



LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A)	Type II (OCMC 17.50.030.B)	Type III / IV (OCMC 17.50.030.C)
<input type="checkbox"/> Compatibility Review	<input type="checkbox"/> Detailed Development Review	<input type="checkbox"/> Annexation
<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Geotechnical Hazards	<input type="checkbox"/> Code Interpretation / Similar Use
<input type="checkbox"/> Non-Conforming Use Review	<input checked="" type="checkbox"/> Minor Partition (<4 lots)	<input type="checkbox"/> Concept Development Plan
<input type="checkbox"/> Natural Resource (NROD) Verification	<input type="checkbox"/> Minor Site Plan & Design Review	<input type="checkbox"/> Conditional Use
<input type="checkbox"/> Site Plan and Design Review	<input type="checkbox"/> Non-Conforming Use Review	<input type="checkbox"/> Comprehensive Plan Amendment (Text/Map)
<input type="checkbox"/> Extension of Approval	<input type="checkbox"/> Site Plan and Design Review	<input type="checkbox"/> Detailed Development Plan
	<input type="checkbox"/> Subdivision (4+ lots)	<input type="checkbox"/> Historic Review
	<input checked="" type="checkbox"/> Minor Variance	<input type="checkbox"/> Municipal Code Amendment
	<input type="checkbox"/> Natural Resource (NROD) Review	<input type="checkbox"/> Variance
		<input type="checkbox"/> Zone Change

GLUA-20-00029:
MP-20-00003: 2-Lot Partition
VAR-20-00014 & VAR-20-00015: Administrative Variances

File Number(s): _____

Proposed Land Use or Activity: Two lot minor partition with minor variances to lot width and lot size standards.

Project Name: Timber Ridge Minor Partition **Number of Lots Proposed (If Applicable):** 2

Physical Address of Site: 19174 Friars Lane,

Clackamas County Map and Tax Lot Number(s): Taxlot 3-2E-07AC 00290

Applicant(s):

Applicant(s) Signature: *Bill Hartley*

Applicant(s) Name Printed: Bill Hartley, Timber Ridge Construction **Date:** JUNE 30 2020

Mailing Address: 19401 SE Chambers Rd., Sandy, OR 97055

Phone: (503) 260-7769 **Fax:** _____ **Email:** timberridgeconst@msn.com

Property Owner(s):

Property Owner(s) Signature: Same as applicant.

Property Owner(s) Name Printed: _____ **Date:** _____

Mailing Address: _____

Phone: _____ **Fax:** _____ **Email:** _____

Representative(s):

Representative(s) Signature: *Rick Givens*

Representative (s) Name Printed: Rick Givens, Planning Consultant **Date:** June 30, 2020

Mailing Address: 18680 Sunblaze Dr., Oregon City, OR 97045

Phone: 503-479-0097 **Fax:** _____ **Email:** rickgivens@gmail.com

All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exhibits herewith are correct and indicate the parties willingness to comply with all code requirements.

INVOICE (INV-00008764) FOR CITY OF OREGON CITY

BILLING CONTACT

Rick Givens
18680 SUNBLAZE DR
OREGON CITY, OR 97045



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
INV-00008764	07/01/2020	07/11/2020	Due	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
MP-20-00003	Mailing Labels Minor Partition - Preliminary Plat	\$17.00 \$4,385.00
19174 Friars Ln Oregon City, OR 97045		SUB TOTAL \$4,402.00

REFERENCE NUMBER	FEE NAME	TOTAL
VAR-20-00014	Variance - Administrative	\$1,490.00
19174 Friars Ln Oregon City, OR 97045		SUB TOTAL \$1,490.00

REFERENCE NUMBER	FEE NAME	TOTAL
VAR-20-00015	Variance - Administrative	\$1,490.00
19174 Friars Ln Oregon City, OR 97045		SUB TOTAL \$1,490.00

REMITTANCE INFORMATION
City of Oregon City 625 Center Street Oregon City, Oregon 97045-0304 503-657-0891 City phone 503-657-3339 Fax

TOTAL **\$7,382.00**

RECEIPT (REC-009627-2020) FOR CITY OF OREGON CITY

BILLING CONTACT

Rick Givens
18680 Sunblaze Dr
Oregon City, Or 97045



Payment Date: 07/07/2020

Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
MP-20-00003	Mailing Labels	Fee Payment	Credit Card	\$17.00
	Minor Partition - Preliminary Plat	Fee Payment	Credit Card	\$4,385.00
19174 Friars Ln Oregon City, OR 97045			SUB TOTAL	\$4,402.00
VAR-20-00014	Variance - Administrative	Fee Payment	Credit Card	\$1,490.00
19174 Friars Ln Oregon City, OR 97045			SUB TOTAL	\$1,490.00
VAR-20-00015	Variance - Administrative	Fee Payment	Credit Card	\$1,490.00
19174 Friars Ln Oregon City, OR 97045			SUB TOTAL	\$1,490.00
			TOTAL	\$7,382.00

PARTITION PLAT
NO. 2016-103

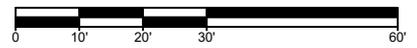
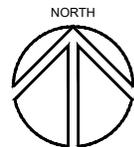
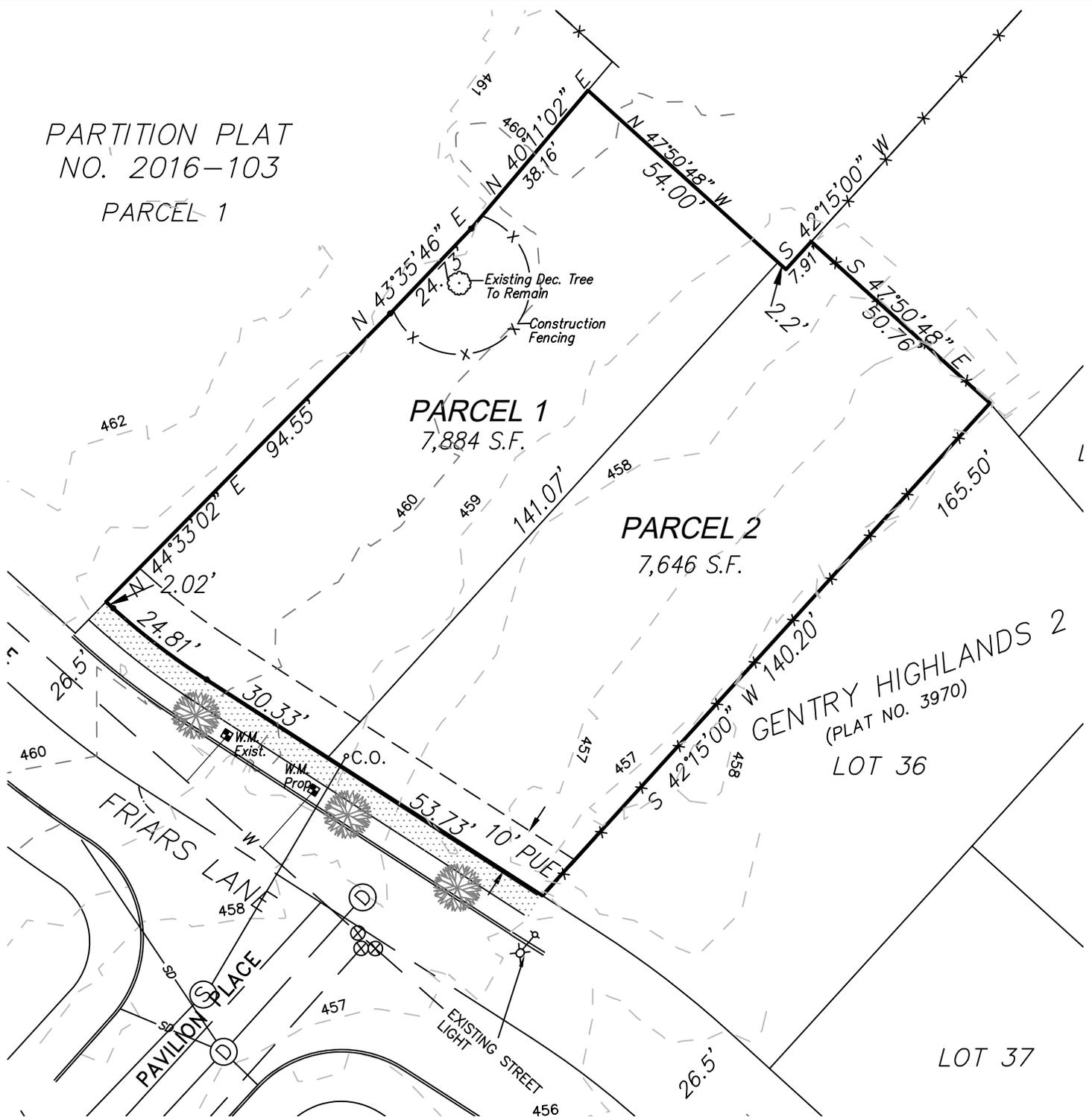
PARCEL 1

PARCEL 1
7,884 S.F.

PARCEL 2
7,646 S.F.

GENTRY HIGHLANDS 2
(PLAT NO. 3970)
LOT 36

LOT 37



Scale: 1" = 30'

Richard E. Givens, Planning Consultant
18680 Sunblaze Dr.
Oregon City, OR 97045
PH: (503) 479-0097

SCALE 1" = 30'

DATE: June 2020

PROJECT 20-TBR-100

PROJECT NAME

19174 Friars Lane

Timber Ridge Construction

TYPE II –SITE PLAN AND DESIGN REVIEW

Applicant's Submittal

19174 Friars Lane Partition

June 19, 2020

APPLICANT: Bill Hartley
Timber Ridge Construction
19401 SE Chambers Rd.
Sandy, OR 97055

OWNER: Same as applicant.

REQUEST: This application proposes a two lot partition for property located at 19174 Friars Lane in Oregon City. The proposal also includes minor variances to the lot width and lot size standards of the R-8 zoning district.

LOCATION: 19174 Friars Lane
3-2E-07AC 00590

I. BACKGROUND:

1. **Existing Conditions** – The subject property is a 15,530 sq. ft. parcel located on the northeast side of Friars Lane at its intersection with Pavilion Place. The property is zoned R-8 and is designated Low Density Residential by the Oregon City Comprehensive Plan. The site is vacant and the terrain is very level. Existing vegetation is grass, with only one tree located on the property. The neighborhood surrounding the subject property is low density residential, with R-8 development northeast of Friars Lane, and R-3.5 development to the southwest.
2. **Project Description** – The proposed development entails dividing the subject property into two parcels, both of which will take access from Friars Lane. Both proposed parcels will be used for construction of single-family detached homes. Sewer, water, and storm sewer services are all available in Friars Lane to provide service to the subject property. Because the property is slightly less than 500 sq. ft. less than 16,000 sq. ft. in area and is located in the R-8 zone, a minor variance to lot size will be required. Additionally, because the total lot width is approximately 108 feet, a minor variance to the minimum 60 foot lot width standard of the R-8 zone will be required in order to divide the parcel into two lots.

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

Chapter 12.08 - Public And Street Trees
Chapter 13.12 Stormwater Management
Chapter 15.48 - Grading, Filling And Excavating
Chapter 16.08 Land Divisions
Chapter 16.12 Minimum Public Improvements And Design Standards For Development

Chapter 17.08 Low Density Residential District
Chapter 17.41 Tree Protection, Preservation, Removal And Replanting Standards
Chapter 17.50 Administration And Procedures
Chapter 17.60 Variances

REQUIRED CODE RESPONSES:

CHAPTER 12.04 – STREETS SIDEWALKS AND PUBLIC SPACES

12.04.005 - Jurisdiction and management of the public rights-of-way.

- A. *The City has jurisdiction and exercises regulatory management over all public rights-of-way within the City under authority of the City Charter and state law by issuing separate public works right-of-way permits or permits as part of issued public infrastructure construction plans. No work in the public right-of-way shall be done without the proper permit. Some public rights-of-way within the city are regulated by the State of Oregon Department of Transportation (ODOT) or Clackamas County and as such, any work in these streets shall conform to their respective permitting requirements.*
- C. *The City has jurisdiction and exercises regulatory management over each public right-of-way whether the City has a fee, easement, or other legal interest in the right-of-way. The City has jurisdiction and regulatory management of each right-of-way whether the legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure or other means.*
- D. *No person may occupy or encroach on a public right-of-way without the permission of the City. The City grants permission to use rights-of-way by franchises, licenses and permits.*
- E. *The exercise of jurisdiction and regulatory management of a public right-of-way by the City is not official acceptance of the right-of-way, and does not obligate the City to maintain or repair any part of the right-of-way.*

Applicant's Response: - Friars Lane is a city street and will be used for access to both of the proposed parcels. The street was fully improved to City standards in conjunction with previous land division approval. The applicant recognizes that all work within the street right-of-way and proposals for driveway access require approval of permits by the City prior to the commencement of any work.

12.04.025 - Driveways.

Driveways shall be reviewed in accordance with OCMC 16.12.035. Driveway requirements may be modified through the procedures in OCMC 16.12.013.

Applicant's Response: - There is a single driveway approach existing on the property. Because it is located such that it straddles the proposed dividing line between the two proposed parcels, the driveway approach will need to be reconfigured to serve Parcel 1 and a second approach constructed to serve Parcel 2. Both driveway approaches will be constructed in conformance with City standards.

12.04.030 - Maintenance and repair.

The owner of land abutting the street where a sidewalk has been constructed shall be responsible for maintaining said sidewalk and abutting curb, if any, in good repair.

Applicant's Response: - Sidewalks will be provided along project frontage with the construction of the new homes. As required by this section, future maintenance will be the responsibility of the home owner.

12.04.032 - Required sidewalk repair.

- A. *When the Public Works Director determines that repair of a sidewalk is necessary, written notice shall be provided to the owner of property adjacent to the defective sidewalk.*
- B. *The notice shall require the owner of the property adjacent to the defective sidewalk to complete the repair of the sidewalk within ninety days after the service of notice. The notice shall also state that if the repair is not made by the owner, the City may do the work and the cost of the work shall be assessed against the property adjacent to the sidewalk.*
 - 1. *All sidewalks hereafter constructed in the City on improved streets shall be constructed to city standards and widths required in the Oregon City Transportation System Plan and OCMC 16.12. Sidewalks and curbs are to be constructed according to plans and specifications provided by the City Engineer.*
 - 2. *Sidewalks constructed on unimproved streets shall be constructed of concrete according to lines and grades established by the City Engineer. On unimproved streets, curbs do not have to be constructed.*
- C. *The Public Works Director shall cause a copy of the notice to be served personally upon the owner of the property adjacent to the defective sidewalk, or the notice may be served by registered or certified mail, return receipt requested. If after diligent search the owner is not discovered, the Public Works Director shall cause a copy of the notice to be posted in a conspicuous place on the property, and such posting shall have the same effect as service of notice by mail or by personal service upon the owner of the property.*
- D. *The person serving the notice shall file with the City recorder a statement stating the time, place and manner of service or notice.*

Applicant's Response: - New sidewalks will be constructed. No repairs will be needed.

12.04.050 - Retaining walls—Required.

Every owner of a lot within the City, abutting upon an improved street, where the surface of the lot or tract of land is above the surface of the improved street and where the soil or earth from the lot, or tract of land is liable to, or does slide or fall into the street or upon the sidewalk, or both, shall build a retaining wall, the outer side of which shall be on the line separating the lot, or tract of land from the improved street, and the wall shall be so constructed as to prevent the soil or earth from the lot or tract of land from falling or sliding into the street or upon the sidewalk, or both, and the owner of any such property shall keep the wall in good repair.

Applicant's Response: - Because the property is level, no retaining walls are needed or proposed, so this section does not apply.

12.04.100 - Excavations—Restoration of pavement.

Whenever any excavation shall have been made in any pavement or other street improvement on any street or alley in the City for any purpose whatsoever under the permit granted by the engineer, it shall be the duty of the person making the excavation to restore the pavement in accordance with the City of Oregon City Public Works Pavement Cut Standard in effect at the time a right-of-way permit is granted. The City Commission may adopt and modify the City of Oregon City Public Works Pavement Cut Standards by resolution as necessary to implement the requirements of this chapter.

Applicant's Response: -As indicated at the pre-application conference, because the existing pavement improvements in Friars Lane are less than five years old, City policies require that the entire paving surface along the frontage on the applicant's side of centerline be replaced following installation of new utility services.

12.04.120 - Obstructions—Permit required.

- A. *Permanent Obstructions. It is unlawful for any person to place, put or maintain any obstruction, other than a temporary obstruction, as defined in subsection B. of this section, in any public street or alley in the City, without obtaining approval for a right-of-way permit from the City Commission by passage of a resolution.*
1. *The City Engineer shall provide applicants with an application form outlining the minimum submittal requirements.*
 2. *The applicant shall submit at least the following information in the permitting process in order to allow the City Commission to adequately consider whether to allow the placement of an obstruction and whether any conditions may be attached:*
 - a. *Site plan showing right-of-way, utilities, driveways as directed by staff;*
 - b. *Sight distance per OCMC 10.32, Traffic Sight Obstructions;*
 - c. *Traffic control plan including parking per Manual on Uniform Traffic Control Devices (MUTCD);*
 - d. *Alternative routes if necessary;*
 - e. *Minimizing obstruction area; and*
 - f. *Hold harmless/maintenance agreement.*
 3. *If the City Commission adopts a resolution allowing the placement of a permanent obstruction in the right-of-way, the City Engineer shall issue a right-of-way permit with any conditions deemed necessary by the City Commission.*
- B. *Temporary Obstructions.*
1. *A "temporary obstruction" is defined as an object placed in a public street, road or alley for a period of not more than sixty consecutive days. A "temporary obstruction" includes, but is not limited to, moving containers and debris dumpsters.*
 2. *The City Engineer, or designee, is authorized to grant a permit for a temporary obstruction.*
 3. *The City Engineer shall provide applicants with an application form outlining the minimum submittal requirements.*
 4. *The applicant shall submit, and the City Engineer, or designee, shall consider, at least the following items in the permitting process. Additional information may be required in the discretion of the City Engineer:*
 - a. *Site plan showing right-of-way, utilities, driveways as directed by staff;*
 - b. *Sight distance per OCMC 10.32, Traffic Sight Obstructions;*
 - c. *Traffic control plan including parking per Manual on Uniform Traffic Control Devices (MUTCD);*
 - d. *Alternative routes if necessary;*
 - e. *Minimizing obstruction area; and*
 - f. *Hold harmless/maintenance agreement.*
 5. *In determining whether to issue a right-of-way permit to allow a temporary obstruction, the City Engineer may issue such a permit only after finding that the following criteria have been satisfied:*
 - a. *The obstruction will not unreasonably impair the safety of people using the right-of-way and nearby residents;*
 - b. *The obstruction will not unreasonably hinder the efficiency of traffic affected by the obstruction;*
 - c. *No alternative locations are available that would not require use of the public right-of-way; and*
 - d. *Any other factor that the City Engineer deems relevant.*

6. *The permittee shall post a weatherproof copy of the temporary obstruction permit in plain view from the right-of-way.*
- C. *Fees. The fee for obtaining a right-of-way permit for either a permanent obstruction or a temporary obstruction shall be set by resolution of the City Commission.*

Applicant's Response: - If it is necessary to place any temporary obstructions in the street as a part of construction activity, these standards will be complied with.

12.04.150 - Street and alley vacations—Cost.

At the time of filing a petition for vacation of a street, alley or any part thereof, a fee as established by City Commission resolution shall be paid to the City. The City Commission, upon hearing such petition, may grant the same in whole or in part, or may deny the same in whole or in part, or may grant the same with such reservations as would appear to be for the public interest, including reservations pertaining to the maintenance and use of underground public utilities in the portion vacated.

Applicant's Response: - No street or alley vacations are proposed so this section does not apply.

12.04.170 - Street design—Purpose and general provisions.

All development shall be in conformance with the city's public facility master plans, public works policies, standard drawings and engineering specifications. All streets shall be reviewed and approved by the city engineer prior to construction. All streets and driveway connections to another jurisdiction's facility or right-of-way must be reviewed by the appropriate jurisdiction as a condition of the preliminary plat or site planning and when required by law or intergovernmental agreement shall be approved by the appropriate jurisdiction.

Applicant's Response: - Friars Lane is fully improved to City standards along the frontage of the subject property. No new streets or alleys are proposed. Friars Lane will be repaved to City standards following installation of required utility services. Appropriate permits will be obtained prior to performing such work.

12.04.270 - Standard construction specifications.

The workmanship and materials for any work performed under permits issued per this chapter shall be in accordance with the current edition of the "Oregon Standard Specifications for Construction" as prepared by the Oregon Department of Transportation (ODOT) and the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the City in accordance with this ordinance, in effect at the time of application. The exception to this requirement is where this chapter and the Public Works Street Standard Drawings provide other design details, in which case the requirements of this chapter and the Public Works Street Standard Drawings shall control. In the case of work within ODOT or Clackamas County rights-of-way, work shall be in conformance with their respective construction standards.

Applicant's Response: - The only street construction activities will be the replacement of half street pavement following utility construction. The paving will be installed in accordance with City standards.

CHAPTER 13.12 STORMWATER MANAGEMENT

13.12.050 - Applicability and exemptions.

This chapter establishes performance standards for stormwater conveyance, quantity and quality. Additional performance standards for erosion prevention and sediment control are established in OCMC 17.47.

A. Stormwater Conveyance. The stormwater conveyance requirements of this chapter shall apply to all stormwater systems constructed with any development activity, except as follows:

- 1. The conveyance facilities are located entirely on one privately owned parcel;*
 - 2. The conveyance facilities are privately maintained; and*
 - 3. The conveyance facilities receive no stormwater runoff from outside the parcel's property limits.*
- Those facilities exempted from the stormwater conveyance requirements by the above subsection will remain subject to the requirements of the Oregon Uniform Plumbing Code. Those exempted facilities shall be reviewed by the Building Official.*

Applicant's Response: - As discussed at the pre-application conference, there is no requirement to address stormwater management as a part of this application because no new impervious surface is proposed at this time. However, the applicant understands that replacement of existing pavement, coupled with future home construction will ultimately disturb and/or create more than 5,000 sq. ft. of impervious surface. For this reason, a stormwater analysis will be required prior to commencement of construction activities. The applicant is retaining a civil engineer to perform this analysis.

B. Water Quality and Flow Control. The water quality and flow control requirements of this chapter shall apply to the following proposed uses or developments, unless exempted under subsection C:

- 1. Activities located wholly or partially within water quality resource areas pursuant to OCMC 17.49 that will result in the creation of more than five hundred square feet of impervious surface within the NROD or will disturb more than one thousand square feet of existing impervious surface within the NROD as part of a commercial or industrial redevelopment project. These square footage measurements will be considered cumulative for any given five-year period; or*
- 2. Activities that create or replace more than five thousand square feet of impervious surface, cumulated over any given five-year period.*

Applicant's Response: - It is anticipated that storm water quality and flow control will be provided with the use of rain garden structures on each lot. The outflow from these facilities will be connected to the storm sewer line in Friars Lane. Analysis of this method of treatment and flow control will be provided with the future storm water study.

C. Exemptions. The following exemptions to subsection B of this section apply:

- 1. An exemption to the flow control requirements of this chapter will be granted when the development site discharges to the Willamette River, Clackamas River or Abernethy Creek; and either lies within the one hundred-year floodplain or is up to ten feet above the design flood elevation as defined in OCMC 17.42, provided that the following conditions are met:*
 - a. The project site is drained by a conveyance system that is comprised entirely of manmade elements (e.g. pipes, ditches, culverts outfalls, outfall protection, etc.) and extends to the ordinary high water line of the exempt receiving water; and*
 - b. The conveyance system between the project site and the exempt receiving water has sufficient hydraulic capacity and erosion stabilization measures to convey discharges from the proposed conditions of the project site and the existing conditions from non-project areas from which runoff is collected.*
- 2. Projects in the following categories are generally exempt from the water quality and flow control requirements:*
 - a. Stream enhancement or restoration projects approved by the City.*
 - b. Farming practices as defined by ORS 30.960 and farm use as defined in ORS 214.000; except that buildings associated with farm practices and farm use are subject to the requirements of this chapter.*
 - c. Actions by a public utility or any other governmental agency to remove or alleviate an emergency condition.*
 - d. Road and parking area preservation/maintenance projects such as pothole and square cut patching, surface sealing, replacing or overlaying of existing asphalt or concrete pavement, provided the preservation/maintenance activity does not expand the existing area of impervious coverage above the thresholds in subsection B of this section.*
 - e. Pedestrian and bicycle improvements (sidewalks, trails, pathways, and bicycle paths/lands) where no other impervious surfaces are created or replaced, built to direct stormwater runoff to adjacent vegetated areas.*
 - f. Underground utility projects that replace the ground surface with in-kind material or materials with similar runoff characteristics.*
 - g. Maintenance or repair of existing utilities.*

Applicant's Response: - Not applicable. None of the activities that could be subject to an exemption is being proposed.

D. Uses Requiring Additional Management Practices. In addition to any other applicable requirements of this chapter, the following uses are subject to additional management practices, as defined in the Public Works Stormwater and Grading Design Standards:

- 1. Bulk petroleum storage facilities;*
- 2. Above ground storage of liquid materials;*
- 3. Solid waste storage areas, containers, and trash compactors for commercial, industrial, or multi-family uses;*
- 4. Exterior storage of bulk construction materials;*
- 5. Material transfer areas and loading docks;*
- 6. Equipment and/or vehicle washing facilities;*
- 7. Development on land with suspected or known contamination;*
- 8. Covered vehicle parking for commercial or industrial uses;*
- 9. Industrial or commercial uses locating in high traffic areas, defined as average daily count trip of two thousand five hundred or more trips per day; and*
- 10. Land uses subject to DEQ 1200-Z Industrial Stormwater Permit Requirements.*

Applicant's Response: - None of these uses or facilities are proposed so this section does not apply.

13.12.080 - Submittal requirements.

A. Applications subject to stormwater conveyance, water quality, and/or flow control requirements of this chapter shall prepare engineered drainage plans, drainage reports, and design flow calculation reports in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards.

B. Each project site, which may be composed of one or more contiguous parcels of land, shall have a separate valid city approved plan and report before proceeding with construction.

Applicant's Response: - Not required at this time because no new construction is required for the division of the property. This will be submitted prior to the commencement of any construction on the subject property.

13.12.090 - Approval criteria for engineered drainage plans and drainage report.

An engineered drainage plan and/or drainage report shall be approved only upon making the following findings:

A. The plan and report demonstrate how the proposed development and stormwater facilities will accomplish the purpose statements of this chapter.

B. The plan and report meet the requirements of the Public Works Stormwater and Grading Design Standards adopted by resolution under OCMC 13.12.020.

C. The storm drainage design within the proposed development includes provisions to adequately control runoff from all public and private streets and roof, footing, and area drains and ensures future extension of the current drainage system.

D. Streambank erosion protection is provided where stormwater, directly or indirectly, discharges to open channels or streams.

E. Specific operation and maintenance measures are proposed that ensure that the proposed stormwater quantity control facilities will be properly operated and maintained.

Applicant's Response: - Not applicable at this time, but will be addressed in the future storm water report.

13.12.100 - Alternative materials, alternative design and methods of construction.

The provisions of this chapter are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this chapter or the Public Works Stormwater and Grading Design Standards, provided any alternate has been approved and its use authorized by the City Engineer. The City Engineer may approve any such alternate, provided that the City Engineer finds that the proposed design is satisfactory and complies with the intent of this chapter and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed by this chapter in effectiveness, suitability, strength, durability and safety. The City Engineer shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the City files.

Applicant's Response: - Not applicable. No alternative materials or designs are proposed.

13.12.110 - Transfer of engineering responsibility.

Project drainage plans shall always have a project engineer. If the project engineer is changed during the course of the work, the City shall be notified in writing and the work shall be stopped until the replacement engineer has agreed to accept the responsibilities of the project engineer. The new project engineer shall provide written notice of accepting project responsibility to the City within seventy-two hours of accepting the position as project engineer.

Applicant's Response: - Not applicable at this time because no construction will occur until the building permit stage. This requirement will be met with the future storm water report submittal.

13.12.120 - Standard construction specifications.

The workmanship and materials shall be in accordance with the current edition of the "Standard Specifications for Public Works Construction," as prepared by the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the City, in effect at the time of application. The exception to this requirement is where this chapter and the Public Works Stormwater and Grading Design Standards provide other design details, in which case the requirements of this chapter and the Public Works Stormwater and Grading Design Standards shall be complied with.

Applicant's Response: - Not applicable at this time because no construction will occur until the building permit stage. This requirement will be met with the future storm water report submittal.

13.12.140 - Maintenance of public stormwater facilities.

A. A stormwater facility that receives stormwater runoff from a public right-of-way shall be a public facility. Upon expiration of the warranty period and acceptance by the City as described below, the City shall be responsible for maintenance of those public stormwater facilities. Access for maintenance of the stormwater facilities shall be provided to the City through the granting of a stormwater easement or other means acceptable to the City.

Applicant's Response: - Not applicable. No new public stormwater facilities are proposed.

B. Responsibility for maintenance of stormwater facilities including all landscaping, irrigation systems, structures and appurtenances shall remain with the property owner/developer for two years (known as the warranty period). The owner/developer shall provide the City a separate two-year landscaping maintenance surety bond for one hundred ten percent of the landscaping cost. Transfer of maintenance of stormwater conveyance systems shall occur when the City accepts the stormwater conveyance system.

Applicant's Response: - Not applicable. No new public stormwater facilities are proposed.

C. The City will perform an inspection of the development's entire publicly maintained stormwater system approximately forty-five days before the two-year warranty period expires. The stormwater system shall be found to be in a clean, functional condition by the City engineer before acceptance of maintenance responsibility by the City.

Applicant's Response: - Not applicable. No new public stormwater facilities are proposed.

13.12.145 - Maintenance of private stormwater facilities.

A. An applicant shall submit an operation and maintenance plan for each proposed stormwater facilities, unless exempted in the Public Works Stormwater and Grading Design Standards. The information in the operation and maintenance plan shall satisfy the requirements of the Public Works Stormwater and Grading Design Standards.

B. Private owners are required to inspect and maintain stormwater facilities on their property in accordance with an approved operation and maintenance plan. A maintenance log is required to document facility inspections and specific maintenance activities. The log shall be available to City inspection staff upon request.

C. Failure to operate or maintain a stormwater facility according to the operation and maintenance plan may result in an enforcement action under Section 13.12.150.

Applicant's Response: - Future raingardens and service lines will be subject to these provisions, but are not a part of this application.

13.12.170 - Permits from other jurisdictions.

A. The Oregon State Department of Environmental Quality (DEQ) currently issues NPDES 1200-C permits for projects that cover areas of one acre or greater. No permit shall be issued for projects of this size (or any other size as modified by DEQ) without a copy of said DEQ permit being on file with Oregon City. DEQ is responsible for policing its own permits; however, if City personnel observe conditions that are believed to be in violation of any such permit, and cannot get corrections made, the City will bring such conditions to the attention of the appropriate DEQ representatives.

Applicant's Response: - Not applicable. No construction-related development is proposed at this time and future construction activities will not disturb sufficient land area to trigger DEQ review.

B. Projects may require Oregon State Division of State Lands (DSL) and/or United States Army Corps of Engineers (USACE) permits. If such permits are required, no permission to construct will be granted until such a time as a copy of such permit is on file with the City or notice is received from those agencies that a permit is not required. DSL/USACE is responsible for enforcing its own permits; however, if City personnel observe conditions that are believed to be in violation of any such permit, and cannot get corrections made, the City will bring such conditions to the attention of the appropriate DSL/USACE representatives.

Applicant's Response: - Not applicable. There are no wetlands or waterways in the vicinity of the subject property.

C. Projects may require Oregon State Department of Fish and Wildlife (ODFW) permits. When ODFW permits are required, no work will be authorized until the receipt of a copy of the ODFW permit. ODFW is responsible for policing its own permits; however, if City personnel observe conditions that are believed to be in violation of any such permit, and cannot get corrections made, the City will bring such conditions to the attention of the appropriate ODFW representatives.

Applicant's Response: - Not applicable. There are no wetlands or waterways in the vicinity of the subject property.

CHAPTER 15.48 - GRADING, FILLING AND EXCAVATING

15.48.030 *Applicability—Grading permit required.*

A. A city-issued grading permit shall be required before the commencement of any of the following filling or grading activities:

1. Grading activities in excess of ten cubic yards of earth;
2. Grading activities which may result in the diversion of existing drainage courses, both natural and man-made, from their natural point of entry or exit from the grading site;
3. Grading and paving activities resulting in the creation of impervious surfaces greater than two thousand square feet or more in area;
4. Any excavation beyond the limits of a basement or footing excavation, having an unsupported soil height greater than five feet after the completion of such a structure; or
5. Grading activities involving the clearing or disturbance of one-half acres (twenty-one thousand seven hundred eighty square feet) or more of land.

Applicant’s Response: Not applicable. No site grading is proposed in conjunction with this application. For this reason, the provisions of this chapter are not applicable in their entirety.

CHAPTER 16.12 MINIMUM PUBLIC IMPROVEMENTS AND DESIGN STANDARDS FOR DEVELOPMENT

16.12.010 - *Purpose and general provisions.*

All development shall be in conformance with the policies and design standards established by this chapter and with applicable standards in the City's public facility master plans and City design standards and specifications. In reviewing applications for development, the City Engineer shall take into consideration any approved development and the remaining development potential of adjacent properties. All street, water, sanitary sewer, storm drainage and utility plans associated with any development shall be reviewed and approved by the City Engineer prior to construction. All streets, driveways or storm drainage connections to another jurisdiction's facility or right-of-way shall be reviewed by the appropriate jurisdiction as a condition of the preliminary plat and when required by law or intergovernmental agreement shall be approved by the appropriate jurisdiction.

Applicant’s Response: All required public improvements, including water, sewer, and storm sewer, are currently available in Friars Lane. Friars Lane is fully improved to City street standards. Repaving of the half-street along the subject property’s frontage will be required following installation of service laterals, but no new public improvements are required. For this reason, this chapter is not applicable in its entirety with the exception of the provisions of 16.12.035, Driveways.

16.12.035 - *Driveways.*

A. All new development and redevelopment shall meet the minimum driveway spacing standards identified in Table 16.12.035.A.

Street Functional Classification	Minimum Driveway Spacing Standards	Distance
Major Arterial Streets	Minimum distance from a street corner to a driveway for all uses other than detached single and two-family dwellings	175 ft.

Minor Arterial Streets	Minimum distance from a street corner to a driveway for all uses other than detached single and two-family dwellings	175 ft.
Collector Streets	Minimum distance from a street corner to a driveway for all uses other than detached single and two-family dwellings	100 ft.
Local Streets	Minimum distance from a street corner to a driveway for all uses other than detached single and two-family dwellings	25 ft.

The distance from a street corner to a driveway is measured along the right-of-way from the edge of the intersection (on the same side of the road) right-of-way to the nearest portion of the driveway and the distance between driveways is measured at the nearest portions of the driveway at the right-of-way.

Applicant's Response: Friars Lane is a local street. A driveway approach is presently constructed along the project frontage, but would straddle the lot line between the new parcels. The existing approach will be reconfigured to serve Parcel 1 and a new approach will be provided to serve Parcel 2. The closest intersection on the side of the street fronting the subject property is Pease Road. That intersection is approximately 120 feet from the closest point of the subject property so both driveways will exceed the 25' minimum spacing standard.

B. Nonresidential or multi-family residential driveways that generate high traffic volumes shall be treated as intersections and shall adhere to requirements of OCMC 16.12.020.

Applicant's Response: Not applicable. The subject property is being developed for low density residential use.

C. One driveway may be allowed per frontage, unless otherwise restricted. In no case shall more than two driveways be allowed for any single-family attached or detached residential property, duplex, 3-4 plex, or property developed with an ADU or internal conversion with multiple frontages, unless otherwise approved by the City Engineer.

Applicant's Response: Only one driveway is proposed per parcel.

D. When a property fronts multiple roads, access shall be provided from the road with the lowest classification in the Transportation System Plan whenever possible to minimize points of access to arterials and collectors. At the discretion of the City Engineer, properties fronting a collector or arterial road may be allowed a second driveway, for the creation of a circulation pattern that eliminates reverse maneuvers for vehicles exiting a property if applied for and granted through procedures in OCMC 16.12.013. All lots proposed with a driveway and lot orientation on a collector or minor arterial shall combine driveways into one joint access per two or more lots unless the City Engineer determines that:

- 1. No driveway access may be allowed since the driveway(s) would cause a significant traffic safety hazard; or*
- 2. Allowing a single driveway access per lot will not cause a significant traffic safety hazard.*

Applicant's Response: Not applicable. The subject property only fronts on one street.

E. All driveway approaches shall be limited to the dimensions identified in Table 16.12.035.D.

Property Use	Minimum Driveway Approach Width	Maximum Driveway Approach Width

<i>Single-Family Attached</i>	<i>10 feet</i>		<i>12 feet</i>
<i>Single-Family Detached in R-5 & R-3.5</i>	<i>10 feet</i>		<i>12 feet</i>
<i>Single-Family Detached in R-10, R-8, & R-6</i>	<i>12 feet</i>		<i>24 feet</i>
<i>Duplexes</i>	<i>12 feet</i>		<i>24 feet</i>
<i>3-4 Plexes</i>	<i>12 feet</i>		<i>24 feet</i>
<i>Multi-Family</i>	<i>18 feet</i>		<i>30 feet</i>
<i>Commercial, Industrial, Office, Institutional, Mixed Use, and/or Nonresidential</i>	<i>One-Way 12 feet</i>	<i>Two-Way 20 feet</i>	<i>40 feet</i>

Driveway widths shall match the width of the driveway approach where the driveway meets sidewalk or property line but may be widened onsite (for example between the property line and the entrance to a garage). Groups of more than four parking spaces shall be so located and served by driveways so that their use will not require backing movements or other maneuvering within a street right-of-way other than an alley.

Applicant’s Response: Driveways will be designed to meet these standards. Permits will be reviewed at the time of building permit application.

F. The City Engineer reserves the right to require a reduction in the number and size of driveway approaches as far as practicable for any of the following purposes:

- 1. To provide adequate space for on-street parking;*
- 2. To facilitate street tree planting requirements;*
- 3. To assure pedestrian and vehicular safety by limiting vehicular access points; and*
- 4. To assure that adequate sight distance requirements are met.*

a. Where the decision maker determines any of these situations exist or may occur due to the approval of a proposed development for non-residential uses or attached or multi-family housing, a shared driveway shall be required and limited to twenty-four feet in width adjacent to the sidewalk or property line.

Applicant’s Response: None of the above conditions are applicable to the subject property.

G. For all driveways, the following standards apply.

- 1. Each new or redeveloped curb cut shall have an approved concrete approach or asphalted street connection where there is no concrete curb and a minimum hard surface for at least ten feet back into the property as measured from the current edge of sidewalk or street pavement to provide for controlling gravel tracking onto the public street. The hard surface may be concrete, asphalt, or other surface approved by the City Engineer.*
- 2. Any driveway approach built within public right-of-way shall be built and permitted per City requirements as approved by the City Engineer.*
- 3. No driveway with a slope of greater than fifteen percent shall be permitted without approval of the City Engineer.*

Applicant’s Response: The future driveways will be designed to conform to these standards and will be reviewed at the time of building permit application.

H. Exceptions. The City Engineer reserves the right to waive these standards or not allow driveway access, if the driveway(s) would cause a significant traffic safety hazard. Narrower driveway widths may

be considered where field conditions preclude use of recommended widths. When larger vehicles and trucks will be the predominant users of a particular driveway, turning templates may be utilized to develop a driveway width that can safely and expeditiously accommodate the prevalent type of ingress and egress traffic.

Applicant's Response: No exceptions are proposed.

16.12.065 - Building site—Grading.

Grading of building sites shall conform to the State of Oregon Structural Specialty Code, Title 18, any approved grading plan and any approved residential lot grading plan in accordance with the requirements of OCMC 13.12,15.48, 16.12 and the Public Works Stormwater and Grading Design Standards, and the erosion control requirements of OCMC 17.47.

Applicant's Response: The subject property is level. No grading is proposed at this time.

16.12.085 - Easements.

The following shall govern the location, improvement and layout of easements:

A. Utilities. Utility easements shall be required where necessary as determined by the City Engineer.

Insofar as practicable, easements shall be continuous and aligned from block-to-block within the development and with adjoining subdivisions or partitions. Specific utility easements for water, sanitary or storm drainage shall be provided based on approved final engineering plans.

Applicant's Response: All utilities are available in the street. There is an existing 10' public utility easement along the subject property's frontage on Friars Lane, per City standards. No additional easements are required or proposed.

B. Unusual Facilities. Easements for unusual facilities such as high voltage electric transmission lines, drainage channels and stormwater detention facilities shall be adequately sized for their intended purpose, including any necessary maintenance roads. These easements shall be shown to scale on the preliminary and final plats or maps. If the easement is for drainage channels, stormwater detention facilities or related purposes, the easement shall comply with the requirements of the Public Works Stormwater and Grading Design Standards.

Applicant's Response: Not applicable. No unusual facilities are proposed.

C. Watercourses. Where a development is traversed or bounded by a watercourse, drainageway, channel or stream, a stormwater easement or drainage right-of-way shall be provided which conforms substantially to the line of such watercourse, drainageway, channel or stream and is of a sufficient width to allow construction, maintenance and control for the purpose as required by the responsible agency. For those subdivisions or partitions which are bounded by a stream of established recreational value, setbacks or easements may be required to prevent impacts to the water resource or to accommodate pedestrian or bicycle paths.

Applicant's Response: Not applicable. No watercourses exist on or near the subject property.

D. Access. When easements are used to provide vehicular access to lots within a development, the construction standards, but not necessarily width standards, for the easement shall meet City specifications. The minimum width of the easement shall be 20 feet. The easements shall be improved and recorded by the applicant and inspected by the City Engineer. Access easements may also provide for utility placement.

Applicant's Response: Not applicable. Both parcels front directly onto Friars Lane and will take access from that street. No access to other properties is provided through the subject property.

E. Resource Protection. Easements or other protective measures may also be required as the Community Development Director deems necessary to ensure compliance with applicable review criteria protecting any unusual significant natural feature or features of historic significance.

Applicant's Response: Not applicable. There are no natural resource areas on or near the subject property.

16.12.090 - Minimum improvements—Procedures.

In addition to other requirements, improvements installed by the applicant either as a requirement of these or other regulations, or at the applicant's option, shall conform to the requirements of this title and be designed to City specifications and standards as set out in the City's facility master plan and Public Works Stormwater and Grading Design Standards. The improvements shall be installed in accordance with the following procedure:

A. Improvement work shall not commence until construction plans have been reviewed and approved by the City Engineer and to the extent that improvements are located in County or State right-of-way, they shall be approved by the responsible authority. To the extent necessary for evaluation of the proposal, the plans may be required before approval of the preliminary plat of a subdivision or partition. Expenses incurred thereby shall be borne by the applicant and paid for prior to final plan review.

Applicant's Response: All required improvements are already in place. No new improvements will be required as a part of the partition application. For this reason, this section is not applicable in its entirety.

16.12.100 - Same—Road standards and requirements.

A. The creation of a public street and the resultant separate land parcels shall be in conformance with requirements for subdivisions or partitions and the applicable street design standards of this Chapter. However, the decision-maker may approve the creation of a public street to be established by deed without full compliance with the regulations applicable to subdivisions or partitions where any of the following conditions exist:

- 1. The establishment of the public street is initiated by the City Commission and is declared essential for the purpose of general traffic circulation and the partitioning of land is an incidental effect rather than the primary objective of the street;*
- 2. The tract in which the street is to be dedicated is within an isolated ownership either not over one acre or of such size and characteristics as to make it impossible to develop building sites for more than three dwelling units.*

Applicant's Response: Not applicable. No new roads or improvements to existing ones are proposed or required. For this reason, this section is not applicable in its entirety.

16.12.105 - Same—Timing requirements.

A. Prior to applying for final plat approval, the applicant shall either complete construction of all public improvements required as part of the preliminary plat approval or guarantee the construction of those improvements. Whichever option the applicant elects shall be in accordance with OCMC 17.50.140.

Applicant's Response: Not applicable. No public improvements are required. For this reason, this section is in applicable in its entirety.

16.12.120 Waiver of Remonstrance

The review authority may require a property owner to sign a waiver of remonstrance against the formation of and participation in a local improvement district where it deems such a waiver necessary to provide needed improvements reasonably related to the impacts created by the proposed development. To ensure compliance with this chapter, the review authority may require an applicant to sign or accept a legal and enforceable covenant, contract, dedication, easement, performance guarantee, or other document, which shall be approved in form by the City Attorney.

Applicant's Response: Because Friars Lane is fully improved as a street and has all required public services in place, there is no need for a waiver of remonstrance for any future improvements.

OCMC 17.47 – EROSION AND SEDIMENT CONTROL

17.47.030 - Applicability.

A. This chapter, which may also be referred to as "erosion control" in this Code, applies to development that may cause visible or measurable erosion on any property within the city limits of Oregon City.

B. This chapter does not apply to work necessary to protect, repair, maintain or replace existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements in response to emergencies, provided that after the emergency has passed, adverse impacts are mitigated in accordance with applicable standards.

Applicant's Response: No improvements other than those authorized under 17.47.030.B are proposed. This section does not apply in its entirety.

CHAPTER 12.08 PUBLIC AND STREET TREES

12.08.015 - Street tree selection, planting and maintenance requirements.

All development shall provide street trees adjacent to all street frontages. Species and locations of trees shall be selected based upon vision clearance requirements, but shall in all cases be selected from the Oregon City Street Tree List, an approved street tree list for a jurisdiction in the metropolitan region, or be approved by a certified arborist unless otherwise approved pursuant to this section. If a setback sidewalk has already been constructed or the Public Works Department determines that the forthcoming street design shall include a setback sidewalk, then all street trees shall be installed with a planting strip or within tree wells. If existing street design includes a curb-tight sidewalk, then all street trees shall be placed according to OCMC 12.08.035.C.

- A. *One street tree shall be planted for every thirty-five feet of property frontage. The tree spacing shall be evenly distributed throughout the total development frontage to meet the clearance distances required in subsection (B) below. The Community Development Director may approve an alternative street tree plan, or accept fee-in-lieu of planting pursuant to OCMC 12.08.035, if site or other constraints prevent meeting the required total number of tree plantings.*

Applicant's Response: As shown on the site plan, there are three street trees already installed along the property frontage. It may be necessary to relocate one of these trees for the installation of driveway approaches. This will be addressed as a part of the building permit process. Because street trees are existing, the remainder of this section is not applicable in its entirety.

CHAPTER 16.08 LAND DIVISIONS - PROCESS AND STANDARDS

16.08.025 - Preliminary plat—Required information.

The preliminary plat shall specifically and clearly show the following features and information on the maps, drawings, application form or attachments. The preliminary plat layout may be prepared by a civil engineer, architect, land use planner or similarly qualified professional. All maps and site drawings shall be at a minimum scale of one inch to fifty feet.

- A. **Site Plan.** A detailed site development plan drawn to scale by a licensed professional based on an existing conditions plan drawn by a licensed surveyor. The site plan shall include the location and dimensions of lots, streets, existing and proposed street names, pedestrian ways, transit stops, common areas, building envelopes and setbacks, all existing and proposed utilities and improvements including sanitary sewer, stormwater and water facilities, total impervious surface created (including streets, sidewalks, etc.), all areas designated as being within an overlay district and an indication of existing and proposed land uses for the site. If required by staff at the pre-application conference, a connectivity analysis shall be prepared by a transportation engineer licensed by the State of Oregon that describes the existing and future vehicular, bicycle and pedestrian connections between the proposed subdivision and existing or planned land uses on adjacent properties. The connectivity analysis shall include shadow plats of adjacent properties demonstrating how lot and street patterns within the proposed land division will extend to and/or from such adjacent properties and can be developed meeting the existing OCMC design standards and adopted Transportation System Plan, street design standards, and adopted concept plans, corridor and access management studies, engineering standards and infrastructure analyses.

Applicant's Response: The required site plan is being submitted with this application and contains all of the identified information. The information prepared by staff at the pre-application conference does not require a connectivity analysis.

- B. *Traffic/Transportation Plan.* The applicant's traffic/transportation information shall include two elements: (1) A detailed site circulation plan showing proposed vehicular, bicycle, transit and pedestrian access points and connections to the existing system, circulation patterns and connectivity to existing rights-of-way or adjacent tracts, parking and loading areas and any other transportation facilities in relation to the features illustrated on the site plan; and (2) a traffic impact study prepared by a qualified professional transportation engineer, licensed in the State of Oregon, that assesses the traffic impacts of the proposed development on the existing transportation system and analyzes the adequacy of the proposed internal transportation network to handle the anticipated traffic and the adequacy of the existing system to accommodate the traffic from the proposed development. In the preparation of the Traffic/Transportation Plan, the applicant shall reference the adopted Transportation System Plan. The Community Development Director may waive any of the foregoing requirements if determined that the requirement is unnecessary in the particular case.

Applicant's Response: The pre-application notes do not require a traffic/transportation analysis due to the project's small size.

- C. *Natural Features Plan and Topography, Preliminary Grading and Drainage Plan.* The applicant shall submit a map illustrating all of the natural features and hazards on the subject property and, where practicable, within 250 feet of the property's boundary. The map shall also illustrate the approximate grade of the site before and after development. Illustrated features shall include all proposed streets and cul-de-sacs, the location and estimated volume of all cuts and fills, and all stormwater management features. This plan shall identify the location of drainage patterns and courses on the site and within 250 feet of the property boundaries where practicable. Features that shall be illustrated shall include the following:
1. Proposed and existing street rights-of-way and all other transportation facilities;
 2. All proposed lots and tracts;
 3. All trees proposed to be removed prior to final plat with a diameter six inches or greater diameter at breast height (d.b.h);
 4. All natural resource areas pursuant to OCMC 17.49, 17.48, 17.44, and 17.42;
 5. The location of any known state or federal threatened or endangered species or wildlife habitat or other natural features listed on any of the City's official inventories;
 6. All historic areas or cultural features acknowledged as such on any federal, state or city inventory;

Applicant's Response: Natural features are included on the site plan. The site is level and has only one tree. There are no significant natural features in the vicinity of the subject property.

16.08.030 - Preliminary plat—Narrative statement.

In addition to the plans required in the previous section, the applicant shall also prepare and submit a narrative statement that addresses the following issues:

- A. *Description.* A detailed description of the proposed development, including a description of proposed uses, number and type of residential units, allocation and ownership of all lots, tracts, streets, and public improvements, the structure of any homeowner's association, and each instance where the proposed subdivision will vary from some dimensional or other requirement of the underlying zoning district.

Applicant's Response: This narrative fulfills this requirement.

B. *Timely Provision of Public Services and Facilities. The applicant shall explain in detail how and when each of the following public services or facilities is, or will be, adequate to serve the proposed development by the time construction begins:*

1. *Water,*

Applicant's Response: There is an existing 8-inch cast iron water main that runs within Friars Lane that is sufficient to serve the proposed partition. There is an existing water service lateral, located at the southwest corner of the property that can serve Parcel 1. A new tap and service lateral will need to be installed for Parcel 2.

2. *Sanitary sewer,*

Applicant's Response: An 8-inch sanitary sewer main exists within Pavilion Place, with a manhole located at the intersection of Friars Lane and Pavilion Place. There is an existing sanitary service lateral which can serve Parcel 2. A new lateral will need to be installed to service Parcel 2.

3. *Storm sewer and stormwater drainage,*

Applicant's Response: There is an existing storm sewer line in Pavilion Place across from the subject property. At the time of building permit, plans for rain gardens on both parcels, together with a storm report, will be submitted. It is not likely that the soils in this area will perc well enough to allow outflow from the rain gardens to infiltrate, so it is anticipated that the rain gardens will be tied in to the storm sewer line in Pavilion Place.

4. *Parks, trails and recreation facilities, if determined to be necessary pursuant to the Oregon City adopted Trail Master Plan and / or Parks and Recreation Master Plan*

Applicant's Response: Not applicable. The subject property is not located near any parks, trails or recreation facilities.

5. *Traffic and transportation, and*

Applicant's Response: The proposed partition is served via a local street, Friars Lane. It would create one additional building site over the existing condition and would generate approximately 10 vehicle trips per day. The impact upon the existing street system is negligible.

6. *Fire and police services*

Applicant's Response: Oregon City Police and Clackamas County Fire District No. 1 provide police and fire service in this area.

Where adequate capacity for any of these public facilities and services is not demonstrated to be currently available, the applicant shall describe how adequate capacity in these services and facilities will be financed and constructed before recording of the plat;

Applicant's Response: All required services are available to meet the needs of the proposed development.

B. *Drafts of the proposed covenants, conditions and restrictions (CC&Rs), maintenance agreements, homeowner association agreements, dedications, deeds easements, or reservations of public open spaces not dedicated to the City, and related documents for the land division;*

Applicant's Response: The proposed development is a simple partition. No CC&Rs, HOAs or maintenance agreements are proposed.

D. *Overall density of the land division and the density by dwelling type for each.*

Applicant's Response: The area of the subject property is 15,530 sq. ft. (.357 acre) and two dwelling units are proposed. This equates to a net density of 5.61 units per acre.

16.08.045 - Frontage width requirement.

Each lot shall abut upon a street other than an alley for a width of at least twenty feet unless flag lots are provided pursuant to OCMC 16.08.050, except for Cluster Housing development pursuant to OCMC 17.20.020.

Applicant's Response: Both parcels abut Friars Lane for a distance of approximately 54 feet. This standard is met.

16.08.050 - Flag lots.

A. Flag lots shall not be permitted except where the applicant can show that the existing parcel configuration, topographic constraints or the location of a pre-existing dwelling unit precludes a land division that meets the minimum density, dimensional standards of the underlying zone, and except where street connectivity is not practicable as determined by the City Engineer.

Applicant's Response: No flag lots are proposed. This section is not applicable in its entirety.

16.08.053 Tracts

Tracts which cannot be developed with a home or office, commercial, residential, institutional, industrial, parking or other uses as determined by the City Engineer or Community Development Director are not subject to compliance with the dimensional standards of the zoning designation, frontage requirements, or flag lot standards.

Applicant's Response: Not applicable. No tracts are proposed.

16.08.060 - Building sites.

A. The size, width, shape and orientation of building sites shall be rectangular or square to the maximum extent practicable.

Applicant's Response: Both parcels are roughly rectangular in character, as shown on the site plan.

B. Sites abutting an alley shall gain vehicular access from the alley unless deemed impracticable by the decision maker.

Applicant's Response: Not applicable. Neither parcel abuts an alleyway.

C. Adequate access for emergency services (fire and police) shall be provided.

Applicant's Response: Both parcels front directly onto Friars Lane. This street is fully improved to City standards and is adequate to provide for fire and police access.

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.

Applicant's Response: The gross site area is .357 acres (15,530 square feet) . No new right-of-way will be created so the net area is .357 acres. With 2 total units, the overall density is 5.6 dwelling units per acre, which exceeds the minimum of 4.4 du/acre for the R-8 zone.

16.08.065 – Lot size reduction.

A subdivision in the R-10, R-8, R-6, R-5, or R-3.5 dwelling district may utilize lot size reduction for up to twenty-five percent of the lots proposed for single-family detached residential use. Fractions resulting from the twenty-five percent calculation shall be rounded down. The reduced-size lots may be up to ten percent less than the required minimum lot area of the applicable zoning designation provided the average lot size of all proposed single-family detached residential lots meet the minimum requirement of the underlying zone. Any area within a powerline easement on a lot shall not count towards the lot area for that lot. Lot size reduction is only permitted through a subdivision or, master plan and planned unit developments processes and may not be used for minor partitions or any other residential uses.

Applicant’s Response: Not applicable. The proposal is a partition and lot size reduction provisions do not apply to partitions.

16.08.070 - Through lots.

Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major arterials or to overcome specific disadvantages of topography of existing development patterns. A reserve strip may be required. A planting screen restrictive covenant may be required to separate residential development from major arterial streets, adjacent nonresidential development, or other incompatible use, where practicable. Where practicable, alleys or shared driveways shall be used for access for lots that have frontage on a collector or minor arterial street, eliminating through lots.

Applicant’s Response: No through lots are proposed.

16.08.075 - Building site—Lot and parcel side lines.

The lines of lots and parcels, as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve. Lot and parcel side lines for cluster housing projects proposed consistent with the standards in OCMC 17.20.020 are not subject to this standard.

Applicant’s Response: Proposed side lot lines are approximately perpendicular to the street right-of-way.

16.08.080 - Setbacks and building location.

This standard ensures that lots are configured in a way that development can be oriented toward streets to provide a safe, convenient and aesthetically pleasing environment for pedestrians and bicyclists. Houses oriented in this manner assure a sense of openness by avoiding the “bowling alley” effect caused by uninterrupted, continuous privacy fences along higher volume streets. The objective is for lots located on a neighborhood collector, collector or minor arterial street to locate the front yard setback on and design the most architecturally significant elevation of the primary structure to face the neighborhood collector, collector or minor arterial street,

A. The front setback of all lots located on a neighborhood collector, collector or minor arterial shall be orientated toward the neighborhood collector, collector or minor arterial street.

Applicant’s Response: The site fronts onto a local street so this provision does not apply.

B. The most architecturally significant elevation of the house shall face the neighborhood collector, collector or minor arterial street.

Applicant’s Response: The site fronts onto a local street so this provision does not apply.

C. *On corner lots located on the corner of two local streets, the main façade of the dwelling may be oriented towards either street.*

Applicant's Response: Not applicable. The partition does not contain any corner lots.

D. *The decision maker may approve an alternative design, consistent with the intent of this section, where the applicant can show that existing development patterns preclude the ability to practically meet this standard.*

Applicant's Response: No alternative designs are proposed.

16.08.085 - Division of large lots.

Where land is to be divided into lots or parcels capable of redivision in accordance with this chapter, the Community Development Director shall require an arrangement of lots, parcels, buildings on lots, utilities and streets which facilitates future redivision. In such a case, development limitations including building locations and setback lines may be required and made a matter of record in order to preserve future right-of-way or building sites.

Applicant's Response: Not applicable. No parcels large enough to be redivided are proposed.

16.08.095 - *Prohibition on Additional Private Restrictions on Housing Types.*

Private restrictions on the provision of accessory dwelling units, corner duplexes, or internal conversions executed after July 1, 2019 shall be prohibited. Conditions, Covenants, and Restrictions (CC&Rs) or similar legal instrument submitted with residential plats submitted for final plat approval after July 1, 2019 shall not prohibit or impose additional restrictions on accessory dwelling units, corner duplexes, and/or internal conversions to the extent permitted in the OCMC in place at the time of final plat submittal, and shall not impose additional restrictions on Accessory Dwelling Units and internal conversions through any future amendment.

Applicant's Response: No prohibitions on accessory dwelling units, corner duplexes, or internal conversions are proposed.

CHAPTER 17.08 LOW DENSITY RESIDENTIAL DISTRICTS

17.08.020 - *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. *Internal conversions;*
- D. *Corner duplexes;*
- E. *Cluster housing;*
- F. *Residential homes;*
- G. *Parks, playgrounds, playfields and community or neighborhood centers;*
- H. *Home occupations;*
- I. *Family day care providers;*
- J. *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);*
- K. *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;*
- L. *Transportation facilities.*

Applicant's Response: Both lots are proposed to be used for construction of single-family homes, a permitted use in the R-8 zone.

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;*

Applicant's Response: Not applicable. No conditional uses are proposed.

17.08.030 - *Master plans.*

The following are permitted in the R-10, R-8 and R-6 districts when authorized by and in accordance with the standards contained in OCMC 17.65.

A. Single-family attached residential units.

Applicant's Response: No single-family attached dwelling units are proposed.

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	R-6
Minimum lot size ¹	10,000 sq. ft.	8,000 sq. ft.	6,000 sq. ft.
Applicant's Response:		7,646 sq. ft. (minor variance requested)	
Maximum height	35 ft.	35 ft.	35 ft.
Applicant's Response:		35'	
Maximum building lot coverage With ADU	40%, except 45%	40%, except 45%	40%, except 45%
Applicant's Response:		40%	
Minimum lot width	65 ft.	60 ft.	50 ft.
Applicant's Response:		54' (minor variance requested)	
Minimum lot depth	80 ft.	75 ft.	70 ft.
Applicant's Response:		141 ft.	
Minimum front yard setback	20 ft., except 15 ft. - Porch	15 ft., except 10 ft. - Porch	10 ft., except 5 ft. - Porch
Applicant's Response:		Comply with standards	
Minimum interior side yard setback	8 ft.	7 ft.	5 ft.
Applicant's Response:		7'	
Minimum corner side yard setback	10 ft.	10 ft.	10 ft.
Applicant's Response:		Not applicable. No corner lots.	

<i>Minimum rear yard setback</i>	<i>20 ft, except 15 ft - Porch 10 ft - ADU</i>	<i>20 ft, except 15 ft - Porch 10 ft - ADU</i>	<i>20 ft, except 15 ft - Porch 10 ft - ADU</i>
Applicant's Response:		Comply with standards	
<i>Garage setback</i>	<i>20 ft. from ROW, except 5 ft. Alley</i>	<i>20 ft. from ROW, except 5 ft. Alley</i>	<i>20 ft. from ROW, except 5 ft. Alley</i>
Applicant's Response:		Comply with standards	

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.

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.

Applicant's Response: The future homes will comply with setback standards, including any allowable exceptions. This will be reviewed at the time of building permit application.

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.

Applicant's Response: Not applicable. No through lots are 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</i>	<i>3.5 du/acre</i>	<i>4.4 du/acre</i>	<i>5.8 du/acre</i>
Applicant's Response:		5.6 du/acre	
<i>Maximum net density</i>	<i>4.4 du/acre</i>	<i>5.4 du/acre</i>	<i>7.3 du/acre</i>
Applicant's Response:		5.6 du/acre minor lot size variance proposed.	

B. Exceptions.

1. Any dwelling units created as accessory dwelling units or internal conversions do not count towards the minimum or maximum density limits in Table 17.08.050.
2. Corner duplexes shall count as a single dwelling unit for the purposes of calculating density.
3. Cluster housing is permitted at higher densities exempt from the standards in Table 17.08.050; see OCMC 17.20.020.

Applicant's Response: No exceptions are anticipated to apply at this time. Future ADUs could be built, but are not proposed at this time.

CHAPTER 17.41 TREE PROTECTION, PRESERVATION, REMOVAL AND REPLANTING STANDARDS

17.41.020 - Tree protection—Applicability.

1. *Applications for development subject to OCMC 16.08 (Land Divisions) or OCMC 17.62 (Site Plan and Design Review) shall demonstrate compliance with these standards as part of the review proceedings for those developments. Compliance with this chapter is required from the date a land use application is filed until a land division is recorded or other development approval is final.*
2. *For public capital improvement projects, the City Engineer shall demonstrate compliance with these standards pursuant to a Type I process.*
3. *Tree canopy removal greater than twenty-five percent on areas with greater than twenty-five percent slope, unless exempted under OCMC 17.41.040, shall be subject to these standards.*
4. *A heritage tree or grove which has been designated pursuant to the procedures of OCMC 12.32 shall be subject to the standards of this section.*
5. *A tree that has been planted pursuant to this section shall remain or shall be replaced with a new tree if removed.*

Applicant's Response: The property contains only one tree, located in the rear yard of Parcel 1. The plan is to construct the new home so that this tree will be retained. Because no trees will be removed, the provisions of this chapter are inapplicable in their entirety, with the exception of 17.41.130 - *Regulated tree protection procedures during construction.*

17.41.130 - Regulated tree protection procedures during construction.

- A. *No permit for any grading or construction of public or private improvements may be released prior to verification by the Community Development Director that regulated trees designated for protection or conservation have been protected according to the following standards. No trees designated for removal shall be removed without prior written approval from the Community Development Director.*
- B. *Tree protection shall be as recommended by a qualified arborist or, as a minimum, to include the following protective measures:*
 1. *Except as otherwise determined by the Community Development Director, all required tree protection measures set forth in this section shall be instituted prior to any development activities, including, but not limited to clearing, grading, excavation or demolition work, and such measures shall be removed only after completion of all construction activity, including necessary landscaping and irrigation installation, and any required plat, tract, conservation easement or restrictive covenant has been recorded.*
 2. *Approved construction fencing, a minimum of four feet tall with steel posts placed no farther than ten feet apart, shall be installed at the edge of the tree protection zone or dripline, whichever is greater. An alternative may be used with the approval of the Community Development Director.*
 3. *Approved signs shall be attached to the fencing stating that inside the fencing is a tree protection zone, not to be disturbed unless prior approval has been obtained from the Community Development Director.*
 4. *No construction activity shall occur within the tree protection zone, including, but not limited to; dumping or storage of materials such as building supplies, soil, waste items; nor passage or parking of vehicles or equipment.*

5. *The tree protection zone shall remain free of chemically injurious materials and liquids such as paints, thinners, cleaning solutions, petroleum products, and concrete or dry wall excess, construction debris, or run-off.*
 6. *No excavation, trenching, grading, root pruning or other activity shall occur within the tree protection zone unless directed by an arborist present on site and approved by the Community Development Director.*
 7. *No machinery repair or cleaning shall be performed within ten feet of the dripline of any trees identified for protection.*
 8. *Digging a trench for placement of public or private utilities or other structure within the critical root zone of a tree to be protected is prohibited. Boring under or through the tree protection zone may be permitted if approved by the Community Development Director and pursuant to the approved written recommendations and on-site guidance and supervision of a certified arborist.*
 9. *The Community Development Director may require that a certified arborist be present during any construction or grading activities that may affect the dripline of trees to be protected.*
 10. *The Community Development Director may impose conditions to avoid disturbance to tree roots from grading activities and to protect trees and other significant vegetation identified for retention from harm. Such conditions may include, if necessary, the advisory expertise of a qualified consulting arborist or horticulturist both during and after site preparation, and a special maintenance/management program to provide protection to the resource as recommended by the arborist or horticulturist.*
- C. *Changes in soil hydrology due to soil compaction and site drainage within tree protection areas shall be avoided. Drainage and grading plans shall include provision to ensure that drainage of the site does not conflict with the standards of this section. Excessive site run-off shall be directed to appropriate storm drainage facilities and away from trees designated for conservation or protection.*

Applicant's Response: Construction fencing will be placed around the tree to be retained and it will be protected per the requirements of this section.

CHAPTER 17.50 ADMINISTRATION AND PROCEDURES

17.50.050 – Pre-application conference.

- A. *Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the pre-application conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal.*
1. *To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.*
 2. *At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.*
 3. *The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.*
- B. *A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and*

attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.

Applicant's Response: A pre-application conference was held on June 10, 2020 (PA 20-25). The pre-application conference notes are attached to this application and the partition application is being filed within six months of the date of the pre-application conference.

17.50.055 - Neighborhood association meeting.

Neighborhood Association Meeting. The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.

- A. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.*
- B. The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the Citizen Involvement Committee.*
- C. A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, Citizen Involvement Committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a City facility.*
- D. If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the Citizen Involvement Committee.*
- E. To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.*

Applicant's Response: The proposed application is a minor partition and Neighborhood association meetings are not required for such applications. Because of the minimal impacts associated with this application, and because of the difficulties of meetings during the COVID-19 pandemic, the decision was made not to meet with the Neighborhood association.

17.50.100 - Notice posting requirements.

Where this chapter requires notice of a pending or proposed permit application or hearing to be posted on the subject property, the requirements of this section shall apply.

- A. *City Guidance and the Applicant's Responsibility.* The City shall supply all of the notices which the applicant is required to post on the subject property and shall specify the dates the notices are to be posted and the earliest date on which they may be removed. The City shall also provide a statement to be signed and returned by the applicant certifying that the notice(s) were posted at the correct time and that if there is any delay in the City's land use process caused by the applicant's failure to correctly post the subject property for the required period of time and in the correct location, the applicant agrees to extend the applicable decision-making time limit in a timely manner.
- B. *Number and Location.* The applicant shall place the notices on each frontage of the subject property. If the property's frontage exceeds six hundred feet, the applicant shall post one copy of the notice for each six hundred feet or fraction thereof. Notices do not have to be posted adjacent to alleys or unconstructed right-of-way. Notices shall be posted within ten feet of the street and shall be visible to pedestrians and motorists. Notices shall not be posted within the public right-of-way or on trees. The applicant shall remove all signs within ten days following the event announced in the notice.

Applicant's Response: Required signs will be posted per these provisions.

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.

- A. *Form of Guarantee.* Guarantees shall be in a form approved by the City Attorney. Approvable forms of guarantee include irrevocable standby letters of credit to the benefit of the City issued by a recognized lending institution, certified checks, dedicated bank accounts or allocations of construction loans held in reserve by the lending institution for the benefit of the City. The form of guarantee shall be specified by the City Engineer and, prior to execution and acceptance by the City shall be reviewed and approved by the City Attorney. The guarantee shall be filed with the City Engineer.
- B. *Performance Guarantees.* A permittee shall be required to provide a performance guarantee as follows.
 - 1. *After Final Approved Design by The City:* The City may request the Permittee to submit a Performance Guarantee for construction of certain public improvements. A permittee may request the option of submitting a Performance Guarantee when prepared for temporary/final occupancy. The guarantee shall be one hundred twenty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City Engineer.
 - 2. *Before Complete Design Approval and Established Engineered Cost Estimate:* The City may request a permittee to submit a Performance Guarantee for construction of certain public improvements. A permittee may request the option of submitting a performance guarantee before public improvements are designed and completed. The guarantee shall be one hundred fifty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer and approved by the City Engineer. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City Engineer.
- C. *Release of Guarantee.* The guarantee shall remain in effect until the improvement is actually constructed and accepted by the City. Once the City has inspected and accepted the improvement, the City shall release the guarantee to the permittee. If the improvement is not completed to the

City's satisfaction within the time limits specified in the permit approval, the City Engineer may, at their discretion, draw upon the guarantee and use the proceeds to construct or complete construction of the improvement and for any related administrative and legal costs incurred by the City in completing the construction, including any costs incurred in attempting to have the permittee complete the improvement. Once constructed and approved by the City, any remaining funds shall be refunded to the permittee. The City shall not allow a permittee to defer construction of improvements by using a performance guarantee, unless the permittee agrees to construct those improvements upon written notification by the City, or at some other mutually agreed-to time. If the permittee fails to commence construction of the required improvements within six months of being instructed to do so, the City may, without further notice, undertake the construction of the improvements and draw upon the permittee's performance guarantee to pay those costs.

- D. *Fee-in-lieu. When conditions of approval or the City Engineer allows a permittee to provide a fee-in-lieu of actual construction of public improvements, the fee shall be one hundred fifty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer and approved by the City Engineer. The percentage required is to ensure adequate funds for the future work involved in design, bid, contracting, and construction management and contract closeout. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City Engineer. The fee-in-lieu shall be submitted as cash, certified check, or other negotiable instrument acceptable by the City Attorney.*

Applicant's Response: There are no public improvements required for this project so these provisions are not applicable.

17.50.141 – Public improvements – Warranty

All public improvements not constructed by the City, shall be maintained and under warranty provided by the property owner or developer constructing the facilities until the City accepts the improvements at the end of the warranty period. The warranty is to be used at the discretion of the City Engineer or designee to correct deficiencies in materials or maintenance of constructed public infrastructure, or to address any failure of engineering design.

- A. *Duration of Warranty. Responsibility for maintenance of public improvements shall remain with the property owner or developer for a warranty period of two years.*
- B. *Financial Guarantee. Approvable forms of guarantee include irrevocable standby letters of credit to the benefit of the City issued by a recognized lending institution, bond, certified checks, dedicated bank accounts or allocations of construction loans held in reserve by the lending institution for the benefit of the City. The form of guarantee shall be specified by the City Engineer and, prior to execution and acceptance by the City shall be reviewed and approved by the City Attorney. The guarantee shall be filed with the City Engineer.*
- C. *Amount of Warranty. The amount of the warranty shall be equal to fifteen percent of the estimated cost of construction of all public improvements (including those improvements that will become owned and maintained by the City at the end of the two year maintenance period), and shall be supported by a verified engineering estimate and approved by the City Engineer. Upon expiration of the warranty period and acceptance by the City as described below, the City shall be responsible for maintenance of those improvements.*
- D. *Transfer of Maintenance. The City will perform an inspection of all public improvements approximately forty-five days before the two-year warranty period expires. The public improvements shall be found to be in a clean, functional condition by the City Engineer before acceptance of maintenance responsibility by the City. Transfer of maintenance of public improvements shall occur when the City accepts the improvements at the end of the two year warranty period.*

Applicant's Response: There are no public improvements required for this project so these provisions are not applicable.

CHAPTER 17.60 VARIANCES

17.60.020 - Variances—Procedures.

- A. *A request for a variance shall be initiated by a property owner or authorized agent by filing an application with the city recorder. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development. When relevant to the request, building plans may also be required. The application shall note the zoning requirement and the extent of the variance requested. Procedures shall thereafter be held under Chapter 17.50. In addition, the procedures set forth in subsection D. of this section shall apply when applicable.*
- B. *A nonrefundable filing fee, as listed in OCMC 17.50.080, shall accompany the application for a variance to defray the costs.*

Applicant's Response: The application is being submitted by the owner of the property, Timber Ridge Construction. A site plan is included with the submission.

- C. *Before the planning commission may act on a variance, it shall hold a public hearing thereon following procedures as established in Chapter 17.50. A Variance shall address the criteria identified in OCMC 17.60.030, Variances — Grounds.*

Applicant's Response: The applicable criteria are addressed below in this narrative.

- D. *Minor variances, as defined in subsection E. of this section, shall be processed as a Type II decision, shall be reviewed pursuant to the requirements in OCMC 17.50.030B., and shall address the criteria identified in OCMC 17.60.030, Variance — Grounds.*
- E. *For the purposes of this section, minor variances shall be defined as follows:*
 - 1. *Variances to setback and yard requirements to allow additions to existing buildings so that the additions follow existing building lines;*
 - 2. *Variances to width, depth and frontage requirements of up to twenty percent;*
 - 3. *Variances to residential yard/setback requirements of up to twenty-five percent;*
 - 4. *Variances to nonresidential yard/setback requirements of up to ten percent;*
 - 5. *Variances to lot area requirements of up to five percent;*
 - 6. *Variance to lot coverage requirements of up to twenty-five percent;*
 - 7. *Variances to the minimum required parking stalls of up to five percent; and*
 - 8. *Variances to the floor area requirements and minimum required building height in the mixed-use districts.*
 - 9. *Variances to design and/or architectural standards for single family dwellings, duplexes, single-family attached dwellings, internal conversions, accessory dwelling units, and 3-4 plexes in OCMC 17.14, 17.16, 17.20, 17.21, and 17.22.*

Applicant's Response: Minor variances to lot size and lot width standards are proposed in conjunction with the partitioning of the subject property into two lots. The requested variance to lot size falls within the five percent maximum set by this section. The property is zoned R-8 and has a minimum lot size of 8,000 sq. ft. Parcel 1 is 7,884 sq. ft. in area, which amounts to a 1.5% reduction. Parcel 2 is proposed to be 7,646 sq. ft. in area, which amounts to a 4.4% reduction.

The variance to lot width is less than the twenty percent maximum allowable reduction. The minimum lot width standard of the R-8 zone is 60 feet. Parcel 1 is approximately 54 feet wide (a 10% reduction) and Parcel 2 is 53 feet wide (an 11.7% reduction).

17.60.030 - Variance—Grounds.

A variance may be granted only in the event that all of the following conditions exist:

- A. *That the variance from the requirements is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access or other desirable or necessary qualities otherwise protected by this title;*

Applicant's Response: The requested lot size variances are minimal (a 116 sq. ft. reduction for Parcel 1, and 354 sq. ft. for Parcel 2). Due to the use of lot size averaging, the adjacent Gentry Highlands 2 subdivision (north and west of the subject property) has lots in the R-8 zone that are typically 7,200 to 7,900 sq. ft. in size. The proposed lots are in the same size range and, therefore will not impact light, air, safe access or other desirable qualities. Properties on the other side of Friars Lane in the Pavilion Park subdivision are zoned R-3.5 and are typically in the range of 3,400 sq. ft. to 4,000 sq. ft. in size. The proposed lots are double that size and will not have as great of an impact upon those qualities as the smaller lots in the adjoining neighborhood.

The proposed lot widths are 54' and 53' for Parcels 1 and 2, respectively. This is a reduction of 6 and 7 feet from the minimum standard of the R-8 district of 60'. The lots in the Gentry Highlands 2 subdivision do conform to the lot width standard, but the significant factor in determining impact upon light and air is side setbacks as that determines how much space there is between structures. The minimum setback standards of the R-8 zone are not proposed to be reduced so there will be no impact upon the character of light and air. Safe access will be provided via frontage on Friars Lane. The proposed lot width is adequate to allow for driveway approaches that conform to minimum spacing standards. The lots in the Pavilion Park subdivision across Friars Lane are typically 40-42 feet in width. The proposed lot widths for the partition are 11-14 feet greater than that and, thus, will not have as much impact on these characteristics as exists in that neighborhood.

- B. *That the request is the minimum variance that would alleviate the hardship;*

Applicant's Response: The subject property is 470 sq. ft. too small to allow for standard 8,000 sq. ft. lots. This reduction is being spread between two parcels. There is no lesser variance that could be approved and still allow for the division of this property. The total lot width is approximately 107 feet, which is too small to allow for two 60 foot-wide lots. There is no lesser variance that would allow the property to be divided.

- C. *Granting the variance will equal or exceed the purpose of the regulation to be modified.*

Applicant's Response: The purpose of the lot area standard is to ensure that density of development in Low Density Residential areas is consistent with the planned character of such neighborhoods. As discussed above, the proposed lot areas are within the range found on other similarly zoned lots in the adjacent subdivision. They exceed those found in the Pavilion Park neighborhood. For these reasons, the proposed variances to lot size will equal the purpose of the minimum lot size standard in this area.

The lot width standards are intended to allow sufficient room so that single-family homes can be reasonably constructed while maintaining minimum setback standards. In this instance, the lots are deep enough that homes can be configured with a greater depth, thereby allowing for a good sized home that also conforms to side yard setbacks. For this reason, the proposed variances will equal the purpose of the minimum lot frontage standard.

D. Any impacts resulting from the adjustment are mitigated;

Applicant's Response: Impacts will be negligible, as discussed above. Maintaining required setbacks will ensure that the minor reductions to lot area and width will not impact the character of the surrounding area.

E. No practical alternatives have been identified which would accomplish the same purpose and not require a variance; and

Applicant's Response: There are no other alternatives given that the 15,530 sq. ft. lot size is not sufficient to allow for two lots conforming to minimum 8,000 sq. ft. lot area standard, and that the 107' lot width will not allow for two lots that are 60' in width.

F. The variance conforms to the comprehensive plan and the intent of the ordinance being varied.

Applicant's Response::

- *Goal 2.1 Efficient Use of Land*

Ensure that property planned for residential, commercial, office, and industrial uses is used efficiently and that land is developed following principles of sustainable development.

The proposed minor variances promote this comprehensive plan policy that encourages efficient use of existing urban lands. Without the approval of the variances, the property could not be divided and would remain nearly double the size envisioned for low density residential lots in this area.

- *Goal 10.1 Diverse Housing Opportunities*

Provide for the planning, development and preservation of a variety of housing types and lot sizes.

The proposed variances allow for the division of the property so that greater housing opportunity will exist for single-family homes on lots of approximately 8,000 sq. ft.

Minor Partition Checklist

1. X **A Completed Application Form with All Property Owner Signatures** (P)
2. X **Narrative** (P/DS)
A complete and detailed narrative description of the proposed development and an explanation addressing all applicable approval criteria. A template is provided at the Pre-Application Conference.
3. X **Boundary Survey** (P/DS)
Prepared by an Oregon Professional Land Surveyor (Including the Surveyor’s Name and Address)
 - The map scale and true north point
 - The location, width and names of all existing or platted streets, other public ways and easements within the proposed partition, and other important features, such as the general outline and location of permanent buildings, pedestrian/bicycle accessways, watercourses, power lines, telephone lines, railroad lines, gas lines, water lines, municipal boundaries and section lines
 - Approximate courses and distances of all parts of the partition
 - Around the periphery of the proposed partition, the boundary lines and names of adjacent partitions and subdivisions, streets and tract lines of adjacent parcels of property
 - The location of natural hazard areas on and within 100 feet of the boundaries of the site including areas within the following overlay districts
 - Flood Management Overlay District
 - Geologic Hazards Overlay District
 - Historic Overlay District
 - Natural Resource Overlay District
4. NA **A Connectivity Analysis** (DS)
Prepared by a transportation engineer, licensed by the State of Oregon, that describes the existing and future vehicular; bicycle and pedestrian connections between the proposed subdivision and existing or planned land uses on adjacent properties. The subdivision connectivity analysis shall include shadow plats of adjacent properties demonstrating how lot and street patterns within the proposed subdivision will extend to and/or from such adjacent properties and can be developed meeting the existing Oregon City Municipal Code design standards.

Not required at pre-app. All surrounding property is developed.
5. NA **Tree Removal and Mitigation Plan** (P)
A tree removal and mitigation plan must include the setbacks, easements and the location and caliper of all trees as well as identification of the trees 6” DBH and greater prepared in accordance with OCMC 17.41. A plan shall also be submitted identifying the location, species and caliper of trees replanted onsite. The tree mitigation plan report shall be prepared by a certified arborist, horticulturalist or forester or other environmental professional with experience and academic credentials in forestry or arboriculture.

No trees to be removed.

6. NA **Street Tree Plan**
 A street tree plan showing the location, size, and species of street trees in accordance with OCMC 12.08.
 Trees are existing.
7. NA **Preliminary Storm Calculations If Water Quality Detention is Required** (DS)
 Not required at this time because no new impervious surface is proposed.
8. NA **Erosion and Sediment Control Permit** (DS)
 The applicant shall submit an application for an erosion and sediment control permit pursuant to Chapter 17.47 concurrently with the preliminary subdivision plat application, including the measures that will be implemented throughout construction of the subdivision to control erosion and sedimentation, unless waived by the city engineer. This plan must be consistent with all applicable erosion control requirements in Chapter 17.47.
 No site development proposed.
9. **Recommended: Neighborhood Association Meeting** (P)
 Not required. A sign-in sheet of meeting attendees
 A summary of issues discussed
 A letter from the neighborhood association or CIC indicating that a neighborhood meeting was held.
 If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, a sign in sheet of attendees and a summary of issues discussed.
10. X **Pre-Application Conference Notes from Planning and Development Services Divisions** (P/DS)
11. None **Additional Information or Reports** (P/DS)
 If Required in Pre-Application Conference.
12. X **A Current Preliminary Title Report or Trio for the Subject Property(ies)** (P)
13. X **Mailing Labels for Owners within 300 Feet of the Subject Site or Fee for City-Provided Labels** (P)
 Add to Fee. The names and addresses of property owners within 300 feet of the site from a title company.
14. **Documentation indicating there are no liens favoring the City for the subject site** (P)
15. X **A receipt from the County Assessor's Office indicating that all taxes for the parcels involved are paid in full for the preceding tax year** (P)
 See Trio
16. X **Electronic Version of All Application Materials** (P/DS)
17. X **All Required Application Fees** (P)

(P) = Contact the Planning Division at (503) 722.3789 with any questions regarding this item.

(DS) = Contact the Development Services Division at (503) 657.0891 with any questions regarding this item.

Incomplete applications will not be processed.

**DEVELOPMENT SERVICES
PRE-APPLICATION MEETING NOTES**

Planning Project Number: PA 20-25
Address: 19174 Friars Lane
Map Number(s): 3-2E-07AC
Tax Lot(s): 00290
Project Name: Friars Lane Partition with Variance
Meeting Date: June 10, 2020
Reviewer(s): Jeremy Tamargo, PE

Public Disclosure:

The information provided shows the possible impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal (City Code 17.50.050). Omissions or failures by staff to recite to an applicant all relevant applicable land use requirements may occur, either as a result of a limited pre-application submittal or staff's interpretation of the codes at that time.

All pre-application conference related communications, including these notes, are informational only. They do not substitute for a public hearing and no land use decision is rendered at the pre-application conference. Notwithstanding any representations by City staff at a preapplication conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

General Comments

1. A complete land use application will typically include a preliminary stormwater report and preliminary construction plans showing all required improvements (E.G. roads, sidewalks, sewer, water, stormwater facilities, grading and erosion control). The application should also include a narrative responding to all sections of the Oregon City Municipal Code (OCMC) applicable to the proposed development. See provided checklists at <https://www.orcity.org/publicworks/engineering-development-services-checklists>
2. The City will issue a Staff Report in response to the contents of the application package provided by the applicant. Once a Staff Report is issued, staff strongly encourages a pre-design meeting with the project engineer to discuss plan requirements, conditions of approval, and process.
3. All applicable conditions of approval contained in the Staff Report must be addressed by providing the appropriate document (E.G. construction plans, reports, etc.) which must be reviewed and approved prior to issuance of building permits.

4. All applicable System Development Charges (SDC) shall be due and payable upon building permit issuance unless deferment is requested and a financing agreement is executed. The applicant will need to complete an SDC request form, found on the City's website.

SDC credits, reductions, and reimbursements are solely determined by the Director of Public Works and shall follow the process listed in City Code 13.20.040 and 13.20.050.

5. PLEASE NOTE: Once the land use decision is made, permits need to be sought to be able to start construction. This process may take many months after the land use decision is made. The applicant will need to submit separately to Public Works/Engineering and Building.

Streets

1. Street and frontage improvements along Friars Lane were completed under MP 17-01 (City As-Built Drawing #100086). No further street improvements will be required.
2. The existing driveway off Friars Lane appears to cross the proposed property line for the two new proposed lots. Per Oregon City Standard Detail 504, the ramp for a residential driveway is required to be a minimum of two feet from the property line. Driveways for the proposed lots shall meet City standards.
3. The applicant shall obtain a right-of-way permit from Public Works for any new or replaced driveways. Staff and the applicant discussed potential driveway options during the pre-app meeting. No decision was made at this time by the applicant regarding the number or location of driveways. Driveways shall require further review by Development Services staff at the time of application.
4. As discussed during the pre-app, all pavement cuts and restoration within Friars Lane shall comply with the City of Oregon City Pavement Cut Standards. At the time of the application, the pavement restoration requirement for Friars Lane is the Moratorium Standard. However, specific pavement cut standard requirements are determined at the time of construction.
5. Existing street lighting appears to be adequate. No additional street lighting will be required.
6. Reduction to the standard improvements and other deviations from the City's street design standards may be requested through the modification process outlined in Section 16.12.013 of the Oregon City Municipal Code. Proposed modifications may require additional evidence and analysis for review.

Stormwater

1. The Oregon City Stormwater and Grading Design Standards can be found online at: <https://www.orcity.org/publicworks/stormwater-and-grading-design-standards>.
2. Projects within the General Thresholds (Section 1.2.1) of the Stormwater and Grading Design Standard, are subject to the requirements of the City's Stormwater and Grading Design Standards. The project, as described in the Pre-Application submittal, does not appear to trigger Part A (see below) of the General Thresholds. However, see additional comments in bullet #4.
 - A. Development activities that result in 5,000 square feet of new or replaced impervious surface, cumulative over a 5-year period.
3. The project, as described in the Pre-Application submittal, does not appear to be within the General Thresholds (Section 1.2.1) of the Stormwater and Grading Design Standard. However, General Thresholds for Stormwater and Grading Design Standard may apply due to subsequent design changes at submittal of the application.
4. **New or replaced impervious surface required for treatment and mitigation includes surfaces associated with required frontage improvements cumulative over a 5-year period. Approximately 2,000 square feet of new impervious area was created under MP 17-01. The frontage improvements required for the partition alone for this project (new and replaced driveways) will likely not trigger the General Thresholds. However, construction of homes on the partitioned lots, coupled with the frontage improvements, will likely trigger Part A of the General Thresholds.**
5. Where compliance with the Stormwater and Grading Design Standards is required, applicants must submit a completed Site Assessment and Planning Checklist (and other items as described in Section 9.1.1 of the Stormwater and Grading Design Standards) as part of the land use application review process. At a minimum, to receive Completeness Approval, the applicant should submit a preliminary stormwater report addressing the following items from Section 9.1.1 of the City's Stormwater and Grading Design Standards.
 - A. Stormwater management strategy
 - B. A site plan showing an adequately sized stormwater facility based on Stormwater Best Management Practices (BMP) Sizing Tool or sized using the Engineered Method (as defined by City's Stormwater and Grading Design Standards).
 - C. A geotechnical report or a Natural Resource Conservation Service (NRCS) soils report documenting onsite infiltration and soil conditions in support of a proposed stormwater management strategy.
 - D. Downstream analysis which extends to the distance where the project site contributes less than 15 percent of the cumulative tributary drainage area or 1,500 feet downstream of the approved point of discharge, whichever is greater, as required by Chapter 5 of the Stormwater and Grading Design Standards.

Water

1. There is an existing 8-inch cast iron water main that runs within Friars Lane that appears to be sufficient to serve the proposed development.
2. There is an existing water service line which is located at the southwest corner of the property which may serve the proposed Lot 1 (City As-Built Drawing #100086).
3. The development will be required to provide the new Lot 2 with a new 1" water service line and meter per City standards. The applicant shall obtain a right-of-way permit from Public Works for the new service. Note that a special tap will be required for the connection to the cast iron main.
4. PLEASE NOTE: A separate application for service work on private property with separate fee/permit is required from the City Building Department.

Sanitary Sewer

1. An 8-inch sanitary sewer main exists within Pavilion Place with a manhole located at the intersection of Friars Lane and Pavilion Place.
2. There is an existing sanitary service lateral which may serve proposed Lot 2 (City As-Built Drawing #100086).
3. The development will be required to provide a 4" sanitary service lateral and two-way cleanout for the new Lot 1 per City standards. The applicant shall obtain a right-of-way permit from Public Works for the new service.
4. PLEASE NOTE: A separate application for service work on private property with separate fee/permit is required from the City Building Department.

Private Utilities (Gas, Electric, Telephone, Telecommunication, Cable, Fiberoptic, Etc.)

1. The applicant should be aware that utility coordination with these entities can be costly and substantially affect timelines. Early discussions with the utility providers are imperative for a timely project.
2. The City does not provide coordination with these utilities. Staff may provide suggestions or guidance for utility locations such as relocated poles, but the design is ultimately up to the applicant's consultant and the private utility.

Supplemental Information:

- I. Documentation required before any construction within the right of way of Friars Lane can begin for driveways and new services:
 - A. Right-of-way application
 - i. https://www.oregoncity.org/sites/default/files/fileattachments/public_works/page/4236/right_of_way_permit_vers_2019-08-07.pdf
 - B. Public Works permit fees
 - C. Plan drawing or sketch of proposed driveways and proposed services

Pre-Application Conference Notes

(PA 20-25, June 20, 2020)

Proposed Project: 2-lot partition, Minor variance

General Information:

- Location: 19174 Friars Lane, Taxlot 3-2E-07AC 00590
- Zoning: R-8 Single-Family Dwelling District
- Adjacent TSP Projects: None
- Street Designations: Friars Ln – Local (Residential, city-owned)

Planning Review and Application Fees:

The 2020 Planning applications and fees include

- Minor Partition: \$4,385
- Variance: \$2,767 (one fee for each variance – lot width and lot size)
- Mailing Labels: \$17 or provided by applicant
- The fee schedule is at

https://www.oregoncity.org/sites/default/files/fileattachments/planning/page/4321/planning_fees.pdf

Review Process:

This application is a Type II Minor Partition process. The applicant has **180 days** from the date of submittal to have a complete application.

Upon a complete application submittal, the applicant is entitled to a decision from the city for a decision of approval, approval with conditions or denial within **120 days** of deeming the application complete, by state law. Type II decisions are rendered by the Community Development Director, with appeal on the record to the City Commission, and then onto LUBA.

Type II decisions are based on the code approval criteria and require limited discretion by the Community Development staff in order to be approved. Staff is not authorized to waive any requirements of the code except for modifications through Chapter 12.04.

Items Needed for Land Use Application Review:

- [Land use application form](#) with property owner signature
- Fees (see above)
- Copy of Title Report or TRIO
- Legal Description of parent parcel
- Preliminary plat map showing measurements, existing features, easements
- Narrative description of project
- Code responses (see template)
- Copy of pre-application conference notes
- Copy of tribal/SHPO response to archaeological notice (provided to you by City if received)

Minor Partition

- Land division review process requires a two-step process: Preliminary and final plats. The preliminary plat, reviewed through a Type II process, provides all of the essential information about the proposal, including layout, number and pattern of lots, location of all existing structures and improvements, significant natural features, development schedule and any other required information. The final plat shall be processed as identified in OCMC 16.08.100.
- See Chapters 16.04 and 16.08 for applicable code.
- See [Minor Partition Checklist](#)

Chapter 17.60- Variances

The proposal includes a minor variance to lot size and lot width – minor variances are available for lot width reductions of up to 20% and lot size reductions of up to 5%. The proposed lot widths are 54 feet or 10% less than the standard, and the proposed lot sizes are 7884 and 7646 sf, which are variances of less than 5%.

- Please address the approval criteria as they relate to the proposal and the requirement being varied.
 - That the variance from the requirements is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access, or other desirable or necessary qualities;
 - That the request is the minimum variance that would alleviate the hardship;
 - Granting the variance will equal or exceed the regulation to be modified;
 - Any impacts resulting from the adjustment are mitigated;
 - No practical alternatives have been identified which would accomplish the same purpose and not require a variance.
 - That the variance conforms to the [comprehensive plan](#) and the intent of the ordinance being varied.
 - *Goal 2.1 Efficient Use of Land*
Ensure that property planned for residential, commercial, office, and industrial uses is used efficiently and that land is developed following principles of sustainable development.
 - *Goal 10.1 Diverse Housing Opportunities*
Provide for the planning, development and preservation of a variety of housing types and lot sizes.

Tree Protection/Mitigation and Street Trees

- A tree removal and mitigation plan prepared by a certified arborist, horticulturalist or forester or other environmental professional with experience and academic credentials in forestry or arboriculture is required, for trees within the construction area for new homes (area inside of setbacks). Must include the lot setbacks and the caliper of the trees to be removed as well as the species, caliper and location of the mitigation trees.
- It appears street trees were provided as part of the previous partition. If this is not the case, a street tree plan including one for every 35' of frontage is required in accordance with OCMC 12.08. Please provide total frontage length in the application to demonstrate the number of street trees is correct.
- If trees will be preserved or new trees planted, a covenant will be required as a condition of approval.

Neighborhood Association Meeting

- A neighborhood meeting is optional (not required) per OCMC 17.50.055 - [Neighborhood association meeting](#). You are part of the Tower Vista NA. <https://www.orcity.org/community/tower-vista-neighborhood-association>

Other notes:

1. 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.
2. We have provided notice of your proposed development to the State Historic Preservation Office (SHPO) and all affected tribes per OCMC chapter 17.62.040.H.
3. Fence height limitations provided in OCMC 17.54.100.
4. Residential Design Standards are provided in OCMC chapter 17.20.
5. All applicable [System Development Charges](#) (SDC) shall be due and payable upon building permit issuance.

Oregon City Municipal Code Criteria:

The following chapters of the Oregon City Municipal Code (OCMC) may be applicable to this proposal:

OCMC 12.04 - Streets, Sidewalks and Public Places

OCMC 12.08 - Public and Street Trees

OCMC 13.12 – Stormwater Management

OCMC 16.16 – Minor Partitions – Processes and Standards

OCMC 16.12 – Minimum Improvements and Design Standards for Land Divisions

OCMC 17.08 – Low Density Dwelling District

OCMC 17.20 – Residential Design Standards

OCMC 17.41- Tree Protection Standards

OCMC 17.50 – Administrative Processes

Transportation Review:

No review is required.

Planning Division

Kelly Reid, Planner with the Oregon City Planning Division reviewed your pre-application. You may contact her at 503.496.1540 or kreid@orccity.org.

Development Services Division

Jeremy Tamargo, Development Engineering Associate with the Oregon City Development Services Division reviewed your pre-application. You may contact Jeremy at jtamargo@orccity.org.

Building Division:

Your application was transmitted to our Building Official whom provided comments. You may contact Mike Roberts, Building Official, at 503.496.1517 or mroberts@orccity.org if you have any building related questions.

Clackamas County Fire:

Your application was transmitted to Mike Boumann, Lieutenant Deputy Fire Marshal of Clackamas County Fire District #1. No comments were returned regarding your application. You may contact Mr. Boumann at 503.742.2660 or at michaelbou@ccfd1.com.

Planning staff will provide you with a Code Response template for the preparation of the required application narrative responding to the applicable approval criteria listed above.

NOTICE TO APPLICANT: A property owner may apply for any permit they wish for their property. HOWEVER, THERE ARE NO GUARANTEES THAT ANY APPLICATION WILL BE APPROVED. No decisions are made until all reports and testimony have been submitted. This form will be kept by the Community Development Department. A copy will be given to the applicant. IF the applicant does not submit an

application within six (6) months from the Pre-application Conference meeting date, a NEW Pre-Application Conference will be required unless extended to one year.

Public Disclosure:

The purpose of a pre-application meeting is to introduce the impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal (City Code 17.50.050). Omissions or failures by staff to identify all relevant applicable land use requirements or how they might affect a proposal may occur, either as a result of a limited pre-application submittal or the consideration of discretionary criteria.

All pre-application conference related communications, including these notes, are informational only. They do not substitute for a public hearing and no land use decision is rendered at this phase. Notwithstanding any representations by City staff at a preapplication conference, staff is not authorized to waive any requirements of the Oregon City Municipal Code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.



Clackamas County Parcel Information

Parcel #:	05031116
Tax Lot:	32E07AC00290
Site Address:	19174 Friars Ln Oregon City OR 97045 - 7583
Owner:	Hartley, William G
Owner2:	
Owner Address:	PO Box 1148 Sandy OR 97055 - 1148
Twn/Range/Section:	03S / 02E / 07 / NE
Parcel Size:	0.40 Acres (17,424 SqFt)
Plat/Subdivision:	Partition Plat 2016-103 Pt Parcel 2 See Related Property TI 00200
Lot:	
Block:	
Census Tract/Block:	022606 / 1042
Waterfront:	

Assessment Information

Market Land Value:	\$137,026.00
Market Impr Value:	\$0.00
Market Total Value:	\$137,026.00
Assessed Value:	\$87,119.00

Legal

Partition Plat 2016-103 PT PARCEL 2 SEE RELATED PROPERTY
TL 00200|Y|183,983

Tax Information

Levy Code Area:	062-064
Levy Rate:	18.2205
Tax Year	Annual Tax
2019	\$1,587.35
2018	\$1,508.44
2017	\$1,469.41

Land

Cnty Land Use:	100 - Residential land, vacant	Land Use Std:	RSFR - Single Family Residence
Zoning:	Oregon City-R8 - Single Family Dwelling District	Neighborhood:	TV
Watershed:	Abernethy Creek-Willamette River	School District:	62
Recreation:		Primary School:	John McLoughlin Elementary School
Middle School:	Gardiner Middle School	High School:	Oregon City Senior High School

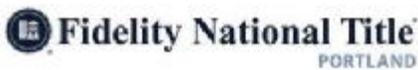
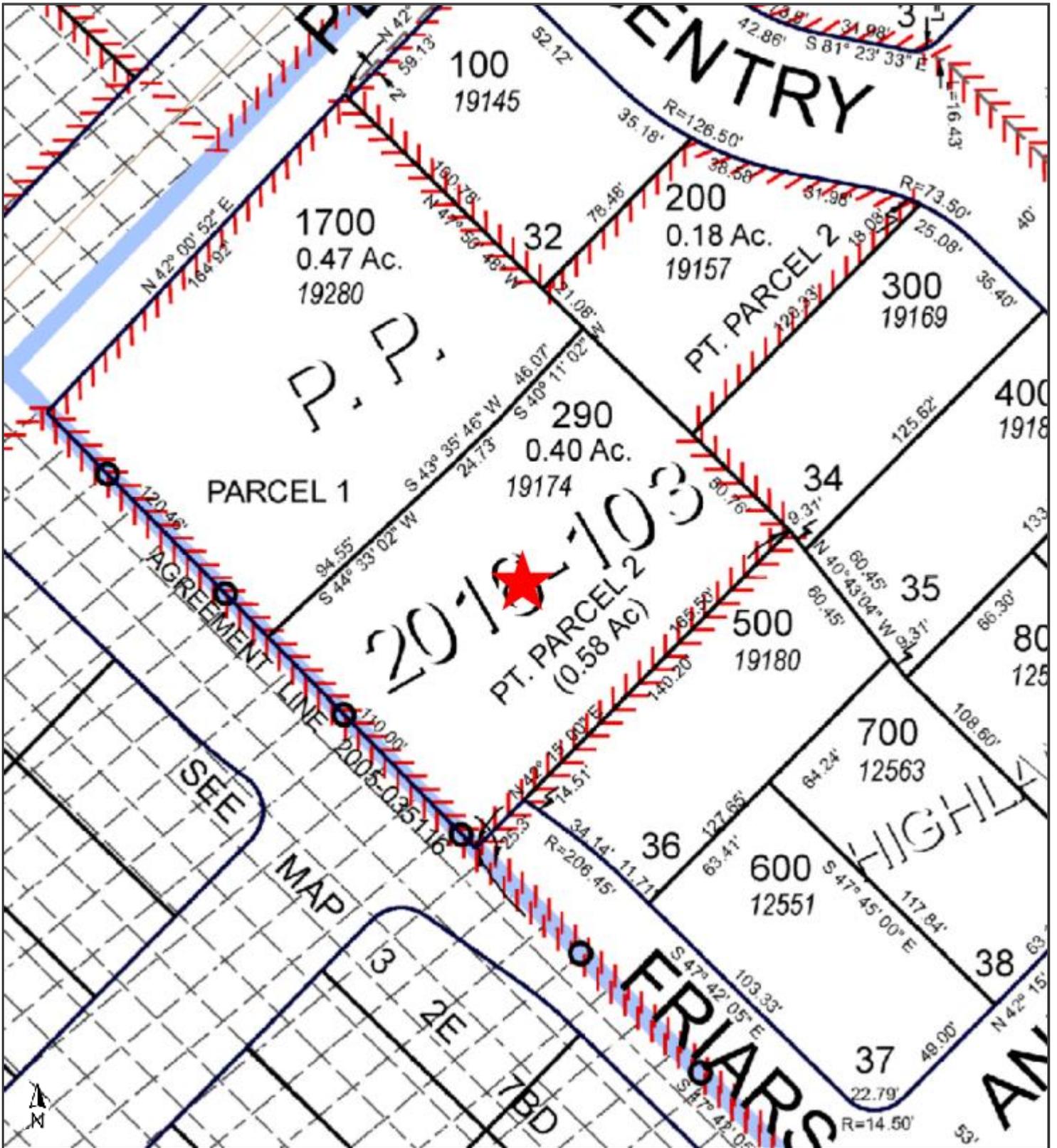
Improvement

Building Use:		Building Type:		Year Built:	
Stories:		Total SqFt:		Eff Year Built:	
Bedrooms:		Bathrooms:		Bsmt SqFt:	
Garage:		Full Baths:		Exterior Walls:	
Roof Covering:		Half Baths:		Foundation:	
Roof Style:		Heat:			

Transfer Information

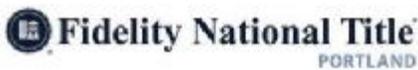
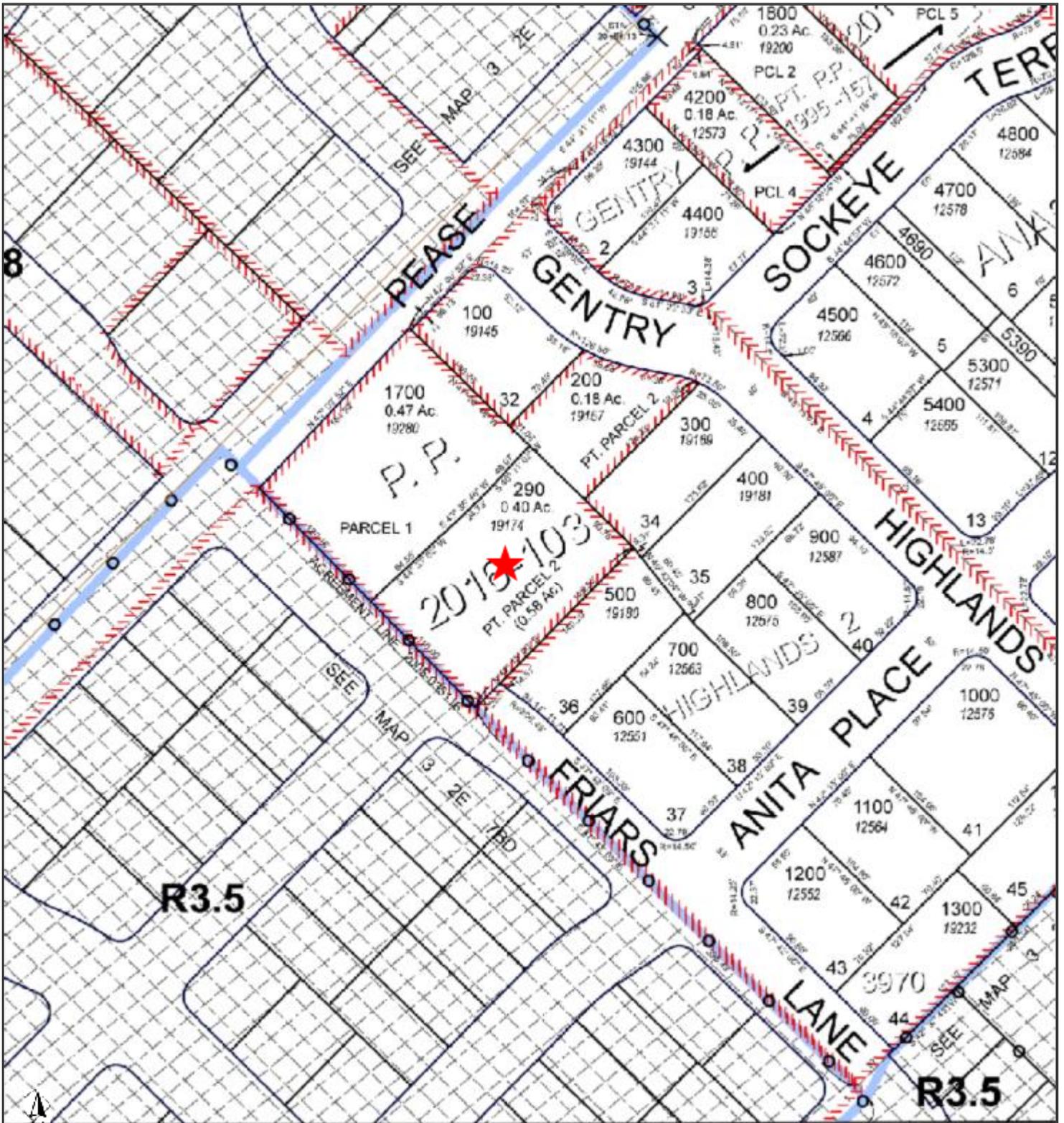
Rec. Date:	4/30/2020	Sale Price:	\$215,000.00	Doc Num:	2020-031275	Doc Type:	Deed
Owner:	William G Hartley	Grantor:		Title Co:	FIRST AMERICAN		
Orig. Loan Amt:		Lender:					
Finance Type:		Loan Type:					

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



ParcelID: 05031116
19174 Friars Ln
Oregon City, OR 97045

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



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150 Beaver Creek Rd
 Oregon City, OR 97045
 503-655-8671

Property Account Summary

7/1/2020

Account Number	05031116	Property Address	19174 FRIARS LN , OREGON CITY, OR 97045
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General Information	
Alternate Property #	32E07AC00201
Property Description	PARTITION PLAT 2020-030 PARCEL 3
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	062-064
Remarks	

Property Characteristics	
Neighborhood	13071: Oregon City newer subdivisions 100, 101
Land Class Category	100: Residential land, vacant
Acreage	.40
Change property ratio	1XX

Property Details							
Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths

Property Values					
Value Type	Tax Year 2019	Tax Year 2018	Tax Year 2017	Tax Year 2016	Tax Year 2015
AVR Total	\$87,119	\$84,582	\$82,118		
Exempt					
TVR Total	\$87,119	\$84,582	\$82,118		
Real Mkt Land	\$137,026	\$133,142	\$120,939		
Real Mkt Bldg					
Real Mkt Total	\$137,026	\$133,142	\$120,939		
M5 Mkt Land	\$137,026	\$133,142	\$120,939		
M5 Mkt Bldg					
M5 SAV					

SAVL (MAV Use Portion)					
MAV (Market Portion)	\$87,119	\$84,582	\$82,118		
Mkt Exception			\$120,939		
AV Exception			\$82,118		

Tax Rate

Description	Rate
Total Rate	18.2205

Tax Balance

Related Properties

No Related Properties Found

Active Exemptions

No Exemptions Found

Events

Effective Date	Entry Date-Time	Type	Remarks
05/13/2020	05/13/2020 15:21:00	Seg/Merge Completed	Parent in Seg/Merge SM200310, Effective: 01/02/2019 by DROME
05/13/2020	05/13/2020 15:21:00	Seg/Merge Initiated	SEG/MERGE MERGE BEGUN ON SM200310 PT TL 00290 .01 AC) TO TL 00200, PT TL 00290 (.04 AC) TO RD, AC ADJ (.01AC) TO TL 00290 BY PP 2020-030 & MAP CHNG 32E07AC00290 TO 32E07AC00201 NO LONGER A 90 ACCT By DROME
09/04/2018	09/04/2018 11:28:00	The situs address has changed	by DROME
12/13/2017	12/13/2017 09:41:00	Annexation Completed For Property	ANNEX TO TRICITY SRV DIST. ORD 2017-28-added to annexation by batch process 74,502. by DEENAMEH
12/20/2016	12/20/2016 08:05:00	Created by Seg/Merge	Created by Seg/Merge SM170109, Effective: 01/02/2016 by DROME

Receipts

Date	Receipt No.	Amount Applied	Amount Due	Tendered	Change
11/19/2019 00:00:00	4757486	\$1,587.35	\$1,587.35	\$1,539.73	\$0.00
11/26/2018 00:00:00	4587049	\$1,508.44	\$1,508.44	\$1,463.19	\$0.00
11/17/2017 00:00:00	4377336	\$1,469.41	\$1,469.41	\$1,425.33	\$0.00

Sales History

Sale Date	Entry Date	Recording Date	Recording Number	Sale Amount	Excise Number	Deed Type	Grantee(Buyer)	Other Parcels
No Sales History Found								



After recording return to:
William G. Hartley, III
PO Box 1148
Sandy, OR 97055

Until a change is requested all tax
statements shall be sent to the
following address:
William G. Hartley, III
PO Box 1148
Sandy, OR 97055

File No.: 7072-3392849 (LLS)
Date: April 29, 2020

THIS SPACE RESRVED FOR RECORDER'S USE

Clackamas County Official Records **2020-031275**
Sherry Hall, County Clerk
04/30/2020 12:03:01 PM
D-D Cr:=1 Str=74 DENI/M
\$10.00 \$16.00 \$10.00 \$82.00 **\$98.00**

STATUTORY WARRANTY DEED

Vitaly Zhelnovakov, Grantor, conveys and warrants to **William G. Hartley, III**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

Parcel 3, PARTITION PLAT NO. 2020-030, in the City of Oregon City, County of Clackamas and State of Oregon;

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$215,000.00**. (Here comply with requirements of ORS §3.030)

FIRST AMERICAN 339 2849-55

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 30 day of April, 2020
Vitaly Zhelnovakov
Vitaly Zhelnovakov

STATE OF Oregon)
County of Clatsop) ss.

This instrument was acknowledged before me on this 30 day of April, 2020
by **Vitaly Zhelnovakov**.

[Signature]
Notary Public for 3/31/2024
My commission expires:

