



CITY OF OREGON CITY PLANNING COMMISSION AGENDA

Hanlon Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Monday, August 25, 2025 at 7:00 PM

Ways to participate in this public meeting:

- Attend in person, location listed above. Please see the public comment guidelines below.
- Attend the livestream of the meeting on the City's YouTube Channel:

<https://www.youtube.com/user/CityofOregonCity>

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

1. CONVENE MEETING AND ROLL CALL

2. APPROVAL OF MINUTES

- a. Approval of Planning Commission minutes for June 9, 2025.

3. PUBLIC COMMENTS

Please see the public comment guidelines below.

4. PRESENTATIONS

- a. 2025 Legislative Land Use Bills Update

5. PUBLIC HEARINGS

- a. GLUA-25-031 / ZC-25-01 Zone Change 19763 Parish Road

6. DISCUSSION ITEMS

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.cityoforegoncity.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

Harlon Chambers, Libke Public Safety Building, 1234 Linn Ave, Oregon City

Monday, June 9, 2025, at 7:00 PM

1. Convene Meeting and Roll Call

The meeting was convened and roll call was conducted.

Present (5): Commissioner LaSalle, Commissioner Stoll, Commissioner Meinig, Commissioner Laws (virtual), and Vice Chair Dole

Absent (2): Chair Epe and Commissioner Schlagenhauser were excused

Staff (3): Senior Planner Christina Robertson-Gardiner, Asst City Attorney Missy Ryan and Administrative Asst Kay Neumann

2. Approval of Minutes

Approval of Meeting Minutes for 5/12/2025

Vice Chair Dole asked if there was any discussion or a motion regarding the approval of minutes.

Motion: Commissioner LaSalle moved to approve the minutes for 5/12/2025. Commissioner Laws seconded the motion. The motion passed unanimously.

3. Public Comments

Vice Chair Dole called for public comments. There were no public comments.

4. Public Hearings

GLUA-25-00008/VAR-25-00002 - Variance to Permit a Drive Aisle Between the Building and Street for a Porte Cochère Drop-off Area as Part of a Planned Assisted Living Facility Rehabilitation - 515 10th Street

Vice Chair Dole read the quasi-judicial hearing procedure and opened the record for the variance request. The commissioners disclosed any potential conflicts of interest or ex parte contacts:

- Commissioner LaSalle mentioned driving by the location frequently.
- Commissioner Stoll made a site visit about an hour before the meeting, viewing the 10th Street driveway and parking lot area.
- Commissioner Laws stated no bias but regularly passes the building on Washington Street.
- Commissioner Meinig and Vice Chair Dole reported no bias, conflicts, or ex parte contacts.

Christina, the staff member, presented the staff report. She highlighted the following points:

- The proposal is for a variance to permit a drive aisle between the building and 10th Street for a drop-off area at a planned assisted living facility.
- This is required by Oregon Administrative Rules for assisted living facilities.
- The variance is the first part of a three-part approval process, with site plan design review to follow.
- The property is located at 515 10th Street, with the Doctor Guy Mount House at 505 10th Street being part of the overall rehabilitation project but not part of this specific application.
- The applicant needs to go through three different approvals: the planning commission variance, historic review board approval for connecting the two buildings, and administrative site plan and design review.
- The building was previously a 1930s era hospital turned into the Oregon City Retirement Center.

- A legal nonconforming review in 2020 approved the use as assisted living with a cap of 50 residents.
- The variance criteria were presented, with staff recommending approval with two conditions.

The applicant, Niall Hagan, spoke about the project:

- He expressed gratitude for the opportunity to present and mentioned it has been a 5-year project.
- The Port Cochère is a legal requirement for assisted living facilities to provide shelter for elderly residents exiting vehicles.
- In response to Commissioner Stolt's question, Hagan confirmed that the existing ramp will be removed, and direct access will be provided through the primary entrance where the Port Cochère will be located.
- The plan is to address grade entry issues by filling in some of the existing topography.

Public testimony was heard from two individuals:

- Denyse McGriff, an adjacent property owner and long-time resident of the McLaughlin neighborhood, spoke in support of the application. She emphasized the need for rehabilitation of the property and the importance of maintaining 10th Street access. McGriff expressed her desire to see the building become a contributing part of the neighborhood again.
- Colleen Robbins, owner of a building across Washington Street, also expressed support for the project. She shared her family's long history with the neighborhood and her excitement about the potential beautification of the area.

After closing the public hearing, the commission deliberated and voted on the variance request.

Motion: Commissioner LaSalle moved to approve GLUA-25-00008 and VAR-25-00002. Commissioner Meinig seconded the motion. The motion passed unanimously with all commissioners voting "Aye."

5. Communications

Christina provided several updates on behalf of Pete Walter, the Interim Community Development Director:

- The next planning commission meeting on 6/23 is canceled.
- The City Commission reviewed CFEC parking standards and explored the possibility of a quarter-mile radius around frequent transit service, which was ultimately denied by DLCD.
- DLCD announced a new round of grants for housing capacity analysis, which the city will be applying for.
- The Housing Accountability Production Office (HAPO) will officially start on July 1.
- A pre-application conference was submitted for PGE's expansion of their facility.
- The parks master plan received its first reading at the last city commission meeting and will have its second reading soon.
- The city is moving forward with online plans review to streamline the review process.

Kay, a staff member, announced that this would be her last planning commission meeting as she has resigned to pursue a new career as a property and casualty insurance agent.

6. Adjournment

The meeting was adjourned by Vice Chair Dole at 7:36 p.m.



CITY OF OREGON CITY

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

Staff Report

To: Planning Commission

Agenda Date: August 25, 2025

From:

SUBJECT:

2025 Legislative Land Use Bills Update

STAFF RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

City Attorney Missy Ryan will present a summary of the latest legislative land use bills from the recent session.

BACKGROUND:

NEXT STEPS:

OPTIONS:



Oregon

Tina Kotek, Governor

Department of Land Conservation and Development

Director's Office

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

TO: Interested Persons, Local Governments, and State Agencies

FROM: Alexis Hammer, J.D., Legislative and Policy Manager
Alyssa Bonini, J.D., Legislative and Policy Analyst
Aurora Dziadul, Legislative and Policy Analyst

www.oregon.gov/LCD



DATE: August 11, 2025

SUBJECT: **2025 Land Use Legislation Report**

Introduction

This report describes legislation passed in the 2025 Oregon Legislative Session related to state land use statutes or the land use planning programs administered by the Department of Land Conservation and Development (DLCD or department) and regulated by the Land Conservation and Development Commission (LCDC or commission). This report is also available on the DLCD website. This report summarizes each legislative measure but does *not* provide a comprehensive breakdown of each bill. Therefore, we recommend this report be used as a reference and that readers refer to the bills and their history directly for a full picture of legislative intent and law. **Please consult an attorney for legal advice about these bills.**

This report includes links to the [Oregon Legislative Information System \(OLIS\)](#) page for each bill. From those pages, readers can access bill language, measure history, and related testimony.

State law requires DLCD to notify local governments when new statutory requirements require changes to local comprehensive plans, regional framework plans, or ordinances implementing these plans.* The application of these statutory changes should be determined by local planning staff and legal counsel.

Note: sections where the deadline for local government compliance is different from the bill's effective date are bolded.

*Oregon Law (ORS 197.646) requires that "a local government shall amend its acknowledged comprehensive plan, regional framework plan, and land use regulations implementing the plan, by a self-initiated post-acknowledgment process under ORS 197.610 to 197.625 to comply with ... a new statutory requirement." Furthermore, this statute requires that, "when a local government does not adopt amendments to a comprehensive plan, a regional framework plan and land use regulations implementing the plan as required by ... this section, the new statutory ... requirements apply directly to the local government's land use decisions."

DLCD 2025-27 Budget

The table below provides an overview of DLCD's full 2025-27 Legislatively Adopted Budget, including current service level and policy option package (POP) investments in SB 5528, as well as funding to support work directed in HB 2138, HB 2258, and SB 504.

	2023-25 Legislatively Approved[†]	2025-27 Current Service Level	2025-27 Legislatively Adopted[‡]
General Fund	\$50,842,495	\$38,379,997	\$49,533,762
Other Funds	\$19,645,485	\$9,229,191	\$12,898,404
Federal Funds	\$14,034,680	\$9,706,699	\$14,049,024
Total Funds	\$84,522,660	\$57,315,887	\$76,481,190
Positions / Full-Time Equivalent	108 / 92.07	103 / 102.59	111 / 110.22

Total grant funding available to local governments: \$16,828,021

SB 5528 – DLCD Budget Bill

Chief Sponsor(s): at the request of Oregon Department of Administrative Services

Effective date: June 26, 2025

Summary:

Package 100: *DLCD Budget Adjustments (\$198,790 General Fund (GF), \$162,753 Other Funds (OF), -\$65,677 Federal Funds (FF); 1 position/1.41 FTE)*

Fully funds a policy analyst position, increases natural resource specialist position authority to 1.0 FTE, eliminates climate resiliency position, adds position authority — with GF match — for two federally funded planner positions.

Package 101: *Repurpose CGI Grant Funds (2 positions / 2.0 FTE)*

Uses Community Green Infrastructure grant funding to continue two limited duration positions to administer the grant program through the 2025-27 biennium.

Package 501: *HH-HAPO Budget Adjust & Continue Grant Funds (\$3,528,069 GF)*

Invests an additional \$3,500,000 for Housing Accountability and Production (HAPO) assistance grants and funds the approved HAPO manager position reclassification.

Package 503: *HH-Increase Housing Planning TA Funding (\$1,700,000 GF)*

Provides funding to complete capacity and urbanization rulemaking and adds \$1,500,000 for housing-related assistance grants.

Package 504: *HH-TA Funding for Wetlands Planning (\$500,000 GF)*

Provides funding for local governments to complete wetlands planning to support housing production.

[†] Includes adjustments through December 2024 Emergency Board.

[‡] Numbers subject to change with final reconciliation.

Package 506: HH-Track Housing Production by Program (\$300,000 GF)

Provides funding to collect and analyze housing data to understand the outcomes of state housing policies and programs.

Package 801: LFO Analyst Adjustments (\$158,121 GF)

Provides a one-time reappropriation of \$398,000 to complete the Offshore Wind Roadmap, includes \$260,000 (one-time funding) to help pay costs of new positions provided in the 2024 Legislative Session that were added to the 2025-27 budget at a lower pay step than at which they were hired, phases out \$500,000 from SB 1564 (2024), with \$50,000 remaining to complete housing model code work by January 1, 2026.

Package 802: Vacant Position Reductions (-\$338,447 GF; -1 position / -1.0 FTE)

Eliminates a vacant Information Systems Specialist 8 position.

HB 5006 – Close of Session Bill

Chief Sponsor(s): at the request of Oregon Department of Administrative Services

Effective date: June 30, 2025

Summary:

Section 62: Collins Creek Land Acquisition Partnership (\$4,500,000 FF)

Increases expenditure limitation (one-time) to pass through federal grant funding to Confederated Tribes of Siletz Indians for the Collins Creek property acquisition.

Section 224: Statewide Adjustments (\$315,369 GF, \$6,460 OF, -\$91,988 FF)

Adjusts the department's budget for changes in Attorney General rates, and Department of Administrative Services state government service charges, and other charges for services.

Key Legislation

Housing

HB 2347 – Technical Fixes to Housing Legislation

Chief Sponsor(s): at the request of Governor Tina Kotek for Department of Land Conservation and Development

Effective date: January 1, 2026

Summary:

Technical fixes to HB 2001/2889 (2023): Allows DLCD to allocate housing planning grants to Tribal governments. Updates the deadline for cities to report housing permitting and production data to be at the discretion of the department. Corrects a scrivener's error related to city reports on implementation of housing production strategies.

Technical fix to HB 4064 (2022): Clarifies that local governments may only apply housing development standards to manufactured housing units that they would to site-built housing units of the same type.

Technical fix to SB 1537 (2024): Clarifies criteria for determining a complete application for a developer opting into new housing development criteria for their pending application.

Moves a statute outlining local governments' responsibility to approve an application for a permit, subdivision, or construction of needed housing from ORS 197.522 into ORS 197A.

Changes references to “single-family” and “multifamily” housing in land use statutes (ORS 197, ORS 197A, ORS 215, ORS 227, ORS 329A, and ORS 418) to “single-unit” and “multiunit.”

SB 48 – SB 1537 (2024) Technical Fixes

Chief Sponsor(s): Senate Interim Committee on Housing and Development

Effective date: September 26, 2025

Summary:[§]

Land use regulations: Clarifies that the “goal post” provisions — where a housing developer can opt into new housing development standards that have been adopted since their application was submitted and deemed complete — only apply within urban growth boundaries (UGBs).

Clarifies that when a city applies to the Housing Accountability and Production Office (HAPO or Office) for an exemption to the mandatory adjustment provisions, the period they are not subject to those provisions while the Office assesses the application is only applicable for the initial application.

One-time UGB site additions: Clarifies the definition of “site” used in the one-time UGB amendment provisions to mean: “a lot or parcel or any combination of lots and parcels that are contiguous or separated from one another by a street or road with or without common ownership.”

Amends the land need eligibility criteria for the one-time UGB amendment procedures by further clarifying that the applicable “tract” “[c]onsists of one or more lots or parcels with or without common ownership and that abut each other or are separated by only a street or a road.”

Specifies that cities are vested in their housing need eligibility data at the time of issuing public notice (i.e., that data carries forward in their application).

Allows cities to accept agreements, letters, or equivalent assurances to provide utility services to UGB expansion areas. Specifies that only a property owner of a proposed site accepted by the city has standing for judicial review of a UGB amendment decision.

Clarifies a technical error that inadvertently made only Metro eligible for the one-time UGB land exchange option.

HB 2138 – Middle Housing and Infill Development

Chief Sponsor(s): at the request of Governor Tina Kotek for Office of the Governor

Effective date: June 30, 2025 (sections where the deadline for local government compliance is different from the bill’s effective date are bolded below)

DLCD Appropriation: \$3,891,599

Summary:

Middle housing: Requires counties to allow siting of middle housing on unincorporated urban lands (UULs). Defines UULs as within a UGB, zoned for urban development and not for future urbanization, and within the boundaries of public service providers.

[§] This summary covers Sections 1-8 of SB 48. Other sections of the bill are technical changes to the Moderate-Income Revolving Loan Fund, which is operated by the Oregon Housing and Community Services Department (OHCS). For more information, please visit their [site](#).

Amends the definitions of cottage cluster, duplex, triplex, and quadplex to include detached units. Changes the allowed footprint of a cottage cluster from 900 square feet to a “small footprint.” **Changes to the cottage cluster definition do not become operative until January 1, 2028.**

Adds a definition of “zoned for residential use” to ORS 197A.420 for purposes of defining where middle housing must be sited in a jurisdiction. This definition dictates that the land must be within a UGB, have base zoning that allows for residential uses and allows the development of a detached single-unit dwelling, is not zoned primarily for uses other than residential or future urbanization, and is incorporated or a UUL.

Directs cities and counties that are required to allow middle housing to permit it on lots that have an existing single-unit dwelling, accessory dwelling unit (ADU), single-unit dwelling and ADU, or a duplex. Allows those lots to be divided through a middle housing land division process. Prohibits cities and counties from requiring a traffic impact analysis or traffic-related exactions for middle housing projects of 12 units or less and on a lot created by a land division more than five years prior.

Requires local governments to implement a density bonus for producing an affordable or accessible homeownership unit, where the developer will receive an additional one unit for a duplex or triplex development and an additional two units for a quadplex, cottage cluster, or townhouse development. Allows local governments to implement a more localized density bonus instead.

Makes the due date for city and county compliance with these provisions January 1, 2027.

Requires the Department of Administrative Services (DAS) to publish a maximum sales price and income eligibility by region for purposes of administering the density bonus.

Single-room occupancies: Requires local governments to allow up to three times the number of single-room occupancy units permitted by the maximum density on a lot. Prohibits local governments from requiring more parking for a single room occupancy unit than they would for one-third of a regular unit (such as three single room occupancy units counting as one unit for purposes of parking requirements). Specifies that residential care facilities as defined in ORS 443.400 are not included under these provisions. **Makes the due date for city and county compliance with these provisions January 1, 2027.**

Promoting housing density: Invalidates prohibitive covenants and restrictions to developing ADUs, middle housing, or other housing types that would be developed below the maximum density of the zone in place before January 1, 2020. **Becomes operative January 1, 2027.**

Requires local governments to apply clear and objective standards to tree removal codes related to housing development.

Expedited and middle housing land divisions: Defines a single middle housing development for purposes of qualifying for a middle housing land division (MHLD). Allows nonconforming units on a lot to qualify for a MHLD. Allows a local government to require or not require separate utilities for water and wastewater. Provides that a local government may only prohibit subsequent land divisions if the minimum density for the zoning of the land has been met. Directs cities and counties to develop a simultaneous subdivision and MHLD application

process. Removes the noticing requirement and local appeals process for MHLDs and expedited land divisions.

Rulemaking: Directs LCDC to adopt rules by January 1, 2028, with a focus on increasing development efficiency, implementing findings from the SB 1537 (2024) Section 5 studies, and conforming with the policy objectives of ORS 197A.025, on:

- Siting and design standards for manufactured middle housing,
- Siting and design standards for accessory dwelling units and single-room occupancies,
- Defining “small footprint” and “community amenity” for cottage clusters,
- Amending existing siting and design standards for middle housing,
- Defining permissible criteria for discretionary review,
- Developing model system development charges (SDCs) for residential development, and
- Estimating reasonable zoned capacity for an inventory of buildable lands.

Directs LCDC to provide a report to the Legislature on the feasibility of a safe harbor for local governments who utilize the model SDC method by July 1, 2028.

HB 2316 – Home Start Lands (State-Owned Lands for Housing)

Chief Sponsor(s): Representative Mannix

Effective date: September 26, 2025

Summary: Directs the Department of Administrative Services (DAS) to identify lands owned by the state inside UGBs to designate as Home Start Lands if they are better used for housing than their current use. DAS may also identify land that can be exchanged for real property of equal value to designate as Home Start Lands. Prescribes that local governments may nominate lands to DAS for designation of Home Start Lands. These lands must be subject to an affordability covenant making them available to low- or moderate-income households.

Dictates that Home Start Lands can be used for single-unit dwellings, middle housing, or more dense housing if the zoning permits. Provides exceptions for using the lands including a slope of 25 percent or greater, the property being within a 100-year floodplain, or otherwise regulated for land use goal protections. States that the development must meet the local government’s minimum density requirements and clear and objective standards as outlined in ORS 197A.400. Terminates Home Start Lands designation after three years of non-development or if DAS or the local government decides to terminate it.

Specifies conditions of disposition of land including selling, transferring, or leasing for 99 years. Dictates that the housing developed must be available for sale or for lease to households of low- or moderate- income for a period of 30 years. Dictates that a notice of sale must be published at least once weekly for three weeks in a local newspaper in the county where the land for sale is. Outlines capital improvements developers must complete, and what assistance is available from DAS. States that proceeds of the sale of land must be placed in the newly created Home Start Lands Fund to implement the program. Requires that a home for sale be the owner’s primary residence (nine months out of a year) for at least five years after purchase. Requires DAS to coordinate with the Department of State Lands (DSL), and optionally, HAPO, to administer the above sections. Provides a property tax exemption framework for up to five years.

HB 2258 – Oregon Homes (Preapproved Residential Site Criteria)

Chief Sponsor(s): House Interim Committee on Housing and Homelessness

Effective date: June 24, 2025

DLCD Appropriation: \$631,806

Summary: Allows LCDC to adopt rules requiring local governments to issue land use decisions on lots meeting certain criteria. Those lots must be lawfully established, within a UGB, zoned to allow residential use, within a specified size and slope range, not in areas protected for natural resources or hazards, and vacant or partially vacant. Approved residential developments must be either single-family, middle housing, or small multiunit housing types. The commission may also establish the procedures for approval at the local level, allowable variances, design standards, and land use standards including specific tree protections. Directs LCDC to adopt the first rules by January 1, 2027. Allows the Department of Consumer and Business Services (DCBS) to establish preapproved building plans or approve plans submitted by developers and coordinate the land use approvals established by LCDC.

HB 3031 – Housing Infrastructure Financing Program

Chief Sponsor(s): at the request of Governor Tina Kotek for Oregon Business Development Department

Effective date: July 1, 2025

Summary: Directs the Oregon Infrastructure Finance Authority (OIFA) to create housing infrastructure financing as grants or loans to local jurisdictions in Oregon including intergovernmental entities and federally recognized tribes. These funds can be used to develop or improve infrastructure or site development (including privately owned sites) projects related to transportation, water, wastewater, storm water, or for increasing capacity of these systems due to specific proposed housing developments. Outlines the criteria to qualify for these funds. The criteria address the number of housing units, locations within and not within UGBs, city population numbers, density priorities, affordable housing covenants, and timelines. Provides an existing definition for "housing authority" and allows for partnerships between housing authorities and housing developers with criteria for what the written agreement must contain. Directs the OIFA on how the funds should be apportioned. Directs HAPO to assist in the development of requirements and prioritization of funding. Directs OIFA to coordinate with OHCS with respect to the Housing Project Revolving Loan Fund. Allows the Oregon Business Development Department (OBDD) to adopt rules for the implementation of this section. The new Housing Infrastructure Project Fund will have its own State Treasury fund distinct and separate from the General Fund. OBDD may accept donations, grants, contributions, or gifts from non-state sources for deposit into the fund. The fund will earn interest and be continuously appropriated to OBDD.

The program is funded through SB 5531, which includes authorization for \$10,000,000 in lottery bond proceeds. HB 5006 provides allocation for program staff of \$1,200,000 in Lottery Funds and \$1 of expenditure limitation from the Housing Infrastructure Project Fund. OBDD is required to bring projects back to the legislature for consideration in 2026.

SB 974 – Residential Development Application Approval Processes

Chief Sponsor(s): Senator Anderson, Senator Jama, Senator Broadman, and Senator Meek
Effective date: September 26, 2025 (alternative dates for local government compliance are noted below)

Summary:

Engineering review timelines: Defines “final engineering plans” and establishes a timeline for when local governments must approve these plans for residential development applications within a UGB — 30 days to establish completeness of the application, 120 days to review and issue a decision, and optional, mutually agreed upon extensions for up to 245 days total.

Urban housing applications: Applies new review process criteria to applications for an upzone, a planned unit development, or a variance for residential development on residentially zoned or planned for land within an urban growth boundary, and calls them “urban housing applications.” The first issuance of a decision on the application must be done without a public hearing. Clarifies how the urban housing applications are appealable to the Land Use Board of Appeals.

Sets the operative date for cities to conform with the urban housing application processing requirements as July 1, 2026.

Design standards: Prohibits a local government from applying design standards to residential developments inside UGBs with 20 or more units (except for multifamily buildings). Design standards do not include building height, setbacks, and other regulations pertaining to health, environment, and safety. **Repeals design standard provisions on January 1, 2033.**

SB 10 – Technical Change to Moderate-Income Housing Predevelopment Loans Program

Chief Sponsor(s): Senator Wagner
Effective date: April 7, 2025

Summary: HB 2001 (2023) established the Moderate-Income Housing Predevelopment Loans program to provide financing and refinancing to local governments and housing developers for residential predevelopment costs. SB 10 moves that program from the Oregon Facilities Authority to the Network for Oregon Affordable Housing through a pass-through grant from Oregon Housing and Community Services.

HB 3505 – Residential Sprinkler System Development Charges

Chief Sponsor(s): Representative Marsh
Effective date: January 1, 2026

Summary: Prohibits a local government from imposing a new or increased system development charge on a residential development for the installation of a sprinkler system or the increased capacity of a water meter for the sprinkler system.

HB 3144 – Manufactured Housing CC&Rs

Chief Sponsor(s): Representative Marsh *Effective date:* January 1, 2026

Summary: Deems a provision in a recorded instrument void and unenforceable if it restricts siting manufactured housing and was executed on or after the effective date of the bill. Makes void and unenforceable a provision in a governing document that restricts manufactured

housing siting. Extends the sunset for the Manufactured and Marina Communities Dispute Resolution Advisory Committee established by SB 586.

HB 3145 – Funding for Affordable Manufactured Housing

Chief Sponsor(s): Representative Marsh, Senator Anderson, Representative Diehl, Representative Bowman, Representative Gamba, and Senator Patterson

Effective date: September 26, 2025

Summary: Directs Oregon Housing and Community Services (OHCS) to use Local Innovation and Fast Track (LIFT) funding for manufactured homes. Allows up to five recipients or locations. Prescribes preferences for funding such as geographical diversity and Oregon-sourced materials. Dictates that recipients must cooperate on the report required by Section 5. Prescribes that \$25,000,000 of LIFT funding should be used for these purposes if not otherwise obligated. Directs OHCS to contract with the Network for Oregon Affordable Housing (NOAH) to convene a public-private advisory committee to offer guidance on project proposals, which is to consist of representation from DLCD, DCBS, the Oregon Housing Stability Council, local governments, private firms, and individuals in the development community. The committee will provide recommendations for project approval to OHCS. NOAH will also provide technical assistance and support industry awareness and funding. Directs OHCS to submit a report to the Legislature by September 15, 2027, on the activities of the program and contractor. **Repeals bill provisions on January 2, 2028.** Appropriates \$650,000 to OHCS to contract with NOAH.

Urbanization

SB 1129 – Urban Reserves Rulemaking

Chief Sponsor(s): Senator Broadman

Effective date: May 27, 2026

Summary: Directs LCDC to amend rules relating to urban reserves by January 1, 2026 to allow local governments to:

- Assign lower priority to exception and non-resource lands containing subdivisions or planned unit developments as compared to other exception and non-resource lands, and
- Assign lower priority to the inclusion of otherwise high priority lands if it is difficult or cost prohibitive to service them with urban services.

HB 2647 – City of Monmouth UGB Land Exchange

Chief Sponsor(s): Representative Evans and Senator Patterson

Effective date: January 1, 2026

Summary: Allows the City of Monmouth to complete a UGB land exchange instead of the process outlined in SB 1537 (2024). Allows it to remove 90 or fewer acres of land which have:

- More than 25 percent of its acreage mapped as flood hazards or wetlands,
- Not been annexed by the city,
- Not been designated for residential use, and
- Not been served by city sewer service.

Allows the city to bring in 75 or fewer net residential acres to the UGB, which must have:

- Not more than 25 percent of its acreage mapped as hazards or floodplains,
- Ability to be connected to water and sewer services, and
- Owners that consent to addition to the UGB and annexation to the city.

HB 3921 – City of Roseburg UGB Land Exchange

Chief Sponsor(s): Representative Osborne and Senator Brock Smith

Effective date: May 28, 2025

Summary: Requires the Director of the DLCD to issue an order acknowledging the UGB exchange for the City of Roseburg that was submitted on October 22, 2024. Deems all urban growth boundary adjustments, city boundaries, comprehensive plan amendments and land use regulations approved and acknowledged, notwithstanding ORS Chapter 197 and other state land use planning laws and rules.

HB 2356 – Metro Service District Annexation

Chief Sponsor(s): Representative McLain (at the request of Metro Regional Government)

Effective date: January 1, 2026

Summary: Notwithstanding requirements of ORS 268.354 and ORS 198 to automatically bring properties annexed by a city into the metropolitan service district of that urban growth boundary.

Resource Lands

HB 3681 – EFSC Contested Cases and Transmission Line Condemnation

Chief Sponsor(s): Representative Gamba

Effective date: January 1, 2026

Summary: Modifies the Energy Facility Siting Council (EFSC) contested case process for site certificate applications and changes the review criteria for a certificate of public convenience and necessity for overhead transmission lines.

Directs the Public Utility Commission (PUC) to consider certificate petitions without requiring petitioner to first obtain required state or local land use approvals.

Clarifies that in proceedings for condemnation, a certified copy of a high voltage transmission line site certificate is conclusive evidence that the line is a public use and is necessary for public convenience.

HB 3874 – Wind Energy Project Size Increase for EFSC Site Certification

Chief Sponsor(s): Representative Helm, Representative Gamba, and Representative Owens

Effective date: January 1, 2026

Summary: Increases minimum size for wind energy project to get an EFSC site certificate from 50 megawatts to 100 megawatts. Wind projects generating at least 50 megawatts and less than 100 megawatts are required to provide a decommissioning plan with financial assurances that the site will be restored to a “useful, nonhazardous condition.”

Counties are responsible for approving requirements during construction and operation of wind energy projects between 50-100 megawatts and ensuring they are safely and properly removed from the landscape at the end of their lifecycle.

SB 75 – Wildfire Home Hardening Requirements Clarification

Chief Sponsor(s): Senate Interim Committee on Natural Resources and Wildfire

Effective date: January 1, 2026

Summary: Corrects an error in ORS 215.291 and ORS 215.495 clarifying when home hardening building code and defensible space requirements apply. Removes wildfire hazard language and related regulatory requirements for home hardening building codes and defensible space for rural homes for purposes of developing an accessory dwelling unit on lands zoned for rural residential uses, or replacement dwellings on lands zoned for farm or forest uses.

SB 83 – State Wildfire Map Repeal and Defensible Space / Replacement Dwelling Requirements

Chief Sponsor(s): Senate Interim Committee on Natural Resources and Wildfire

Effective date: June 26, 2025

*Summary:*** Repeals the state wildfire hazard map created by SB 762 (2021) — and revised by SB 80 (2023) — and its application to defensible space requirements, accessory dwelling units and replacement dwellings, building codes, comprehensive planning, and other areas. Changes existing statute related to ORSC R327 building code standards for wildfire hazard mitigation, defensible space and the wildland urban interface (WUI), fire protection for lands outside of forest protection districts, and Oregon Conservation Corps Program for grant-supported fuels reduction projects. Makes adoption of R327 building code and defensible space standards optional for local governments. Includes conforming amendments related to replacement dwellings on farm and forest land and ADUs in areas zoned for residential development.

Defensible space: Amends ORS 426.392 (minimum defensible space requirements and rules) to remove reference to the state wildfire map, including the ability for local governments to administer, consult on, and enforce defensible space requirements based on the map. Defines defensible space as “a natural or human-made area in which material capable of supporting the spread of fire has been treated, cleared or modified to slow the rate and intensity of advancing wildfire and allow space for fire suppression operations to occur.” Directs the State Fire Marshal (SFM) to create a defensible space model code for inclusion in the community risk-reduction program but prohibits the SFM from requiring local governments to adopt it. The SFM may assist local governments to facilitate the creation of defensible space.

Wildland urban interface: Amends ORS 477.015 (urban interface protections and definitions) to:

- Define “wildland” as forestland or “an unimproved area that contains enough unmanaged vegetation, at any time of the year, to constitute a fire hazard in the judgment of the forester, regardless of how the areas is zoned or taxed,” and
- Revise the definition of “wildland-urban interface” to mean a “geographic area in which there is a concentration of dwellings in an urban or suburban setting near wildland.”

** This summary does not include changes to ORS 476.690 relating to the Wildfire Programs Advisory Council.

Among other things, directs the Department of Consumer and Business Services (DCBS) to adopt the wildfire hazard mitigation code standards from Section R327 of the 2023 Oregon Residential Specialty Code, and prohibits DCBS from requiring local governments to adopt them.

Comprehensive planning: Amends ORS 197.716 to remove reference to statute requiring the Oregon Department of Forestry (ODF) to adopt a definition of the “wildland urban interface.”

Accessory dwelling units and replacement dwellings: Revises ORS 215.495 to remove reference to the statewide wildfire hazard map and map-related provisions in statutes authorizing a county to approve ADUs and replacement dwellings in high wildfire hazard zones.

Removes requirements for ADUs to comply with applicable state/local defensible space standards if identified on the state wildfire map as located in the WUI.

Removes requirement for ADUs or replacement dwellings to be altered, restored, or replaced to comply with the construction provisions in Section R327 of the Oregon Residential Specialty Code.

SB 85 – Wildfire Risk Report

Chief Sponsor(s): Senate Interim Committee on Natural Resources and Wildfire

Effective date: May 28, 2025

Summary: Requires DCBS and the SFM — in collaboration with the Department of Forestry and insurance industry representatives — to evaluate and develop community-based wildfire risk mitigation actions, programs, and strategies to reduce wildfire risks and improve insurance affordability in Oregon.

Requires DCBS and SFM to submit a report to the State Wildfire Programs Director, the Wildfire Programs Advisory Council, and the interim legislative committees related to wildfire by February 2, 2026.

Ocean and Coastal

HB 2925 – Ocean Shores Permitting

Chief Sponsor(s): at the request of Governor Tina Kotek for State Parks and Recreation Department

Effective date: January 1, 2026

Summary: Revises Oregon Parks and Recreation Department’s (OPRD) permitting process for ocean shore improvements and expands notice requirements. Authorizes OPRD to issue emergency permits under specific circumstances and creates a framework for general authorization permits for ocean shore improvements that are similar in nature, have predictable effects and relate to low-impact, restorative, or conservation-focused projects. Applies to OPRD permit applications submitted on or after the bill’s effective date.

HB 3963– Offshore Wind Roadmap Extension

Chief Sponsor(s): Representative Gomberg

Effective date: September 26, 2025

Summary: Extends the deadline from September 1, 2025, to January 1, 2027, for the Department of Land Conservation and Development to complete Oregon’s Offshore Wind Roadmap as directed by HB 4080 (2024).

SB 179 – Landowner Immunity

Chief Sponsor(s): Senate Interim Committee on Judiciary

Effective date: January 1, 2026

Summary: Makes the 2024 temporary changes to immunity for landowners who allow public use of land without charge for recreational purposes permanent.

Allows local governments included in ORS 174.116 to opt into ORS 105.668, which limits liability from ordinary negligence claims arising from the use of trails or structures on public easements or unimproved rights of way by foot, equine, bicycle or other nonmotorized means.

Adds immunity to ORS 105.688 for improved paths, trails, roads and other rights of way that are used by the public to access land for recreational purposes and limits immunity for improvement, design, or maintenance that was completed in a manner constituting gross negligence or reckless, wanton or intentional misconduct, or for which the actor is strictly liable.

Adds to the “recreational purposes” defined in ORS 105.672 the non-exclusive list of outdoor activities including running, walking, and bicycling.

SB 504 – Nonstructural, Nature-Based Solutions to Shoreline Stabilization Rulemaking

Chief Sponsor(s): Senator Brock Smith

Effective date: January 1, 2026

DLCD Appropriation: \$268,488

Summary: Directs LCDC to adopt rules by January 1, 2028, to allow, define, and provide guidance on nonstructural, nature-based solutions to be used for shoreline stabilization in estuaries, coastal shorelands, and the ocean shore. Allows the Department of State Lands (DSL) and the State Parks and Recreation Department (OPRD) to adopt conforming rules by January 1, 2029.

In its rulemaking, DLCD is directed to, at a minimum:

- Define “nonstructural, nature-based solutions”.
- Provide guidance for the use of nonstructural, nature-based solutions to minimize harmful impacts from flooding and erosion.
- Require that nonstructural, nature-based solutions conform with statewide land use planning goals and is prioritized over structural solutions to address erosion and flooding.
- Not change rules allowing ODOT to use structural shoreline stabilization methods.

The rules advisory committee (RAC) must include the following interests:^{††}

- Coastal engineering professionals
- Restoration professionals
- Environmental and recreational organization representatives
- Tribal representatives
- Land owners/managers
- Fish and wildlife professionals
- Local government officials

SB 793 – Department of State Lands Territorial Sea Fees

Chief Sponsor(s): at the request of Governor Tina Kotek for Department of State Lands

Effective date: June 20, 2025

Summary: Modifies and increases DSL rulemaking authority to adopt new rules for establishing fees for easements on state land, including the territorial sea. Easements on state land within the territorial sea need to adhere to specific policies for routing and installing infrastructure.

Previously, DSL charged a one-time application fee of \$5,000 for easements within the territorial sea and \$750 for easements on other state lands. Moving forward, application and renewal fees must be reasonably calculated to offset the cost to DSL for granting and renewing easements. Requires the Director of DSL to adopt the rules by January 1, 2027.

Administrative and Miscellaneous

HB 2005 – Siting of Psychiatric and Behavioral Health Care Facilities

Chief Sponsor(s): Representative Kropf and Representative Andersen

Effective date: June 30, 2025

Summary:^{‡‡} Requires local governments to allow by right a residential treatment facility or residential home within a UGB on lands zoned for residential commercial, employment, and industrial uses under specific criteria, in addition to public lands (excluding park lands). There are exceptions for lands that have natural resource or hazard restrictions or cannot be provided with public services. Does not require local governments to update any analyses related to land use goals. Exempts these decisions from the Land Use Board of Appeal's (LUBA) authority. Requires a local government to issue a decision within 120 days.

Within an urban growth boundary, requires a local government to allow by right a mental or psychiatric hospital on lands zoned for commercial, employment, and industrial uses, as well as public lands (excluding park lands), and where it is adjacent to an existing or pending crisis stabilization center. Exceptions are made for lands that have natural resource or hazard restrictions or cannot be provided with public services. Does not require local governments to update any analyses related to land use goals. Exempts these decisions from LUBA authority. Requires a local government to issue a decision within 120 days. Requires a local government

^{††} HB 3569 (2025) requires the sponsoring legislator to be invited to serve as a non-voting member on legislatively mandated RACs that are appointed on or after January 1, 2026.

^{‡‡} This summary covers Sections 58-63 of HB 2005. Other sections are not relevant to land use.

to allow by right a crisis stabilization center within a UGB if the property is owned by a public body and adjacent to an existing or pending mental or psychiatric hospital.

Repeals ORS 197.670, which addresses existing zoning requirements and prohibitions for residential homes and facilities.

HB 2256 – Private Right to Action for Conservation-Purchased Lots

Chief Sponsor(s): Representative Fragala, Senator Prozanski, and Senator Manning, Jr.

Effective date: January 1, 2026

Summary: ORS 92.018 establishes buyer's remedies for purchasing an illegally established unit of land, which includes individual action against the seller for damages. HB 2256 amends ORS 92.018 to establish that a purchaser does not have individual right to action if it is a holder (such as a government entity, trust, or Tribal government per ORS 271.715), the unit of land was separately described in an instrument executed before January 1, 2025, and the unit of land has a conservation easement. If the unit of land is subsequently sold within five years for non-conservation purposes, the new buyer may have individual right to action against the original buyer.

HB 2658 – Frontage Improvements for Building Alterations

Chief Sponsor(s): Representative Evans

Effective date: January 1, 2026

Summary: Prohibits a municipality over 15,000 in population from requiring a frontage improvement as a condition of approval for a construction permit to alter or renovate an existing building, so long as there is no increase to the square footage, the alteration cost does not exceed a limit set by the director of the DCBS, and the changes do not result in a change of occupancy classification. Sets alteration cost limit initially at \$150,000, with annual increases due to the Consumer Price Index. If frontage improvements along a state highway are required for final action on a permit or zone change, requires ODOT or the municipality to coordinate on if design, engineering, or construction plans already exist. Makes these provisions applicable to all size cities on January 1, 2031.

HB 2069 – Tribal Task Force

Chief Sponsor(s): Representative Sanchez

Effective date: June 24, 2025

Summary: Creates the Governor's Task Force on Tribal Consultation to identify and clarify requirements of state agencies to engage in Tribal consultation, to be completed by December 31, 2026.

HB 3136 – Real Estate Professionals on Planning Commissions

Chief Sponsor(s): Representative Breese-Iverson, Senator Meek, and Senator Anderson

Effective date: January 1, 2026

Summary: Amends regulations regarding participation on county and city planning commissions to specify that only when a planning commission has five or fewer members is there a two-person limit on participating persons that can be involved in selling or developing real estate.

HB 3560 – Childcare Facility Siting Expansion

Chief Sponsor(s): Representative Marsh, Representative Neron, Senator Reynolds, Representative Andersen, Representative Bowman, Representative Chotzen, Representative Dobson, Representative Fragala, Representative Gamba, Representative Helm, Representative Hudson, Representative Kropf, and Representative E. Levy

Effective date: January 1, 2026

Summary: Changes zoning requirements to allow child care centers as an outright use on land zoned for multiunit residential and institutional uses. Relocates the child care facility siting statute from ORS 329 to ORS 197. Modifies the definition of “child care center” to include a preschool recorded program, school-age recorded program or a parent cooperative. Inside Metro's UGB, this bill permits child care centers in areas zoned for multiunit residential densities of at least 17 units per acre. Outside of the Metro UGB, this bill permits child care centers on residential lands zoned for densities of 12 units per acre or greater and on commercial and industrial land, but not heavy industrial land. Local governments may not add additional conditions of approval before allowing a child care center to co-locate with a conditional institutional use. **Local governments must update their land use laws to comply by January 1, 2027.**

HB 3569 – Legislators as Non-Voting Members on Rules Advisory Committees

Chief Sponsor(s): Representative Gamba

Effective date: January 1, 2026

Summary: Requires an agency that appoints a rules advisory committee regarding rules implementing legislation to invite one of the following to serve on the committee as a nonvoting member:

- The first chief sponsor or first chief sponsor's designee of the relevant legislation, or
- The chair or chair's designee of the committee that sponsored the legislation.

Applies to advisory committees appointed on or after the effective date.

SB 817 – LUBA Fee Increase

Chief Sponsor(s): at the request of Governor Tina Kotek for Land Use Board of Appeals

Effective date: January 1, 2026

Summary: Increases LUBA fees for filing a notice of intent to appeal from \$300 to \$350 and a motion to intervene from \$100 to \$200.

SB 967 – Local Improvements IGAS

Chief Sponsor(s): Senator Broadman and Senator Nash

Effective date: January 1, 2026

Summary: Allows local governments to enter into an intergovernmental agreement for purposes of allocating authority over local improvements within a UGB. Requires local improvements to still comply with applicable land use regulations.

SB 1099 – Preschools in Places of Worship

Chief Sponsor(s): Senator Starr and Senator Anderson

Effective date: June 3, 2025

Summary: Requires local governments to allow preschool or pre-kindergarten education on land where places of worship are allowed.

Contact Information

If you have questions or comments about the report or other legislation, please contact:

- Alexis Hammer, J.D., Legislative and Policy Manager at alexis.hammer@dlcd.oregon.gov or 971-718-4545,
- Aurora Dziadul, Legislative and Policy Analyst (Housing/Urbanization) at aurora.dziadul@dlcd.oregon.gov or 971-446-8834, or
- Alyssa Bonini, J.D., Legislative and Policy Analyst (Natural Resources) at alyssa.bonini@dlcd.oregon.gov or 971-458-3866.



CITY OF OREGON CITY

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

Staff Report

To: Planning Commission

Agenda Date: August 25, 2025

From:

SUBJECT:

GLUA-25-031 / ZC-25-01 Zone Change 19763 Parish Road

STAFF RECOMMENDATION:

Recommend approval of GLUA-25-031 / ZC-25-001 to the City Commission with the recommended conditions.

EXECUTIVE SUMMARY:

The applicant requests the rezoning of their property from FU-10 to R-8 or R-10 Low Density Residential. The previous emergency sewer annexation (AN 16-02) did not include a zoning designation for the site, and the county FU-10 (Future Urban 10 acre) zone was retained. As Oregon City does not have a FU-10 zoning district, new structures or additions to the property cannot occur until the site is rezoned. The applicant intends to build an addition to the house once it is rezoned.

As the annexation approval was based on an emergency need for service and occurred after the necessary service hookup had been made, and required the recording of the covenant, however, the previous owner chose not to proceed with its recording. The house was purchased by the current applicant in 2020, who was unaware of the restrictions placed on the property due to its non-city-zoned status. Although the document was not recorded, the requirements remain valid and are part of the land decision for AN 16-02. The purpose of the condition and covenant was to inform future owners of the restriction on the site laid out in the emergency annexation approval.

The previous owner also did not proceed with the required annexation into the Tri-City Sewer District, a separate service district that can be annexed administratively through Clackamas County Water Environmental Services (WES) once the city approves the annexation. A condition has been added to this application to ensure that this process is completed before the certificate of occupancy for any new additions or buildings onsite.

The applicant has no preference for the zoning attached to the property (R-8 or R-10). The pre-application conference indicated a potential rezone to R-10. Staff provided an R-8 option in the notice. The Planning Commission can choose either the R-8 or R-10 zone, as both are within the Low Density Residential Comprehensive Plan designation. The site is located in an area abutting R-10 zoning, although the area across the street is zoned R-8. There are three lots currently in the county that could be rezoned to R-8 if annexed, creating an R-8 corridor on Central Point Road, which is identified as a Collector Street in the Transportation System Plan. With the adoption of city and state regulations for middle housing, there is little

discernible difference between the development capacities of the two zones. Staff is seeking direction from the Planning Commission on this matter and will forward their recommendation and findings to the City Commission.

BACKGROUND:

NEXT STEPS:

OPTIONS:

1. Recommend approval to the City Commission for GLUA-25-031 ZC-25-0001 with the recommended conditions.
2. Recommend approval to the City Commission for GLUA-25-031 ZC-25-000 with revised findings and conditions.
3. Deny GLUA-25-031 ZC-25-000 and provide further direction to Staff.
4. Continue GLUA-25-031 ZC-25-000 and keep the public record open until a date certain.



Type IV STAFF RECOMMENDATION

August 15, 2025

The following staff report includes a preliminary analysis of the applicable approval criteria. All relevant criteria must be met or met with conditions in order to be approved. The Commission may choose to adopt the findings as recommended by staff or alter any finding as determined appropriate.

FILE NO: **GLUA-25-031 ZC-25-0001** Zone Change

APPLICANT/ Brandi Henry
19763 Parish Road,
Oregon City, OR 97045

PROPOSAL: Zone Change for approximately 0.9-acre property. The applicant has requested a zone change from County FU-10 to City R-8 or R-10 Dwelling District. The subject property was annexed in 2016, and the previous owner chose not to rezone the property at that time. The property has a Comprehensive Plan designation of LR – Low Density Residential. No development is proposed with this application.

REVIEWER: Christina Robertson-Gardiner AICP, Senior Planner

CURRENT ZONING County: FU-10

LOCATION: 19763 Parish Road, Oregon City, OR 97045
Clackamas County Map 3-1E-12DC-05600

RECOMMENDATION: Approval with Conditions

PROCESS: Pursuant to The procedure for a zone change is outlined in Oregon City Code Chapter 17.50 and 17.68.

The public hearing process is governed by OCMC 14.04 and 17.50. The Applicant and all documents submitted by or on behalf of the Applicant are available for inspection at no cost at the Oregon City Planning Division, 221 Molalla Avenue, Oregon City, Oregon 97045, from 8:30 am to 3:30 pm Monday thru Friday. The staff report, with all the applicable approval criteria, will also be available for inspection seven days before the hearing. Copies of these materials may be obtained for a reasonable cost in advance. The Annexation was initiated as a result of a public health hazard, and as a result, City policy is to forward these annexations directly to the City Commission without a Planning Commission recommendation. Therefore, the City Commission will open the record and consider testimony to determine whether the application has or has not complied with the factors outlined in section 14.04.060 and 17.68.020 of the Oregon City Municipal Code. The City Commission decision is appealable to LUBA within 21 days of issuance of the Notice of Decision.

CONDITIONS OF APPROVAL

Planning File GLUA-25-031 ZC-25-0001 Zone Change

(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. A Tri-City Sewer District (TCSD) annexation packet must be submitted and paid to WES before the applicant can obtain a building permit for a new structure or building addition on the property. The sewer annexation must be completed before a final certificate of occupancy can be issued for any new structures on the site. Please contact WES Permits staff if there are any questions about the TCSD annexation requirements. 503-742-4567. The TCSD annexation application can be found on the WES website: [tps://www.clackamas.us/wes/annexation.html](https://www.clackamas.us/wes/annexation.html). A copy of the signed Annexation Ordinance is included as an exhibit in the staff report, which will need to be submitted as part of the annexation packet.

STAFF SUMMARY

The Applicant requests the rezoning of their property from FU-10 to R-8 or R-10. The previous emergency sewer annexation (AN 16-02) did not include a zoning designation for the site, and the county FU-10 zone was retained. As Oregon City does not have a FU-10 zoning district, new structures or additions to the property cannot occur until the site is rezoned with a city-recognized zone. The applicant intends to build an addition to the house once it is rezoned.

A condition of AN 16-02 provided the following direction to the applicant.

Prior to annexation, the property owner or assigns will record a covenant, to be approved by the City Attorney, which limits development of the site until such time that a zone change to a City zoning designation has been approved. The covenant shall acknowledge that development is reviewed for compliance with the Oregon City Municipal Code and Clackamas County Zoning and Development Ordinance. Further, until a zone change is approved the site use shall not change or intensify, or receive approval of a land division or development of the site including, but not limited to: new structures or additions to existing structures. In addition the property shall be subject to the City's fence regulations in OCMC 17.54.100 as well as the City's nuisance and animal regulations

As the annexation approval was based on an emergency need for service and occurred after the necessary service hookup had been made, and required the recording of the covenant, however, the previous owner chose not to proceed with its recording. The house was purchased by the current applicant in 2020, who did not know the restrictions placed on the property by not having a city zone. Although the document was not recorded, the requirements remain valid and are part of the land decision for AN 16-02. The purpose of the condition and covenant was to inform future owners of the restriction on the site laid out in the emergency annexation approval.

The previous owner also did not proceed with the required annexation into the Tri-City Sewer District, a separate service district that can be annexed administratively through Clackamas County Water Environmental Services (WES) once the city approves the annexation. A condition has been added to this application to ensure that this process is completed before the certificate of occupancy for any new additions or buildings onsite.

The applicant has no preference for the zoning attached to the property (R-8 or R-10). The pre-application conference indicated a potential rezone to R-10. Staff provided an R-8 option in the notice. The Planning Commission can choose either the R-8 or R-10 zone, as both are within the Low Density Residential Comprehensive Plan designation. The site is located in an area abutting R-10 zoning, although the area across the street is zoned R-8. There are three lots currently in the county that could be rezoned to R-8 if annexed, creating an R-8 corridor on Central Point Road, which is identified as a Collector Street in the Transportation System Plan. With the adoption of city and state regulations for middle housing, there is little discernible difference between the development capacities of the two zones. Staff is seeking direction from the Planning Commission on this matter and will forward their recommendation and findings to the City Commission.

SITE DETAILS

The little under 1-acre site is located at the intersection of Parish and Central Point Roads. The area is generally flat and features a single-family dwelling, one attached garage, and several small accessory buildings on-site. No development is proposed as part of this application; however, once rezoned, the application will submit building permits to add additional square footage to the house, which is currently not allowed due to the property's lack of a city zone.



FIGURE 1. LOCATION MAP



FIGURE 2. ZONING MAP



FIGURE 3. STREET VIEW (2023)

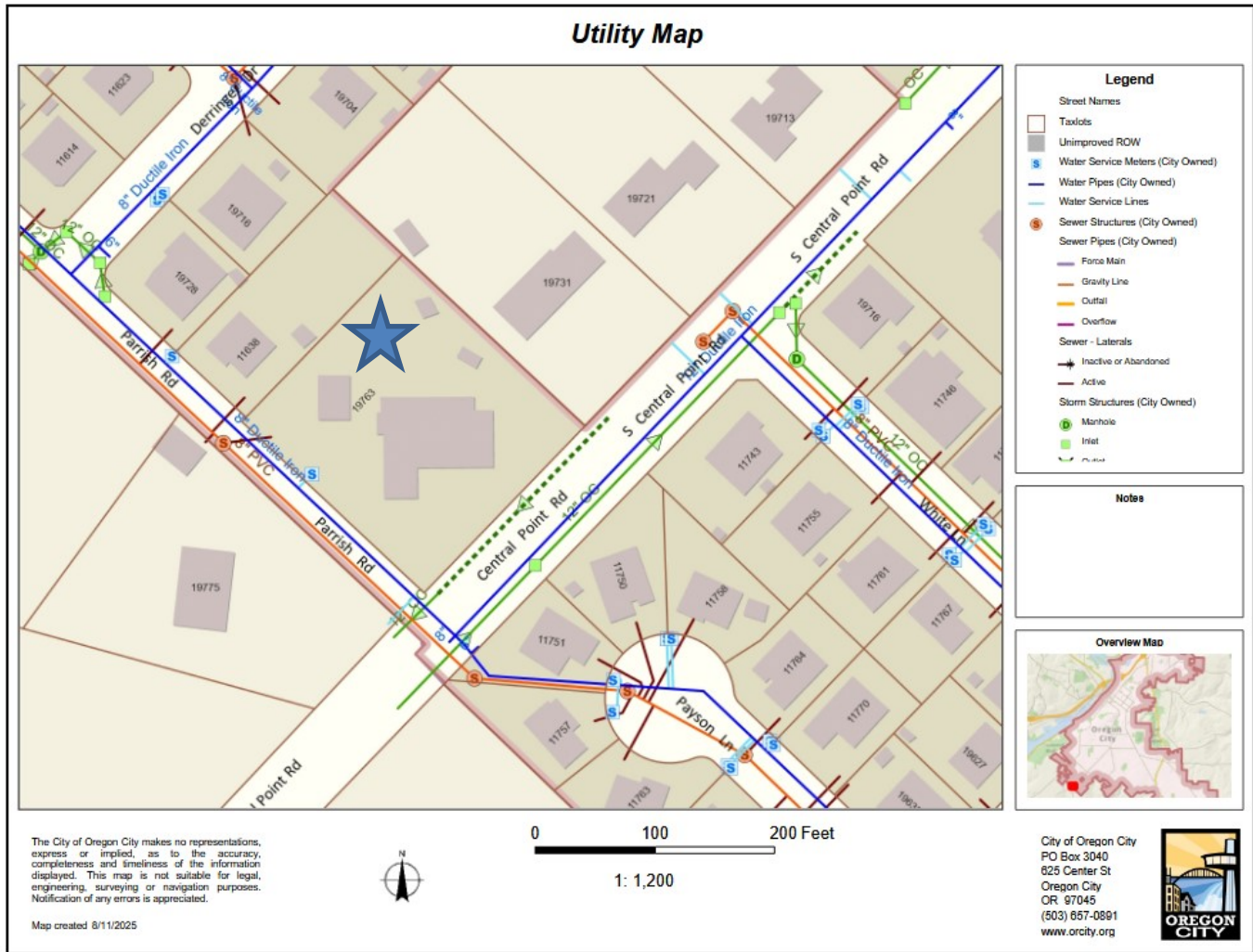


FIGURE 4. UTILITIES

The figure above indicates the location of the Oregon City sewer and water utilities near the property.

Public Comment

Eric Burtram- Water Environment Services (WES)

Tri-City Service District (TCSD) provides regional collection and wholesale sanitary sewer treatment services within the District. TCSD boundaries coincide with those of the partner cities of Gladstone, Oregon City and West Linn.

Tax Lot 31E12DC05600 is not currently within the Tri-City Service District (TCSD). As a condition of connecting to public sewer, the owner will need to annex the parcel into the TCSD. Note: this a separate annexation process from that of the city annexation and requires a separate application, which will be processed by Clackamas Water Environment Services (WES).

The TCSD annexation application can be found on the WES website:

<https://www.clackamas.us/wes/annexation.html>

Please contact WES Permits staff if there are any questions about the TCSD annexation requirements. 503-742-4567

Staff Comment: Connection to the Tri-City sewer district was also a requirement of the previous annexation approval, which the previous owner did not complete. A condition has been added that a Tri-City sewer annexation packet must be submitted and paid to WES/Tri-Cities before the applicant can obtain a building permit for a new structure on the site. The sewer annexation must be completed before a final certificate of occupancy can be issued for any new structures on the site.

ANALYSIS AND FINDINGS

CHAPTER 17.08 LOW DENSITY RESIDENTIAL DISTRICTS

7.08.010 - Designated.

The R-10, R-8 and R-6 residential districts are designed for low density residential development.

Finding: Permitted.

7.08.020 - Permitted uses.

Permitted uses in the R-10, R-8 and R-6 districts are:

- A. Single-family detached residential units;*
- B. Accessory uses, buildings and dwellings;*
- C. Duplexes;*
- D. Triplexes;*
- E. Quadplexes;*
- F. Townhouses;*
- G. Cottage clusters;*
- H. Residential homes;*
- I. Parks, playgrounds, playfields and community or neighborhood centers;*
- J. Home occupations;*
- K. Family day care providers;*
- L. Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (retail sales of materials grown on-site is permitted);*
- M. Temporary real estate offices in model homes located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;*
- N. Transportation facilities.*

Finding: Permitted. The applicant proposed to construct single-family detached residential units, allowed in OCMC 17.08.020.A.

17.08.025 - Conditional uses.

The following uses are permitted in the R-10, R-8 and R-6 districts when authorized by and in accordance with the standards contained in OCMC 17.56:

- A. Golf courses, except miniature golf courses, driving ranges or similar commercial enterprises;*
- B. Bed and breakfast inns/boarding houses;*
- C. Cemeteries, crematories, mausoleums and columbariums;*
- D. Child care centers and nursery schools;*
- E. Emergency service facilities (police and fire), excluding correctional facilities;*
- F. Residential care facilities;*
- G. Private and/or public educational or training facilities;*
- H. Public utilities, including sub-stations (such as buildings, plants and other structures);*

I. Religious institutions;

J. Assisted living facilities; nursing homes and group homes for over fifteen patients;

Finding: Permitted. The applicant proposed to construct single-family detached residential units, allowed in OCMC 17.08.025.A.

17.08.040 - Dimensional standards.

Dimensional standards in the R-10, R-8 and R-6 districts are as follows:

Table 17.08.040

Standard	R-10	R-8
<i>Minimum lot size¹</i> <i>Single-family detached, Duplex & Triplex</i> <i>Quadplex and Cottage cluster</i> <i>Townhouse</i>	<i>10,000 sq. ft.</i> <i>10,000 sq. ft.</i> <i>1,500 sq. ft.</i>	<i>8,000 sq. ft.</i> <i>8,000 sq. ft.</i> <i>1,500 sq. ft.</i>
Finding: Complies as Proposed. 40,489 square feet		
<i>Maximum height: All, except</i>	<i>35 ft., except</i>	<i>35 ft., except</i>
<i>Cottage cluster unit</i>	<i>25 ft.</i>	<i>25 ft.</i>
Finding: Complies as Proposed. All structures on the single-family house are under 35 feet		
<i>Maximum building lot coverage</i> <i>All, except</i> <i>With ADU</i> <i>Cottage cluster</i>	<i>40%, except</i> <i>45%</i> <i>None</i>	<i>40%, except</i> <i>45%</i> <i>None</i>
Finding: Complies as Proposed. Existing lot 16% Lot coverage		
<i>Minimum lot width</i> <i>All, except</i> <i>Townhouse</i>	<i>65 ft., except</i> <i>20 ft.</i>	<i>60 ft., except</i> <i>20 ft.</i>
Finding: Complies as Proposed. Smallest width 206 feet		
<i>Minimum lot depth</i> <i>All, except</i> <i>Townhouse</i>	<i>80 ft., except</i> <i>75 ft.</i>	<i>75 ft., except</i> <i>75 ft.</i>
Finding: Complies as Proposed. Smallest depth 188 feet		
<i>Minimum front yard setback</i> <i>All, except</i> <i>Porch</i> <i>Cottage cluster</i>	<i>20 ft., except</i> <i>15 ft.</i> <i>10 ft.</i>	<i>15 ft., except</i> <i>10 ft.</i> <i>10 ft.</i>
Finding: Complies as Proposed. Smallest setback 33 feet		
<i>Minimum interior side yard setback:</i>		

<i>All, except Townhouse</i>	<i>8 ft., except 0 ft. (attached) /8 ft. (side)</i>	<i>7 ft., except 0 ft. (attached) /7 ft. (side)</i>
Finding: Complies as Proposed. Smallest setback 22 feet		
<i>Minimum corner side yard setback</i>	<i>10 ft.</i>	<i>10 ft.</i>
Finding: Complies as Proposed. Smallest setback 29 feet		
<i>Minimum rear yard setback All, except Porch Cottage cluster/ADU</i>	<i>20 ft., except 15 ft. 10 ft.</i>	<i>20 ft., except 15 ft. 10 ft.</i>
Finding: Complies as Proposed. Smallest setback 44 feet		
<i>Garage setbacks</i>	<i>20 ft. from ROW, except 5 ft. from alley</i>	<i>20 ft. from ROW, except 5 ft. from alley</i>
Finding: Complies as Proposed. Smallest setback 45 feet		

Notes:

1. For land divisions, lot sizes may be reduced pursuant to OCMC 16.08.065.
2. Accessory structures may have reduced setbacks pursuant to OCMC 17.54.010.B.
3. Public utility easements may supersede the minimum setback.

17.08.035 – Prohibited uses.

Prohibited uses in the R-10, R-8 and R-6 districts are:

- A. Any use not expressly listed in OCMC 17-08-020, 17.08.025 or 17.08.030;
- B. Marijuana businesses.

Finding: Complies as Proposed.

17.08.045 - Exceptions to setbacks.

A. Projections from buildings. Ordinary building projections such as cornices, eaves, overhangs, canopies, sunshades, gutters, chimneys, flues, sills or similar architectural features may project into the required yards up to twenty-four inches.

Finding: Complies as Proposed.

B. Through lot setbacks. Through lots having a frontage on two streets shall provide the required front yard on each street. The required rear yard is not necessary.

Finding: Complies as Proposed

17.08.050 - Density standards.

A. Density standards in the R-10, R-8 and R-6 districts are as follows:

Table 17.08.050

Standard	R-10	R-8	R-6
-----------------	-------------	------------	------------

<i>Minimum net density: All</i>	<i>3.5 du/acre</i>	<i>4.4 du/acre</i>	<i>5.8 du/acre</i>
<i>Except cottage clusters</i>	<i>4 du/acre</i>	<i>4.4 du/acre</i>	<i>5.8 du/acre</i>
<i>Maximum net density: All</i>	<i>4.4 du/acre</i>	<i>5.4 du/acre</i>	<i>7.3 du/acre</i>
<i>Except townhouses</i>	<i>17.4 du/acre</i>	<i>21.6 du/acre</i>	<i>25 du/acre</i>

B. Exceptions.

1. Any dwelling units created as accessory dwelling units do not count towards the minimum or maximum density limits in Table 17.08.050.

2. Duplexes, triplexes and quadplexes shall count as a single dwelling unit for the purposes of calculating maximum net density. Total dwelling units within a development may count for the purposes of calculating minimum net density.

3. Cottage clusters are exempt from maximum net density standards.

Finding: Complies as Proposed. The applicant is not proposing a new dwelling units as part of this application.

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.

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: Complies. A pre-application meeting (PA-25-00025) was held on June 3, 2025 to review the proposed zone change. Pre-application meeting notes were provided, and all relevant land use requirements have been acknowledged and addressed as part of this application narrative.

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 A meeting was requested with the Hazel Grove -Westling Farms and scheduled for June 25, 2025. An email confirmation from the Hazel Grove -Westling Farms is provided as part of this application

17.50.060 Application Requirements.

Finding: Complies as Proposed. All required application materials are submitted with this narrative. The applicant has provided full-size and two reduced-size sets of plans to accompany the submittal items.

17.50.070 Completeness Review and 120-day Rule.

17.50.080 Complete Application--Required Information.

Finding: Complies as Proposed. This land use application was submitted/paid on July 24, 2025. The application was deemed incomplete on July 28, 2025 and after the submittal of additional information, the application was deemed complete on August 1, 2025. The 120 day land use deadline is November 29, 2025

17.50.090 Public Notices.

Finding: Complies as Proposed. Staff provided public notice within 300 feet of the site via mail; the site was posted with multiple land use notices and posted on the Oregon City website. Staff provided email transmittal of the application and notice to affected agencies and Neighborhood Associations.

17.50.100 Notice Posting Requirements.

Finding: Complies as Proposed. The site was posted with a sign longer than the minimum requirement.

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.

Finding: Complies- the City Commission may place conditions upon this application as appropriate to the approval criteria. As this application is for a residential zone property, any condition shall be clear and objective and is required to be proportional to the proposal.

17.50.140 – Financial guarantees.

When conditions of permit approval require a permittee to construct certain public improvements, the City shall require the permittee to provide financial guarantee for construction of the certain public improvements. Financial guarantees shall be governed by this section.

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.

Finding: Not Applicable- No development is proposed at this time.

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: Complies. The proposed zone change requires an amendment to the zoning map and has been initiated by the property owners through an application to the Planning Division.

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. The project site has the Comprehensive Plan designation of LR (Low Density Residential), which permits the City zoning of R-6, R-8, and R-10. The zone change to R-8 or R-10 is consistent with the applicable goals and policies of the City of Oregon City's Comprehensive Plan for transportation and infrastructure availability. Staff could not identify any specific policy that called out a desire for R-8 or R-10 in this area. As discussed below in the transportation analysis portion, the two going will not create much discernible difference in impact on the transportation network or other public utilities.

- 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: Complies. The project site has access to adjacent public utility lines, nearby public facilities, and services that can serve the development. There is an existing water main and sanitary sewer main that runs within Parrish Road and a stormwater main within Central Point Road. The properties are also currently served by Clackamas Fire District #1 and the Oregon City School District and will have access to police service under the Oregon City Police Department. All public facilities and services are available to support the proposed zone change to R-8 or R-10 zoning district, which permits low-density residential development. No development is proposed at this time.

- 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: Complies. A Transportation Analysis Letter (TAL) was provided, but incorrectly discussed a change of jurisdiction from the City of Happy Valley to the City of Oregon City. This appears to be a grammatical error from a previous report. The TAL indicates that the annexation and zone change will not significantly affect the planned function, capacity, and level of service of the transportation system serving the project site. Staff agree with the analysis and findings. The number of trips that could be created upon any further redevelopment of the site is consistent with the city's Transportation System Plan (TSP). The applicant's transportation engineer, Massoud G. Saberian, PE, PTOE, provided a revised memo (Exhibit 1a) that addresses the errors of the initially submitted transitional Analysis Letter (TAL). There was no change in the analysis and findings.

With the inclusion of a number of middle housing uses as permitted in both the R-8 and R-10 projecting the number of trips generated through the redevelopment of the site can vary significantly. This will be explicitly analyzed during any development process. Generally, trip generation for middle housing (duplexes, triplexes, townhomes, etc.) is about half the rate of trip generation for a single-family home, which is 10 trips per day. The maximum potential number of trips for the lot upon development could be five lots with a fourplex on each, producing 100 new trips daily at full build-out. However, four lots are most likely, as dedication of right-of-way may be required even with R-8 zoning. The purpose of a zone change transportation analysis is to evaluate the most reasonable and highest development scenario to ensure that the proposed use complies with the Transportation System Plan and the Transportation Planning Rule (TPR). It functions as a stress test to determine whether the transportation system needs modifications to accommodate increased use or if a zone change should include a temporary trip cap until a solution is found. In this case, the general redevelopment of uses within the low-density residential districts is anticipated within the transportation plan and the model. Actual analysis and exactions will be performed once the site redevelops, which may not occur for quite a long time.

D. Statewide planning goals shall be addressed if the comprehensive plan does not contain specific policies or provisions which control the amendment.

Response: The subject properties are designated as Low-Density Residential (LR) under Oregon City's acknowledged the Comprehensive Plan, which is in compliance with the Statewide Planning Goals. The proposal complies with the goals and policies of the comprehensive plan designation.

Finding: Complies. The proposed Zone Change complies with the zoning designations for Low Density Residential (LR) Comprehensive Plan Classification as identified in Table 17.06.030. The most recently adopted comprehensive plan, OC2040, was acknowledged by the Department of Land Conservation and Development (DLCD) as complying with statewide planning goals.

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: Complies. The subject properties are currently located within the existing UGB. The proposed zone changes to the R-8 or R-10 zoning district are consistent with the Oregon City Comprehensive Plan designation of Low-Density Residential (LR) for both properties and comply with the criteria of OCMC 17.68.020.

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.

Finding: Complies The proposed zone changes from the FU-10 zoning district to the City's low-density residential R-8 or R-10 zoning district is consistent with the Oregon City Comprehensive Plan designation of Low Density Residential (LR) for both properties. The Planning or City Commissions may choose to add conditions to this application that are proportional to the request and are consistent with the goals and strategies of the Commission through the adopted comprehensive plan.

CONCLUSION AND DECISION:

Based on the analysis and findings as described above, Staff concludes that the proposed Zone change to either R-8 or R-10 located at 19763 Parish Road, Oregon City, OR 97045 Oregon City, Oregon 97045, identified as Clackamas County Map 3-1E-12DC-05600 can meet the requirements as described in the Oregon City Municipal Code by complying with the Conditions of Approval provided in this report.

Therefore, the Community Development Director recommends approval with conditions, based upon the findings and exhibits contained in this staff report.

Exhibits:

1. Applicant's Submittal
 - a. Traffic Memo-Revised
2. Public Comment
 - a. Erik Bertram- Clackamas Water Environment Services (WES)
3. AN 16-02 Ordinance (Ordinance 17-1008)

LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A) ☐ Compatibility Review ☐ Willamette River Greenway ☐ Communication Facility / Eligible Modification ☐ 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) ☐ LUCS Expedited Type II (OCMC 17.50.030.B & 16.24) ☐ Middle Housing Land Division	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 ☐ Proportional Upgrades ☐ Site Plan and Design Review / DDP ☐ Manufactured Home Park ☐ Compatibility Review Modifications / Adjustments ☐ Residential Design ☐ Site Plan & Design Review ☐ Public Improvement ☐ Tree Mitigation ☐ Subdivision (4+ lots) ☐ Administrative (Minor) Variance ☐ Natural Resource (NROD) Review ☐ Willamette River Greenway ☐ Phased Subdivision / Site Plan and Design Review Occupancy Plan ☐ Expedited Land Division
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File Number(s):	Application Date:
Project Name:	
Proposed Land Use or Activity:	# of Lots Proposed (If Applicable):
Physical Address(es) of Site:	
Clackamas County Map and Tax Lot Number(s):	

Applicant(s)

Applicant(s) Signature:	
Applicant(s) Name Printed:	Date:
Mailing Address:	
Phone:	Email:

Property Owner(s) – If more than 2 owners, add all information to back of page including signatures.

Property Owner #1

Property Owner#1 Signature:	
Property Owner#1 Name Printed:	Date:
Mailing Address:	
Ownership Address:	
Phone:	Email:

Property Owner #2

Property Owner#2 Signature:	
Property Owner#2 Name Printed:	Date:
Mailing Address:	
Ownership Address:	
Phone:	Email:



Planning and Zoning
Department of Transportation and Development
Development Services Building
150 Beaver Creek Road | Oregon City, OR 97045
503-742-4500 | zoninginfo@clackamas.us
www.clackamas.us/planning

STAFF USE ONLY

Land use application for:

ZONE CHANGE

Reviewed by Hearings Officer

Application Fee: \$6,340 if filed with another application for the same property, or \$6,890 if filed alone. (+ \$150 for an expanded notification area if the property is in the AG/F, EFU, FF-10, FU-10, RA-1, RA-2, RC, RI, RR, RRFF-5, or TBR zone.)

Staff Initials:

File Number:

APPLICANT INFORMATION

Applicant name: Brandi Henry, Tony Henry	Applicant email: Brandi.Henry@hotmail.com	Applicant phone: 503 708 588
Applicant mailing address: 19763 Parrish Rd	City: OC	State: OR
Contact person name (if other than applicant): Tony Henry	Contact person email: Tony.henry@lwe.com	Contact person phone: 503 481 2467
Contact person mailing address: Sum	City:	State: ZIP:

PROPOSAL

Brief description of proposal: Zone Change Fu10-R10	Pre-application conference file number: PA 25-025
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SITE INFORMATION

Site address: 19763 Parrish Rd	Comprehensive Plan designation: 31E12DC05600	Zoning district:
Map and tax lot #: Township: 3S Range: 1E Section: 12 Tax Lot: 05600		Land area: 662-092
Adjacent properties under same ownership: Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____		

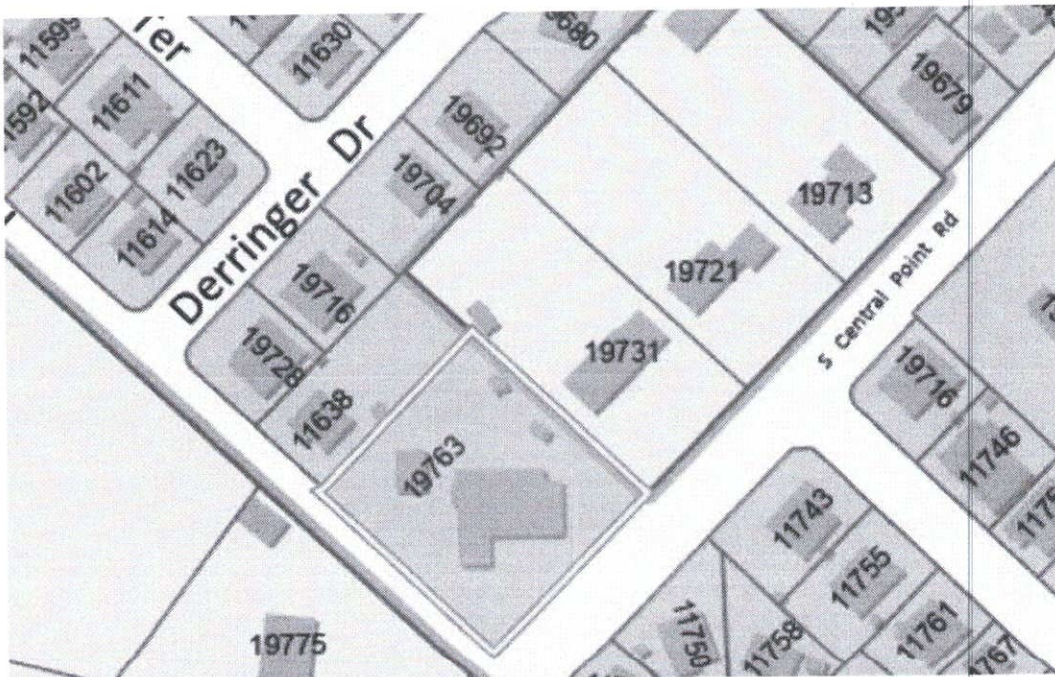
Printed names of all property owners: Brandi + Tony Henry	Signatures of all property owners: Brandi Henry	Date(s): 6/23/25
I hereby certify that the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.		Date: 6/23/25
Applicant signature: Brandi Henry		

Pre-Application Conference Notes*Meeting Date: June 3, 2025**Final Notes Sent:***Pre-application Conference File #: PA 25-025**

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:

Rezoning of the property from FU-10 to R-10. The previous annexation (AN 16-02) did not include a zoning designation for the site, and the county FU-10 zone was retained. As Oregon City does not have a FU-10 zoning district, new structures or additions to the property cannot occur until the site is rezoned. The applicant intends to make substantial additions to the site once it is rezoned.



A. Complete a pre-application conference:

You must attend a pre-application conference with Planning and Zoning staff before filing this application. [Information about the pre-application conference](#) process and a request form are available from the Planning and Zoning website.

B. Review applicable land use rules:

This application is subject to the provisions of [Section 1202, Zone Changes](#) of the [Clackamas County Zoning and Development Ordinance](#) (ZDO).

It is also subject to the ZDO's definitions, procedures, and other general provisions, as well as to the specific rules of the subject property's zoning district and applicable development standards, as outlined in the ZDO.

C. Turn in all of the following:

- ☒ **Complete application form:** Respond to all the questions and requests in this application, and make sure all owners of the subject property sign the first page of this application. Applications without the signatures of *all* property owners are incomplete.
- ☐ **Application fee:** The cost of this application is \$6,340 if it is filed concurrently with another land use application for the same property or \$6,890 if it is filed alone. A \$150 notification surcharge also applies if an expanded notification area is required by ZDO Section 1307. Payment can be made by cash, by check payable to "Clackamas County", or by credit/debit card with an additional card processing fee using the [Credit Card Authorization Form](#) available from the Planning and Zoning website. Payment is due when the application is submitted. Refer to the FAQs at the end of this form and to the adopted [Fee Schedule](#) for refund policies.
- ☒ **Vicinity map:** Provide a map of the area around the property, drawn to scale, that shows the uses and location of improvements on adjacent properties and properties across any road.
- ☐ **Site plan:** Provide a site plan (also called a plot plan). A [Site Plan Sample](#) is available from the Planning and Zoning website. The site plan must be accurate and drawn to-scale on paper measuring no larger than 11 inches x 17 inches. The site plan must illustrate all of the following (when applicable):
 - Lot lines, lot/parcel numbers, and acreage/square footage of lots, and contiguous properties under the same ownership;
 - All existing and proposed structures, fences, roads, driveways, parking areas, and easements, each with identifying labels and dimensions;
 - Setbacks of all structures from lot lines and easements;
 - Significant natural features (rivers, streams, wetlands, slopes of 20% or greater, geologic hazards, mature trees or forested areas, drainage areas, etc.); and
 - Location of utilities, wells, and all onsite wastewater treatment facilities (e.g., septic tanks, septic drainfield areas, replacement drainfield areas, drywells).
- ☐ **Service Feasibility Determinations:** Request that the property's water provider, sanitary sewer provider, and surface water management authority, as applicable, each complete a [Preliminary Statement of Feasibility](#) and include those completed statements with your application. If the proposed development will be served by an onsite wastewater treatment system (e.g., a septic system), include an approved Site Evaluation or Authorization Notice from the [Septic & Onsite Wastewater Program](#) attesting to the feasibility of your proposal.
- ☐ **Transportation impact study:** Refer to the information provided at the pre-application conference regarding the need for a transportation impact study. Include a copy of any required study with your application submittal.
- ☐ **Any additional information or documents advised of during the pre-application conference**

D. Answer the following questions:

1. What zoning district designation are you requesting for the subject property?

Requested zoning district: R10

2. If the zoning designation you requested in response to Question 1 cannot be approved because the property doesn't meet the approval criteria, would you like an alternate zoning district designation to be considered?

☐ NO

☒ YES, and the alternate zoning district designation(s) I would like is/are:

3. Are you filing this zone change application with another application?

☒ NO, this application is being filed alone.

☐ YES, this application is being filed with another application. That other application requests the following:

E. Respond in a narrative:

Your application submittal must include a narrative that fully responds to the following. Due to the technical nature of these requirements, guidance on how best to respond will be provided during the required pre-application conference.

1. How is the proposed zone change consistent with the applicable goals and policies of the County's Comprehensive Plan?
2. If development under the proposed zone would need public services (sanitary sewer, surface water management, and water), could the need be accommodated with the implementation of the applicable service provider's existing capital improvement plan? The cumulative impact of the proposed zone change and development of other properties under existing zoning designations must be considered.
3. Explain how the transportation system is adequate and will remain adequate with approval of the proposed zone change. This explanation should take into consideration the following:
 - a. "Adequate" means a maximum volume-to-capacity ratio (v/c), or a minimum level of service (LOS), as established by Comprehensive Plan Tables 5-2a, *Motor Vehicle Capacity Evaluation Standards for the Urban Area*, and 5-2b, *Motor Vehicle Capacity Evaluation Standards for the Rural Area*.
 - b. Conduct the evaluation of transportation system adequacy pursuant to the Transportation Planning Rule (Oregon Administrative Rules 660-012-0060).
 - c. Assume that the subject property is developed with the primary use, allowed in the proposed zoning district, with the highest motor vehicle trip generation rate.
 - d. The methods of calculating v/c and LOS are established by the Clackamas County Roadway Standards.
 - e. The adequacy standards apply to all roadways and intersections within the impact area of the proposed zone change. The impact area is identified based on the Clackamas County Roadway Standards.
 - f. A determination of whether submittal of a transportation impact study is required is made based on the Clackamas County Roadway Standards, which also establish the minimum standards to which a transportation impact study shall adhere.
 - g. (d) through (f) above do not apply to roadways and intersections under the jurisdiction of the State of Oregon. Instead, motor vehicle capacity calculation methodology, impact area identification, and transportation impact study requirements are established by the ODOT Transportation Analysis Procedures Manual for such roadways and intersections.
4. Explain how the safety of the transportation system is adequate to serve the level of development anticipated by the proposed zone change.

TEMPLATE INSTRUCTIONS FOR APPLICANTS

The following code criteria template includes sections of the Oregon City Municipal Code that are applicable to your proposal. For a complete application, a detailed response to each applicable subsection is required. Example responses to code sections and responses are provided below.

EXAMPLE RESPONSES

Example 1:

16.08.063 - Minimum density.

All layouts shall achieve at least the minimum density of the base zone for the net developable area as defined in OCMC 17.04. Alternatively, a site may be partitioned into two lots, though one of the lots shall not contain sufficient lot area to allow further division.

 Example of Acceptable Response	Applicant's Response: The gross site area is 2.01 acres (87,556 square feet) . After the dedication of right-of-way, a net area of 63,672 square feet or 1.46 acres remains. With 20 total units, the overall density is 13.7 dwelling units per acre, which exceeds the minimum of 10 units/acre for the R-3.5 zone.
 Example of Unacceptable Responses	Applicant's Response: The minimum density is met. Applicant's Response: Complies. Applicant's Response: See plans.

If a section or standard is not applicable, please explain why it does not apply.

Example 2:

17.62.085 - Refuse and recycling standards for commercial, industrial, office, institutional, and multi-family developments.

The purpose and intent of these provisions is to provide an efficient, safe and convenient refuse and recycling enclosure for the public as well as the local collection firm. All new development, change in property use, expansions or exterior alterations to uses, other than single-family or duplex residences, single-family attached dwellings, 3-4 plexes, internal conversions, or accessory dwelling units (ADUs), shall include a refuse and recycling enclosure. The area(s) shall be:

- A. Fully enclosed and visually screened;
- B. Located in a manner easily and safely accessible by collection vehicles;
- C. Located in a manner so as not to hinder travel lanes, walkways, streets or adjacent properties;
- D. On a level, hard surface designed to discharge surface water runoff and avoid ponding;

- E. Maintained by the property owner;
- F. Used only for purposes of storing solid waste and recyclable materials;
- G. Designed in accordance with applicable sections of the Oregon City Municipal Code (including

OCMC 8.20—Solid Waste Collection and Disposal) and city adopted policies.

Enclosures are encouraged to be sized appropriately to meet the needs of current and future tenants and designed with sturdy materials which are compatible to the primary structure(s).

 Example of Acceptable Response	Applicant's Response: No new refuse and recycling enclosures or changes to existing refuse and recycling enclosures are proposed, therefore, these standards are not applicable to the development.
 Example of Unacceptable Response. An explanation is needed for why a section does not apply.	Applicant's Response: Does not apply.

If a section or chapter in its entirety is not applicable, you may delete the entire section, however, please take care to ensure that subsections that do apply to the development are not deleted.

Example:

 No need to respond to each subsection of a code section that is not applicable to the development	<i>17.54.100 Fences, Hedges, Walls, and Retaining Walls.</i> <i>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:</i> <i>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.</i> Applicant's Response: No new fences or changes to existing fences are proposed as part of this project. <i>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:</i> <i>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</i> Applicant's Response: No new fences or changes to existing fences are proposed as part of this project.
--	--

	<i>b. Eight feet in total height for all other uses as measured from the finished grade at any point on the fence.</i> Applicant's Response: No new fences or changes to existing fences are proposed as part of this project. <i>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.</i> Applicant's Response: No new fences or changes to existing fences are proposed as part of this project. <i>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.</i> Applicant's Response: No new fences or changes to existing fences are proposed as part of this project. <i>5. Property owners shall ensure compliance with the Traffic Sight Obstruction requirements in Chapter 10.32 of the Oregon City Municipal Code.</i> Applicant's Response: No new fences or changes to existing fences are proposed as part of this project. <i>6. Retaining walls completely below the elevation of the right-of-way may be up to six feet in height.</i> Applicant's Response: No new fences or changes to existing fences are proposed as part of this project. <i>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.</i> Applicant's Response: No new fences or changes to existing fences are proposed as part of this project.	
 Section can be collapsed, and only one response explaining why the entire section is not applicable is needed.	<i>17.54.100 Fences, Hedges, Walls, and Retaining Walls.</i> Applicant's Response: No new fences or changes to existing fences are proposed as part of this project, therefore this section in its entirety is not applicable.	

Please complete the following template with as much detail as possible in your responses to applicable sections. Please note that applications with responses that lack sufficient detail will be deemed incomplete. For questions on this template, please contact the planner you are working with.

TYPE II –SITE PLAN AND DESIGN REVIEW

Applicant's Submittal

Date

APPLICANT: Name: Brandi Henry
Address: 19763 Parrish rd Oregon City OR 97045

OWNER: Name Tony, Brandi Henry
Address 5037068588

REQUEST: Description of project rezone

LOCATION: Address 19763 Parrish Rd Oregon City OR 97045
Map and tax lot number 05600

I. BACKGROUND:

1. **Existing Conditions:** The previous homeowner conducted an emergency sewer annexation into the city of Oregon City, which did not require a zone change at the time. However, the previous homeowner failed to inform the new buyers that this process was incomplete. There was no indication on the title with the county or the city of Oregon City to protect the new buyers from the responsibility of addressing the previous owner's failure to rezone
2. **Project Description:** We are seeking to rezone the property at 19763 Parrish Road in Oregon City from FU10 to R10. This change will enable us to obtain the necessary permits and make desired modifications to the property.

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

Chapter 17.50 Administration And Procedures
Chapter 17.68 Zone Change and Comprehensive Plan Amendments

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

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

REQUIRED CODE RESPONSES:**CHAPTER 17.50 – 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.

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	Expedited Land Division
Annexation				X	
Compatibility review for communication facilities	X				
Compatibility review for the Willamette Greenway Overlay District			X		
Code Interpretation			X		
Master plan/planned unit development - General Development plan			X		
Master plan/planned unit development - General Development plan amendment	X	X	X		
Conditional use (excluding shelters)			X		
Conditional use for a shelter				X	
Detailed development plan*	X	X	X		
Expedited land division		X(modified)			X
Extension	X				
Final plat	X				
Geologic hazards		X			
Historic review	X		X		
Live/Work dwelling review		X			
Lot line adjustment and abandonment	X				
Manufactured home park review (new or modification)	X				
Middle housing land division		X(modified)			X
Minor partition		X			
Modifications of residential design standards		X			

Natural resource overlay district exemption	X					
Natural resource overlay district review		X	X			
Nonconforming use, structure and lots review	X	X				
Placement of a single manufactured home on existing space or lot within a park	X					
Plan or code amendment					X	
Residential design standards review for single-family detached, duplexes, triplexes, quadplexes, townhouses, cottage clusters and accessory dwelling units (uses minor site plan and design review)	X					
Revocation					X	
Site plan and design review	X	X				
Subdivision		X			X	
Variance		X	X			
Zone Change				X		

**If any provision or element of the master plan/planned unit development requires a deferred Type III procedure, the detailed development plan shall be processed through a Type III procedure.*

A. Type I decisions do not require interpretation or the exercise of policy or legal judgment in evaluating approval criteria. Because no discretion is involved, Type I decisions do not qualify as a land use, or limited land use, decision. The decision-making process requires no notice to any party other than the applicant. The Community Development Director's decision is final and not appealable by any party through the normal city land use process.

B. Type II decisions involve the exercise of limited interpretation and discretion in evaluating approval criteria, similar to the limited land use decision-making process under state law. Applications evaluated through this process are assumed to be allowable in the underlying zone, and the inquiry typically focuses on what form the use will take or how it will look. Notice of application and an invitation to comment is mailed to the applicant, recognized active neighborhood association(s) and property owners within three hundred feet. The Community Development Director accepts comments for a minimum of fourteen days and renders a decision. The Community Development Director's decision is appealable to the City Commission, by any party who submitted comments in writing before the expiration of the comment period. Review by the City Commission shall be on the record pursuant to OCMC 17.50.190 under ORS 197.195(5). The City Commission decision is the City's final decision and is subject to review by the land use board of appeals (LUBA) within twenty-one days of when it becomes final.

C. Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the City Commission, except upon appeal. In the event that any decision is not classified, it shall be treated as a Type III decision. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the Planning Commission or the Historic Review Board hearing is published and mailed to the applicant, recognized neighborhood association(s) and property owners within three hundred feet. Notice shall be issued at least twenty days pre-hearing, and the staff report shall be available at least seven days pre-hearing. At the evidentiary hearing held before the Planning Commission or the Historic Review Board, all issues are addressed. The decision of the Planning Commission or Historic Review Board is appealable to the City Commission, on the record pursuant to OCMC 17.50.190. The City Commission decision on appeal from is the City's final

decision and is subject to review by LUBA within twenty-one days of when it becomes final, unless otherwise provided by state law.

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.

E. Expedited land divisions and middle housing land divisions are subject to the requirements of OCMC 16.24. The expedited land division (ELD) process is set forth in ORS 197.360 to 197.380.

F. Decisions, completeness reviews, appeals, and notices in this chapter shall be calculated according to OCMC 1.04.070 and shall be based on calendar days, not business days.

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.

Applicant's Response: the homeowner met with Christina Robertson-Gardine on June 16th at 4:00 PM for the pre-application process and paid the pre application fee.

B. A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.

Applicant's Response: Pre application meeting was on 6/16/2025 at 4:00 pm

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: No requirements have been waved, we are going through the whole process

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: Home owner met with Chris Nolte on 6/21/2025 and talked about the rezoning process, Chris is going to talk about the rezoning to the NA Steering Committee on Wednesday June 25th at 10:00 AM

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: the request for a zone change complies with the criteria outlined in OCMC 17.68.020, including consistency with the applicable goals and policies of the comprehensive plan, availability of public facilities and services, compatibility with the transportation system, and alignment with statewide planning goals. We respectfully request that the Planning Commission forward its findings and recommendation to the City Commission for final action.

17.68.015 –Procedures.

Applications shall be reviewed pursuant to the procedures set forth in Chapter 17.50.

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;*
- B.*

CHAPTER 2: DIVERSE ECONOMY

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.

POLICY 3.1 Promote efficient use of land and public infrastructure and plan for appropriate infill development, redevelopment, and new development.

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 2.3 Support retention of existing homes and opportunities for community members to "age in place".

Applicant's Response: Policy 3.1: The proposed development will promote the efficient use of land and public infrastructure by planning for appropriate infill development, redevelopment, and new development. This approach aligns with the city's goal of optimizing land use and ensuring that public resources are utilized effectively.

Policy 2.1: The development plan includes provisions for housing supply that support and implement the recommendations of the current Housing Needs Analysis. By addressing the identified housing needs, the project will contribute to the city's efforts to provide adequate housing options for its residents.

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: The public facilities and services, including water, sewer, storm drainage, transportation, schools, police, and fire protection, are currently capable of supporting the uses allowed by the zone or plan amendment. Alternatively, these services can be made available prior to issuing a certificate of occupancy. The services will be sufficient to support the range of uses and development allowed by the zone or plan amendment.

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 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.

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: Statewide planning goals shall be addressed if the comprehensive plan does not contain specific policies or provisions which control the amendment.

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: Applicant's Response: The request for a zone change complies with the criteria outlined in OCMC 17.68.020, including consistency with the applicable goals and policies of the comprehensive plan, availability of public facilities and services, compatibility with the transportation system, and alignment with statewide planning goals. We respectfully request that the Planning Commission forward its findings and recommendation to the City Commission for final action including consistency with the applicable goals and policies of the comprehensive plan, availability of public facilities and services, compatibility with the transportation system, and alignment with statewide planning goals. We respectfully request that the Planning Commission forward its findings and recommendation to the City Commission for final action

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: Applicant's Response: We understand that the Commission may attach conditions and requirements to the zone change as deemed necessary in the public interest. We are prepared to comply with any conditions or restrictions that may be applied to ensure the zone change aligns with the community's needs and goals.

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: Applicant's Response: The property at 19763 Parrish Road was annexed into the City of Oregon City through an emergency sewer annexation. We are seeking to rezone the property from FU10 to the corresponding City zoning designation of R10, as identified in Table 17.06.030. The criteria for a zone change, as outlined in OCMC 17.68.020, are being addressed to ensure compliance with the requirements for this rezoning process.

Traffic Memorandum

To: Reah Flisakowski, DKS,
City of Happy Valley Traffic Engineer

Brandi Henry
19763 S. Parish Rd.
Happy Valley Clacka, OR 97045

Date: July 22, 2025

**Subject: 19763 S. Parish Road – Traffic Analysis Letter/Zone Change
PA-25-00025 – Tax Lot 31E12DC05600, Clackamas County**

Introduction/Background

This Traffic Memorandum reports and evaluates the trip generation impact related to the proposed addition of a breezeway between an existing building and the detached garage located at 19763 S. Parish Road. The property was recently changed jurisdiction from City of Oregon City to City of Happy Valley. As the result of this transfer the zoning designation of the subject property which is about 0.93 acres in Clackamas County from FU-10 to R-10. The City of Happy Valley requires documentation of the trip generation change due to this zoning change.



Figure 1- Site Plan

Proposed addition (shown in Figure 2) does not add to living area, land use, or lot access points.

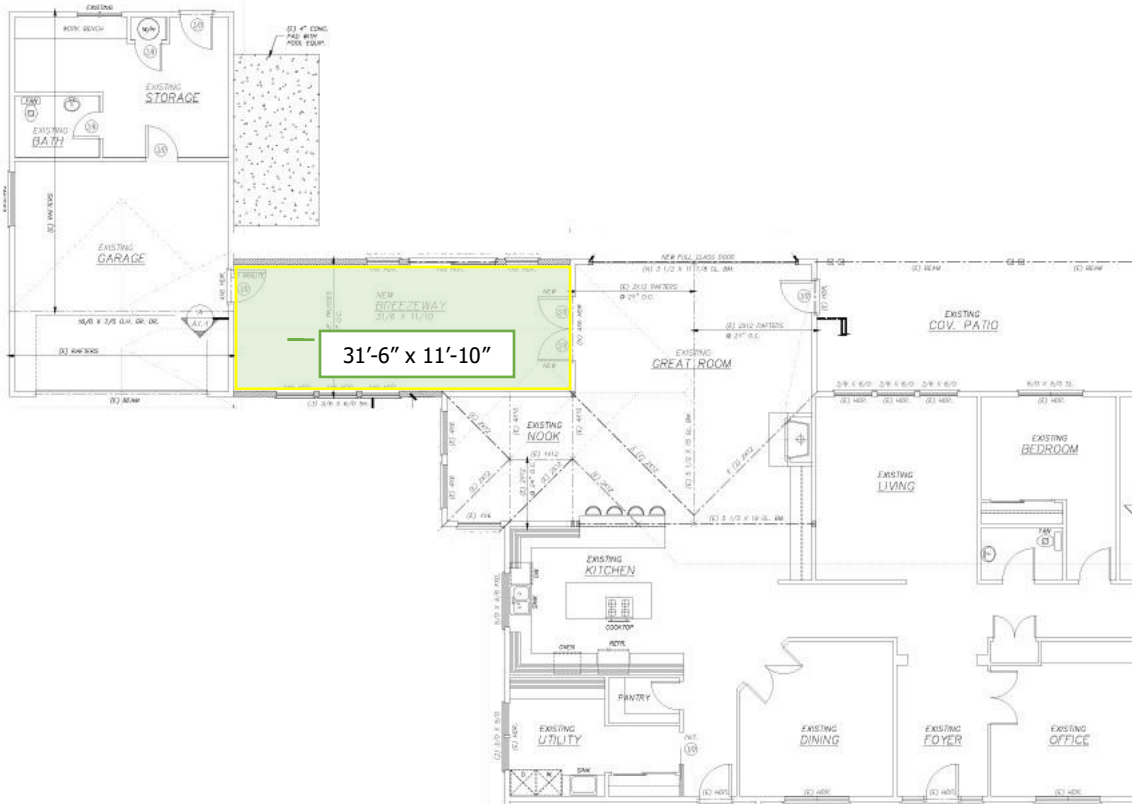


Figure 2 – Proposed Breezeway Shown

Discussion and Conclusion

The proposed addition of the breezeway precludes any change to the dwelling unit in any form. The single-family home remains, and the breezeway simply connects the existing house to the existing garage. Therefore, there is no net increase in trips generated.

Table 1 summarizes the before and after trip generation based on the previous land use zoning (Oregon City) vs. the City of Happy Valley land use zoning.

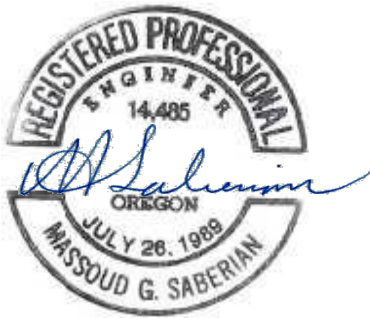
It is noteworthy that the existing dwelling unit, driveway, garage and other structures built on the site as they stand now, nor the applicant's desire to add a breezeway will not change the anticipated site trip generation.

Table 1 – Land Use Comparison

Land Use	Jurisdiction	Description	Dwelling Unit	Daily Trips
FU-10	Oregon City/ Clackamas County	Future Urbanization 10 Acre Minimum	1	~10
R-10	Happy Valley	One Dwelling per 10,000 Sq. Ft.	1	~10

Conclusions and Recommendations

Based on the nature of the application and existing city of Happy Valley's Community Development Code, since the applicant is not applying to change the lot configuration nor add any more living area, or additional structures for the specifically intended as living space, it is therefore concluded that the addition of the breezeway for the purpose of making it more practical to go from the garage to the house or vice versa, there is no net change in average daily trip to and from the site under the review.



Exp. June 2026

Traffic Memorandum

To: Christina Robertson-Gardiner
Senior Planner, Oregon City Planning Department
695 Warner Parrot Road
Oregon City, Oregon 97045

Brandi Henry
19763 S. Parish Rd.
Oregon City, OR 97045

Date: August 13, 2025

**Subject: 19763 S. Parish Road – Traffic Analysis Letter/Zone Change
PA-25-00025 – Tax Lot 31E12DC05600, Clackamas County**

Introduction/Background

This Traffic Memorandum reports and evaluates the trip generation impact related to the proposed addition of a breezeway between an existing building and the detached garage located at 19763 S. Parish Road. The property changed jurisdictions in 2016 from Clackamas County to the City of Oregon City. The subject property which is about 0.93 acres retained its FU-10 zoning. In 2025, the owner desires to utilize a city zone and requested a zone change to the appropriate city zone. Oregon City requires documentation of the trip generation change due to this zoning change.



Figure 1- Site Plan

Proposed addition (shown in Figure 2) does not add any living area, change of land use, or lot access points.

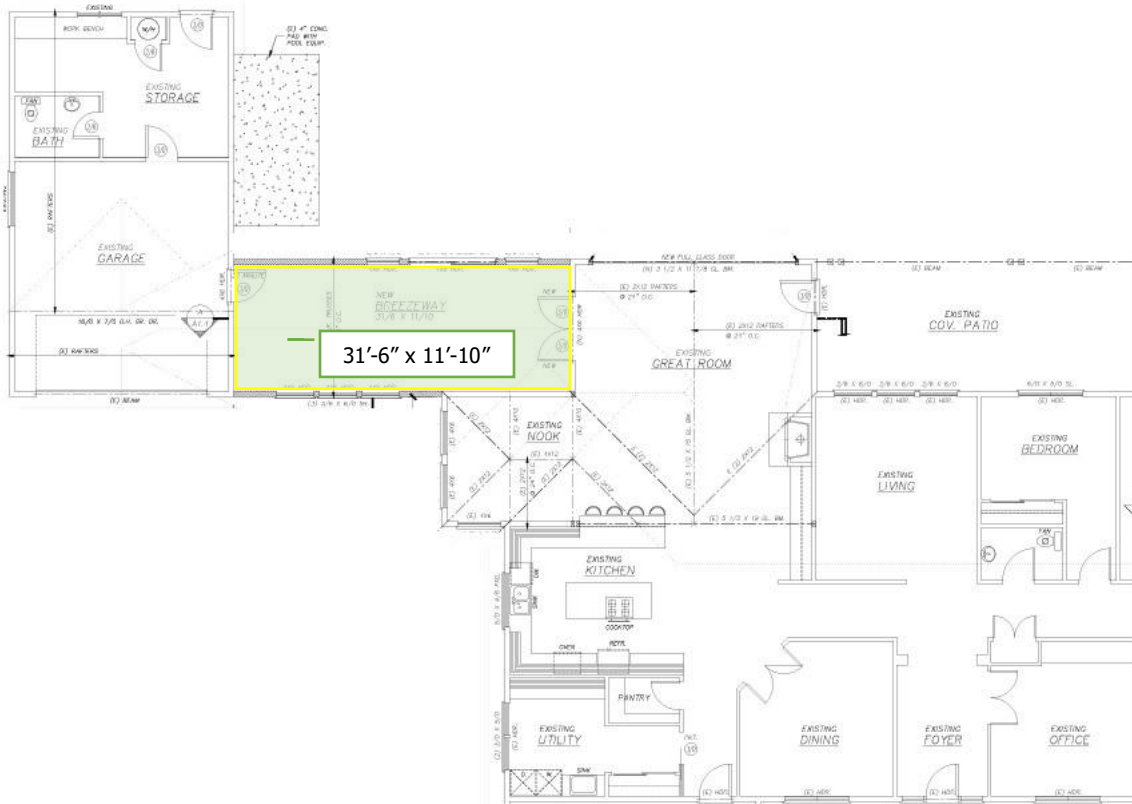


Figure 2 – Proposed Breezeway Shown

Discussion and Conclusion

The proposed addition of the breezeway precludes any change to the dwelling unit in any form. The single-family home remains, and the breezeway simply connects the existing house to the existing garage. Therefore, there is no net increase in trips generated.

Table 1 summarizes the before and after trip generation based on the previous land use zoning (Clackamas County) vs. the City of Oregon City land use zoning.

It is noteworthy that the existing dwelling unit, driveway, garage and other structures built on the site as they stand now, nor the applicant's desire to add a breezeway will not change the anticipated site trip generation.

Table 1 – Land Use Comparison

Land Use	Jurisdiction	Description	Dwelling Unit	Daily Trips
FU-10	Clackamas County	Future Urbanization 10 Acre Minimum	1	~10
R-10 or R-8	Oregon City	One Dwelling per 10,000 or 8,000 Sq. Ft.	1	~10

Conclusions and Recommendations

Based on the nature of the application and existing city of Oregon City's Community Development Code, since the applicant is not applying to change the lot configuration nor add any more living area, or additional structures for the specifically intended as living space, it is therefore concluded that the addition of the breezeway for the purpose of making it more practical to go from the garage to the house or vice versa, there is no net change in average daily trip to and from the site under the review.

Any future development will be analyzed for compliance with city development code at the time of development application.



Exp. June 2026



LAND USE APPLICATION TRANSMITTAL – RESPONSE FORM

Date: _____

Land Use Application File Number: _____

NAME: _____

AGENCY: _____

EMAIL ADDRESS: _____

The land use application material is referred to you for your information, study and official comments. Your recommendations and suggestions will be used to guide the Planning staff when reviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return a copy of this form to facilitate the processing of this application and to ensure prompt consideration of your recommendations.

Please check the appropriate spaces below.

☐	The proposal does not conflict with our interests.
☐	The proposal conflicts with our interests for the reasons attached. (Please attach additional information)
☐	The proposal would not conflict our interests if the changes noted below or attached are addressed.

Please add any specific comments below or attach a separate document with more information.

CONTACT THE PLANNING DIVISION IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION

ORDINANCE NO. 17-1008

AN ORDINANCE OF THE CITY OF OREGON CITY APPROVING ANNEXATION PROPOSAL NO. AN-16-0002 AND APPROVING THE ANNEXATION OF CERTAIN PROPERTY LOCATED AT 19763 SOUTH PARRISH ROAD TO THE CITY OF OREGON CITY

WHEREAS, the owner of certain real property adjacent to the City of Oregon City, Betty Savage, proposed in Annexation Proposal No. AN-16-0002 that their 0.92 acre property located at 19768 S. Parrish Road, Clackamas County map 3S-1E-12DC tax lot 5600, more fully identified in Exhibit 'A' to this Ordinance, be annexed to the City; and

WHEREAS, the City finds that the proposal complies with all applicable legal requirements, as detailed in the findings attached hereto and made a part of this ordinance as Exhibit 'B'; and

WHEREAS, Senate Bill 1573, adopted in 2016, requires annexation of territory without a vote by the people, notwithstanding city charter and regulations to the contrary, and the City finds that the annexed area is within the urban growth boundary, will be subject to an acknowledged comprehensive plan, is contiguous to the city limits and conforms with all other city requirements; and

WHEREAS, the City finds that applicant's proposal does not include rezoning the property at this time, and that any such proposal shall be reviewed through a separate application consistent with OCMC 17.06.030 Zoning of Annexed Areas, the Oregon City Transportation System Plan, and the Statewide Transportation Planning Rule to support such rezoning; and

WHEREAS, the identified property is currently in Clackamas Fire District # 1 (CFD#1); and CFD#1 will continue to provide fire protection service to the identified property when annexed; and

WHEREAS, the identified property is currently within the Clackamas County Service District for Enhanced Law Enforcement; and the Oregon City Police Department will be responsible for police services to the identified property when annexed; and

WHEREAS, the identified property is currently within Clackamas River Water (CRW) District service area; and will remain within CRW upon annexation of the property; and

WHEREAS, the identified property is not currently within the Tri-City Service District and must petition for annexation into said District with the concurrence of the City; and

WHEREAS, the City Commission concurs that the Tri-City Service District can annex the identified properties into their sewer district.

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. That the area further identified in the legal description attached hereto as Exhibit "A", is hereby annexed to and made a part of the City of Oregon City.

Section 2. That the territory identified in Exhibit "A" shall hereby remain within Clackamas County Fire District # 1.

Section 3. That the territory identified in Exhibit "A" is hereby withdrawn from Clackamas County Service District for Enhanced Law Enforcement, and henceforth, the Oregon City Police Department will be responsible for police services to the identified property.

Section 4. That the territory identified in Exhibit "A" will remain within Clackamas River Water District.

Section 5. The City hereby concurs with and approves the annexing of the territory identified in Exhibit "A" into the Tri-City Service District by the Clackamas County Board of Commissioners, to the extent allowed by law.

Section 7. That the effective date for this annexation is the date this ordinance is submitted to the Secretary of State, as provided in ORS 222.180.

Read for the first time at a regular meeting of the City Commission held on the 5th day of July, 2017, and the City Commission finally enacted the foregoing ordinance this 19th day of July, 2017.



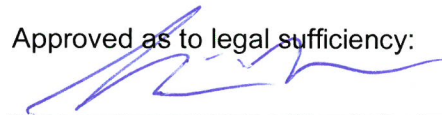
DAN HOLLADAY, Mayor

Attested to this 19th day of July 2017:



Katie Riggs, City Recorder

Approved as to legal sufficiency:



City Attorney

ATTACHMENTS:

Exhibit A – Map and Legal Description of Proposed Annexation

Exhibit B – Proposed Findings, Reasons for Decision and Conclusions