



CITY OF OREGON CITY PLANNING COMMISSION AGENDA

**Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Monday, August 12, 2024 at 7:00 PM**

Ways to participate in this public meeting:

- *Attend in person, location listed above. Please see the public comment guidelines below.*
- *Register to provide electronic testimony (email ocplanning@orcify.org or call 503-722-3789 by 3:00 PM on the day of the meeting to register)*
- *Email ocplanning@orcify.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. APPROVAL OF MINUTES

2.a. Approval of July 22, 2024 Meeting Minutes.

3. PUBLIC COMMENTS

Please see the public comment guidelines below.

4. PRESENTATIONS

5. PUBLIC HEARINGS

6. DISCUSSION ITEMS

6.a. Park Place Concept Plan Code Refinement - Continued Discussion

7. COMMUNICATIONS

8. ADJOURNMENT

PUBLIC COMMENT GUIDELINES

Complete a Comment Card prior to the meeting and submit it to the clerk. When the Chair calls your name, proceed to the speaker table, and state your name and city of residence. Each speaker is given 3 minutes to speak. As a general practice, the committee does not engage in discussion with those making comments. Complaints shall be addressed at the department level prior to addressing the committee.

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](https://www.oregoncity.org) and available on

demand following the meeting. The meeting can be viewed on Willamette Falls Television channel 28 for Oregon City area residents as a rebroadcast. Please contact WFMC at 503-650-0275 for a programming schedule.



CITY OF OREGON CITY PLANNING COMMISSION MINUTES - DRAFT

Commission Chambers, Libke Public Safety Building, 1234 Linn Ave, Oregon City
Monday, July 22, 2024 at 7:00 PM

CALL TO ORDER AND ROLL CALL

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

Present: 5 – Vice Chair Paul Espe, Commissioner Bob La Salle, Commissioner Daphne Wuest, Commissioner Brandon Dole, Commissioner Karla Laws (Virtual)

Absent: 2 - Chair Greg Stoll, Excused; Commissioner Dirk Schlagenhauser, excused

Staffers: 2 - Community Development Director Aquilla Hurd-Ravich, Senior Planner Christina Robertson-Gardner, City Engineer Dayna Webb, City Attorney Bill Kabeiseman

MEETING MINUTES

1. Meeting Minutes for Approval: July 8, 2024.

Commissioner LaSalle commented that he would not approve these minutes because they do not include enough detail. The Commissioners were reminded that we are doing “Action Minutes” and not transcription minutes.

A motion was made by Commissioner Wuest, seconded by Commissioner Dole to approve the meeting minutes for July 8, 2024.

The motion carried by the following vote:

Yea: 3 - Commissioner Dole, Commissioner Wuest, Vice Chair Espe

Nay: 2 - Commissioner LaSalle, Commissioner Laws

There was additional discussion about the minutes and the desire to have more key points included that are brought up by the Commissioners. Director Hurd-Ravich noted that it is hard to find the point on the wide spectrum between action minutes and verbatim for what to include or not include. If there are things missing specifically, the Commissioners can send information to the staff to have the minutes amended for the next meeting.

PUBLIC COMMENT

None

PRESENTATION

2. Transportation System Plan Prioritization Process presented by Dayna Webb, City Engineer. In response to the Key Element in the Park Place Concept Plan regarding providing 2 primary North-South connections between Holcomb Blvd and Redland Rd, Dayna was asked to come to explain the prioritization process and what it looks like for future projects.

The TSP is a long-term guide for transportation investment incorporating the vision of the community into an equitable and efficient system. It looks at the needs of walking, biking, driving, transit and freight and tries to balance the needs of every user of the system.

The current TSP was created in 2013. They have a 5-point Vision for the Plan, and they created 8 goals which were then ranked in a priority order by the committee and the stakeholders. Each goal then has objectives and evaluation criteria. There are currently 354 projects that have been scored based on goals, objectives and evaluation criteria. The highest-ranking projects are then the priorities.

For the Park Place Concept Plan, the Swan Avenue and Holly Lane Road connectivity is ranked 332-334 of the 354, so it is considered a Long-Term project and most likely will not be funded.

Projects are funded by grants, partnerships and leveraging opportunities. Grants are the primary source of funding.

SDCs fees come from development and can only be spent on building capacity. An example is the Meyers Rd Extension including the stormwater, water and sewer pipes that were paid for by SDC funds. Walking, biking or access to transit is 60% SDC eligible and 40% Gas Tax eligible.

When developers come in with a project to a pre-application meeting, the TSP is analyzed to determine what transportation needs would need to be included in the developer's project or not included to keep within the TSP vision and goals.

When damage to the infrastructure happens at a development, the City will put in a Change Order with the Developer to get the damage done fixed. Where there is City work with Developer work, and the work to be done is more extensive than originally planned, they look at the plan and the goals and determine the best way to address the issue.

PUBLIC HEARING

3. **GLUA-24-00004, AN-24-00001 and ZC-24-00001 for 14389 & 14421 Maplelane Rd**

Vice Chair Espe opened the public hearing and read the hearing statement. He then asked for any ex parte contact or conflicts of interest by any of the Commissioners. There were none stated. Most of the commissioners present had driven by or visited the site.

Senior Planner Robertson-Gardner presented the staff report. She had 2 items to enter into the record. First, Clackamas River Water was late in providing comments, but their comments were the standard for an annexation and asked that if the City desires to serve these properties in the future, that they follow the withdrawal process as stipulated in statute. Second, she added the Housing Needs Analysis from 2021 because this proposed annexation and zone change is consistent with the HNA.

Annexation request is for 2.5 acres, and they are asking to be zone R-6. The applicants do not currently have a plan to develop the property. The Commission must determine if this proposal meets the annexation factors and the criteria for the zone changes.

Staff is asking for direction for two items. Item 1 is regarding Historic Considerations as the 2011 citywide historic survey deemed the two houses on these properties as potentially eligible to be Historical Designated. Does the Planning Commission want to ask City Commission to add a condition or additional requirements that address this or not?

The 2nd item that staff would like some direction about is regarding the trees on the property. The City does not have a Residential Tree Program so once these properties are annexed, the applicant could remove trees. The commission could ask City Commission to make the site subject to OCMC 17.41 until there is a development plan which would protect the mature trees along the street frontage.

Commission discussed the Historic consideration. The homes are not designated historic by the County, but they could be eligible for a local listing. It takes owner consent to get designated as well.

Brad Kilby, representative for the applicants, and Graeme Newhouse, one of the applicants, gave a presentation. Applicants are not developing the property at this time; they are trying to preserve the value of the property as the parents are aging.

Commission deliberated and had discussion about what information the 2011 historic survey did. They just looked for any building over 50 years old. It would need a more in depth survey, Historic Review Board vote and owner consent. Planning commission agreed that the Historic aspect was not for them to determine.

A motion was made by Commissioner Dole, seconded by Commissioner Wuest to leave the question of Historic Review to the City Commission for consideration without requiring further action from the applicant at this time.

The motion carried by the following vote:

Yea: 5 - Commissioner LaSalle, Commissioner Laws, Commissioner Dole,

Commissioner Wuest, Vice Chair Espe

Commission deliberated and had a discussion about the mature trees on the property. Commissioner Laws would like to see future work done on a Residential Tree program. Ultimately, the Planning Commission agreed that

A motion was made by Commissioner Dole, seconded by Commissioner Wuest to move the application forward to City Commission without requiring tree protection.

The motion carried by the following vote:

Yea: 4 - Commissioner LaSalle, Commissioner Laws, Commissioner Dole, Commissioner Wuest

Nay: 1 – Vice Chair Espe

Commissioner Laws expressed again getting an agenda item in the future for getting a Residential Tree Program.

Deliberation then occurred regarding just the annexation and zoning change. There were questions about middle housing and land division on this property. There are many options.

A motion was made by Commissioner LaSalle, seconded by Commissioner Wuest to approve GLUA-24-00004, AN-24-00001 and ZC-24-00001 for 14389 & 14421 Maplelane Rd.

The motion carried by the following vote:

Yea: 5 - Commissioner LaSalle, Commissioner Laws, Commissioner Dole, Commissioner Wuest, Vice Chair Espe

DISCUSSION

4. Park Place Concept Plan Code Refinement continuation

Director Aquilla Hurd-Ravich gave a review of the code amendment changes that have resulted from the past few meetings. She covered sections: 16.12.026, 17.04, 17.08, 17.10, 17.21 and 17.65.

- a. 16.12.026 – Street Design – Alleys added two reasons a modification could be requested
- b. 17.04 – Definitions no changes
- c. 17.08.040 – Low Density Districts – Dimensional Standards cleaned up the table to make it more readable
- d. 17.08 & 17.10 – Low Density & Medium Density Residential Districts had a few changes about lot sizes and setbacks with some numbering changes
- e. 17.10 – Medium Density made a change to more discretionary wording. It also

cleaned up the table for readability.

Commissioner LaSalle asked why if there are no R-3.5 zones in the Concept Plan the wording in the code references R-3.5. Director Hurd-Ravich explained that there is not currently R-3.5 but the Comprehensive Plan for the area covers Medium Density includes R-3.5 and R5.

f. 17.21 – Residential Design had some changes to the applicability and modifications sections had minor changes. The Roof Design, Massing, Porches & Entries, Approved Siding Materials and Housing Diversity Standards sections had some changes.

Vice Chair Espe asked about the shed roof definition. It was suggested that “shed roofs” be removed and just leave it as “Flat roofs”. There was some discussion, and it was determined to leave it as is, but add a definition for a Shed Roof.

Commissioner LaSalle is concerned that by removing the solar access it changed the concept plan which is not the intent. Director Hurd-Ravich explained that striking this only means that someone does not have to orient their roof in a way to provide solar access, but it does not preclude them from doing it.

Commissioner Wuest asked about aluminum or vinyl siding being allowed. Director Hurd-Ravich pointed out this shows wood or composite as being allowed. Commissioner Wuest also asked about window trim being required or not required. The way this is written, yes, there could be windows without trim.

g. 17.65 – Master Plans and Planned Unit Developments added a section to clearly distinguish between a discretionary path and a clear and objective path.

Next steps are to review the rest of the code revisions at the Aug 12th meeting. The CIC and Park Place Neighborhood Association meetings to explain what is happening in August. There will also be a check-in with City of Commission. The Legislative steps will begin in September.

Commissioner LaSalle requested a copy of the cleaned up version of the code be provided to the commissioners at the next meeting. Director Hurd-Ravich agreed that a red-lined and a clean copy will be provided when the legislative session commences.

COMMUNICATIONS

Next meeting is August 12th. Only agenda item at this time is to finish the review of the revisions to the PPCP that were not covered this evening.

ADJOURNMENT

Vice Chair Espe adjourned the meeting at 9:25 p.m.



CITY OF OREGON CITY

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

Staff Report

To:	Planning Commission	Agenda Date:	August 12, 2024
From:	Pete Walter, Planning Manager Aquilla Hurd-Ravich, Community Development Director		

SUBJECT:

Park Place Concept Plan Code Refinement - Continued Discussion

STAFF RECOMMENDATION:

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

EXECUTIVE SUMMARY:

The Park Place Concept Plan (PPCP) was adopted through Legislative File 08-01 in 2008. At the time the Oregon City Municipal Code was amended to implement the principles of the concept plan. Since then, land use regulations in the State of Oregon have changed and the City reviewed its first land use application in the concept plan area. That review illuminated some of the areas in code that need refinements. Staff presented initial drafts of all the relevant code sections at the previous Planning Commission meetings in May, June, and July. At this meeting we will review changes and edits as a result of the Planning Commission's feedback and direction on OCMC Chapters 17.24- Neighborhood Commercial and 17.62- Site Plan and Design Review and specifically a new section directed at requiring dedication of parks and trails. This is the last meeting to review code before the legislative hearing process begins.

BACKGROUND:

At the August 12, 2024 meeting, staff will present updated drafts, based on Planning Commission revisions, of the following OCMC chapters:

- 17.24- Neighborhood Commercial
- 17.62.061 and 16.08.043- Additional public park, trail and open space requirements

The draft code sections, with explanation boxes, are attached to this report. These chapters have previously been reviewed by the Planning Commission and the purpose of this review is to ensure staff captured the comments and feedback accurately before moving into the legislative hearings.

This project came about as the result of a General Development Plan (aka master plan) application that was denied by the City Commission for various reasons but overall the decision was that the application did not properly implement the principle Key Elements of the PPCP. When the PPCP was adopted in 2008, the Oregon City Municipal Code (OCMC)

was amended to implement the concept plan. The PPCP was implemented through Legislative File 08-01 which updated, revised, and added new code sections to OCMC, and adopted Comprehensive Plan designations for areas within the concept plan. Land in the North Village which has annexed to the City has a zoning designation of Neighborhood Commercial (NC), R-5 (Medium Density Residential), and R-10 (Low Density Residential). In 2008, OCMC 17.10 was amended to add a new R-5 zone district to allow for greater diversity of housing types. The existing Neighborhood Commercial zone district in OCMC 17.24 was refined to increase the number of permitted uses, restrict the size of stand-alone commercial buildings, and allow live-work units. Multi-family is allowed in Neighborhood Commercial, but it cannot be more than 50% of the building square footage on-site although the Planning Commission has discussed increasing the allowed amount. The PPCP was built principally on 11 Key elements:

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

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

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

1537 requires jurisdictions to grant “mandatory adjustments” if a development meets certain thresholds. Taking most of these changes into account since 2008, staff has endeavored to propose revised code that will more completely implement the 11 Key Elements while remaining clear and objective. Staff has identified multiple OCMC chapters and sections that need to be revised through this code refinement process:

- 17.04 Definitions
- 17.08 Low Density Residential District
- 17.10 Medium Density Residential Districts (R-5 and R-3.5)
- 17.21 Residential Standards- Park Place Concept Plan
- 17.24 Neighborhood Commercial
- 17.62 Site Plan and Design Review
- 16.08 Land Divisions
- 16.12.026 Street Standards- Alleys
- 17.65 Master Plans

Process Overview

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

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

NEXT STEPS:

Staff will present an update of the Planning Commission’s discussions to the City Commission at their next work session on August 13, 2024. Staff will also give a presentation to the Park Place Neighborhood Association. Staff presented an update to the CIC on August 5, 2024 prior to this meeting.

OPTIONS:

Chapter 17.24 NC NEIGHBORHOOD COMMERCIAL DISTRICT

17.24.010 Designated.

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

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

17.24.020 Permitted uses—NC.

The following uses are permitted within the neighborhood commercial district:

- A. Any use permitted in the mixed-use corridor, provided the maximum footprint for a stand-alone building with a single store or multiple buildings with the same business does not exceed ten thousand square feet, unless otherwise restricted in this chapter;
- B. Grocery stores, provided the maximum footprint for a stand-alone building with a single store or multiple buildings with the same business does not exceed forty thousand square feet;
- C. Live/work dwellings;
- D. Outdoor sales that are ancillary to a permitted use on the same or abutting property under the same ownership.

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

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

Explanation:

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

PPCP Key Element:

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

17.24.025 Conditional uses.

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

- A. Any use permitted in the neighborhood commercial district that has a building footprint in excess of ten thousand square feet;
- B. Emergency and ambulance services;
- C. Drive-through facilities;
- D. Outdoor markets that are operated before six p.m. on weekdays;

- E. Public utilities and services such as pump stations and sub-stations;
- F. Religious institutions;
- G. Public and or private educational or training facilities;
- H. Gas stations;
- I. Hotels and motels, commercial lodging;
- J. Veterinary clinic or pet hospital.

Explanation:

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

PPCP Key Element:

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

17.24.035 Prohibited uses.

The following uses are prohibited in the NC District:

- A. Distributing, wholesaling and warehousing;
- B. Outdoor storage;
- C. Outdoor sales that are not ancillary to a permitted use on the same or abutting property under the same ownership;
- D. Hospitals;
- E. Kennels;
- F. Motor vehicle sales and incidental service;
- G. Motor vehicle repair and service;
- H. Self-service storage facilities;
- I. Heavy equipment service, repair, sales, storage or rental (including but not limited to construction equipment and machinery and farming equipment);
- J. Marijuana production, processing, wholesaling, research, testing, and laboratories;
- ~~K. Mobile food units or vendors, except with a special event permit;~~
- ~~L~~K. Residential use that exceeds fifty-seventy-five percent of the total building square footage on-site.

Explanation:

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

[An additional modification was made to allow residential uses that are more than 50% of the total building square footage. The Planning Commission was concerned that commercial would not be viable in the location it is identify for and thought that the pressing need at this time and place not only in Oregon City, but the State, and nation is for housing. At the same time there was concern that unlimited allowance for residential uses would not protect the long term vision for commercial activity and the compromise by the Planning Commissioners was to increase the amount of allowed residential use as a part of a larger mixed use development.](#)

PPCP Key Element:

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

17.24.040 Dimensional standards.

Dimensional standards in the NC district are:

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

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

Explanation:

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

PPCP Key Element:

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

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

BC. Maximum building footprint: Ten thousand square feet.

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

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

EE. Maximum Allowed Setback.

1. Front yard setback: Five feet.

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2. Interior yard setback: None.
 3. Corner side yard setback abutting a street: ~~F~~
(a) thirty feet;
(b) five feet in the Thimble Creek and Park Place Concept Plan areas.-
 4. Rear yard setback: None.
- G. Public utility easements may supersede the minimum setback. Maximum setback may be increased per OCMC 17.62.055.D.
- FH. 1. Standards for residential uses: Residential uses shall meet the minimum net density standards for the R-3.5 district, except that no minimum net density shall apply to residential uses proposed above nonresidential uses in a mixed-use configuration or to live/work dwellings. Any new lots proposed for exclusive residential use shall meet the minimum lot size and setbacks for the R-3.5 zone for the proposed residential use type.
- I. Minimum required landscaping: twenty percent. Required landscaping areas may include:
- a. Landscaping within a parking lot.
 - b. Planter boxes.
 - c. Eco or green roofs.
 - d. Paved courtyard or plaza with at least twenty-five percent of the area used for landscaping, planter boxes, and/or water features including shade trees planted at the ratio of one tree for every five hundred square feet of urban plaza area.
 - e. Low Impact Development (LID) stormwater facilities
- G. Minimum required landscaping (including landscaping within a parking lot): Fifteen percent.

17.24.050 Additional standards for Thimble Creek Concept Plan Area.

- A. Applicability. This section applies to all development in the NC district within the Thimble Creek Concept Plan Area.
- B. Relationship of Standards. These standards apply in addition to and supersede the standards of the NC zone within the Thimble Creek Concept Plan Area. In the event of a conflict, the standards of this section control.
- C. Uses.
1. All uses permitted per OCMC 17.24.020.A and B, are limited to a maximum footprint for a stand-alone building with a single store or multiple buildings with the same business not to exceed ten thousand square feet, unless otherwise restricted in this chapter.
 2. Residential uses, excluding live/work, that do not exceed fifty percent of the total building square footage within the Thimble Creek Concept Plan Neighborhood Commercial Zoning District.
 3. Artisan and specialty goods production is permitted, constituting small-scale businesses that manufacture artisan goods or specialty foods and makes them available for purchase and/or consumption on-site, with an emphasis on direct sales rather than the wholesale market. Examples include: Candy, fruit and vegetable preserving and specialty foods, bakeries and tortilla manufacturing; artisan leather, glass, cutlery, hand tools, wood, paper, ceramic, textile and yarn products; microbreweries, microdistilleries, and wineries. All uses shall provide either:
 - a. A public viewing area that includes windows or glass doors covering at least twenty-five percent of the front of the building face abutting the street or indoor wall, allowing direct views of manufacturing; or

17.24.060 Additional standards for Park Place Concept Plan Area.

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

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

C. Additional Permitted Uses.

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

~~21. Civic Uses.~~ Civic uses permitted include non-profit and private uses such as art galleries, museums, indoor and outdoor music and theatre venues, childcare facilities, health and fitness clubs, clubs and lodges, mobile food units, and outdoor markets that are operated on the weekends and after six p.m. on weekdays.

~~2. Off-site stormwater facilities that are less than .5 square acres in size, An “off-site” facility is one that accommodates stormwater that is created at a location zoned R-10, R-8, R-6, R-5, R-3.5 or R-2 and includes the following:~~

~~a. A public access easement and maintenance agreement.~~

~~b. An improved soft surface trail at least 4 feet wide providing access to at least three benches for public use.~~

~~3. Park land improvements that are less than .75 acres in size.~~

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

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

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

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

~~43. Upper-story residential uses are permitted.~~

~~54. Live/work dwellings are subject to OCMC 17.20.040. Live/work dwellings are not subject to OCMC 17.24.035(K) and are not subject to OCMC 17.24.060 (D) (1).~~

Explanation:

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

The additional standards were modified after initial review to allow a greater amount of residential use when combined with commercial uses. The Live/Work dwellings were also modified to clarify those uses and structures are subject only to 17.20.040 and the cap on residential use does not apply.

Off-site storm water facilities and Parks land improvements were added to this section so that the specific restrictions would only apply to NC in Park Place area. The size restrictions were added to protect commercial land. If a park or off-site storm water facility needed more acreage an applicant could make a variance application.

PPCP Key Elements:

2. Two distinct mixed-use neighborhoods (North Village and South Village) that accommodate 1,459 new dwelling units.
3. Neighborhood-oriented commercial nodes that integrate commercial land uses, residential land use, and public open space.
4. An area for a new civic institution, such as a library or community center.

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

1. Siting of structures. At least sixty percent of the site frontage width shall be occupied by buildings placed within five feet of the property line. For sites with less than one hundred feet of street frontage, at least fifty percent of the site frontage width shall be occupied by buildings placed within five feet of the property line.
2. Parking. Parking areas shall be located behind the building façade that is closest to the street or, below buildings. Parking areas shall not be located on the sides of buildings or between the street and the building façade that is closest to the street. On-street parking is permitted subject to street standards in Chapter 16.12 and may be credited toward required off-street parking pursuant to the Off-street Parking and Loading standards in Chapter 17.52.
3. Building facades and entrances. All buildings along the street frontage shall face the front most architecturally significant facade toward the street and have a functional primary building entrance facing the street. Primary building entrances shall be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico in order to provide shelter from the summer sun and winter weather.
4. Pedestrian Elements. Buildings located along the Village Center main streets in Park Place (Livesay Road, Donovan Road, Swan Avenue) shall incorporate a minimum of three (3) of the following elements in the front setback area. These standards are intended to create more transparency and visual interest of buildings, particularly for pedestrians at the street level in order to encourage residents to gather and customers to relax and linger.
 - (a) Canopies or overhangs (5'-0" minimum depth, measured from either the face of the column or the street-facing elevation) for the entire 50% of the width of the building. Canopies shall not project into public utility easements or right-of-way without obtaining proper permitting.
 - (b) Transom window at least 60% of façade width.

- (c) Storefront frieze, horizontal sign band, or a belt course above the transom window or mezzanine level.
- (d) Window planter box (minimum of one per window).
- (e) Projected window sill (at least 2" from building wall plane and 12" to 24" above grade).
- (f) A plaza, courtyard, square or extra-wide sidewalk next to the building entrance (minimum width of [6] feet)
- (g) Sitting space (i.e., dining area, benches, garden wall or ledges between the building entrance and sidewalk) with a minimum of 16 inches in height and 30 inches in width, and located within thirty feet of the street frontage. [Sitting space shall include ADA accessible seating.](#)
- (h) Public art [that incorporates seating](#) (e.g., fountain, sculpture).
- (i) Landscape treatments integrating arbors, low walls, trellis work; or similar elements.
- (j) Enhanced architectural details such as tile work and moldings distinct from the principal facade treatments.

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

- (a) Locate the primary entry to the building at the corner of the building or within 25 feet of the corner of the building.
- (b) Incorporate prominent architectural elements, such as increased building height or massing, a cupola, a turret, or a pitched roof, at the corner of the building or within 25 feet of the corner of the building.
- (c) Chamfer the corner of the building (i.e. cut the corner at a 45-degree angle and a minimum of 10 feet from the corner) and incorporate 2 of the following list of elements in the cut.
 - i. Extended sheltering weather protection (arcade, canopy, or awning).
 - ii. Special paving materials differing from adjoining walkway.
 - iii. Sitting space (i.e., dining area, benches, garden wall or ledges) between the building entrance and sidewalk with a minimum of 16 inches in height and 30 inches in width.
 - iv. Planter boxes

Explanation:

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

PPCP Key Element:

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

17.62.061 and 16.08.043 - Additional public park, trail and open space requirements in Park Place Concept Plan Area

(Staff Note: the numbering format of this draft code section is subject to further revision, but the same section will be added to both OCMC 17.62 – Site Plan and Design Review, and OCMC 16.08 – Land Divisions)

A. Dedication requirements.

1. Where a proposed park, playground, trail, or open space shown within any of the adopted Plans and Figures listed under (3) below is located in whole or in part in a proposed residential land division, the applicant shall dedicate or reserve such area within the development pursuant to the standards of this section, provided that the reservation or dedication is roughly proportional to the impact of the development on the park system.
2. Acquisition by public agency. If the applicant is required to reserve land area for a park, trail or open space, such land shall be acquired by the appropriate public agency within 18 months following plat approval, at a price agreed upon prior to approval of the plat, or such reservation shall be released to the subdivider.
3. Adopted Plans and Figures:
 - a. Oregon City Parks and Recreation Master Plan Update (2008)
 - b. Oregon City Trails Master Plan (2004)
 - c. Oregon City Conceptual Trails Map (2004) Map – Existing and Proposed Trails (Trails L-5, L-6 and L-7)
 - d. Park Place Concept Plan (2008) – Figure 3-4. Concept Plan Street System Map (Off-Street Trails)
 - e. Park Place Concept Plan (2008) – Figure 3-8: Proposed Trail System
 - f. Oregon City Transportation System Plan (2013) - Figure 5. Multi Modal Connectivity Plan
 - g. Oregon City Transportation System Plan (2013) – Figure 19: Walking Solutions (P. 64)
 - h. Oregon City Transportation System Plan (2013) – Figure 20: Biking Solutions (P. 65)
 - i. Oregon City Transportation System Plan (2013) – Figure 21: Shared Walking and Biking Solutions (P. 66)

B. Non-Residential development park dedication.

Commercial development shall contribute to the creation of the parks, trails and open space within the Park Place Concept Plan boundaries by contributing a fee-in-lieu to the city to support the acquisition of needed park and open space land as follows:

1. The fee-in-lieu of dedication will be set by the city commission and adopted yearly in the city's fee schedule. The fee shall only be used by the city for park, trail and open space acquisition and interim site development.
2. The fee-in-lieu or other equivalent monetary contribution, approved by the community development director, shall be paid prior to approval of the first certificate of occupancy within the commercial development.

C. Residential development park dedication.

Residential development shall dedicate land for parks subject to the location and development standards requirement set forth in subsection F.

1. The minimum acreage of land to be dedicated shall be calculated as follows: $(2.6 \text{ persons per dwelling units}) \times (\text{total number of dwelling units proposed}) \times (\text{four acres}) / (\text{one thousand persons})$.

Example: Total dwelling units = 50

$2.6 \times 50 \times 4 / 1000 = 0.52$ acres.

2. The city may accept a fee-in-lieu of dedication pursuant to subsection E of this section, if a suitable site meeting the criteria described in subsection F of this section is not available within the development site.
3. The required acreage shall be dedicated as part of a final plat, through a deed of dedication, or other acceptable document approved in form by the Community Development Director;
4. Dedication of open space may occur concurrently with development of a project. For phased development, the open space may be set aside in totality and/or dedicated in conjunction with the first phase of the development or incrementally set aside and dedicated in proportion to the development occurring in each phase.

Explanation:

The PPCP calls for the provision of 8-10 acre community park in the North Village area and a 3-5 acre neighborhood park in the South Village area that would be connected by extensive system of off-street and on-street trails and pedestrian/bicycle connections. As with the discussion of critical road infrastructure discussed above, the City is constrained in its ability to exact park land dedication and improvements to that which is roughly proportional to the impact of development. In order to deal with these limitations, city staff is proposing a formula similar to the one in place for residential development within Thimble Creek. OCMC 17.62.059 requires the dedication of park land or an in-lieu fee that is based on a proportional formula based on number of individuals in each dwelling multiplied by the number of dwelling units at four acres per 1000 people. Under this approach, every new housing unit will contribute its fair share for the park. If future development is so piecemeal that it precludes dedication of the minimum PPCP required parkland, the City will have to be prepared to buy whatever remaining pieces are necessary using the funds collected in-lieu fees, either through negotiation or eminent domain, if necessary.

PPCP Key Elements:

6. An extensive system of off-street and on-street trails and pedestrian/bicycle connections.
11. Integration of parks and open spaces into existing and future neighborhoods.

D. Reimbursement for additional dedication.

If a larger area for a park or open space is proposed than is required based on the per-unit calculation described in subsection C(3), the city shall reimburse the applicant for the value of the amount of land that exceeds the required dedication based on the fee-in-lieu formula expressed in subsection E.

E. Fee-in-lieu of Dedication.

The city may accept a fee-in-lieu as an alternative to this dedication at its discretion or may require a fee-in-lieu if a suitable site meeting the criteria described in subsection F of these provisions is not available within the development site. The calculation of the fee-in-lieu or other monetary contributions shall meet the following standards:

1. The amount of the fee-in-lieu or other monetary contributions shall be determined by a licensed, city selected appraiser retained by the applicant, who will value the excessive dedication assuming that zoning and other land use entitlement necessary for park and open space development are in place.
2. The fee-in-lieu or other monetary contribution shall be paid concurrently with the public dedication.
3. The fee-in-lieu or other monetary contribution is separate from and in addition to any Parks System Development Charges (SDCs) required pursuant to OCMC 13.20.

F. Park Location and development standards.

Park, trail and open space proposed for dedication shall be located as shown in the list of adopted plans and figures under A (3) above, as applicable, and meet the following locational and development standards:

1. North Village Community Park (8 acres)

- a. The total minimum amount of land in acres dedicated for the North Village Regional Park shall be 8 acres.
- b. At least half of the frontage of the North Village Community Park shall abut a publicly dedicated street. If located at an intersection, both street frontages may be combined to meet this standard.
- c. Minimum size dedication city will accept: three (3) contiguous acres, except that any proportional share calculated pursuant to the formula under section C.3 above that equals less than 3 acres may be satisfied through a fee-in-lieu per section (E).
- d. Minimum park dimension (width ~~and-or~~ depth): five hundred feet.
- e. The park shall be connected to the regional trail system and shall available for use by the general public.
- f. A "shadow plat" shall be submitted with an application for a land division if park land dedication is less than the full 8 acres. The "shadow plat" will indicate where the boundaries of the future park land will be located and serve as an indicator for park dedication in future development applications.
- g. In the North Village of the Park Place area, if a proposed land division does not abut the park or "shadow plat" then the applicant shall pay a fee-in-lieu rather than dedicate land.
- h. If a proposed land division does abut the park land or the "shadow plat" the applicant shall dedicate the proportionate share of park land.

2. South Village Neighborhood Park (4 acres).

- a. The total minimum amount of land in acres dedicated for the South Village Neighborhood Park shall be 4 acres.
- b. At least half of the frontage of the South Village Community Park shall abut a publicly dedicated street. If located at an intersection, both street frontages may be combined to meet this standard.
- c. Minimum size dedication city will accept: two (2) contiguous acres, except that any proportional share calculated pursuant to the formula under section C.3 above that equals less than two acres may be satisfied through a fee-in-lieu per section (E).
- c. Minimum park width (east-west dimension): four hundred feet.
- d. Minimum park depth (north-south dimension): two hundred feet.
- e. A minimum of three acres of the park shall have a natural slope no greater than 10% to be developed with active recreation components.
- f. The park shall be connected to the regional trail system and shall available for use by the general public.
- g. A "shadow plat" shall be submitted with an application for a land division fi park land dedication is less than the full 4 acres. The "shadow plat" will indicate where the boundaries of the future park land will be located and serve as an indicator for park dedication in future development applications.
- h. In the South Village of the Park Place area, if a proposed land division does not abut the park or "shadow plat" then the applicant shall pay a fee-in-lieu rather than dedicate land.

h. If a proposed land division does about the park land or the “shadow plat” the applicant shall dedicate the proportionate share of park land.

G. Open Space Dedication

1. An application for a subdivision, partition, replat or design review may propose the dedication and protection of open space areas as part of that process. However, this open space shall not be eligible to count toward the parkland dedication requirements of Subsections B, C, D, E, or F.
2. The types of open space that may be provided are:
 - a. Land within the Natural Resources Overlay District (NROD) including natural areas of undisturbed vegetation, steep slopes, stream corridors, wetlands, wildlife habitat areas, and riparian corridors pursuant to OCMC 17.49. Open space located within the Natural Resources Overlay District shall be maintained pursuant to OCMC 17.49.160 – Standards for land divisions.
 - b. Other “greenways” or linear areas linking residential areas with open space areas. These greenways may include the following features:
 - i. Dedicated bicycle paths or footpaths connecting greenways between residences and recreational areas, streets and activity areas.
 - ii. Tree protection tracts created pursuant to OCMC 17.41.
 - iii. Land located underneath powerline easements that is privately owned and maintained but which provides for public access and use.
 - iv. Public off-street pedestrian and bicycle accessway that comply with the standards in OCMC 16.12.032.
- ~~3. A subdivision, partition, replat, or design review application proposing designation of open space shall include the following information as part of the application:~~
 - ~~a. Designate the boundaries of all open space areas; and~~
 - ~~b. Specify the manner in which the open space shall be owned, maintained, and administered; and~~
 - ~~c. Provide for public access to trails through easements or other approved legal instrument.~~
- ~~4. Dedication of open space may occur concurrently with development of a project. For phased development, the open space may be set aside in totality and/or dedicated in conjunction with the first phase of the development or incrementally set aside and dedicated in proportion to the development occurring in each phase.~~

Explanation:

The open space dedication section is proposed to be removed because open space dedication is not required, unlike parks and trails. Existing NROD code already includes a variety of options for the ownership and maintenance of open space, and existing submittal requirements already exist in OCMC 17.50 – Administration and Procedures. A residential development application could propose open space through other means outside of the NROD, for example, as private HOA open space.

PPCP Key Elements:

6. An extensive system of off-street and on-street trails and pedestrian/bicycle connections.

11. Integration of parks and open spaces into existing and future neighborhoods.

J. Trails Dedication

1. Purpose. The Park Place Concept Plan (PPCP) identifies a substantial, interconnected network of trails corresponding to the open space system, and in some cases parallel to road corridors. Proposed trail locations are consistent with the City's adopted Trails Master Plan and other local and regional plans, help connect activity centers, and provide alternatives to travel by automobile. The purposes of this section are:

a. To achieve an extensive system of off-street and on-street trails and pedestrian/bicycle connections, a key element of the PPCP.

b. To provide standards for the applicability, design, location, connectivity, access, maintenance, dedication, enforcement and integration of trails for residential and non-residential development within the PPCP.

c. To assure that trail dedication requirements are roughly proportional to the impact of the proposed development on the trail system.

d. To promote pedestrian connectivity, enhance recreational opportunities and enhance environmental stewardship within the PPCP.

e. To integrate trail planning with other adopted goals, policies and plans, including the Oregon City Parks and Recreation Master Plan (2008), the Oregon City Trails Master Plan (2004), the Oregon City Transportation System Plan (2013), and the OC2040 Comprehensive Plan (2022).

2. Applicability. Unless specified otherwise below, all developments shall reserve or dedicate land for trails within the development pursuant to the standards of this section, provided that the trail reservation or dedication is roughly proportional to the impact of the development on the trail system.

a. The trails dedication requirements apply to the following development applications:

i. New residential land divisions (partitions and subdivisions) within the PPCP.

b. The trails dedication requirements do not apply to the following situations:

i. Development applications within the NC Neighborhood Commercial zone district of the PPCP. In these cases, a fee-in-lieu of dedication may be proposed.

ii. When a fee-in-lieu of trail dedication is permitted pursuant to section (3)(E) .

iii. When the requirements of this section are adjusted pursuant to the criteria for an adjustment for a master plan or planned unit development pursuant to Chapter 17.65 – Master Plans and Planned Unit Development.

iv. If a variance to these requirements is granted pursuant to the standards in OCMC 17.60 – Variances.

3. Trail Dedication Standards

a. Location

Location of trails within the PPCP shall follow the adopted 2004 trails master plan for L7-Livesay Creek Trail, L5-Park Place Creek Loop, and L2-Holcomb Ridge Trail.

The specific locations of trails may change and is subject to on-site verification and design at the time of development.

b. Length.

The amount of land to be dedicated for trails shall be based on the city's level of service standard in the adopted [2023 Parks Master Plan](#) [2004 Trails Master Plan](#) and is estimated at 0.35 miles per 1,000 residents. This equates to 1.8 feet of linear trail per resident.

c. Trail standards:

The slope of the trail over the “from-to” points as determined in the adopted 2004 Oregon City Trails Master Plan for trails L7, L5, and L2 determines if a trail is soft surface or hard surface. If the rise from end to end is over 3%, as defined by the Americans with Disabilities Act, a trail may be a soft surface trail. If the rise from end to end is under 3%, as defined by the Americans with Disabilities Act, a trail shall be a hard surface trail

d. Width.

The minimum width for a soft surface trail shall be five feet. Surface materials shall be 1/4 minus gravel or bark dust.

The minimum width for a hard surface trail shall be ten feet. Surface materials shall be asphalt or concrete.

e. Fee in Lieu of Dedication

If the above standards cannot be met a fee-in-lieu is acceptable. The fee is set in the Parks fee schedule and adopted by resolution.

f. Trail dedication may be eligible for SDC credits if more than the proportionate share is dedicated and built.

g. Trail dedication shall be accompanied by a “shadow plat” or connectivity map to indicate how the trail would connect to off-site trails, trailheads and activity areas shown on the 2004 Oregon City Trails Master Plan when the extent of the trail is outside the development boundary.

h. Connectivity and Accessibility. Trails shall be publicly accessible to all residents, including those with disabilities, and adhere to ADA (Americans with Disabilities Act) guidelines where applicable. Easements for public access shall be required.

i. Maintenance Responsibilities. The applicant shall propose the entity responsible for the ownership and maintenance of dedicated trails (e.g., homeowners association, city or other entity) and outline maintenance standards in the land use application.