replacement Requirements

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

31 and over"	*15*	*5*

Steps for calculating the number of replacement trees:

1. Count all trees measuring six inches DBH (minimum four and one-half feet from the ground) or larger on the entire development site.

2. Designate the size (DBH) of all trees pursuant to accepted industry standards.

3. Document in a certified arborist report any trees that are currently dead, dying, diseased or hazardous.

4. Subtract the number of dead, dying, diseased or hazardous trees in step 3 from the total number of trees on the development site in step 1. The remaining number is the number of healthy trees on the site. Use this number to determine the number of replacement trees in steps 5 through 8.

5. Identify the construction area (as defined in OCMC 17.04.230).

6. Determine the number and diameter of trees to be removed within the construction area. Based on the size of each tree, use Column 2 to determine the number of replacement trees required.

7. Determine the number and diameter of trees to be removed outside of the construction area. Based on the size of each tree, use Column 1 to determine the number of replacement trees required.

8. Determine the total number of replacement trees from steps 6 and 7.

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

C. Planting area priority for mitigation.

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

1. First Priority. Replanting on the development site.

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

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

D. Replacement tree planting standards.

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

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

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

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

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

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

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

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

F. Alternative mitigation plan.
The Community Development Director may, subject to a Type II procedure, approve an alternative mitigation plan that adequately protects habitat pursuant to the standards for the Natural Resource Overlay District alternative mitigation plan in OCMC 17.49.190.
Finding: complies as proposed. The applicant acknowledges an alternate mitigation plan that adequately protects habitat may be approved by the Community Development Director at the time a detailed development plan is proposed.

17.41.080 - Tree preservation within subdivisions and partitions—Dedicated tract (Option 2).
Finding: not applicable. This development does not include a new subdivision, land division, density transfers or modifications to dimensional standards, therefore this criterion does not apply to the development.

17.41.110 - Tree protection by restrictive covenant (Option 3).
Any regulated tree or grove which cannot be protected in a tract pursuant to Section 17.41.080 above shall be protected with a restrictive covenant in a format to be approved by the Community Development Director. Such covenant shall be recorded against the property deed and shall contain provisions to permanently protect the regulated tree or grove unless such tree or grove, as determined by a certified arborist and approved by the Community Development Director, are determined to be diseased or hazardous.
Finding: not applicable. The development site does not contain any regulated trees or groves; therefore this standard does not apply to the development.

A. Permitted adjustments.
1. The Community Development Director, pursuant to a Type II procedure, may grant an adjustment to the side, front and rear yard setback standards by up to fifty percent if necessary to retain a Regulated Tree or Grove through a restrictive covenant pursuant to this section. In no case may the side yard setback be reduced to less than three feet. The adjustment shall be the minimum necessary to accomplish preservation of trees on the lot and shall not conflict with other conditions imposed on the property.
2. The City Engineer may grant an adjustment to street standards , pursuant to adopted public works standards, in order to preserve a tree. This may include flexibility to redesign sidewalk and planter strip sizes and locations and allow placement of sidewalks and planter strips in an easement within private lots.
3. The Community Development Director, pursuant to a Type II procedure, may allow other adjustments in order to preserve any healthy tree that cannot be moved due to its size, but will contribute to the landscape character of the area and will not present a foreseeable hazard if retained.
Finding: complies as proposed. The applicant does not expect to pursue any of the three above permitted adjustments; therefore these standards are not applicable to this application. Adjustments may be pursued at the time a Detailed Development Plan is submitted.

17.41.120 - Cash-in-lieu of planting (Option 4).
The applicant may choose this option in-lieu-of or in addition to Compliance Options 1 through 3. In this case, the Community Development Director may approve the payment of cash-in-lieu into a dedicated fund for the remainder of trees that cannot be replanted in the manner described above.
The cash-in-lieu payment per required mitigation tree shall be as listed on the adopted fee schedule and shall be adjusted annually based on the Consumer Price Index. The price shall include 150% of the cost of materials, transportation and planting.

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

17.41.130 - Regulated tree protection procedures during construction.

A. No permit for any grading or construction of public or private improvements may be released prior to verification by the Community Development Director that regulated trees designated for protection or conservation have been protected according to the following standards. No trees designated for removal shall be removed without prior written approval from the Community Development Director.

B. Tree protection shall be as recommended by a qualified arborist or, as a minimum, to include the following protective measures:

1. *Except as otherwise determined by the Community Development Director, all required tree protection measures set forth in this section shall be instituted prior to any development activities, including, but not limited to clearing, grading, excavation or demolition work, and such measures shall be removed only after completion of all construction activity, including necessary landscaping and irrigation installation, and any required plat, tract, conservation easement or restrictive covenant has been recorded.*
2. *Approved construction fencing, a minimum of four feet tall with steel posts placed no farther than ten feet apart, shall be installed at the edge of the tree protection zone or dripline, whichever is greater. An alternative may be used with the approval of the Community Development Director.*
3. *Approved signs shall be attached to the fencing stating that inside the fencing is a tree protection zone, not to be disturbed unless prior approval has been obtained from the Community Development Director.*
4. *No construction activity shall occur within the tree protection zone, including, but not limited to; dumping or storage of materials such as building supplies, soil, waste items; nor passage or parking of vehicles or equipment.*
5. *The tree protection zone shall remain free of chemically injurious materials and liquids such as paints, thinners, cleaning solutions, petroleum products, and concrete or dry wall excess, construction debris, or run-off.*
6. *No excavation, trenching, grading, root pruning or other activity shall occur within the tree protection zone unless directed by an arborist present on site and approved by the Community Development Director.*
7. *No machinery repair or cleaning shall be performed within ten feet of the dripline of any trees identified for protection.*
8. *Digging a trench for placement of public or private utilities or other structure within the critical root zone of a tree to be protected is prohibited. Boring under or through the tree protection zone may be permitted if approved by the Community Development Director and pursuant to the approved written recommendations and on-site guidance and supervision of a certified arborist.*
9. *The Community Development Director may require that a certified arborist be present during any construction or grading activities that may affect the dripline of trees to be protected.*
10. *The Community Development Director may impose conditions to avoid disturbance to tree roots from grading activities and to protect trees and other significant vegetation identified for retention from harm. Such conditions may include, if necessary, the advisory expertise of a qualified consulting arborist or horticulturist both during and after site preparation, and a special maintenance/management program to provide protection to the resource as recommended by the arborist or horticulturist.*

C. Changes in soil hydrology due to soil compaction and site drainage within tree protection areas shall be avoided. Drainage and grading plans shall include provision to ensure that drainage of the site does not

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

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

CHAPTER 17.42 FLOOD MANAGEMENT OVERLAY DISTRICT

17.42.020 - Applicability.

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

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

1. Land contained within the one hundred-year floodplain, flood area and floodway as shown on the Federal Emergency Management Agency flood insurance maps dated June 17, 2008, including areas of special flood hazard pursuant to Section 17.42.040 and the area of inundation for the February 1996 flood; and

2. Lands that have physical or documented evidence of flooding within recorded history based on aerial photographs of the 1996 flooding and/or the water quality and flood management areas maps.

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

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

17.42.040 - Compliance.

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

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

17.42.060 - Warning and disclaimer of liability.

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

Federal Insurance Administration for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.
Finding: complies as proposed. The applicant acknowledges the natural risk of flooding at the park site.

17.42.080 - Administration.
This chapter establishes a flood management overlay district, which is delineated on the water quality and flood management areas map attached and incorporated by reference as a part of this document.
A. The following maps and studies are adopted and declared to be a part of this chapter. These maps are on file in the office of the city recorder:
1. The Water Quality and Flood Management Areas Map, dated June 7, 1999;
2. The Federal Insurance Administration, Flood Insurance Rate Maps for Clackamas County, Oregon and Incorporated Areas dated June 17, 2008;
Finding: Complies as conditioned. All structures included in the park development will be reviewed for full compliance with the floodplain management overlay district regulations and other applicable regulations at the time of Detailed Development Plan review**. The applicant can assure this standard is met through compliance with the conditions of approval attached to this decision.**

For brevity, the remaining sections of Chapter 17.42 have been omitted since they are not applicable at this time and will be reviewed with the subsequent Detailed Development Plan application. The code criteria may be reviewed at
https://library.municode.com/or/oregon_city/codes/municipal_code?nodeId=TIT17ZO_CH17.42FLMAOVDI

CHAPTER 17.44 – GEOLOGIC HAZARDS

17.44.025 *- When required; regulated activities; permit and approval requirements.*
No person shall engage in any of the following regulated activities within the adopted Oregon City Geologic Hazards Overlay Zone as defined in section 17.04.515 of the Oregon City Municipal Code without first obtaining permits or approvals as required by this chapter:

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

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

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

For brevity, the remaining sections of Chapter 17.44 have been omitted since they will be reviewed with the subsequent Detailed Development Plan review. The code criteria may be reviewed at https://library.municode.com/or/oregon_city/codes/municipal_code?nodeId=TIT17ZO_CH17.44GEHA_17.44.050DEPPREREPRAP

CHAPTER 17.47 – EROSION AND SEDIMENT CONTROL

17.47.030 - Applicability.
A. This chapter, which may also be referred to as "erosion control" in this Code, applies to development that may cause visible or measurable erosion on any property within the city limits of Oregon City.
B. This chapter does not apply to work necessary to protect, repair, maintain or replace existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements in response to emergencies, provided that after the emergency has passed, adverse impacts are mitigated in accordance with applicable standards.
Finding: Not applicable. The application is for approval of the General Development Plan (GDP) and does not request approval for any actual construction activities. Therefore, a detailed erosion control plan or permit is not required. The applicant will be required to provide an erosion control plan per requirements of the OCMC with subsequent DDP applications.

CHAPTER 17.48 WRG WILLAMETTE RIVER GREENWAY OVERLAY DISTRICT

17.48.040 - Uses allowed.
All uses permitted pursuant to the provisions of the underlying zoning district are permitted on lands designated WRG; provided, however, that any development, change of use or intensification of use shall be subject, in addition to the provisions of the underlying district, to the provisions of this chapter.
Finding: complies as proposed. The proposed park development does not change the overall use or intensification of use.

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

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

H. The use of a small cluster of logs for erosion control;

I. The expansion of capacity or the replacement of existing communication or energy distribution and transmission systems, except utility sub-stations;

J. The maintenance and repair of existing flood control facilities;

K. Any activity subject to Type I review pursuant to OCMC 17.62.035.A.2, provided that proposed changes are located entirely outside of the compatibility boundary and on existing developed commercial, multifamily, or industrial properties.

L. Within the compatibility boundary, exterior building changes that are not considered remodeling.

M. Changes to landscaping or parking subject to Type I review pursuant to OCMC 17.62.035.A.2 that are more than 100 feet from the Oregon Department of State Lands' mapped ordinary low water line of the Willamette River, provided that changes are located on existing developed commercial, multifamily, or industrial properties.

N. On existing single or two-family residential properties, landscaping, construction of driveways, modification of existing structures or construction or placement of such subsidiary structures or facilities adjacent to the residence.

O. The addition of a wall sign, projecting sign, or roof sign on any building in the WRG overlay.

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

17.48.060 - Procedures.

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

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

17.48.070 - Development standards—Specific use.

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

Considerations for Specific Uses.

A. With respect to recreational uses only: the considerations set forth in section C.3.b of Goal 15.

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

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

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

B. With respect to those fish and wildlife habitats identified in the city comprehensive plan only: the considerations set forth in section C.3.d. of Goal 15.
Statewide Goal 15, Section C.3.d.:
d. Fish and wildlife habitat -- Significant fish and wildlife habitats shall be protected;

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

C. With respect to those scenic qualities and views identified in the city comprehensive plan only: the considerations set forth in section C.3.e. of Goal 15.
Statewide Goal 15, Section C.3.e:
e. Scenic qualities and views -- identified scenic qualities and viewpoints shall be preserved;

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

> *(P. 54) The Willamette and Clackamas rivers, major waterways of regional significance, border two sides of the city and create an aesthetic and recreational setting of great value to the city. Together, these rivers and streams contribute to the uniqueness of Oregon City and to the variety of natural resource, recreational, and open space values enjoyed by residents and visitors.*
>
> *With Oregon City situated along the banks of the Willamette River, the City is also subject to statewide rules governing the waterway. In 1973, the Oregon State Legislature designated the Willamette River Greenway (WRG) to protect approximately 300 miles of greenway along the Willamette River from Eugene to the confluence with the Columbia River. The intent was to protect the corridor's natural, scenic and recreational qualities and to preserve its historical sites, structures, facilities, and objects for education and enjoyment. Oregon City complies with statewide rules through specific standards and regulation for development within the WRG that are established in the Willamette River Greenway Overlay District, Chapter 17.48 of the Oregon City Zoning Code.*
>
> *GOAL 4*
> *Ensure the environmental and economic health of the Willamette River Greenway (WRG) as a key feature of Oregon City and the broader region*
>
> *POLICY 4.1 Protect the significant fish and wildlife habitat of the Willamette River by maximizing the preservation of trees and vegetative cover.*
>
> *POLICY 4.2 Preserve major scenic views, drives and sites of the WRG.*
>
> *POLICY 4.3 Encourage access to and along the river consistent with the Oregon City Park and Recreation Master Plan.*

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

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

D. With respect to timber resources only: the considerations set forth in section C.3.h. of Goal 15.
E. With respect to aggregate extraction only: the considerations set forth in section C.3.i. of Goal 15.
Finding: not applicable. No timber resource or aggregate extraction is proposed, therefore subsections D and E do not apply.

17.48.080 - Development standards—General considerations.
The following considerations shall be applicable to all Willamette River Greenway permits.
A. Access. Adequate public access to the Willamette River shall be considered and provided for.
Finding: complies as proposed. The park plan provides increased and adequate access to the Willamette River including improved accessible pathways, a repaired nonmotorized boat launch and a new boat launch.

B. Protection and Safety. Maintenance of public safety and protection of public and private property, especially from vandalism and trespass, shall be provided for to the maximum extent practicable.
Finding: complies as proposed. The park design will maintain public safety and protect public and private property to the maximum extent possible.

C. Vegetative Fringe. The natural vegetative fringe along the Willamette River shall be protected and enhanced to the maximum extent practicable.
Finding: complies as proposed. Extensive habitat restoration along the Willamette River will take place as a part of this park development including the planting of native trees, shrubs, groundcover and grasses. Habitat restoration is a permitted - excepted use within the Natural Resources Overlay District.

D. Directing Development Away from the River. Development shall be directed away from the Willamette River to the greatest possible degree, provided that lands committed to urban uses within the Greenway may continue as urban uses, subject to the nonconforming use provisions of Chapter 17.58 of this title.
Finding: complies as proposed. No urban uses are proposed as a part of this park development, therefore this section does not apply. Recreational uses are differentiated from urban uses and permitted under the WRG.

E. A Greenway Setback. In each application, the approving officer or body shall establish a setback to keep structures separated from the Willamette River in order to protect, maintain, preserve and enhance the natural scenic, historic and recreational qualities of the Willamette River Greenway, as set forth in the city comprehensive plan; provided, however, that the requirement to establish such setbacks shall not apply to water-related or water-dependent uses. No greenway setback standards shall apply for areas outside of the 150-foot Compatibility boundary.
Finding: complies as proposed. The applicant acknowledges that a setback will be established for the project. At this time, consideration of additional setbacks for any structures is not anticipated, but may be reviewed at the time of detailed development plan review.

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

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

17.48.100 - Compatibility review.

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

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

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

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

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

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

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

17.48.110 - Prohibited activities.

The following are prohibited within the Willamette River Greenway:

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

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

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

17.48.120 - Additional procedural requirements.

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

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

1. A site and landscaping plan showing existing vegetation and development and location of proposed development for activities;

2. Elevations of any proposed structures;

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

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

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

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

CHAPTER 17.49 NATURAL RESOURCES OVERLAY DISTRICT

17.49.035 - Addition of wetlands to map following adoption.
The NROD boundary shall be expanded to include a wetland identified during the course of a development permit review if it is within or partially within the mapped NROD boundary and meets the State of Oregon's definition of a "Locally Significant Wetland". In such cases, the entire wetland and its required vegetated corridor as defined in Table 17.49.110 shall be regulated pursuant to the standards of this chapter. The amended NROD boundary may be relied upon by the Community Development Director for the purposes of subsequent development review.
Finding: not applicable. The entire subject property is already within the NROD boundary, therefore this section does not apply.

17.49.040 - NROD permit and review process.
An NROD permit is required for those uses regulated under OCMC 17.49.090, Uses Allowed under Prescribed Conditions. An NROD permit shall be processed under the Type II development permit procedure, unless an adjustment of standards pursuant to OCMC 17.49.200 is requested or the application is being processed in conjunction with a concurrent application or action requiring a Type III or Type IV development permit.
Finding: complies as proposed. The applicant acknowledges that an NROD permit will be required for this park project development. This documentation will be included with the Detailed Development Plan.

17.49.050 - Emergencies.
The provisions of this ordinance do not apply to work necessary to protect, repair, maintain, or replace existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements in response to emergencies. After the emergency has passed, any disturbed native vegetation areas shall be replanted with similar vegetation found in the Oregon City Native Plant List pursuant to the mitigation standards of OCMC 17.49.180. For purposes of this section emergency shall mean any man-made or natural event or circumstance causing or threatening loss of life, injury to person or property, and includes, but is not limited to fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills or releases of oil or hazardous material, contamination, utility or transportation disruptions, and disease.

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

17.49.060 - Consistency and relationship to other regulations.

A. Where the provisions of the NROD are less restrictive or conflict with comparable provisions of the OCMC, other City requirements, regional, state or federal law, the provisions that provides the greater protection of the resource shall govern.

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

B. Compliance with Federal and State Requirements.

1. If the proposed development requires the approval of any other governmental agency, such as the Division of State Lands or the U.S. Army Corps of Engineers, the applicant shall make an application for such approval prior to or simultaneously with the submittal of its development application to the City. The planning division shall coordinate City approvals with those of other agencies to the extent necessary and feasible. Any permit issued by the City pursuant to this chapter shall not become valid until other agency approvals have been obtained or those agencies indicate that such approvals are not required.

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

2. The requirements of this chapter apply only to areas within the NROD and to locally significant wetlands that may be added to the boundary during the course of development review pursuant to OCMC 17.49.035. If, in the course of a development review, evidence suggests that a property outside the NROD may contain a wetland or other protected water resource, the provisions of this chapter shall not be applied to that development review. However, the omission shall not excuse the applicant from satisfying any state and federal wetland requirements which are otherwise applicable. Those requirements apply in addition to, and apart from the requirements of the City's comprehensive plan and this code.

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

17.49.070 - Prohibited uses.

The following development and activities are not allowed within the NROD:

A. Any new gardens, lawns, structures, development, other than those allowed outright (exempted) by the NROD or that is part of a regulated use that is approved under prescribed conditions. Note: Gardens and lawns within the NROD that existed prior to the time the overlay district was applied to a subject property are allowed to continue but cannot expand further into the overlay district.

B. New lots that would have their buildable areas for new development within the NROD are prohibited.

C. The dumping of materials of any kind is prohibited except for placement of fill as provided in subsection D. below. The outside storage of materials of any kind is prohibited unless they existed before the overlay district was applied to a subject property. Uncontained areas of hazardous materials as defined by the Oregon Department of Environmental Quality (ORS 466.005) are also prohibited.

D. Grading, the placement of fill in amounts greater than ten cubic yards, or any other activity that results in the removal of more than ten percent of the existing native vegetation on any lot within the NROD is prohibited, unless part of an approved development activity.

Finding: not applicable. No prohibited uses are being proposed within the NROD boundary of this project.

17.49.080 - Uses allowed outright (exempted).

The following uses are allowed within the NROD and do not require the issuance of an NROD permit:

A. Stream, wetland, riparian, and upland restoration or enhancement projects as authorized by the City.

B. Farming practices as defined in ORS 215.203 and farm uses, excluding buildings and structures, as defined in ORS 215.203.

C. Utility service using a single utility pole.

D. Boundary and topographic surveys leaving no cut scars greater than three inches in diameter on live parts of native plants listed in the Oregon City Native Plant List.

E. Soil tests, borings, test pits, monitor well installations, and other minor excavations necessary for geotechnical, geological or environmental investigation, provided that disturbed areas are restored to pre-existing conditions as approved by the Community Development Director.

F. Trails meeting all of the following:

1. Construction shall take place between May 1 and October 30 with hand held equipment;

2. Widths shall not exceed forty-eight inches and trail grade shall not exceed twenty percent;

3. Construction shall leave no scars greater than three inches in diameter on live parts of native plants;

4. Located no closer than twenty-five feet to a wetland or the top of banks of a perennial stream, or no closer than ten feet of an intermittent stream;

5. No impervious surfaces; and

6. No native trees greater than one-inch in diameter may be removed or cut, unless replaced with an equal number of native trees of at least two-inch diameter and planted within ten feet of the trail.

G. Land divisions provided they meet the following standards, and indicate the following on the final plat:

1. Lots shall have their building sites (or buildable areas) entirely located at least five feet from the NROD boundary shown on the City's adopted NROD map. For the purpose of this subparagraph, "building site" means an area of at least 3,500 square feet with minimum dimensions of forty feet wide by forty feet deep;

2. All public and private utilities (including water lines, sewer lines or drain fields, and stormwater disposal facilities) are located outside the NROD;

3. Impervious streets, driveways and parking areas shall be located at least ten feet from the NROD; and

4. The NROD portions of all lots are protected by:

a. A conservation easement; or

b. A lot or tract created and dedicated solely for unimproved open space or conservation purposes.

H. Site Plan and Design Review applications where all new construction is located outside of the NROD boundary shown on the City's adopted NROD map, and the NROD area is protected by a conservation easement approved in form by the City.

I. Routine repair and maintenance of existing structures, roadways, driveways and utilities.

J. Replacement, additions, alterations and rehabilitation of existing structures, roadways, utilities, etc., where the ground level impervious surface area is not increased.

K. Measures approved by the City of Oregon City to remove or abate nuisances or hazardous conditions.

L. Tree Removal. The Community Development Director may permit the removal of any tree determined to be a dead, hazardous, or diseased tree as defined in OCMC 17.04. Any tree that is removed in accordance with this Section (L) shall be replaced with a new tree of at least ½-inch caliper or at least six foot overall height. An exception to this requirement may be granted if the applicant demonstrates that a replacement tree has already been planted in anticipation of tree removal, or if the existing site conditions otherwise preclude tree replacement (due to existing dense canopy coverage or other ecological reasons).

The replacement tree(s) shall be located in the general vicinity of the removed tree(s), somewhere within NROD on the property. The replacement tree(s) shall be identified on the Oregon City Native

Plant List or other locally adopted plant list (e.g. Metro or Portland). The property owner shall ensure that the replacement tree(s) survives at least two years beyond the date of its planting.

M. Planting of native vegetation and the removal of non-native, invasive vegetation (as identified on the Oregon City Native Plant List or other locally adopted plant list (e.g. Metro or Portland), or as recommended by an environmental professional with experience and academic credentials in one or more natural resource areas such as ecology, arboriculture, horticulture, wildlife biology, botany, hydrology or forestry), and removal of refuse and fill, provided that:

1. All work is done using hand-held equipment;

2. No existing native vegetation is disturbed or removed; and

3. All work occurs outside of wetlands and the top-of-bank of streams.

N. Activities in which no more than one hundred square feet of ground surface is disturbed outside of the bankfull stage of water bodies and where the disturbed area is restored to the pre-construction conditions, notwithstanding that disturbed areas that are predominantly covered with invasive species shall be required to remove the invasive species from the disturbance area and plant trees and native plants pursuant to this Chapter.

O. New fences meeting all of the following:

1. No taller than three and a half feet and of split rail or similar open design.;

2. Two feet width on both sides of fence shall be planted or seeded with native grasses, shrubs, herbs, or trees to cover any bare ground;

3. Six inches of clearance from ground level;

4. Fence posts shall be placed outside the top-of-bank of streams and outside of delineated wetlands.

P. Gardens, fences and lawns within the NROD that existed prior to the time the overlay district was applied to a subject property are allowed to be maintained but cannot expand further into the overlay district.

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

17.49.090 - Uses allowed under prescribed conditions.

The following uses within the NROD are subject to the applicable standards listed in OCMC 17.49.100 through 17.49.190 pursuant to a Type II process:

A. Alteration to existing structures within the NROD when not exempted by OCMC 17.49.080, subject to OCMC 17.49.130.

B. A residence on a highly constrained vacant lot of record that has less than three thousand square feet of buildable area, with minimum dimensions of fifty feet by fifty feet, remaining outside the NROD portion of the property, subject to the maximum disturbance allowance prescribed in OCMC 17.49.120.A.

C. A land division that would create a new lot for an existing residence currently within the NROD, subject to OCMC 17.49.160.

D. Land divisions when not exempted by OCMC 17.49.080, subject to the applicable standards of OCMC 17.49.160.

E. Trails/pedestrian paths when not exempted by OCMC 17.49.080, subject to OCMC 17.49.170 (for trails) or OCMC 17.49.150 (for paved pedestrian paths).

F. New roadways, bridges/creek crossings, utilities or alterations to such facilities when not exempted by OCMC 17.49.080.

G. Roads, bridges/creek crossings Subject to OCMC 17.49.150.

H. Utility lines subject to OCMC 17.49.140.

I. Stormwater detention or pre-treatment facilities subject to OCMC 17.49.155.

J. Institutional, industrial or commercial development on a vacant lot of record situated in an area designated for such use that has more than seventy-five percent of its area covered by the NROD, subject to OCMC 17.49.120.B.

K. City, county and state capital improvement projects, including sanitary sewer, water and storm water facilities, water stations, and parks and recreation projects.

L. Non-hazardous tree removal that is not exempted pursuant to OCMC 17.49.080.K.

M. Fences that do not meet the standards for exemption pursuant to OCMC 17.49. 080.O.4.

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

17.49.100 - General development standards.

The following standards apply to all Uses Allowed under Prescribed Conditions within the NROD with the exception of rights of ways (subject to OCMC 17.49.150), trails (subject to OCMC 17.49.170), utility lines (subject to OCMC 17.49.140), land divisions (subject to OCMC 17.49.160), and mitigation projects (subject to OCMC 17.49.180 or 17.49.190):

A. Native trees shall be preserved unless they are located within ten feet of any proposed structures or within five feet of new driveways, or if deemed not wind-safe by a certified arborist. Trees listed on the Oregon City Nuisance Plant List or Prohibited Plant List are exempt from this standard and may be removed. A protective covenant shall be required for any native trees that remain;

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

B. The Community Development Director may allow the landscaping requirements of the base zone, other than landscaping required for parking lots, to be met by preserving, restoring and permanently protecting habitat on development sites in the Natural Resource Overlay District.

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

C. All vegetation planted in the NROD shall be native and listed on the Oregon City Native Plant List or other locally adopted plant list (e.g. Metro or Portland), or as recommended by an environmental professional with experience and academic credentials in one or more natural resource areas such as ecology, arboriculture, horticulture, wildlife biology, botany, hydrology or forestry);

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

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

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

E. The minimum front, street, or garage setbacks of the base zone may be reduced to any distance between the base zone minimum and zero in order to minimize the disturbance area within the NROD portion of the lot;

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

F. Any maximum required setback in any zone, such as for multi-family, commercial or institutional development, may be increased to any distance between the maximum and the distance necessary to minimize the disturbance area within the NROD portion of the lot;

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

G. Fences in compliance with OCMC 17.49.080.N;

Finding: complies as proposed. Fences will be in compliance with OCMC 17.49.080.N.

H. Exterior lighting shall be placed or shielded so that they do not shine directly into resource areas;

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

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

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

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

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

17.49.110 - Width of vegetated corridor.

A. Calculation of Vegetated Corridor Width within City Limits. The NROD consists of a vegetated corridor measured from the top of bank or edge of a protected habitat or water feature. The minimum required width is the amount of buffer required on each side of a stream, or on all sides of a feature if non-linear. The width of the vegetated corridor necessary to adequately protect the habitat or water feature is specified in Table 17.49.110.

Table 17.49.110

Protected Water Feature Type (see definitions)	*Slope Adjacent to Protected Water Feature*	*Starting Point for Measurements from Water Feature*	*Width of Vegetated Corridor (see Note 1)*
Anadromous fish-bearing streams	*Any slope*	*• Edge of bankfull flow*	*200 feet*
Intermittent streams with slopes less than 25 percent and which drain less than 100 acres	*< 25 percent*	*• Edge of bankfull flow*	*15 feet*

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

Notes:

1. *Required width (measured horizontally) of vegetated corridor unless reduced pursuant to the provisions of OCMC 17.49.120.*
2. *Vegetated corridors in excess of fifty feet apply on steep slopes only in the uphill direction from the protected water feature.*
3. *Where the protected water feature is confined by a ravine or gully, the top of the ravine is the break in the ≥25 percent slope.*

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

B. Habitat Areas within City Parks. For habitat and water features identified by Metro as regionally significant which are located within city parks, the NROD Boundary shall correspond to the Metro Regionally Significant Habitat Map.

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

C. Habitat Areas outside city limit/within UGB. For habitat and water features identified by Metro as regionally significant which are located outside of the city limits as of the date of adoption of this ordinance, the minimum corridor width from any non-anadromous fish bearing stream or wetland shall be fifty feet.

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

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

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

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

Finding: not applicable. This development is not residential.

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

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

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

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

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

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

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

For brevity, the remaining sections of Chapter 17.49 have been omitted since they will be reviewed with the subsequent Detailed Development Plan review. The code criteria may be reviewed at https://library.municode.com/or/oregon_city/codes/municipal_code?nodeId=TIT17ZO_CH17.49NAREOVDI

CHAPTER 17.50 ADMINISTRATION AND PROCEDURES

17.50.050 – Pre-application conference.

A *Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the pre-application conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal.*

1. *To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.*

2. *At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.*
3. *The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.*

B. *A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.*

Finding: complies as proposed. The applicant attended the required pre-application conference (file PA-22-00046).

17.50.055 - Neighborhood association meeting.

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

A. *Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.*

B. *The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the Citizen Involvement Committee.*

C. *A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, Citizen Involvement Committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a City facility.*

D. *If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the Citizen Involvement Committee.*

E. *To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.*

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

17.50.100 - Notice posting requirements.

Where this chapter requires notice of a pending or proposed permit application or hearing to be posted on the subject property, the requirements of this section shall apply.

A. *City Guidance and the Applicant's Responsibility. The City shall supply all of the notices which the applicant is required to post on the subject property and shall specify the dates the notices are to be posted and the earliest date on which they may be removed. The City shall also provide a statement to be signed and returned by the applicant certifying that the notice(s) were posted at the correct time and that if there is any delay in the City's land use process caused by the applicant's failure to correctly post the subject property for the required period of time and in the correct location, the applicant agrees to extend the applicable decision-making time limit in a timely manner.*

B. *Number and Location. The applicant shall place the notices on each frontage of the subject property. If the property's frontage exceeds six hundred feet, the applicant shall post one copy of the notice for each six hundred feet or fraction thereof. Notices do not have to be posted adjacent to alleys or unconstructed right-of-way. Notices shall be posted within ten feet of the street and shall be visible to pedestrians and motorists. Notices shall not be posted within the public right-of-way or on trees. The applicant shall remove all signs within ten days following the event announced in the notice.*

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

17.50.140 – Financial guarantees.

When conditions of permit approval require a permitee to construct certain public improvements, the City shall require the permitee to provide financial guarantee for construction of the certain public improvements. Financial guarantees shall be governed by this section.

A. *Form of Guarantee. Guarantees shall be in a form approved by the City Attorney. Approvable forms of guarantee include irrevocable standby letters of credit to the benefit of the City issued by a recognized lending institution, certified checks, dedicated bank accounts or allocations of construction loans held in reserve by the lending institution for the benefit of the City. The form of guarantee shall be specified by the City Engineer and, prior to execution and acceptance by the City shall be reviewed and approved by the City Attorney. The guarantee shall be filed with the City Engineer.*

B. *Performance Guarantees. A permittee shall be required to provide a performance guarantee as follows.*

   1. *After Final Approved Design by The City: The City may request the Permittee to submit a Performance Guarantee for construction of certain public improvements. A permitee may request the option of submitting a Performance Guarantee when prepared for temporary/final occupancy. The guarantee shall be one hundred twenty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City Engineer.*

   2. *Before Complete Design Approval and Established Engineered Cost Estimate: The City may request a permittee to submit a Performance Guarantee for construction of certain public improvements. A permitee may request the option of submitting a performance guarantee before public improvements are designed and completed. The guarantee shall be one hundred* fifty percent of the estimated cost of constructing the public improvements as submitted by *the permittee's engineer and approved by the City Engineer. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City Engineer.*

C. *Release of Guarantee. The guarantee shall remain in effect until the improvement is actually constructed and accepted by the City. Once the City has inspected and accepted the improvement, the City shall release the guarantee to the permittee. If the improvement is not completed to the City's satisfaction within the time limits specified in the permit approval, the City Engineer may, at their discretion, draw upon the guarantee and use the proceeds to construct or complete construction of the improvement and for any related administrative and legal costs incurred by the City in completing the construction, including any costs incurred*

in attempting to have the permittee complete the improvement. Once constructed and approved by the City, any remaining funds shall be refunded to the permittee. The City shall not allow a permittee to defer construction of improvements by using a performance guarantee, unless the permittee agrees to construct those improvements upon written notification by the City, or at some other mutually agreed-to time. If the permittee fails to commence construction of the required improvements within six months of being instructed to do so, the City may, without further notice, undertake the construction of the improvements and draw upon the permittee's performance guarantee to pay those costs.

D. *Fee-in-lieu. When conditions of approval or the City Engineer allows a permittee to provide a fee-in-lieu of actual construction of public improvements, the fee shall be one hundred fifty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer and approved by the City Engineer. The percentage required is to ensure adequate funds for the future work involved in design, bid, contracting, and construction management and contract closeout. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City Engineer. The fee-in-lieu shall be submitted as cash, certified check, or other negotiable instrument acceptable by the City Attorney.*

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

17.50.141 – Public improvements – Warranty

All public improvements not constructed by the City, shall be maintained and under warranty provided by the property owner or developer constructing the facilities until the City accepts the improvements at the end of the warranty period. The warranty is to be used at the discretion of the City Engineer or designee to correct deficiencies in materials or maintenance of constructed public infrastructure, or to address any failure of engineering design.

A. *Duration of Warranty. Responsibility for maintenance of public improvements shall remain with the property owner or developer for a warranty period of two years.*
B. *Financial Guarantee. Approvable forms of guarantee include irrevocable standby letters of credit to the benefit of the City issued by a recognized lending institution, bond, certified checks, dedicated bank accounts or allocations of construction loans held in reserve by the lending institution for the benefit of the City. The form of guarantee shall be specified by the City Engineer and, prior to execution and acceptance by the City shall be reviewed and approved by the City Attorney. The guarantee shall be filed with the City Engineer.*
C. *Amount of Warranty. The amount of the warranty shall be equal to fifteen percent of the estimated cost of construction of all public improvements (including those improvements that will become owned and maintained by the City at the end of the two year maintenance period), and shall be supported by a verified engineering estimate and approved by the City Engineer. Upon expiration of the warranty period and acceptance by the City as described below, the City shall be responsible for maintenance of those improvements.*
D. *Transfer of Maintenance. The City will perform an inspection of all public improvements approximately forty-five days before the two-year warranty period expires. The public improvements shall be found to be in a clean, functional condition by the City Engineer before acceptance of maintenance responsibility by the City. Transfer of maintenance of public improvements shall occur when the City accepts the improvements at the end of the two year warranty period.*

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

CHAPTER 17.52 OFF-STREET PARKING AND LOADING

17.52.010 - Applicability.

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

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

17.52.015 - Planning commission adjustment of parking standards.

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

17.52.020 - Number of automobile spaces required.

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

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

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

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

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

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

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

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

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

CHAPTER 17.54 SUPPLEMENTAL ZONING REGULATIONS AND EXCEPTIONS

17.54.100 Fences, Hedges, Walls, and Retaining Walls.

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

1. A fence, hedge, wall, retaining wall, or combination thereof located in front of a building may be up to 3.5-feet in total height as measured from the finished grade at any point on the fence.

2. A fence, hedge, wall, located next to, or behind the forward most building, or within more than forty feet of the right-of-way, whichever is less may be up to:

a. Six feet in total height for residential properties with less than five units as measured from the finished grade at any point on the fence; or

b. Eight feet in total height for all other uses as measured from the finished grade at any point on the fence.

3. A retaining wall or combination of a fence, hedge, wall located next to and behind the forward most building, or within more than forty feet of the right-of-way, whichever is less, may be up to (as measured from the finished grade) 8.5 feet in height from the finished grade.

4. Fences, hedges, and/or walls located within two feet above a retaining wall, as measured on a horizontal plane, shall be measured together for the purposes of determining height.

5. Property owners shall ensure compliance with the Traffic Sight Obstruction requirements in Chapter 10.32 of the Oregon City Municipal Code.

6. Retaining walls completely below the elevation of the right-of-way may be up to six feet in height.

7. Minimum fall protection required by the Building Official, such as railings, is not included in the height of a retaining wall but must comply with the fence height requirements.

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

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

1. A Revocable Permanent Obstruction in the Right of Way permit is granted per OCMC 12.04.120;

2. Retaining walls, fences, or hedges comply with OCMC 17.54.100.A, unless determined to be impracticable by the City Engineer.

3. The abutting property owner shall ensure compliance with the Traffic Sight Obstruction requirements in Chapter 10.32 of the Oregon City Municipal Code.

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

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

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

CHAPTER 17.62 - SITE PLAN AND DESIGN REVIEW

14. Compliance with Chapter 17.62 will be determined at the time of Detailed Development Plan submittal. The code criteria may be reviewed at https://library.municode.com/or/oregon_city/codes/municipal_code?nodeId=TIT17ZO_CH17.62SIPLDERE

CHAPTER 17.65 MASTER PLANS AND PLANNED UNIT DEVELOPMENT

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

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

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

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

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

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

17.65.040 - Procedure.

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

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

B. General Development Plan. An application for a general development plan describing the long-term buildout of the site shall be reviewed through a Type III procedure. An applicant shall have an approved general development plan before any detailed development plan may be approved, unless both are approved or amended concurrently. Amendments to an approved general development plan shall be reviewed under a Type III procedure pursuant to OCMC 17.65.080.

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

C. Detailed Development Plan. An application for a detailed development plan, is processed through a Type II procedure, as long as it is in conformance with the approved general development plan. Amendments to an approved detailed development plan shall be processed pursuant to OCMC 17.65.080. Once a development has an approved detailed development plan, OCMC 17.62 Site Plan and Design Review is not required.

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

D. Concurrent Review. An applicant may concurrently apply for a general development plan and a detailed development plan. Such a concurrent application is reviewed through the highest procedure that applies to any element of the combined application.

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

E. Relationship to Other Reviews. It is the express policy of the City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.

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

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

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

17.65.050 - General Development Plan.

A. Existing Conditions Submittal Requirements.

1. Narrative statement. An applicant shall submit a narrative statement that describes the following:

a. Current uses of and development on the site;

b. For institutions, history or background information about the mission and operational characteristics of the institution that may be helpful in the evaluation of the general development plan, and information about current programs or services;

c. A vicinity map showing the location of the General Development Plan boundary relative to the larger community, along with affected major transportation routes, transit, and parking facilities. At least one copy of the vicinity map shall be eight and one-half inches × eleven inches in size, and black and white reproducible;

d. Land uses that surround the development site. This may also reference submitted maps, diagrams or photographs;

e. Previous land use approvals within the General Development Plan boundary and related conditions of approval, if applicable;

f. Existing utilization of the site;

g. Site description, including the following items. May also reference submitted maps, diagrams or photographs.

1. Physical characteristics;

2. Ownership patterns;

3. Building inventory;

4. Vehicle/bicycle parking;

5. Landscaping/usable open space;

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

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

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

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

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

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

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

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

> Project C1 of the Transportation System Plan (TSP) shall be completed with completion of the RV Park located on the south side of Main Street. TSP projects S1 and W2 shall be completed by when the master plan completes more than 75% of the master plan.
>
> S1 – Shared-Use Path (this path will fulfill a portion of Regional Trail R1): Add a 10-foot-wide (or wider) shared-use path on the north side of the Main Street which connects to the pedestrian path for the park.
>
> W2 – Main Street Sidewalk Infill. (A shared-use path added per project S1 may fulfill a portion of this): Construct sidewalk along the frontage of the development properties (along Main Street and Clackamette Drive).
>
> C1 – Clackamette Drive Crossing. Provide an ADA compliant crosswalk (including ADA compliant curb ramps) and pedestrian activated signal from Clackamette Park overflow lot to the Clackamette Park entrance.

B. Proposed Development Submittal Requirements.

1. *Narrative statement. An applicant shall submit a narrative statement that describes the following:*
    - *a. The proposed duration of the general development plan.*
    - *b. The proposed development boundary. May also reference submitted maps or diagrams.*
    - *c. A description, approximate location, and timing of each proposed phase of development, and a statement specifying the phase or phases for which approval is sought under the current application. May also reference submitted maps or diagrams.*
    - *d. An explanation of how the proposed development is consistent with the purposes of Section 17.65, the applicable zone district or districts, and any applicable overlay district.*

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

f. *An analysis of the impacts of the proposed development on the surrounding community and neighborhood, including:*
   1. *Transportation impacts as prescribed in subsection g. below;*
   2. *Internal parking and circulation impacts and connectivity to sites adjacent to the development boundary and public right-of-ways within two hundred fifty feet of the development boundary;*
   3. *Public facilities impacts (sanitary sewer, water and stormwater management) both within the development boundary and on city-wide systems; including a phasing plan for all on-site and off-site public improvements, including but not limited to transportation, schools, parks, open space, trails, sewer, water and stormwater, with an analysis of the capacity and improvements required as a result of fully implementing the plan. This analysis shall reference any adopted parks and recreation, public facilities plans and concept plans and identify specific funding mechanisms to address the adequacy of public facilities.*
   4. *Neighborhood livability impacts;*
   5. *Natural, cultural and historical resource impacts within the development boundary and within two hundred fifty feet of the development boundary.*

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

h. *In addition to the summary statement of anticipated transportation impacts, an applicant shall provide a traffic impact study as specified by city requirements. The transportation impact study shall either:*
   1. *Address the impacts of the development of the site consistent with all phases of the general development plan; or*
   2. *Address the impacts of specific phases if the City Engineer determines that the traffic impacts of the full development can be adequately evaluated without specifically addressing subsequent phases.*

i. *If an applicant chooses to pursue option h.1., the applicant may choose among three options for implementing required transportation capacity and safety improvements:*
   1. *The General Development Plan may include a phasing plan for the proposed interior circulation system and for all on-site and off-site transportation capacity and safety improvements required on the existing street system as a result of fully implementing the plan. If this option is selected, the transportation phasing plan shall be binding on the applicant.*
   2. *The applicant may choose to immediately implement all required transportation safety and capacity improvements associated with the fully executed general development plan. If this option is selected, no further transportation improvements will be required from the applicant. However, if a general development plan is later amended in a manner so as to cause the projected average daily trips, the projected AM or PM peak hour trips, or the peak parking demand of the development to increase over original projections, an additional transportation impact report shall be required to be submitted during the detailed development plan review process for all future phases of the development project and additional improvements may be required.*

3. *The applicant may defer implementation of any and all capacity and safety improvements required for any phase until that phase of the development reaches the detailed development plan stage. If this option is selected, the applicant shall submit a table linking required transportation improvements to vehicle trip thresholds for each development phase.*

j. *For residential and mixed-use projects:*

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

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

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

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

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

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

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

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

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

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

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

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

17.65.010 - Purpose and intent.

It is the intent of this chapter to foster the growth of major institutions, phased residential, commercial or mixed-use development, and other large-scale development, while identifying and mitigating the impacts of such growth on surrounding properties and public infrastructure. The city recognizes the valuable housing options, services

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

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

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

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

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

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

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

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

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

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

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

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

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

(P.53) Parks and Recreation

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

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

(P.54) Natural Resources

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

Comprehensive Plan Chapter 1. Healthy and Welcoming Communities

> *GOAL 1 Implement and maintain a community engagement program that provides broad and inclusive opportunities for all Oregon City community members to learn about and understand city government processes, including land use planning, and participate meaningfully in decisions that impact their communities.*
>
> *POLICY 1.5 Provide on-going education to the community regarding land use projects and processes and ensure clear communication about when and how to be involved at key points in the process.*

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

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

Comprehensive Plan Chapter 4: Protected Environment

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

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

STRATEGY 1.4.A Manage open space areas for their value in linking citizens and visitors with the natural environment, providing solace, exercise, scenic views and outdoor education. Built features in open space sites should harmonize with natural surroundings.

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

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

POLICY 2.4 Protect and enhance the urban forest tree canopy.

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

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

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

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

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

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

STRATEGY 2.7.A Promote land-use patterns that reduce the need for distance travel by single-occupancy vehicles and increase opportunities for walking, biking and/or transit to destinations such as places of employment, shopping and education.

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

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

STRATEGY 2.9.A Conserve natural resources that have significant functions and values related to flood protection, sediment and erosion control, water quality, groundwater recharge and discharge, education, vegetation, and fish and wildlife habitat.

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

GOAL 3
Ensure the safety of residents and property by supporting plans, programs, and investments that minimize the impacts of future natural hazard events and aid in rapid response and recovery.

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

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

GOAL 4
Ensure the environmental and economic health of the Willamette River Greenway (WRG) as a key feature of Oregon City and the broader region

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

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

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

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

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

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

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

17.65.060 - Detailed development plan.

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

17.65.070 - Adjustments to development standards.

A. *Purpose. In order to implement the purpose of the city's master plan or planned unit development process, which is to foster the growth of major institutions, major residential, commercial or mixed-use development, and other large-scale development, while identifying and mitigating their impacts on surrounding properties and public infrastructure, an applicant may request one or more adjustments to the applicable development regulations as part of the master planning or planned unit development process, and are not required to go through the Variance process pursuant to OCMC Chapter 17.60.*
B. *Procedure. Requests for adjustments shall be processed concurrently with a general development plan. An adjustment request at the detailed development plan review shall cause the detailed development plan to be reviewed as a Type III application.*

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

C. *Regulations That May be Adjusted. Adjustments may be allowed for the following items:*
   1. *Dimensional standards of the underlying zone of up to 20 percent, except the perimeter of the development shall meet the underlying zone's setbacks when adjacent to residentially zoned property.*
   2. *Site plan and design standards.*
   3. *Residential design standards.*
   4. *Increase in allowed maximum residential density of up to 10 percent.*
   5. *Standards for land division approval.*
   6. *Additional uses allowed with residential projects, or residential component of projects:*
      a. *Notwithstanding the use provisions of the underlying zones, neighborhood commercial uses as defined in Chapter 17.24.020, including restaurants and eating and drinking establishments without a drive-through, retail trade, and services, are permitted on up to 10 percent of the net*

developable area. The neighborhood commercial uses shall be planned and constructed so as to support and be compatible with the entire development and shall not alter the character of the surrounding area so as to substantially preclude, impair or limit the use of surrounding properties for the primary uses listed in the underlying district.

b. Public or private parks and playgrounds, community buildings and/or outdoor recreational facilities, such as swimming pools and tennis courts;

c. Indoor recreational facilities, such as racquetball or tennis courts, fitness centers or swimming pools;

d. Common public and private open space including trails.

e. Primary or accessory uses that are not identified as a permitted or conditional use in the underlying zone but which are defined in the code.

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

D. Regulations That May Not be Adjusted. Adjustments are prohibited for the following items:

1. To allow a primary or accessory use that is not identified as a permitted, or conditional use in the underlying zone, with the exception of the additional uses permitted under OCMC 17.65.070.C.6 above;

2. To any regulation that contains the word "prohibited";

3. As an exception to a threshold review, such as a Type III review process; and

4. Minimum density for residential sites may not be reduced.

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

17.65.80 - Amendments to approved plans.

A. When Required. An amendment to an approved General Development Plan or detailed development plan is required for any use or development that is not in conformance with the applicable plan, as provided below. The approval criteria contained in OCMC 17.65.050 will apply to general development plan amendments, the approval criteria contained in OCMC 17.65.060 will apply to detailed development plan amendments. The thresholds and procedures for amendments are stated below.

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

B. Type III Procedure. Unless the approved general development plan or detailed development plan specifically provides differently, amendments to either plan that require a Type III procedure are:

1. A proposed expansion of the approved boundary;

2. A proposed reduction in the approved boundary that affects a condition of approval, or takes the site out of conformance, or further out of conformance, with a development standard;

3. Proposals that increase the amount, frequency, or scale of a use over ten percent of what was approved (examples include the number of students, patients or members; the number of helicopter flights; the number or size of special events; transportation impacts);

4. New uses not covered in the plan that will increase vehicle trips to the site greater than 10 percent of the original amount approved;

5. Increases or decreases in overall floor area of development on the site or number of residential units of over ten percent;

6. A increases/decrease greater than ten percent in the amount of approved or required parking; and

7. Proposed uses or development which were reviewed, but were denied because they were found not to be in conformance with an approved plan.

C. Type II Procedure. Unless an approved plan specifically provides otherwise, amendments to a general development plan or detailed development plan not specifically stated in Subsection B or D are processed through a Type II procedure.

D. Type I Procedure. Unless an approved plan specifically provides otherwise, the following amendments to a general development plan or detailed development plan shall be processed through a Type I procedure:

1. Accessory uses and structures that meet applicable development regulations;

2. Reconfiguration of approved parking or landscape designs that do not alter the points of ingress or egress, and do not change the number of parking spaces required, so long as the reconfiguration meets applicable development regulations; and

3. Structures for approved uses that do not exceed one thousand five hundred square feet in size and that meet applicable development regulations.

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

17.65.090 - Regulations that apply.

An applicant is entitled to rely on land use regulations in effect on the date its general development plan application was initially submitted, pursuant to ORS 227.178(3), as that statute may be amended from time to time. After a general development plan is approved, and so long as that General Development Plan is in effect, an applicant is entitled to rely on the land use regulations in effect on the date its general development plan application was initially submitted, as provided above, when seeking approval of detailed development plans that implement an approved general development plan. At its option, an applicant may request that a detailed development plan be subject to the land use regulations in effect on the date its detailed development plan is initially submitted.

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

<u>CHAPTER 12.04 – STREETS SIDEWALKS AND PUBLIC SPACES</u>

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

A. The City has jurisdiction and exercises regulatory management over all public rights-of-way within the City under authority of the City Charter and state law by issuing separate public works right-of-way permits or permits as part of issued public infrastructure construction plans. No work in the public right-of-way shall be done without the proper permit. Some public rights-of-way within the city are regulated by the State of Oregon Department of Transportation (ODOT) or Clackamas County and as such, any work in these streets shall conform to their respective permitting requirements.

C. The City has jurisdiction and exercises regulatory management over each public right-of-way whether the City has a fee, easement, or other legal interest in the right-of-way. The City has jurisdiction and regulatory management of each right-of-way whether the legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure or other means.

D. No person may occupy or encroach on a public right-of-way without the permission of the City. The City grants permission to use rights-of-way by franchises, licenses and permits.

E. The exercise of jurisdiction and regulatory management of a public right-of-way by the City is not official acceptance of the right-of-way, and does not obligate the City to maintain or repair any part of the right-of-way.

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

12.04.025 - Driveways.
Driveways shall be reviewed in accordance with OCMC 16.12.035. Driveway requirements may be modified through the procedures in OCMC 16.12.013.
Finding: Applicable. See 16.12.035 for more information.

12.04.030 - Maintenance and repair.
The owner of land abutting the street where a sidewalk has been constructed shall be responsible for maintaining said sidewalk and abutting curb, if any, in good repair.
Finding: Not applicable. Existing sidewalk of the street abutting the development property is in good repair and the city has not found the need to make repairs at the at the time of application.

12.04.032 - Required sidewalk repair.

A. When the Public Works Director determines that repair of a sidewalk is necessary, written notice shall be provided to the owner of property adjacent to the defective sidewalk.

B. The notice shall require the owner of the property adjacent to the defective sidewalk to complete the repair of the sidewalk within ninety days after the service of notice. The notice shall also state that if the repair is not made by the owner, the City may do the work and the cost of the work shall be assessed against the property adjacent to the sidewalk.

1. *All sidewalks hereafter constructed in the City on improved streets shall be constructed to city standards and widths required in the Oregon City Transportation System Plan and OCMC 16.12. Sidewalks and curbs are to be constructed according to plans and specifications approved by the City Engineer.*
2. *Sidewalks constructed on unimproved streets shall be constructed of concrete according to lines and grades approved by the City Engineer. On unimproved streets, curbs do not have to be constructed.*

C. The Public Works Director shall cause a copy of the notice to be served personally upon the owner of the property adjacent to the defective sidewalk, or the notice may be served by registered or certified mail, return receipt requested. If after diligent search the owner is not discovered, the Public Works Director shall cause a copy of the notice to be posted in a conspicuous place on the property, and such posting shall have the same effect as service of notice by mail or by personal service upon the owner of the property.

D. The person serving the notice shall file with the City recorder a statement stating the time, place and manner of service or notice.

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

12.04.050 - Retaining walls—Required.
Every owner of a lot within the City, abutting upon an improved street, where the surface of the lot or tract of land is above the surface of the improved street and where the soil or earth from the lot, or tract of land is liable to, or does slide or fall into the street or upon the sidewalk, or both, shall build a retaining wall, the outer side of which shall be on the line separating the lot, or tract of land from the improved street, and the wall shall be so constructed as to prevent the soil or earth from the lot or tract of land from falling or sliding into the street or upon the sidewalk, or both, and the owner of any such property shall keep the wall in good repair.
Finding: Not Applicable. No retaining walls exist or are proposed on this project adjacent to the public sidewalk.

12.04.100 - Excavations—Restoration of pavement.

Whenever any excavation shall have been made in any pavement or other street improvement on any street or alley in the City for any purpose whatsoever under the permit granted by the engineer, it shall be the duty of the person making the excavation to restore the pavement in accordance with the City of Oregon City Public Works Pavement Cut Standard in effect at the time a right-of-way permit is granted. The City Commission may adopt and modify the City of Oregon City Public Works Pavement Cut Standards by resolution as necessary to implement the requirements of this chapter.
Finding: Not applicable. Excavation is not proposed.

12.04.120 - Obstructions—Permit required.

A. Permanent Obstructions. It is unlawful for any person to place, put or maintain any obstruction, other than a temporary obstruction, as defined in subsection B. of this section, in any public street or alley in the City, without obtaining approval for a right-of-way permit from the City Commission by passage of a resolution.

1. *The City Engineer shall provide applicants with an application form outlining the minimum submittal requirements.*
2. *The applicant shall submit at least the following information in the permitting process in order to allow the City Commission to adequately consider whether to allow the placement of an obstruction and whether any conditions may be attached:*
   a. *Site plan showing right-of-way, utilities, driveways as directed by staff;*
   b. *Sight distance per OCMC 10.32, Traffic Sight Obstructions;*
   c. *Traffic control plan including parking per Manual on Uniform Traffic Control Devices (MUTCD);*
   d. *Alternative routes if necessary;*
   e. *Minimizing obstruction area; and*
   f. *Hold harmless/maintenance agreement.*

3. *If the City Commission adopts a resolution allowing the placement of a permanent obstruction in the right-of-way, the City Engineer shall issue a right-of-way permit with any conditions deemed necessary by the City Commission.*

4. *Signage that acts as an obstruction is approved through OCMC 15.28*

B. Temporary Obstructions.

1. *A "temporary obstruction" is defined as an object placed in a public street, sidewalk, road, or alley which is not permanently anchored to another surface such as the pavement, sidewalk, or a building. A "temporary obstruction" includes, but is not limited to, moving containers, debris dumpsters, and seating.*
   a. Planters and benches are exempt from permitting unless the City Engineer finds by inspection that the planter or bench is impeding use of the right-of-way. If deemed an impeding use, a planter or bench will comply with the requirements for temporary obstructions.
2. *The City Engineer, or designee, is authorized to grant a permit for a temporary obstruction.*
3. *The City Engineer shall provide applicants with an application form outlining the minimum submittal requirements.*
4. *The applicant shall submit, and the City Engineer, or designee, shall consider, at least the following items in the permitting process. Additional information may be required in the discretion of the City Engineer:*
   a. *Site plan showing right-of-way, utilities, driveways as directed by staff;*
   b. *Sight distance per OCMC 10.32, Traffic Sight Obstructions;*

c. *Traffic control plan including parking per Manual on Uniform Traffic Control Devices (MUTCD);*
d. *Handicap accessible route complying with Americans with Disability Act (ADA) standards.*
e. *Alternative routes if necessary;*
f. *Minimizing obstruction area; and*
g. *Hold harmless/maintenance agreement.*

5. *In determining whether to issue a right-of-way permit to allow a temporary obstruction, the City Engineer may issue such a permit only after finding that the following criteria have been satisfied:*
   a. *The obstruction will not unreasonably impair the safety of people using the right-of-way and nearby residents;*
   b. *The obstruction will not unreasonably hinder the efficiency of traffic affected by the obstruction;*
   c. *No alternative locations are available that would not require use of the public right-of-way; and;*
   d. *Any other factor that the City Engineer deems relevant.*
6. *The permittee shall post a weatherproof copy of the temporary obstruction permit in plain view from the right-of-way.*
7. *Types*
   a. *A short-term temporary obstruction is allowed for a period of not more than 60 consecutive calendar days. It is permitted with a temporary obstruction in the right-of-way permit.*
   b. *A long-term temporary obstruction is allowed for a period of not more than one year, and it is permitted with a renewable right-of-way permit.*
8. *Signage that acts as an obstruction is approved through OCMC 15.28*

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

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

12.04.150 - Street and alley vacations—Cost.
At the time of filing a petition for vacation of a street, alley or any part thereof, a fee as established by City Commission resolution shall be paid to the City. The City Commission, upon hearing such petition, may grant the same in whole or in part, or may deny the same in whole or in part, or may grant the same with such reservations as would appear to be for the public interest, including reservations pertaining to the maintenance and use of underground public utilities in the portion vacated.
Finding: Not Applicable. No vacations are proposed as part of this application.

12.04.170 - Street design—Purpose and general provisions.
All development shall be in conformance with the city's public facility master plans, public works policies, standard drawings and engineering specifications. All streets shall be reviewed and approved by the city engineer prior to construction. All streets and driveway connections to another jurisdiction's facility or right-of-way must be reviewed by the appropriate jurisdiction as a condition of the preliminary plat or site planning and when required by law or intergovernmental agreement shall be approved by the appropriate jurisdiction.
Finding: See findings from chapter 16.12 of this report.

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

application. The exception to this requirement is where this chapter and the Public Works Street Standard Drawings provide other design details, in which case the requirements of this chapter and the Public Works Street Standard Drawings shall control. In the case of work within ODOT or Clackamas County rights-of-way, work shall be in conformance with their respective construction standards.
Finding: Not applicable. Construction or associated permits are not pursued with this application. Subsequent DDPs which propose and require construction permits will be subject to this code section.

CHAPTER 13.12 – STORMWATER MANAGEMENT

13.12.050 - Applicability and exemptions.
This chapter establishes performance standards for stormwater conveyance, quantity and quality. Additional performance standards for erosion prevention and sediment control are established in OCMC 17.47.
A. Stormwater Conveyance. The stormwater conveyance requirements of this chapter shall apply to all stormwater systems constructed with any development activity, except as follows:
1. The conveyance facilities are located entirely on one privately owned parcel;
2. The conveyance facilities are privately maintained; and
3. The conveyance facilities receive no stormwater runoff from outside the parcel's property limits.
Those facilities exempted from the stormwater conveyance requirements by the above subsection will remain subject to the requirements of the Oregon Uniform Plumbing Code. Those exempted facilities shall be reviewed by the Building Official.
Finding: Applicable. Connection to a public stormwater conveyance system is required to serve this development.

B. Water Quality and Flow Control. The water quality and flow control requirements of this chapter shall apply to the following proposed uses or developments, unless exempted under subsection C:
1. Activities located wholly or partially within water quality resource areas pursuant to OCMC 17.49 that will result in the creation of more than five hundred square feet of impervious surface within the NROD or will disturb more than one thousand square feet of existing impervious surface within the NROD as part of a commercial or industrial redevelopment project. These square footage measurements will be considered cumulative for any given five-year period; or
2. Activities that create or replace more than five thousand square feet of impervious surface, cumulated over any given five-year period.
Finding: Applicable. The proposed master plan will create more than five hundred square feet of impervious surface.

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

2. Projects in the following categories are generally exempt from the water quality and flow control requirements:
a. Stream enhancement or restoration projects approved by the City.
b. Farming practices as defined by ORS 30.960 and farm use as defined in ORS 214.000; except that buildings associated with farm practices and farm use are subject to the requirements of this chapter.
c. Actions by a public utility or any other governmental agency to remove or alleviate an emergency condition.
d. Road and parking area preservation/maintenance projects such as pothole and square cut patching, surface sealing, replacing or overlaying of existing asphalt or concrete pavement, provided the preservation/maintenance activity does not expand the existing area of impervious coverage above the thresholds in subsection B of this section.
e. Pedestrian and bicycle improvements (sidewalks, trails, pathways, and bicycle paths/lands) where no other impervious surfaces are created or replaced, built to direct stormwater runoff to adjacent vegetated areas.
f. Underground utility projects that replace the ground surface with in-kind material or materials with similar runoff characteristics.
g. Maintenance or repair of existing utilities.
Finding: Applicable. An exemption to the flow control requirements of this chapter is applicable because the development site is downstream of the existing stormwater infrastructure and will need to discharge to the Willamette River or Clackamas River. The site also lies within the one hundred-year floodplain and is within ten feet of the design flood elevation as defined in OCMC 17.42. The project site can be drained by a conveyance system that is comprised entirely of manmade elements (e.g. pipes, ditches, culverts outfalls, outfall protection, etc.) and extends to the ordinary high water line of the exempt receiving water.

D. Uses Requiring Additional Management Practices. In addition to any other applicable requirements of this chapter, the following uses are subject to additional management practices, as defined in the Public Works Stormwater and Grading Design Standards:
1. Bulk petroleum storage facilities;
2. Above ground storage of liquid materials;
3. Solid waste storage areas, containers, and trash compactors for commercial, industrial, or multi-family uses;
4. Exterior storage of bulk construction materials;
5. Material transfer areas and loading docks;
6. Equipment and/or vehicle washing facilities;
7. Development on land with suspected or known contamination;
8. Covered vehicle parking for commercial or industrial uses;
9. Industrial or commercial uses locating in high traffic areas, defined as average daily count trip of two thousand five hundred or more trips per day; and
10. Land uses subject to DEQ 1200-Z Industrial Stormwater Permit Requirements.
Finding: Not Applicable. The development has not proposed use of the land that requires additional management practices as defined in the Public Works Stormwater and Grading Design Standards.

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

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

13.12.090 - Approval criteria for engineered drainage plans and drainage report.
An engineered drainage plan and/or drainage report shall be approved only upon making the following findings:
A. The plan and report demonstrate how the proposed development and stormwater facilities will accomplish the purpose statements of this chapter.
B. The plan and report meet the requirements of the Public Works Stormwater and Grading Design Standards adopted by resolution under OCMC 13.12.020.
C. The storm drainage design within the proposed development includes provisions to adequately control runoff from all public and private streets and roof, footing, and area drains and ensures future extension of the current drainage system.
D. Streambank erosion protection is provided where stormwater, directly or indirectly, discharges to open channels or streams.
E. Specific operation and maintenance measures are proposed that ensure that the proposed stormwater quantity control facilities will be properly operated and maintained.
Finding: Complies as conditioned. Construction activities are not proposed so the application package did not include a preliminary stormwater report and stormwater plan sheet, prepared by a professional, licensed civil engineer. Detailed Development Plans (DDPs) within the master plan area shall provide engineered drainage plan(s), drainage report(s), and design flow calculation report(s) stamped and signed by a licensed engineer addressing all items from Section 9 of the Public Works Stormwater and Grading Design Standards. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

13.12.100 - Alternative materials, alternative design and methods of construction.
The provisions of this chapter are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this chapter or the Public Works Stormwater and Grading Design Standards, provided any alternate has been approved and its use authorized by the City Engineer. The City Engineer may approve any such alternate, provided that the City Engineer finds that the proposed design is satisfactory and complies with the intent of this chapter and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed by this chapter in effectiveness, suitability, strength, durability and safety. The City Engineer shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the City files.
Finding: Not Applicable. The applicant has not proposed alternative design methods requiring special approval by the City Engineer. However, should the applicant propose such methods with the public facilities construction plan submittal, the proposal will be reviewed and approved by the City Engineer as required.

13.12.110 - Transfer of engineering responsibility.
Project drainage plans shall always have a project engineer. If the project engineer is changed during the course of the work, the City shall be notified in writing and the work shall be stopped until the replacement engineer has agreed to accept the responsibilities of the project engineer. The new project engineer shall provide written notice of accepting project responsibility to the City within seventy-two hours of accepting the position as project engineer.
Finding: Complies as conditioned. The developer is required to execute a "Developer/Engineer Agreement for Public Works Improvements" per section 16.12.014.

13.12.120 - Standard construction specifications.
The workmanship and materials shall be in accordance with the current edition of the "Standard Specifications for Public Works Construction," as prepared by the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the City, in effect at the time of application. The exception to this requirement is where this chapter and the Public Works Stormwater and Grading Design Standards provide other design details, in which case the requirements of this chapter and the Public Works Stormwater and Grading Design Standards shall be complied with.
Finding: Not applicable. Construction or associated permits are not pursued with this application. Subsequent DDPs which propose and require construction permits will be subject to this code section.

13.12.140 - Maintenance of public stormwater facilities.
A. A stormwater facility that receives stormwater runoff from a public right-of-way shall be a public facility. Upon expiration of the warranty period and acceptance by the City as described below, the City shall be responsible for maintenance of those public stormwater facilities. Access for maintenance of the stormwater facilities shall be provided to the City through the granting of a stormwater easement or other means acceptable to the City.
Finding: Not applicable. The applicant has not proposed public stormwater facilities. Maintenance of public stormwater facilities will depend on what each individual Detailed Development Plan (DDP) within the master plan proposes regarding stormwater management.

B. Responsibility for maintenance of stormwater facilities including all landscaping, irrigation systems, structures and appurtenances shall remain with the property owner/developer for two years (known as the warranty period). The owner/developer shall provide the City a separate two-year landscaping maintenance surety bond for one hundred ten percent of the landscaping cost. Transfer of maintenance of stormwater conveyance systems shall occur when the City accepts the stormwater conveyance system.
Finding: Not applicable. The applicant has not proposed public stormwater facilities. Maintenance of public stormwater facilities will depend on what each individual Detailed Development Plan (DDP) within the master plan proposes regarding stormwater management.

13.12.145 - Maintenance of private stormwater facilities.
A. An applicant shall submit an operation and maintenance plan for each proposed stormwater facilities, unless exempted in the Public Works Stormwater and Grading Design Standards. The information in the operation and maintenance plan shall satisfy the requirements of the Public Works Stormwater and Grading Design Standards.
B. Private owners are required to inspect and maintain stormwater facilities on their property in accordance with an approved operation and maintenance plan. A maintenance log is required to document facility inspections and specific maintenance activities. The log shall be available to City inspection staff upon request.
C. Failure to operate or maintain a stormwater facility according to the operation and maintenance plan may result in an enforcement action under Section 13.12.150.
Finding: Not applicable. The applicant has not proposed stormwater facilities. Maintenance of public stormwater facilities will depend on what each individual Detailed Development Plan (DDP) within the master plan proposes regarding stormwater management.

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

such permit, and cannot get corrections made, the City will bring such conditions to the attention of the appropriate DEQ representatives.
Finding: Complies as conditioned. The development site exceeds 1.0 acre in disturbed area. The developer for future DDPs shall obtain a 1200-C (NPDES) permit from Oregon Department of Environmental Quality (DEQ) for construction activities one acre or greater prior to receiving any city permits for construction. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

B. Projects may require Oregon State Division of State Lands (DSL) and/or United States Army Corps of Engineers (USACE) permits. If such permits are required, no permission to construct will be granted until such a time as a copy of such permit is on file with the City or notice is received from those agencies that a permit is not required. DSL/USACE is responsible for enforcing its own permits; however, if City personnel observe conditions that are believed to be in violation of any such permit, and cannot get corrections made, the City will bring such conditions to the attention of the appropriate DSL/USACE representatives.
Finding: Complies as conditioned. If construction activities are proposed within the jurisdiction of Oregon State Division of State Lands (DSL) and/or United States Army Corps of Engineers (USACE), the developer shall obtain permits from those government agencies. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

C. Projects may require Oregon State Department of Fish and Wildlife (ODFW) permits. When ODFW permits are required, no work will be authorized until the receipt of a copy of the ODFW permit. ODFW is responsible for policing its own permits; however, if City personnel observe conditions that are believed to be in violation of any such permit, and cannot get corrections made, the City will bring such conditions to the attention of the appropriate ODFW representatives.
Finding: Complies as conditioned. If construction activities are proposed within the jurisdiction of Oregon State Department of Fish and Wildlife (ODFW), the developer shall obtain permits from those government agencies. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the**

<u>CHAPTER 15.48 – GRADING, FILLING AND EXCAVATING</u>

15.48.030 Applicability—Grading permit required.
A. A city-issued grading permit shall be required before the commencement of any of the following filling or grading activities:
1. Grading activities in excess of ten cubic yards of earth;
2. Grading activities which may result in the diversion of existing drainage courses, both natural and man-made, from their natural point of entry or exit from the grading site;
3. Grading and paving activities resulting in the creation of impervious surfaces greater than two thousand square feet or more in area;
4. Any excavation beyond the limits of a basement or footing excavation, having an unsupported soil height greater than five feet after the completion of such a structure; or
5. Grading activities involving the clearing or disturbance of one-half acres (twenty-one thousand seven hundred eighty square feet) or more of land.
B. Those fill and grading activities proposed to be undertaken in conjunction with a land use application, including but not limited to subdivisions, planned unit developments, partitions and site plan reviews, are subject to the standards of this chapter. However, a separate grading permit is not required. Approval of the

construction plans submitted through the land use application process shall constitute the grading permit required under this chapter.
Finding: Not applicable. No grading activity is proposed or required. Fill and grading activities will need to be proposed in conjunction with subsequent DDP. The entirety of this chapter is not applicable at this time.

15.48.040 - Grading permit exemptions.
The following filling and grading activities shall not require the issuance of a grading permit:
A. Excavation for utilities, or for wells or tunnels allowed under separate permit by other governmental agencies;
B. An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. The placement of any fill material removed from such an excavation requires a grading permit if:
1. It exceeds fifty cubic yards,
2. More than ten cubic yards are removed from the site, or
3. The fill is placed on the site to a depth greater than one foot;
C. Farming practices as defined in ORS 30.930 and farm uses as defined in ORS 215.203, except that buildings associated with farm practices and farm uses are subject to the requirements of this chapter;
D. Excavation for cemetery graves;
E. Sandbagging, diking, ditching, filling or similar work when done to protect life or property during an emergency;
F. Repaving of existing paved surfaces that does not alter existing drainage patterns;
G. Maintenance work on public roads performed under the direction of the city, Clackamas County or Oregon State Department of Transportation personnel.
Finding: Not Applicable. The application does not qualify for an exemption.

15.48.090 Submittal requirements.
An engineered grading plan or an abbreviated grading plan shall be prepared in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards whenever a city approved grading permit is required. In addition, a geotechnical engineering report and/or residential lot grading plan may be required pursuant to the criteria listed below.
A. Abbreviated Grading Plan. The city shall allow the applicant to submit an abbreviated grading plan in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards if the following criteria are met:
1. No portion of the proposed site is within the flood management area overlay district pursuant to Chapter 17.42, the unstable soils and hillside constraints overlay district pursuant to Chapter 17.44, or a water quality resource area pursuant to Chapter 17.49; and

CHAPTER 16.12 – MINIMUM PUBLIC IMPROVEMENTS AND DESIGN STANDARDS FOR DEVELOPMENT

16.12.011 - Applicability.
A. Compliance with this chapter is required for all development including land divisions, site plan and design review, master plan, detailed development plan and conditional use applications and all public improvements that are required in conjunction with a land use decision.
B. Compliance with this chapter is also required for new construction or additions which exceed fifty percent of the existing square footage of all 3-4 plexes, single and two-family dwellings living space. Garages, carports, sheds, and porches may not be included in the calculation if these spaces are not living spaces. Accessory dwelling units are not subject to compliance with this chapter. All applicable 3-4 plexes, single and two - family dwellings shall provide any necessary dedications, easements or agreements as identified in the

transportation system plan and this chapter, subject to constitutional limitations. In addition, the street frontage shall be improved to include the following priorities for improvements:

1. Improve street pavement, construct curbs, gutters, sidewalks and planter strips; and

2. Plant street trees.

The cost of compliance with the standards identified in 16.12.011.B.1 and 16.12.011.B.2 is calculated based on the square footage valuation from the State of Oregon Building Codes Division and limited to ten percent of the total construction costs. The value of the alterations and improvements is based on the total construction costs for a complete project rather than costs of various project component parts subject to individual building permits. The entire proposed construction project cost includes engineering and consulting fees and construction costs. It does not include permit fees, recording fees, or any work associated with drafting or recording dedications or easements.

C. Exemptions. The following are exempt from review by this chapter unless public improvements, driveways, PUEs, or other items regulated by this chapter are proposed.

1. Minor Site Plan and Design Review applications

2. Work within the right-of-way

3. Lot Line Adjustments and Abandonments

4. Public capital improvement projects

Finding: Applicable. The application is a master plan development; therefore, the development shall follow the standards set forth in OCMC 16.12.

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

The City has jurisdiction and exercises regulatory management over all public rights-of-way as defined and outlined within 12.04 of the Oregon City Municipal Code.

Finding: Applicable. The city has exercised its regulatory management authority by providing findings within this staff report with conditions to be met by the applicant prior to working within all public rights-of-way.

16.12.013 - Modifications.

The applicant may request and the review body may consider modification of the standards in this chapter resulting from constitutional limitations restricting the City's ability to require the dedication of property or for any other reason, based upon the criteria listed below and other criteria identified in the standard to be modified. All modifications, except for adjustments approved by the City Engineer for tree preservation purposes pursuant to 16.12.013.A, shall be processed through a Type II Land Use application and may require additional evidence from a transportation engineer or others to verify compliance. Compliance with the following criteria is required:

A. Compliance with the following criteria is required:

1. The modification meets the intent of the standard;

Finding: Not Applicable. No modification has been requested.

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

Finding: Not Applicable. No modification has been requested.

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

Finding: Not Applicable. No modification has been requested.

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

Finding: Not Applicable. No modification has been requested.

5. *If a modification is requested for constitutional reasons, the applicant shall demonstrate the constitutional provision or provisions to be avoided by the modification and propose a modification that complies with the state or federal constitution. The City shall be under no obligation to grant a modification in excess of that which is necessary to meet its constitutional obligations.*

Finding: Not Applicable. No modification has been requested.

B. The following modifications shall be processed as a Type I modification by the City Engineer using the criteria in 16.12.13.A.

1. Modifications to driveway location, size, and sharing standards in 16.12.035

2. Modifications to sidewalk and planter strips widths and location in 16.12.016 that preserve existing street trees or trees on private property to ensure compliance with ADA standards.

16.12.014 - Administrative provisions.

An applicant shall submit the following items to the City and complete the following tasks prior to proceeding with construction of proposed development plans. These items include the following:

A. Pre-Design Meeting;
B. Final Engineering Plans, Stamped and Signed by an Oregon Licensed Professional Engineer;
C. Stormwater Report, Stamped and Signed by an Oregon Licensed Professional Engineer;
D. Geotechnical Report, Stamped and Signed by an Oregon Licensed Professional Engineer (if applicable);
E. Engineer's Preliminary and Final Cost Estimates (also may be known as engineer's opinion of probable construction cost);
F. Plan Check and Inspection Fees (as set by City resolution);
G. Certificate of Liability Insurance for City funded public projects contracted by the City (not less than one million dollars single incident and two million dollars aggregate);
H. Preconstruction Meeting;
I. Financial Guarantee(s) per OCMC 17.50.140;
J. Applicable Approvals/Permits from other agencies or entities;
K. Developer/Engineer Agreement for public works improvements.

An applicant shall submit the following additional items to the City and complete the following tasks prior to completing construction of proposed development plans. These items include the following:

L. Project Engineer's Certificate of Completion;
M. Stormwater Operation and Maintenance Easement (if applicable);
N. Deed of Dedication (Bargain and Sale Deed);
O. Recorded Plat and/or Easements (if applicable);
P. Recorded Non-Remonstrance Covenant Agreement;
Q. Land Division Compliance Agreement (if applicable);
R. Permanent Stabilization and/or Restoration of the impact from the development;
S. Fulfillment of all Conditions of Approval;
T. Payment of all Outstanding Fees;
U. Maintenance Guarantee(s). per OCMC 17.50.141;
V. Indemnity Agreement (if applicable);
W. Completed Punchlist;
X. As-Built Drawings;

Details on individual items required by this subsection can be obtained by contacting Public Works. Many items, such as the engineer's cost estimate and plan check and inspection fee, maybe be submitted in conjunction

with documentation for other infrastructure improvements that are done with the development (such as street, sanitary sewer, and water).
Finding: Complies as conditioned. Each individual phase of the master plan shall submit or address all items in section 16.12.014 of the Oregon City Municipal Code based on the timing requirements contained therein and as deemed applicable by the City.
Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

16.12.015 - Street design—Generally.
Development shall be required to provide existing or future connections to adjacent sites through the use of vehicular and pedestrian access easements where applicable. Development shall provide any necessary dedications, easements or agreements as identified in the Transportation System Plan, Trails Master Plan, and/or Parks and Recreation Master Plan and this chapter, subject to constitutional limitations. The location, width and grade of street shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and pedestrian/bicycle accessways, overlay districts, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. To the extent possible, proposed streets shall connect to all existing or approved stub streets that abut the development site. The arrangement of streets shall either:
A. Provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels or conform to a plan for the area approved or adopted by the City to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical;
B. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of the development and the resulting dead-end street (stub) may be approved with a temporary turnaround as approved by the City Engineer. Notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future. Access control in accordance with OCMC 16.12.017 shall be required to preserve the objectives of street extensions.
C. Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit facilities shall be provided and be consistent with the City's Transportation System Plan. Consideration shall be given to the need for street widening and other improvements in the area of the proposed development impacted by traffic generated by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, street drainage facilities and other facilities needed because of anticipated vehicular and pedestrian traffic generation.
Finding: Complies as conditioned. The development is adjacent to several city Transportation System Plan projects and must fulfil the following projects. The development is also adjacent to Regional Trail R1 identified in the Oregon City Trails Master Plan. Project C1 of the Transportation System Plan (TSP) shall be completed with completion of the RV Park located on the south side of Main Street. TSP projects S1 and W2 shall be completed when the master plan completes more than 75% of the master plan.

S1 – Shared-Use Path (this path will fulfill a portion of Regional Trail R1): Add a 10-foot-wide (or wider) shared-use path on the north side of the Main Street which connects to the pedestrian path for the park.
W2 – Main Street Sidewalk Infill. (A shared-use path added per project S1 may fulfill a portion of this): Construction sidewalk along the frontage of the development properties (along Main Street and Clackamette Drive).

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

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

16.12.016 - Street design.
All development regulated by this chapter shall provide street improvements in compliance with the standards in Table 16.12.016 depending on the street classification set forth in the Transportation System Plan and the Comprehensive Plan designation of the adjacent property, unless an alternative plan has been adopted. The table implements the adopted Transportation System Plan and illustrates the maximum design standards. These standards may be reduced with an alternative street design which may be approved based on the modification criteria in OCMC 16.12.013. The steps for reducing the street design are found in the Transportation System Plan.

Table 16.12.016 Street Design
Table 16.12.016 Street Design. To read the table select the road classification as identified in the Transportation System Plan and the Comprehensive Plan designation of the adjacent properties to find the maximum design standards for the road cross section. If the Comprehensive Plan designation for lands on either side of the street differs, the wider right-of-way standard shall apply.

Road Classification	Comprehensive Plan Designation	Right-of-Way Width	Pavement Width	Public Access	Sidewalk	Landscape Strip	Bike Lane	Street Parking	Travel Lanes	Median
Major Arterial	Mixed Use, Commercial or Public/Quasi Public	116 ft.	94 ft.	0.5 ft.	10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells		6 ft.	8 ft.	(5) 12 ft. Lanes	6 ft.
	Industrial	120 ft.	88 ft.	0.5 ft.	5 ft.	10.5 ft.	6 ft.	N/A	(5) 14 ft. Lanes	6 ft.
	Residential	126 ft.	94 ft.	0.5 ft.	5 ft.	10.5 ft.	6 ft.	8 ft.	(5) 12 ft. Lanes	6 ft.

Road Classification	Comprehensive Plan Designation	Right-of-Way Width	Pavement Width	Public Access	Sidewalk	Landscape Strip	Bike Lane	Street Parking	Travel Lanes	Median
Minor Arterial	Mixed Use, Commercial or Public/Quasi Public	116 ft.	94 ft.	0.5 ft.	10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells		6 ft.	8 ft.	(5) 12 ft. Lanes	6 ft.

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

Road Classification	*Comprehensive Plan Designation*	*Right-of-Way Width*	*Pavement Width*	*Public Access*	*Sidewalk*	*Landscape Strip*	*Bike Lane*	*Street Parking*	*Travel Lanes*	*Median*
Collector	*Mixed Use, Commercial or Public/Quasi Public*	*86 ft.*	*64 ft.*	*0.5 ft.*	*10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells*		*6 ft.*	*8 ft.*	*(3) 12 ft. Lanes*	*N/A*
	Industrial	*88 ft.*	*62 ft.*	*0.5 ft.*	*5 ft.*	*7.5 ft.*	*6 ft.*	*7 ft.*	*(3) 12 ft. Lanes*	*N/A*
	Residential	*85 ft.*	*59 ft.*	*0.5 ft.*	*5 ft.*	*7.5 ft.*	*6 ft.*	*7 ft.*	*(3) 11 ft. Lanes*	*N/A*

Road Classification	*Comprehensive Plan Designation*	*Right-of-Way Width*	*Pavement Width*	*Public Access*	*Sidewalk*	*Landscape Strip*	*Bike Lane*	*Street Parking*	*Travel Lanes*	*Median*
Local	*Mixed Use, Commercial or Public/Quasi Public*	*62 ft.*	*40 ft.*	*0.5 ft.*	*10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells*		*N/A*	*8 ft.*	*(2) 12 ft. Lanes*	*N/A*
	Industrial	*60 ft.*	*38 ft.*	*0.5 ft.*	*5 ft.*	*5.5 ft.*	*(2) 19 ft. Shared Space*			*N/A*
	Residential	*54 ft.*	*32 ft.*	*0.5 ft.*	*5 ft.*	*5.5 ft.*	*(2) 16 ft. Shared Space*			*N/A*

1. Pavement width includes, bike lane, street parking, travel lanes and median.
2. Public access, sidewalks, landscape strips, bike lanes and on-street parking are required on both sides of the street in all designations. The right-of-way width and pavement widths identified above include the total street section.
3. A 0.5 foot curb is included in landscape strip or sidewalk width.
4. Travel lanes may be through lanes or turn lanes.
5. The 0.5 foot public access provides access to adjacent public improvements.
6. Alleys shall have a minimum right-of-way width of twenty feet and a minimum pavement width of sixteen feet. If alleys are provided, garage access shall be provided from the alley.
7. A raised concrete median or landscape median shall be utilized for roads identified to have access restrictions.

8. A public utility easement (PUE) shall be provided on both sides of the right-of-way or public access easement on private property as identified in 16.12.85.
Finding: Complies as conditioned. Roads along the frontage of the development are improved to city requirements (automobile travel lanes and bike lanes are present) but there are gaps in sidewalk along the frontage of the development. Main Street and Clackamette Drive are functionally classified as "Collector" roads and the development property is zoned "Mixed Use or Institutional". Construction of sidewalk gaps can be fulfilled by meeting requirements stated in findings from 16.12.015. Zoning designation of the development property requires placement of street trees in 5'x5' but this may not be viable due to site topography along the existing roadway. Street trees shall be placed in 5'x5' tree wells or in other acceptable locations, as prescribed by OCMC 12.08. Tree wells, if utilized, shall not encroach into the 10-foot-wide pedestrian path required along the frontage of the development. The Detailed Development Plan (DDP) proposed with this master plan shall provide 10-foot-wide sidewalk with 5'x5' tree wells along the west side of Clackamette Drive or provide an ADA compliant 10-foot-wide (or wider) shared use path which provides pedestrian connectivity between Main Street and Clackamette Drive (this path will also fulfill Regional Trail R1).
Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

A. Sidewalks. The applicant shall provide for sidewalks on both sides of all public streets, on any private street if so required by the decision-maker, and in any special pedestrian way within the development. Both sidewalks and curbs are to be constructed to City standards and at widths set forth above, and according to plans and specifications provided by the City Engineer. Exceptions to this requirement may be allowed in order to accommodate topography, trees or some similar site constraint. In the case of major or minor arterials, the decision-maker may approve a development without sidewalks where sidewalks are found to be dangerous or otherwise impractical to construct or are not reasonably related to the applicant's development. The decision-maker may require the applicant to provide sidewalks concurrent with the issuance of the initial building permit within the area that is the subject of the development application. Applicants for partitions may be allowed to meet this requirement by providing the City with a financial guarantee per OCMC 16.12.110.
Finding: See findings from 16.12.016 regarding required sidewalks.

B. Pedestrian and Bicycle Accessways Routes. If deemed appropriate to extend pedestrian and bicycle routes, existing or planned, the decision-maker may require the installation of separate pedestrian and bicycle facilities.
Finding: See findings from 16.12.016 regarding required Pedestrian and Bicycle Accessways Routes.

C. Street Name Signs and Traffic Control Devices. The applicant shall install street signs and traffic control devices as directed by the City Engineer. Street name signs and traffic control devices shall be in conformance with all applicable City regulations and standards.
Finding: See findings from 16.12.015 regarding required traffic control devices.

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

E. Any new street proposed with a pavement width of less than thirty-two feet shall be processed through OCMC 16.12.013 and meet minimum life safety requirements, which may include fire suppression devices as determined by the Fire Marshall to assure an adequate level of fire and life safety. The modified street shall have no less than a twenty-foot wide unobstructed travel lane.
Finding: Not Applicable. A new street with a pavement width of less than thirty-two feet has not been proposed.

F. All development shall include vegetated planter strips that are five feet in width or larger and located between the sidewalk and curb unless otherwise approved pursuant to this chapter. All development shall utilize the vegetated planter strip for the placement of street trees or place street trees in other acceptable locations, as prescribed by OCMC 12.08. Development proposed along a collector, minor arterial, or major arterial roads may place street trees within tree wells within a wider sidewalk in lieu of a planter strip. In addition to street trees per OCMC 12.08, vegetated planter strips shall include ground cover and/or shrubs spaced four feet apart and appropriate for the location. No invasive or nuisance plant species shall be permitted.
Finding: See section 12.08 regarding placement of street trees.

G. Vehicle and pedestrian access easements may serve in lieu of streets when approved by the decision maker and only where dedication of a street is deemed impracticable.
Finding: Not Applicable. The decision maker has not approved access easements in lieu of streets nor has dedication of a street been deemed impracticable.

H. Vehicular and pedestrian easements shall allow for public access and shall comply with all applicable pedestrian access requirements.
Finding: Not Applicable. No vehicular or pedestrian easements are proposed.

16.12.017 - Street design—Access control.
A. A street which is dedicated to end at the boundary of the development or in the case of half-streets dedicated along a boundary shall have an access control granted to the City as a City controlled plat restriction for the purposes of controlling ingress and egress to the property adjacent to the end of the dedicated street. The access control restriction shall exist until such time as a public street is created, by dedication and accepted, extending the street to the adjacent property.
Finding: Not Applicable. No new streets with access control are required.

B. The City may grant a permit for the adjoining owner to access through the access control.
Finding: Not Applicable. No new streets with an access control are required.

C. The plat shall contain the following access control language or similar on the face of the map at the end of each street for which access control is required: "Access Control (See plat restrictions)."
Finding: Not Applicable. No new streets with access control are required.

D. Said plats shall also contain the following plat restriction note(s): "Access to (name of street or tract) from adjoining tracts (name of deed document number[s]) shall be controlled by the City of Oregon City by the recording of this plat, as shown. These access controls shall be automatically terminated upon the acceptance of a public road dedication or the recording of a plat extending the street to adjacent property that would access through those Access Controls."
Finding: Not Applicable. No new streets with access control are required.

16.12.018 - Street design—Alignment.
The centerline of streets shall be:
A. Aligned with existing streets by continuation of the centerlines; or
B. Offset from the centerline by no more than five feet, provided appropriate mitigation, in the judgment of the City Engineer, is provided to ensure that the offset intersection will not pose a safety hazard.
C. Driveways that are at least twenty-four feet wide shall align with existing or planned streets on adjacent sites.
Finding: Complies as Proposed. The proposed street alignments conceptually meet the City requirements.

16.12.019 - Traffic sight obstructions.
All new streets shall comply with the Traffic Sight Obstructions in Chapter 10.32.
Finding: Not applicable. No new streets are proposed.

16.12.020 - Street design—Intersection angles.
Except where topography requires a lesser angle, streets shall be laid out to intersect at angles as near as possible to right angles. In no case shall the acute angles be less than eighty degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least one hundred feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least fifty feet of tangent adjacent to the intersection unless topography requires a lesser distance. All street intersections shall be provided with a minimum curb return radius of twenty-five feet for local streets. Larger radii shall be required for higher street classifications as determined by the City Engineer. Additional right-of-way shall be required to accommodate curb returns and sidewalks at intersections. Ordinarily, intersections should not have more than two streets at any one point.
Finding: Not Applicable. No new intersections are being created and existing intersections meet city standards.

16.12.021 - Street design—Grades and curves.
Grades and center line radii shall conform to standards approved by the City Engineer.
Finding: Complies as Proposed. Applicant acknowledges streets will be designed per this standard.

16.12.022 - Street design—Development abutting arterial or collector street.
Where development abuts or contains an existing or proposed arterial or collector street, the decision maker may require: access control; screen planting or wall contained in an easement or otherwise protected by a restrictive covenant in a form acceptable to the decision maker along the rear or side property line; or such other treatment it deems necessary to adequately protect residential properties or afford separation of through and local traffic. Reverse frontage lots with suitable depth may also be considered an option for residential property that has arterial frontage. Where access for development abuts and connects for vehicular access to another jurisdiction's facility then authorization by that jurisdiction may be required.
Finding: Not Applicable. The development does not abut or create an arterial or collector street.

16.12.023 - Street design—Pedestrian and bicycle safety.
Where deemed necessary to ensure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, the decision maker may require that local streets be so designed as to discourage their use by nonlocal automobile traffic.
The City Engineer may require that crosswalks include a large vegetated or sidewalk area which extends into the street pavement as far as practicable to provide safer pedestrian crossing opportunities. These curb extensions can increase the visibility of pedestrians and provide a shorter crosswalk distance as well as encourage motorists to drive slower. The City Engineer may approve an alternative design that achieves the same standard for constrained sites.

Finding: Not Applicable. The development does not require a street design that discourages use by non-local traffic. The City Engineer has not required that crosswalks include a large vegetated or sidewalk area which extends into the street pavement as far as practicable to provide safer pedestrian crossing opportunities.

16.12.024 - Street design—Half street.
Half streets, while generally not acceptable, may be approved where essential to the development, when in conformance with all other applicable requirements, and where it will not create a safety hazard. When approving half streets, the decision maker shall first determine that it will be practical to require the dedication of the other half of the street when the adjoining property is divided or developed. Where the decision maker approves a half street, the applicant shall construct a half street with at least twenty feet of pavement width and provide signage prohibiting street parking so as to make the half street safe until such time as the other half is constructed. Whenever a half street is adjacent to property capable of being divided or developed, the other half of the street shall be provided and improved when that adjacent property divides or develops. Access control may be required to preserve the objectives of half streets.
When the remainder of an existing half-street improvement is completed it shall include the following items: dedication of required right-of-way, construction of the remaining portion of the street including pavement, curb and gutter, landscape strip, sidewalk, street trees, lighting and other improvements as required for that particular street. It shall also include at a minimum the pavement replacement to the centerline of the street. Any damage to the existing street shall be repaired in accordance with the City's "Pavement Cut Standards" or as approved by the City Engineer.
Finding: Not Applicable. This application does not propose any half streets.

16.12.025 - Street design—Cul-de-sacs and dead-end streets.
The City discourages the use of cul-de-sacs and permanent dead-end streets except where construction of a through street is found by the decision maker to be impracticable due to topography or some significant physical constraint such as geologic hazards, wetland, natural or historic resource areas, pre-existing dedicated open space, pre-existing development patterns, arterial access restrictions or similar situation as determined by the decision maker. This section is not intended to preclude the use of curvilinear eyebrow widening of a street where needed.
A. When permitted, access from new cul-de-sacs and permanent dead-end streets shall be limited to a maximum of twenty-five dwelling units.
Finding: Not Applicable. No cul-de-sacs or dead-end streets are proposed or required for this development.

B. Cul-de-sacs and permanent dead-end streets shall include pedestrian/bicycle accessways to meet minimum block width standards as prescribed in OCMC 16.12.030.
Finding: Not Applicable. No cul-de-sacs or dead-end streets are proposed or required for this development.

C. Cul-de-sacs shall have sufficient radius to provide adequate turn-around for emergency vehicles in accordance with fire district and City adopted street standards.
Finding: Not Applicable. No cul-de-sacs or dead-end streets are proposed or required for this development.

D. Permanent dead-end streets shall provide public street right-of-way/easements sufficient to provide a sufficient amount of turn-around space complete with appropriate no-parking signs or markings to accommodate waste disposal, sweepers, emergency and other long vehicles in the form of a hammerhead or other design to be approved by the decision maker.
Finding: Not Applicable. No cul-de-sacs or dead-end streets are proposed or required for this development.

E. In the case of dead-end stub streets that will connect to streets on adjacent sites in the future, notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future. A dead-end street shall include signage or barricade meeting Manual on Uniform Traffic Control Devices (MUTCD).
Finding: Not Applicable. No cul-de-sacs or dead-end streets are proposed or required for this development.

16.12.026 - Street design—Alleys.
Alleys with public access easements on private property shall be provided in the Park Place and South End concept plan areas for the following districts R-5, R-3.5, R-2, MUC-1, MUC-2 and NC zones unless other permanent provisions for private access to off-street parking and loading facilities are approved by the decision maker. All alleys intended to provide access for emergency vehicles shall be a minimum width of twenty feet. The corners of alley intersections shall have a radius of not less than ten feet and shall conform to standards approved by the City Engineer. Access easements and maintenance agreements shall be recorded on affected properties.
Finding: Not Applicable. Alleys are not proposed or required for this development.

16.12.027 - Street design—Off-site street improvements.
During consideration of the preliminary plan for a development, the decision maker shall determine whether existing streets impacted by, adjacent to, or abutting the development meet the applicable design or dimensional requirements. Where such streets fail to meet these requirements, the decision-maker shall require the applicant to make proportional improvements sufficient to achieve conformance with minimum applicable design standards required to serve the proposed development.
Finding: Not Applicable. Off-site street improvements are not proposed or required for this development.

16.12.028 - Street design—Transit.
Streets shall be designed and laid out in a manner that promotes pedestrian and bicycle circulation. The applicant shall coordinate with transit agencies where the application impacts transit streets as identified in OCMC 17.04.1310. Pedestrian/bicycle access ways shall be provided as necessary to minimize the travel distance to transit streets and stops and neighborhood activity centers. The decision maker may require provisions, including easements, for transit facilities along transit streets where a need for bus stops, bus pullouts or other transit facilities within or adjacent to the development has been identified.
Finding: Complies as Proposed. No new streets are required or proposed and the existing streets adjacent to the development are laid out in a manner that promotes pedestrian and bicycle circulation.

16.12.029 - Excavations—Restoration of pavement.
Whenever any excavation shall have been made in any pavement or other street improvement on any street or alley in the City for any purpose whatsoever under the permit granted by the engineer, it shall be the duty of the person making the excavation to restore the pavement in accordance with the City of Oregon City Public Works Pavement Cut Standards in effect at the time the permit is granted. The City Commission may adopt and modify the City of Oregon City Public Works Pavement Cut Standards by resolution as necessary to implement the requirements of this chapter.
Finding: Not applicable. Excavation or pavement cuts are not proposed with the masterplan. Subsequent DDPs will be subject to this code section if excavation or pavement cuts are proposed within existing or future streets.

16.12.030 - Blocks—Width.
The width of blocks shall ordinarily be sufficient to allow for two tiers of lots with depths consistent with the type of land use proposed. The length, width and shape of blocks shall take into account the need for adequate

building site size, convenient motor vehicle, pedestrian, bicycle and transit access, control of traffic circulation, and limitations imposed by topography and other natural features.
All new streets shall be designed as local streets unless otherwise designated as arterials and collectors in the current adopted Transportation System Plan. The maximum block spacing between streets is 530 feet and the minimum block spacing between streets is 150 feet as measured between the right-of-way centerlines except in zones GI, CI, MUE, I, and WFDD where determining the appropriate street spacing will be determined by the City Engineer. If the maximum block size is exceeded, pedestrian accessways shall be provided every 330 feet. The spacing standards within this section do not apply to alleys.
Finding: Not applicable. The development property is a park and it is bordered by rivers on all but one side. Any through connection created by a street will provide connectivity between adjacent properties.

16.12.031 - Street design—Street names.
Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names shall conform to the established standards in the City and shall be subject to the approval of the City.
Finding: Not applicable. No new street is required or proposed.

16.12.032 – Public off-street pedestrian and bicycle accessways.
Pedestrian/bicycle accessways are intended to provide direct, safe and convenient connections between residential areas, retail and office areas, institutional facilities, industrial parks, transit streets, neighborhood activity centers, rights-of-way, and pedestrian/bicycle accessways which minimize out-of-direction travel, and transit-orientated developments where public street connections for automobiles, bicycles and pedestrians are unavailable. Pedestrian/bicycle accessways are appropriate in areas where public street options are unavailable, impractical or inappropriate. Pedestrian and bicycle accessways are required through private property or as right-of-way connecting development to the right-of-way at intervals not exceeding 330 feet of frontage; or where the lack of street continuity creates inconvenient or out of direction travel patterns for local pedestrian or bicycle trips.
Finding: See findings from 16.12.015 & 16.12.015 regarding off-street pedestrian and bicycle accessways.

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

B. Accessways shall be free of horizontal obstructions and have a nine foot six inch high vertical clearance to accommodate bicyclists. To safely accommodate both pedestrians and bicycles, accessway right-of-way widths shall be as follows:
1. Accessways shall have a fifteen- foot wide right-of-way with a seven-foot wide paved surface with a minimum four-foot planter strip on either side.
2. If an accessway also provides secondary fire access, the right-of-way width shall be at least twenty- four feet wide with a - sixteen foot paved surface between four-foot planter strips on either side.
Finding: Complies as conditioned. The width of the accessways will be dictated by the requirements of the TSP and the Oregon City Trails Master Plan for Regional Trail. Accessways (sidewalks & shared-use paths relating to TSP S1 & W2) shall be free of horizontal obstructions and have a nine foot six inch high vertical clearance to accommodate bicyclists. See 16.12.015 & 16.12.015 for other dimensional requirements for the accessway. **Staff**

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

C. Accessways shall be direct with at least one end point of the accessway always visible from any point along the accessway. On-street parking shall be prohibited within fifteen feet of the intersection of the accessway with public streets to preserve safe sight distance and promote safety.
Finding: Not applicable. The accessway may be located within an area with large trees and vegetation which could obstruct visibility of the accessway from end points.

D. To enhance pedestrian and bicycle safety, accessways shall be lighted with pedestrian-scale lighting. Accessway lighting shall be to a minimum level of one-half-foot-candles, a one and one-half foot-candle average, and a maximum to minimum ratio of seven-to-one and shall be oriented not to shine upon adjacent properties. Street lighting shall be provided at both entrances.
Finding: Complies as conditioned. Accessway (sidewalks & shared-use paths relating to TSP S1 & W2) lighting shall be a minimum level of one-half-foot-candles, a one and one-half foot-candle average, and a maximum to minimum ratio of seven-to-one and shall be oriented not to shine upon adjacent properties. Street lighting shall be provided at both entrances. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

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

F. The planter strips on either side of the accessway shall be landscaped along adjacent property by installation of the following:
1. Either an evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than four feet apart on average; and
2. Ground cover covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and
3. A two-inch minimum caliper tree for every thirty-five -feet along the accessway. Trees may be planted on either side of the accessway, provided they are spaced no more than thirty-five feet apart; and
4. In satisfying the requirements of this section, evergreen plant materials that grow over forty-two inches in height shall be avoided. All plant materials shall be selected from the Oregon City Native Plant List.
Finding: Not applicable. The development is a park property and will have vegetation throughout the site.

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

H. Accessway surfaces shall be paved with all-weather materials as approved by the City. Pervious materials are encouraged. Accessway surfaces shall be designed to drain stormwater runoff to the side or sides of the accessway. Minimum cross slope shall be two percent.

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

I. In parks, greenways or other natural resource areas, accessways may be approved with a five-foot wide gravel path with wooden, brick or concrete edgings.
Finding: Not Applicable. The path must be ADA compliant.

J. The decision maker may approve an alternative accessway design due to existing site constraints through the modification process set forth in OCMC 16.12.013.
Finding: Not Applicable. No alternative design has been proposed for pedestrian and bicycle accessways.

K. Ownership, liability and maintenance of accessways. To ensure that all pedestrian/bicycle accessways will be adequately maintained over time, the City Engineer shall require one of the following:
1. Dedicate the accessways to the public as public right-of-way prior to the final approval of the development; or
2. The developer incorporates the accessway into a recorded easement or tract that specifically requires the property owner and future property owners to provide for the ownership, liability and maintenance of the accessway.
Finding: Complies as conditioned. The applicant shall provide a covenant over the pedestrian and bicycle accessways which are not part of an existing or proposed public right-of-way and be responsible for the future maintenance and liability. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

16.12.033 - Mobility standards.
Development shall demonstrate compliance with intersection mobility standards. When evaluating the performance of the transportation system, the City of Oregon City requires all intersections, except for the facilities identified in subsection E below, to be maintained at or below the following mobility standards during the two-hour peak operating conditions. The first hour has the highest weekday traffic volumes and the second hour is the next highest hour before or after the first hour. Except as provided otherwise below, this may require the installation of mobility improvements as set forth in the Transportation System Plan (TSP) or as otherwise identified by the City Engineer.
A. For intersections within the regional center, the following mobility standards apply:
1. During the first hour, a maximum v/c ratio of 1.10 shall be maintained. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.
2. During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.
3. Intersections located on the Regional Center boundary shall be considered within the Regional Center.
B. For intersections outside of the Regional Center but designated on the Arterial and Throughway Network, as defined in the Regional Transportation Plan, the following mobility standards apply:
1. During the first hour, a maximum v/c ratio of 0.99 shall be maintained. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.
2. During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this

standard applies to movements on the major street. There is no performance standard for the minor street approaches.
C. For intersections outside the boundaries of the Regional Center and not designated on the Arterial and Throughway Network, as defined in the Regional Transportation Plan, the following mobility standards apply:
1. For signalized intersections:
a. During the first hour, LOS "D" or better will be required for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of the critical movements.
b. During the second hour, LOS "D" or better will be required for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of the critical movements.
2. For unsignalized intersections outside of the boundaries of the Regional Center:
a. For unsignalized intersections, during the peak hour, all movements serving more than twenty vehicles shall be maintained at LOS "E" or better. LOS "F" will be tolerated at movements serving no more than twenty vehicles during the peak hour.
D. For the intersection of OR 213 & Beavercreek Road, the following mobility standards apply:
1. During the first, second & third hours, a maximum v/c ratio of 1.00 shall be maintained. Calculation of the maximum v/c ratio will be based on an average annual weekday peak hour.
E. Until the City adopts new performance measures that identify alternative mobility targets, the City shall exempt proposed development that is permitted, either conditionally, outright, or through detailed development master plan approval, from compliance with the above-referenced mobility standards for the following state-owned facilities:
I-205/OR 99E Interchange
State intersections located within or on the Regional Center Boundaries
1. In the case of conceptual development approval for a master plan that impacts the above references intersections:
a. The form of mitigation will be determined at the time of the detailed development plan review for subsequent phases utilizing the Code in place at the time the detailed development plan is submitted; and
b. Only those trips approved by a detailed development plan review are vested.
2. Development which does not comply with the mobility standards for the intersections identified in OCMC 16.12.033 shall provide for the improvements identified in the Transportation System Plan (TSP) in an effort to improve intersection mobility as necessary to offset the impact caused by development. Where required by other provisions of the Code, the applicant shall provide a traffic impact study that includes an assessment of the development's impact on the intersections identified in this exemption and shall construct the intersection improvements listed in the TSP or required by the Code.
Finding: Complies as conditioned. The applicant seeks development approval for a master plan. Although the project does not directly front McLoughlin Boulevard, transportation activities at the park may impact McLoughlin Boulevard due to its close proximity to the McLoughlin Boulevard & Dunes Drive intersection. McLoughlin Boulevard is under the jurisdiction of the Oregon Department of Transportation. Detailed development plan (DDPs) associated with this master plan shall demonstrate compliance with intersection mobility standards per 16.12.033. If there are adverse impacts to the McLoughlin Boulevard & Dunes Drive intersection, future DDPs shall coordinate the Oregon Department of Transportation for a remedy.
Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

16.12.035 - Driveways.
A. All new development, redevelopment, and capital improvement projects shall meet the minimum driveway spacing standards identified in Table 16.12.035.A. Minor Site Plan and Design Review do not follow these standards unless a request is made to modify the driveway.

Table 16.12.035.A Minimum Driveway Spacing Standards		
Street Functional Classification	*Minimum Driveway Spacing Standards*	*Distance*
Major Arterial Streets	*Minimum distance from a street corner to a driveway and between driveways for all uses other than detached single and two-family dwellings*	*175 ft.*
Minor Arterial Streets	*Minimum distance from a street corner to a driveway and between driveways for all uses other than detached single and two-family dwellings*	*175 ft.*
Collector Streets	*Minimum distance from a street corner to a driveway and between driveways for all uses other than detached single and two-family dwellings*	*100 ft.*
Local Streets	*Minimum distance from a street corner to a driveway and between driveways*	*25 ft.*

The distance from a street corner to a driveway is measured along the right-of-way from the edge of the intersection (on the same side of the road) right-of-way to the nearest portion of the driveway and the distance between driveways is measured at the nearest portions of the driveway at the right-of-way.
Finding: Complies with Condition. There is an existing driveway on the property south of the proposed RV Park. This driveway is approximately 27 feet away from the shared property line. Driveways shall meet the minimum driveway spacing standards identified in Table 16.12.035.A (specifically for Collector Streets). **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

B. All detached single and two family dwellings shall have driveways which meet the minimum distance standards except when the lot size is smaller than the minimum distance required. When minimum distance cannot be met due to lot size or due to the location of an overlay district, the driveway shall be located as far away from the intersection as possible as approved by the City Engineer.
Finding: Not applicable. The development is not a single or two family residential development.

C. Nonresidential or multi-family residential use driveways that generate high traffic volumes as determined by a traffic analysis shall be treated as intersections and shall adhere to requirements of OCMC 16.12.020.
Finding: Not applicable. The driveway proposed will not generate high traffic volumes.

D. Only one driveway is allowed per street frontage classified as a local street and in no case shall more than two driveways (one per frontage) be allowed for any single family attached or detached residential property, duplex, 3- 4 plex, or property developed with an ADU or internal conversion with multiple frontages, unless otherwise approved by the City Engineer.
Finding: Complies as Proposed. The proposed development shows one driveway per lot frontage.

E. When a property fronts multiple roads, access shall be provided from and limited to the road with the lowest classification in the Transportation System Plan whenever possible to minimize points of access to arterials and collectors. Access shall not be provided on Arterial or Collector roads unless there is no other alternative. At the discretion of the City Engineer, properties fronting a collector or arterial road may be allowed a second driveway, for the creation of a circulation pattern that eliminates reverse maneuvers for vehicles exiting a property if applied for and granted through procedures in OCMC 16.12.013. All lots proposed with a driveway and lot orientation on a collector or minor arterial shall combine driveways into one joint access per two or more lots unless the City Engineer determines that:

1. No driveway access may be allowed since the driveway(s) would cause a significant traffic safety hazard; or
2. Allowing a single driveway access per lot will not cause a significant traffic safety hazard.

Finding: Complies as Proposed. The proposed development fronts roads with the same classification and the preliminary plan shows one driveway per frontage.

F. All driveway approaches shall be limited to the dimensions identified in Table 16.12.035.D.

Table 16.12.035.D Driveway Approach Size Standards			
Property Use	*Minimum Driveway Approach Width*		*Maximum Driveway Approach Width*
Single-Family	*10 feet*		*24 feet*
Duplexes	*12 feet*		*24 feet*
3-4 Plexes	*12 feet*		*36 feet*
Multi-Family	*18 feet*		*30 feet*
Commercial, Industrial, Office, Institutional, Mixed Use, and/or Nonresidential	*One-Way 12 feet*	*Two-Way 20 feet*	*40 feet*

Driveway widths shall match the width of the driveway approach where the driveway meets sidewalk or property line but may be widened onsite (for example between the property line and the entrance to a garage). Groups of more than four parking spaces shall be so located and served by driveways so that their use will not require backing movements or other maneuvering within a street right-of-way other than an alley.

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

G. The City Engineer reserves the right to require a reduction in the number and size of driveway approaches as far as practicable for any of the following purposes:
1. To provide adequate space for on-street parking;
2. To facilitate street tree planting requirements;
3. To assure pedestrian and vehicular safety by limiting vehicular access points; and
4. To assure that adequate sight distance requirements are met.
a. Where the decision maker determines any of these situations exist or may occur due to the approval of a proposed development for non-residential uses or attached or multi-family housing, a shared driveway shall be required and limited to twenty-four feet in width adjacent to the sidewalk or property line.

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

H. For all driveways, the following standards apply.
1. Each new or redeveloped curb cut shall have an approved concrete approach or asphalted street connection where there is no concrete curb and a minimum hard surface for at least ten feet back into the property as measured from the current edge of sidewalk or street pavement to provide for controlling gravel tracking onto the public street. The hard surface may be concrete, asphalt, or other surface approved by the City Engineer.
2. Any driveway approach built within public right-of-way shall be built and permitted per City requirements as approved by the City Engineer.
3. No driveway with a slope of greater than fifteen percent shall be permitted without approval of the City Engineer.

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

I. Exceptions. The City Engineer reserves the right to waive these standards or not allow driveway access, if the driveway(s) would cause a significant traffic safety hazard. Narrower or wider driveway widths may be considered where field conditions preclude use of recommended widths. When larger vehicles and trucks will be the predominant users of a particular driveway, turning templates may be utilized to develop a driveway width that can safely and expeditiously accommodate the prevalent type of ingress and egress traffic.
Finding: Not Applicable. No exemptions are proposed.

16.12.065 - Building site—Grading.
Grading of building sites shall conform to the State of Oregon Structural Specialty Code, Title 18, any approved grading plan and any approved residential lot grading plan in accordance with the requirements of OCMC 13.12,15.48, 16.12 and the Public Works Stormwater and Grading Design Standards, and the erosion control requirements of OCMC 17.47.
Finding: Applicable. Please refer to the findings within sections 13.12,15.48, 16.12 & 17.47 of this report.

16.12.085 - Easements.
The following shall govern the location, improvement and layout of easements:
A. Utilities. Utility easements shall be required where necessary as determined by the City Engineer. Insofar as practicable, easements shall be continuous and aligned from block-to-block within the development and with adjoining subdivisions or partitions.

> *1. Specific public utility easements for water, sanitary or storm drainage shall be provided based on approved final engineering plans conforming to the requirements found within the applicable Design Standards.*
> *2. Conveyance of public utility easements for gas, electric, telecommunication, and fiberoptic shall be required where necessary as determined by the City Engineer. The City Engineer will require the easement unless it is found that the utility can be placed in a different location or can be placed in a smaller easement than what is required. The easement shall be located adjacent to all public right of ways or public access easements within private property. In the event that the provision of a public utility easement would create a conflict with achieving compliance with another part of the code, the location and width may be adjusted by the City Engineer.*
> *a. The easement shall be 10 feet in the R-10, R-8, R-6, R-5, R-3.5, R-2, GI, and CI zones*
> *b. The easement shall be a minimum of 5 feet in the NC, HC, I, C, MUC-1, MUC-2, MUE, MUD, and WFDD zones.*
>> *a. The applicant shall obtain a written determination from all utilities that the minimum 5 foot PUE coupled with use of a minimum of a 5 foot area under the public sidewalk or parkway area is sufficient to serve the development. Where the minimum width is deemed inadequate, a modification shall be required.*
> *c. An applicant may seek a modification to the public utility easement dedication requirement using 16.12.013.*

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

B. Unusual Facilities. Easements for unusual facilities such as high voltage electric transmission lines, drainage channels and stormwater detention facilities shall be adequately sized for their intended purpose, including any necessary maintenance roads. These easements shall be shown to scale on the preliminary and final plats or maps. If the easement is for drainage channels, stormwater detention facilities or related purposes, the easement shall comply with the requirements of the Public Works Stormwater and Grading Design Standards.
Finding: Not applicable. New easements for unusual facilities are required for this development.

C. Watercourses. Where a development is traversed or bounded by a watercourse, drainageway, channel or stream, a stormwater easement or drainage right-of-way shall be provided which conforms substantially to the line of such watercourse, drainageway, channel or stream and is of a sufficient width to allow construction, maintenance and control for the purpose as required by the responsible agency. For those subdivisions or partitions which are bounded by a stream of established recreational value, setbacks or easements may be required to prevent impacts to the water resource or to accommodate pedestrian or bicycle paths.
Finding: Applicable. The development property is within the Willamette River Greenway Overlay District & Natural Resource Overlay District. See requirements of 17.48 & 17.49.

D. Access. When easements are used to provide vehicular access to lots within a development, the construction standards, but not necessarily width standards, for the easement shall meet City specifications. The minimum width of the easement shall be 20 feet. The easements shall be improved and recorded by the applicant and inspected by the City Engineer. Access easements may also provide for utility placement.
Finding: Not Applicable. The application has not proposed any joint access use; therefore, no access easements are required.

E. Resource Protection. Easements or other protective measures may also be required as the Community Development Director deems necessary to ensure compliance with applicable review criteria protecting any unusual significant natural feature or features of historic significance.
Finding: Applicable. The development property is within the Willamette River Greenway Overlay District & Natural Resource Overlay District. See requirements of 17.48 & 17.49.

16.12.090 - Minimum improvements—Procedures.
In addition to other requirements, improvements installed by the applicant either as a requirement of these or other regulations, or at the applicant's option, shall conform to the requirements of this title and be designed to City specifications and standards as set out in the City's facility master plan and Public Works Stormwater and Grading Design Standards. The improvements shall be installed in accordance with the following procedure:
A. Improvement work shall not commence until construction plans have been reviewed and approved by the City Engineer and to the extent that improvements are located in County or State right-of-way, they shall be approved by the responsible authority. To the extent necessary for evaluation of the proposal, the plans may be required before approval of the preliminary plat of a subdivision or partition. Expenses incurred thereby shall be borne by the applicant and paid for prior to final plan review.
Finding: Commencement of improvement work is further restricted by the requirements of section 16.12.014; see section 16.12.014 of this report for associated findings.

B. Improvements shall be constructed under the inspection and approval of the City Engineer. Expenses incurred thereby shall be borne by the applicant and paid prior to final approval. Where required by the City Engineer or other City decision-maker, the applicant's project engineer also shall inspect construction.

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

C. Erosion control or resource protection facilities or measures are required to be installed in accordance with the requirements of OCMC 17.47, 17.49 and the Public Works Erosion and Sediment Control Standards.
Finding: See findings from section 17.47, 17.49 of this report.

D. Underground utilities, waterlines, sanitary sewers and storm drains installed in streets shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities, such as, storm, water and sanitary sewer shall be placed beyond the ten-foot-wide public utility easement within private property as defined in OCMC 16.12.85.A.2.
Finding: Not applicable. Underground utilities are not proposed within existing or future streets with this application. Subsequent DDPs will be subject to this code section if underground utilities are proposed within existing or future streets.

E. As-built construction plans and digital copies of as-built drawings shall be filed with the City Engineer upon completion of the improvements.
Finding: Not applicable. The application does not involve any construction activities. The as-builts will be required for DDPs associated with this masterplan.

F. The City Engineer may regulate the hours of construction and access routes for construction equipment to minimize impacts on adjoining residences or neighborhoods.
Finding: Not applicable. The application does not involve any construction activities. Hours of construction will be regulated for DDPs associated with this masterplan.

16.12.095 - Minimum improvements—Public facilities and services.
The following minimum improvements shall be required of all applicants for a development, unless the decision-maker determines that any such improvement is not proportional to the impact imposed on the City's public systems and facilities:
A. Transportation System. Applicants and all subsequent lot owners shall be responsible for improving the City's planned level of service on all public streets, including alleys within the development and those portions of public streets adjacent to but only partially within development. Applicants are responsible for designing and providing adequate vehicular, bicycle and pedestrian access to their developments and for accommodating future access to neighboring undeveloped properties that are suitably zoned for future development. Storm drainage facilities shall be installed and connected to off-site natural or man-made drainageways. Upon completion of the street improvement survey, the applicant shall reestablish and protect monuments of the type required by ORS 92.060 in monument boxes with covers at every public street intersection and all points or curvature and points of tangency of their center line, and at such other points as directed by the City Engineer.
Finding: See findings from 16.12.015 & 16.12.016.

B. Stormwater Drainage System. Applicants shall design and install drainage facilities within a development and shall connect the development's drainage system to the appropriate downstream storm drainage system as a minimum requirement for providing services to the applicant's development. The applicant shall obtain county or state approval when appropriate. Applicants are responsible for extending the appropriate storm drainage system to the development site and for providing for the connection of upgradient properties to that system. The applicant shall design the drainage facilities in accordance with City drainage master plan requirements, OCMC 13.12 and the Public Works Stormwater and Grading Design Standards.

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

C. Sanitary Sewer System. The applicant shall design and install a sanitary sewer system to serve all lots or parcels within a development in accordance with the City's sanitary sewer design standards, and shall connect those lots or parcels to the City's sanitary sewer system, except where connection is required to the county sanitary sewer system as approved by the county. Applicants are responsible for extending the City's sanitary sewer system to the development site and through the applicant's property to allow for the future connection of neighboring undeveloped properties that are suitably zoned for future development. The applicant shall obtain all required permits and approvals from all affected jurisdictions prior to final approval and prior to commencement of construction. Design shall be approved by the City Engineer before construction begins.
Finding: Complies as conditioned. The development does not need to improve or extend the exiting sanitary sewer infrastructure. The property and surrounding developable properties are adjacent to an existing usable sanitary sewer main. The site is currently served with a 6-inch sanitary sewer connection. The development has not proposed any changes to the existing service connection. The property contains an existing Water Environment Services (WES) sanitary main. WES is proposing a new sanitary sewer main through the property. The DDPs proposed with this master plan shall coordinate with Water Environment Services (WES) to ensure subsequent DDPs and the existing and proposed WES sanitary sewer mains are not in conflict. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

D. Water System. The applicant shall design and install a water system to serve all lots or parcels within a development in accordance with the City public works water system design standards, and shall connect those lots or parcels to the City's water system. Applicants are responsible for extending the City's water system to the development site and through the applicant's property to allow for the future connection of neighboring undeveloped properties that are suitably zoned for future development.
Finding: Complies as Conditioned. The site is currently served with a 4” cast iron service main which connects from the existing 12-inch water main that runs within Clackamette Drive. There is also an existing service line from the same 12-inch main. The property and surrounding developable properties are adjacent to an existing usable water main. The development has not proposed any changes to the existing service connections. The DDP(s) proposing water infrastructure work shall abandon the existing cast iron mains/services entering the development property per Oregon City Water Distribution System Design Standards. Water service connections shall be from the existing 12-inch ductile iron water main within Main Street or Clackamette Drive, and compliant with the Oregon City Water Distribution System Design Standards. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

E. Street Trees. Refer to OCMC 12.08, Street Trees.
Finding: See findings from section 12.08.

F. Bench Marks. At least one bench mark shall be located within the subdivision boundaries using datum plane specified by the City Engineer.
Finding: Not applicable. The development is not a subdivision.

G. Other Utilities. The applicant shall make all necessary arrangements with utility companies or other affected parties for the installation of underground lines and facilities. All new utilities shall be placed underground unless the respective franchise agreements allow otherwise or unless it is physically or technically impossible to comply

with applicable standards. Existing electrical lines and other wires, including but not limited to telecommunication, street lighting and fiberoptic shall be relocated underground.

1. *Exemptions to relocation of existing overhead utilities to underground for property development as follows (Only one exemption criteria is required to be exempt from this requirement):*
   a. *No transmission or feeder lines shall be relocated underground unless approved by the City Engineer.*
   b. *Properties with less than 1.0 acre of ownership and area shall not be required to relocate existing overhead utilities unless required by the franchise utility.*
   c. *Properties with less than 200 feet of frontage on any individual roadway shall not be required to relocate existing overhead utilities unless required by the franchise utility.*
   d. *Land divisions Properties which propose with 5 or less fewer subdivided lots shall not be required to relocate existing overhead utilities unless required by the franchise utility.*
2. *The exemptions in G.1. do not apply if properties within the same block were required to relocate the overhead utilities within the past 10 years. In those cases, the existing overhead utilities shall be relocated underground.*
3. *When any franchise utility (electric, gas, telecommunication, fiberoptic, street lighting or similar utility) is installed along an existing or new roadway, the utility shall be installed within the existing or proposed public utility easement unless it is physically or technically impossible.*
4. *4. These requirements do not apply to work by a franchise utility for improvement, repair, alteration or addition to their existing systems.*

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

H. Oversizing of Facilities. All facilities and improvements shall be designed to City standards as set out in the City's facility master plan, public works design standards, or other City ordinances or regulations. Compliance with facility design standards shall be addressed during final engineering. A development may be required to modify or replace existing offsite systems if necessary to provide adequate public facilities. The City may require oversizing of facilities to meet standards in the City's facility master plan or to allow for orderly and efficient development. Where oversizing is required, the applicant may request reimbursement from the City for oversizing based on the City's reimbursement policy and funds available, or provide for recovery of costs from intervening properties as they develop.
Finding: Not Applicable. No facilities are required to be oversized as part of this application.

I. Erosion Control Plan—Mitigation. The applicant shall be responsible for complying with all applicable provisions of OCMC 17.47 with regard to erosion control.
Finding: See findings from section 17.47 of this report

16.12.100 - Same—Road standards and requirements.
A. The creation of a public street and the resultant separate land parcels shall be in conformance with requirements for subdivisions or partitions and the applicable street design standards of this Chapter. However, the decision-maker may approve the creation of a public street to be established by deed without full compliance with the regulations applicable to subdivisions or partitions where any of the following conditions exist:

1. The establishment of the public street is initiated by the City Commission and is declared essential for the purpose of general traffic circulation and the partitioning of land is an incidental effect rather than the primary objective of the street;
2. The tract in which the street is to be dedicated is within an isolated ownership either not over one acre or of such size and characteristics as to make it impossible to develop building sites for more than three dwelling units.
Finding: Not Applicable. The creation of a new public street is not proposed or required.

B. For any public street created pursuant to subsection A of this section, a copy of a preliminary plan and the proposed deed shall be submitted to the Community Development Director and City Engineer at least ten days prior to any public hearing scheduled for the matter. The plan, deed and any additional information the applicant may submit shall be reviewed by the decision-maker and, if not in conflict with the standards of Title 16 and Title 17, may be approved with appropriate conditions.
Finding: Not Applicable. The applicant has not proposed the creation of a public street to be established by deed without full compliance with the regulations applicable to subdivisions or partitions.

C. The design and construction of public streets shall be per the standards found in this chapter and the most recent version of any City Design and Construction Standards.
Finding: Not applicable. The design and construction of public streets are not proposed or required.

16.12.105 - Same—Timing requirements.
A. Prior to applying for final plat approval, the applicant shall either complete construction of all public improvements required as part of the preliminary plat approval or guarantee the construction of those improvements. Whichever option the applicant elects shall be in accordance with OCMC 17.50.140.
Finding: See findings from OCMC 17.50.140 regarding timing of construction of improvements and guarantee for construction of improvements.

B. Construction. The applicant shall construct the public improvements according to approved final engineering plans and all applicable requirements of this Code, and under the supervision of the City Engineer. Under this option, the improvement shall be complete and accepted by the City Engineer prior to final plat approval.
Finding: Not applicable. Construction is not proposed with this master plan. Construction proposed with subsequent DDPs will be subject to the requirements of this code section.

16.12.110 -Public improvements—Financial guarantees.
A. To ensure construction of required public improvements, the applicant shall provide the City with a performance guarantee in accordance with OCMC 17.50.140.
Finding: Please see findings from Section17.50.140 of this report.

B. After satisfactory completion of required public improvements and facilities, all public improvements not constructed by the City, shall be maintained and under warranty provided by the property owner or developer constructing the facilities until the City accepts the improvements at the end of the warranty period as prescribed in OCMC 17.50.141.
Finding: Please see findings from Section17.50.141 of this report.

16.12.120 Waiver of Remonstrance
The review authority may require a property owner to sign a waiver of remonstrance against the formation of and participation in a local improvement district where it deems such a waiver necessary to provide needed improvements reasonably related to the impacts created by the proposed development. To ensure compliance

with this chapter, the review authority may require an applicant to sign or accept a legal and enforceable covenant, contract, dedication, easement, performance guarantee, or other document, which shall be approved in form by the City Attorney.

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

III. CONCLUSION AND RECOMMENDATION

Based on the analysis and findings above, staff concludes that the proposed Master Plan / General Development Plan for Clackamette Park located at 1955 Clackamette Drive and adjacent parcels, and identifies as Clackamas Assessor Map Parcels 2-2E-30 -00600, 2-2E-30 -00100, 2-2E-30 -00102, 2-2E-30 -00500, 2-2E-30 -00601, and 2-2E-30 -01300, can meet the requirements of the Oregon City Municipal Code by complying with the Conditions of Approval provided in this report.

Therefore, the Community Development Director recommends approval with conditions, based upon the findings and exhibits contained in this staff report.

EXHIBITS:

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

OREGON CITY

Community Development – Planning

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

NOTICE OF PLANNING COMMISSION DECISION
Date of Public Hearing: July 10, 2023
Date of Mailing of Notice of Decision: July 13, 2023

FILE NUMBERS: GLUA-23-00012
MAS-23-00001 - General Development Plan

APPLICANT: Lango Hansen Landscape Architects, Attn: Brian Martin
1100 NW Glisan St, Ste. 3A, Portland, OR 97209
Representing: Kendall Reid, Director, Oregon City Parks and Recreation Department

OWNER: City of Oregon City
625 Center St, Oregon City, OR 97045

REQUEST: Approval of a Master Plan / General Development Plan for Clackamette Park

LOCATION: 1955 Clackamette Drive and adjacent parcels.
2-2E-30 -00600, 2-2E-30 -00100, 2-2E-30 -00102, 2-2E-30 -00500,
2-2E-30 -00601, 2-2E-30 -01300

ZONING: I – Institutional, MUD – Mixed Use Downtown

REVIEWER: Pete Walter, Planning Manager
Sang Pau, Development Services Project Manager

DECISION: On July 10, 2023, after reviewing all of the evidence in the record and considering all of the arguments made by the applicant, opposing and interested parties, the Oregon City Planning Commission voted 6-0 to approve with conditions the requested Master Plan / General Development Plan application. Accordingly, the Oregon City Planning Commission adopted as its own the Staff Report with Findings and Recommended Conditions of Approval for File Numbers GLUA-23-00012 / MAS-23-00001. The complete record for the Planning Commission decision is on file at the Planning Division.

PROCESS: Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the city commission, except upon appeal. Applications evaluated through this process include include conditional use permits, master plans, variances, code interpretations, similar use determinations and similar discretionary land use decisions. As a result, this decision will be final unless it is appealed. **The decision of the planning commission is appealable to the city commission within fourteen days of the date appearing on this notice of decision.** The requirements for filing an appeal are set forth in OCMC 17.50.190.C. The city commission hearing on appeal is on the record and no new evidence shall be allowed. Only those persons or a city-recognized neighborhood association who have participated either orally or in writing have standing to appeal the decision of the planning commission. Grounds for appeal are limited to those issues raised either orally or in writing before the close of the public record. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290.C must officially approve the request through a

vote of its general membership or board at a duly announced meeting prior to the filing of an appeal. The city commission decision on appeal from the planning commission is the city's final decision and is appealable to the Land Use Board of Appeals (LUBA) within twenty-one days of when it becomes final.

Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the city commission, except upon appeal. Applications evaluated through this process include conditional use permits, preliminary planned unit development plans, variances, code interpretations, similar use determinations and those rezonings upon annexation under Section 17.06.050 for which discretion is provided. In the event that any decision is not classified, it shall be treated as a Type III decision. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the planning commission or the historic review board hearing is published and mailed to the applicant, recognized neighborhood association and property owners within three hundred feet. Notice must be issued at least twenty days pre-hearing, and the staff report must be available at least seven days pre-hearing. At the evidentiary hearing held before the planning commission or the historic review board, all issues are addressed. The decision of the planning commission or historic review board is appealable to the city commission, on the record. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to 17.50.290(c) must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal. The city commission decision on appeal from the historic review board or the planning commission is the city's final decision and is appealable to LUBA within twenty-one days of when it becomes final.

PLANNING COMMISSION FINAL CONDITIONS OF APPROVAL

GLUA-23-00012 / MAS-23-00001

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

1. Future Detailed Development Plans (DDPs) shall comply with the conditional approval of Planning file GLUA-23-00012 / MAS-23-00001 and any amendments within this application. (P & DS)

2. Detailed Development Plans (DDPs) within the master plan area shall provide engineered drainage plan(s), drainage report(s), and design flow calculation report(s) stamped and signed by a licensed engineer addressing all items from Section 9 of the Public Works Stormwater and Grading Design Standards. (DS)
3. The developer for future DDPs shall obtain a 1200-C (NPDES) permit from Oregon Department of Environmental Quality (DEQ) for construction activities one acre or greater prior to receiving any city permits for construction. (DS)
4. If construction activities are proposed within the jurisdiction of Oregon State Division of State Lands (DSL) and/or United States Army Corps of Engineers (USACE), the developer shall obtain permits from those government agencies. (DS)
5. If construction activities are proposed within the jurisdiction of Oregon State Department of Fish and Wildlife (ODFW), the developer shall obtain permits from those government agencies. (DS)
6. Each individual phase of the master plan shall submit or address all items in section 16.12.014 of the Oregon City Municipal Code based on the timing requirements contained therein and as deemed applicable by the City. (DS)

7. Project C1 of the Transportation System Plan (TSP) shall be completed with completion of the RV Park located on the south side of Main Street. TSP projects S1 and W2 shall be completed by when the master plan completes more than 75% of the master plan.
   - S1 – Shared-Use Path (this path will fulfill a portion of Regional Trail R1): Add a 10-foot-wide (or wider) shared-use path on the north side of the Main Street which connects to the pedestrian path for the park.
   - W2 – Main Street Sidewalk Infill. (A shared-use path added per project S1 may fulfill a portion of this): Construction sidewalk along the frontage of the development properties (along Main Street and Clackamette Drive).
   - C1 – Clackamette Drive Crossing. Provide an ADA compliant crosswalk (including ADA compliant curb ramps) and pedestrian activated signal from Clackamette Park overflow lot to the Clackamette Park entrance. (DS)
8. Street trees shall be placed in 5'x5' tree wells or in other acceptable locations, as prescribed by OCMC 12.08. Tree wells, if utilized, shall not encroach into the 10-foot-wide pedestrian path required along the frontage of the development. The Detailed Development Plan (DDP) proposed with this master plan shall provide 10-foot-wide sidewalk with 5'x5' tree wells along the west side of Clackamette Drive or provide an ADA compliant 10-foot-wide (or wider) shared use path which provides pedestrian connectivity between Main Street and Clackamette Drive (this path will also fulfill Regional Trail R1). (DS)
9. The DDPs proposed with this master plan shall provide street lights along all street frontages in conformance with all City standards, specifications, codes, and policies and as approved by Portland General Electric (PGE). The applicant shall submit photometric plans.
10. Entry points for accessways (sidewalks & shared-use paths relating to TSP S1 & W2) shall align with pedestrian crossing points along adjacent streets and with adjacent street intersections. (DS)
11. Accessways (sidewalks & shared-use paths relating to TSP S1 & W2) shall be free of horizontal obstructions and have a nine foot six inch high vertical clearance to accommodate bicyclists. (DS)
12. Accessway (sidewalks & shared-use paths relating to TSP S1 & W2) lighting shall be a minimum level of one-half-foot-candles, a one and one-half foot-candle average, and a maximum to minimum ratio of seven-to-one and shall be oriented not to shine upon adjacent properties. Street lighting shall be provided at both entrances. (DS)
13. Accessways (sidewalks & shared-use paths relating to TSP S1 & W2) shall comply with Americans with Disabilities Act (ADA). (DS)
14. Accessways (sidewalks & shared-use paths relating to TSP S1 & W2) shall be designed to prohibit unauthorized motorized traffic (E.G. lockable bollards). (DS)
15. Accessway (sidewalks & shared-use paths relating to TSP S1 & W2) surfaces shall be paved with all-weather materials as approved by the City. (DS)
16. The applicant shall provide a covenant over the pedestrian and bicycle accessways which are not part of an existing or proposed public right-of-way and be responsible for the future maintenance and liability. (DS)
17. Detailed development plan (DDPs) associated with this master plan shall demonstrate compliance with intersection mobility standards per 16.12.033. If there are adverse impacts to the McLoughlin Boulevard & Dunes Drive intersection, future DDPs shall coordinate the Oregon Department of Transportation for a remedy. (DS)

18. Driveways shall meet the minimum driveway spacing standards identified in Table 16.12.035.A. (DS)
19. Driveways shall meet the minimum driveway width standards identified in Table 16.12.035.D (specifically for Collector Streets). (DS)
20. Driveways shall meet standards identified in 16.12.035.H. (DS)
21. The DDPs proposed with this master plan shall provide, at a minimum, a 5-foot-wide public utility easement (PUE) along all property lines fronting existing or proposed right-of-way. (DS)
22. The DDPs proposed with this master plan shall coordinate with Water Environment Services (WES) to ensure subsequent DDPs and the existing and proposed WES sanitary sewer mains are not in conflict. (DS)
23. The DDP(s) proposing water infrastructure work shall abandon the existing cast iron mains/services entering the development property per Oregon City Water Distribution System Design Standards. Water service connections shall be from the existing 12-inch ductile iron water main within Main Street or Clackamette Drive, and compliant with the Oregon City Water Distribution System Design Standards. (DS)
24. New franchise utilities for DDPs shall be placed underground and all existing overhead utilities adjacent to the property frontage shall be relocated underground unless deemed infeasible by the City and franchise utility provider(s). (DS)
25. The property owner(s) shall sign a Restrictive Covenant Non-Remonstrance Agreement for the purpose of making storm sewer, sanitary sewer, water or street improvements in the future that benefit the property and all fees associated with processing and recording the Non-Remonstrance Agreement shall be paid. (DS)
26. If construction is proposed within the geologic hazard overlay district with the DDPs associated with this master plan, those DDPs shall address the requirements of chapter 17.44. (DS)
27. All structures included in the park development will be reviewed for full compliance with the floodplain management overlay district regulations in OCMC 17.42 and other applicable regulations at the time of Detailed Development Plan review. (P)
28. When a Detailed Development Plan is proposed, the applicant shall provide a summary and description of the uses allowed outright (exempted) within the Natural Resources Overlay District and the approximate area of the project site devoted to such uses. Specifically, areas devoted to habitat restoration and enhancement shall be differentiated from areas of new NROD impact that require mitigation. (P)
29. At the time of detailed development plan the applicant shall provide a parking analysis for approval by the Community Development Director to assure that parking is sufficient and appropriate for the proposed park use. (P)
30. Should the applicant request any adjustments to the development code at the time of Detailed Development Plan submittal, those adjustments shall be reviewed through a Type III process pursuant to the OCMC 17.65.070 unless the code provides otherwise. (P)
31. This master plan shall expire twenty years from the date of issuance of the Notice of Decision pursuant to 17.65.040(F). (P)
32. To permit parcels 2-2E-30 -00601 and 2-2E-30 -00500 to be used for a city-owned RV park, the following zoning amendments will be necessary.
    1. Zoning Code text amendment. Amend the zoning code to allow overnight camping in a recreational vehicle as a permitted use in the I - Institutional Zone District.

2. Comprehensive Plan map amendment. Amend the Comprehensive Plan map to change the current comprehensive plan designation of parcels 2-2E-30 -00601 and 2-2E-30 -00500 from Mixed Use Downtown to P – Public.
3. Zoning Map amendment. Amend the Zoning map to change the zoning of parcels 2-2E-30 -00601 and 2-2E-30 -00500 from Mixed Use Downtown to I – Institutional.

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

CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 02/7/2024

From: Chief Shaun Davis

SUBJECT:

Second reading of Ordinance 24-1001 to adopt Municipal Code Updates

STAFF RECOMMENDATION:

Staff recommends second reading of Municipal Code Ordinance 24-1001 to enact amendments to existing ordinances and enaction of new ordinances.

BACKGROUND:

Over the past two years, code enforcement staff have encountered municipal ordinances, which were not clearly defined or not specified in our city's municipal code. Adding additional language to existing ordinances would assist in regulating, enforcing some activities, and improving neighborhood livability.

The City Commission brought forward a discussion regarding Oregon City Municipal Code Ordinances involving protentional updated language and/or adopting new ordinances. On November 15, 2023, the City Commission held a work session to discuss potential Municipal Code changes.

Topics discussed at the work session were:

- Garage Sales
- Construction Hours
- Graffiti
- Prohibited Stopping, Standing, and Parking
- Scattering Rubbish
- Change to Code Hearings Officer Language

The goal of the work session was for the City Commission to provide direction on clarity of existing ordinances and drafting of new ordinances which will improve the business districts, neighborhoods, and overall livability within Oregon City.

Staff made the changes to the codes as directed and worked with the City Attorney on these changes.

Ordinance 24-1001 will include changes to Chapter 8.20.160, 9.12, and 10.08.090.

During the first reading, the City Commission moved to approve the reading of ordinance 24-1001 with amendments to 10.08.090. Staff made the amendments as directed.

Chapter 8.20.160 adds into the title “Scattering Rubbish &” and updates language to Section A, more specifically, it replaces:

- Place or dump or unreasonably accumulate solid waste or waste on private property or upon any of the streets, alleys or public property belonging to the city;

With:

- No person may place, throw, dump or deposit upon public or private property an injurious or offensive substance or any kind of rubbish, trash, debris, refuse, or any substance that would mar the appearance, create a stench, detract from the cleanliness or safety of such property, or would be likely to injure an animal, vehicle or person traveling upon a public way;

Chapter 9.12.020(E) amends language and changes construction hours:

E. The construction, demolition, alteration or repair of any building or the excavation of any streets and highways in a residentially zoned neighborhood that occurs:

- (1) between the hours of six p.m. and seven a.m., Monday through Friday;
- (2) between six p.m. and nine a.m. on Saturday and Sunday, or
- (3) between the hours of six p.m. and nine a.m. on any legal holiday as defined in ORS 187.010.

9.12.045 is a new ordinance defining the amount of garage sales a person may have in a year:

9.12.045 - Garage, Estate, and Yard Sales

- No owner or person in charge of a property shall conduct or allow to be conducted garage, estate, yard, or similar sales on more than two occasions within any one calendar year at the same location. Such sales are limited to no more than 3 days per sale.

Chapter 09.12.050 is a new ordinance for graffiti removal:

9.12.050 - Graffiti Removal

- The owner or person in charge of any property shall remove, or cause to be removed, any graffiti from such property. In circumstances where the graffiti

cannot be removed, and paint is used to cover the graffiti, the owner or person in charge shall use a similar color relatively consistent with the existing color. Graffiti must be removed within ten (10) days from the date a written notice is mailed.

10.08.090 adds in new language which define additional locations in section (A) where stopping standing and parking are prohibited:

- 10. In violation of disabled parking spaces as defined by Oregon State Motor Vehicle Law;
- 11. On any street in a location within ten (10) feet of any mailbox used for pickup or delivery of the United States mail;
- 12. Within the planter (or planting) strip.

Adds in new language to section (B):

- 4. Within twenty feet of a marked or unmarked crosswalk at an intersection;

And adds new section (C) and amends prior section (C) to new section (D):

- C. Except when authorized by a valid city issued parking permit, no person may park a motor vehicle in any on-street permit parking zone between the hours of seven a.m. and six p.m. or in an off-street city parking lot, or without paying for parking fees during the hours of seven a.m. and six p.m. Monday to Friday, except for Saturdays, Sundays and observed legal holidays.

Attached are redline exhibits A-E of each code change.

OPTIONS:

1. Adopt Ordinance 24-1001.
2. Modify code changes and adopt ordinance 24-1001 with changes.
3. Deny ordinance 24-1001 and provide direction for staff on changes

BUDGET IMPACT:

Amount: No budget impact

ORDINANCE NO. 24-1001

AN ORDINANCE OF THE CITY OF OREGON CITY REVISING THE CITY CODE MUNICPAL CODE TITLE 8.20.160 – SCATTERING RUBISH & PROHIBITED ACTIONS MUNIPAL CODE TITLE 9.12.023(E) – CONSTRUCTION HOURS MUNICPAL CODE TITLE 9.12.045 - GARAGE, ESTATE, AND YARD SALES MUNICPAL CODE TITLE 9.12.050 – GRAFFITI REMOVAL MUNICPAL CODE TITLE 10.08.090 – PROHIBITED STOPPING, STANDING AND PARKING

WHEREAS, the City Commission brought forward a discussion regarding Oregon City Municipal Code Ordinances involving protentional updated language and/or adopting new ordinances; and

WHEREAS, over the past two years, code enforcement staff have encountered municipal ordinances, which were not clearly defined or not specified in our municipal code; and

WHEREAS, adding additional language to existing ordinances would assist in regulating, enforcing some activities, and improving neighborhood livability; and

WHEREAS, on November 15, 2023, the City Commission held a work session to discuss potential Municipal Code changes; and

WHEREAS, the City Commission to provide direction on clarity of existing ordinances and provide direction on drafting new ordinances which will improve the business districts, neighborhoods, and overall livability within Oregon City.

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. Oregon City Municipal Code section 8.20.160 is amended as included in Exhibit A to this ordinance, by adding double underlined language and removing all struck through language.

Section 2. Oregon City Municipal Code section 9.12.023(E) is amended as included in Exhibit B to this ordinance, by adding double underlined language and removing all struck through language.

Section 3. Oregon City Municipal Code section 9.12.045 is created as included in Exhibit C to this ordinance, by adding double underlined language.

Section 4. Oregon City Municipal Code section 9.12.050 is created as included in Exhibit D to this ordinance, by adding double underlined language.

Section 5. Oregon City Municipal Code section 10.08.090 is amended as included in Exhibit E to this ordinance, by adding double underlined language and removing all struck through language.

Read for the first time at a regular meeting of the City Commission held on the 17th day of January, 2024 and the City Commission finally enacted the foregoing ordinance this 7th day of February, 2024.

DENYSE C. MCGRIFF
Mayor

Attested to this day of ,

Jakob Wiley, City Recorder

Approved as to legal sufficiency:

City Attorney

Scattering Rubbish Amendment Exhibit A

8.20.160 – Scattering Rubbish & Prohibited actions.

No person shall:

A. ~~Place or dump or unreasonably accumulate solid waste or waste on private property or upon any of the streets, alleys or public property belonging to the city;~~ Place, throw, dump or deposit upon public or private property an injurious or offensive substance or any kind of rubbish, trash, debris, refuse, or any substance that would mar the appearance, create a stench, detract from the cleanliness or safety of such property, or would be likely to injure an animal, vehicle or person traveling upon a public way;

B. Without the permission of the owner or generator of recyclable material, take recyclable materials set out to be collected by a person authorized by the city to provide collection service for that recyclable material, except in accordance with this chapter;

C. Remove any recyclable material from a container, box, collection vehicle, depot or other receptacle for the accumulation or storage of recyclable materials without permission of the owner of the receptacle and the franchisee;

D. Without the permission of the owner or generator of recyclable material and the franchisee, take recyclable materials set out to be collected by a person authorized by the city to provide collection service for that recyclable material, except in accordance with this chapter;

E. Mix source-separated recyclable material with solid waste in any vehicle, box, container, or receptacle used in solid waste collection or disposal, except as permitted by the city or the franchisee or in accordance with federal law.

Construction Hours Ordinance Amendment Exhibit B

9.12.023 - Noises Prohibited.

The following acts are declared to be a violation of this section. This enumeration does not constitute an exclusive list:

A. Unreasonable Noises. The unreasonable making of, or knowingly and unreasonably permitting to be made, any unreasonable loud, boisterous, or unusual noise, disturbance, commotion or vibration in a boarding facility, dwelling, place of business or other structure, or upon any public street, park or other place or building. The ordinary and usual sounds, noises, commotion, or vibration incidental to the operation of these places when conducted in accordance with the usual standards of practice and in a manner which will not unreasonably disturb the peace and comfort of adjacent residences, or which will not detrimentally affect the operators of adjacent places of business are exempted from this provision.

B. Noisy Animals. Barking dogs or other unreasonably noisy animals which disturb the comfort of any person in the vicinity for a period of ten minutes in any hour except for animals provoked by a person trespassing, threatening to trespass, or taunting of the animal.

C. Sound Producing or Reproducing Equipment. Operating or permitting the unreasonable use or operation of any device designed for sound production or reproduction in such a manner as to cause an unreasonable noise; or operating or permitting the operating or use of any such device between the hours of ten p.m. and seven a.m.

D. Operation of Mechanically Powered Domestic Tools. Lawn equipment, garden tools, chainsaws, blowers, or similar devices, in a residentially zoned neighborhood between the hours of ten p.m. and seven a.m.

E. The construction, demolition, alteration or repair of any building or the excavation of any streets and highways in a residentially zoned neighborhood that occurs:

(1) between the hours of ~~ten~~ six p.m. and seven a.m., Monday through ~~Saturday~~ Friday;

(2) between ~~eight~~ six p.m. and nine a.m. on Saturday and Sunday, or

(3) between the hours of six p.m. and nine a.m. on any legal holiday as defined in ORS 187.010.

F. Yelling, Shouting, and Similar Activities. Yelling, shouting, hooting in residential or in public places, between the hours of ten p.m. and seven a.m., or at any time or place so as to unreasonably disturb the quiet and comfort of reasonable persons. This subsection is to be applied only to those situations where the disturbance is not a result of the content of the communication but due to the volume, duration, location, timing, or other factors.

G. Motor Vehicles.

(1) The parking of any motor vehicle of ten thousand pounds GVWR, or more, with the motor or attached auxiliary equipment in operation on private property in such a manner as to be plainly audible within any dwelling unit between the hours of ten p.m. and seven a.m.

(2) No person may operate, and no owner of any vehicle may permit to be operated, any motor vehicle so as to cause any greater noise or sound than is reasonably necessary.

Garage, Estate, and Yard Sales Ordinance Exhibit C

9.12.045 - Garage, Estate, and Yard Sales

No owner or person in charge of a property shall conduct or allow to be conducted garage, estate, yard, or similar sales on more than two occasions within any one calendar year at the same location. Such sales are limited to no more than 3 days per sale.

Graffiti Ordinance Exhibit D

9.12.050 - Graffiti Removal

The owner or person in charge of any property shall remove, or cause to be removed, any graffiti from such property. In circumstances where the graffiti cannot be removed, and paint is used to cover the graffiti, the owner or person in charge shall use a similar color relatively consistent with the existing color. Graffiti must be removed within ten (10) days from the date a written notice is mailed.

Prohibited Stopping, Standing, and Parking Amendment Exhibit E (Amended as noted from First Reading)

10.08.090 - Prohibited stopping, standing and parking.

A. No person shall stop, stand or park a vehicle in such a manner or location that it constitutes a hazard to public safety or an obstruction to vehicle, bicycle or pedestrian traffic on the street, which shall include but not be limited to, stopping, standing or parking:

1. On a sidewalk;
2. Within an intersection;
3. On a crosswalk;
4. Alongside or opposite a street excavation or obstruction when stopping, standing or parking would obstruct traffic;
5. Upon a bridge or other elevated structure used as a street or within a street tunnel;
6. On any railroad tracks or within seven and one-half feet of the nearest rail at a time when the parking of vehicles would conflict with railroad operations or repair of the railroad tracks;
7. On a throughway;
8. In the area between roadways of a divided highway, including crossovers;
9. Any place where official signs or markings prohibit stopping, standing or parking;
10. In violation of disabled parking spaces as defined by Oregon State Motor Vehicle Law;
11. On any street in a location within ten (10) feet of any mailbox used for pickup or delivery of the United States mail;
12. Within the planter (or planting) strip.

B. Except to momentarily pick up or discharge a passenger, no person shall stand or park a vehicle in such a manner or location that it constitutes a hazard to public safety or an obstruction to vehicle, bicycle or pedestrian traffic on the street, which shall include but not be limited to, standing or parking:

1. On the roadway side of a vehicle stopped or parked at the edge or curb of a street;
2. In front of a public or private driveway;
3. Within ten feet of a fire hydrant;
4. Within twenty feet of a marked or unmarked crosswalk at an intersection;
5. Within fifty feet upon the approach to an official flashing signal, stop sign, yield sign or traffic control signal located at the side of the street if the standing or parking of the vehicle obstructs the view of the official traffic control device located at the side of the street;
6. Within fifteen feet of the driveway entrance to a fire station and on the side of the street opposite the entrance to the fire station within seventy-five feet of the entrance;
7. Within an area marked by yellow paint on the street or on the curb;
8. On a street or portion thereof designated by official signs as a "Tow-Away Zone";
9. Other than a motorbus in a bus stop which has been designated by official signs, or other than a taxicab in a taxicab stand which has been designated by official signs, or at any time in

interference with any motorbus or taxicab waiting to enter or about to enter the officially designated space;

10. A motorbus or taxicab on a street in a business district at a place other than a bus stop or taxicab stand, respectively.

C. Except when authorized by a valid city issued parking permit, no person may park a motor vehicle in any on-street permit parking zone between the hours of seven a.m. and six p.m. or in an off-street city parking lot, or without paying for parking fees during the hours of seven a.m. and six p.m. Monday to Friday, except for Saturdays, Sundays and observed legal holidays.

~~C~~.D. In the event a vehicle has been found standing or parked in violation of subsections A and B of this section, in addition to and after issuance of a citation for violation, the vehicle may be removed and impounded, and a hearing and sale provided for, as provided in Section 10.04.030(B), (C), (D) and (E).

CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** February 7, 2024

From: Tony Konkol, City Manager

SUBJECT:

Establishing a Destination Marketing/Management Organization

STAFF RECOMMENDATION:

Staff recommends that the City Commission provide staff direction on how to proceed concerning the potential creation of a Destination Marketing/Management Organization.

EXECUTIVE SUMMARY:

During early spring of 2023, staff recommended the creation of a destination management organization ("DMO") to further the development of the tourism program within the community. At its November 7th City Commission Work Session, staff presented its research on DMOs in the Portland Metro Region.

Per the City Commission's direction, staff invited the Mt. Hood Territory, "Visit McMinnville, Inc." and "Explore Wilsonville.com" to discuss their respective tourism development operations. Further, the City Commission requested that other local groups interested in the topic of establishing a DMO in Oregon City be invited to take part in the conversation.

If it is decided to create a DMO, it is suggested that staff work with a small committee to prescribe an organizational and legal framework for a DMO, focusing on its mission, goals, and objectives. It is further suggested that a consultant be hired to update the existing plan with new data. The revised plan would be part of an RFP and in essence, serve as the "job description" for the DMO.

BACKGROUND:

During the years between 2020 to 2022 the Economic Development Department initiated various programs as a way to implement the existing Oregon City Tourism Strategic Plan. It instituted various initiatives and programs designed to provide support to nonprofits and for-profits engaged in tourist-facing activities. Although the pandemic presented many challenges to the tourism industry in Oregon City, the department created these programs helping many for-profits and nonprofits weather the impact of COVID-19. Programs such as the Community Showcase, the Concierge Institute, the re-establishment of the Arts

Commission, and City-sponsored events directly addressed several goals and objectives of the existing tourism Strategic Plan.

During early spring of 2023, staff recommended the creation of a destination management organization to help further the evolution of the tourism program within the community. With the concurrence of the City Commission, staff proceeded to conduct research that would inform the City Commission on various models used by other communities and offer recommendations to the City Commission to help further discussions on the topic.

Staff identified two communities, McMinnville, and Wilsonville, that are among the oldest DMOs in our region. Although both DMOs behave like either a destination marketing organization or a destination management organization; they carry out their respective activities in very different ways.

During its November 7th work session, the City Commission, through general consensus, agreed to invite the Mt. Hood Territory, "Visit McMinnville, Inc." and "Explore Wilsonville.com" to discuss their respective operations. Further, the City Commission requested that other local groups interested in the topic of establishing a DMO in Oregon City be invited to take part in the conversation.

During its work session meeting on January 9, 2024, the heard from Mt. Hood Territory, "Visit McMinnville, Inc." and "Explore Wilsonville.com" to discuss their respective programs, their organizational structure, and marketing operations.

Visit McMinnville

*We are a 501 c 6 organization; our budget was initially $400K and now its $1.4 million
*Not a membership-based organization.
*There are 6 hotels (approx.. 400 hotel rooms and lots of vacation rentals).
*We function like a business and a single contractor to the City. We are very data driven.
*a variety of businesses serve on the organization's board of directors.
*After two years, we increased the transient lodging tax from 8% to 10%.
* The various organizations in our community (chamber, downtown association, etc.) got together to define our roles.
*We started off with two employees and now we have six.
*We do not focus on hosting or sponsoring special events.
*When we first started, we functioned as a destination marketing organization, focusing on just marketing.
*We are a leisure destination.
*We initially marketed our wine country and later we began marketing to families and different types of leisure travelers.
*We are a marketing and public relations organization.
*Our activities have broadened to include development projects for the community (i.e., Third Street Improvement Project and innovation).

Explore Wilsonville.Com

*Our organization is a 501 c 6.
*It is primarily an online marketing and public relations operation.
*Based on state law, cities are required to use their transient lodging tax on tourism. The going rate is 70% for tourism promotion activities and 30% held back by the City.
*In previous years, many cities were assisted by Clackamas County Cultural Affairs (Mt. Hood Territory) with developing "Visitors Destination Action Plans." This gave us a basis to proceed with our program.
*We had a task force that hired a consultant to develop a strategy and framework.
*A board of directors was put in place to help guide the strategy.
*In 2013 we began to develop Visit Wilsonville.
*We formed a Tourism Promotion Committee that is comprised of 12 members. Seven are private businesses that are representative of the hotel and tourism industry. Five are ex-officio advisors (City Council, Chamber, Parks, Mt. Hood Territory, and Tualatin Valley Visitors Association).
*Wilsonville has 7 hotels with over 700 hotel rooms.
*We never viewed ourselves as a tourist destination but a place that had the most inexpensive hotels in the Portland Metro Region.
*We put out an RFP to hire a marketing firm that does most of the work ($200,000/yr.)
*We have a one-year and a five-year plan.
*Our marketing strategy is based on the utilization of social and digital media.
*Our committee acts like board of directors.
*There is not an executive director but instead two staff members who manage the contract with the marketing firm.
*The Tourism Promotion Committee used to manage $50,000 in grants to fund special events but such events primarily attracted locals. Therefore, the committee decided to split the funding; providing $25,000 to an Arts & Culture Group and the committee kept the remaining funds for tourism promotion.
*There are only six government operated DMOs in Oregon. Most contract with a separate entity to conduct marketing.

Mt. Hood Territory

*We are a county organization that uses its transient lodging room tax to promote tourism county-wide (voters' approved ordinance)
*The organization is governed via a Tourism Development Council who are appointed by the County Commissioners (4 lodging properties, one geographic representative, one representative of a business or resident)
*Our organization is categorized as a marketing destination organization.
*Funding is used to promote tourism county-wide, but some funds are used to make very specific investments with our partners.
*The transition from planning to implementation is based on empowering someone to run the program.
*It's important to focus on one thing such as marketing.

After the discussion involving the three subject matter guests, City Commission members discussed possible next steps which may include:

1. hosting a public meeting for further comment on the DMO question;
2. deciding on whether a blue-ribbon panel would be established to revise the Tourism Strategic Plan;
3. deciding on whether an existing organization could be identified or proceed with a fresh start; and
4. deciding on whether a DMO would be a 501 c 3 or 501 c 6.

Included in this staff report is the comparative analysis of the McMinnville and Wilsonville DMOs that was provided during the November 7th City Commission Work Session. In addition, staff has provided the "Next Steps" document to further help with the discussion.

OPTIONS

1. Provide staff direction on how to proceed with the potential creation of a Destination Marketing/Management Organization.
2. Continue the topic to a date certain for additional discussion.
3. Do not move forward with the creation of a Destination Marketing/Management Organization.

BUDGET IMPACT:

Amount

FYs

Funding Source

OREGON CITY

Economic Development Department

625 Center Street | Oregon City OR 97045
Ph (503) 657-0891 | Fax (503) 657-7026

MEMORANDUM

DATE: November 2, 2023

TO: Tony Konkol, City Manager

FROM: James Graham, Economic Development Manager

SUBJECT: Establishing a Destination Management Organization (DMO) and Recommendations

I. INTRODUCTION

A. What is destination management?

Destination management is the coordinated and thoughtful planning of all elements that make up a tourism destination. This can involve anything from attracting visitors to providing amenities for them to enjoy during their stay in a community.

B. What is a destination management organization (DMO)?

A destination management organization (DMO) represents the voice of its destination to potential visitors. It works with travel trade partners to provide travelers with information about the destination before they decide where to go on vacation.

DMOs also bring together organizations that serve all aspects of the visitor experience – from lodging providers, attractions operators, restaurants, and retailers – so that they can share insights into what makes their community stand out as a tourist destination. It is usually comprised of a board of directors, an executive, and staff that provide marketing support to the tourism industry overall within the community. DMOs can provide funding support to events, conferences, education/training to for-profit and non-profit public-facing organizations and staff.

Destinations with a strong DMO will be more competitive, have increased visibility, and have better economic performance than those without one. This careful planning ensures strategic, long-term success of a tourist destination. This in-depth coordination moves beyond marketing and is the reason why the DMO has been more recently referred to as management instead of marketing.

C. What is destination marketing?

Destination marketing is a type of marketing that promotes a specific location and its benefits to potential travelers. The goal of destination marketing is to increase awareness of the target destination, create a positive image in the target audience, and ultimately, bring new visitors and dollars to the community.

D. What is a destination marketing organization (DMO)?

A destination marketing organization is an entity that promotes a location. They primarily exist to provide information to leisure travelers and promote the development of a destination, focusing on convention sales, tourism marketing, and services.

II. DMOs LANDSCAPE IN THE REGION

The State of Oregon is divided into seven (7) regions. Each region has one destination management organization to act as its Regional Destination Management Organization (RDMO).

Most DMO are either chambers of commerce or visitation centers. Also, the actual activities of most DMOs interchange between being a destination management organization and/or a destination marketing organization. Few behave solely as one or the other.

There are 16 DMOs in the Portland Region. Most of these are chambers of commerce with the exception of Columbia County Economic Team, the Affiliated Tribes of Northwest Indians Tourism Center, the Oregon City Regional Visitor Information Center, Oregon's Mt. Hood Territory and Tualatin Valley/Washington County Visitors Association.

III. PURPOSE OF THIS MEMORANDUM

This memorandum is designed to aid discussions about establishing a Destination Management Organization for Oregon City. It is not the intent of the economic development staff to, on its own, develop a destination management organization and then contract with it. It is the staff's hope to work with or assist a group or committee to prescribe an organizational framework for a DMO focusing on its mission, goals, objectives, and performance metrics. It is expected that those charged with operating the destination management organization ("DMO") on a daily basis, would be responsible for implementing strategies and establishing performance metrics for the new entity. Of course, the DMO would be informed by today's best practices and function more like a business.

III. GOAL:

To reassign the City's tourism program/management from under the auspices of Oregon City Municipal Government to a separate contractor, not directly affiliated with the City of Oregon City except through a contractual agreement.

VI. OBJECTIVES:

To identify an existing Oregon City community based private nonprofit organization that will operate and administer a tourism-related program within the legal boundaries of Oregon City under an agreement with Oregon City Municipal Government.

OR

To identify professional and experienced individual(s) in the development of a modern and innovative DMO under an agreement with Oregon City Municipal Government and charged with spearheading the implementation of a local tourism strategy engaging all aspects of the visitor experience from lodging providers, attractions operators, restaurants, and retailers.

V. OVERALL STRATEGY

To establish a contractual agreement with an Oregon City community based public nonprofit organization utilizing the local Transient Lodging Tax to pay for tourism-related programming and activities.

VI. BACKGROUND

In 2018, the City of Oregon City Commission approved the Oregon City Tourism Strategic Plan. A tourism stakeholder group was established, comprised primarily of nonprofit participants. Many of the participants in the stakeholder group had been involved in the creation of the tourism strategic plan, which had stalled out due to a lack of staffing until September 2019.

The Oregon City Tourism Stakeholder Table first convened in January 2020 and met monthly during the first 8 months of 2020, initially in person, followed by a pivot to virtual meetings as our community and country grappled with the COVID-19. In February of 2020, the new economic development manager held an in-person stakeholder group meeting to discuss the existing tourism strategic plan and how to implement it. On March 23, 2020, Governor Kate Brown issued an Executive Order asking all Oregonians to stay home due to the spread of COVID-19.

In the winter of 2020, deliberate steps to execute this plan began. City staff broadened representation on the tourism stakeholder group to include for-profit visitor-facing businesses as well as more nonprofit organizations. To help facilitate the tourism stakeholder group meetings, the City hired Destination Management Advisors to help facilitate the tourism stakeholder group meetings and provide technical support as the group began to develop specific programs to fulfill the goals and objectives of the tourism strategic plan.

A. The Pandemic

The COVID-19 Pandemic had negatively impacted many industries, institutions, and agencies all over the country. It had greatly challenged the operational profitability of virtually every industry in the United States including nonprofit and for-profit entities in Oregon City. The pandemic had especially hurt the tourism industry, including private nonprofits that support tourism. The restaurant industry had faced its own market challenges including the lack of customer confidence to frequent these establishments, and the inability to garner the level of income to maintain operations over the long term.

The Economic Development Department of Oregon City developed the Oregon City Debt Relief Program to reduce existing debt pressures on small businesses adversely impacted by COVID-19. Grant awards were sent directly to the creditors of the business applicants. On April 27, 2020, Oregon City Commissioners approved this initiative and agreed to provide $200,000 from the City's General Fund to capitalize the program. Applications and program information were in English and Spanish. On May 4, 2020, the application process began awarding 78 businesses. Applicants could receive up to $4,000. A total of $183,000 in grant funding was awarded.

Regrettably, the Economic Development Department could only support a very limited number of businesses due to limited available funds. Further, it is recognized that the program will not make up for all the financial loss experienced by the business grantees. Hence, Oregon City Debt Relief (Round 2). In June of 2020, Business Oregon engaged the Oregon City's Economic Development Department to administer yet another debt relief initiative. The State of Oregon awarded Oregon City $35,000 in grant funding to distribute to the local struggling small business community. Oregon City deployed the funds to 14 eligible applicants who received $2,500 each.

Therefore, on September 19, 2020, the Economic Development Department sought and was approved to utilize $350,000 of funding provided through CARES ACT. The department decided with City Commissioners approval to split the use of the funds between yet another debt relief initiative (grants) and the new Re-Imagine Opportunity Fund (forgivable loans) to help restaurants, tourism-facing businesses, and private nonprofits to establish new processes or to purchase technological innovation to be more resilient and agile going forward. Staff deployed $108,609.28 in debt relief funds to 32 eligible small businesses within Oregon City and distributed $240,296.00 in Re-Imagine Opportunity Funds to 12 eligible applicants.

B. Destination Ready

During the fall/winter of 2021, the Destination Ready strategy was launched to help prepare Oregon City's Tourism industry to greet its guests during a period of reduced COVID-19 restrictions. It was during this period when guests of Oregon City felt more relaxed about traveling, not only because of the reduced threat, but also due to the nature and scope of the welcome that was communicated by the Oregon City Tourism Industry. The implementation of this strategy represented an ongoing effort to build Oregon City's Tourism Industry.

During the biennium of FY 21 – FY 23, guidelines as to how to navigate the pandemic continued to evolve. Several new initiatives were planned and implemented in direct correlation to the Oregon City Tourism Strategy. These initiatives included the following:

1. **The Community Showcase**
   FY 2021-2023 Budget: $20,000
   Quote from existing Tourism Strategic Plan: *Oregon City needs to ensure the value of tourism is understood by the local community so that the community can get behind these efforts and create an authentic experience.*
   During the fall and into the winter of 2020, the City's Economic Development Department implemented this initiative. The program promotes community engagement with Oregon City's tourism-related, public facing nonprofits and for-profit organizations. This initiative consisted of web-based virtual tours of different Oregon City historic sites chosen monthly. Only residents of Oregon City could participate in a quiz based on the virtual tours. Fifty city resident winners were identified monthly and by correctly answering 60% of the quiz questions, residents received a $40 gift certificate to redeem at 10 local restaurants.

2. **The Concierge Institute**
   FY 2021-2023 Budget: $100,000
   Quote from existing Tourism Strategic Plan: *In order for Oregon City to grow its tourism industry it will need to lead local stakeholders in tourism best practices.*
   The Concierge Institute provided training and education courses coordinated through the Oregon City Chamber to several nonprofit public-facing entities. Afterwards, the program participants were asked to be open on a regular schedule so that resources offered would help them build capacity in their respective operations. City staff had numerous conversations with historic houses to discuss their needs. They were offered funding to buy merchandise to sell, and interns to help with giving tours. The historic houses responded that they did not have enough volunteers and/or capacity to even accept what was being offered them.

3. **The Arts Treasure Trove**
   FY 2021-2023 Budget: $100,000 ($40,000 for Arts Commission)
   Quote from existing Tourism Strategic Plan: *A destination is its people-they make up the culture and the experience the visitor engages with during their visit.*
   This initiative is one that engages the arts community of Oregon City in various ways to help improve community aesthetics, encourage tourism, and nurture community identification through the public display of sculptures, paintings, decorative features, horticulture enhancements, music, dance, poetry, historical portrayals, murals, and other forms of artistic expression.

   Economic Development Department staff and the Community Development Department along with approval from the City Commission re-established the Oregon City Arts Commission. The first meeting of the Arts was held on October 26, 2021. Staff drafted program guidelines for the Arts Mural initiative. The Arts Commission approved a total of three Art Murals. The first mural approved was on April 12, 2022.

Staff assisted the Arts Commission with developing a grant program to individuals and organizations based in the Oregon City to support the local art community and to strengthen Oregon City's standing as a community that supports art and art-related businesses. The program offered two tiers of funding: an Arts Commission Small Grant, from $250 - $2,499, and an Arts Commission Large Grant, from $2,500 - $10,000. A grand total of $35,000 was awarded to a total of eight applicants.

4. **City-Sponsored Events**
   FY 2021-2023 Budget: $100,000
   Quote from existing Tourism Strategic Plan: *Create or leverage regional travel itineraries to drive awareness.*
   City-Sponsored Events initiative was a program of the City Commission. Staff drafted program guidelines that were approved by the City Commission. City-Sponsored Public Events are recognized by the City of Oregon City as events that are open to the general public. Generally, such activities should occur on a reoccurring basis; however, the City Commission of Oregon City reserves the right to fund a one-time public event if it is deemed worthy of subsidization.

   The City of Oregon City provided grants to non-profit formulated organizations as well as for-profit businesses that produce events that are open and accessible to the general public. Such events require the use of public rights-of-way and/or use of publicly owned facilities. The program offered grants up to 50% of eligible costs with a maximum grand award up to $20,000. The City approved two nonprofit organizations and one for-profit business, providing a total of $42,498. A second round of funding was made available, providing up to 60% of eligible cost up to a maximum of $12,000. Unfortunately, no applicants applied.

5. **Attraction and Expansion**
   The City's Economic Development Department along with other partners will be engaged in activities and methods to attract new tourist-related investments to Oregon City. The primary focus was on businesses that are positioned to enhance visitors' experiences regardless of the season.

6. **Other activities**
   - Established a tourism-related website.
   - Conducted marketing and promotion activities utilizing digital and broadcast media.
   - Installed banners along the major corridors and arteries of the community.
   - Conducted surveys of visitors and residents
   - Promoted several for-profit businesses via digital media
   - Changed the municipal code for business licensing

	REVIEW OF DESTINATION MARKETING/MANAGEMENT	

Elements	McMinnville, Inc Population: 35,159	Visit Wilsonville Population: 26,298
Date Established	Legal filing June, 2015	Adopted by Council, May, 2014 Legal filing March, 2014 City Tourism Committee established via Charter. "Visit Wilsonville" is registered with the Oregon Secretary of State.
Legal Form of Entity	501(c)(6) non-profit, non-membership organization, titled Visit McMinnville (VM) Private non-profit was created by the City	The Tourism Promotion Committee is a deliberative and recommending body of the Parks and Recreation Department with support from the City Manager's Office.
Purpose	Visit McMinnville, a full-service destination marketing organization (DMO) dedicated to enhancing McMinnville's economy through the promotion of tourism. VM is an economic and tourism development organization with a primary function of creating a effective mix of marketing, sales, and service programs designed to produce a positive economic impact on visitor spending in McMinnville. VM promotes the entire City and works in partnership with all sectors of the visitor industry.	*The Committee oversees implementation of the "Visit Wilsonville" Tourism Development Strategy and is charged specifically to develop a larger Five-Year Action Plan and annual One-Year Implementation Plans to be presented and recommended to City Council for approval. *The Committee makes recommendations to the City Council for tourism- and visitor-related marketing, promotions, expenditures and related programs and services that will result in increased tourism activity, as measured by overnight room stays at local lodging properties. *The Committee makes recommendations to City Council concerning the selection and disbursement of a Tourism Grant Program or other government-related tourism grant program as directed by City Council. *The Committee oversees implementation of the Tourism Promotion and Destination Marketing contract and is charged specifically to develop annually for City Council approval fiscal year plans for a long-term Five-Year Action Plan and annual One-Year Implementation Plan for prioritizing and fulfilling recommendations of the Wilsonville Tourism Development Strategy.
-Board of Directors -Officers	*Seven (7) to nine (9) board members: Chair (voting) Vice Chair (voting) Treasury/Secretary (voting) Two members at large (voting)	*The Committee consists of twelve (12) members, including seven (7) voting members and five (5) non-voting ex-officio members.

-Terms	The executive director (non-voting member) city councilor (non- voting member) city staff (non-voting member) *Three-year terms for voting members (staggered terms) *Annual terms for non-voting members until notice of replacement	*At the first meeting of each fiscal year, the Committee will elect a chair and vice-chair from the voting members. *An appointed City staff person or outside contractor will serve as secretary to keep notes of each public meeting and assist with administrative tasks. * Three-year terms for voting members (staggered terms)
Initial Board of Directors Appointment	*McMinnville City Council by majority vote *City Councilor position - Mayoral appointment with majority vote by Council *City staff position – City Manager	
Subsequent Board Member installation	*Board Chair appoints a nominating Committee from the existing board *Board votes on nominees (voting members only)	The mayor appoints and the City Council confirms Committee members, who serve at the pleasure of the Council.
Qualifications for Board or Committee Membership	*No residency required *No organizational or business affiliation required *No organizational or business location requirement *Majority representation of an industry or organization is prohibited (wine, food, lodging, nonprofits, etc.) *Experience and knowledge of tourism required	*The seven (7) voting members are drawn from the hospitality and tourism industry in the greater Wilsonville area, including representatives of the following stakeholders: Agri-tourism, arts & culture, community events, equestrian tourism, event facility, general retail, lodging, organized sporting events, restaurants, and outdoor recreation and tourism attractions. *The five (5) ex-officio positions are a City Councilor who also acts as council liaison for the committee; the City's Parks and Recreation Director, or his/her designee; a Wilsonville Chamber of Commerce representative; and two professional staff persons, one each from Clackamas County Tourism and Cultural Affairs Department and Washington County Visitors Association.
HOTELS	-Atticus Hotel -Best Western Hotel -Red Lion & Suites -McMenamins Hotel -Comfort Inn & Suites -Youngberg Hills -McMinnville Inn -Boutique Retreat	-Quality Inn & Suites -Best Western Plus -Quality Inn Wilsonville -Snoozin -Hilton Garden Inn -Motel 6 -Best Western
BUDGET	Transient Lodging Tax Rate: 10% Transient Lodging Collection: $1.7 million Budget: $1.2 million (70% of TLT) each yr. Total Staff: 4	Transient Lodging Tax Rate: 5% Budget: $200,000 (FY 2023/2024) Budget: $200,000 (FY 2024/2025) Total staff: one, works to oversee contract with consultant

	CONTRACT PROVISIONS	
Agreement Structure Term of Contract	Contract with the City of Wilsonville Initial Contract Term -three years Subsequent Contract Term – Automatically renews annually unless either party serves 30-day advance written notice. Must submit an annual business plan. If Council does not approve of the plan the contract ends with proper notice. Private nonprofit was created by the City, sole sourced contract.	Public nonprofit or private for-profit organizations are allowed to contract with the City Tourism Committee. Currently, a for-profit consultant has been under contract for the past two years. Contract term: one year, option to extend for two additional one-year periods (City's sole discretion).
Legal Requirement	Organization and Agreement requires compliance with ORS 320.300(7), 320.300(8), 320.300 (10)	Organization and Agreement requires compliance with ORS 320.300(7), 320.300(8), 320.300 (10)
Contractor's duties and responsibilities	*Tourism promotion activities *Admin., mgmt., and financial policies *Provides business and marketing plan each fiscal year. *Provide reports and updates to City Council *City Council approval of business and marketing plan, if not the Agreement terminates. *Contractor maintains a reserve fund, equal to 3 months of total fixed operating expenses.	*Marketing Services *Website Services *Social Media Services *Public Relations Services * Photographic & Video Services * Management Services * Collateral, Printing & Shipping/Distribution Services
Funding	City pays contractor based on the following: *During each fiscal year, 70% of the projected Transient Lodging Tax collections for the current fiscal year. After fiscal year not less than 50% but not to exceed 70% of the Transient Lodging Tax collected by the City in the preceding quarter. *In every fiscal year, the City will, subject to appropriation of the funds in the annual city budget and actual receipt of the required Transient Lodging Tax revenues, pay contractor the percentage of Transient lodging Tax revenues approved in the business plan.	City is going through a refresh of its Tourism Development Strategy for the City of Wilsonville, dba Explore Wilsonville DMO. The Strategy shall provide guidance over the next 10 years for directing efforts and funds aimed at increasing tourism activity within the community, particularly for overnight stays at Wilsonville lodging properties. A new Request for Proposals will be issued. *Contract paid to consultant will be $100,000 to develop the new strategy
City's Administrative Costs	City charges a monthly administrative charge prior to allocating funds to the contractor.	N/A
When City's actual collection of TLT revenues exceeds the amount approved in the contractor budget.	If TLT revenues exceed more than 10% than the amount approved in the contractor's budget, the contractor will submit a revised business plan describing how the additional funds will be spent on tourism activities.	N/A

Assets	On termination of Agreement, the contractor will transfer any unexpended TLT to the City less any amount encumbered or accrued for approved expenditures. All intellectual property and all promotional materials associated with the provision of services are returned to the City at no cost.	All documents, and collateral marketing materials are the exclusive property of the City.
Insurance	The contractor bears the risk of all loss of all its property.	Coverages provided by consultant must be underwritten by an insurance company deemed acceptable by the City
Annual Review/Audit	The financial books of the contractor will be audited or reviewed annually by an independent certified public accountant.	All financial documents in association with the contract must be made available to the City.

RECOMMENDATIONS

In keeping with the underlying intent of this memorandum and to help further discussion, staff recommends the following framework of ideas:

A. Definitions

There is a thin line between the definitions of a destination management organization and a destination marketing organization. Most organizations charged with supporting the tourism industry use the definitions interchangeably. It is important that we do not get stalled on definitions. What really matters is how the proposed organization operates to further Oregon City's desire to establish a tourism industry.

B. Blue-Ribbon Panel

It will be necessary to refresh the existing Oregon City Tourism Strategic Plan with one that recognizes the political landscape that has hampered efforts to further tourism in Oregon City as well as other more structural limitations associated with trying to develop a tourism presence within the community. The plan should spell out in great detail the community's strengths, weaknesses, opportunities, and threats.

The "refreshed" strategic plan should recognize where Oregon City stands with regard to its place in the overall tourism market within the region. A strategic plan that actually utilizes data to compare the Oregon City community's metric performance (hotel stays, TLT collections, visitors, etc.) relative to that of other communities that have a tourism industry within the region would be important.

And finally, a strategy that specifically spells out what it will take, in terms of personnel and financial resources, to develop a professional, business-like tourism program.

Recommendation: Establish a short-lived blue-ribbon panel of industry experts (state, county, regional DMO, tourism-related for-profit businesses, and tourism-supporting nonprofits) to refresh the existing tourism strategic plan. Hiring an experienced consultant charged with gathering, analyzing, interpreting specific market data and making comparisons between Oregon City's Tourism efforts and program infrastructure with that of other similar communities is encouraged.

Also, it will be important to get insights from consultants that specialize in developing DMOs. Some consultants may initially provide some insights without charge with the potential of being called upon later for more in-depth involvement.

C. Legal Form of DMO:

DMO can be either 501(C)(3) or 501(C)(6) organizations. According to the Internal Revenue Service (IRS), both 501(C)(3) and 501(C)(6) organizations are exempt from paying federal income taxes, but there are some differences between the two**.**

Here are some of the key differences:

- Purpose: 501(C)(3) organizations must serve the public, while 501(C)(6) organizations are formed to serve their members**.**
- Charitable status: 501(C)(3) organizations are regarded as charities, while 501(C)(6) organizations are entities that promote the common business interest of a certain group**.**
- Tax deductions: 501(C)(3) organizations allow their donors to take tax deductions for contributions, while 501(C)(6) organizations do not**.**
- Membership: 501(C)(6) organizations have more formal membership and voting rights than 501(C)(3) organizations **.**

Both types of organizations are tax-exempt from federal income taxes on the income raised or earned related to their exempt purposes. However, there are some differences in the activities they are exempt from and the benefits they offer.

For instance, a company with 501(C)(3) status enjoys the benefits of tax exemption, and fundraising may be easier since donations are deductible from the taxes of donors as well. On the other hand, a 501(C)(6) spends any revenue it receives to provide a service such as education or health care to the public, while a 501(C)(6) does not pay out money to its owners but uses its revenue to support for-profit businesses.

Recommendation: After the existing tourism strategic plan is refreshed, the blue-ribbon panel, cited earlier, would be charged with identifying either an existing 501(C)(3) or 501(C)(6) entity either through a request for proposals or through a sole sourced proposal. Contracting with an existing 501(C)(3) or a 501(C)(6) organization would save time from waiting on the IRS to approve an application for nonprofit status.

If there is no existing entity with a nonprofit designation, the City could support choosing a professional individual or group of professionals experienced in today's industry standards to form a private nonprofit entity for the purpose of creating a DMO. This could be accomplished by developing a request for proposals ("RFP") to be distributed among interested parties.

D. DMO Framework

Recommendation: Ideally, it is recommended that a 501(C)(3) DMO be contracted with or created. Fundraising may be easier since donations are deductible from the taxes of donors. If a 501(C)(6) is decided upon, it is recommended that a non-membership type of entity be established but keep in mind raising funds to support tourism industry building from sources other than from City government may be more challenging.

Nevertheless, a legal form for the DMO should be established and a board of directors put in place. The board may be comprised of at least one representative from the following interest groups:

- Lodging Establishments
- Retail Businesses
- Food Venues
- Wine/Spirits/Brewery Businesses
- Non-profit Tourism Support Organizations
- For-profit Out-Door Experience-Based Ventures
- Historic Site Organizations
- City Commission Liaison (non-voting member)
- County Tourism Agency
- Regional DMO

The City of Oregon City should contract with the DMO to run and operate the destination management organization, one that works with travel trade partners bring together organizations that serve all aspects of the visitor experience – from lodging providers, attractions operators, restaurants, and retailers.

A two-year contract agreement should be forged with the DMO that details the percentage TLT dollars that will be transferred each year minus the City's administrative charges. The agreement should detail the scope of work as well as an annual implementation plan that ties in with the Tourism Strategic Plan. The implementation plan should be presented each year to the City Commission for approval.

Concluding Thoughts

Within Oregon City's tourism landscape, is the for-profit side and the nonprofit component.
It is the for-profit side of the ledger that is doing well and does a good job in attracting visitors primarily interested in dining, retail, wine/breweries, and outdoor experiences.

It is important to recognize that tourism is a serious business and is not a hobby. It is the nonprofit side that is struggling. Whether to keep regular business hours, not having enough volunteers, not having young people involved, or not offering programming alongside the historical assets of the community, the nonprofits are having a variety of challenges and are not destination ready. It is very challenging to run a business with only volunteers.

Recommendation: The DMO should eventually hire staff and recruit younger volunteers to serve at each of the historic houses so that regular hours can be established, and each historic site is run and operated like a small business, i.e., selling merchandise, offering special programming, participating in a unified ticketing strategy, selling visitor packages that include riverboat tours, and other outdoor experiences. The staff is supervised by the DMO with input from the respective volunteers at each historic house.

The volunteers associated with each historic house should be primarily involved with fund raising, working with the DMO on programming and attracting younger volunteers on behalf of their respective site.

At the appropriate time, the staff is prepared to provide further input. In the meantime, discussions with local organizations are suggested to discern if any are interested in pursuing the DMO model.

STEPS TOWARD ESTABLISHING A DESTINATION MANAGEMENT ORGANIZATION

REFRESH THE EXISTING TOURISM STRATEGIC PLAN

Step 1: **Establish a short-lived Blue-Ribbon Panel of the following members:**

- State of Oregon (Travel Oregon)
- Mt. Hood Territory (Clackamas County)
- Travel Portland
- Oregon City Commission Liaison
- Tourist-Facing For-Profit Businesses
    - Restaurant Representative
    - Retail Representative
    - Brewery Representative
    - Hotel Representative
    - Winery Representative
- Tourism-supporting nonprofits
    - Chamber of Commerce
    - Downtown Oregon City Association
    - End of the Oregon Trail Interpretative Center
    - Museum of the Oregon Territory
    - Oregon City Heritage Coordination Committee

- Hire a tourism-related market data company or consultant to assist the Committee.
- City staff coordinates the meetings.

AFTER THE OREGON CITY TOURISM STRATEGIC PLAN HAS BEEN REFRESHED

Step 2: Revised Tourism Strategic Plan is reviewed and approved by the City Commission

Step 3: Identify an existing 501(C)(3) entity to serve as a destination management organization.
*City Commission and the existing 501(C)(3) entity appoint a board of directors to serve.

Step 3(a): If an existing entity cannot be identified, create a 501(C)(3) or (C)(6)
*Hire a destination management consultant to help form the non-profit organization
*City staff can assist with identifying consultants for City Commission's approval

AFTER LEGAL ENTITY HAS BEEN APPROVED BY THE IRS

Step 4: City Commission appoints a slate of board members to serve as the first board of directors to the new Destination Management Organization.
Seven to nine members to serve for 3-year terms. Each board member could serve representing the interests of the following tourism-related areas:

- The lodging business
- A retail business concern
- A food business interest
- An adult beverage interest
- An outdoor recreational business interest
- A non-profit tourism-support organization
- Local historic sites interest
- City Commission liaison (non-voting member)
- County Tourism Agency

+All members of the board of directors to follow are chosen by the existing destination management organization board of directors.
+New board of directors establishes the organization's by-laws and elects officers.

REQUEST FOR PROPOSALS FOR DESTINATION MARKETING ORGANIZATION

Step 5: Utilizing the refreshed Oregon City Tourism Strategic Plan, the board of directors of the destination management organization should create a request for proposals to hire a destination MARKETING organization.

After a destination marketing organization has been identified and hired by the board of directors of the destination management organization, the destination management organization is now ready to establish a contract with Oregon city municipal government.

THE DESTINATION MANAGEMENT ORGANIZATION UNDER CONTRACT

Step 6: Oregon City Municipal Government hires the destination management organization.

Tourism Support for Oregon City

This message is written by Rivers of Life Center and co-authored by several United States Coast Guard Captains. Specifically, we wish to share our support for a D.M.O. since that has worked well for river-related tourism assets in Salem, Astoria and Lincoln County. We are very concerned and want to state our support is conditioned on Oregon City getting serious about challenges to river-based tourism. We expect that a DMO or similar effort would include a prudent response to:

1. Jon Storm Park Dock – Must be useable without restrictions since its structure is more than adequate (we have talked with the builders of the dock and we do not know why the City or Marine Board put restrictions on the dock, which is extremely overbuilt).

2. Oregon City is a river city. Many years ago, we formed the River Assets and Opportunities Task Force to look at Oregon City's challenges and opportunities and also work with West Linn since they too are a River City. (The River Assets and Opportunities Task Force is meeting on April 17th, and is composed of nearly 15 leaders from both sides of the river; Metro and Willamette Falls Locks foundation are participating because they see the logic in the Locks and Jon Storm Park Dock working together).

3. Over 30 visits by vessels from Portland were hosted at the Jon Storm Park Dock and the vessel operators and National Tourism Boat Association helped the city of Oregon City design that dock so it could serve in river-based tourism.

(The city has done nothing on this issue and we believe it's time for the city and Marine Board and the Tour Boat Association to get together and get this dock in service)

We recognize that Oregon City is looking to develop a strategy such as DMO's that you reviewed and that we, as coast guard licensed providers, are aware of and their value. We also realize that there are many heritage sites in Oregon City. But there are in fact two rivers here below Willamette Falls that can serve to host guided, educational and general-purpose tours for not only Oregon City and West Linn, but for this northern part of the Willamette Valley. Willamette Falls Locks is the key in part to develop longer distance cruises as well as shorter products that could serve the Downtown District as well as assets on the West Linn side of the river.

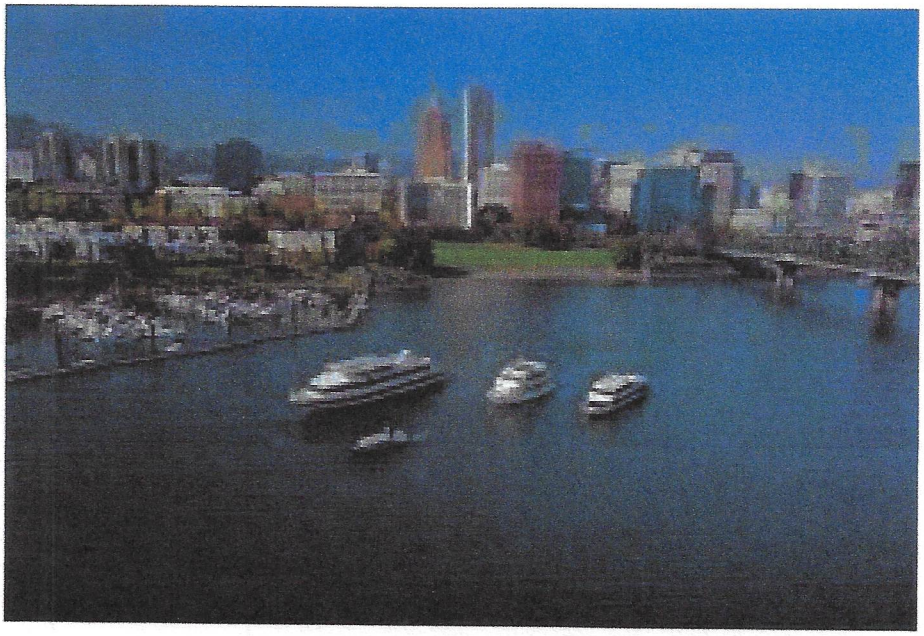
River Assets and Opportunities Task Force:

Captain Lowell Gillespie

Captain Richard Chesbrough

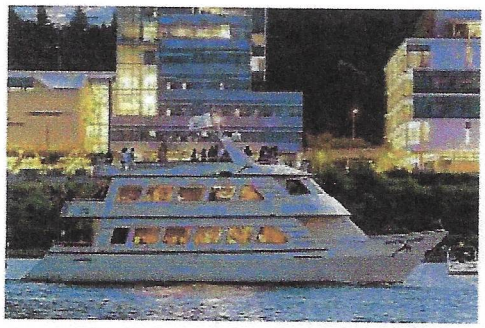
Portland Spirit General Manager Dennis Corwin

Rivers of Life Center Jerry Herrmann

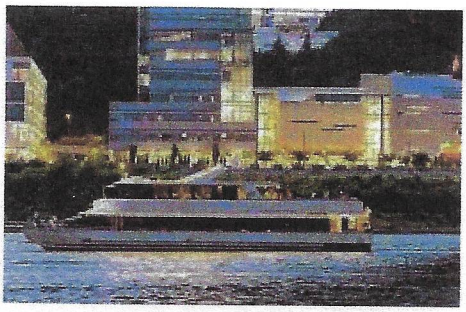


RELIANT

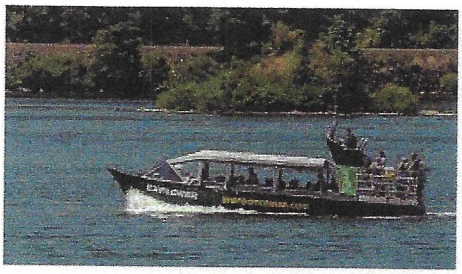
PORTLAND SPIRIT



CRYSTAL DOLPHIN



WILLAMETTE STAR



EXPLORER

WILLAMETTE JETBOAT

Jakob Wiley

From: Jakob Wiley
Sent: Tuesday, February 6, 2024 8:44 AM
To: Tony Konkol; James Graham; Alex Rains
Cc: Recorder Team
Subject: FW: NO to the DMO Proposal

From: Thelma Haggenmiller <thelma.haggenmiller@gmail.com>
Sent: Saturday, January 20, 2024 12:40 PM
To: 'Denyse McGriff' <dmcgriff@orcity.org>; 'Rocky Smith' <rsmith@orcity.org>; 'Frank O'Donnell' <fodonnell@orcity.org>; 'Michael Mitchell' <mmitchell@orcity.org>; 'Adam Marl' <amarl@orcity.org>
Cc: 'Tony Konkol - City of Oregon City' <tkonkol@orcity.org>; 'James Graham' <jgraham@orcity.org>; hello@coraggiogroup.com
Subject: NO to the DMO Proposal

NO to the DMO Proposal . . .

Mayor McGriff, and City Commissioners,

My name is Thelma Haggenmiller. I have been operating my business, "Slow Poke Tours" within the Oregon Tourism Industry in the State, Clackamas County and Oregon City since 1986 - over 38 years.

At your January 9, 2024, Work Session I submitted the question "Instead of trying to establish a DMO (Destination Marketing/Management Organization), why not consider re-looking at the Coraggio Group's Strategic Tourism Plan for Oregon City that was accepted by the Commissioners in 2018? I was one of the 'Stakeholders' involved in the development of that plan.

January 2023 (a year ago) your current Economic Development Director, James Graham, requested that you consider forming a DMO to take on the task of spending the 6% Transient Lodging Tax (TLT) mostly collected by your local hotel. Your City Administrator, Tony Konkel, has provided you with all the reasons why the Coraggio Group's Strategic Tourism plan was never implemented but has been 'sitting on the shelf'.

Prior to coming to the Work Session, I thoroughly reread the plan. Yes, it does need some updating, but the basics of the plan are still viable. Look closely at the attached plan and you will see that the Coraggio Group has offered to help with implementation of the steps they recommended. I firmly believe that, instead of trying to form a DMO, you should consider using the OC Tourism monies to hire the Coraggio Group to update the existing plan and follow through with the implementation as they recommend in the plan. For your convenience, I have attached the original plan to this email. I also urge you to take a look at their website: Coraggio Group

Thank you for listening to me and for considering this idea.

Respectfully submitted.

Thelma Haggenmiller Slow Poke Tours
3405 SE Westview Av. Oak Grove OR 97267 503-659-5590
SlowPokeTours@gmail.com

CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 02/07/2024

From: Public Works Director John M. Lewis, PE

SUBJECT:

McLoughin Boulevard Enhancements Project (CI 22-002) Update

BACKGROUND:

In September 2023, staff appeared before the Commission to introduce the McLoughlin Boulevard Enhancements Project. The Commission was presented with a summary of the project and work constructed, to date, along the corridor.

In November 2023, Consultants Kittelson & Associates provided the Commission with an overview of work that was completed and work in progress for this project. This included a review of the Project's Purpose & Need Statement - To develop a shared-use path that will improve multimodal safety and fill in the gap for people walking and biking (along the McLoughlin Boulevard corridor between 10th Street and tumwata village) through pedestrian, bicycle and streetscape enhancements will be at the forefront of this project.

In December 2023, staff planned to provide the Commission with a project update; however, were unable to due to time constraints.

A self-guided Virtual Open House of this project was held December 6th through the 22nd, 2023. This virtual experience provided an opportunity for community input and feedback regarding the potential bicycle/pedestrian pathway designs.
The open house goals included:

- Provide project information and engagement opportunities that are accessible, approachable, and inclusive.
- Solicit public input on the initial set of alignment alternatives.
- Create awareness about the project and its benefits and potential burdens or impacts.
- Communicate how input and feedback shape project outcomes.
- Create robust collaboration between agency partners and interested parties to facilitate the selection of a shared-use path preferred alternative.

Overall, 169 users accessed the virtual open house, and 154 comments were received (through the virtual open house, project website, and emails). 47% of the users (81 users) accessing the virtual open house were identified as being from Oregon City or Portland.

The public outreach resulted in comments pertaining to the following topics:

- Purpose and Need (13 comments)
- Corridor Vision (11 comments)
- Evaluation Criteria (7 comments)
- Input Opportunity: Design Alternatives (21 comments)
- Input Opportunity: Your Priorities (18 comments)
- Comment Form (2 comments)
- Emailed Comments (2 comments)
- Website Comment Form (60 comments)

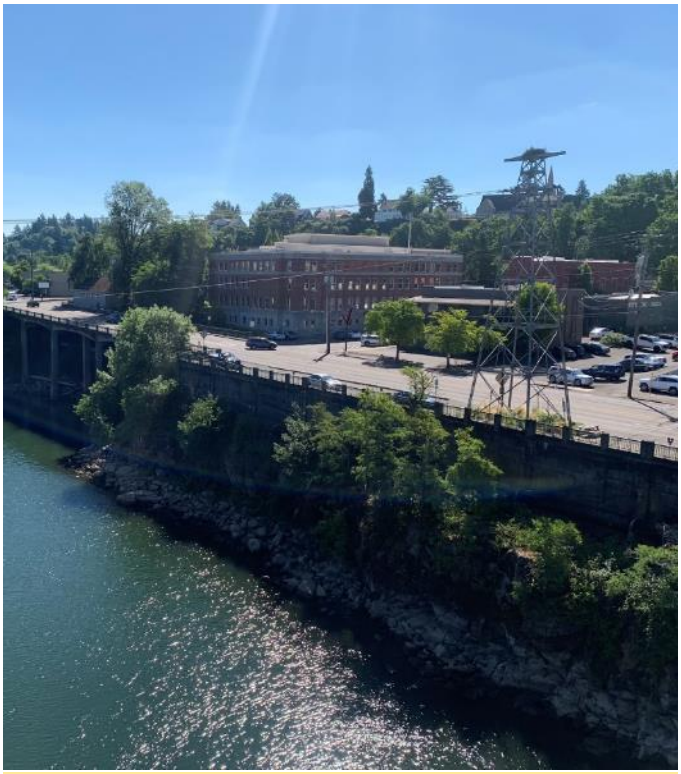
The following themes were identified from the comment submissions:

- Improving traffic flow on McLoughlin Boulevard
- Upgrading access and safety for pedestrians and cyclists
- Enhancing safety for all users
- Building and improving connections to the future tumwata village development, downtown Oregon City, Willamette River, and nearby cities
- Increasing maintenance, monitoring, and cleanup work along the corridor

Overall, most community members voted for Alternative 1B: High Route - a design with a new pathway structure at street level, next to McLoughlin Boulevard. This path would connect to McLoughlin Boulevard near 10th Street and reconnect near the future tumwata village Development. Participants also voted for a pathway design through the Historic Arch Bridge columns, as shown in Alternatives 1B and 1C.

Following the virtual open house, the project team will work to evaluate several design alternatives before the preferred alternative is adopted. Public input collected at the December 2023 virtual open house event will help inform the City's decisions as it selects a preferred alternative. Additional traffic, environmental, and technical analysis will also be completed during the design process. The City will select the preferred alternative that is technically feasible and reflects the community's vision.

Tonight's update will provide the Commission with an overview of the results from the Virtual Open House.More information on the project can be found on the project website: https://www.orcity.org/1853/McLoughlin-Blvd-Enhancements



December 2023
Virtual Open House Summary

McLoughlin Boulevard Enhancements:
10th Street to tumwata village

OREGON CITY

Oregon Department of Transportation

Oregon City, Oregon
January 3, 2024

December 2023 Open House Summary

Introduction

The City of Oregon City (City) and the Oregon Department of Transportation (ODOT) are partnering to evaluate options for a shared-use pedestrian and bicycle path and streetscape enhancements on both sides of McLoughlin Boulevard between 10th Street and tumwata village. This project is the last and most complex phase of Oregon City's McLoughlin Boulevard Enhancement Plan, which has been in progress for the past 20 years.

This project will enable the City to complete the Alternatives Identification and Evaluation phase to determine how to address this gap. Once a preferred alternative is identified, the City will proceed with a more detailed design and apply for grants to build all or portions of the alignment. HDR Engineering, Inc.'s (HDR's) services include strategic-communications support to inform Oregon City residents and the Clackamas County community about the proposed project.

The public outreach process encourages participation from local community members to learn about the project and provide feedback on the proposed design alternatives. Their feedback is critical in the City and ODOT's decision to select a preferred alternative.

This summary provides an overview of the virtual open house event held from December 6–22, 2023.

Virtual Open House Goals

The open house goals are as follows:

- Provide project information and engagement opportunities that are accessible, approachable, and inclusive
- Solicit public input on the initial set of alignment alternatives
- Create awareness about the project and its benefits and potential burdens or impacts
- Communicate how input and feedback shape project outcomes
- Create robust collaboration between agency partners and interested parties to facilitate the selection of a shared-use path preferred alternative

Virtual Open House Overview

From December 6–22, 2023, community members were invited to participate in a virtual open house hosted by HDR and posted on the City's project website. Users were invited to provide feedback on the proposed design alternatives and priorities for the McLoughlin Boulevard corridor.

The following topics were shared on the online platform:

- Project Overview
- Project Timeline
- Project Purpose and Need

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- Corridor Vision
- Evaluation Criteria & Performance Measures
- Overview of Design Alternatives and Opportunity for Input
- Opportunity for Input on Shared-Use Path Priorities?

The webpage also included a general comment form where users could submit other feedback regarding the project. ***See Appendix A for screenshots of the virtual open house.***

Overall, 169 users accessed the virtual open house, and 154 comments were received through the virtual open house, project website, and emails. Forty-seven percent of users (81 users) were identified using a device to access the virtual open house from Oregon City or Portland.

Comments were received regarding the following topics:

- Purpose and Need (13 comments)
- Corridor Vision (11 comments)
- Evaluation Criteria (7 comments)
- Input Opportunity: Design Alternatives (21 comments)
- Input Opportunity: Your Priorities (18 comments)
- Comment Form (2 comments)
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- Enhancing safety for all users
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- Increasing maintenance, monitoring, and cleanup work along the corridor

Overall, the majority of community members voted for Alternative 1B: High Route, a design with a new pathway structure at street level next to McLoughlin Boulevard. This path would connect to McLoughlin Boulevard near 10th Street and reconnect near the future tumwata village development. Participants also voted for a pathway design through the Historic Arch Bridge columns, as shown in Alternatives 1B and 1C. Please see the **Open House: Results and Comment Themes** for a complete summary of these results.

Notifications and Materials

The project team publicized the virtual open house using printed and digital notifications, described below. ***See Appendix B for samples of these materials.***

Fact Sheet: The fact sheet included information about the project, benefits and needs, anticipated timelines, and public engagement opportunities.

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Direct Mail: Project staff designed a postcard to notify neighboring residents about the informational session. The postcard was mailed to approximately 345 residents on November 27, 2023. City staff printed and distributed 300 additional postcards to downtown Oregon City businesses and residents.

Web Page: The project website (bit.ly/McLoughlinBlvd3) was updated with new graphics, maps, and approved content. The City also shared the virtual open house link on the website via a website banner.

Email: City staff sent three email notifications about the event to the City's notification list subscribers. This list includes local Oregon City and Clackamas County community groups.

Social Media: Oregon City staff shared the open house link and a City-produced project video on Facebook and Twitter/X. The posts directed visitors to the website to learn more about the project and the virtual open house event.

Digital Advertising: The City purchased a digital ad campaign on Oregon City News (oregoncitynewsonline.com), including 30,000 impressions to publicize the virtual open house. Ads were produced in several formats to accommodate mobile, desktop, and tablet devices.

Project Topics

The following project topics were shared at the virtual open house:

- **Project Overview:** This slide included general information about the project, including background details about the McLoughlin Boulevard Enhancement Plan, the identified study area, and project benefits.
- **Project Timeline:** A general project schedule was shared on this slide, including relevant public engagement, planning, and design milestones. Community members were informed about the public engagement process and participation opportunities. This slide detailed the alternative development phase and the timeline for selecting a preferred alternative.
- **Project Purpose and Need:** The Purpose and Need Statement describes the transportation problems in the corridor and provides context for decision makers as they consider the best design options. Community members were invited to share their thoughts regarding this statement.
- **Corridor Vision:** The Corridor Vision includes several statements regarding the proposed Willamette Falls Path extension and streetscape enhancements. Community members were invited to share their thoughts regarding this project topic.
- **Evaluation Criteria & Performance Measures:** This slide informed visitors about the selected evaluation criteria and performance measures. The evaluation criteria were developed based on the project's Purpose and Need Statement and the goals of Oregon City's Transportation System Plan. The project team developed a set of performance measures to assess and differentiate between the design alternatives. These measures will provide a framework for selecting a preferred alternative.

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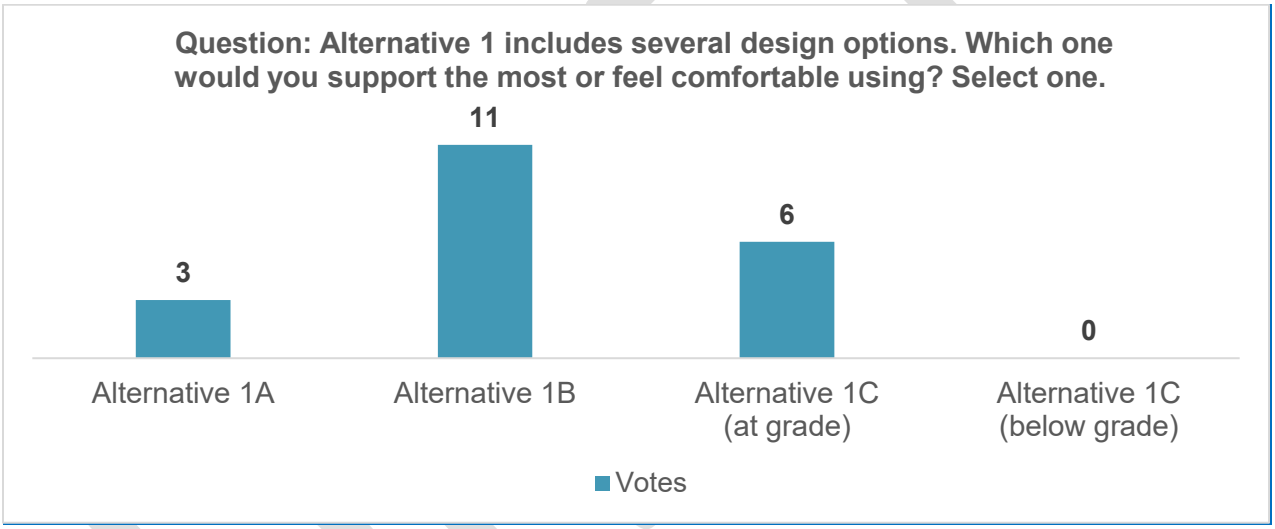
- **Input Opportunity:**
  - **Design Alternatives:** Visitors were invited to provide input on several design alternatives as part of the project.
  - **Your Priorities:** The City collected feedback from community members about community transportation priorities along McLoughlin Boulevard.

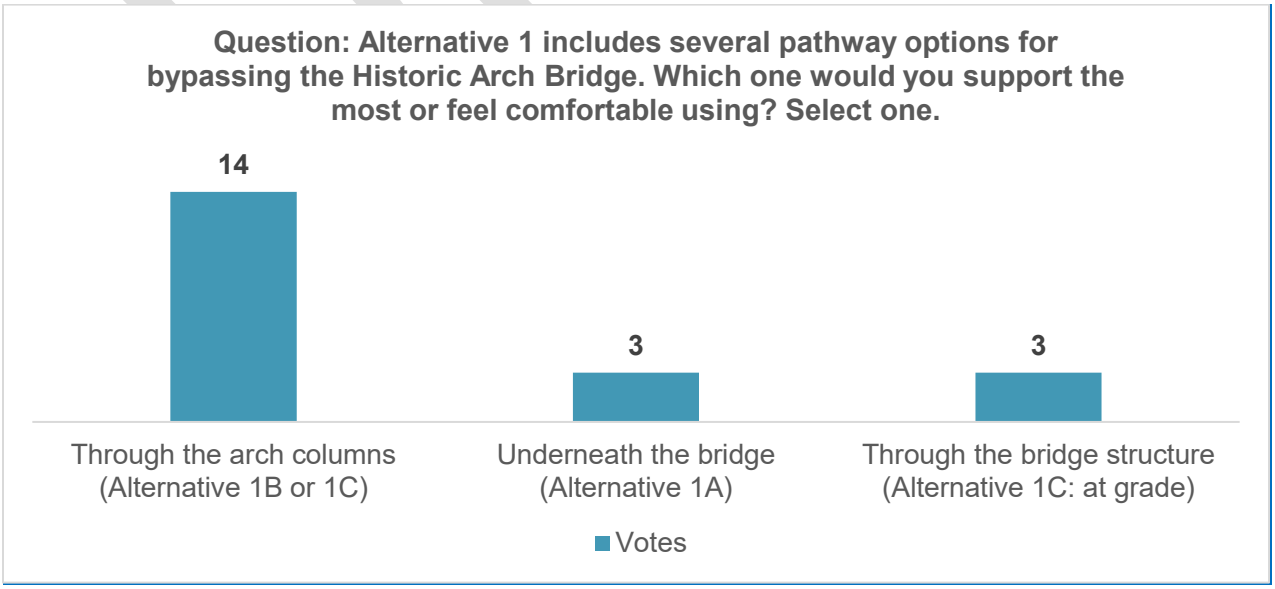
Open House: Results and Comment Themes

The project team received several comments during the virtual open house event. ***See Appendix C for a complete list of comments received.***

The following graphs summarize the feedback received regarding the project's design alternatives.

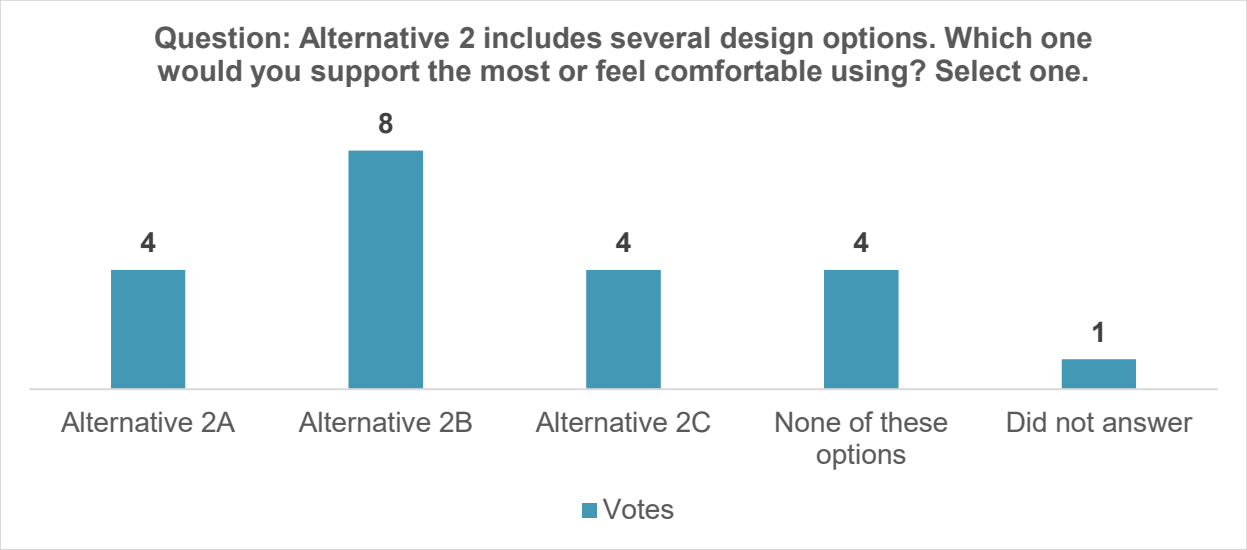
Input Opportunity: Alternative 1





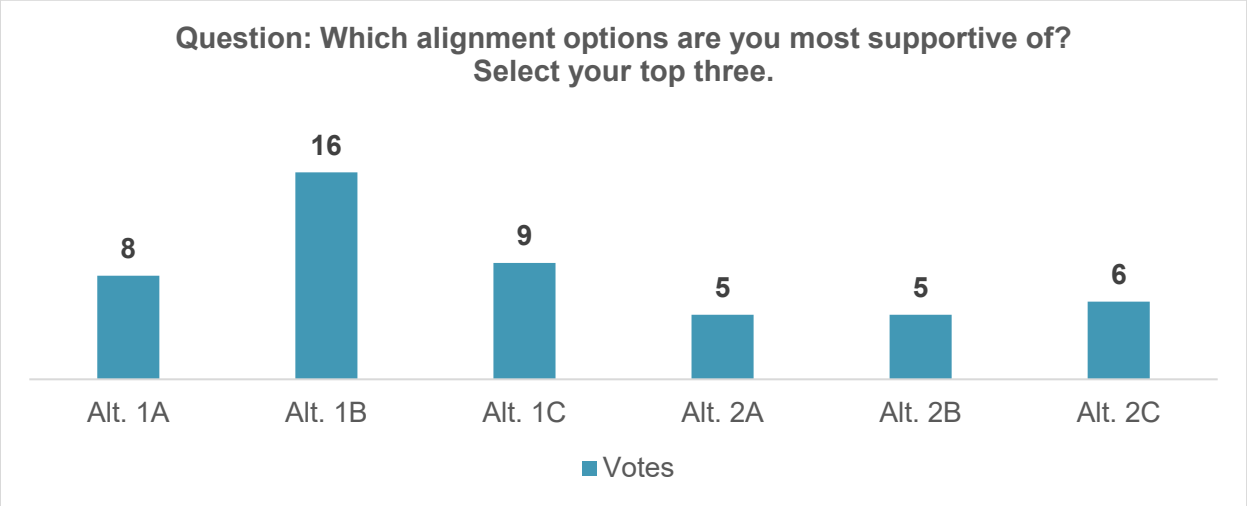
When asked which alignment they would support within Alternative 1, most participants selected Alternative 1B. Participants also preferred a pathway design through the arch columns, as shown in Alternatives 1B and 1C (14 votes), over the other two proposed alternatives (6 total votes).

Input Opportunity: Alternative 2



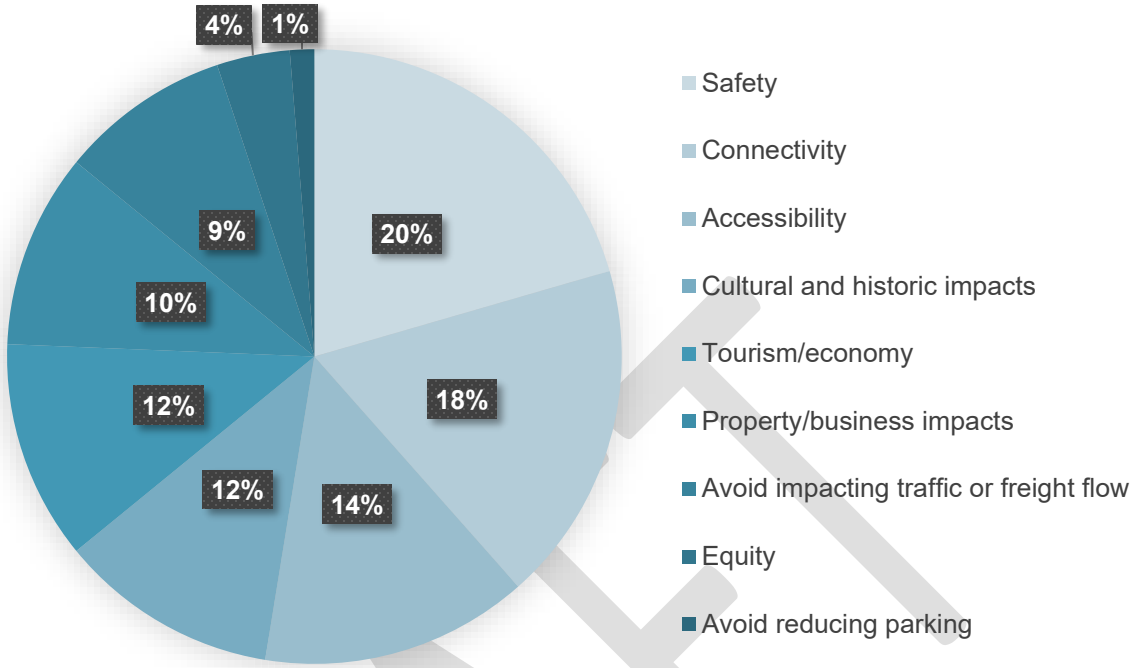
When asked which alignment they would support within Alternative 2, most participants selected Alternative 2B (8 votes).

Input Opportunity: Design Alternatives



When asked which alignment options they would support, community members favored Alternative 1B (16 votes), followed by Alternative 1C (9 votes) and Alternative 1A (8 votes). The three designs within Alternative 2 (2A, 2B, and 2C) were ranked as the least supported designs compared to the other alternatives.

Question: What are the most critical issues you believe the project should address?



Participants identified safety (16 votes), connectivity (14 votes), and accessibility (11 votes) as the top issues that the project should address.

Community members also shared the following concerns regarding safety for pedestrians and cyclists on McLoughlin Boulevard:

- Inattentive drivers
- Uncomfortable proximity to high-speed vehicle traffic from the sidewalk
- Marginal lighting in some areas along the corridor
- Decreased maintenance, monitoring, and cleanup work along the corridor
- Lack of connectivity between the river and downtown businesses
- Homeless populations camping on the trail and sidewalk
- Narrow sidewalks without railings and curb ramps

Of the alternatives shown, the following elements were identified as attractive options from a safety, security, and aesthetics perspective:

- A path that is visible or at street level
- At- or above-grade design alternatives that do not narrow the roadway
- A separate facility from McLoughlin Boulevard
- Physical barriers from traffic
- Connections to the river and future tumwata village

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Community members suggested several future access amenities that they would like the City to consider, as the shared-use path is linked to existing and future upstream and downstream river access:

- A pedestrian bridge over McLoughlin Boulevard that allows people to access the downtown area without using a crosswalk
- Working with the tribe to access the historic locks between the upper and lower Willamette Falls
- Connections to future transportation projects like the Oregon City–West Linn Pedestrian Bridge and Public Riverwalk Project
- Accessibility to other areas without barriers or disconnects
- Commuter ferry along the Willamette River
- Floating pavilion at the tumwata village area (using the ramps proposed in Alternative 1A)
- Parking structure within downtown Oregon City
- Improved access to downtown Oregon City through the existing viaduct and Americans with Disabilities Act (ADA) ramps near the existing courthouse
- Benches and improved lighting
- Safe pathways to ride to Canby and Willamette

Participants shared the following thoughts regarding other sections of McLoughlin Boulevard:

- Interest in a walking path and pedestrian access across the Clackamas River by Clackamette Park
- Create a safe bike/pedestrian route that connects the McLoughlin Boulevard pathway to the Clackamas River Trail
- Remove the left-turn option at Main Street from Oregon Route 99E (OR99E) heading south
- Complete the links along the corridor to accommodate transit
- Request for a higher level of commitment from the City to maintain the corridor (e.g., garbage removal, railings, lighting repairs, and vegetation management)
- Transform the design of OR99E to preserve the historical and cultural aspects of downtown Oregon City
- Raise the bike lanes south of the OR99E bridge over the Clackamas River

Next Steps

Following the virtual open house, the project team will work to evaluate several design alternatives before the preferred alternative is adopted. Public input collected at the December 2023 virtual open house event will help inform the City's decisions as it selects a preferred alternative. Additional traffic, environmental, and technical analysis will also be completed during the design process. The City will select the preferred alternative that is technically feasible and reflects the community's vision.

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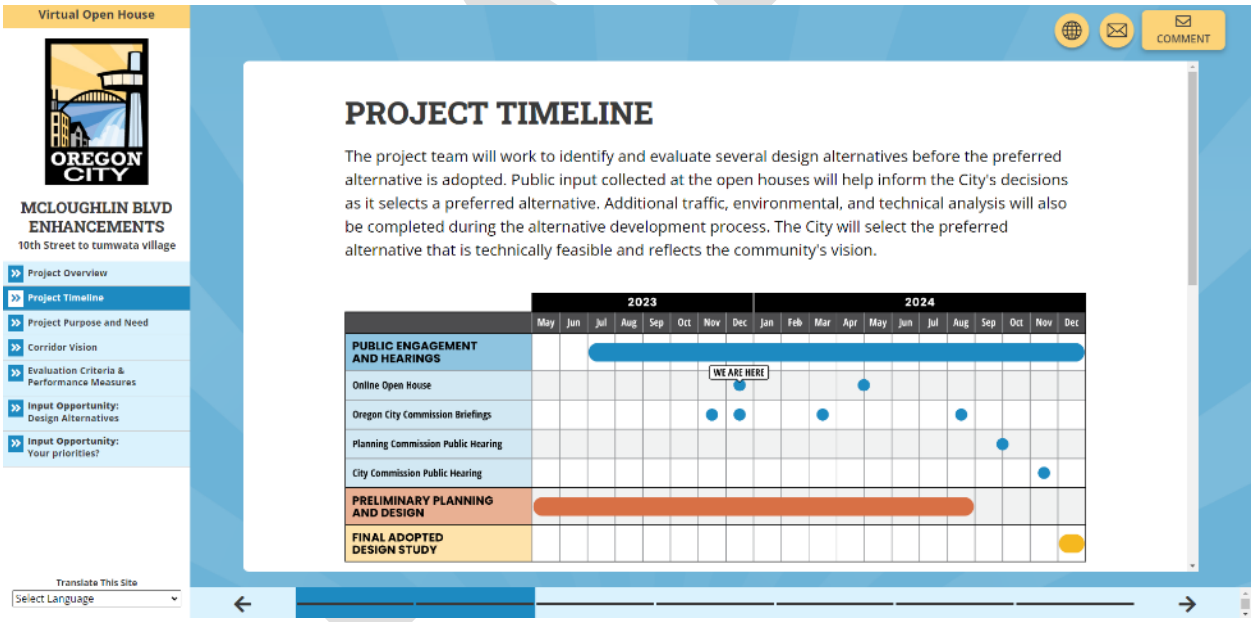
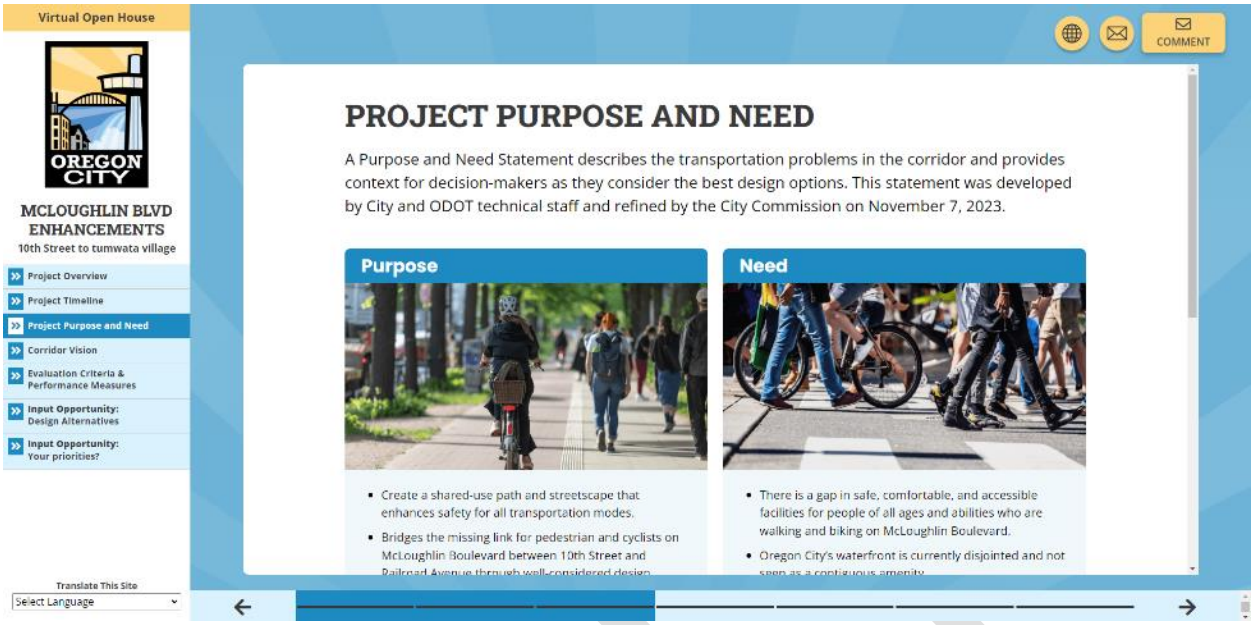
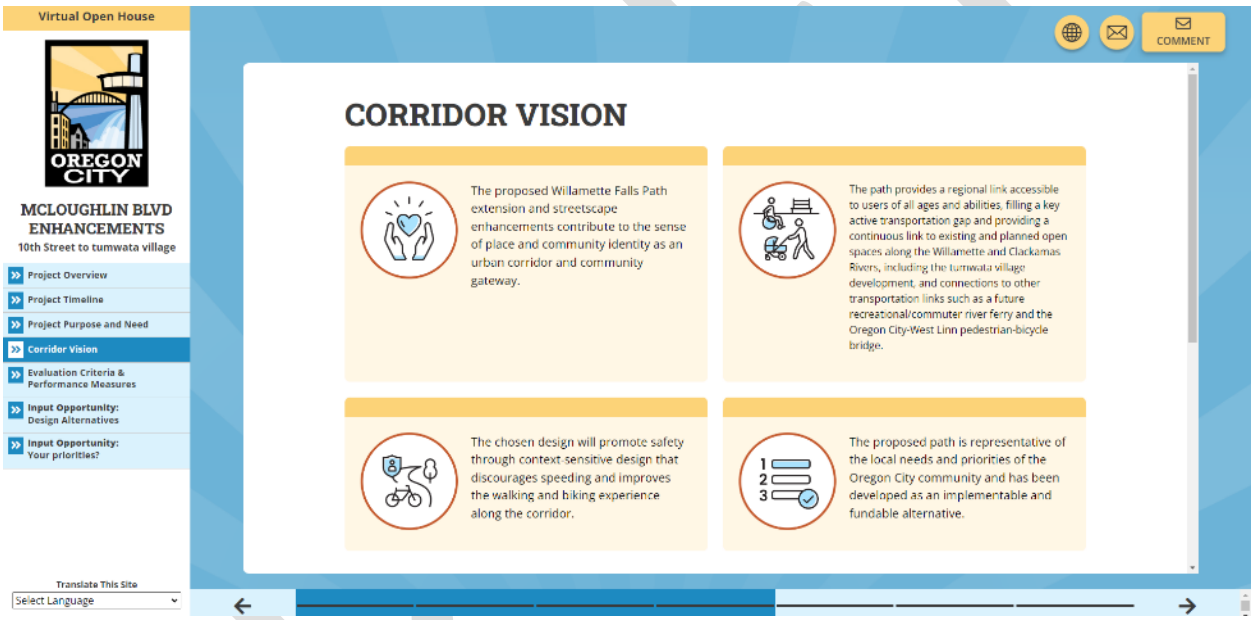
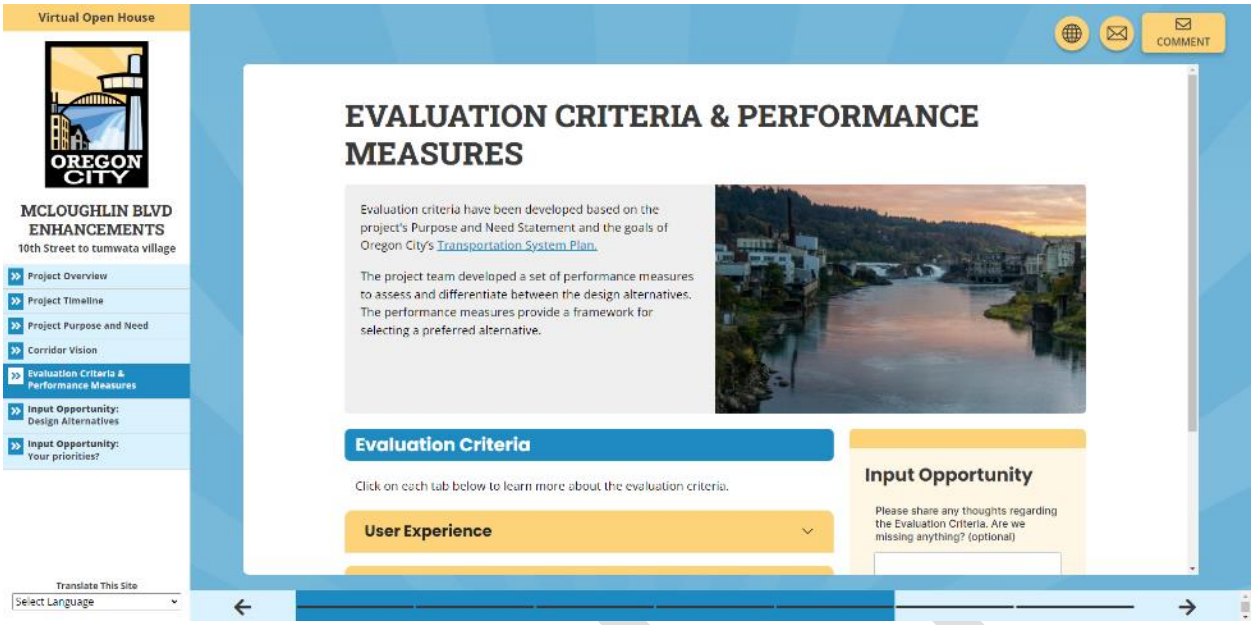
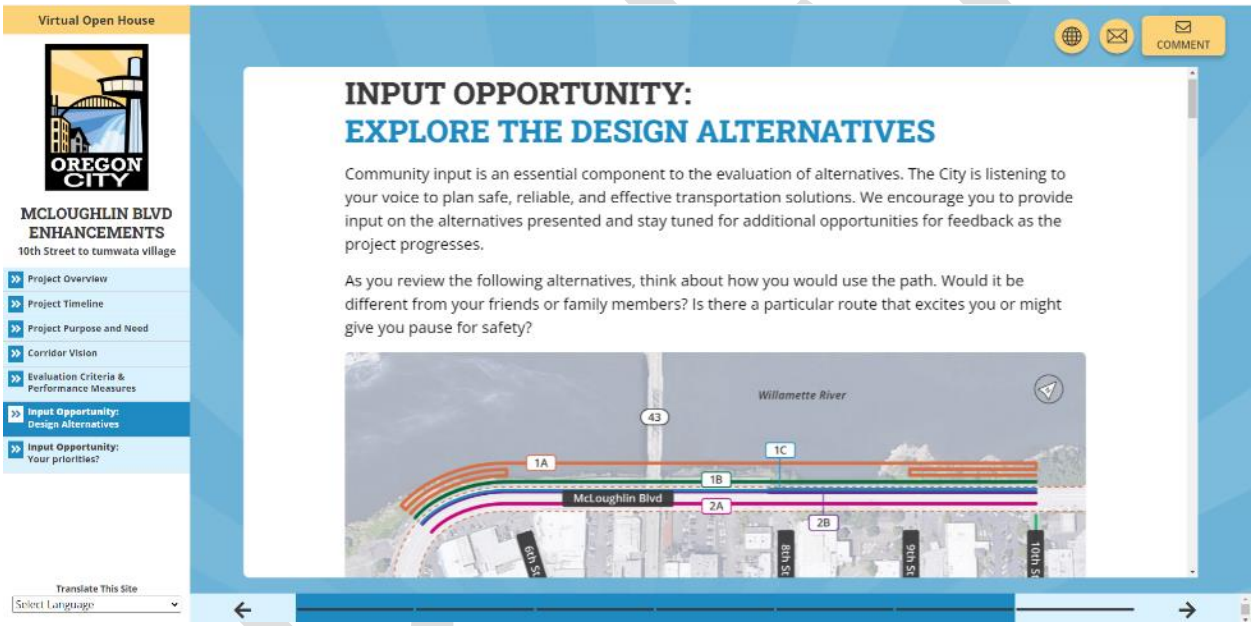
Appendix A: December 2023 Virtual Open House




Virtual Open House
OREGON CITY
MCLOUGHLIN BLVD ENHANCEMENTS
10th Street to tumwata village
Project Overview
Project Timeline
Project Purpose and Need
Corridor Vision
Evaluation Criteria & Performance Measures
Input Opportunity: Design Alternatives
Input Opportunity: Your priorities?
Translate This Site
Select Language
COMMENT
PROJECT PURPOSE AND NEED
A Purpose and Need Statement describes the transportation problems in the corridor and provides context for decision-makers as they consider the best design options. This statement was developed by City and ODOT technical staff and refined by the City Commission on November 7, 2023.
Purpose
Need
Create a shared-use path and streetscape that enhances safety for all transportation modes.
Bridges the missing link for pedestrian and cyclists on McLoughlin Boulevard between 10th Street and
There is a gap in safe, comfortable, and accessible facilities for people of all ages and abilities who are walking and biking on McLoughlin Boulevard.
Oregon City's waterfront is currently disjointed and not


Virtual Open House
OREGON CITY
MCLOUGHLIN BLVD ENHANCEMENTS
10th Street to tumwata village
Project Overview
Project Timeline
Project Purpose and Need
Corridor Vision
Evaluation Criteria & Performance Measures
Input Opportunity: Design Alternatives
Input Opportunity: Your priorities?
Translate This Site
Select Language
COMMENT
CORRIDOR VISION
The proposed Willamette Falls Path extension and streetscape enhancements contribute to the sense of place and community identity as an urban corridor and community gateway.
The path provides a regional link accessible to users of all ages and abilities, filling a key active transportation gap and providing a continuous link to existing and planned open spaces along the Willamette and Clackamas Rivers, including the tumwata village development, and connections to other transportation links such as a future recreational/commuter river ferry and the Oregon City-West Linn pedestrian-bicycle bridge.
The chosen design will promote safety through context-sensitive design that discourages speeding and improves the walking and biking experience along the corridor.
The proposed path is representative of the local needs and priorities of the Oregon City community and has been developed as an implementable and fundable alternative.


Virtual Open House
OREGON CITY
MCLOUGHLIN BLVD ENHANCEMENTS
10th Street to tumwata village
Project Overview
Project Timeline
Project Purpose and Need
Corridor Vision
Evaluation Criteria & Performance Measures
Input Opportunity: Design Alternatives
Input Opportunity: Your priorities?
Translate This Site
Select Language
COMMENT
EVALUATION CRITERIA & PERFORMANCE MEASURES
Evaluation criteria have been developed based on the project's Purpose and Need Statement and the goals of Oregon City's Transportation System Plan.
The project team developed a set of performance measures to assess and differentiate between the design alternatives. The performance measures provide a framework for selecting a preferred alternative.
Evaluation Criteria
Click on each tab below to learn more about the evaluation criteria.
User Experience
Input Opportunity
Please share any thoughts regarding the Evaluation Criteria. Are we missing anything? (optional)


Virtual Open House
OREGON CITY
MCLOUGHLIN BLVD ENHANCEMENTS
10th Street to tumwata village
Project Overview
Project Timeline
Project Purpose and Need
Corridor Vision
Evaluation Criteria & Performance Measures
Input Opportunity: Design Alternatives
Input Opportunity: Your priorities?
Translate This Site
Select Language
COMMENT
INPUT OPPORTUNITY:
EXPLORE THE DESIGN ALTERNATIVES
Community input is an essential component to the evaluation of alternatives. The City is listening to your voice to plan safe, reliable, and effective transportation solutions. We encourage you to provide input on the alternatives presented and stay tuned for additional opportunities for feedback as the project progresses.
As you review the following alternatives, think about how you would use the path. Would it be different from your friends or family members? Is there a particular route that excites you or might give you pause for safety?
Willamette River
43
1A
1C
1B
McLoughlin Blvd
2A
2B
6th St
8th St
9th St
10th St

Virtual Open House
OREGON CITY
MCLOUGHLIN BLVD ENHANCEMENTS
10th Street to tumwata village
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Corridor Vision
Evaluation Criteria & Performance Measures
Input Opportunity: Design Alternatives
Input Opportunity: Your priorities?
Translate This Site
Select Language
COMMENT
INPUT OPPORTUNITY:
WHAT ARE YOUR PRIORITIES?
The City wants to hear from you to help assess the most effective options for community transportation needs along McLoughlin Boulevard.
1. What are the most critical issues you believe the project should address? (check all that apply)
Safety
Cultural and historic impacts
Tourism / economy
Equity
Property / business impacts
Construction impacts
Accessibility
Connectivity
Avoid impacting traffic or freight flow
Other
2. Do you feel comfortable biking or walking on McLoughlin Boulevard to get around today? If not, can you share specific
3. Of the alternatives shown, which elements are most attractive to you from a safety, security, and aesthetics

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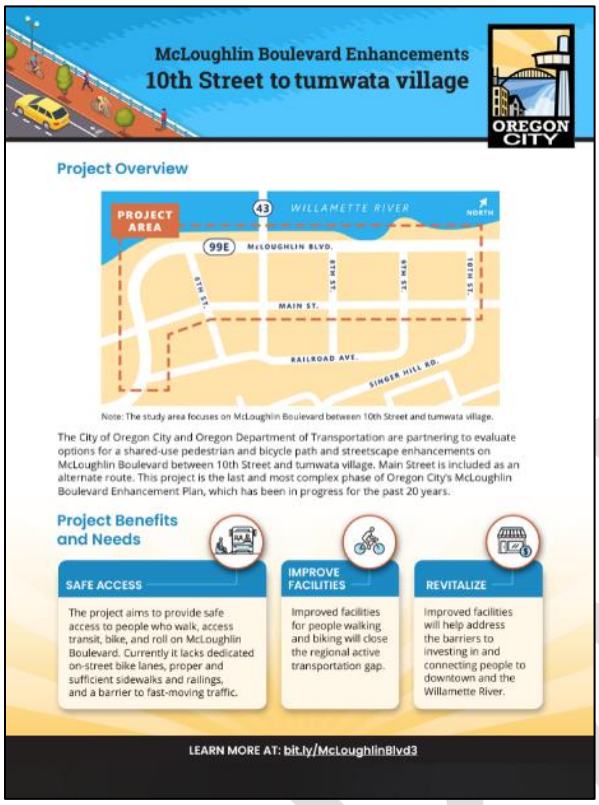
Appendix B: Materials and Notifications

Fact Sheet:



McLoughlin Boulevard Enhancements
10th Street to tumwata village

OREGON CITY

Project Overview

Note: The study area focuses on McLoughlin Boulevard between 10th Street and tumwata village.

The City of Oregon City and Oregon Department of Transportation are partnering to evaluate options for a shared-use pedestrian and bicycle path and streetscape enhancements on McLoughlin Boulevard between 10th Street and tumwata village. Main Street is included as an alternate route. This project is the last and most complex phase of Oregon City's McLoughlin Boulevard Enhancement Plan, which has been in progress for the past 20 years.

Project Benefits and Needs

SAFE ACCESS

The project aims to provide safe access to people who walk, access transit, bike, and roll on McLoughlin Boulevard. Currently it lacks dedicated on-street bike lanes, proper and sufficient sidewalks and railings, and a barrier to fast-moving traffic.

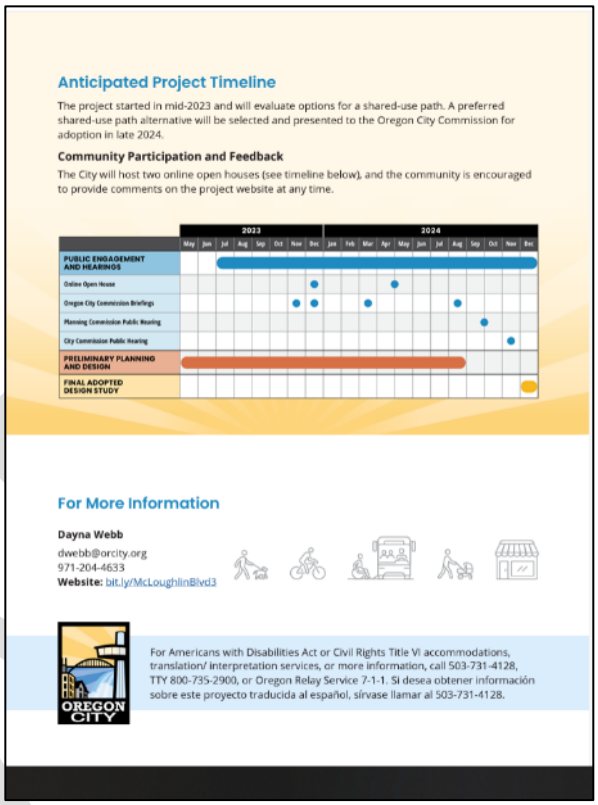
IMPROVE FACILITIES

Improved facilities for people walking and biking will close the regional active transportation gap.

REVITALIZE

Improved facilities will help address the barriers to investing in and connecting people to downtown and the Willamette River.

LEARN MORE AT: bit.ly/McLoughlinBlvd3



Anticipated Project Timeline

The project started in mid-2023 and will evaluate options for a shared-use path. A preferred shared-use path alternative will be selected and presented to the Oregon City Commission for adoption in late 2024.

Community Participation and Feedback

The City will host two online open houses (see timeline below), and the community is encouraged to provide comments on the project website at any time.

For More Information

Dayna Webb
dwebb@orcity.org
971-204-4633
Website: bit.ly/McLoughlinBlvd3

OREGON CITY

For Americans with Disabilities Act or Civil Rights Title VI accommodations, translation/ interpretation services, or more information, call 503-731-4128, TTY 800-735-2900, or Oregon Relay Service 7-1-1. Si desea obtener información sobre este proyecto traducida al español, sírvase llamar al 503-731-4128.

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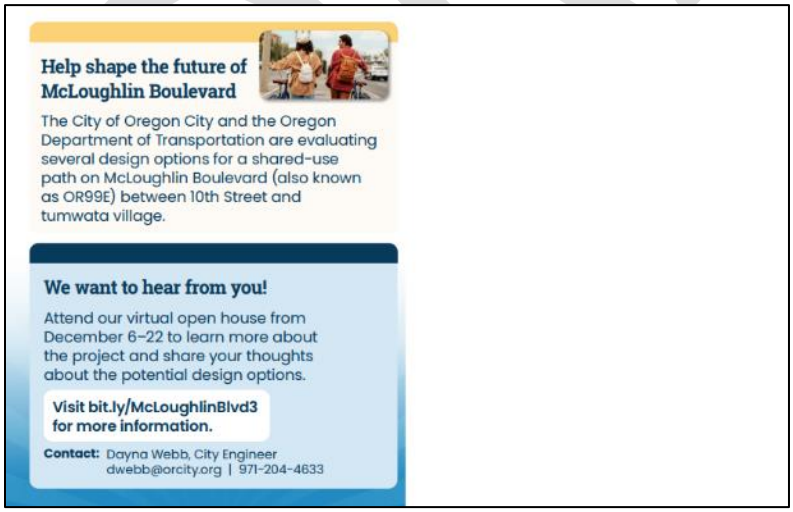
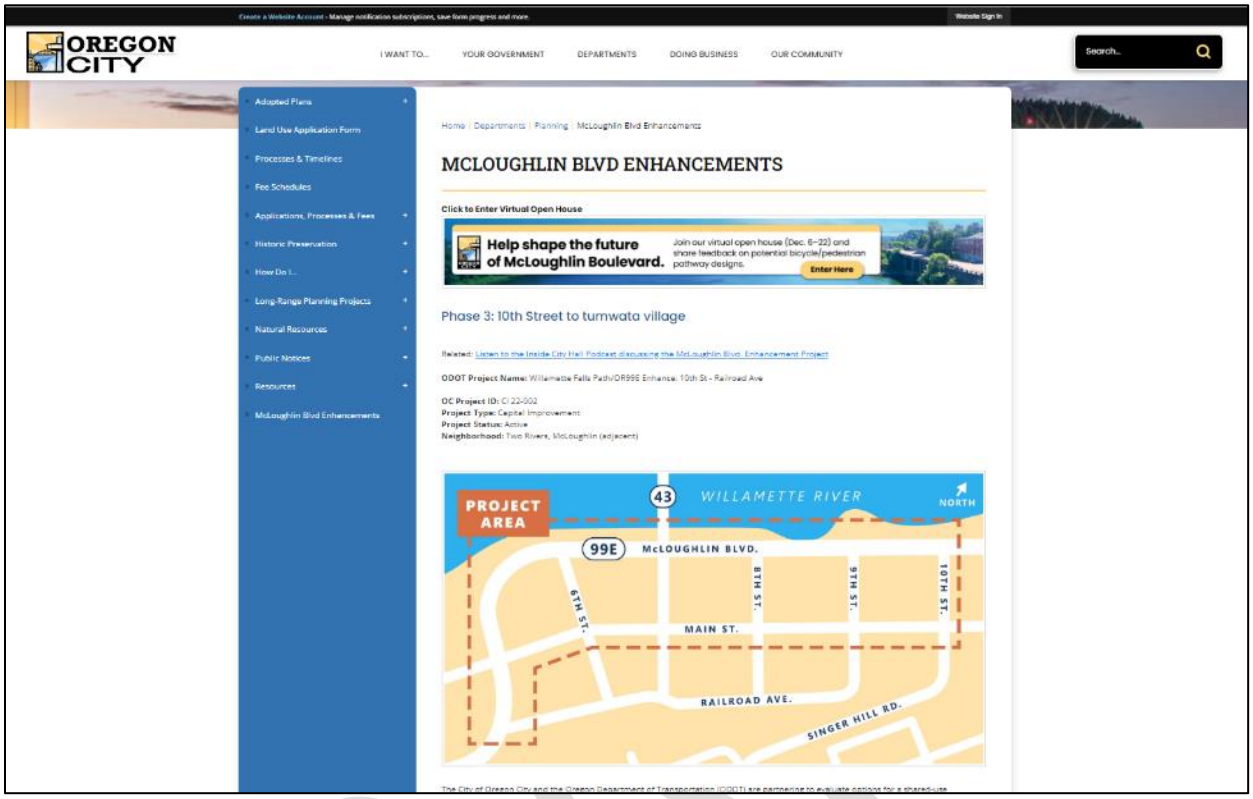
Postcard:

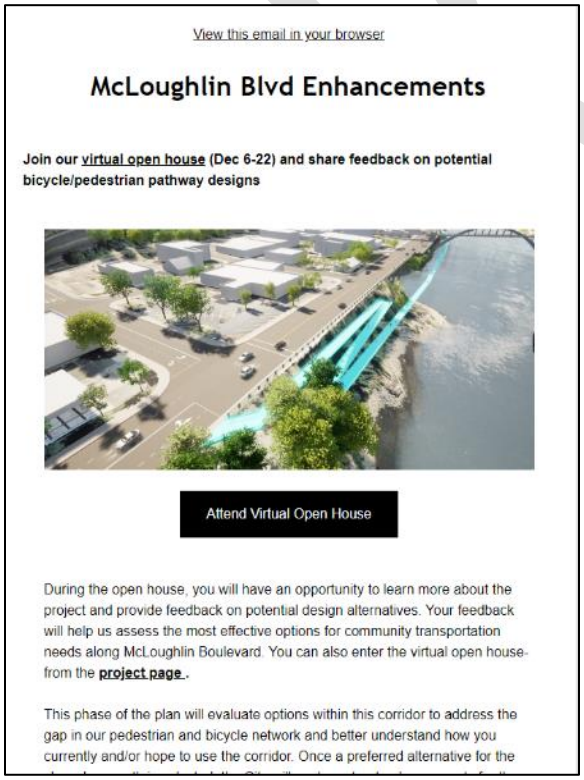
McLoughlin Boulevard Enhancements
OREGON CITY
Attend our virtual open house from December 6-22 to learn more about Oregon City's plans to reimagine McLoughlin Boulevard and provide your input on potential design options for a new bicycle and pedestrian path.
PROJECT AREA
WILLAMETTE RIVER
99E
MCLOUGHLIN BLVD.
MAIN ST.
RAILROAD AVE.
Scan to learn more
For Americans with Disabilities Act or Civil Rights Title VI accommodations, translation/interpretation services, or more information, call 503-731-4128, TTY 800-735-2900, or Oregon Relay Service 7-1-1. Si desea obtener información sobre este proyecto traducida al español, sírvase llamar al 503-731-4128.


Help shape the future of McLoughlin Boulevard
The City of Oregon City and the Oregon Department of Transportation are evaluating several design options for a shared-use path on McLoughlin Boulevard (also known as OR99E) between 10th Street and tumwata village.
We want to hear from you!
Attend our virtual open house from December 6–22 to learn more about the project and share your thoughts about the potential design options.
Visit bit.ly/McLoughlinBlvd3 for more information.
Contact: Dayna Webb, City Engineer
dwebb@orcity.org | 971-204-4633

Project Website (bit.ly/McLoughlinBlvd3)



Email Notifications (December 6 and 18, 2023):



View this email in your browser

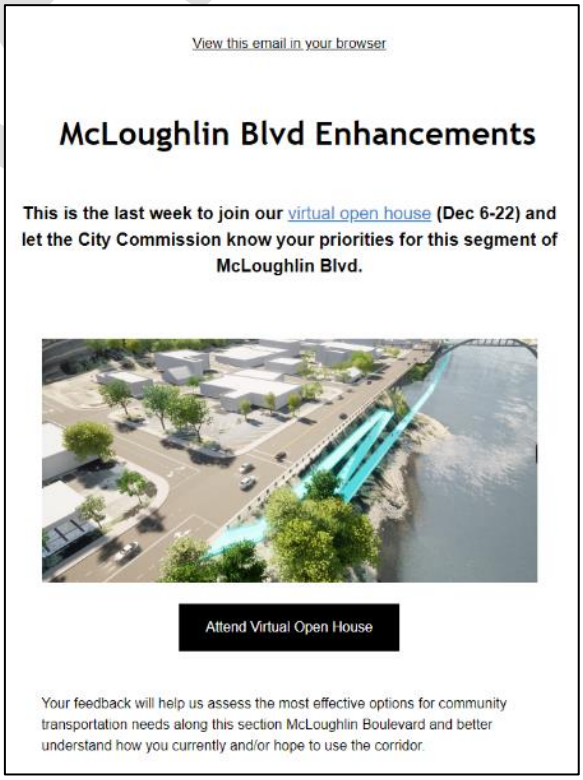
McLoughlin Blvd Enhancements

Join our virtual open house (Dec 6-22) and share feedback on potential bicycle/pedestrian pathway designs

Attend Virtual Open House

During the open house, you will have an opportunity to learn more about the project and provide feedback on potential design alternatives. Your feedback will help us assess the most effective options for community transportation needs along McLoughlin Boulevard. You can also enter the virtual open house from the **project page**.

This phase of the plan will evaluate options within this corridor to address the gap in our pedestrian and bicycle network and better understand how you currently and/or hope to use the corridor. Once a preferred alternative for the



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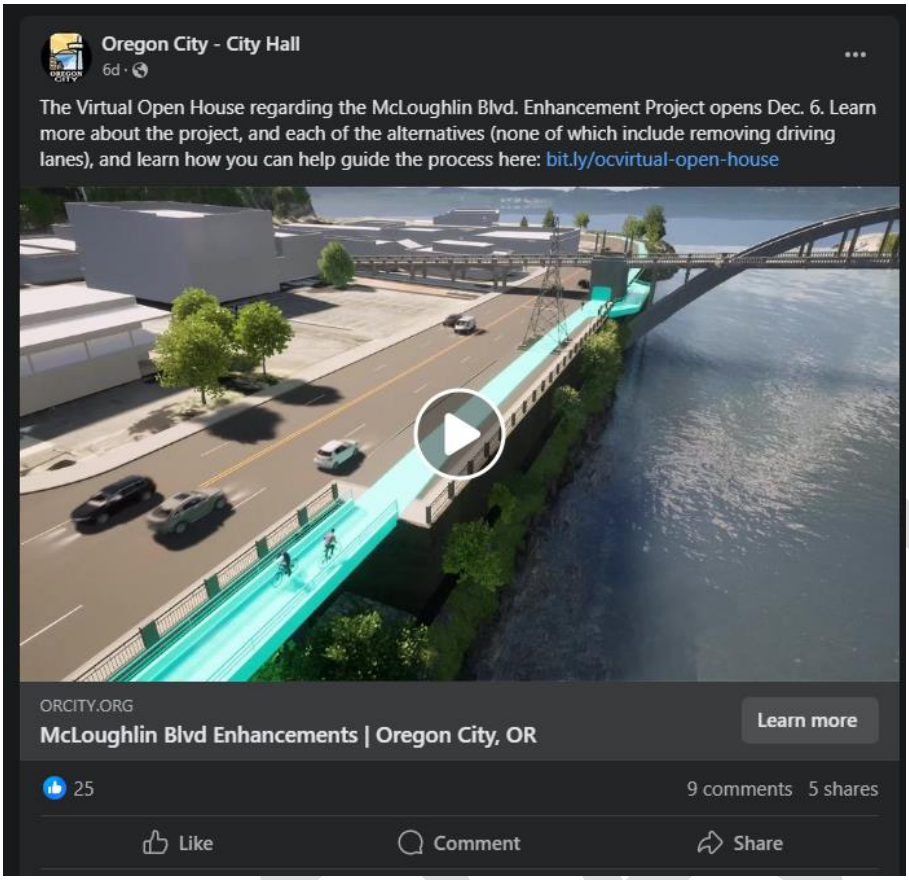
McLoughlin Blvd Enhancements

This is the last week to join our virtual open house (Dec 6-22) and let the City Commission know your priorities for this segment of McLoughlin Blvd.

Attend Virtual Open House

Your feedback will help us assess the most effective options for community transportation needs along this section McLoughlin Boulevard and better understand how you currently and/or hope to use the corridor.

Social Media (Facebook and Twitter/X):



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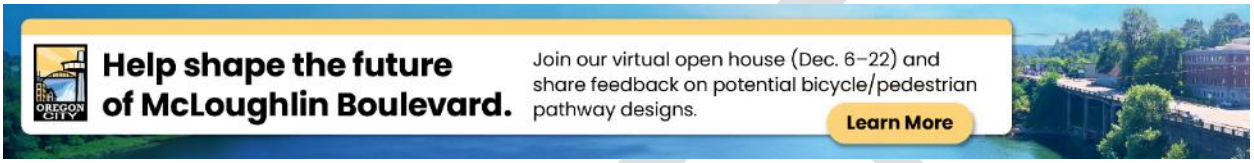
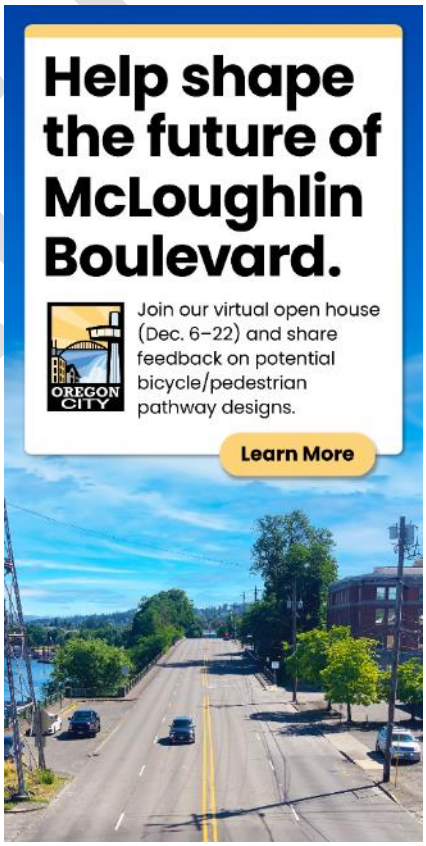




Appendix C: Virtual Open House Comments

Question: Please share any thoughts regarding the Purpose and Need Statement. Are we missing anything?	
Submission Date	**Comment**
12/6/2023	Everything identified is true. I currently avoid this area as a pedestrian due to the proximity to the roadway which is made worse by speed and volume
12/6/2023	The Study Area on slide 2 states the focus area is from 10th to tumwata village, however in the purpose and need it states creating connection from 10th to Railroad Ave. What is the focus area for this project?
12/6/2023	Everything stated is good, but I wonder about relation between this and access to the rest of downtown and the elevator. Connectivity here is key. There may be no solution, but it would be ideal for there to be some clear preferred connection between the 99E waterfront area and the downtown Main St area. Right now, the 10th street cross of 99E is not great, and other crossings South of that are worse. Typo: “both upstream and downtown of the Willamette River” the phrase “downtown of the river” is nonsense. Maybe someone was thinking of downtown but not “of the river” or they were thinking of “downstream”.
12/6/2023	It is the connection to tumwatta village village
12/7/2023	Despite the focus on bikes and walking, our weather and overall location of most people that live near to downtown oregon city means that we first have to use cars. Please do not slow or congest traffic more. Consider ways more parking could help people then access the waterfront.
12/8/2023	I couldn’t tell from the photo if this will be something entirely new added to the landscape, or will remove/replace existing infrastructure. Either way, I’m interested in what green infrastructure (or gray infrastructure retrofits) can be incorporated to provide better filtration of rainwater/stormwater, urban habitat, and mitigation of urban heat island effects here.
12/11/2023	Continue to emphasize that this project provides the missing link in a pathway amenity that extends all the way from the Clackamas River Trailhead to Tumwata Village.
12/13/2023	Could mention the need to support whatever redevelopment eventually happens with the current industrial remains on the site.
12/16/2023	The plan focuses on improvements for bicycle, pedestrian and ADA traffic but doesn’t seem to include improvements for vehicle traffic on and around 99E. As the Blue Heron project advances, there will be need to address improvements for vehicle traffic. Can that be included in this project?
12/18/2023	I like the fact that there will be improvements for pedestrians and bikes!
12/19/2023	It would be wonderful to also allow another access to the river.
12/22/2023	This is very impressive!!! Every single detail has been considered for the environment, walkers, bikers ….while looking so esthetically pleasing to the eye Well done team

Question: Please share any thoughts regarding the Purpose and Need Statement. Are we missing anything?	
Submission Date	**Comment**
12/23/2023	Please also consider the aesthetics of your solution. If a solution is the safest option but it ruins the appeal of the downtown area then no one will use it.

Question: Please share any thoughts regarding the Corridor Vision. Did we capture the elements of a successful design?	
Submission Date	**Comment**
12/6/2023	This area is the key to a future path through Canby to Wilsonville and can connect to the Molalla forest road towards Molalla.
12/6/2023	This makes no mention of the Public Riverwalk project, will this connect to that project or is that project no moving forward?
12/6/2023	Nice!
12/6/2023	Yes
12/7/2023	Please do not slow the speed of traffic through this area. If you do, it will likely increase traffic at rush hour times reducing the livability in our area. Find other ways to route pedestrian traffic (which is very minor) around 99.
12/8/2023	Shade is important! I think it's really necessary that trees be a part of the planning process here especially as we'll be having hotter summers. When we want to build a space that makes access easier for folks, such as those with disabilities, or young or elderly folks, that we consider how weather conditions will affect the true accessibility of the corridor - and having trees provides a multitude of benefits (aesthetic, temperature, and more)
12/9/2023	a pedestrian/bicycle bridge already exists between OC and WL. the Arch bridge sidewalks are perfectly fine for both. I am very much against spending taxpayer money for another bridge that is not needed.
12/11/2023	Continue to emphasize linkages provided by this project.
12/12/2023	Connecting the community to the river is huge. Reengaging the waterfront and Willamette Falls (tumawata) will continue to make downtown OC a thriving place in the future
12/16/2023	I can't support a plan to eliminate vehicle traffic on the arch bridge.
12/19/2023	The connection between OC and West Linn should continue along the West Linn side of the river with a multi use path to Willamette (10th Street)

Question: Please share any thoughts regarding the Evaluation Criteria. Are we missing anything?	
Submission Date	**Comment**
12/6/2023	Will attempts be made to not disturb the ospreys nesting on top of the electrical tower located adjacent to the Arch Bridge on the OC side of the river?
12/6/2023	No

Question: Please share any thoughts regarding the Evaluation Criteria. Are we missing anything?	
12/7/2023	Development of the downtown area will suffer if in any way vehicular traffic or access is limited. Despite utopian dreams of everyone spending their days walking or biking around, the most frequently used mode of transportation to reach downtown OC is CARS. Even those of us who live in OC limits, cannot access the downtown area from our homes in bicycles or walking.
12/8/2023	“does not impact the river” could be better thought of as provides a net positive impact to the river/environmental impacts.
12/11/2023	User Experience: the design enhances and improves connection to the river. The alternative is both a means of transportation and a recreational facility on its own.
12/16/2023	The Evaluation Criteria and Performance Measures refer to the Oregon City Transportation System Plan. This plan is too large of a document to be able to provide any comments. Which citizens do you think will read the entire document? I recommend the evaluation criteria is more focused on the McLoughlin Blvd. enhancement plan.
12/19/2023	It is very important to create a linked system for alternative transportation that connects all communities.

Question: Alternative 1 includes several design options. Which one would you support the most or feel comfortable using?	
Design Alternative	**Votes**
Alternative 1B	11
Alternative 1C (At Grade)	6
Alternative 1A	3
Alternative 1C (Below Grade)	0

Question: Alternative 1 includes several pathway options for bypassing the Historic Arch Bridge. Which one would you support the most or feel comfortable using? Select one.	
Design Alternative	**Votes**
Through the arch columns (Alternative 1B or 1C)	14
Underneath the bridge (Alternative 1A)	3
Through the bridge structure (Alternative 1C: Hybrid Route – At Grade)	3

Question: Is there anything you want to add about the approaches to Alternative 1? (optional)	
Submission Date	**Comment**
12/6/2023	This path will be used more and be more attractive if seen from the road but separates pedestrians from traffic.
12/6/2023	The high Route at grade is additionally better for Public Safety. It improves visibility of those using this pedestrian and bike path.
12/6/2023	None of these alternatives seems to go all the way to Railroad Ave, therefore not achieving what is stated in the Purpose and Need Statement.

Question: Is there anything you want to add about the approaches to Alternative 1? (optional)	
Submission Date	**Comment**
12/6/2023	I feel 1A does not achieve the goal of efficient transit through the corridor with too much grade change and extra distance to traverse and would likely get bypassed by those striving for efficient commute. With the likely substantial cost of self supporting structure over riparian area I suspect the Hybrid route will emerge as much more cost effective than 1B and I feel likely more visually preferable. I feel staying on grade through the existing parking and arch bridge area is preferable with best option to avoid diversion structures over the river at obstacles.
12/6/2023	I like the 1C: Hybrid Route because it potentially creates a safe viewing area for people who wish to stop and view the river, bridge and falls area while allowing bicyclists and pedestrians to continue straight through. I don't like the below grade option because it's going to create a tunnel that is difficult to light, keep safe and drain well. If it is indeed practical to open up the bridge support to allow the route to pass through the structure, I think it will enhance people's appreciation of the arch bridge and not detract from its historic design.
12/6/2023	I would use any of these. However, the enthusiasm I would have and my interest in encouraging and encouraging others to use them basically goes with the distance from car and truck traffic. Quite simply, the closer to motor traffic, the worse the experience.
12/8/2023	Please make sure it is easy for cyclists to turn onto 10th Street. This is a necessary so cyclists can access downtown and biking up Singer Hill. Currently there is only a ramp on the northern side of the intersection, making cyclists moving southbound on the current river walk either crossing two busy intersections, or jumping the southern curb in order to remove one of the busy intersections.
12/11/2023	Although 1A would be wonderful since it gets people down to river level, I believe it would be way too costly to build and maintain and keep usable all year due to river level changes, and it also makes the path somewhat less desirable for non-handicapped users due to the added length needed to hit ADA slope requirements. By staying at McLoughlin Blvd elevation, it may also be possible to provide a route from the path up to the Arch Bridge. This should be considered.
12/12/2023	Visibility of pedestrians and people is key. A low route will not show river front activity from street level. This creates a place that does not have an "eyes on the street" type feeling. Low, dark and secluded from activity.
12/13/2023	1A would seem to replicate the experience of the river access on the east side of the Willamette in downtown Portland, which is a very enjoyable experience that is intimate with the river itself. It would also reduce the exposure to the traffic noise of 99E.
12/15/2023	I also quite like Alternative 1A: Low Route. The switchbacks could be tricky on a bike but it would be amazing to walk/bike at river level. I don't much like Alternative 1C: Hybrid Route - Below Grade. I want to walk/bike by the river for the view, which you wouldn't be able to see from an underground tunnel. I also find tunnels in urban/suburban areas often become hangouts for unhoused folks and if they aren't maintained will become unpleasant/dirty/wet quickly.
12/18/2023	The most direct and separated route is most preferable

Question: Alternative 2 includes several design options. Which one would you support the most or feel comfortable using? Select one.	
Design Alternative	**Votes**
Alternative 2B	8
Alternative 2A	4
Alternative 2C	4
None of these options	4
Did not answer	1

Question: Is there anything you want to add about the approaches to Alternative 2? (optional)	
Submission Date	**Comment**
12/6/2023	None of these alternatives goes all the way to Railroad Ave, therefore not achieving what is stated in the Purpose and Need Statement
12/6/2023	Please eliminate travel lanes on McLoughlin. The roadway is too fast at this location and is too difficult to cross for pedestrians.
12/6/2023	I feel 2A is not viable as further restriction of vehicle traffic seems untenable. 2B or 2C in the hybrid concept both seem to have merit, my understanding is the viaduct is inadequate regarding seismic design and it seems evaluation needs to consider what and when remediation entails.
12/6/2023	Although I would use it, being close to high-speed traffic is not enjoyable for anyone. So, all these are good for basic functionality and safety but will not encourage a nicer experience. With these options, I would use them sometimes but would encourage most people to cross to Main St at 14th, 12th, or 10th and then go to the elevator and then take the Promenade (which I hope will some day have nicer connection to the falls area).
12/6/2023	Question not clear. Keep the same amount of travel lanes, separate pedestrians from traffic and maintain visibility of pathways from the road
12/7/2023	McLoughlin Boulevard is in need of a reorganization regardless of any other design plans. I actively avoid driving the section up for discussion, because it's so unpleasant. Since it is a major commuting route I do understand that there needs be four travel lanes. I'd love to see something like the development on 99E in Milwaukie with planted islands and a couple more pedestrian activated lights with large visible painted crosswalks.
12/7/2023	2C seems to be the most conducive to updating the site while also minimizing negative effects on commercial through traffic, which I feel would exponentially adversely affect overall traffic if impacted negatively
12/8/2023	Seismic resilience is vital. If it's too much $, then 2B. 2A is risky given the potential for I-205 diversion and tolling increasing ADT.
12/8/2023	I would prefer to keep the existing viaduct as is.
12/9/2023	it looks like all of the alternative 2 options would remove parking, which I would not support

Question: Is there anything you want to add about the approaches to Alternative 2? (optional)	
Submission Date	**Comment**
12/15/2023	I prefer 2B because it seems the most attainable. 2A seems unlikely to work in my opinion, I can't see how more space could be allocated to cyclists and pedestrians while leaving the travel lanes in tact. As a frequent cyclist/pedestrian I don't trust drivers, especially on a busy/fast-moving road like McLoughlin. I strongly prefer to have a path that is separated from the main roadway. I think 2C would result in the best results but I can't imagine what Oregon City would do with McLoughlin closed for construction for an extended period of time.
12/18/2023	Keep the 2 south bound lanes from 205 thru the tunnel and up to 2nd St. When heading north on 99 before 2nd St (just south of Stillhouse), where 99 turns into 2 lanes, make the right lane a Turn-Only onto 2nd. Make the northbound traffic one lane. Leave as one lane down thru the tunnel and all the way to 205. Widen all three lanes thru town, add the multi use path along the river edge.

Question: Which alignment options are you most supportive of? Please select your top three.	
Design Alternative	**Votes**
Alternative 1B	16
Alternative 1C	9
Alternative 1A	8
Alternative 2C	6
Alternative 2A	5
Alternative 2B	5

Question: What are the most critical issues you believe the project should address?	
Issue	**Votes**
Safety	16
Connectivity	14
Accessibility	11
Cultural and historic impacts	9
Tourism/economy	9
Property/business impacts	8
Avoid impacting traffic or freight flow	7
Equity	3
Avoid reducing parking	1

Question: Do you feel comfortable biking or walking on McLoughlin Boulevard to get around today? If not, can you share specific safety concerns?	
Submission Date	**Comment**
12/6/2023	To many people at the wheel of vehicles and not paying attention to the task of not harming someone through the driving of their vehicles.
12/6/2023	Yes.
12/6/2023	No
12/6/2023	I have tried several times to walk and bike in that area, and now I make sure to cross at 10th street or sooner when heading South. I feel unsafe and uncomfortable in this area of 99E. There are very narrow and turning sidewalks with no railings, high-speed traffic, and places with no ramps but requirements to get up or down from the sidewalk. I am reasonably comfortable from Jon Storm Park to 12th St and acceptable enough from 12th to 10th (though that section and crossing at 10th is quite uncomfortable, and *all* crossings of 99E feel somewhat uncomfortable, needing a defensive approach to dangerous traffic).
12/7/2023	No! I don't even like driving on McLoughlin. It's loud and it's not connected to either the downtown or the river. There currently isn't a reason for pedestrians to use McLoughlin.
12/7/2023	Feeling of safety marginal for following reasons: >uncomfortable proximity to vehicle traffic in places >marginal lighting some areas >general increasing deficiency in maintenance , monitoring and cleanup.
12/8/2023	No. Need to be separated from traffic. Will go out of my way to walk elsewhere.
12/9/2023	not really. there is poor connectivity between the river and the business sides. There are no businesses that I need to get to on the river side at this time.
12/10/2023	Except for the homeless camping on the trail/sidewalk.
12/15/2023	I both walk and bike on McLoughlin regularly and I think it is okay. I ride my bike on the path along the river, never on the road itself. I go out at off-times/mid-day weekdays so there aren't many people out but if I find myself out on a nice weekend day the path is too narrow for both cyclists and pedestrians. There are crosswalks to get back into downtown but you still have to be very careful crossing the road - cars do NOT look to see if there is someone in the crosswalk, it can be dangerous. There are some folks that seem to be living along the path. I empathize with the unhoused people but they tend to leave garbage, blankets lying around. I have to dodge it while riding my bike.
12/18/2023	It is comfortable in the area where there have already been improvement. This section however is very scary
12/19/2023	My husband and I walk and bike often in this part of OC, and I haven't ever felt safe. We go to Portland on the East side and there are wonderful off-road trails that are very safe and accessible for all uses. It would be wonderful if OC had as good of a system to bring tourists as well as create a usable alternative to driving.
12/23/2023	I feel safe enough when walking by myself but I feel nervous in certain areas walking with my children. We usually try to walk along main st. When possible. Having to walk in the west portion has always felt a bit treacherous

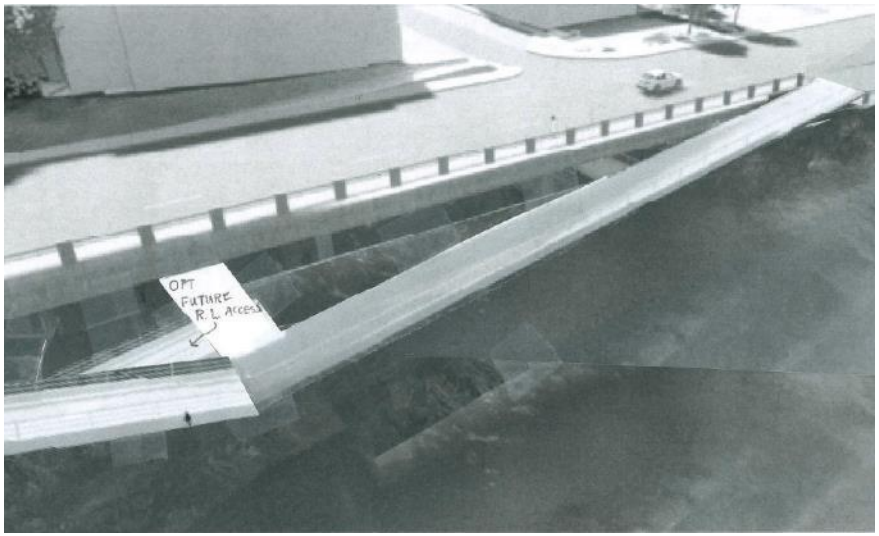
Question: Of the alternatives shown, which elements are most attractive to you from a safety, security, and aesthetics perspective?	
Submission Date	**Comment**
12/6/2023	just making it completely visible.
12/6/2023	The options that are at or above grade without narrowing roadway.
12/6/2023	Separated facility from McLoughlin Blvd.
12/6/2023	Clear, complete separation and protection of people from traffic; including noise, pollution and vibration impacts on people using the pathway.
12/6/2023	Anything that gets away from traffic is best, having physical protection when close to traffic is next best, and having just space next to traffic is barely acceptable. I worry slightly about vandalism/crime/delinquency in areas that are out of sight. I could imagine the 1A low route being combined with boat docks such that it encourages more people to use the facility to access the water and encourages people to bike to get to boats or fishing. That would seem the greatest win for all: combine 1A low route with width enough for people to do pole fishing and maybe some access points for boats, and perhaps docking spots could be rented for city income.
12/7/2023	I like the idea of something built entirely separate from 99E. I like the idea of having a connection to the river and someday tumwata village.
12/7/2023	Separation from vehicle traffic, hopefully implementation of design elements that will facilitate appropriate use and discourage misuse.
12/8/2023	High route is separated, but visible (low route might have safety risk for lone travelers).
12/9/2023	The low 1 looks really fun, but not as safe as the high 1. The swithcbacks looks too steep on low 1.
12/10/2023	Keeping the trail at grade for visual awareness but separate from traffic for safety.
12/15/2023	I favor the alternatives where the path is separated from the roadway for comfort and safety. I quite like 1A and 1B because of this. I love that 1A would get us down to the river level - it would be so peaceful to walk or bike down below far from the street.
12/18/2023	Separation from traffic, but not the low route. That one seems too far away and indirect. Less activity
12/19/2023	Anyway we could get closer to the river would benefit everyone. Also, having Main Street as a no car Street through downtown would be amazing!
12/23/2023	I have security concerns about the low route. It is shady and out of view of the road. It would also be colder down by water level. The routes at street level are most appealing

Question: This new community facility will link to existing and future upstream and downstream river access. What future access amenities should the city consider when designing this connection?	
Submission Date	**Comment**
12/6/2023	Need to look at a pedestrian bridge over Mcloughlin Blvd that allows people to not have to use a cross walk light at Main Street and McLoughlin Blvd/Hwy-99E. this pedestrian bridge is critical in creating a loop without crossing McLoughlin Blvd.
12/6/2023	Opening up the historic locks between upper and lower Falls.
12/6/2023	Connection to future transportation projects i.e. Oregon City- West Linn Ped Bridge and Public Riverwalk project
12/6/2023	Easy, continguous accessibilty to other areas without barriers or disconnects.
12/6/2023	Potential pedestrian/bike bridge crossing, riverwalk, commuter ferry
12/7/2023	The city should consider a floating pavilion at the tumwata village end (using the ramp idea proposed in Alternative 1A). It would also be lovely to just have a safe to use viewpoint at the tumwata village end where 99E curves. The city needs to consider a parking stucture. I've never had trouble parking, however there is a perceived assumption that there isn't enough parking so planning for that would be great.
12/7/2023	Easy access to the downtown area should be a high priority and I feel the best opportunity would be under the viaduct to a well designed ADA access near the existing courthouse. I feel a modified hybrid design would best achieve this by ramping down from the south end of the viaduct to a level at or near sufficient for access under the viaduct to the east side and ramp back up to grade at the north end of the viaduct. An enlarged area at the low point would be ideal to accommodate a possible future phase development to provide access down to river level. Ultimately providing river level access would be a key component of maximizing tourism opportunities but may be better accommodated in the Tumwata Village development and would not be needed in both locations.
12/9/2023	frog ferry
12/10/2023	Working with the Tribe for access to the Falls.
12/15/2023	It should have plenty of connections to get back into downtown so it is useful to travel into/out of destinations in downtown.
12/18/2023	Benches, lighting
12/19/2023	I would love to have a safe way to ride to Canby and to Willamette or farther.

Question: Please share any additional thoughts regarding other sections of McLoughlin Boulevard.	
Submission Date	**Comment**
12/6/2023	The bike lanes South of the 99E bridge over Clackamas River are narrow dangerous paint next to 40MPH+ traffic. Those should be raised to the level of the sidewalk and a railing added for safety. The only safe option in that section is to bike on the sidewalk which sometimes results in uncomfortable cycle/pedestrian interaction. That said, the bridge itself is an overly narrow bottleneck with unfortunately narrow sidewalks, so that is another problem. I understand that otherwise, the Abernathy Bridge construction involves updating the bike infrastructure right around the bridge area.
12/7/2023	As commuters travel south on 99E the entire design should immediately change and feel different at 10th street (truthfully, 14th street would be even better). People need to feel like they are traveling through a beloved, historical town rather than skirting around the edge just to get from point A to point B.

Question: Please share any additional thoughts regarding other sections of McLoughlin Boulevard.	
Submission Date	**Comment**
12/7/2023	Completing links to accommodate easy transit through the entire corridor are obviously necessary but to achieve the “feel” of a cohesive welcoming urban area vs “linked destinations” the design needs to blend and a significantly higher level of commitment to maintaining repair and cleanliness of the entire corridor will be necessary. There have been numerous instances of garbage accumulation (noticeable pile at 11th st bump out as of yesterday 12/6 there since before Thanksgiving), lack of maintenance of railings, pruning back vegetation, maintaining lighting etc. all of which detract from a safe welcoming feeling. In the absence of obvious commitment to the “feeling” of a welcoming safe environment at all hours a “large sidewalk” is all that will be achieved and fall far short of the potential I feel is available.
12/9/2023	I am excited to get to see this project connect us to the river and to Tumwata Village.
12/10/2023	Remove the Left turn option at Main St from 99E headed south.
12/15/2023	There should be a safe connection to the Clackamas River Trail. The path on the side of McLoughlin should connect with a bike/pedestrian route under 205 where there is currently a construction site.
12/19/2023	It would be great to have a walking path/pedestrian bridge across the Clackamas by Claclamette Park.

Virtual Open House: General Comment Form & Emailed Comments	
Submission Date	**Comment**
12/6/2023	As part of this discussion, will you be able to consider the traffic on the Arch Bridge and the types of vehicles allowed to use it? Currently, the only restrictions that I have found for vehicles are based on weight and height. When the bridge was upgraded, the lanes were narrowed in order to protect the arches. Often there are large semi-trucks that turn onto the bridge from Main Street. They are too wide for the narrow lanes, and traffic has to stop on the other side of the bridge so that the over-sized vehicle can safely cross. Given that the Abernathy Bridge is just a couple of blocks north, it seems that these large vehicles should be directed to cross over it and not the Arch Bridge. The Arch Bridge should be for walkers, bike riders, and local traffic. Having been on the bridge when one of these over-sized vehicles is crossing, I often think that it is an accident waiting to happen. If that happened, there would not be an easy way to clear the bridge. It would be a horrible traffic jam. Please consider adding a vehicle width limitation to the bridge. THANKS!!
12/7/2023	Love that you are wanting to improve access to improve the vitality of the downtown area. However, it is rainy a lot and most people that live in the area can not bike to work. So whatever changes you make please do not decrease the flow or speed of traffic.

12/19/2023	Thank you for the opportunity to weigh in on the McLoughlin Blvd Enhancement project. I did respond in the online open house with some of my thoughts. One variation that did not appear in that more abbreviated version was an option with under-viaduct crossing to the east side. I did later discover a “high route” variation that did include that in other materials on the website. In the responses I submitted I expressed preference for a modified Hybrid route that would accommodate that. Attached is a rather crude cut and paste to try to illustrate that. The grades in that representation appear too steep but since the viaduct grade is raising traveling south to north I believe the walkway with moderate declining grade could drop to the necessary level in a reasonable horizontal distance and then progress back up to existing grade at the north end. If that presents too much elevation gain on the northern portion that transition could occur at an intermediate level with a spur ramp completing the descent to a low enough level to cross under the viaduct. I feel it would be ideal at that lower transition point to include an enlarged area for viewing the river that could also accommodate a future further development down to river level. Since the Tumwata designs are not yet complete and could provide perhaps better river level access it seems the McLoughlin project should only include provision to accommodate that in the future.  I have a general over-arching concern regarding the entire corridor and that is ongoing commitment to maintenance and cleanup and I noted that in my responses as well. What I have observed over the last few years that I have routinely traveled and walked that area can only be described as dismal. I emailed some concerns on a couple occasions a few years ago and was encouraged to make use of the OC app which I have done a few times and generally noticed response within a week or so. However, generally out of curiosity, I have been watching an accumulation of trash in the 11th street bump out that appeared around Thanksgiving and still remains these weeks later. An emphasis on how to achieve a safe welcoming environment is one topic that emerged in the online open house and achieving that entirely is crucial in my view for this development to be successful in realizing its potential. Without very careful attention that nuanced “perception” is easily squandered and very difficult to regain with a likely result of underutilization of appropriate use and over-utilization of inappropriate use.

Virtual Open House: General Comment Form & Emailed Comments	
Submission Date	**Comment**
12/21/2023	My preference is for option 1B, While I like the water side feature in 1A, the increased length and the slopes make this less convenient for casual use or to get from the 10th Street end to the mill site (or vice versa). And because the sunken grade reduces visibility from the street, it might feel less secure also.

McLoughlin Boulevard Enhancements: Website Comments	
Submission Date	**What is important for decision-makers to understand about this section of McLoughlin Boulevard as they work to design a solution?**
10/3/2023	It could be so beautiful! Our priority should be on pedestrians, bikes, and trees, not on cars. The parking spaces between McLoughlin and the river are nearly useless; I think they should be eliminated to make more space for walking/rolling/biking. Left turns from southbound McLoughlin to Railroad Ave are so dangerous and should not be allowed. Left turns from southbound McLoughlin to Main St. should be enough for people. Speed limits should be reduced to 25mph to make the section feel safer.
10/25/2023	We have lived in OC for most of our lives and prefer to walk or bike to downtown businesses. This section of downtown is not very bike friendly and has terrible traffic right down the core of our historic town. Main Street should be walking or biking only between 10th street and the bridge. This would allow businesses and restaurants to use the street to expand their customer area, and it would become a fabulous outdoor gathering place for everyone.
10/31/2023	Any solution that you would not let your kids use is not safe enough for anyone. Bike and pedestrian infrastructure should be protected and not be just paint.
10/31/2023	Pedestrians, cyclists and transit must be prioritized - these are the residents and visitors that will fund our economy far more than the people just driving through.
10/31/2023	Pedestrian safety, natural beauty, access.
11/1/2023	Due to the heavy traffic nature of 99, I think for usability/ safety reasons any bike path needs to be elevated from the traffic and on the same grade as the sidewalk. This avoids dangerous conditions for drivers/bikers. Additionally some sort intermediate between the peds/cyclist should be created to ensure safety . To do this would require a wider sidewalk. The water side sidewalk could be widened between 10th & 43 by cantilevering sidewalk extension over the water.
11/12/2023	I don't feel safe walking along McLoughlin between the railway overpass and the falls. Traffic is too close. Maybe come up with a way to separate walkers and Traffic? The highway seems loud and scary.
11/15/2023	Please don't make it less convenient for automobiles and better for bicycles. Either put a left hand turn light or a no left turn sign on 99E at railroad ave so cars are turning left before the tunnel are not backing up traffic
11/19/2023	Narrow lanes make it safer for those not vehicles.

McLoughlin Boulevard Enhancements: Website Comments	
Submission Date	**What is important for decision-makers to understand about this section of McLoughlin Boulevard as they work to design a solution?**
11/26/2023	Strive for design elements that promote ease of transit and are easily maintained and that readily accommodate appropriate use but ideally hinder mis-use. A shared use corridor the entire length of Oregon City that feels pleasant and safe at all hours would be a great asset to linking the various areas of interest as a whole. Falling even a little short of that may leave a sense of disconnected areas of interest with inhospitable links that become more attractive for mis-use.
11/29/2023	Congestion near the tunnel.
11/29/2023	Traffic flow - lots of cars go through this stretch on their way between the Canby area & OC/I205 interchange. Keeping vehicles moving while maintaining walkability and safety will be a challenge especially with constraints of Willamette River & railroad.
12/3/2023	Maximize public visibility of and access to the falls.
12/4/2023	To NOT decrease the lanes or flow of traffic. Its lovely to have a place to bike or walk that is safe but the majority of people need to be driving their car through these areas at least 2ce a day and dont want to be slowed down or caught in a traffic jam because lanes, access or speed is reduced.
12/4/2023	Think about young families in OC as we will be here for another 50+ years. Also, this is the first impression many will have on our town. We would like to see it as a beautiful and vibrant, and safe place where people want to visit regularly. This would attract new residents and visitors to OC and will be a backdrop for many community events. We need wide sidewalks - maybe bricks where the community can donate and dedicate a brick on the path so it's beautiful and gives us a sense of pride.
12/4/2023	Rush hour traffic thru town and easy access for peds and bikes to connect to river trail/ walkway. Without waiting forever to cross 99.maybe have one overpass access??
12/5/2023	There is already a lack of parking in downtown Oregon City at peak times like Friday and Saturday nights. If this project results in fewer parking spaces, that will make the situation worse. Also if the Tribes design Willamette Falls area enhancements without adequate parking, that will make things worse. Please try to either not remove any existong parking capacity. or actually find a way to add more parking with this project.
12/5/2023	We need a "people" connection to the river. Oregon City has a fabulous scenic river with so much historical provenance but little to no safe access to it…either physical or visual, what a shame! We need a walkable safe street scape that will facilitate all that. A wide walkable esplanade with viewing stations and easy safe access to it across 99E. a bridge over the road? We need beautiful plantings to soften the concrete and space enough to have some services, small cafe, seating, bike racks.
12/6/2023	This project will increase Oregon City residents and tourists access to the river, which will also increase resident and visitor support to the downtown region.
12/6/2023	Continuing access for bicycles, walkers, ADA through to viewpoint across from Stillhouse pub, which may already be part of the plan. This can be accomplished by pathways through Tumwata village.

McLoughlin Boulevard Enhancements: Website Comments	
Submission Date	**What is important for decision-makers to understand about this section of McLoughlin Boulevard as they work to design a solution?**
12/6/2023	This is a critical opportunity to accomplish many critical things, that is more than just improved access and views of the Willamette River. This is critical for Public Safety, creating adequate separation from the road and vehicles. This will encourage greater activity, where people are on their feet. and not sitting in a car. This goes hand and hand with improved health physically and mentally. This will become an attraction and bring victors to Oregon City and spending money.
12/7/2023	Safety for pedestrians. Efficient vehicle travel throughout the areas allowing a connection to the riverfront and invitation to stop in Oregon city.
12/7/2023	I love the idea of this project, I'm also concerned about the traffic congestion impact in this area.
12/8/2023	Parking and trail access to allow more people to enjoy the sights. Placing the walkway as far away from traffic and as close to the river as possible.
12/8/2023	Oregon City made a serious mistake when they failed to actively engage in the early period after the closure of the Blue Heron Mill. It is critical that the City now work closely in partnership with the site owner (Tribes of Grand Ronde) to make the redevelopment and restoration of the Blue Heron site a success.
12/8/2023	Stating the obvious, to increase emphasis -- this area is the most important community space for Oregon City. It includes core history of Oregon and Oregon City, and has the most potential to be THE representation of Oregon City and the history of Oregon state. The river, the falls, and McLoughlin Blvd need to combine into the story. Consider what drivers see on one level, then increase it for walkers.
12/8/2023	public transportation that functions within OC, pedestrian access to river and downtown for families to enjoy, businesses that families can enjoy, not just bars.
12/8/2023	The cost to taxpayers and businesses. The safety of walkers and the scenic and traditional beauty of the area. NO ABSTRACT, modernistic design!
12/8/2023	Impacts to existing downtown. Hopefully this will increase visitors to the area - infrastructure to deal with the additional visitors.
12/8/2023	Keep traffic moving. My wife and I walked from the park at I205 to the Mill. It was so load and awe full, any view was ruined from the traffic noise!
12/10/2023	Needs to be appealing and feel safe to get pedestrians to walk along McLoughlin with all the busy traffic.
12/12/2023	Don't reduce parking spots as parking is already a critical issue for the area. Parking issues can't be ignored. Safety is my next concern, especially with the plan for more homeless services around 15 and Main Street. Several friends who visited from Hillsboro and Canby have commented about how uncomfortable they were on main street from panhandling and people walking the streets with obvious mental health issues. Everyone needs to feel safe. Good lighting and visibility would be good.
12/12/2023	Bike and pedestrian use, Easy access for all abilities, traffic reduction, attractiveness.

McLoughlin Boulevard Enhancements: Website Comments	
Submission Date	**What is important for decision-makers to understand about this section of McLoughlin Boulevard as they work to design a solution?**
12/15/2023	It's important that this section of McLoughlin discourage speeding/reckless driving and provide a safe and enjoyable avenue to walk or bike. The pedestrian path should connect safely into downtown and ideally would also have a safe connection to the Clackamas River Trail. It is also important that the area is maintained, the existing path is great but is often cluttered with litter and things unhoused folks have left behind like blankets/sleeping bags.
12/16/2023	I just feel it is important to keep in mind the vehicle travel especially in the morning hours.
12/17/2023	Build it to withstand floods
12/17/2023	Please maintain a good traffic flow. This is a busy section of highway and should not be made any narrower or have any more stop lights.
12/18/2023	Safety for pedestrians and cyclists
12/18/2023	The High trail option b - with out the 8th street under hwy part appeals to me the most. This is the only option that the homeless can NOT hide. Keep the trail AWAY from the hwy with the separate path. The closeness to the river is the attraction. To have this entity even think that the trail will continue past main street to the tunnel on Railroad ave is dangerous. The trail through the tunnel to the fall overlook is not anything that a family with kids and grandma could do safely
12/20/2023	The access and the wonderful view.
12/21/2023	The high route provides more visibility. As a mom pushing a stroller on walks, that seems to be the safer option. I wonder if there's a way to diffuse traffic noise on the walkway (?). It's important to provide at least one point of access to the Main St, midway on that path, ideally at the arch bridge. People would be more apt to use the walkway if they could get on and off from the main strip of shops. Do NOT reroute through main st, which is already congested with limited parking.
12/21/2023	Keep the Willamette River for all the Native Americans historical rituals with recreation for all. Adding more parking would add more pillars and structural support items for the roadway over the Willamette River reducing the historical fishing and harvesting area.

CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 02/07/2024

From: Aquilla Hurd-Ravich, Community Development Director

SUBJECT:

Remand process to review the ICON application for Park Place Crossing development

STAFF RECOMMENDATION:

Staff recommends the City Commission receive the information and discuss it as necessary.

EXECUTIVE SUMMARY:

On December 28, 2023 ICON Construction and Development sent a letter via their attorney requesting to initiate the remand proceedings for Planning files GLUA21-00045/ MAS21-00006/ VAR22-00001. The City has 120-days to process and issue a final decision from the date they initiated remand. The 120th day in this case is Saturday April 27, 2024.

The purpose of this staff report and communication is to review the process for this remand. In October 2022, The City Commission issued a denial of ICON's application for development. The applicant appealed that decision to LUBA who then issued a decision which remanded the application back to Oregon City. This application will be reviewed by the City Commission and consider only clear and objective criteria when making the decision. If the City Commission finds that the application does not meet the clear and objective criteria from the Oregon City Municipal Code, the applicant must be given the opportunity to amend the application or propose conditions of approval that would make the application compliant with code.

Staff has asked the applicant to prepare an application for review to be submitted in early February. We have identified four meeting dates for the City Commission to review this application. March 6th, March 20th, April 3rd, and April 17th. A final decision will have to be made no later than April 17th in order to meet the 120-day deadline without a special meeting.

The application will remain a master plan, or General Development Plan, in order to comply with the condition of approval attached to the Annexation. As such, staff has identified the applicable criteria from 17.65.050(C) General Development Plan. The

criteria that are ~~struck~~ cannot be applied as they are not clear and objective. Items in **bold** are the only applicable criteria:

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

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

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

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

~~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.**

Staff intends to submit a staff report and present the applicant's remanded application at the March 6th City Commission meeting.

This communication is informational only and no decisions are required or needed at this time.

Jakob Wiley

From: James Nicita <james.nicita@gmail.com>
Sent: Wednesday, February 7, 2024 4:02 PM
To: Denyse McGriff; Adam Marl; Mike Mitchell; Frank O'Donnell; Rocky Smith, Jr.; Tony Konkol; Aquilla Hurd-Ravich; Bill Kabeiseman; Carrie Richter; Jakob Wiley
Cc: Jackie Hammond-Williams; Barbara Renken; Tom Geil; Jesse Buss
Subject: Public Comment City Commission 2/7/2024 Regular Meeting Agenda Item 10(b) Remand Process to Review the ICON Application for Park Place Crossing Development

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

Mayor and Commissioners:

I write with the following comments regarding the above-referenced agenda item.

First, I am curious why this is being presented to the City Commission as a city manager communication rather than a regular agenda item at the tail end of a packed meeting that will likely run up against the 10 pm time limitations. Perhaps the Commission might consider moving this item up earlier in the agenda, and allow for full public comment.

The importance of what is going on here cannot be underestimated.The staff memo posted with this agenda appears to be setting the "rules of the game" for the remand hearing on the Park Place Crossing proposal. It purports to establish what review criteria will or will not be applied to the remanded Park Place Crossing proposal.

The principal message that the memo appears to want to convey to the Commission is this: that only "clear and objective" standards can be applied to the Park Place Crossing proposal, in its entirety.

There might be grounds for an alternative interpretation. ORS 197A.400(1) (formerly ORS 197.307(4)) states that only clear and objective standards may be applied to the "development of housing."

The original Park Place Crossing proposal included much more than housing. It included retail, per the Park Place Concept Plan "neighborhood village" Main Street, parks and open space that will serve citizens well beyond those in the Park Place Crossing Development, and a major connector in the Holly Lane extension that will also serve citizens well beyond the Park Place Crossing residents.

I have spent this afternoon on Westlaw trying to find a case that applies the "clear and objective" standards rule to non-housing elements of a development that includes both housing and other components of a development. I have not found one, but I will certainly concede error if there is a case out there that is directly on point that I have not found.

In the City Commission's original Park Place Crossing decision, the Commission gave full support to the neighborhood village component of the Park Place concept plan. I do not see anything that disturbs this aspect of the Commission's decision in the LUBA case that remanded the Commission's final decision: the LUBA decision, in my opinion, is solely directed to the general development plan for Park Place Crossing as that proposal relates to "housing."

Therefore, I hope the Commission will make abundantly clear tonight that the language in the memo that has been stricken in the review criteria as not applying to a general development plan only applies to the "housing" component of the Park Place Crossing general development plan proposal, and that the Park Place concept plan and the comprehensive plan fully apply to the non-housing components such as the retail and commercial in the concept plan's Main Street Village.

Finally, I hope the Commission might request clarification on the memo's use of the term "application" to describe what staff is or will be requesting from Icon in February. It seems to me that the LUBA remand indicated that the City was required to allow Icon to propose "amendments" to the existing application, not a new application. It seems that a new "application" would require a completely new hearing, beginning with Planning Commission review.

Thank you for your consideration of these comments.

James Nicita
Oregon City

CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** February 7, 2024

From: Tony Konkol, City Manager

SUBJECT:

4th of July Celebration

STAFF RECOMMENDATION:

Staff update on a city sponsored 4th of July celebration.

EXECUTIVE SUMMARY:

The City Commission requested that staff identify an option for a city sponsored 4th of July celebration. Staff has prepared two proposals that would occur at the End of the Oregon Trail Interpretative Center between 4pm and 10pm and would include:

- Food and beverage sales
- Concert
- 15-minute Laser Light show

This event would cost approximately $22,530.

A second proposal has been created that is identical to the proposal above, with the addition of carnival games and game prizes. The second proposal would cost approximately $25,710. Both proposals have been included as an attachment to this report.

BACKGROUND:

OPTIONS:

1. Provide staff feedback on the proposed 4th of July celebration proposals.

BUDGET IMPACT:

Amount: $22,520 - $25,710

FYs: 2024

Funding Source: TBD

Event Proposal

Event Details

Event Title	4th of July Celebration
Target Group(s)	Oregon City residents/ families
Proposed by	Taylor Miller, Rental and Events Coordinator
Hosting Organization	City of Oregon City
Event Date	7/4/2024
Venue	End of the Oregon Trail Interpretive Center
Amount Requested	$ 22,530

Event Description

Join Oregon City for a spectacular 4th of July celebration, this free event promises patriotic fun for the whole family. Immerse yourself in the festive atmosphere with live music and a variety of treats from local food cart vendors. Bring your blankets, lawn chairs, and enthusiasm for an evening of freedom, community, and joy. As the sun sets, get ready for the highlight of the evening – a dazzling celebratory laser light show that will paint the night sky with bursts of color and sparkle. It's the perfect way to cap off an unforgettable Independence Day celebration with the community.

Proposed Program/Schedule

4:00pm – Site Opens

5:30-8:30pm – Food & Beverage Sales

6:30pm-8:30pm – Concert

8:30 pm – Flag Salute/National Anthem

9:00pm – Patriotic Laser Light Show (15 minutes)

10:00pm – Site Closed

Proposed Budget

Expense	Total	Notes
Live Band	$4,500	*Holiday price point*

Patriotic Laser Light Show	$15,000	240116 City of Oregon City.pdf
Décor	$170.30	
Signage	$97.96	
Lighting	$800	*Party Factory Rentals, local business*
Security	$1,321.74	*4.5 hours of service, $73.43/hr (x 4 officers)*
Aquatic Staffing (Carnival and set-up)	$640	*Approx. $20/hr (4 Aquatic staff(lifeguards for a total of 8 hours*

The proposed budget does not include audio cost, as this would be included in the Concert Series budgeting. The proposed budget also does not include Staffing cost for Coordinator and Managerial staff who would be working the event. Those details can easily be added to the proposed budget prior to presentation in front of the City of Oregon City Commission.

***Potential Sponsorships to Cover Cost =** $3,300

Parks and Recreation currently receives sponsorships from local businesses and approximately $3,300 of those donations could be put towards the budget detailed above.

Event Proposal 2

Event Details

Event Title	4th of July Celebration
Target Group(s)	Oregon City residents/ families
Proposed by	Taylor Miller, Rental and Events Coordinator
Hosting Organization	City of Oregon City
Event Date	7/4/2024
Venue	End of the Oregon Trail Interpretive Center
Amount Requested	$ 25,710

Event Description

Join Oregon City for a spectacular 4th of July celebration; this free event promises patriotic fun for the whole family. Immerse yourself in the festive atmosphere with live music and a variety of treats from local food cart vendors, and dive into the excitement at our carnival game area, where you can test your skills and win fantastic prizes. Bring your blankets, lawn chairs, and enthusiasm for an evening of freedom, community, and joy. As the sun sets, get ready for the highlight of the evening – a dazzling celebratory laser light show that will paint the night sky with bursts of color and sparkle. It's the perfect way to cap off an unforgettable Independence Day celebration with the community.

Proposed Program/Schedule

4:00 pm – Site Opens

4:00-7:30 pm – Carnival Area open

5:30-8:30 pm – Food & Beverage Sales

6:30 pm-8:30 pm – Concert

8:30 pm – Flag Salute/National Anthem

9:00 pm – Patriotic Laser Light Show (15 minutes)

10:00 pm – Site Closed

Proposed Budget

Expense	Total	Notes
Live Band	$4,500	*Holiday price point*
Patriotic Laser Light Show	$15,000	240116 City of Oregon City.pdf
Carnival Games Rental	$3,000	*Approximate, awaiting final quote*
Game Prizes	$179.97	*Bulk patriotic glow stick items*
Décor	$170.33	
Signage	$97.96	
Lighting	$800	*Party Factory Rentals, a local business*
Security	$1,321.74	*4.5 hours of service, $73.43/hr. (x 4 officers)*
Aquatic Staffing (Carnival and set-up)	$640	*Approx. $20/hr. (4 Aquatic staff (lifeguards for a total of 8 hours*

The proposed budget does not include audio costs, as this would be included in the Concert Series budgeting. The proposed budget also does not include staffing costs for the coordinator and managerial staff who would be working at the event. Those details can easily be added to the proposed budget.

***Potential Sponsorships to Cover Cost =** $3,300

Parks and Recreation currently receive sponsorships from local businesses, and approximately $3,300 of those donations could be put towards the budget detailed above.

Contract

January 16, 2024

Oregon City Parks and Recreation
City of Oregon City
PO Box 3040
1211 Jackson Street
Oregon City, OR 97045
Melissa Sebastian 503.974.5516
msebastian@orcity.org

Oregon City Fourth of July Celebration
Set Up: July 3, 2024
Show Date: July 4, 2024
Venue: End of the Oregon Trail Interpretive Center – 1726 Washington Street, Oregon City, OR 97045

Quantity	***Description***
6-	30 Watt RGB Full-Color Lasers
1-	Spare Full-Color Laser
6-	Pangolin Beyond Computer Graphic Controllers
2-	Computers
2-	High Power Smoke Machines

We will create a 15 minute custom choreographed laser light show spectacular. The show will include high speed full color laser animations with beams and many other laser effects.
This Laser Light Show will consist of two and three dimensional graphic characters and designs; beam effects: patterns and splitting effects; aerial affects: i.e. cones and waves; text and logos.
Note: Site will determine usage of effects.
This is a complete package that includes the laser light show, programming, set up, tear down, and operation of the laser show.

Show $13,000
Travel and hotel expenses $2,000
Total due for show $15,000

50% deposit to secure the show date and equipment.
Please note: Video projectors and cameras can be damaged by direct contact with laser beams. Nu-Salt Laser Light Shows International is not liable for any damage incurred on this type of equipment if it is used during the time of laser operation. Please use video equipment at your own risk.

The total due will remain in the possession of nu-salt laser regardless of any unforeseen events that are not related to nu-salt laser's negligence. All material is guaranteed to be as specified, and the above work will be performed in a substantial workmanlike manner.

Customer's Name Print _____

Customer's Signature _____ Date_____
Please sign and return via email

NU•SALT LASER INTERNATIONAL
A SEASONING FOR YOUR EYES
322 CANYON FALLS DRIVE
FOLSOM, CA 95630
619.742.8981

Please wire or deposit into this account:
Bank of America
Nu-Salt Laser International
Account number: **325084875279**
Routing number: **121000358 (paper & electronic)**
026009593 (wires)
SWIFT code: BOFAUS3N

Or you may send a check to:
Nu-Salt Laser International
322 Canyon Falls Drive
Folsom, CA 95630

NU•SALT LASER INTERNATIONAL
A SEASONING FOR YOUR EYES
322 CANYON FALLS DRIVE
FOLSOM, CA 95630
619.742.8981

Willamette Falls Locks
AUTHORITY

2024 Short Session Update

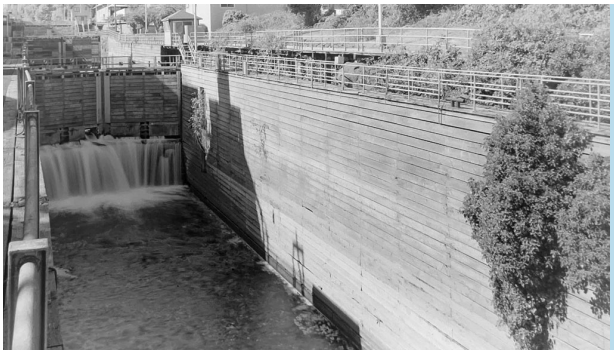
To update legislative partners on current plans and discuss how we will work together to achieve future goals. Following the Oregon Legislature's development of the Willamette Falls Locks Authority (WFLA) in 2021 through HB2564, WFLA incorporated, appointed board members and in late 2023 transitioned from an Oregon Solutions managed facilitation and project to a professionally managed Public Corporation.

How has the Willamette Falls Locks Authority been keeping busy following the legislature's creation?

- We have transitioned from a commission to an incorporated Public Corporation
- Worked with the Governor's office to appoint the WFLA Board (10 of 11 seats currently filled)
- Adopted Bylaws
- Broadened our coalition
- Secured IGA's with our 12 dynamic funding partners; this includes public and private partners
- Hired an Executive Director
- Launched our real estate transfer discussions with the Army Corps of Engineers (ACOE)
- Developed our founding financial, administrative and governing documents
- Worked closely with the ACOE as they start the seismic retrofit (federally funded)

What can you can expect from the Willamette Falls Locks Authority moving forward?

- Negotiate and oversee transfer of the Locks from the ACOE by 2027
- Further broaden our coalition of partners
- Secure the remainder of the funding necessary to complete capital upgrades ($7.2M so far!) which is necessary for modern operation
- Oversee and ensure capital improvements
- Negotiate operating agreements
- Develop a permanent funding plan for operation
- Oversee environmental conditions
- Promote commercial use of the locks through collaboration with economic development entities, tourism entities and private industry
- RETURN OPERATIONAL LOCKS TO THE COMMUNITY



Upcoming Opportunities

- Show solidarity in working with our federal partners for additional capital funds
- Support long term operational funding development

History

In **1878** construction of the locks was completed. The little steamboat Maria Wilkins, loaded with Governors and other VIPS, locked through the Canal just before the deadline on January 1, marking the first significant navigational improvement on the Columbia-Snake river system and immediately cutting freight rates by 50%.

In **1915** the USACE bought the Canal and Locks for $375,000 from Pacific Rail, Light & Power (PRL&P), thereby providing free passage around the Falls. Thousands gathered in a parade to witness the transfer of the locks from private to public ownership. In 1912-13, the Oregon Legislature and the US government each appropriated $300,000 for additional improvements to the Locks.

In **2011**, a Facility Evaluation Report identified three significant issues: seepage, seismic, and safety issues around gudgeon anchor assemblies. The Locks closed in December under an emergency authority to protect life and property, and the Locks moved to "non-operational" status. The Grounds and museum were also closed to the public.

(2015) The Willamette Falls Locks Task Force (The Task Force) was established through Senate Bill 131 to compile information related to the historic, economic, cultural, recreational and other current and potential future values of the Willamette Falls Navigation Canal and Locks. The Task Force, which included Tribal and appointed local, regional and state representatives, met six times between January and September 2016 to review and develop information to advance a potential future transfer of ownership of this important national and regional asset.

Pursuant to Senate Bill 256 **(2017)** in response to the recommendations of The Task Force, Oregon Solutions facilitated the Willamette Falls Locks Commission (WFLC). Senate Bill 256 established the commission to advise state, local, and regional government agencies on the development and implementation of a plan for repair, reopening, operation, and maintenance of the Willamette Falls navigation canal and locks.

House Bill 2564 **(2021)** established the Willamette Falls Locks Authority (WFLA). WFLA is a public corporation with the mission to establish ownership, oversight, and management of the Locks project, for the purposes of enhancing the economic vitality of Oregon.

In **2023**, the Willamette Falls Locks celebrated its 150th birthday, which was celebrated by the passage of HCR20. HCR20 was passed unanimously in both chambers, illustrating its important historical legacy the Willamette Falls Locks has in Oregon.

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