

**Summary of Proposed Draft Amendments to the Oregon City Municipal Code**

*For Planning Commission – 09.28.20 Draft*

*This is a summary. Please notify staff of any errors or omissions. Please refer to complete chapters for all changes.*

<b>OCMC Chapter / Section</b>	<b>Summary</b>	<b>Explanation</b>
<b>Chapter 12.04 Streets, Sidewalks, and Public Places</b>		
12.04.120. A. – Obstructions. Permit required.	Redirects a code user to OCMC 15.28 for signage that acts as an obstruction to the right of way	Signage is covered by OCMC 15.28 and signage that acts as an obstruction should follow that code and not this obstruction code
12.04.120.B. – Temporary Obstructions	Defines temporary obstruction. Adds a submittal requirement. Creates two types of temporary obstructions.	Temporary obstructions needed defined that they are obstructions that are moveable and not bolted or permanent fixed to a surface within the right of way. Temporary obstructions were originally defined as those existing for 0-60 days which were typically dumpsters and moving pods. A new category has been added for temporary obstructions for 61-365 days which commonly will refer to seating or parklets. Assures that handicap accessibility is a submittal requirement.
12.04.130 – Obstructions Sidewalk Sales	Added to the title of the section “and displays”. Requires property owners to get a Renewable Right of Way permit when obstructing the sidewalk for sales or displays.	Sidewalk Seating is covered under a Renewable Right of Way permit following section 12.04.120. This revision allows sidewalk sales and displays to seek the same permit if the area is designated by the City Commission to be allowed.
<b>Chapter 13.04 Water Service System</b>		
13.04.010 – Application for service	Changed that applications for service are made to the City instead of printed forms by the water office	Process has changed at the City and a water office no longer exists. Code change is merely for modernization purposes.
13.04.030 – Permits – Renewal – Change of service	Clarified that water disconnections are made by a contractor and inspected by the City	Process has changed. Code change is merely for modernization purposes.
13.04.050 – Service pipe - Installation	Clarified that water connections are made at the meter box by a contractor and inspected by the City	Process has changed. Code change is merely for modernization purposes.
13.04.060 – Stopcock and shutoff box	Renamed the box to a ‘meter’ box installed by a contractor and inspected by the City	Code change is merely for modernization purposes.
13.04.100 – Service for each house	Added business as a property that requires a separate service. Deleted information about how services are to be addressed.	Process has changed. Code change is merely for modernization purposes.

13.04.120 – Plumber’s report	Changed the process for documenting unmetered water usage.	Process has changed. Code change is merely for modernization purposes.
13.04.140 – Right of entry	Changed department name from ‘water’ to ‘public works’	Water Division is now part of the Public Works Department. Code change is merely for modernization purposes.
13.04.180 – Use of meters	Changed department name from ‘water’ to ‘public works’	Water Division is now part of the Public Works Department. Agents refers to contractors hired by the City. Code change is merely for modernization purposes.
13.04.190 Ownership of meters	Clarified who owns meters	Process has changed. Code change is merely for modernization purposes.
13.04.220 Failure to comply with rules	Added delinquent payment penalty fees as a reason water can be shut off and added the cost of turning the water back on as a fee.	Process has changed. This is the current operation. Code change is merely for modernization purposes.
13.04.230 Authority to turn on water	Defines the responsible party for damage to a water meter	This is the current operation, but it was never codified.
13.04.240 Water charged to premises	Timing of payments revised	Process has changed. This is the current operation. Code change is merely for modernization purposes.
13.04.260 Water Rates	Removed Senior Citizen and Disabled Rates and relocated to a new section for Reduced Rates and Financial Assistance	Cleans up code and brings code into current operation. Code change is merely for modernization purposes.
13.04.270 Meter Sizes	Changed City manager to City engineer	This is the current operation. Code change is merely for modernization purposes.
13.04.280 Water rates for hardship and handicapped users	Changed title name and described process	Process has changed. This is the current operation. Code change is merely for modernization purposes.
13.04.310 Water Connection required	Deleted the how portion of the code and referenced City standards instead.	This cleans up the code and makes the code about policy rather than Standards.
<b>Chapter 13.08 Sewer Regulations</b>		
13.08.010 Sewer connection required	Added that the section refers to a sewer owned by the City	Code change is merely for modernization purposes.
13.08.015 Sewer connections Exemptions	Added new section to reference OAR 340-071-0160	Clarifies the process allowed per State Administrative Rule
13.08.016 Cross Connections	Added new section disallowing sanitary sewer connection to the storm sewers	This allows the City to be in line with our NPDES MS4 permit as well as our Illicit Discharge Ordinance. It also allows the City to require disconnection of sanitary services from the storm sewer mains.

13.08.090 Connections to existing work	Defines that all new development shall connect to City sewers unless the City Engineer provides an alternative.	This is the current operation, but it was never codified.
13.08.115 Condition of service lines	Requires property owners to maintain their service lines.	Needed for the future inflow and infiltration program.
13.08.125 Right of Entry	Allows Public works Staff to inspect sewer laterals without notifying the property owner	This is all completed by televising and is not invasive and is needed to reduce inflow and infiltration.
13.08.140 Applications outside of city limits	Adds reference to the requirements of OAR-340-071-0160	This is the current operation. Code change is merely for clarification purposes.
13.08.155 Sewer Rates	Added section on sewer rates	This is the current operation, but it was never codified.
13.08.158 Service lateral improvement program	Establishes the right of the City to implement a private property service lateral program	Needed for the future inflow and infiltration program.
13.08.159 Reduced rates and financial assistance	Added this section to align with 13.04.280	This is the current operation. Aligning water and sewer code.
13.08.165 Failure to comply with rules	Added this section to align with 13.04.220	This is the current operation. Aligning water and sewer code.
13.08.180 Unlawful substances	Added 'stormwater, surface water, groundwater, roof runoff, subsurface drainage' to unlawful substances	This allows the City to be in line with our NPDES MS4 permit as well as our Illicit Discharge Ordinance. This also allows for implementation of the future inflow and infiltration program.
13.08.200 Collection	Deleted this section	Moved fee requirement to 13.08.155
<b>Chapter 17.14 Single-Family Detached &amp; Duplex Residential Design Standards</b>		
17.14.020 - Applicability	A. Clarification that this section does not apply to manufactured homes within parks.  Add subsection D.	Manufactured homes follow applicable section of OCMC 17.20 instead.  Cross-reference to clarify 16.12 applicability
<b>Chapter 13.24 Telecommunications Facilities</b>		
13.24.030 Definitions	Added the word 'public' to the phrase utility easements in the "City Property" definition. Added the definition of "easement". Added the word 'public' to the phrase utility easements in the "Franchise" definition. Added the definition of "gross revenue". Added the definition of "public utility easement". Deleted the definition of "utility easement".	Provided clarification to definition. Provided consistency of the definition of easement in 13.24, 13.34, and 17.04. The addition of the definition of gross revenue was needed to align with state and federal laws. The addition of the definition of public utility easement was needed to define an existing practice as well as provide consistency between 13.24,13.34, and 17.04. Replaced the definition of utility easement with public utility easement.
<b>Chapter 13.34 Utility Facilities in Public Rights of Way</b>		

13.34.050 Definitions	Added the definition of “easement”, “gross revenue”. Revised the definition of “public utility easement”.	The addition of the definition of gross revenue was needed to align with state and federal laws. Provided consistency of the definition of easement and public utility easement in 13.24, 13.34, and 17.04.
<b>Chapter 16.12 Minimum Public Improvements and Design Standards for Development</b>		
16.12.010 Purpose and general provisions	Added to the purpose statement	Addition provides clarification.
16.12.011 Applicability	Relocated the exemption of Minor Site Plan and Design Review to 16.12.011.C. Provided additional exemptions including work in the right of way, driveway adjustments, lot line adjustments, and transportation and utility related capital improvement projects	These exemptions allow for the projects to not need a Type II, III or IV and use review unless they meet additional criteria.
16.12.014 Administrative provisions	Capitalized the word City. Corrected the word ‘maybe’ to may.	Grammatical fixes
16.12.016 Street design	Added Note 8 concerning the need for a public utility easement. Capitalized the word City in section C.	Complies with current practice and current Street Section Details OC500, OC501, OC502. Grammatical fix.
16.12.025 Street design – cul de sacs and dead-end streets	Capitalized the word City.	Grammatical fix.
16.12.035 Driveways	Requires development, redevelopment, and capital improvement projects to follow the driveway standards	Complies with current practice and ensures projects exempted from land use still need to follow the design standard.
16.12.035.A. Minimum Driveway Spacing Standards Table	Added the words ‘and between driveways’ to all standards	This was accidentally taken out during the affordable housing code updates.
16.12.035.H. Exceptions	Added that exceptions are processed as a Type I decision. Allowed for an exception to be a wider or narrower driveway.	This is consistent with 16.12.011.
16.12.085 Easements	Clarified that the easements discussed here are ‘public’ utility easements. Created standards for public utility easements.	Complies with current practice and current Street Section Details OC500, OC501, OC502. Also coordinates with adjustments in zoning code.
16.12.090 Minimum improvements - Procedures	Replaced the word ‘franchise’ with ‘public’	Provides consistency between definitions and nomenclature.
16.12.095 Minimum improvements – Public facilities and services	Provided specificity of when a new utility or existing utility shall be installed or relocated	Provides clarification that did not previously exist in code. Allows for a more economical requirement assisting with proportional requirements of development.

	underground. Provided exemptions to the requirement	
16.12.100 Same – Road standards and requirements	Clarified that all designs should follow any adopted City Design and Construction Standards.	This is the current operation, but it was never codified.
<b>Chapter 17.04 Definitions</b>		
17.04.020 Accessway	Adds paths and sidewalks to the definition.	This is the current operation. Code change is merely for modernization purposes.
17.04.030 Accessway, pedestrian/bicycle	References the correct code	Was missed during the affordable housing code updates
17.04.176 Capital Improvement Project	Provides new definition	Defines a capital improvement project as one that involves public transportation or utility projects. The definition allows these types of projects to not go through the land use process unless other criteria is met
17.04.195 City engineer	Adds ‘Public Works Director’ as a person who can designate the City Engineer	This is the current operation. Code change is merely for modernization purposes.
17.04.300 Development	Redefines Development exempting Capital Improvement Projects except when meeting certain criteria.	The definition allows these types of projects to not go through the land use process unless other criteria is met
17.04.305 Development site	Redefines Development Site exempting Capital Improvement Projects as a development site except when meeting certain criteria.	The definition allows these types of projects to not go through the land use process unless other criteria is met
17.04.315 Director	Adds Public Works Director as a second position who can be a Director	This was needed due to the reference of Director throughout code in some cases referring to the current practice where the Public Works Director is that Director. This also allows flexibility for resources in the future in case the positions are ever combined.
17.04.340 Easement	Added a new definition	Provided consistency of the definition of easement in 13.24, 13.34, and 17.04.
17.04.535 Grading	Added clarification that grading is only considered grading if meeting criteria in OCMC 15.48	Provides clarification to definition
17.04.965 Property Line	Added clarification that a property line may also sometimes act as the right of way line	Provides clarification to definition

17.04.982 Public Street	Added a new definition	Added definition to distinguish between private street used by the public and public streets that the City or other government regulates and controls.
17.04.986 Public utility easement	Added a new definition	Provided consistency of the definition of public utility easement in 13.24, 13.34, and 17.04.
17.04.1055 Right of way	Added clarification of what right of way is, that it is not a privately owned parcel	Definition allows for a separation between the definition of 'development', 'development site', and 'capital improvement project'
17.04.1215 Structure	Exempts utility poles and transportation facilities from the definition	Allows for a more streamlined review process of franchise utilities, Union Pacific Railroad Crossing Projects and I-205 Projects.
17.04.1450 Utility facilities	Replaces the word 'structure' with 'features'	Ensures that utility poles are no longer considered structures; therefore, exempting them from land use
17.04.1455 Utility pole placement/replacement	Replaces the word 'structure' with 'features'	Ensures that utility poles are no longer considered structures; therefore, exempting them from land use
<b>Chapter 17.08 Low Density Residential Districts</b>		
17.08.040 Dimensional Standards	Added Note 3 that public utility easements may supersede the minimum setback	Aligns code with 16.12.085
<b>Chapter 17.10 Medium Density Residential Districts</b>		
17.10.040 Dimensional Standards	Added Note 2 that public utility easements may supersede the minimum setback	Aligns code with 16.12.085
<b>Chapter 17.12 High Density Residential Districts</b>		
17.12.040 Dimensional Standards	Added Note 2 that public utility easements may supersede the minimum setback. Added Note 3 that the maximum setback may be increased per Chapter 17.62.	Aligns code with 16.12.085
<b>Chapter 17.24 NC Neighborhood Commercial District</b>		
17.24.040 Dimensional Standards	Added notes that public utility easements may supersede the minimum setback and that the maximum setback may be increased per Chapter 17.62.	Aligns code with 16.12.085
<b>Chapter 17.26 HC Historic Commercial District</b>		
17.26.050 Dimensional Standards	Added notes that public utility easements may supersede the minimum setback and that the maximum setback may be increased per Chapter 17.62.	Aligns code with 16.12.085

<b>Chapter 17.29 MUC Mixed Use Corridor District</b>		
17.29.050 Dimensional Standards	Added notes that public utility easements may supersede the minimum setback and that the maximum setback may be increased per Chapter 17.62.	Aligns code with 16.12.085
<b>Chapter 17.31 MUE Mixed Use Employment District</b>		
17.31.060 Dimensional Standards	Added notes that public utility easements may supersede the minimum setback and that the maximum setback may be increased per Chapter 17.62.	Aligns code with 16.12.085
<b>Chapter 17.32 C General Commercial District</b>		
17.32.050 Dimensional Standards	Added notes that public utility easements may supersede the minimum setback and that the maximum setback may be increased per Chapter 17.62.	Aligns code with 16.12.085
<b>Chapter 17.34 MUD Mixed Use Downtown District</b>		
17.34.070 Dimensional Standards	Added notes that public utility easements may supersede the minimum setback and that the maximum setback may be increased per Chapter 17.62.	Aligns code with 16.12.085
<b>Chapter 17.35 Willamette Falls Downtown District</b>		
17.35.060 Dimensional Standards	Added notes that public utility easements may supersede the minimum setback and that the maximum setback may be increased per Chapter 17.62.	Aligns code with 16.12.085
<b>Chapter 17.36 GI General Industrial District</b>		
17.36.040 Dimensional Standards	Added notes that public utility easements may supersede the minimum setback and that the maximum setback may be increased per Chapter 17.62.	Aligns code with 16.12.085
<b>Chapter 17.37 CI Campus Industrial District</b>		
17.37.040 Dimensional Standards	Added notes that public utility easements may supersede the minimum setback and that the maximum setback may be increased per Chapter 17.62.	Aligns code with 16.12.085
<b>Chapter 17.39 I Institutional District</b>		

17.39.050 Dimensional Standards	Added notes that public utility easements may supersede the minimum setback and that the maximum setback may be increased per Chapter 17.62.	Aligns code with 16.12.085
<b>Chapter 17.62 – Site Plan and Design Review</b>		
17.62.015 Modifications that will better meet design review requirements	Removed Utility Undergrounding Requirement reference	This is processed instead by Chapter 16.12.
17.62.050 General Standards	Added requirements that new utilities shall be placed underground	Aligns with 13.24 and 13.34
<b>Chapter 17.80 – Communication Facilities</b>		
17.80.030 – Applicability and exemptions	Added small cell wireless facilities as an exemption if within the right of way	This was the intent of the original code provided for small cell facilities
<b>Chapter 17.44 - Geologic Hazards</b>		
17.44.25 – When required; regulated activities; permit and approval requirements	Clarifies that activities are regulated in mapped areas. Adds that a ‘new’ structure of 500 square feet or greater is regulated. Adds that a new expansion of 500 square feet or greater of an existing structure is regulated. Clarifies what development is. Rewords the tree removal standard. Adds two feet of fill as well as two feet of cut as a regulated activity. Adds a new regulation of heavy equipment.	Adds clarity to align with 17.44.35. Creates grammatical changes for clarity. Adds heavy equipment to prevent destabilization of land during the winter season.
17.44.35 - Exemptions	Clarifies the amount of cut and fill allowed without a permit. Clarifies the size of structure that is exempt. Clarifies what type of utility work is exempt.	Clarify existing standards and align with 17.44.25.
17.44.50 - Development – Application requirements and review procedures and approvals	Sentence structure change. Added reference to new Landslide Hazards Land Use Guide. Clarifies what maps can be used. Changes the word subdrainage to ‘subsurface’ drainage. Adds requirements to address construction phasing, construction methods, and stormwater management. Adds any mapped landslide area as a regulated development. Adds the waiver process.	Grammatical changes. Allows new reference guides to be referenced. Adds stronger standards concerning construction and stormwater. Ensures existing landslide areas are looked at with more scrutiny. Codifies an existing policy.

17.44.60 – Development standards	Clarifies winter weather window. Requires structural fill and retaining walls to have designs stamped and signed by a professional engineer. Requires retaining walls to be inspected by a professional engineer. Clarifies the density calculation and includes the mapped landslide and buffer zone as well as slope.	Provides a clear and objective standard for determining an expansion of the weather window. Requires stronger oversight and design by an engineer. Provides more stringent requirements on density.
17.44.080 - Utilities	Clarifies how utilities should be addressed in regulated areas.	Clarifies existing standards.
17.44.090 – Stormwater drainage	Requires stormwater analysis for slopes greater than 10%. Eliminates infiltration for slopes greater than 25 percent. Requires the design and inspection of a professional engineer.	Adds more stringent standards for stormwater review.
17.44.100 – Construction standards	Adds clarification on erosion control. Adds clarification that the City may review watercourses with other state agencies. Adds requirement of inspection of the site during ½ inch rainfall of greater. Requires a certification letter from a professional engineer.	Clarifies existing standards. Provides more stringent requirement of inspections.
17.44.110 – Approval of Development	Capitalizes City Engineer	Grammatical changes.
17.44.120 - Liability	Adds the recording of the indemnity and hold harmless agreement.	Adds recording of the document, in addition to the completion of the document.

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