



### LAND USE APPLICATION FORM

**Type I (OCMC 17.50.030.A)**

- Compatibility Review
- Lot Line Adjustment
- Non-Conforming Use Review
- Natural Resource (NROD) Verification
- Site Plan and Design Review

**Type II (OCMC 17.50.030.B)**

- Extension
- Detailed Development Review
- Geotechnical Hazards
- Minor Partition (<4 lots)
- Minor Site Plan & Design Review
- Non-Conforming Use Review
- ~~Site Plan and Design Review~~
- Subdivision (4+ lots)
- Minor Variance
- Natural Resource (NROD) Review

**Type III / IV (OCMC 17.50.030.C)**

- Annexation
- Code Interpretation / Similar Use
- Concept Development Plan
- Conditional Use
- Comprehensive Plan Amendment (Text/Map)
- Detailed Development Plan
- Historic Review
- Municipal Code Amendment
- Variance
- Zone Change

GLUA-20-00023 / SP 20-00050

**File Number(s):** \_\_\_\_\_

Proposed Land Use or Activity: 985 SF BUILDING EXPANSION OF EXISTING VETERINARY CLINIC

Project Name: BARCLAY HILLS ANIMAL CLINIC - EXPANSION Number of Lots Proposed (If Applicable): N/A

Physical Address of Site: 865 MOLALLA AVE OREGON CITY, OR 97045

Clackamas County Map and Tax Lot Number(s): MAP 3-2E-05BB, TAP LOT 4500

**Applicant(s):**

Applicant(s) Signature: \_\_\_\_\_

Applicant(s) Name Printed: CHER SMITH - NVA Date: 6/4/20

Mailing Address: 865 MOLALLA AVE OREGON CITY, OR 97045

Phone: 503.684.3133 Fax: — Email: CKSMITH@NVA.COM

**Property Owner(s):**

DocuSigned by:  
Troy Nelson

Property Owner(s) Signature: \_\_\_\_\_

Property Owner(s) Name Printed: TROY NELSON - STORE MASTER FUNDING Date: 6/4/20

Mailing Address: 8377 E. HARTFORD DR., SUITE 100 SCOTTSDALE, AZ 85255

Phone: 480.256.1198 Fax: — Email: TNELSON@STORECAPITAL.COM

**Representative(s):**

Representative(s) Signature: Ki Hughes

Representative (s) Name Printed: KEVIN HUGHES - CBRE Date: 6/4/20

Mailing Address: 1300 SW 5th AVE PORTLAND, OR 97201

Phone: 310.469.1258 Fax: — Email: KEVIN.HUGHES2@CBRE.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.

**TEMPLATE INSTRUCTIONS FOR APPLICANTS**

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

**EXAMPLE RESPONSES**

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.

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

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

**Example:**

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

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

- A. Fully enclosed and visually screened;
- B. Located in a manner easily and safely accessible by collection vehicles;
- C. Located in a manner so as not to hinder travel lanes, walkways, streets or adjacent properties;
- D. On a level, hard surface designed to discharge surface water runoff and avoid ponding;
- E. Maintained by the property owner;
- F. Used only for purposes of storing solid waste and recyclable materials;
- G. Designed in accordance with applicable sections of the Oregon City Municipal Code (including OCMC 8.20—Solid Waste Collection and Disposal) and city adopted policies.

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

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

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

Example:

 <p>No need to respond to each subsection of a code section that is not applicable to the development</p>	<p><i>17.54.100 Fences, Hedges, Walls, and Retaining Walls.</i>  <i>A. A fence, hedge, wall, retaining wall, or combination thereof may be located on real property, not within the right-of-way, subject to all of the following:</i>  <i>1. A fence, hedge, wall, retaining wall, or combination thereof located in front of a building may be up to 3.5-feet in total height as measured from the finished grade at any point on the fence.</i>  <b>Applicant's Response:</b> No new fences or changes to existing fences are proposed as part of this project.   <i>2. A fence, hedge, wall, located next to, or behind the forward most building, or within more than forty feet of the right-of-way, whichever is less may be up to:</i>  <i>a. Six feet in total height for residential properties with less than five units as measured from the finished grade at any point on the fence; or</i>  <b>Applicant's Response:</b> No new fences or changes to existing fences are proposed as part of this project.   <i>b. Eight feet in total height for all other uses as measured from the finished grade at any point on the fence.</i>  <b>Applicant's Response:</b> No new fences or changes to existing fences are proposed as part of this project.</p>
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	<p>3. <i>A retaining wall or combination of a fence, hedge, wall located next to and behind the forward most building, or within more than forty feet of the right-of-way, whichever is less, may be up to (as measured from the finished grade ) 8.5 feet in height from the finished grade.</i>  <b>Applicant's Response:</b> No new fences or changes to existing fences are proposed as part of this project.</p> <p>4. <i>Fences, hedges, and/or walls located within two feet above a retaining wall, as measured on a horizontal plane, shall be measured together for the purposes of determining height.</i>  <b>Applicant's Response:</b> No new fences or changes to existing fences are proposed as part of this project.</p> <p>5. <i>Property owners shall ensure compliance with the Traffic Sight Obstruction requirements in Chapter 10.32 of the Oregon City Municipal Code.</i>  <b>Applicant's Response:</b> No new fences or changes to existing fences are proposed as part of this project.</p> <p>6. <i>Retaining walls completely below the elevation of the right-of-way may be up to six feet in height.</i>  <b>Applicant's Response:</b> No new fences or changes to existing fences are proposed as part of this project.</p> <p>7. <i>Minimum fall protection required by the Building Official, such as railings, is not included in the height of a retaining wall but must comply with the fence height requirements.</i>  <b>Applicant's Response:</b> No new fences or changes to existing fences are proposed as part of this project.</p>
 <p>Section can be collapsed, and only one response explaining why the entire section is not applicable is needed.</p>	<p>17.54.100 <i>Fences, Hedges, Walls, and Retaining Walls.</i>  <b>Applicant's Response:</b> No new fences or changes to existing fences are proposed as part of this project, therefore this section in its entirety is not applicable.</p>

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

**TYPE II –SITE PLAN AND DESIGN REVIEW**  
**Applicant's Submittal**  
*June 4, 2020*

**APPLICANT:** Barclay Hills Animal Clinic  
865 Molalla Ave, Oregon City, OR 97045

**OWNER:** NVA – National Veterinary Association  
29229 Canwood St., Suite 100  
Agoura Hills, CA 91301

**REQUEST:** 985 sf building expansion of existing veterinary clinic

**LOCATION:** 865 Molalla Ave, Oregon City, OR 97045  
Clackamas County Map 3-2E-05BB, Tax Lot 4500

**I. BACKGROUND:**

1. **Existing Conditions – Barclay Hills Animal Clinic currently open and operating on the property.**
  
2. **Project Description – 985 sf building expansion of existing veterinary clinic**

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 16.12 Minimum Public Improvements And Design Standards For Development  
Chapter 17.20 Accessory Dwelling Unit, Cluster Housing, Internal Conversion, Live/Work Dwelling, And Manufactured Home Park Design Standards  
Chapter 17.29 Muc Mixed Use Corridor District  
Chapter 17.40 - Historic Overlay District  
Chapter 17.41 Tree Protection, Preservation, Removal And Replanting Standards  
Chapter 17.44 - Us—Geologic Hazards  
Chapter 17.50 Administration And Procedures  
Chapter 17.52 Off-Street Parking And Loading  
Chapter 17.54 Supplemental Zoning Regulations And Exceptions  
Chapter 17.60 Variances  
Chapter 17.62 Site Plan And Design Review

**Commented [DV1]:** Staff to update applicable code sections

The City Code Book is available on-line at [www.orcity.org](http://www.orcity.org).

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

**REQUIRED CODE RESPONSES:**

**CHAPTER 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:**

*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:**

*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:**

*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:**

**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:**

**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:**

**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:**

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:**

*12.04.170 - Street design—Purpose and general provisions.*

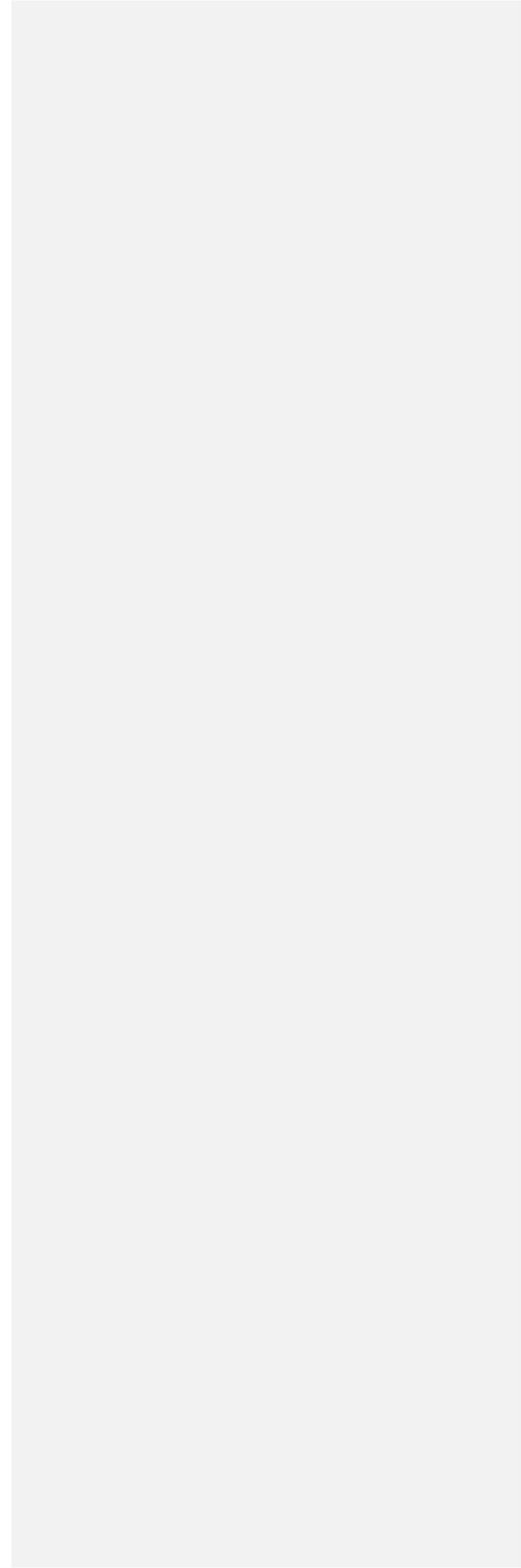
*All development shall be in conformance with the city's public facility master plans, public works policies, standard drawings and engineering specifications. All streets shall be reviewed and approved by the city engineer prior to construction. All streets and driveway connections to another jurisdiction's 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:**

*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:**



## **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: All stormwater conveyance facilities are existing and receive no stormwater runoff from outside the parcel's property limits, therefore these standards are not applicable to the proposed development.**

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

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

**Applicant's Response: All water quality and flow control utilities are existing, therefore these requirements are not applicable to the proposed development.**

*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: All utilities are existing, therefore the proposed development is exempt to the flow control requirements.**

*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: The proposed development does not include any uses that would require additional management practices, therefore these standards are not applicable to the proposed development.**

*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: All utilities are existing, therefore not subject to stormwater conveyance, water quality, and/or flow control requirements.**

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: The proposed development does not include any uses requiring additional management practices, therefore these standards are not applicable to the proposed development.**

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: No alternative materials, alternative design and methods of construction are being proposed, therefore the provisions of this chapter are not applicable to the proposed development.**

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: All stormwater utilities are existing, therefore the requirements related to a project engineer are not applicable to the proposed development.**

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: All stormwater utilities are existing, therefore the requirements related to standard construction specifications are not applicable to the proposed development.**

*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: No new stormwater facilities will be constructed, therefore the requirements related to maintenance of public stormwater facilities is not applicable to the proposed development.**

*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: No new stormwater conveyance systems will be constructed, therefore the requirements related to maintenance of public stormwater facilities is not applicable to the proposed development.**

*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: No new stormwater conveyance systems will be constructed, therefore the requirements related to maintenance of public stormwater systems is not applicable to the proposed development.**

*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: No new stormwater facilities will be constructed, therefore the requirements related to maintenance of stormwater facilities is not applicable to the proposed development.**

*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: The development is less than one acre, therefore the permit requirements related to DEQ is not applicable to the proposed development.**

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: The development does not require DSL and/or USACE permits, therefore the requirements are not applicable to the proposed development.**

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: The development does not require ODFW permits, therefore the requirements are not applicable to the proposed development.**

#### **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: The proposed development does not include any of the grading activities that would require a grading permit, therefore the permit requirements are not applicable to the proposed development.**

15.48.040 - Grading permit exemptions.

The following filling and grading activities shall not require the issuance of a grading permit:

- A. Excavation for utilities, or for wells or tunnels allowed under separate permit by other governmental agencies;
- B. An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. The placement of any fill material removed from such an excavation requires a grading permit if:
  - 1. It exceeds fifty cubic yards,
  - 2. More than ten cubic yards are removed from the site, or
  - 3. The fill is placed on the site to a depth greater than one foot;
- C. Farming practices as defined in ORS 30.930 and farm uses as defined in ORS 215.203, except that buildings associated with farm practices and farm uses are subject to the requirements of this chapter;
- D. Excavation for cemetery graves;
- E. Sandbagging, diking, ditching, filling or similar work when done to protect life or property during an emergency;
- F. Repaving of existing paved surfaces that does not alter existing drainage patterns;
- G. Maintenance work on public roads performed under the direction of the city, Clackamas County or Oregon State Department of Transportation personnel.

**Applicant's Response: The only excavation work will be for footings of the building expansion and it will not exceed fifty cubic yards, therefore a grading permit will not be required for the proposed development.**

#### 15.48.090 Submittal requirements.

An engineered grading plan or an abbreviated grading plan shall be prepared in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards whenever a city approved grading permit is required. In addition, a geotechnical engineering report and/or residential lot grading plan may be required pursuant to the criteria listed below.

A. **Abbreviated Grading Plan.** The city shall allow the applicant to submit an abbreviated grading plan in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards if the following criteria are met:

- 1. No portion of the proposed site is within the flood management area overlay district pursuant to [Chapter 17.42](#), the unstable soils and hillside constraints overlay district pursuant to [Chapter 17.44](#), or a water quality resource area pursuant to [Chapter 17.49](#); and
- 2. The proposed filling or grading activity does not involve more than fifty cubic yards of earth.

B. **Engineered Grading Plan.** The city shall require an engineered grading plan in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards to be prepared by a professional engineer if the proposed activities do not qualify for abbreviated grading plan.

C. **Geotechnical Engineering Report.** The city shall require a geotechnical engineering report in compliance with the minimum report requirements of the Public Works Stormwater and Grading Design Standards to be prepared by a professional engineer who specializes in geotechnical work when any of the following site conditions may exist in the development area:

- 1. When any publicly maintained facility (structure, street, pond, utility, park, etc.) will be supported by any engineered fill;
- 2. When an embankment for a stormwater pond is created by the placement of fill;
- 3. When, by excavation, the soils remaining in place are greater than three feet high and less than twenty feet wide.

D. **Residential Lot Grading Plan.** The city shall require a residential lot grading plan in compliance with the minimum report requirements of the Public Works Stormwater and Grading Design Standards to be

prepared by a professional engineer for all land divisions creating new residential building lots or where a public improvement project is required to provide access to an existing residential lot.

**Applicant's Response: The proposed filling or grading activity will not exceed fifty cubic yards of earth, therefore the submittal requirements are not applicable to the proposed development.**

#### **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 utilities are existing and there are no proposed changes to streets, driveways, or storm drain connections, therefore the provisions are not applicable to the proposed development.**

##### *16.12.011 - Applicability.*

- A. *Compliance with this chapter is required for all development including land divisions, site plan and design review, master plan, detailed development plan and conditional use applications and all public improvements. Minor Site Plan and Design Review applications shall not be subject to this chapter unless improvements are proposed within the right-of-way, or as otherwise provided in this chapter.*
- B. *Compliance with this chapter is also required for new construction or additions which exceed fifty percent of the existing square footage of all 3-4 plexes, single and two-family dwellings living space. Garages, carports, sheds, and porches may not be included in the calculation if these spaces are not living spaces. Accessory dwelling units are not subject to compliance with this chapter. All applicable 3-4 plexes, single and two-family dwellings shall provide any necessary dedications, easements or agreements as identified in the transportation system plan and this chapter, subject to constitutional limitations. In addition, the street frontage shall be improved to include the following priorities for improvements:*

- 1. *Improve street pavement, construct curbs, gutters, sidewalks and planter strips; and*
- 2. *Plant street trees.*

*The cost of compliance with the standards identified in 16.12.011.B.1 and 16.12.011.B.2 is calculated based on the square footage valuation from the State of Oregon Building Codes Division and limited to ten percent of the total construction costs. The value of the alterations and improvements is based on the total construction costs for a complete project rather than costs of various project component parts subject to individual building permits. The entire proposed construction project cost includes engineering and consulting fees and construction costs. It does not include permit fees, recording fees, or any work associated with drafting or recording dedications or easements.*

**Applicant's Response: This is a Minor Site Plan and Design Review Application, therefore this chapter is not applicable to the proposed development.**

*16.12.012 - Jurisdiction and management of the public rights-of-way.*

*The City has jurisdiction and exercises regulatory management over all public rights-of-way as defined and outlined within 12.04 of the Oregon City Municipal Code.*

**Applicant's Response: No work is planned for the public rights-of-way, therefore this section is not applicable to the proposed development.**

*16.12.013 - Modifications.*

*The applicant may request and the review body may consider modification of the standards in this chapter resulting from constitutional limitations restricting the City's ability to require the dedication of property or for any other reason, based upon the criteria listed below and other criteria identified in the standard to be modified. All modifications, except for adjustments approved by the City Engineer for tree preservation purposes pursuant to 16.12.013.A, shall be processed through a Type II Land Use application and may require additional evidence from a transportation engineer or others to verify compliance. Compliance with the following criteria is required:*

*A. The modification meets the intent of the standard;*

**Applicant's Response: No modifications are being proposed as part of the development.**

*B. The modification provides safe and efficient movement of pedestrians, motor vehicles, bicyclists and freight;*

**Applicant's Response: No modifications are being proposed as part of the development.**

*C. The modification is consistent with an adopted transportation or utility plan; and*

**Applicant's Response: No modifications are being proposed as part of the development.**

*D. The modification is complementary with a surrounding street design; or, in the alternative;*

**Applicant's Response: No modifications are being proposed as part of the development.**

*E. If a modification is requested for constitutional reasons, the applicant shall demonstrate the constitutional provision or provisions to be avoided by the modification and propose a modification that complies with the state or federal constitution. The City shall be under no obligation to grant a modification in excess of that which is necessary to meet its constitutional obligations.*

**Applicant's Response: No modifications are being proposed as part of the development.**

*16.12.015 - Street design—Generally.*

*Development shall be required to provide existing or future connections to adjacent sites through the use of vehicular and pedestrian access easements where applicable. Development shall provide any necessary dedications, easements or agreements as identified in the Transportation System Plan, Trails Master Plan, and/or Parks and Recreation Master Plan and this chapter, subject to constitutional limitations. The location, width and grade of street shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and pedestrian/bicycle accessways, overlay districts, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be*

carried considering the terrain. To the extent possible, proposed streets shall connect to all existing or approved stub streets that abut the development site. The arrangement of streets shall either:

A. Provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels or conform to a plan for the area approved or adopted by the City to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical;

B. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of the development and the resulting dead-end street (stub) may be approved with a temporary turnaround as approved by the City Engineer. Notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future. Access control in accordance with OCMC 16.12.017 shall be required to preserve the objectives of street extensions.

C. Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit facilities shall be provided and be consistent with the City's Transportation System Plan. Consideration shall be given to the need for street widening and other improvements in the area of the proposed development impacted by traffic generated by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, street drainage facilities and other facilities needed because of anticipated vehicular and pedestrian traffic generation.

**Applicant's Response: No changes to street design are being proposed, therefore street design guidelines are not applicable to the proposed development.**

**16.12.016 - Street design.**

All development regulated by this chapter shall provide street improvements in compliance with the standards in Table 16.12.016 depending on the street classification set forth in the Transportation System Plan and the Comprehensive Plan designation of the adjacent property, unless an alternative plan has been adopted. The table implements the adopted Transportation System Plan and illustrates the maximum design standards. These standards may be reduced with an alternative street design which may be approved based on the modification criteria in OCMC 16.12.013. The steps for reducing the street design are found in the Transportation System Plan.

**Table 16.12.016 Street Design**

Table 16.12.016 Street Design. To read the table select the road classification as identified in the Transportation System Plan and the Comprehensive Plan designation of the adjacent properties to find the maximum design standards for the road cross section. If the Comprehensive Plan designation for lands on either side of the street differs, the wider right-of-way standard shall apply.

Road Classification	Comprehensive Plan Designation	Right-of-Way Width	Pavement Width	Public Access	Sidewalk	Landscape Strip	Bike Lane	Street Parking	Travel Lanes	Median
Major Arterial	Mixed Use, Commercial or Public/Quasi Public	116 ft.	94 ft.	0.5 ft.	10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells		6 ft.	8 ft.	(5) 12 ft. Lanes	6 ft.

	<i>Industrial</i>	120 ft.	88 ft.	0.5 ft.	5 ft.	10.5 ft.	6 ft.	N/A	(5) 14 ft. Lanes	6 ft.
	<i>Residential</i>	126 ft.	94 ft.	0.5 ft.	5 ft.	10.5 ft.	6 ft.	8 ft.	(5) 12 ft. Lanes	6 ft.

<i>Road Classification</i>	<i>Comprehensive Plan Designation</i>	<i>Right-of-Way Width</i>	<i>Pavement Width</i>	<i>Public Access</i>	<i>Sidewalk</i>	<i>Landscape Strip</i>	<i>Bike Lane</i>	<i>Street Parking</i>	<i>Travel Lanes</i>	<i>Median</i>
<i>Minor Arterial</i>	<i>Mixed Use, Commercial or Public/Quasi Public</i>	116 ft.	94 ft.	0.5 ft.	10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells		6 ft.	8 ft.	(5) 12 ft. Lanes	6 ft.
	<i>Industrial</i>	118 ft.	86 ft.	0.5 ft.	5 ft.	10.5 ft.	6 ft.	7 ft.	(5) 12 ft. Lanes	N/A
	<i>Residential</i>	100 ft.	68 ft.	0.5 ft.	5 ft.	10.5 ft.	6 ft.	7 ft.	(3) 12 ft. Lanes	6 ft.

<i>Road Classification</i>	<i>Comprehensive Plan Designation</i>	<i>Right-of-Way Width</i>	<i>Pavement Width</i>	<i>Public Access</i>	<i>Sidewalk</i>	<i>Landscape Strip</i>	<i>Bike Lane</i>	<i>Street Parking</i>	<i>Travel Lanes</i>	<i>Median</i>
<i>Collector</i>	<i>Mixed Use, Commercial or Public/Quasi Public</i>	86 ft.	64 ft.	0.5 ft.	10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells		6 ft.	8 ft.	(3) 12 ft. Lanes	N/A
	<i>Industrial</i>	88 ft.	62 ft.	0.5 ft.	5 ft.	7.5 ft.	6 ft.	7 ft.	(3) 12 ft. Lanes	N/A
	<i>Residential</i>	85 ft.	59 ft.	0.5 ft.	5 ft.	7.5 ft.	6 ft.	7 ft.	(3) 11 ft. Lanes	N/A

<i>Road Classification</i>	<i>Comprehensive Plan Designation</i>	<i>Right-of-Way Width</i>	<i>Pavement Width</i>	<i>Public Access</i>	<i>Sidewalk</i>	<i>Landscape Strip</i>	<i>Bike Lane</i>	<i>Street Parking</i>	<i>Travel Lanes</i>	<i>Median</i>
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Local	Mixed Use, Commercial or Public/Quasi Public	62 ft.	40 ft.	0.5 ft.	10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells		N/A	8 ft.	(2) 12 ft. Lanes	N/A
	Industrial	60 ft.	38 ft.	0.5 ft.	5 ft.	5.5 ft.	(2) 19 ft. Shared Space		N/A	
	Residential	54 ft.	32 ft.	0.5 ft.	5 ft.	5.5 ft.	(2) 16 ft. Shared Space		N/A	

1. Pavement width includes, bike lane, street parking, travel lanes and median.
2. Public access, sidewalks, landscape strips, bike lanes and on-street parking are required on both sides of the street in all designations. The right-of-way width and pavement widths identified above include the total street section.
3. A 0.5 foot curb is included in landscape strip or sidewalk width.
4. Travel lanes may be through lanes or turn lanes.
5. The 0.5 foot public access provides access to adjacent public improvements.
6. Alleys shall have a minimum right-of-way width of twenty feet and a minimum pavement width of sixteen feet. If alleys are provided, garage access shall be provided from the alley.
7. A raised concrete median or landscape median shall be utilized for roads identified to have access restrictions.

**Applicant’s Response: No changes to existing streets or new streets are being proposed, therefore street design guidelines are not applicable to the proposed development.**

*A. Sidewalks. The applicant shall provide for sidewalks on both sides of all public streets, on any private street if so required by the decision-maker, and in any special pedestrian way within the development. Both sidewalks and curbs are to be constructed to City standards and at widths set forth above, and according to plans and specifications provided by the City Engineer. Exceptions to this requirement may be allowed in order to accommodate topography, trees or some similar site constraint. In the case of major or minor arterials, the decision-maker may approve a development without sidewalks where sidewalks are found to be dangerous or otherwise impractical to construct or are not reasonably related to the applicant’s development. The decision-maker may require the applicant to provide sidewalks concurrent with the issuance of the initial building permit within the area that is the subject of the development application. Applicants for partitions may be allowed to meet this requirement by providing the City with a financial guarantee per OCMC 16.12.110.*

**Applicant’s Response: No changes to existing sidewalks or new sidewalks are being proposed, therefore sidewalk design guidelines are not applicable to the proposed development.**

*B. Pedestrian and Bicycle Accessways Routes. If deemed appropriate to extend pedestrian and bicycle routes, existing or planned, the decision-maker may require the installation of separate pedestrian and bicycle facilities.*

**Applicant’s Response: No changes to existing pedestrian and bicycle accessways routes are being proposed, therefore pedestrian and bicycle facilities are not applicable to the proposed development.**

*C. Street Name Signs and Traffic Control Devices. The applicant shall install street signs and traffic control devices as directed by the City Engineer. Street name signs and traffic control devices shall be in conformance with all applicable city regulations and standards.*

**Applicant's Response: No changes to existing street signs or traffic control devices are being proposed, therefore related regulations and standards are not applicable to the proposed development.**

*D. Street Lights. The applicant shall install street lights which shall be served from an underground source of supply. Street lights shall be in conformance with all City regulations.*

**Applicant's Response: No changes to existing street lights or new street lights are being proposed, therefore related regulations and standards are not applicable to the proposed development.**

*E. Any new street proposed with a pavement width of less than thirty-two feet shall be processed through OCMC 16.12.013 and meet minimum life safety requirements, which may include fire suppression devices as determined by the Fire Marshall to assure an adequate level of fire and life safety. The modified street shall have no less than a twenty-foot wide unobstructed travel lane.*

**Applicant's Response: No modifications and/or new streets are being proposed, therefore not applicable to the proposed development.**

*F. All development shall include vegetated planter strips that are five feet in width or larger and located between the sidewalk and curb unless otherwise approved pursuant to this chapter. All development shall utilize the vegetated planter strip for the placement of street trees or place street trees in other acceptable locations, as prescribed by OCMC 12.08. Development proposed along a collector, minor arterial, or major arterial roads may place street trees within tree wells within a wider sidewalk in lieu of a planter strip. In addition to street trees per OCMC 12.08, vegetated planter strips shall include ground cover and/or shrubs spaced four feet apart and appropriate for the location. No invasive or nuisance plant species shall be permitted.*

**Applicant's Response: No modifications and/or new sidewalks/curbs are being proposed, therefore not applicable to the proposed development.**

*G. Vehicle and pedestrian access easements may serve in lieu of streets when approved by the decision maker and only where dedication of a street is deemed impracticable.*

**Applicant's Response: No vehicle or pedestrian access easements are being proposed, therefore not applicable to the proposed development.**

*H. Vehicular and pedestrian easements shall allow for public access and shall comply with all applicable pedestrian access requirements.*

**Applicant's Response: No vehicle or pedestrian access easements are being proposed, therefore not applicable to the proposed development.**

*16.12.017 - Street design—Access control.*

*A. A street which is dedicated to end at the boundary of the development or in the case of half-streets dedicated along a boundary shall have an access control granted to the City as a City controlled plat restriction for the purposes of controlling ingress and egress to the property adjacent to the end of the dedicated street. The access control restriction shall exist until such time as a public street is created, by dedication and accepted, extending the street to the adjacent property.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*B. The City may grant a permit for the adjoining owner to access through the access control.*  
**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*C. The plat shall contain the following access control language or similar on the face of the map at the end of each street for which access control is required: "Access Control (See plat restrictions)."*  
**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*D. Said plats shall also contain the following plat restriction note(s): "Access to (name of street or tract) from adjoining tracts (name of deed document number[s]) shall be controlled by the City of Oregon City by the recording of this plat, as shown. These access controls shall be automatically terminated upon the acceptance of a public road dedication or the recording of a plat extending the street to adjacent property that would access through those Access Controls."*  
**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

**16.12.018 - Street design—Alignment.**

*The centerline of streets shall be:*

- A. Aligned with existing streets by continuation of the centerlines; or*
- B. Offset from the centerline by no more than five feet, provided appropriate mitigation, in the judgment of the City Engineer, is provided to ensure that the offset intersection will not pose a safety hazard.*
- C. Driveways that are at least twenty-four feet wide shall align with existing or planned streets on adjacent sites.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

**16.12.019 - Traffic sight obstructions.**

*All new streets shall comply with the Traffic Sight Obstructions in Chapter 10.32.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

**16.12.020 - Street design—Intersection angles.**

*Except where topography requires a lesser angle, streets shall be laid out to intersect at angles as near as possible to right angles. In no case shall the acute angles be less than eighty degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least one hundred feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least fifty feet of tangent adjacent to the intersection unless topography requires a lesser distance. All street intersections shall be provided with a minimum curb return radius of twenty-five feet for local streets. Larger radii shall be required for higher street classifications as determined by the City Engineer. Additional right-of-way shall be required to accommodate curb returns and sidewalks at intersections. Ordinarily, intersections should not have more than two streets at any one point.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

16.12.021 - Street design—Grades and curves.

*Grades and center line radii shall conform to standards approved by the City Engineer.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

16.12.022 - Street design—Development abutting arterial or collector street.

*Where development abuts or contains an existing or proposed arterial or collector street, the decision maker may require: access control; screen planting or wall contained in an easement or otherwise protected by a restrictive covenant in a form acceptable to the decision maker along the rear or side property line; or such other treatment it deems necessary to adequately protect residential properties or afford separation of through and local traffic. Reverse frontage lots with suitable depth may also be considered an option for residential property that has arterial frontage. Where access for development abuts and connects for vehicular access to another jurisdiction's facility then authorization by that jurisdiction may be required.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

16.12.023 - Street design—Pedestrian and bicycle safety.

*Where deemed necessary to ensure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, the decision maker may require that local streets be so designed as to discourage their use by nonlocal automobile traffic.*

*The City Engineer may require that crosswalks include a large vegetated or sidewalk area which extends into the street pavement as far as practicable to provide safer pedestrian crossing opportunities. These curb extensions can increase the visibility of pedestrians and provide a shorter crosswalk distance as well as encourage motorists to drive slower. The City Engineer may approve an alternative design that achieves the same standard for constrained sites.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

16.12.024 - Street design—Half street.

*Half streets, while generally not acceptable, may be approved where essential to the development, when in conformance with all other applicable requirements, and where it will not create a safety hazard.*

*When approving half streets, the decision maker shall first determine that it will be practical to require the dedication of the other half of the street when the adjoining property is divided or developed. Where the decision maker approves a half street, the applicant shall construct a half street with at least twenty feet of pavement width and provide signage prohibiting street parking so as to make the half street safe until such time as the other half is constructed. Whenever a half street is adjacent to property capable of being divided or developed, the other half of the street shall be provided and improved when that adjacent property divides or develops. Access control may be required to preserve the objectives of half streets.*

*When the remainder of an existing half-street improvement is completed it shall include the following items: dedication of required right-of-way, construction of the remaining portion of the street including pavement, curb and gutter, landscape strip, sidewalk, street trees, lighting and other improvements as required for that particular street. It shall also include at a minimum the pavement replacement to the centerline of the street. Any damage to the existing street shall be repaired in accordance with the City's "Pavement Cut Standards" or as approved by the City Engineer.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*16.12.025 - Street design—Cul-de-sacs and dead-end streets.*

*The City discourages the use of cul-de-sacs and permanent dead-end streets except where construction of a through street is found by the decision maker to be impracticable due to topography or some significant physical constraint such as geologic hazards, wetland, natural or historic resource areas, pre-existing dedicated open space, pre-existing development patterns, arterial access restrictions or similar situation as determined by the decision maker. This section is not intended to preclude the use of curvilinear eyebrow widening of a street where needed.*

*A. When permitted, access from new cul-de-sacs and permanent dead-end streets shall be limited to a maximum of twenty-five dwelling units.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*B. Cul-de-sacs and permanent dead-end streets shall include pedestrian/bicycle accessways to meet minimum block width standards as prescribed in OCMC 16.12.030.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*C. Cul-de-sacs shall have sufficient radius to provide adequate turn-around for emergency vehicles in accordance with fire district and city adopted street standards.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*D. Permanent dead-end streets shall provide public street right-of-way/easements sufficient to provide a sufficient amount of turn-around space complete with appropriate no-parking signs or markings to accommodate waste disposal, sweepers, emergency and other long vehicles in the form of a hammerhead or other design to be approved by the decision maker.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*E. In the case of dead-end stub streets that will connect to streets on adjacent sites in the future, notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future. A dead-end street shall include signage or barricade meeting Manual on Uniform Traffic Control Devices (MUTCD).*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*16.12.026 - Street design—Alleys.*

*Alleys with public access easements on private property shall be provided in the Park Place and South End concept plan areas for the following districts R-5, R-3.5, R-2, MUC-1, MUC-2 and NC zones unless other permanent provisions for private access to off-street parking and loading facilities are approved by the decision maker. All alleys intended to provide access for emergency vehicles shall be a minimum width of twenty feet. The corners of alley intersections shall have a radius of not less than ten feet and*

shall conform to standards approved by the City Engineer. Access easements and maintenance agreements shall be recorded on affected properties.

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*16.12.027 - Street design—Off-site street improvements.*

*During consideration of the preliminary plan for a development, the decision maker shall determine whether existing streets impacted by, adjacent to, or abutting the development meet the applicable design or dimensional requirements. Where such streets fail to meet these requirements, the decision-maker shall require the applicant to make proportional improvements sufficient to achieve conformance with minimum applicable design standards required to serve the proposed development.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*16.12.028 - Street design—Transit.*

*Streets shall be designed and laid out in a manner that promotes pedestrian and bicycle circulation. The applicant shall coordinate with transit agencies where the application impacts transit streets as identified in OCMC 17.04.1310. Pedestrian/bicycle access ways shall be provided as necessary to minimize the travel distance to transit streets and stops and neighborhood activity centers. The decision maker may require provisions, including easements, for transit facilities along transit streets where a need for bus stops, bus pullouts or other transit facilities within or adjacent to the development has been identified.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*16.12.029 - Excavations—Restoration of pavement.*

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

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*16.12.030 - Blocks—Width.*

*The width of blocks shall ordinarily be sufficient to allow for two tiers of lots with depths consistent with the type of land use proposed. The length, width and shape of blocks shall take into account the need for adequate building site size, convenient motor vehicle, pedestrian, bicycle and transit access, control of traffic circulation, and limitations imposed by topography and other natural features.*

*All new streets shall be designed as local streets unless otherwise designated as arterials and collectors in the current adopted Transportation System Plan. The maximum block spacing between streets is 530 feet and the minimum block spacing between streets is 150 feet as measured between the right-of-way centerlines except in zones GI, CI, MUE, I, and WFDD where determining the appropriate street spacing will be determined by the City Engineer. If the maximum block size is exceeded, pedestrian accessways shall be provided every 330 feet. The spacing standards within this section do not apply to alleys.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*16.12.031 - Street design—Street names.*

*Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names shall conform to the established standards in the City and shall be subject to the approval of the City.*

**Applicant's Response: No modifications to existing streets and/or new streets are being proposed, therefore not applicable to the proposed development.**

*16.12.032 – Public off-street pedestrian and bicycle accessways.*

*Pedestrian/bicycle accessways are intended to provide direct, safe and convenient connections between residential areas, retail and office areas, institutional facilities, industrial parks, transit streets, neighborhood activity centers, rights-of-way, and pedestrian/bicycle accessways which minimize out-of-direction travel, and transit-orientated developments where public street connections for automobiles, bicycles and pedestrians are unavailable. Pedestrian/bicycle accessways are appropriate in areas where public street options are unavailable, impractical or inappropriate. Pedestrian and bicycle accessways are required through private property or as right-of-way connecting development to the right-of-way at intervals not exceeding 330 feet of frontage; or where the lack of street continuity creates inconvenient or out of direction travel patterns for local pedestrian or bicycle trips.*

**Applicant's Response: Public street connections for pedestrians/bicycles existing and no changes proposed, therefore not applicable to the proposed development.**

*A. Entry points shall align with pedestrian crossing points along adjacent streets and with adjacent street intersections.*

**Applicant's Response: No modifications to entry points proposed, therefore not applicable to the proposed development.**

*B. Accessways shall be free of horizontal obstructions and have a nine foot six inch high vertical clearance to accommodate bicyclists. To safely accommodate both pedestrians and bicycles, accessway right-of-way widths shall be as follows:*

*1. Accessways shall have a fifteen-foot wide right-of-way with a seven-foot wide paved surface with a minimum four-foot planter strip on either side.*

*2. If an accessway also provides secondary fire access, the right-of-way width shall be at least twenty-four feet wide with a sixteen foot paved surface between four-foot planter strips on either side.*

**Applicant's Response: No modifications to existing accessways or new accessways are being proposed, therefore not applicable to the proposed development.**

*C. Accessways shall be direct with at least one end point of the accessway always visible from any point along the accessway. On-street parking shall be prohibited within fifteen feet of the intersection of the accessway with public streets to preserve safe sight distance and promote safety.*

**Applicant's Response: No modifications to existing accessways or new accessways are being proposed, therefore not applicable to the proposed development.**

*D. To enhance pedestrian and bicycle safety, accessways shall be lighted with pedestrian-scale lighting. Accessway lighting shall be to a minimum level of one-half-foot-candles, a one and one-half foot-candle*

average, and a maximum to minimum ratio of seven-to-one and shall be oriented not to shine upon adjacent properties. Street lighting shall be provided at both entrances.

**Applicant's Response: No modifications to existing accessways or new accessways are being proposed, therefore not applicable to the proposed development.**

*E. Accessways shall comply with Americans with Disabilities Act (ADA).*

**Applicant's Response: No modifications to existing accessways or new accessways are being proposed, therefore not applicable to the proposed development.**

*F. The planter strips on either side of the accessway shall be landscaped along adjacent property by installation of the following:*

- 1. Either an evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than four feet apart on average; and*
- 2. Ground cover covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and*
- 3. A two-inch minimum caliper tree for every thirty-five feet along the accessway. Trees may be planted on either side of the accessway, provided they are spaced no more than thirty-five feet apart; and*
- 4. In satisfying the requirements of this section, evergreen plant materials that grow over forty-two inches in height shall be avoided. All plant materials shall be selected from the Oregon City Native Plant List.*

**Applicant's Response: No modifications to existing accessways or new accessways are being proposed, therefore not applicable to the proposed development.**

*G. Accessways shall be designed to prohibit unauthorized motorized traffic. Curbs and removable, lockable bollards are suggested mechanisms to achieve this.*

**Applicant's Response: No modifications to existing accessways or new accessways are being proposed, therefore not applicable to the proposed development.**

*H. Accessway surfaces shall be paved with all-weather materials as approved by the City. Pervious materials are encouraged. Accessway surfaces shall be designed to drain stormwater runoff to the side or sides of the accessway. Minimum cross slope shall be two percent.*

**Applicant's Response: No modifications to existing accessways or new accessways are being proposed, therefore not applicable to the proposed development.**

*I. In parks, greenways or other natural resource areas, accessways may be approved with a five-foot wide gravel path with wooden, brick or concrete edgings.*

**Applicant's Response: No modifications to existing accessways or new accessways are being proposed, therefore not applicable to the proposed development.**

*J. The decision maker may approve an alternative accessway design due to existing site constraints through the modification process set forth in OCMC 16.12.013.*

**Applicant's Response: No modifications to existing accessways or new accessways are being proposed, therefore not applicable to the proposed development.**

*K. Ownership, liability and maintenance of accessways. To ensure that all pedestrian/bicycle accessways will be adequately maintained over time, the City Engineer shall require one of the following:*

1. Dedicate the accessways to the public as public right-of-way prior to the final approval of the development; or
2. The developer incorporates the accessway into a recorded easement or tract that specifically requires the property owner and future property owners to provide for the ownership, liability and maintenance of the accessway.

**Applicant's Response: No modifications to existing accessways or new accessways are being proposed, therefore not applicable to the proposed development.**

*16.12.033 - Mobility standards.*

*Development shall demonstrate compliance with intersection mobility standards. When evaluating the performance of the transportation system, the City of Oregon City requires all intersections, except for the facilities identified in subsection E below, to be maintained at or below the following mobility standards during the two-hour peak operating conditions. The first hour has the highest weekday traffic volumes and the second hour is the next highest hour before or after the first hour. Except as provided otherwise below, this may require the installation of mobility improvements as set forth in the Transportation System Plan (TSP) or as otherwise identified by the City Engineer.*

*A. For intersections within the regional center, the following mobility standards apply:*

1. *During the first hour, a maximum v/c ratio of 1.10 shall be maintained. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.*
2. *During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.*

*3. Intersections located on the Regional Center boundary shall be considered within the Regional Center.*

*B. For intersections outside of the Regional Center but designated on the Arterial and Throughway Network, as defined in the Regional Transportation Plan, the following mobility standards apply:*

1. *During the first hour, a maximum v/c ratio of 0.99 shall be maintained. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.*
2. *During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.*

*C. For intersections outside the boundaries of the Regional Center and not designated on the Arterial and Throughway Network, as defined in the Regional Transportation Plan, the following mobility standards apply:*

*1. For signalized intersections:*

- a. *During the first hour, LOS "D" or better will be required for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of the critical movements.*
- b. *During the second hour, LOS "D" or better will be required for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of the critical movements.*

*2. For unsignalized intersections outside of the boundaries of the Regional Center:*

a. For unsignalized intersections, during the peak hour, all movements serving more than twenty vehicles shall be maintained at LOS "E" or better. LOS "F" will be tolerated at movements serving no more than twenty vehicles during the peak hour.

D. For the intersection of OR 213 & Beaver Creek Road, the following mobility standards apply:

1. During the first, second & third hours, a maximum v/c ratio of 1.00 shall be maintained. Calculation of the maximum v/c ratio will be based on an average annual weekday peak hour.

E. Until the City adopts new performance measures that identify alternative mobility targets, the City shall exempt proposed development that is permitted, either conditionally, outright, or through detailed development master plan approval, from compliance with the above-referenced mobility standards for the following state-owned facilities:

I-205/OR 99E Interchange

State intersections located within or on the Regional Center Boundaries

1. In the case of conceptual development approval for a master plan that impacts the above references intersections:

a. The form of mitigation will be determined at the time of the detailed development plan review for subsequent phases utilizing the Code in place at the time the detailed development plan is submitted; and

b. Only those trips approved by a detailed development plan review are vested.

2. Development which does not comply with the mobility standards for the intersections identified in OCMC 16.12.033 shall provide for the improvements identified in the Transportation System Plan (TSP) in an effort to improve intersection mobility as necessary to offset the impact caused by development.

Where required by other provisions of the Code, the applicant shall provide a traffic impact study that includes an assessment of the development's impact on the intersections identified in this exemption and shall construct the intersection improvements listed in the TSP or required by the Code.

**Applicant's Response: No modifications to existing streets or new streets are being proposed, therefore not applicable to the proposed development.**

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: No modifications to existing driveways or new driveways are being proposed, therefore not applicable to the proposed development.**

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: No modifications to existing driveways or new driveways are being proposed, therefore not applicable to the proposed development.**

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: No modifications to existing driveways or new driveways are being proposed, therefore not applicable to the proposed development.**

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: No modifications to existing driveways or new driveways are being proposed, therefore not applicable to the proposed development.**

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
Single-Family Attached	10 feet	12 feet
Single-Family Detached in R-5 & R-3.5	10 feet	12 feet
Single-Family Detached in R-10, R-8, & R-6	12 feet	24 feet
Duplexes	12 feet	24 feet
3-4 Plexes	12 feet	24 feet

Multi-Family	18 feet		30 feet
Commercial, Industrial, Office, Institutional, Mixed Use, and/or Nonresidential	One-Way 12 feet	Two-Way 20 feet	40 feet

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

**Applicant’s Response: No modifications to existing driveways or new driveways are being proposed, therefore not applicable to the proposed development.**

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: No modifications to existing driveways or new driveways are being proposed, therefore not applicable to the proposed development.**

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: No modifications to existing driveways or new driveways are being proposed, therefore not applicable to the proposed development.**

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 modifications to existing driveways or new driveways are being proposed, therefore not applicable to the proposed development.**

**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: No grading being proposed, therefore not applicable to the proposed development.**

**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: No new utilities being proposed, therefore not applicable to the proposed development.**

*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: No new unusual facilities being proposed, therefore not applicable to the proposed development.**

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

**Applicant's Response: Development is not traversed or bounded by a watercourse, drainageway, channel or stream, therefore not applicable to the proposed development.**

*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: No changes to access being proposed, therefore not applicable to the proposed development.**

*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: No changes to easements or other unusual significant natural features being proposed, therefore not applicable to the proposed development.**

*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 stormwater utilities are existing, therefore the requirements related to stormwater and grading standards are not applicable to the proposed development.**

*B. Improvements shall be constructed under the inspection and approval of the City Engineer. Expenses incurred thereby shall be borne by the applicant and paid prior to final approval. Where required by the City Engineer or other City decision-maker, the applicant's project engineer also shall inspect construction.*

**Applicant's Response: All stormwater utilities are existing and no re-grading required, therefore the requirements related to stormwater and grading standards are not applicable to the proposed development.**

*C. Erosion control or resource protection facilities or measures are required to be installed in accordance with the requirements of OCMC 17.47, 17.49 and the Public Works Erosion and Sediment Control Standards.*

**Applicant's Response: No changes being proposed that would require erosion/sediment control, therefore not applicable to the proposed development.**

*D. Underground utilities, waterlines, sanitary sewers and storm drains installed in streets shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities, such as, storm, water and sanitary sewer shall be placed beyond the ten-foot wide franchise utility easement within private property.*

**Applicant's Response: No modifications to existing underground utilities or streets are being proposed, therefore not applicable to the proposed development.**

*E. As-built construction plans and digital copies of as-built drawings shall be filed with the City Engineer upon completion of the improvements.*

**Applicant's Response: No modifications to existing underground utilities or streets are being proposed, therefore not applicable to the proposed development.**

F. The City Engineer may regulate the hours of construction and access routes for construction equipment to minimize impacts on adjoining residences or neighborhoods.

**Applicant's Response: No modifications to existing underground utilities or streets are being proposed, therefore not applicable to the proposed development.**

16.12.095 - Minimum improvements—Public facilities and services.

The following minimum improvements shall be required of all applicants for a development, unless the decision-maker determines that any such improvement is not proportional to the impact imposed on the City's public systems and facilities:

A. *Transportation System.* Applicants and all subsequent lot owners shall be responsible for improving the City's planned level of service on all public streets, including alleys within the development and those portions of public streets adjacent to but only partially within development. Applicants are responsible for designing and providing adequate vehicular, bicycle and pedestrian access to their developments and for accommodating future access to neighboring undeveloped properties that are suitably zoned for future development. Storm drainage facilities shall be installed and connected to off-site natural or man-made drainageways. Upon completion of the street improvement survey, the applicant shall reestablish and protect monuments of the type required by ORS 92.060 in monument boxes with covers at every public street intersection and all points of curvature and points of tangency of their center line, and at such other points as directed by the City Engineer.

**Applicant's Response: No modifications to existing streets or new streets proposed, therefore not applicable to the proposed development.**

B. *Stormwater Drainage System.* Applicants shall design and install drainage facilities within a development and shall connect the development's drainage system to the appropriate downstream storm drainage system as a minimum requirement for providing services to the applicant's development. The applicant shall obtain county or state approval when appropriate. Applicants are responsible for extending the appropriate storm drainage system to the development site and for providing for the connection of upgradient properties to that system. The applicant shall design the drainage facilities in accordance with City drainage master plan requirements, OCMC 13.12 and the Public Works Stormwater and Grading Design Standards.

**Applicant's Response: No modifications to existing stormwater drainage system or new stormwater drainage system proposed, therefore not applicable to the proposed development.**

C. *Sanitary Sewer System.* The applicant shall design and install a sanitary sewer system to serve all lots or parcels within a development in accordance with the City's sanitary sewer design standards, and shall connect those lots or parcels to the City's sanitary sewer system, except where connection is required to the county sanitary sewer system as approved by the county. Applicants are responsible for extending the City's sanitary sewer system to the development site and through the applicant's property to allow for the future connection of neighboring undeveloped properties that are suitably zoned for future development. The applicant shall obtain all required permits and approvals from all affected jurisdictions prior to final approval and prior to commencement of construction. Design shall be approved by the City Engineer before construction begins.

**Applicant's Response: No modifications to existing sanitary sewer system or new sanitary sewer system proposed, therefore not applicable to the proposed development.**

*D. Water System. The applicant shall design and install a water system to serve all lots or parcels within a development in accordance with the City public works water system design standards, and shall connect those lots or parcels to the City's water system. Applicants are responsible for extending the City's water system to the development site and through the applicant's property to allow for the future connection of neighboring undeveloped properties that are suitably zoned for future development.*

**Applicant's Response: No modifications to existing water system or new water system proposed, therefore not applicable to the proposed development.**

*E. Street Trees. Refer to OCMC 12.08, Street Trees.*

**Applicant's Response: One street tree will be planted for every thirty-five feet of property frontage.**

*F. Bench Marks. At least one bench mark shall be located within the subdivision boundaries using datum plane specified by the City Engineer.*

**Applicant's Response: No new subdivision proposed, therefore not applicable to the proposed development.**

*G. Other Utilities. The applicant shall make all necessary arrangements with utility companies or other affected parties for the installation of underground lines and facilities. Existing and new electrical lines and other wires, including but not limited to communication, street lighting and cable television, shall be placed underground.*

**Applicant's Response: All utilities existing and no new utilities proposed, therefore not applicable to the proposed development.**

*H. Oversizing of Facilities. All facilities and improvements shall be designed to City standards as set out in the City's facility master plan, public works design standards, or other City ordinances or regulations. Compliance with facility design standards shall be addressed during final engineering. A development may be required to modify or replace existing offsite systems if necessary to provide adequate public facilities. The City may require oversizing of facilities to meet standards in the City's facility master plan or to allow for orderly and efficient development. Where oversizing is required, the applicant may request reimbursement from the City for oversizing based on the City's reimbursement policy and funds available, or provide for recovery of costs from intervening properties as they develop.*

**Applicant's Response: All utilities existing and no new utilities proposed, therefore not applicable to the proposed development.**

*I. Erosion Control Plan—Mitigation. The applicant shall be responsible for complying with all applicable provisions of OCMC 17.47 with regard to erosion control.*

**Applicant's Response: No changes being proposed that would require erosion control, therefore not applicable to the proposed development.**

*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: No new building site or tract proposed, therefore not applicable to the proposed development.**

B. For any public street created pursuant to subsection A of this section, a copy of a preliminary plan and the proposed deed shall be submitted to the Community Development Director and City Engineer at least ten days prior to any public hearing scheduled for the matter. The plan, deed and any additional information the applicant may submit shall be reviewed by the decision-maker and, if not in conflict with the standards of Title 16 and Title 17, may be approved with appropriate conditions.

**Applicant's Response: No new streets proposed, therefore not applicable to the proposed development.**

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: No new plats proposed, therefore not applicable to the proposed development.**

B. Construction. The applicant shall construct the public improvements according to approved final engineering plans and all applicable requirements of this Code, and under the supervision of the City Engineer. Under this option, the improvement shall be complete and accepted by the City Engineer prior to final plat approval.

**Applicant's Response: No new plats proposed, therefore not applicable to the proposed development.**

16.12.110 -Public improvements—Financial guarantees.

A. To ensure construction of required public improvements, the applicant shall provide the City with a performance guarantee in accordance with OCMC 17.50.140.

**Applicant's Response: No public improvements proposed, therefore not applicable to the proposed development.**

B. After satisfactory completion of required public improvements and facilities, all public improvements not constructed by the City, shall be maintained and under warranty provided by the property owner or developer constructing the facilities until the City accepts the improvements at the end of the warranty period as prescribed in OCMC 17.50.141.

**Applicant's Response: No public improvements proposed, therefore not applicable to the proposed development.**

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: No public improvements proposed, therefore not applicable to the proposed development.**

#### **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:**

17.47.070 - Erosion and sediment control plans.

A. An application for an erosion and sediment control permit shall include an erosion and sediment control plan, which contains methods and interim measures to be used during and following construction to prevent or control erosion prepared in compliance with City of Oregon City public works standards for erosion and sediment control. These standards are incorporated herein and made a part of this title and are on file in the office of the city recorder.

B. Approval Standards. An erosion and sediment control plan shall be approved only upon making the following findings:

1. The erosion and sediment control plan meets the requirements of the City of Oregon City public works standards for erosion and sediment control incorporated by reference as part of this chapter;
2. The erosion and sediment control plan indicates that erosion and sediment control measures will be managed and maintained during and following development. The erosion and sediment control plan indicates that erosion and sediment control measures will remain in place until disturbed soil areas are permanently stabilized by landscaping, grass, approved mulch or other permanent soil stabilizing measures.

C. The erosion and sediment control plan shall be reviewed in conjunction with the requested development approval. If the development does not require additional review, the manager may approve or deny the permit with notice of the decision to the applicant.

D. The city may inspect the development site to determine compliance with the erosion and sediment control plan and permit.

E. Erosion that occurs on a development site that does not have an erosion and sediment control permit, or that results from a failure to comply with the terms of such a permit, constitutes a violation of this chapter.

F. If the manager finds that the facilities and techniques approved in an erosion and sediment control plan and permit are not sufficient to prevent erosion, the manager shall notify the owner or his/her designated representative. Upon receiving notice, the owner or his/her designated representative shall immediately install interim erosion and sediment control measures as specified in the City of Oregon City public works standards for erosion and sediment control. Within three days from the date of notice, the owner or his/her designated representative shall submit a revised erosion and

sediment control plan to the city. Upon approval of the revised plan and issuance of an amended permit, the owner or his/her designated representative shall immediately implement the revised plan.

G. Approval of an erosion and sediment control plan does not constitute an approval of permanent road or drainage design (e.g., size and location of roads, pipes, restrictors, channels, retention facilities, utilities, etc.).

**Applicant's Response:**

17.47.080 - Plan implementation.

An approved erosion control and sediment control plan shall be implemented and maintained as follows:

A. Plan approval, where required, shall be obtained prior to clearing or grading. No grading, clearing or excavation of land requiring a plan shall be undertaken prior to approval of the plan.

B. The erosion and sediment control facilities shall be constructed prior to any clearing and grading activities, and maintained in such a manner as to ensure that sediment laden water does not enter the drainage system or violate applicable water standards.

C. The implementation of an erosion and sediment control plan and the construction, maintenance, replacement, and upgrading of erosion and sediment control facilities is the responsibility of the owner or his/her designated representative until all construction is completed and approved, and vegetation, landscaping or approved finished surfaces is established.

D. The erosion and sediment control facilities herein are the minimum requirements for anticipated site conditions. During the construction period, these erosion and sediment control facilities shall be upgraded as needed for unexpected storm events and to ensure that sediment-laden water does not leave the site.

E. Any observation of visible or measurable erosion, or an observation of more than a ten-percent increase in downstream channel turbidities, will result in an enforcement action by the city.

F. The owner or his/her designated representative shall implement the measures and construct facilities as provided for and according to the implementation schedule in the approved plan. The manager shall be allowed reasonable access to the development site for inspection purposes.

**Applicant's Response:**

17.47.090 - Plan performance guarantee and security.

After the plan is approved by the manager and prior to construction or grading, the owner shall provide a financial guarantee. Erosion and sediment control shall be included in the cost estimate for the primary project, such as land division or site plan, and included in that project's performance guarantee.

**Applicant's Response:**

**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: One street tree will be planted for every thirty-five feet of property frontage.**

- B. The following clearance distances shall be maintained when planting trees:
1. Fifteen feet from streetlights;
  2. Five feet from fire hydrants;
  3. Twenty feet from intersections;
  4. Five feet from all public utilities (i.e. sewer, storm and water lines, utility meters, etc.);

**Applicant's Response: Required clearance distances will be maintained when planting new trees.**

- B. All street trees planted in conjunction with development shall be a minimum of two inches in caliper at six inches above the root crown and installed to city specifications. Larger caliper size trees may be approved if recommended by a certified arborist or registered landscape architect.

**Applicant's Response: All street trees planted in conjunction with development will be a minimum of two inches in caliper at six inches above the root crown and installed to city specifications.**

- C. All established trees shall be pruned tight to the trunk to a height that provides adequate clearance for street cleaning equipment and ensures ADA complaint clearance for pedestrians.

**Applicant's Response: Any established trees will be pruned tight to the trunk to a height that provides adequate clearance for street cleaning equipment and ensures ADA compliant clearance for pedestrians.**

- D. All trees planted within the right-of-way shall be planted with root barriers at least eighteen inches in depth adjacent to the sidewalk and curb to ensure proper root growth and reduce potential damage to sidewalks, curbs and gutters.

**Applicant's Response: Street trees are not proposed to be planted in the public right-of-way, therefore, these standards are not applicable to the development.**

- E. All trees planted beneath powerlines shall be selected based on what is appropriate for the location. In addition, the tree species shall be approved by the associated franchise powerline utility company.

**Applicant's Response: Any trees planted beneath power lines will be selected based on what is appropriate for the location.**

- F. Tree species, spacing and selection for stormwater facilities in the public right-of-way and in storm water facilities shall conform to requirements of OCMC 13.12 and the adopted Stormwater and Grading Design Standards and be approved by the City Engineer.

**Applicant's Response: Street trees are not proposed to be planted in the public right-of-way, therefore, these standards are not applicable to the development.**

*G. Any public or street trees planted within the Natural Resource Overlay District shall conform to the applicable requirements of OCMC 17.49 - Natural Resources Overlay District (NROD).*

**Applicant's Response: Any public or street trees planted within the Natural Resource Overlay District shall confirm to the applicable requirements of OCMC 17.49.**

12.08.045 – Gifts, fee-in-lieu of planting, and funding.

The City of Oregon City may accept gifts, which are specifically designated for the purpose of planting or maintaining trees within the City. The Community Development Director may allow a fee -in-lieu of planting the tree(s) to be placed into a city fund dedicated to planting trees in Oregon City. The Community Development Director may determine the type, caliper and species of the trees purchased with the fund. The cost of each tree may be adjusted annually based upon current market prices for materials and labor as calculated by the Community Development Director. A separate fund shall be established and maintained for revenues and expenditures created by activities specified in this chapter. The Natural Resources Committee shall have authority on behalf of the City to seek grants and alternative funding for tree projects. Funds from such grant awards shall be administered by the City pursuant to this section.

**Applicant's Response: Street trees will be planted as part of the development, therefore Applicant is will not request to pay a fee-in-lieu of planting trees.**

**CHAPTER 17.29 MUC MIXED USE CORRIDOR DISTRICT**

17.29.020 - Permitted uses—MUC-1 and MUC-2.

- A. Banquet, conference facilities and meeting rooms;
- B. Bed and breakfast/boarding houses, hotels, motels, and other lodging facilities;
- C. Child care centers and/or nursery schools;
- D. Indoor entertainment centers and arcades;
- E. Health and fitness clubs;
- F. Medical and dental clinics, outpatient; infirmity services;
- G. Museums, libraries and cultural facilities;
- H. Offices, including finance, insurance, real estate and government;
- I. Outdoor markets, such as produce stands, craft markets and farmers markets that are operated on the weekends and after six p.m. during the weekday;
- J. Postal services;
- K. Parks, playgrounds, playfields and community or neighborhood centers;
- L. Repair shops, for radio and television, office equipment, bicycles, electronic equipment, shoes and small appliances and equipment;
- M. Multifamily residential, 3-4 plex residential;
- N. One or two dwelling units in conjunction with a nonresidential use, provided that the residential use occupies no more than 50% of the total square footage of the development;
- O. Restaurants, eating and drinking establishments without a drive-through;
- P. Services, including personal, professional, educational and financial services; laundry and dry-cleaning;
- Q. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores, marijuana, and similar, provided the maximum footprint for a stand-alone building with a single store or multiple buildings with the same business does not exceed sixty thousand square feet;
- R. Seasonal sales;
- S. Residential care facilities, assisted living facilities; nursing homes and group homes for over fifteen patients licensed by the state;
- T. Studios and galleries, including dance, art, photography, music and other arts;
- U. Utilities: Basic and linear facilities, such as water, sewer, power, telephone, cable, electrical and natural gas lines, not including major facilities such as sewage and water treatment plants, pump stations, water tanks, telephone exchanges and cell towers;

- V. *Veterinary clinics or pet hospitals, pet day care;*
- W. *Home occupations;*
- X. *Research and development activities;*
- Y. *Temporary real estate offices in model dwellings located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;*
- Z. *Transportation facilities;*
- AA. *Live/work dwellings;*
- BB. *After-hours public parking.*

**Applicant's Response: The proposed development is an expansion of an existing veterinary clinic.**

**17.29.030 - Conditional uses—MUC-1 and MUC-2 zones.**

*The following uses are permitted in this district when authorized and in accordance with the process and standards contained in OCMC 17.56:*

- A. *Drive-through facilities;*
- B. *Emergency service facilities (police and fire), excluding correctional facilities;*
- C. *Gas stations;*
- D. *Outdoor markets that do not meet the criteria of OCMC 17.29.020.I;*
- E. *Public utilities and services including sub-stations (such as buildings, plants and other structures);*
- F. *Public and/or private educational or training facilities;*
- G. *Religious institutions;*
- H. *Retail trade, including gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores and any other use permitted in the neighborhood, historic or limited commercial districts that have a footprint for a stand-alone building with a single store in excess of sixty thousand square feet in the MUC-1 or MUC-2 zone;*
- I. *Hospitals;*
- J. *Parking not in conjunction with a primary use on private property, excluding after-hours public parking;*
- K. *Passenger terminals, excluding bus stops;*
- L. *Shelters.*

**Applicant's Response: The proposed development is an expansion of an existing veterinary clinic.**

**17.29.040 - Prohibited uses in the MUC-1 and MUC-2 zones.**

*The following uses are prohibited in the MUC district:*

- A. *Distributing, wholesaling and warehousing;*
- B. *Outdoor storage;*
- C. *Outdoor sales that are not ancillary to a permitted use on the same or abutting property under the same ownership;*
- D. *Correctional facilities;*
- E. *Heavy equipment service, repair, sales, storage or rentals (including but not limited to construction equipment and machinery and farming equipment);*
- F. *Kennels;*
- G. *Motor vehicle and recreational vehicle sales and incidental service;*
- H. *Motor vehicle and recreational vehicle repair/service;*
- I. *Self-service storage facilities;*
- J. *Marijuana production, processing, wholesaling, research, testing, and laboratories;*
- K. *Mobile Food Units, except with a special event permit.*

**Applicant's Response: The proposed development is an expansion of an existing veterinary clinic.**

17.29.050 - Dimensional standards—MUC-1.

A. Minimum lot areas: None.

**Applicant's Response: Lot Area = 11,997.5 SF, Building & Parking 8,610.9 SF**

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

**Applicant's Response: Maximum building expansion height is less than forty feet, single story building**

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

**Applicant's Response: Proposed building expansion does not abut a residential zone**

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

**Applicant's Response: Proposed building expansion does not abut a residential zone**

E. Maximum allowed setbacks.

1. Front yard: Five feet.

**Applicant's Response: Proposed building expansion with within five feet of Molalla Avenue**

2. Interior side yard: None.

**Applicant's Response: No interior side yard, therefore not applicable to the proposed development**

3. Corner side setback abutting street: Thirty feet.

**Applicant's Response: Proposed building expansion is within thirty feet of corner side abutting street**

4. Rear yard: None.

**Applicant's Response: Proposed building expansion does not have a rear yard**

F. Maximum lot coverage of the building and parking lot: Eighty percent.

**Applicant's Response: Lot Area = 11,997.5 SF, Building & Parking 8,610.9 SF, 71.7% lot coverage**

G. Minimum required landscaping (including landscaping within a parking lot): Twenty percent.

**Applicant's Response: Proposed building expansion of 985 SF includes minimum of 663 SF of new landscaping**

H. Residential minimum net density of 17.4 units per acre, except that no minimum net density shall apply to residential uses proposed above nonresidential uses in a mixed-use configuration or to live/work dwellings.

**Applicant's Response: The proposed development does not include any residential component, therefore not applicable to the proposed development.**

17.29.060 - Dimensional standards—MUC-2.

A. Minimum lot area: None.

**Applicant's Response: N/A**

B. Minimum floor area ratio: 0.25.

**Applicant's Response:**

C. *Minimum building height: Twenty-five feet or two stories except for accessory structures or buildings under one thousand square feet.*

**Applicant's Response: N/A**

D. *Maximum building height: Sixty feet.*

**Applicant's Response: N/A**

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

**Applicant's Response: N/A**

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

**Applicant's Response: N/A**

G. *Maximum Allowed Setbacks.*

1. *Front yard: Five feet.*

**Applicant's Response: N/A**

2. *Interior side yard: None.*

**Applicant's Response: N/A**

3. *Corner side yard abutting street: Twenty feet.*

**Applicant's Response: N/A**

4. *Rear yard: None.*

**Applicant's Response: N/A**

H. *Maximum site coverage of building and parking lot: Ninety percent.*

**Applicant's Response: N/A**

I. *Minimum landscaping requirement (including parking lot): Ten percent.*

**Applicant's Response: N/A**

J. *Residential minimum net density of 17.4 units per acre, except that no minimum net density shall apply to residential uses proposed above nonresidential uses in a mixed-use configuration or to live/work dwellings.*

**Applicant's Response: N/A**

17.29.070 - Floor area ratio (FAR).

Floor area ratios are a tool for regulating the intensity of development. Minimum FARs help to achieve more intensive forms of building development in areas appropriate for larger-scale buildings and higher residential densities.

- A. The minimum floor area ratios contained in OCMC 17.29.050 and 17.29.060 apply to all nonresidential and mixed-use building development, except stand-alone commercial buildings less than ten thousand square feet in floor area.

**Applicant's Response: N/A**

- B. Required minimum FARs shall be calculated on a project-by-project basis and may include multiple contiguous blocks. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FARs.

**Applicant's Response: N/A**

- C. An individual phase of a project shall be permitted to develop below the required minimum floor area ratio provided the applicant demonstrates, through covenants applied to the remainder of the site or project or through other binding legal mechanism, that the required density for the project will be achieved at project build out.

**Applicant's Response: N/A**

**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: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and address compliance with tree protection standards.**

17.41.030 - Tree protection—Conflicting code provisions.

Except as otherwise specified in this section, where these standards conflict with adopted city development codes or policies, the provision which provides the greater protection for regulated trees or groves, as defined in OCMC 17.04, shall govern.

**Applicant's Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and address compliance with tree protection standards.**

17.41.040 - Exemptions.

*These regulations are not intended to regulate normal cutting, pruning and maintenance of trees on private property except where trees are located on lots that are undergoing development review or are otherwise protected within the Natural Resource Overlay District (NROD) of OCMC 17.49. These standards are not intended to regulate farm and forest practices as those practices are defined under ORS 30.930, for farm or forestlands. These regulations do not apply to the removal of trees that are considered invasive species. An applicant for development may claim exemption from compliance with these standards if the development site containing the regulated grove or trees was a designated farm or forest use, tree farm, Christmas tree plantation, or other approved timber use within one year prior to development application. "Forest practices" and "forestlands" as used in this subsection shall have the meaning as set out in ORS 30.930. The Community Development Director has the authority to modify or waive compliance in this case.*

**Applicant's Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and ensure compliance with tree protection standards.**

*17.41.050 - Compliance options.*

*Applicants for review shall comply with these requirements through one or a combination of the following procedures:*

- A. Option 1—Mitigation. Retention and removal of trees, with subsequent mitigation by replanting pursuant to OCMC 17.41.060.*
- B. Option 2—Dedicated Tract. Protection of trees or groves by placement in a tract within a new subdivision or partition plat pursuant to OCMC 17.41.080; or*
- C. Option 3—Restrictive Covenant. Protection of trees or groves by recordation of a permanent restrictive covenant pursuant to OCMC 17.41.110; or*
- D. Option 4—Cash-in-lieu of planting pursuant to OCMC 17.41.120.*

**Applicant's Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and ensure compliance with tree protection standards.**

*17.41.060 - Tree removal and replanting—Mitigation (Option 1).*

*A. Applicants for development who select this option shall ensure that all healthy trees shall be preserved outside the construction area as defined in OCMC 17.04 to the extent practicable. Preserved trees are subject to Option 3 of this Chapter. Compliance with these standards shall be demonstrated in a tree mitigation plan report prepared by a certified arborist, horticulturalist or forester or other environmental professional with experience and academic credentials in forestry or arboriculture. Tree inventories for the purposes of mitigation calculations may be prepared by a licensed surveyor. At the applicant's expense, the City may require the report to be reviewed by a consulting arborist. The number of replacement trees required on a development site shall be calculated separately from, and in addition to, any public or street trees in the public right-of-way required under OCMC 12.08—Public and Street Trees, any required tree planting in parking lots, and any trees planted in pedestrian and bicycle accessways.*

**Applicant's Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and ensure compliance with tree protection standards.**

*B. The applicant shall determine the number of trees to be mitigated on the site by counting all of the trees six-inch DBH (minimum four and one-half feet from the ground) or larger on the entire site and either:*

- 1. Trees that are removed outside of the construction area shall be replanted with the number of trees specified in Column 1 of Table 17.41.060-1. Trees that are removed within the construction area shall be replanted with the number of replacement trees required in Column 2; or*

2. *Dying, diseased or hazardous trees, when the condition is verified by a certified arborist to be consistent with the definitions in OCMC 17.04, may be removed from the tree replacement calculation. Dead trees may also be removed from the calculation, with the condition of the tree verified either by the Community Development Director or by a certified arborist at the applicant's expense, when the Community Development Director cannot make a determination. To the extent that the Community Development Director determines that the dead, dying, hazardous or diseased condition of the tree is the result of intentional action, the removal of that tree shall require mitigation pursuant to Column 2 of Table 17.41.060-1.*

**Applicant's Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and ensure compliance with tree protection standards.**

Table 17.41.060-1  
Tree Replacement Requirements

Size of tree removed (DBH)	Column 1 Number of trees to be planted. (If removed <b>Outside</b> of construction area)	Column 2 Number of trees to be planted. (If removed <b>Within</b> the construction area)
6 to 12"	3	1
13 to 18"	6	2
19 to 24"	9	3
25 to 30"	12	4
31 and over"	15	5

*Steps for calculating the number of replacement trees:*

1. *Count all trees measuring six inches DBH (minimum four and one-half feet from the ground) or larger on the entire development site.*
2. *Designate the size (DBH) of all trees pursuant to accepted industry standards.*
3. *Document in a certified arborist report any trees that are currently dead, dying, diseased or hazardous.*
4. *Subtract the number of dead, dying, diseased or hazardous trees in step 3 from the total number of trees on the development site in step 1. The remaining number is the number of healthy trees on the site. Use this number to determine the number of replacement trees in steps 5 through 8.*
5. *Identify the construction area (as defined in OCMC 17.04.230).*
6. *Determine the number and diameter of trees to be removed within the construction area. Based on the size of each tree, use Column 2 to determine the number of replacement trees required.*
7. *Determine the number and diameter of trees to be removed outside of the construction area. Based on the size of each tree, use Column 1 to determine the number of replacement trees required.*
8. *Determine the total number of replacement trees from steps 6 and 7.*

**Applicant's Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and address compliance with tree protection standards.**

**Please complete the Table below for trees being removed based on the Tree Replacement Requirements in Table 17.41.060-1**

<b>Size of tree removed (DBH)</b>	<b>Number of Trees Removed Outside of Construction Area</b>	<b>Number of Trees Removed Within the Construction area</b>	<b>Number of Mitigation Trees Required</b> (See Table 17.41.060-1)
6 to 12"			
13 to 18"			
19 to 24"			
25 to 30"			
31 and over"			

**C. Planting area priority for mitigation.**

Development applications which opt for removal of trees with subsequent replanting pursuant to OCMC 17.41.050.A. shall be required to mitigate for tree cutting by complying with the following priority for replanting standards below:

1. *First Priority. Replanting on the development site.*
2. *Second Priority. Off-site replacement tree planting locations. If the Community Development Director determines that it is not practicable to plant the total number of replacement trees on-site, a suitable off-site planting location for the remainder of the trees may be approved that will reasonably satisfy the objectives of this section. Such locations may include either publicly owned or private land and shall be approved by the Community Development Director.*

**Applicant’s Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and address compliance with tree protection standards.**

**D. Replacement tree planting standards.**

1. *All replacement trees shall be either two-inch caliper deciduous or six-foot high conifer.*

**Applicant’s Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and address compliance with tree protection standards.**

2. *Replacement tree species shall be approved by a landscape architect or certified arborist or shall be found on the City’s Native Plant or Street Tree lists.*

**Applicant’s Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and address compliance with tree protection standards.**

3. *Due to their diminishing range in the region, Oregon white oak (Quercus garryana) trees, if removed, shall be replaced by the same species.*

**Applicant’s Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and address compliance with tree protection standards.**

**E. All existing tree(s) in the tract shall be protected by a permanent restrictive covenant or easement approved in form by the City.**

**Applicant’s Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and address compliance with tree protection standards.**

**F. Alternative mitigation plan.**

The Community Development Director may, subject to a Type II procedure, approve an alternative mitigation plan that adequately protects habitat pursuant to the standards for the Natural Resource Overlay District alternative mitigation plan in OCMC 17.49.190.

**Applicant's Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and address compliance with tree protection standards.**

17.41.080 - Tree preservation within subdivisions and partitions—Dedicated tract (Option 2).

- A. An applicant for a new subdivision and partition may delineate and show the regulated trees or groves as either a separate tract or part of a larger tract that meets the requirements of subsection D. of this section. All existing tree(s) in the tract shall be protected by a permanent restrictive covenant or easement approved in form by the City
- B. The standards for land divisions subject to this section shall apply in addition to the requirements of the City land division ordinance and zoning ordinance, provided that the minimum lot area, minimum average lot width, and minimum average lot depth standards of the base zone may be superseded in order to allow for a reduction of dimensional standards pursuant to OCMC 17.41.080.F below.
- C. Prior to preliminary plat approval, the regulated tree or grove area shall be shown either as a separate tract or part of a larger tract that meets the requirements of subsection D. of this section, which shall not be a part of any parcel used for construction of a dwelling. The size of the tract shall be the minimum necessary as recommended by a consulting arborist to adequately encompass the dripline of the tree, protect the critical root zone and ensure long term survival of the tree or grove.
- D. Prior to final plat approval, ownership of the regulated tree or grove tract shall be identified to distinguish it from lots intended for sale. The tract may be identified as any one of the following:
  1. Private open space held by the owner or a homeowner's association; or
  2. For residential land divisions, private open space subject to an easement conveying stormwater and surface water management rights to the city and preventing the owner of the tract from activities and uses inconsistent with the purpose of this document; or
  3. Public open space where the tract has been dedicated to the City or other governmental unit; or
  4. Any other ownership proposed by the owner and approved by the Community Development Director.
- E. Density transfers incentive for tree protection tracts.
  1. The purpose of this section is to allow dimensional adjustments within a regulated tree protection tract to be transferred outside said tract to the remainder of the site. Density shall not be transferred beyond the boundaries of the development site.
  2. Development applications for subdivisions and minor partitions that request a density transfer shall:
    - a. Provide a map showing the net buildable area of the tree protection tract;
    - b. Provide calculations justifying the requested dimensional adjustments;
    - c. Demonstrate that the minimum lot size requirements can be met based on an average of all lots created, including the tree protection tract created pursuant to this section;
    - d. Demonstrate that, with the exception of the tree protection tract, no parcels have been created which would be unbuildable in terms of minimum yard setbacks;
    - e. Meet all other standards of the base zone except as modified in this section.
  3. The area of land contained in a tree protection tract may be excluded from the calculations for determining compliance with minimum density requirements of the zoning code.
- F. Permitted modifications to dimensional standards.
  1. An applicant proposing to protect trees in a dedicated tract may request, and the Community Development Director, pursuant to a Type II procedure, may grant a reduction to, the lot size, width, depth, and setbacks of the underlying zone district in approving a subdivision or partition if necessary

to retain a regulated tree or grove in a tract, as long as the calculation of average lot size, including tree protection tracts, meet the minimum lot size for the zone. The applicant may choose to make the adjustments over as many lots as required. For example, the lot reduction could be spread across all the remaining lots in the proposed subdivision or partition or could be applied to only those needed to incorporate the area of the tree tract.

**Table 17.41.080.A**  
Lot Size Reduction

ZONE	Min. Lot Size [sq. feet]	Min. Lot Width	Min. Lot Depth
R-10	5,000 sq. feet	50'	65'
R-8	4,000 sq. feet	45'	60'
R-6	3,500 sq. feet	35'	55'
R-5	3,000 sq. feet	30'	50'
R-3.5	1,800 sq. feet	20'	45'

**Table 17.41.080.B**  
Reduced Dimensional Standards for Detached Single-Family Residential Units

Size of Reduced Lot	Front Yard Setback	Rear Yard Setback	Side yard Setback	Corner Side	Lot Coverage
8,000—9,999 square feet	15 feet	20 feet	7/9 feet	15 feet	40%
6,000—7,999 square feet	10 feet	15 feet	5/7 feet	15 feet	40%
4,000—5,999 square feet	10 feet	15 feet	5/5 feet	10 feet	40%
1,800—3,999 square feet	5 feet	15 feet	5/5 feet	10 feet	55%

**Table 17.41.080.C**  
Reduced Dimensional Standards for Single-Family Attached or Two-Family Residential Units

Size of Reduced Lot	Front Yard Setback	Rear Yard Setback	Side yard Setback	Corner Side	Lot Coverage
3,500—7,000 square feet	10 feet	15 feet	5/0* feet	10 feet	40%
1,800—3,499 square feet	5 feet	15 feet	5/0* feet	10 feet	55%

\*0 foot setback is only allowed on single-family attached units

**Applicant's Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and address compliance with tree protection standards.**

17.41.110 - Tree protection by restrictive covenant (Option 3).

*Any regulated tree or grove which cannot be protected in a tract pursuant to Section 17.41.080 above shall be protected with a restrictive covenant in a format to be approved by the Community Development Director. Such covenant shall be recorded against the property deed and shall contain provisions to permanently protect the regulated tree or grove unless such tree or grove, as determined by a certified arborist and approved by the Community Development Director, are determined to be diseased or hazardous.*

**Applicant's Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and address compliance with tree protection standards.**

**A. Permitted adjustments.**

1. *The Community Development Director, pursuant to a Type II procedure, may grant an adjustment to the side, front and rear yard setback standards by up to fifty percent if necessary to retain a Regulated Tree or Grove through a restrictive covenant pursuant to this section. In no case may the side yard setback be reduced to less than three feet. The adjustment shall be the minimum necessary to accomplish preservation of trees on the lot and shall not conflict with other conditions imposed on the property.*
2. *The City Engineer may grant an adjustment to street standards, pursuant to adopted public works standards, in order to preserve a tree. This may include flexibility to redesign sidewalk and planter strip sizes and locations and allow placement of sidewalks and planter strips in an easement within private lots.*
3. *The Community Development Director, pursuant to a Type II procedure, may allow other adjustments in order to preserve any healthy tree that cannot be moved due to its size, but will contribute to the landscape character of the area and will not present a foreseeable hazard if retained.*

**Applicant's Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and address compliance with tree protection standards.**

17.41.120 - Cash-in-lieu of planting (Option 4).

The applicant may choose this option in-lieu-of or in addition to Compliance Options 1 through 3. In this case, the Community Development Director may approve the payment of cash-in-lieu into a dedicated fund for the remainder of trees that cannot be replanted in the manner described above.

The cash-in-lieu payment per required mitigation tree shall be as listed on the adopted fee schedule and shall be adjusted annually based on the Consumer Price Index. The price shall include 150% of the cost of materials, transportation and planting.

**Applicant's Response: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and address compliance with tree protection standards.**

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: Licensed Landscape Architect (MacDonald Environmental Planning) has been hired to provide landscape plan and address compliance with tree protection standards.**

**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: Pre-application conference was held and conference notes issued.**

**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: Applicant acknowledges that a Neighborhood Association Meeting is not required, but recommended.**

**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: A Notice will be posted and meet all posting requirements.**

**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: No public improvements are planned/required as part of this expansion project, therefore not applicable to the proposed development**

**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: No public improvements are planned/required as part of this expansion project, therefore not applicable to the proposed development**

## **CHAPTER 17.52 OFF-STREET PARKING AND LOADING**

### **17.52.010 - Applicability.**

The construction of a new structure or parking lot, or alterations to the size or use of an existing structure, parking lot or property use shall require site plan review approval and compliance with this chapter. This chapter does not apply to single-family attached, detached residential dwellings and duplexes.

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

### **17.52.015 - Planning commission adjustment of parking standards.**

- A. *Purpose: The purpose of permitting a Planning Commission adjustment to parking standards is to provide for flexibility in modifying parking standards in all zoning districts, without permitting an adjustment that would adversely impact the surrounding or planned neighborhood. Adjustments provide flexibility to those uses which may be extraordinary, unique, or provide greater flexibility for areas that can accommodate a denser development pattern based on existing infrastructure and ability to access the site by means of walking, biking or transit. An adjustment to a minimum parking standard may be approved based on a determination by the Planning Commission that the adjustment is consistent with the purpose of this Code, and the approval criteria can be met.*
- B. *Procedure: A request for a Planning Commission parking adjustment shall be initiated by a property owner or authorized agent by filing a land use application. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development and parking plan, the extent of the adjustment requested along with findings for each applicable approval criteria. A request for a parking adjustment shall be processed as a Type III application as set forth in Chapter 17.50.*
- C. *Approval criteria for the adjustment are as follows:*
  1. *Documentation: The applicant shall document that the individual project will require an amount of parking that is different from that required after all applicable reductions have been taken.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

2. *Parking analysis for surrounding uses and on-street parking availability: The applicant shall show that there is a continued fifteen percent parking vacancy in the area adjacent to the use during peak parking periods and that the applicant has permission to occupy this area to serve the use pursuant to the procedures set forth by the Community Development Director.*
  - a. *For the purposes of demonstrating the availability of on street parking as defined in OCMC 17.52.020.B.3., the applicant shall undertake a parking study during time periods specified by the Community Development Director. The time periods shall include those during which the highest parking demand is anticipated by the proposed use. Multiple observations during multiple days shall be required. Distances are to be calculated as traversed by a pedestrian that utilizes sidewalks and legal crosswalks or an alternative manner as accepted by the Community Development Director.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

- b. *The onsite parking requirements may be reduced based on the parking vacancy identified in the parking study. The amount of the reduction in onsite parking shall be calculated as follows:*
  - i. *Vacant on-street parking spaces within three hundred feet of the site will reduce onsite parking requirements by 0.5 parking spaces; and*
  - ii. *Vacant on-street parking spaces between three hundred and six hundred feet of the site will reduce onsite parking requirements by 0.2 parking spaces.*

**Applicant’s Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

- 3. *Function and Use of Site: The applicant shall demonstrate that modifying the amount of required parking spaces will not significantly impact the use or function of the site and/or adjacent sites.*

**Applicant’s Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

- 4. *Compatibility: The proposal is compatible with the character, scale and existing or planned uses of the surrounding neighborhood.*

**Applicant’s Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

- 5. *Safety: The proposal does not significantly impact the safety of adjacent properties and rights-of-way.*

**Applicant’s Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

- 6. *Services: The proposal will not create a significant impact to public services, including fire and emergency services.*

**Applicant’s Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

*17.52.020 - Number of automobile spaces required.*

- A. *The number of parking spaces shall comply with the minimum and maximum standards listed in Table 17.52.020. The parking requirements are based on spaces per one thousand square feet net leasable area unless otherwise stated.*

<i>Table 17.52.020</i>		
<i>LAND USE</i>	<i>PARKING REQUIREMENTS</i>	
	<i>MINIMUM</i>	<i>MAXIMUM</i>
<i>Multifamily Residential</i>	<i>1.00 per unit</i>	<i>2.5 per unit</i>
<i>3-4 Plex Residential</i>	<i>2.00</i>	<i>4</i>
<i>Hotel, Motel</i>	<i>1.0 per guest room</i>	<i>1.25 per guest room</i>
<i>Correctional Institution</i>	<i>1 per 7 beds</i>	<i>1 per 5 beds</i>
<i>Senior housing, including congregate care, residential care and assisted living facilities;</i>	<i>1 per 7 beds</i>	<i>1 per 5 beds</i>

<i>nursing homes and other types of group homes</i>		
<i>Hospital</i>	2.00	4.00
<i>Preschool Nursery/Kindergarten</i>	2.00	3.00
<i>Elementary/Middle School</i>	1 per classroom	1 per classroom + 1 per administrative employee + 0.25 per seat in auditorium/assembly room/stadium
<i>High School, College, Commercial School for Adults</i>	0.20 per # staff and students	0.30 per # staff and students
<i>Auditorium, Meeting Room, Stadium, Religious Assembly Building, movie theater,</i>	.25 per seat	0.5 per seat
<i>Retail Store, Shopping Center, Restaurants</i>	4.10	5.00
<i>Office</i>	2.70	3.33
<i>Medical or Dental Clinic</i>	2.70	3.33
<i>Sports Club, Recreation Facilities</i>	Case Specific	5.40
<i>Storage Warehouse, Freight Terminal</i>	0.30	0.40
<i>Manufacturing, Wholesale Establishment</i>	1.60	1.67
<i>Light Industrial, Industrial Park</i>	1.3	1.60

**Applicant’s Response: Total area proposed = 3,167 SF, min parking spaces required 8.5, total existing parking spaces 8 (note: on-street parking existing)**

1. *Multiple Uses. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.*

**Applicant’s Response: The proposed development is a building expansion of an existing open and operating veterinary clinic. Single use building.**

2. *Requirements for types of buildings and uses not specifically listed herein shall be determined by the Community Development Director, based upon the requirements of comparable uses listed.*

**Applicant’s Response: The proposed development is a building expansion of an existing open and operating veterinary clinic. Single use building.**

3. *Where calculation in accordance with the above list results in a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall require one space.*

**Applicant’s Response: Total area proposed = 3,167 SF, min parking spaces required 8.5, total existing parking spaces 8 (note: on-street parking existing)**

4. *Fleet vehicle parking shall be accommodated within the maximum parking ratio, except that in GI, CI, and MUE zones, fleet vehicle parking may be included in a parking lot in addition to the maximum number of permitted parking spaces.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

5. *A change in use within an existing habitable building located in the MUD Design District or the Willamette Falls Downtown District is exempt from additional parking requirements. Additions to an existing building and new construction are required to meet the minimum parking requirements for the areas as specified in Table 17.52.020 for the increased square footage.*

**Applicant's Response: Total area proposed = 3,167 SF, min parking spaces required 8.5, total existing parking spaces 8 (note: on-street parking existing)**

B. *Parking requirements can be met either onsite, or offsite by meeting one or multiple of the following conditions:*

1. *Parking may be located on the same site as the associated use which it is supporting.*

**Applicant's Response: Parking is located on the same site as the associated use it is supporting.**

2. *Mixed Uses. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (e.g. the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly, up to a maximum reduction of fifty percent, as determined by the Community Development Director.*

**Applicant's Response: The proposed development is a building expansion of an existing open and operating veterinary clinic. Single use building.**

3. *Shared Parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlay (e.g., uses primarily of a daytime versus nighttime nature), that the shared parking facility is within one thousand feet of the potential uses, and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument authorizing the joint use.*

**Applicant's Response: The proposed development is a building expansion of an existing open and operating veterinary clinic. Single use building. No shared parking.**

4. *On-Street Parking. On-street parking may be counted toward the minimum standards when it is on the street face abutting the subject land use. An on-street parking space shall not obstruct a required clear vision area and it shall not violate any law or street standard. On-street parking for commercial uses shall conform to the following standards:*

a. *Dimensions. The following constitutes one on-street parking space:*

1. *Parallel parking: twenty-two feet of uninterrupted and available curb;*
2. *Forty-five and/or sixty-degree diagonal parking: Fifteen feet of curb;*
3. *Ninety-degree (perpendicular) parking: Twelve feet of curb.*
4. *Public Use Required for Credit. On-street parking spaces counted toward meeting the parking requirements of a specific use may not be used exclusively by that use, but shall be available for general public use at all times. Signs or other actions that limit general public use of on-street spaces are prohibited.*

**Applicant's Response: On-street parking existing on Barclay Hills Drive.**

C. *Reduction of the Number of the Minimum Automobile Spaces Required. Any combination of the reductions below is permitted unless otherwise noted.*

1. *Downtown Parking Overlay. The minimum required number of parking stalls is reduced within the Downtown Parking Overlay by fifty percent.*

2. *Transit Oriented Development. For projects not located within the Downtown Parking Overlay District, the minimum required number of parking stalls is reduced up to twenty-five percent when:*

a. *In a commercial center (sixty thousand square feet or greater of retail or office use measured cumulatively within a five hundred foot radius) or*

b. *When adjacent to multi-family development with over eighty units or*

c. *Within 1,320 feet of an existing or planned public transit street and within 1,320 feet of the opposite use (commercial center or multi-family development with over eighty units).*

3. *Tree Preservation. The Community Development Director may grant an adjustment to any standard of this requirement provided that the adjustment preserves a designated heritage tree or grove so that the reduction in the amount of required pavement can help preserve existing healthy trees in an undisturbed, natural condition.*

4. *Transportation Demand Management. The Community Development Director shall reduce the required number of parking stalls up to twenty-five percent when a parking-traffic study prepared by a traffic engineer demonstrates alternative modes of transportation, including transit, bicycles, and walking, and/or special characteristics of the customer, client, employee or resident population will reduce expected vehicle use and parking space demand for this development, as compared to standard Institute of Transportation Engineers vehicle trip generation rates and further that the transportation demand management program promotes or achieves parking utilization lower than minimum city parking requirements.*

*A transportation demand management (TDM) program shall be developed to include strategies for reducing vehicle use and parking demand generated by the development and will be measured annually. If, at the annual assessment, the City determines the plan is not successful, the plan may be revised. If the City determines that no good-faith effort has been made to implement the plan, the City may take enforcement actions.*

**Applicant's Response: Proposed development is within 1,320 feet of an existing public transit street, therefore minimum required number of parking stalls is reduced up to twenty-five percent.**

5. *The minimum required number of stalls may be reduced by up to ten percent when the subject property is adjacent to an existing or planned fixed public transit route or within one thousand feet of an existing or planned transit stop.*

**Applicant's Response: Proposed development is adjacent to an existing public transit route and within one thousand feet of an existing transit stop, therefore minimum required number of parking stalls may be reduced by up to ten percent.**

17.52.030 - *Standards for automobile parking.*

A. *Access. Ingress and egress locations on public thoroughfares shall be located in the interests of public traffic safety and meet requirements of OCMC 16.12.035. Groups of more than four parking spaces shall be so located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

B. *Surfacing. Required off-street parking spaces and access aisles shall have paved surfaces adequately maintained. The use of pervious asphalt/concrete and alternative designs that reduce storm water runoff and improve water quality pursuant to the City's stormwater and low impact development design standards are encouraged.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

C. *Drainage. Drainage shall be designed in accordance with the requirements of OCMC 13.12 and the City public works stormwater and grading design standards.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

D. *Dimensional Standards.*

1. *Requirements for parking developed at varying angles are according to the table included in this section. A parking space shall not be less than seven feet in height when within a building or structure, and shall have access by an all-weather surface to a street or alley. Parking stalls in compliance with the American with Disabilities Act may vary in size in order to comply with the building division requirements. Up to thirty-five percent of the minimum required parking may be compact, while the remaining required parking stalls are designed to standard dimensions. The Community Development Director may approve alternative dimensions for parking stalls in excess of the minimum requirement which comply with the intent of this chapter.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

2. *Alternative parking/plan. Any applicant may propose an alternative parking plan. Such plans are often proposed to address physically constrained or smaller sites, however innovative designs for larger sites may also be considered. In such situations, the Community Development Director may approve an alternative parking lot plan with variations to parking dimensions of this section. The alternative shall be consistent with the intent of this chapter and shall create a safe space for automobiles and pedestrians while providing landscaping to the quantity and quality found within parking lot landscaping requirements.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

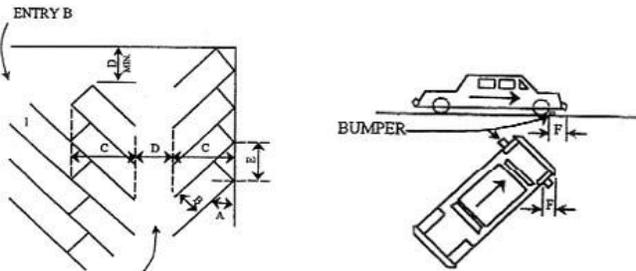
**PARKING STANDARD**

**PARKING ANGLE SPACE DIMENSIONS**

A Parking Angle		B Stall Width	C Stall to Curb	D Aisle Width	E Curb Length	F Overhang
0 degrees		8.5	9.0	12	20	0
30 degrees	Standard	9'	17.3'	11'	18'	
	Compact	8'	14.9'	11'	16'	
45 degrees	Standard	8.5	19.8'	13'	12.7'	1.4
	Compact	8.5	17.0'	13'	11.3'	

60 degrees	Standard	9'	21'	18'	10.4'	1.7
	Compact	8'	17.9'	16'	9.2'	
90 degrees	Standard	9'	19.0'	24'	9'	1.5
	Compact	8'	16.0'	22'	8'	

All dimensions are to the nearest tenth of a foot.



**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

E. *Carpool and Vanpool Parking. New developments with seventy-five or more parking spaces, excluding projects where seventy-five percent or more of the total floor area is residential, and new hospitals, government offices, group homes, nursing and retirement homes, schools and transit park-and-ride facilities with fifty or more parking spaces, shall identify the spaces available for employee, student and commuter parking and designate at least five percent, but not fewer than two, of those spaces for exclusive carpool and vanpool parking. Carpool and vanpool parking spaces shall be located closer to the main employee, student or commuter entrance than all other employee, student or commuter parking spaces with the exception of ADA accessible parking spaces. The carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only."*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

17.52.040 - Bicycle parking standards.

B. *Number of Bicycle Spaces Required. For any use not specifically mentioned in Table A, the bicycle parking requirements shall be the same as the use which, as determined by the Community Development Director, is most similar to the use not specifically mentioned. Calculation of the number of bicycle parking spaces required shall be determined in the manner established in OCMC 17.52.020 for determining automobile parking space requirements. Modifications to bicycle parking requirements may be made through the site plan and design, conditional use, or master plan review process.*

TABLE A Required Bicycle Parking Spaces\*

Where two options for a requirement are provided, the option resulting in more bicycle parking applies. Where a calculation results in a fraction, the result is rounded up to the nearest whole number.

USE	MINIMUM BICYCLE PARKING	MINIMUM BICYCLE PARKING - COVERED - The following percentage of bicycle parking is required to be covered
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<i>Multi-family ( five or more units)</i>	<i>1 per 10 units (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Correctional institution</i>	<i>1 per 15 auto spaces (minimum of 2)</i>	<i>30% (minimum of 1)</i>
<i>Nursing home or care facility</i>	<i>1 per 30 auto spaces (minimum of 2)</i>	<i>30% (minimum of 1)</i>
<i>Hospital</i>	<i>1 per 20 auto spaces (minimum of 2)</i>	<i>30% (minimum of 1)</i>
<i>Park-and-ride lot</i>	<i>1 per 5 auto spaces (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Transit center</i>	<i>1 per 5 auto spaces (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Parks and open space</i>	<i>1 per 10 auto spaces (minimum of 2)</i>	<i>0%</i>
<i>Public parking lots</i>	<i>1 per 10 auto spaces (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Automobile parking structures</i>	<i>1 per 10 auto spaces (minimum of 4)</i>	<i>80% (minimum of 2)</i>
<i>Religious institutions, movie theater, auditorium or meeting room</i>	<i>1 per 10 auto spaces (minimum of 2)</i>	<i>30% (minimum of 1)</i>
<i>Libraries, museums</i>	<i>1 per 5 auto spaces (minimum of 2)</i>	<i>30% (minimum of 1)</i>
<i>Preschool, nursery, kindergarten</i>	<i>2 per classroom (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Elementary</i>	<i>4 per classroom (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Junior high and High school</i>	<i>2 per classroom (minimum of 2)</i>	<i>50% (minimum of 2)</i>
<i>College, business/commercial schools</i>	<i>2 per classroom (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Swimming pools, gymnasiums, ball courts</i>	<i>1 per 10 auto spaces (minimum of 2)</i>	<i>30% (minimum of 1)</i>
<i>Retail stores and shopping centers</i>	<i>1 per 20 auto spaces (minimum of 2)</i>	<i>50% (minimum of 2)</i>
<i>Retail stores handling exclusively bulky merchandise such as automobile, boat or trailer sales or rental</i>	<i>1 per 40 auto spaces (minimum of 2)</i>	<i>0%</i>

Bank, office	1 per 20 auto spaces (minimum of 2)	50% (minimum of 1)
Medical and dental clinic	1 per 20 auto spaces (minimum of 2)	50% (minimum of 1)
Eating and drinking establishment	1 per 20 auto spaces (minimum of 2)	0%
Gasoline service station	1 per 10 auto spaces (minimum of 2)	0%

\* Covered bicycle parking is not required for developments with two or fewer parking stalls.

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

C. Design Standards.

1. Bicycle parking facilities shall be in the form of a lockable enclosure onsite, secure room in a building onsite, a covered or uncovered rack onsite, or within the adjacent right-of-way.

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

2. Bicycle parking areas shall be clearly marked or visible from on-site buildings or the street. If a bicycle parking area is not plainly visible from the street or main building entrance, a sign shall be posted indicating the location of the bicycle parking area. Indoor bicycle parking areas shall not require stairs to access the space. If sites have more than one building, bicycle parking shall be distributed as appropriate to serve all buildings.

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

3. All bicycle racks shall be designed so that:

a. The bicycle frame is supported horizontally at two or more places.

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

b. The frame and at least one wheel of the bicycle can be locked to the rack with a standard U-type lock.

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

c. The user is not required to lift the bicycle onto the bicycle rack.

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

d. Each bicycle parking space is accessible without moving another bicycle.

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

e. *It is a minimum of thirty inches tall and eighteen inches wide between the two points of contact.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

f. *Provides an area of six feet by two feet per bicycle.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

g. *All bicycle racks and lockers shall be securely anchored to the ground or to a structure.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

**17.52.060 - Parking lot landscaping.**

A. *Applicability. Unless otherwise specified, construction of new parking lots and alterations of existing parking lots shall comply with parking lot landscaping standards. Parking lot landscaping requirements within this section do not apply to parking structures or parking garages, except landscaping as required in OCMC 17.62.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

**B. Development Standards.**

1. *The landscaping shall be located in defined landscaped areas that are uniformly distributed throughout the parking or loading area.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

2. *All areas in a parking lot not used for parking, maneuvering, or circulation shall be landscaped.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

3. *Parking lot trees shall be a mix of deciduous shade trees and coniferous trees. The trees shall be evenly distributed throughout the parking lot as both interior and perimeter landscaping.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

4. *Required landscaping trees shall be of a minimum two-inch minimum caliper size (though it may not be standard for some tree types to be distinguished by caliper), planted according to American Nurseryman Standards, and selected from the Oregon City Street Tree List or approved by an arborist;*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

5. *At maturity, all of the landscaped area shall be planted in ground cover plants, which includes grasses. Mulch (as a ground cover) shall only be allowed underneath plants at full growth and within two feet of the base of a tree and is not a substitute for ground cover.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

6. *Landscaped areas shall include irrigation systems unless an alternate plan is submitted, and approved by the Community Development Director, that can demonstrate adequate maintenance;*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

7. *All landscaping shall be installed according to accepted planting procedures, according to American Nurseryman Standards.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

- C. *Perimeter Parking Lot Landscaping and Parking Lot Entryway/Right-of-Way Screening. Parking lots and associated drive aisles shall include a five-foot wide landscaped buffer where the parking lot abuts the right-of-way and/or adjoining properties. In order to provide connectivity between non-single-family sites, the Community Development Director may approve an interruption in the perimeter parking lot landscaping for a single driveway where the parking lot abuts property designated as multi-family, commercial or industrial. Shared driveways and parking aisles that straddle a lot line do not need to meet perimeter landscaping requirements.*

1. *The perimeter parking lot are[a] shall include:*

- a. *Trees spaced a maximum of thirty feet apart (minimum of one tree on either side of the entryway is required). When the parking lot is adjacent to a public right-of-way, the parking lot trees shall be offset from the street trees;*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

- b. *An evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than four feet apart on average. The hedge/shrubs shall be parallel to and not nearer than two feet from the right-of-way line. The required screening shall be designed to allow for free access to the site and sidewalk by pedestrians. Visual breaks, no more than five feet in width, shall be provided every thirty feet within evergreen hedges abutting public right-of-ways.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

- D. *Parking Area/Building Buffer. Except for parking lots with fewer than five parking stalls, parking areas (excluding drive aisles with no adjacent parking) shall be separated from the exterior wall of a structure, exclusive of pedestrian entranceways or loading areas, by one of the following:*

1. *Minimum five-foot wide landscaped planter strip (excluding areas for pedestrian connection) meeting the standards for perimeter parking lot area landscaping; or:*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

2. *Minimum seven foot sidewalks with shade trees spaced a maximum of thirty feet apart in three-foot by five-foot tree wells.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

E. *Interior Parking Lot Landscaping.* Surface parking lots with more than five parking stalls shall include at least forty-five square feet of interior parking lot landscaping per parking stall to improve the water quality, reduce storm water runoff, and provide pavement shade. Pedestrian walkways or any impervious surface in the landscaped areas are not to be counted in the percentage. Fractions shall be rounded up when calculating the required number of plantings. Interior parking lot landscaping shall include:

a. *A minimum of one tree per four parking spaces.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

b. *A minimum of 1.5 shrubs per parking space.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

c. *No more than eight contiguous parking spaces shall be created without providing an interior landscape strip between them. Landscape strips shall be provided between rows of parking shall be a minimum of six feet in width and a minimum of ten feet in length.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

F. *Alternative landscaping plan.*

*Any applicant may propose an alternative landscaping plan. Such plans are often proposed to address physically constrained or smaller sites, however innovative designs for larger sites may also be considered. Alternative plans may include the use of low impact development techniques and minimized landscaping requirements. In such situations, the Community Development Director may approve variations to the landscaping standards of OCMC 17.52.060 in accordance with A and/or B below.*

1. *General Review Standard. The alternative shall meet the standards in OCMC 17.62.015- Modifications that will better meet design review requirements.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

2. *Credit for Pervious/Low Impact Development. The Community Development Director may count up to fifty percent of the square footage of any pervious hardscaped landscape material within a parking lot that is designed and approved pursuant to the City's adopted stormwater and low impact development design standards toward minimum landscaping requirements for the site. (This includes porous pavement detention, open celled block pavers, porous asphalt, porous concrete pavement, porous turf, porous gravel, etc.).*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

17.52.080 - *Maintenance.*

*The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of the site including but not limited to the off-street parking and loading spaces, bicycle parking and all landscaping which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris.*

*All plant growth in interior landscaped areas shall be controlled by pruning, trimming, or otherwise so that:*

- a. It will not interfere with the maintenance or repair of any public utility;*
- b. It will not restrict pedestrian or vehicular access; and*
- c. It will not constitute a traffic hazard due to reduced visibility.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

17.52.090 - Loading areas.

**B. Applicability.**

*OCMC 17.52.090 applies to uses that are expected to have service or delivery truck visits with a forty-foot or longer wheelbase, at a frequency of one or more vehicles per week. The City Engineer and decision maker shall determine through site plan and design review the number, size, and location of required loading areas, if any.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

**C. Standards.**

1. *The off-street loading space shall be large enough to accommodate the largest vehicle that is expected to serve the use without obstructing vehicles or pedestrian traffic on adjacent streets and driveways. Applicants are advised to provide complete and accurate information about the potential need for loading spaces because the City Engineer or decision maker may restrict the use of other public right-of-way to ensure efficient loading areas and reduce interference with other uses.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

2. *Where parking areas are prohibited between a building and the street, loading areas or drive isles are also prohibited.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

3. *The City Engineer and decision maker, through site plan and design review, may approve a loading area adjacent to or within a street right-of-way when all of the following loading and unloading operations conditions are met:*
  - a. *Short in duration (i.e., less than one hour);*
  - b. *Infrequent (less than three operations daily between 5:00 a.m. and 12:00 a.m. or all operations between 12:00 a.m. and 5:00 a.m. at a location that is not adjacent to a residential zone);*
  - c. *Does not obstruct traffic during peak traffic hours;*
  - d. *Does not interfere with emergency response services; and*
  - e. *Is acceptable to the applicable roadway authority.*

**Applicant's Response: No modifications to existing parking lot or new parking areas proposed, therefore not applicable to the proposed development**

**CHAPTER 17.58 LAWFUL NONCONFORMING USES, LOTS, STRUCTURES, AND SITES**

17.58.020 - Lawful nonconforming lots of record.

*Lots or parcels lawfully created but which do not now conform to the legal lot standards in this land use code may be occupied by uses otherwise permitted if those uses comply with all other provisions of this land use code.*

**Applicant's Response:**

17.58.030 - Lawful nonconforming use.

*A use that was lawfully established on a particular development site but that no longer complies with the allowed uses or the standards for those uses in this title may be considered a lawful nonconforming*

use. Change of ownership, tenancy, or management of a lawfully established nonconforming use shall not affect its lawful nonconforming status. The continuation of a lawful nonconforming use is subject to the following:

- A. *Discontinuance.* If a lawful nonconforming use is discontinued for a period of one year, it shall lose its lawful nonconforming status and the use of the property thereafter shall conform with the existing provisions of this title. If a nonconforming use ceases operations, even if the structure or materials related to the use remain, the use shall be deemed to have been discontinued.

**Applicant's Response:**

- B. *Conformance.* If a lawful nonconforming use is converted to a conforming use, no nonconforming use may be resumed.

**Applicant's Response:**

- C. *Destruction of a Non-residential Use.* When a structure containing a lawful nonconforming non-residential use is damaged by fire or other causes, the re-establishment of the nonconforming use shall be prohibited if the repair cost of the structure is more than sixty percent of its assessed value.

**Applicant's Response:**

- D. *Destruction of a Residential Use.* When a structure containing a lawful nonconforming residential use is damaged by fire or other causes, the re-establishment of the nonconforming use shall be permitted.

**Applicant's Response:**

- E. *Intentional Destruction.* When a structure containing a nonconforming use is removed or intentionally damaged by fire or other causes within the control of the owner, the re-establishment of the nonconforming use shall be prohibited.

**Applicant's Response:**

- F. *Expansion.* No lawful nonconforming use may be replaced by a different type of nonconforming use, nor may any legal nonconforming use be expanded or intensified.

**Applicant's Response:**

17.58.040 - Lawful nonconforming structure or site.

A structure or site that was lawfully established but no longer conforms to all development standards of this land use code (such as setbacks) shall be considered lawfully nonconforming. Notwithstanding development standard requirements in this Code, minor repairs and routine maintenance of a lawful nonconforming structure are permitted. The continuation of a lawful nonconforming structure or site is subject to the following:

- A. *Accidental Destruction.* When a nonconforming structure is damaged by fire or other causes, the structure may be rebuilt using the same structure footprint.
- B. *Intentional Destruction.* When a nonconforming structure is removed or intentionally damaged by fire or other causes within the control of the owner, the replacement structure shall comply with the development standards of this title.
- C. *Expansion.* An expansion of a lawful nonconforming structure or site may be approved, conditionally approved or denied in accordance with the standards and procedures of this section.

1. *In making a determination on such applications, the decision maker shall weigh the proposal's positive and negative features and the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed, and, to approve such expansion, it shall be found that the criteria identified in OCMC 17.58.060 have either been met, can be met by observance of conditions, or are not applicable.*
2. *Increases in the square footage of a building and/or site improvements which include installation of any additional off-street parking stalls that exceed the threshold of subparagraph C.2.a. below shall comply with the development standards listed in subparagraph C.2.b. The value of the alterations and improvements is based on the entire project and not individual building permits.*
  - a. *Thresholds triggering compliance. The standards of subparagraph C.2.b. below shall be met when the value of the increase in square footage of a building and/or increase in off-street parking stalls, as determined by the Community Development Director, is more than seventy-five thousand dollars. The following alterations and improvements shall not be included in the threshold calculation:*
    1. *Proposed alterations to meet approved fire and life safety agreements;*
    2. *Alterations related to the removal of existing architectural barriers, as required by the Americans with Disabilities Act, or as specified in Section 1113 of the Oregon Structural Specialty Code;*
    3. *Alterations required to meet Seismic Design Requirements; and*
    4. *Improvements to on-site stormwater management facilities in conformance with Oregon City Stormwater Design Standards.*

**Applicant's Response:**

- b. *Standards that shall be met. Developments not complying with the development standards listed below shall be brought into conformance.*
  1. *Pedestrian circulation systems, as set out in the pedestrian standards that apply to the sites;*
  2. *Minimum perimeter parking lot landscaping;*
  3. *Minimum interior parking lot landscaping;*
  4. *Minimum site landscaping requirements;*
  5. *Bicycle parking by upgrading existing racks and providing additional spaces in order to comply with OCMC 17.52—Off-Street Parking and Loading;*
  6. *Screening; and*
  7. *Paving of surface parking and exterior storage and display areas.*

**Applicant's Response:**

- c. *Area of required improvements.*
  1. *Generally. Except as provided in C.2.c.2. below, required improvements shall be made for the entire site.*
  2. *Exception for sites with ground leases. Required improvements may be limited to a smaller area if there is a ground lease for the portion of the site where the alterations are proposed. If all of the following are met, the area of the ground lease will be considered as a separate site for purposes of required improvements. The applicant shall meet the following:*

- i. *The signed ground lease — or excerpts from the lease document satisfactory to the city attorney — shall be submitted to the Community Development Director. The portions of the lease shall include the following:*
  - A. *The term of the lease. In all cases, there shall be at least one year remaining on the ground lease; and*
  - B. *A legal description of the boundaries of the lease.*
- ii. *The boundaries of the ground lease shall be shown on the site plan submitted with the application. The area of the lease shall include all existing and any proposed development that is required for, or is used exclusively by, those uses within the area of the lease; and*
- iii. *Screening shall not be required along the boundaries of ground leases that are interior to the site.*

**Applicant's Response:**

- d. *Timing and cost of required improvements. The applicant may choose one of the two following options for making the required improvements:*
  - 1. *Option 1. Required improvements may be made as part of the alteration that triggers the required improvements. The cost of the standards that shall be met, identified in subparagraph C.2.b. above, is limited to ten percent of the value of the proposed alterations. It is the responsibility of the applicant to document to the Community Development Director the value of the required improvements. Additional costs may be required to comply with other applicable requirements associated with the proposal. When all required improvements are not being made, the priority for the improvements shall be as listed in subparagraph C.2.b. above.*
  - 2. *Option 2. Required improvements may be made over several years, based on the compliance period identified in Table 17.58—1 below. However, by the end of the compliance period, the site shall be brought fully into compliance with the standards listed in subparagraph C.2.b. Where this option is chosen, the following shall be met:*
    - i. *Before a building permit is issued, the applicant shall submit the following to the Community Development Director:*
      - A. *A Nonconforming Development Assessment, which identifies in writing and on a site plan, all development that does not meet the standards listed in Subparagraph C.2.b.*
      - B. *A covenant, in a form approved by the City Attorney, executed by the property owner that meets the requirements of OCMC 17.50.150. The covenant shall identify development on the site that does not meet the standards listed in Subparagraph C.2.b., and require the owner to bring that development fully into compliance with this title. The covenant shall also specify the date by which the owner will be in conformance. The date shall be within the compliance periods set out in Table 17.58 — 1.*
    - ii. *The nonconforming development identified in the Nonconforming Development Assessment shall be brought into full compliance with the requirements of this Title within the following compliance periods. The compliance period begins when a building permit is issued for alterations to*

the site of more than seventy-five thousand dollars. The compliance periods are based on the size of the site (see Table 17.58—1 below).

- iii. By the end of the compliance period, the applicant or owner shall request that the site be certified by the Community Development Director as in compliance. If the request is not received within that time, or if the site is not fully in conformance, no additional building permits will be issued.
- iv. If the regulations referred to by subparagraph C.2.b. are amended after the Nonconforming Development Assessment is received by the Community Development Director, and those amendments result in development on the site that was not addressed by the Assessment becoming nonconforming, the applicant shall address the new nonconforming development using Option 1 or 2. If the applicant chooses Option 2, a separate Nonconforming Development Assessment, covenant and compliance period will be required for the new nonconforming development.

Table 17.58—1: Compliance Periods for Option 2

Square footage of site	Compliance Period
Less than 150,000 sq. ft.	2 years
150,000 sq. ft. or more, up to 300,000 sq. ft.	3 years
300,000 sq. ft. or more, up to 500,000 sq. ft.	4 years
More than 500,000 sq. ft.	5 years

**Applicant’s Response:**

17.58.060 - Process to confirm the legality of a nonconforming use, lot, structure, or site.

Any person may request a Type I or a Type II review to confirm the legality of a nonconforming use, lot, structure or site. In order to confirm that the nonconforming use, lot, structure or site is legal, sufficient evidence shall be submitted to the city determining the following:

- A. The nonconforming use, lot, structure or site was established lawfully; and

**Applicant’s Response:**

- B. The nonconforming use, lot, structure or site has not become more nonconforming within the past twenty years from the date of application.

**Applicant’s Response:**

The applicant shall provide sufficient evidence to allow the Community Development Director to review and confirm the legality of a nonconforming use, lot, structure or site. An applicant may request a Type I procedure, provided the applicant can provide sufficient evidence to confirm OCMC 17.58.060A. and B. without discretion. If the applicant cannot provide sufficient evidence to determine OCMC 17.58.060A. and B. without discretion, the applicant may apply for a Type II procedure. Applications for a Type II procedures shall be noticed to the public in a public comment period to gather additional information. If the applicant cannot show that the nonconforming use, lot, structure or site was lawfully established or has not been expanded pursuant to OCMC 17.58.060A. and B. above, the use, lot, structure or site shall be determined to be illegal.

**Applicant’s Response:**

**CHAPTER 17.62 - SITE PLAN AND DESIGN REVIEW**

17.62.015 - Modifications that will better meet design review requirements.

The review body shall consider modification of certain site related development standards of this Chapter specified below. These modifications may be approved as part of a Type II design review process.

A. Applicability.

1. This process shall apply to modifications to:
  - a. Landscaping in OCMC 17.62.050.A;
  - b. Vehicular Connections to Adjoining Properties in OCMC 17.62.050.B.2;
  - c. On-site pedestrian circulation in OCMC 17.62.050.C;
  - d. Utility Undergrounding Requirements in OCMC 16.12.095.G;
  - e. Building location in OCMC 17.62.055.D;
  - f. Building Details in OCMC 17.62.050.B.9.055.I;
  - g. Windows in OCMC 17.62.050.B.10.055.J Parking Lot Landscaping in OCMC 17.52.060.

**Applicant’s Response:** COMPLETE 17.62.015 FOR EACH MODIFICATION PROPOSED

B. The review body may approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

1. The modification will result in a development that better meets the applicable design guidelines; and

**Applicant’s Response:** Plans have been revised based on comments from pre-application conference.

2. The modification meets the intent of the standard. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

**Applicant’s Response:** Plans have been revised based on comments from pre-application conference.

17.62.030 - When required.

Site plan and design review shall be required for all development of real property in all zones except the low and medium density residential districts, unless otherwise provided for by this title or as a condition of approval of a permit. Site plan and design review shall also apply to all conditional uses, cluster housing developments, multi-family uses, manufactured home parks, and non-residential uses in all zones. Site Plan and Design Review does not apply to activities occurring within the right-of-way except for communication facilities pursuant to OCMC 17.80.

Site plan and design review is required for a change in use between the uses in Table 17.62.030:

Table 17.62.030

Existing Use	Proposed Use
Residential	Nonresidential use, including but not limited to: commercial, office, industrial, retail, or institutional
Single-family or duplex	3 or more dwellings

Site plan and design review shall not alter the type and category of uses permitted in the underlying zoning districts.

The general standards of section 17.62.050 do not apply to 3-4 plex, duplex, single-family attached dwellings, single-family detached residential unit, internal conversions, live/work dwelling and accessory dwelling unit Type I applications.

**Applicant’s Response:** The proposed development is a building expansion of an existing veterinary clinic.

17.62.035 - Minor site plan and design review.

This section provides for a Minor Site Plan and Design Review process. Minor Site Plan review is a Type I or Type II decision, as described in OCMC 17.62.035.A., subject to administrative proceedings described in OCMC 17.50 and may be utilized as the appropriate review process only when authorized by the Community Development Director. The purpose of this type of review is to expedite design review standards for uses and activities that require only a minimal amount of review, typical of minor modifications and/or changes to existing uses or buildings.

A. Type I Minor Site Plan and Design Review.

1. *Applicability. Type I applications involve no discretion and are typically processed concurrently with a building permit application. The Type I process is not applicable for:*
  - a. *Any activity which is included with or initiates actions that require Type II-IV review.*
  - b. *Any increase in square footage of a conditional or nonconforming use (excluding nonconforming structures).*
  - c. *Any proposal in which nonconforming upgrades are required under OCMC 17.58.*
  - d. *Any proposal in which modifications are proposed under OCMC 17.62.015.*

**Applicant's Response: The proposed development is a 985 sf building expansion of an existing veterinary clinic, therefore is categorized as a Type II – Minor Site Plan and Design Review process.**

B. Type II Minor Site Plan and Design Review.

1. *Type II Minor Site Plan and Design Review applies to the following uses and activities unless those uses and activities qualify for Type I review per OCMC 17.62.035.A.:*
  - a. *Modification of an office, commercial, industrial, institutional, public or multi-family structure that does not increase the interior usable space (for example covered walkways or entryways, addition of unoccupied features such as clock tower, etc.).*
  - b. *Modification to parking lot layout and landscaping, or the addition of up to five parking spaces.*
  - c. *A maximum addition of up to one thousand square feet to a commercial, office, institutional, public, multi-family, or industrial building provided that the addition is not more than thirty-five percent of the original building square footage.*
  - d. *Mobile food units in OCMC 17.54.115.*
  - e. *Other land uses and activities may be added if the Community Development Director makes written findings that the activity/use will not increase off-site impacts and is consistent with the type and/or scale of activities/uses listed above.*

**Applicant's Response: The proposed development is a 985 sf building expansion of an existing veterinary clinic, subject to a Type II Minor Site Plan and Design Review**

17.62.050 - General Standards

All development shall comply with the following standards:

A. Landscaping.

1. *Existing native vegetation is encouraged to be retained to the maximum extent practicable. All plants listed on the Oregon City Nuisance Plant List shall be removed from the site prior to issuance of a final occupancy permit for the building.*

**Applicant's Response: Applicant has hired a licensed Landscape Architect (MacDonald Environmental Planning) to prepare a landscape plan with the criteria of using native plants**

2. *The amount of landscaping required is found in the standards for each underlying zone. Where the underlying zone does not contain and minimum landscaping standard, the minimum site landscaping shall be 15% of the total site area. Except as allowed elsewhere in Title 16 or 17 of*

*this Code, all areas to be credited towards landscaping shall be installed with growing plant materials.*

**Applicant's Response: Applicant has hired a licensed Landscape Architect (MacDonald Environmental Planning) to prepare a landscape plan with the criteria of using native plants**

- 3. Pursuant to OCMC 17.49, landscaping requirements within the Natural Resource Overlay District, other than landscaping required for parking lots, may be met by preserving, restoring and permanently protecting native vegetation and habitat on development sites.*

**Applicant's Response: Applicant has hired a licensed Landscape Architect (MacDonald Environmental Planning) to prepare a landscape plan with the criteria of using native plants**

- 4. A landscaping plan shall be prepared by a registered landscape architect for new or revised landscaped areas and parking lots. Landscape architect approval is not required for tree removal and/or installation if the species are chosen from an approved street tree list. A certified landscape designer, arborist, or nurseryman shall be acceptable in lieu of a landscape architect for projects with less than five hundred square feet of landscaping. All landscape plans shall include a mix of vertical (trees and shrubs) and horizontal elements (grass, groundcover, etc.) that within three years will cover one hundred percent of the landscape area. Plant species listed on the Oregon City Nuisance Plant list are prohibited and native species are encouraged. No mulch, bark chips, or similar materials shall be allowed at the time of landscape installation except under the canopy of shrubs and within two feet of the base of trees.*

**Applicant's Response: Applicant has hired a licensed Landscape Architect (MacDonald Environmental Planning) to prepare a landscape plan with the criteria of using native plants**

- 5. Landscaping shall be visible from public thoroughfares to the extent practicable.*

**Applicant's Response: Applicant has hired a licensed Landscape Architect (MacDonald Environmental Planning) to prepare a landscape plan with the criteria of using native plants**

- 6. The landscaping in parking areas shall not obstruct lines of sight for safe traffic operation and shall comply with all requirements of OCMC 10.32, Traffic Sight Obstructions.*

**Applicant's Response: Applicant has hired a licensed Landscape Architect (MacDonald Environmental Planning) to prepare a landscape plan with the criteria of using native plants**

**B. Vehicular Access and Connectivity.**

- 1. Parking areas shall be located behind the building façade that is closest to the street, below buildings, or on one or both sides of buildings.*

**Applicant's Response: No changes to existing parking lot areas or new parking areas proposed, therefore not applicable to the proposed development.**

- 2. Existing or future connections to adjacent sites through the use of vehicular and pedestrian access easements which provide connection from the right-of-way to the adjoining property shall be provided.*

**Applicant's Response: No changes to existing or future vehicular and pedestrian access easements, therefore not applicable to the proposed development.**

- 3. Parcels larger than three acres shall provide streets as required in OCMC 16.12.*

**Applicant's Response: The proposed development is a 985 sf building expansion of an existing veterinary clinic, therefore not applicable to the proposed development.**

4. *Parking garage entries shall not be more than half of the streetscape.*

**Applicant's Response: No parking garage proposed, therefore not applicable to the proposed development.**

C. *A well-marked, continuous and protected on-site pedestrian circulation system meeting the following standards shall be provided:*

1. *Pathways between all building entrances and the street are required. Pathways between the street and buildings fronting on the street shall be direct and not cross a drive aisle. Exceptions may be allowed by the director where steep slopes, a physically constrained site, or protected natural resources prevent a direct connection or where an indirect route would enhance the design and/or use of a common open space.*

**Applicant's Response: No changes to existing pathways or new pathways proposed, therefore not applicable to the proposed development.**

2. *The pedestrian circulation system shall connect all main entrances, parking areas, bicycle parking, recreational areas, common outdoor areas, and any pedestrian amenities on the site. For buildings fronting on the street, the sidewalk may be used to meet this standard.*

**Applicant's Response: No changes to existing pedestrian circulation system or new pedestrian circulation proposed, therefore not applicable to the proposed development.**

3. *The pedestrian circulation system shall connect the principal building entrance to those of buildings on adjacent sites, except within industrial zoning designations.*

**Applicant's Response: No changes to existing pedestrian circulation system or new pedestrian circulation proposed, therefore not applicable to the proposed development.**

4. *Elevated external stairways or walkways shall not extend beyond the building facade except for external stairways or walkways located in, or facing interior courtyard areas that are not visible from the street or a public access easement. This standard does not apply to sky-bridges or skyways.*

**Applicant's Response: No elevated external stairways existing or proposed, therefore not applicable to the proposed development.**

5. *On-site pedestrian walkways shall be hard surfaced, well drained and at least five feet wide. Surface material shall contrast visually to adjoining surfaces. When bordering parking spaces other than spaces for parallel parking, pedestrian walkways shall be a minimum of seven feet in width unless curb stops are provided. When the pedestrian circulation system is parallel and adjacent to an auto travel lane, the walkway shall be raised or separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised walkway is used, the ends of the raised portions shall be equipped with curb ramps for each direction of travel. Pedestrian walkways that cross drive isles or other vehicular circulation areas shall utilize a change in textual material or height to alert the driver of the pedestrian crossing area.*

**Applicant's Response: No changes to existing pedestrian walkways and no new pedestrian walkways proposed, therefore not applicable to the proposed development.**

D. *All development shall maintain continuous compliance with applicable federal, state, and City standards.*

**Applicant's Response: Proposed development maintains compliance with applicable federal, state, and City standards.**

- E. *Adequate public water and sanitary sewer facilities sufficient to serve the proposed or permitted level of development shall be provided pursuant to OCMC 16.12. The applicant shall demonstrate that adequate facilities and services are presently available or can be made available concurrent with development. Service providers shall be presumed correct in the evidence, which they submit. All facilities shall be designated to City standards as set out in the City's facility master plans and public works design standards. A development may be required to modify or replace existing offsite systems if necessary to provide adequate public facilities. The City may require over sizing of facilities where necessary to meet standards in the City's facility master plan or to allow for the orderly and efficient provision of public facilities and services. Where over sizing is required, the developer may request reimbursement from the City for over sizing based on the City's reimbursement policy and fund availability, or provide for recovery of costs from intervening properties as they develop.*

**Applicant's Response: No changes proposed to existing public water and sanitary sewer facilities, therefore not applicable to the proposed development.**

- F. *If a transit agency, upon review of an application for an industrial, institutional, retail or office development, recommends that a bus stop, bus turnout lane, bus shelter, accessible bus landing pad, lighting, or transit stop connection be constructed, or that an easement or dedication be provided for one of these uses, consistent with an agency adopted or approved plan at the time of development, the review authority shall require such improvement, using designs supportive of transit use. Improvements at a major transit stop may include intersection or mid-block traffic management improvements to allow for crossings at major transit stops, as identified in the City's Transportation System Plan.*

**Applicant's Response: The proposed development is a 985 sf building expansion of an existing veterinary clinic, therefore not applicable to the proposed development.**

- G. *Screening of Mechanical Equipment: Commercial, mixed-use, institutional, and multi-family buildings shall include the following measures to screen or block views of mechanical equipment from adjacent streets according to the following requirements.*
- 1. Rooftop mechanical equipment, including HVAC equipment and utility equipment that serves the structure, shall be screened from view from the adjacent street on all new buildings or building additions. Screening shall be accomplished through the use of parapet walls or a sight-obscuring enclosure around the equipment constructed of one of the primary materials used on the primary facades of the structure, and that is an integral part of the building's architectural design. The parapet or screen shall completely surround the rooftop mechanical equipment to an elevation equal to or greater than the highest portion of the rooftop mechanical equipment being screened from adjacent streets, as viewed from the sidewalk or future sidewalk location on the adjacent street at pedestrian level. In the event such parapet wall does not fully screen all rooftop equipment, then the rooftop equipment shall be enclosed by a screen constructed of one of the primary materials used on the primary facade of the building so as to achieve complete screening. Screening requirements do not apply to new or replacement equipment on existing buildings. New or replacement rooftop mechanical equipment on existing buildings shall be painted or powder-coated.*

**Applicant's Response: Any new rooftop mechanical equipment will be screened from view from the adjacent street.**

2. *Wall-mounted mechanical HVAC and air conditioning equipment, and groups of multiple utility meters shall not be placed on the front facade of a building or on a facade that faces a right-of-way. Wall-mounted mechanical equipment, including—air conditioning and groups of multiple utility meters, that extend six inches or more from the outer building wall shall be screened from view from adjacent streets; from residential, public, and institutional properties; and from public areas of the site or adjacent sites through the use of (a) sight-obscuring enclosures constructed of one of the primary materials used on the primary facade of the structure, (b) sight-obscuring fences, or (c) trees or shrubs that block at least eighty percent of the equipment from view or (d) painting the units to match the building. Wall-mounted mechanical equipment that extends six inches or less from the outer building wall shall be designed to blend in with the color and architectural design of the subject building. Vents which extend six inches or less from the outer building wall shall exempt from this standard if painted.*

**Applicant's Response: No new wall-mounted mechanical HVAC and air conditioning equipment and/or meters are proposed to be installed on the front façade of the building, therefore not applicable to the proposed development.**

3. *Ground-mounted above-grade mechanical equipment shall be screened by ornamental fences, screening enclosures, trees, or shrubs that block at least eighty percent of the view from the public right of way.*

**Applicant's Response: No new ground-mounted mechanical equipment proposed, therefore not applicable to the proposed development.**

4. *This section shall not apply to the installation of solar energy panels, photovoltaic equipment, wind power generating equipment, dishes/antennas, pipes, vents, and chimneys.*

**Applicant's Response: Equipment listed is not proposed, therefore not applicable to the proposed development.**

#### H. *Building Materials.*

1. *Prohibited Materials. The following materials shall be prohibited in visible locations from the right-of-way or a public access easement unless an exception is granted by the Community Development Director based on the integration of the material into the overall design of the structure.*
  - i. *Vinyl or plywood siding (including T-111 or similar plywood).*
  - ii. *Glass block or highly tinted, reflected, translucent or mirrored glass (except stained glass) as more than ten percent of the building facade.*
  - iii. *Corrugated fiberglass.*
  - iv. *Chain link fencing (except for temporary purposes such as a construction site, gates for a refuse enclosure, stormwater facilities, when excepted by 17.62.050.H.2.vii, or when located on properties within the General Industrial District).*
  - v. *Crushed colored rock/crushed tumbled glass.*
  - vi. *Non-corrugated and highly reflective sheet metal.*
  - vii. *Tarps, except for the protection of outside storage.*

**Applicant's Response: No prohibited building materials being proposed.**

2. *Special Material Standards. The following materials are allowed if they comply with the requirements found below:*
  - i. *Concrete Block. When used for the front façade of any building, concrete blocks shall be split, rock- or ground-faced and shall not be the prominent material of the elevation. Plain*

concrete block or plain concrete may be used as foundation material if the foundation material is not revealed more than three feet above the finished grade level adjacent to the foundation wall.

- ii. *Metal Siding.* Metal siding shall have visible corner moldings and trim and incorporate masonry or other similar durable/permanent material near the ground level (first two feet above ground level) except when used for a temporary structure.
- iii. *Exterior insulation and finish system (EIFS) and similar troweled finishes shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.*
- iv. *Building surfaces shall be maintained in a clean condition and painted surfaces shall be maintained to prevent or repair peeling, blistered or cracking paint.*
- v. *Membrane or fabric covered storage areas are permitted as temporary structures, excluding the use of tarps.*
- vi. *Vinyl or powder coated chain link fencing is permitted for City-owned stormwater management facilities, reservoirs, and other public works facilities such as pump stations, maintenance yards, and storage yards not located within the General Industrial District.*
- vii. *Chain link fencing is permitted in the following circumstances:*
  - 1. *Within City-owned parks and recreational facilities*
  - 2. *On any property when used for a baseball or softball backstop or dugout, track and field facility, or sports court.*

**Applicant's Response: All exterior building finishes will comply with the standards.**

*17.62.055 –Institutional, office, multi-family, retail, and commercial building standards.*

*B. Applicability. This section applies to institutional, office, multi-family, retail and commercial buildings except accessory structures less than one thousand square feet and temporary structures. .*

**Applicant's Response: Material finish standards applicable to the proposed project.**

*C. Conflicts. With the exception of standards for building orientation and building front setbacks, in the event of a conflict between a design standard in this section and a standard or requirement contained in the underlying zoning district, the standard in the zoning district shall prevail.*

**Applicant's Response: The proposed development will comply with design standards.**

*D. Siting of Structures. On sites with one hundred feet or more of frontage at least sixty percent of the site frontage width shall be occupied by buildings placed within five feet of the property line. For sites with less than one hundred feet of street frontage, at least fifty percent of the site frontage width shall be occupied by buildings placed within five feet of the property. Multi-family developments shall be placed no farther than twenty feet from the front property line. This section does not apply to properties with less than forty feet of frontage.*

**Applicant's Response: The site has less than 100 feet of frontage (Molalla Ave), with at least fifty percent of the site frontage width occupied by the proposed building expansion placed within five feet of the property.**

*A larger front yard setback may be approved through site plan and design review if the setback area incorporates at least one element from the following list for every five feet of increased setback requested:*

- 1. *Tables, benches or other approved seating area.*
- 2. *Cobbled, patterned or paved stone or enhanced concrete.*

3. *Pedestrian scale lighting.*
4. *Sculpture/public art.*
5. *Fountains/Water feature.*
6. *At least twenty square feet of landscaping or planter boxes for each tenant facade fronting on the activity area.*
7. *Outdoor café.*
8. *Enhanced landscaping or additional landscaping.*
9. *Other elements, as approved by the Community Development Director, that can meet the intent of this section.*

**Applicant's Response: Building setback area along Barclay Hills Dr will include at least twenty square feet of landscaping.**

*E. Building Orientation. All buildings along the street frontage shall face the front most architecturally significant facade toward the street and have a functional primary entrance facing the street. Primary building entrances shall be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico in order to provide shelter from the summer sun and winter weather.*

**Applicant's Response: Building expansion has been designed to have most architecturally significant façade toward the street. No changes proposed for existing building entrance.**

*F. Entryways. Entrances shall include a doorway and a minimum of four of the following elements:*

1. *Display windows;*

*Recesses or projections; Peaked roof or raised parapet over the door; Canopy of at least five feet in depth; Porch; Distinct materials; Architectural details such as tile work and moldings; Pedestrian amenities such as benches, planters or planter boxes; Landscape treatments integrating arbors, low walls, trellis work; or Similar elements. Trellises, canopies and fabric awnings may project up to five feet into front setbacks and public rights-of-way, provided that the base is not less than eight feet at the lowest point and no higher than ten feet above the sidewalk.*

**Applicant's Response: No changes proposed for the existing building primary entrance, therefore not applicable to the proposed development.**

*G. Corner Lots.*

*For buildings located at the corner of intersections, the primary entrance of the building shall be located at the corner of the building or within twenty-five feet of the corner of the building. Additionally, one of the following treatments shall be required:*

1. *Incorporate prominent architectural elements, such as increased building height or massing, cupola, turrets, or pitched roof, at the corner of the building or within twenty-five feet of the corner of the building.*
2. *Chamfer the corner of the building (i.e. cut the corner at a forty-five degree angle and a minimum of ten feet from the corner) and incorporate extended weather protection (arcade or awning), special paving materials, street furnishings, or plantings in the chamfered area.*
3. *Standards 1 and 2 above do not apply to vertically attached 3-4 plexes, multi-family buildings or multi-family portions of residential mixed-use buildings.*

**Applicant's Response: No changes proposed for the existing buildings primary entrance. Building expansion has been designed to incorporate prominent architectural elements, varying building heights, and awing.**

*H. Variation in Massing. For street facing facades greater than 120 feet in length a modulation is required which extends through all floors. Decks and roof overhangs may encroach up to three feet*

per side into the modulation. The modulation shall meet one of the following dimensional requirements:

1. A minimum depth of two percent of the length of the façade and a minimum width of thirty percent of the length of the façade; or
2. A minimum depth of four percent of the length of the façade and a minimum width of twenty percent of the length of the façade.

**Applicant's Response: Street facing façade is less than 120 feet in length, therefore not applicable to the proposed development.**

**I. Building Design Elements.**

1. All front and side facades shall provide a design element or architectural feature that add interest and detail such that there are no blank walls of thirty feet in length or more, measured horizontally. Features that can meet this requirement include:
  - a. Change in building material or texture;
  - b. Window or door;
  - c. Balcony; or
  - d. Pillar or post

**Applicant's Response: Building expansion has been designed so that there are no blank walls of thirty feet in length or more.**

2. Street facing facades shall include additional design features. For every thirty feet of façade length, three of the following elements are required:
  - a. Decorative materials on more than ten percent of the total wall area (e.g., brick or stonework, shingles, wainscoting, ornamentation, and similar features);
  - b. Decorative cornice and/or roof line (e.g., for flat roofs);
  - c. Roof gable;
  - d. Recessed entry;
  - e. Covered canopy entry;
  - f. Cupola or tower;
  - g. Dormer;
  - h. Balcony;
  - i. Pillars or posts;
  - j. Repeating pattern of building materials;
  - k. A change in plane of at least two feet in width and six inches in depth;
  - l. Bay or oriel window; or
  - m. An alternative feature providing visual relief and detail as approved by the Community Development Director

**Applicant's Response: Street facades for proposed building expansion includes repeating pattern of building materials, change in plane, and awning feature to provide visual relief.**

3. Building Detail Variation. Architectural features shall be varied on different buildings within the same development. At least two of the required features on each street-facing elevation shall be distinct from the street-facing elevations of other buildings within the same development.

**Applicant's Response: Site does not include multiple buildings, therefore not applicable to the proposed development.**

**J. Windows.**

1. The minimum windows requirements are set forth in Table 17.62.055.J. Windows are measured in lineal fashion between 3.5 feet and six feet from the ground. For example, a one hundred foot long building elevation would be required to have at least sixty feet (sixty percent of one hundred feet) of windows in length between the height of 3.5 feet and six feet from the ground.

Use	Ground Floor: Front and Street Facing Facades	Upper floor(s): Front and Street Facing Facades	Ground Floor: Side(s) Facades	Upper Floor(s): Side(s) Facades
Non-Multi-Family (or Portions of Buildings Thereof)	60%	10%	30%	10%
Multi-Family (or Portions of Buildings Thereof)	15%	15%	10%	10%

**Applicant’s Response: Street facing façade meets 60% transparency requirement and side façade meets 30% transparency requirement.**

2. Reflective, glazed, mirrored or tinted glass is limited to ten percent of the lineal footage of windows on the street facing facade. Highly reflective or glare-producing glass with a reflective factor of one-quarter or greater is prohibited on all building facades. Any glazing materials shall have a maximum fifteen percent outside visual light reflectivity value. No exception shall be made for reflective glass styles that appear transparent when internally illuminated.

**Applicant’s Response: All glazing will maintain maximum fifteen percent outside visual light reflectivity value.**

3. Side walls that face walkways may include false windows and door openings only when actual doors and windows are not feasible because of the nature of the use of the interior use of the building. False windows located within twenty feet of a right-of-way shall be utilized as display windows with a minimum display depth of thirty-six inches.

**Applicant’s Response: No false windows proposed.**

4. Multi-family windows shall incorporate window trim at least four inches in width when surrounded by horizontal or vertical lap siding.

**Applicant’s Response: Not a multi-family development, therefore not applicable to the proposed commercial development.**

- K. *Roof Treatments.* The maximum length of any continuous roofline on a street-facing façade shall be seventy-five feet without a cross gable or change in height of at least two feet.

**Applicant’s Response: Length of continuous roofline on a street-facing façade is less than the seventy-five feet maximum requirement.**

- L. *Drive-through facilities shall:*

1. Be located at the side or rear of the building.
2. Be designed to maximize queue storage on site.

**Applicant’s Response: No drive-through facility proposed, therefore not applicable to the proposed development.**

M. *Special development standards along transit streets.*

1. *Purpose. This section is intended to provide direct and convenient pedestrian access to retail, office and institutional buildings from public sidewalks and transit facilities and to promote pedestrian and transit travel to commercial and institutional facilities.*
2. *Applicability. Except as otherwise provide in this section, the requirements of this section shall apply to the construction of new retail, office and institutional buildings which front on a transit street.*
3. *Development Standards.*
  - a. *All buildings shall have at least one main building entrance oriented towards the transit street. A main building entrance is oriented toward a transit street if it is directly located on the transit street, or if it is linked to the transit street by an on-site pedestrian walkway that does not cross off-street parking or maneuvering areas.*
    - i. *If the site has frontage on more than one transit street, or on a transit street and a street intersecting a transit street, the building shall provide one main building entrance oriented to the transit street or to the corner where the two streets intersect.*
    - ii. *For building facades over three hundred feet in length on a transit street, two or more main building entrances shall be provided as appropriate and oriented towards the transit street.*
  - b. *In the event a requirement of this section conflicts with other requirements in Title 17, the requirements of this section shall control.*
4. *Exemptions. The following permitted uses are exempted from meeting the requirements of subsection 3. of this section:*
  - a. *Heavy equipment sales;*
  - b. *Motor vehicle service stations, including convenience stores associated therewith; or*
  - c. *Solid waste transfer stations.*

**Applicant's Response: No proposed changes to the existing building primary entrance, therefore not applicable to the proposed development.**

*17.62.056 - Additional standards for large retail establishments.*

*Retail building(s) occupying more than ten thousand gross square feet of floor area shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following:*

- A. *Patio/seating area;*
- B. *Pedestrian plaza with benches;*
- C. *Transportation center;*
- D. *Window shopping walkway;*
- E. *Outdoor playground area;*
- F. *Kiosk area, water feature;*
- G. *Clock tower; or*
- H. *Other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the appropriate decision maker, adequately enhances such community and public spaces. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principle materials of the building and landscape.*

**Applicant's Response: This is an expansion of an existing veterinary clinic, therefore not applicable to the proposed development.**

*17.62.057 - Multifamily Usable Open Space Requirements*

B. *Open Space Required. All new multi-family developments in all zones shall provide usable open space.*

1. *In residential zones, each development shall provide a minimum of one hundred square feet of open space per dwelling unit.*

**Applicant's Response: This is an expansion of an existing veterinary clinic, therefore not applicable to the proposed development.**

2. *In non-residential, commercial and mixed-use zones, each development shall provide a minimum of fifty square feet of open space per dwelling unit.*

**Applicant's Response: This is an expansion of an existing veterinary clinic, therefore not applicable to the proposed development.**

3. *Required setback areas shall not count toward the open space requirement unless setback areas are incorporated into spaces that meet all other requirements of this section.*

**Applicant's Response: This is an expansion of an existing veterinary clinic, therefore not applicable to the proposed development.**

4. *Required open space areas may be counted towards both the open space requirements and the minimum landscaping requirements in OCMC 17.62.050.A, if the spaces meet the requirements of both sections.*

**Applicant's Response: This is an expansion of an existing veterinary clinic, therefore not applicable to the proposed development.**

C. *Usable Open Space Types.*

1. *Common open spaces shall be accessible to all residents of the development and include landscaped courtyards, decks, gardens with pathways, children's play areas, common rooftop decks and terraces, and other multipurpose recreational or green spaces.*

**Applicant's Response: This is an expansion of an existing veterinary clinic, therefore not applicable to the proposed development.**

*Common open spaces may be used to meet one hundred percent of the usable open space requirement. Design standards:*

- a. *Minimum dimensions for common open space shall be twelve feet with a minimum size of two hundred square feet for developments with twenty units or less, and twenty feet with a minimum size of four hundred square feet for developments with twenty-one or more units.*

**Applicant's Response: This is an expansion of an existing veterinary clinic, therefore not applicable to the proposed development.**

- b. *Common open space shall feature a mix of natural and recreational amenities to make the area more functional and enjoyable for a range of users. Sites with twenty units or less shall provide a minimum of two of the following amenities, and sites with twenty-one units or more shall provide a minimum of three of the following amenities and an additional amenity for every twenty units over forty, rounded up.*

1. *Landscaping areas.*
2. *Community gardening areas.*
3. *Large trees expected to reach over eighteen inches dbh at maturity.*
4. *Seating.*

5. *Pedestrian-scaled lighting.*
6. *Hard-surfaced pedestrian paths in addition to those required for internal pedestrian circulation.*
7. *Paved courtyard or plaza.*
8. *Gazebos or other decorative shelters.*
9. *Play structures for children.*
10. *Sports courts.*
11. *An alternative amenity as approved by the Community Development Director.*

**Applicant's Response:** This is an expansion of an existing veterinary clinic, therefore not applicable to the proposed development.

- c. *Common open space shall be separated from ground level windows, streets, service areas and parking lots with landscaping, low-level fencing, and/or other treatments as approved by the City that enhance safety and privacy for both the common open space and dwelling units.*

**Applicant's Response:** This is an expansion of an existing veterinary clinic, therefore not applicable to the proposed development.

- d. *Common open space shall be accessible from the dwelling units and, as appropriate, from public streets and sidewalks. The space shall be oriented to encourage activity from local residents.*

**Applicant's Response:** This is an expansion of an existing veterinary clinic, therefore not applicable to the proposed development.

2. *Private open space that is not open to all residents includes balconies, patios, and other outdoor multi-purpose recreational or green spaces. It may be used to meet up to fifty percent of the usable open space requirement.*
  - a. *Minimum dimensions for private open space shall be five feet with a minimum size of forty square feet.*

**Applicant's Response:** This is an expansion of an existing veterinary clinic, therefore not applicable to the proposed development.

3. *Indoor recreational space may be used to meet up to twenty-five percent of the usable open space requirement provided the space is:*
  - a. *Accessible to all dwelling units.*
  - b. *Designed for and includes equipment for a recreational use (e.g., exercise, group functions, etc.).*

**Applicant's Response:** This is an expansion of an existing veterinary clinic, therefore not applicable to the proposed development.

*17.62.059 - Cluster housing.*

*All cluster housing shall comply with the standards in Chapter 17.20.020 in addition to the standards in this chapter.*

**Applicant's Response:** This is an expansion of an existing veterinary clinic, therefore not applicable to the proposed development.

*17.62.065 - Outdoor lighting.*

**B. Applicability.**

1. *General.*

- a. *All exterior lighting for any type of commercial, mixed-use, industrial, institutional, or multi-family development shall comply with the standards of this section, unless excepted in subsection B.3.*
- b. *The City Engineer or Public Works Director shall have the authority to enforce these regulations on private property if any outdoor illumination is determined to present an immediate threat to the public health, safety and welfare.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

2. *Lighting Plan Requirement. All commercial, industrial, mixed-use, cottage housing and multi-family developments shall submit a proposed exterior lighting plan. The plan shall be submitted concurrently with the site plan. The exterior lighting plan shall include plans and specifications for streetlights, parking lot lights, and exterior building lights. The specifications shall include details of the pole, fixture height and design, lamp type, wattage, and spacing of lights.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

3. *Excepted Lighting. The following types of lighting are excepted from the requirements of this section.*

- a. *Residential lighting for single-family attached and detached homes, and duplexes*
- b. *Public street and right-of-way lighting.*
- c. *Temporary decorative seasonal lighting provided that individual lamps have a light output of sixty watts or less.*
- d. *Temporary lighting for emergency or nighttime work and construction.*
- e. *Temporary lighting for theatrical, television, and performance areas, or for special public events.*
- f. *Lighting for a special district, street, or building that, according to an adopted municipal plan or ordinance, is determined to require special lighting aesthetics as part of its physical character.*
- g. *Lighting required and regulated by the Federal Aviation Administration.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

C. *Design and Illumination Standards.*

1. *Outdoor lighting, if provided, shall be provided in a manner that enhances security, is appropriate for the use, avoids adverse impacts on surrounding properties, and the night sky through appropriate shielding as defined in this section. Glare shall not cause illumination on other properties in excess of a measurement of 0.5 footcandles of light as measured at the property line.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

2. *Lighting shall be provided in parking lots and vehicular circulation areas.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

3. *Lighting shall be provided in pedestrian walkways, pedestrian plazas, and pedestrian circulation areas.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

*4. Lighting shall be provided at all building entrances.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

*5. With the exception of pedestrian scale lighting, all light sources shall be concealed or shielded with a full cut-off style fixture in order to minimize the potential for glare and unnecessary diffusion on adjacent property.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

*6. The maximum height of any lighting pole serving a multi-family residential use shall be twenty feet. The maximum height serving any other type of use shall be twenty-five feet, except in parking lots larger than five acres, the maximum height shall be thirty-five feet if the pole is located at least one hundred feet from any residential use.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

*7. Floodlights shall not be utilized to light all or any portion of a building facade between 10 p.m. and 6 a.m.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

*8. Lighting on outdoor canopies shall be fully recessed into the canopy and shall not protrude downward beyond the ceiling of the canopy.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

*9. All outdoor light not necessary for security purposes shall be reduced, activated by motion sensor detectors, or turned off during non-operating hours.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

*10. Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam of light that will not extend beyond the illuminated object.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

*11. For upward-directed architectural, landscape, and decorative lighting, direct light emissions shall not be visible above the building roofline.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

*12. No flickering or flashing lights shall be permitted, except for temporary decorative seasonal lighting.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

13. *Lighting for outdoor recreational uses such as ball fields, playing fields, tennis courts, and similar uses, are allowed a light post height up to eighty feet in height.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

14. *Main building entrances shall be well lighted and visible from any transit street. The minimum lighting level for building entries fronting on a transit street shall be three foot-candles.*

**Applicant's Response: No changes proposed to existing exterior lighting, therefore not applicable to the proposed development.**

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

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

- A. *Fully enclosed and visually screened;*
- B. *Located in a manner easily and safely accessible by collection vehicles;*
- C. *Located in a manner so as not to hinder travel lanes, walkways, streets or adjacent properties;*
- D. *On a level, hard surface designed to discharge surface water runoff and avoid ponding;*
- E. *Maintained by the property owner;*
- F. *Used only for purposes of storing solid waste and recyclable materials;*
- G. *Designed in accordance with applicable sections of the Oregon City Municipal Code (including OCMC 8.20—Solid Waste Collection and Disposal) and city adopted policies.*

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

**Applicant's Response: This is an expansion of an existing veterinary clinic, therefore not applicable to the proposed development.**



**National Veterinary Associates**

**DATE:**

August 13, 2020

**REGARDING:**

Barclay Hills Animal Clinic – Expansion Project

**Determination of Application Incompleteness**

**TO:**

Kelly Reid, AICP Planner  
Community Development Department City of Oregon City  
695 Warner Parrott Rd, Oregon City, OR 97045

**LOCATION:**

Barclay Hills Animal Clinic  
856 Molalla Ave  
Oregon City, OR 97045

**ATTENTION:**

Kelly Reid, AICP Planner

We trust the following information is sufficient to address your Departments needs and finds that this submission completes that outstanding items.

1. **INQUIRY:** The Property Owner on the application form does not match our records. We list the owner s NVA SCMLA II INC. If the property has recently been sold, it is possible that the new owner is not reflected in our records yet. Please address this discrepancy.

**RESPONSE:** The Property Owner is STORE MASTER FUNDING X, LLC, a Delaware limited liability company (“Lessor”), whose address is 8377 E. Hartford Dr. Ste. 100, Scottsdale, Arizona 85255.

Troy Nelson  
Vice President  
Asset Management & Construction  
S|T|O|R|E Capital  
Phone 480 256 1198  
[tnelson@storecapital.com](mailto:tnelson@storecapital.com)

The Property is Leased by NVA SCMLA II Inc. There is no change of ownership. Refer to Following Recorded Document from Clackamas County Official Records, dated 01/04/2018.

- **Refer to attached PDF Document:**  
**001a: Property\_2018-8-19 LSE\_01-4-2018 / Clackamas County Official Records Memorandum of Lease**

2. **INQUIRY:** Code Responses to Chapter 17.58 Nonconforming Uses, Structures, and Lots. In particular, section 17.58.040.

**RESPONSE:** Refer Below.

**Exterior Elevation Improvement cost versus Site Upgrades Landscaping Cost Valuation:**

Overall Exterior: \*\$187,730.00 \*Does not include OH&P and Contingency.

Note: The following breakdown in BLACK defines Exterior Improvements SOFT Cost (\$43,605).

**RED defines Exterior Improvements HARD Cost (\$144,125.00)**

**Items in RED define the 10% valuation cost required by code.**

**EXTERIOR / SHELL BUILDOUT**

CSI #	DIVISION	COSTS	10% REQUIRED
1.00	General Conditions:	\$29,555.00	Soft Cost N/A
1.00	A&E/Survey:	\$8,550.00	Soft Cost N/A
1.00	Permits/Fees:	\$5,500.00	Soft Cost N/A
2.00	Demolition:	\$12,050.00	\$1,205.00
3.00	Concrete:	\$6,000.00	\$600.00
4.00	Masonry:	\$2,000.00	\$200.00
5.00	Metals:	\$8,300.00	\$830.00
6.00	Wood & Plastics:	\$41,500.00	\$4,150.00
7.00	Insulation/Roofing:	\$32,075.00	\$3,207.50
8.00	Doors & Windows:	\$24,000.00	\$2,400.00
9.00	Finishes:	\$7,000.00	\$700.00
15.00	Plumbing:	\$1,500.00	\$150.00
15.00	HVAC:	\$6,200.00	\$620.00
16.00	Electrical:	\$3,500.00	\$550.00
	<b>HARD COST</b>	<b>\$144,125.00</b>	<b>\$14,412.50</b>

**EXTERIOR / SITE UPGRADES**

CSI #	DIVISION	COSTS
2.00	Topsoil & Sod:	\$ 2,000.00 Supply & Install
2.00	Temp Seed/Mulch:	\$ 1,500.00 Supply & Install
2.00	Planting:	\$ 1,200.00 Supply & Install
2.00	Trees / Grown (3):	\$ 3,000.00 Supply & Install
2.00	Irrigation:	\$ 4,500.00 Supply & Install
2.00	*Pylon Sign Retrofit:	\$30,000.00 Supply & Install
2.00	5 Loop Bike Rack:	\$ 1,800.00 Supply & Install
2.00	Doggie Waste Station:	\$ 800.00 Supply & Install
	<b>HARD COST</b>	<b>\$44,800.00</b>

**\*If Pylon Sign Retrofit shall remain as part of the Estimated Site Upgrades then the cost valuation will equal \$44,800 or +31% of Exterior Shell Building Upgrades.**

**\*If Pylon Sign Retrofit shall not remain as part of the Estimated Site Upgrades then the cost valuation will equal \$14,800 or +10% of Exterior Shell Building Upgrades.**

3. **INQUIRY:** A Current Preliminary Title Report of Trio for the Subject Property

**RESPONSE:** Attached is the latest TRIO Report compiled by:

Jenny White  
Chief Title Officer  
First American Title Company of Oregon  
121 S. W. Morrison Street, Suite 300, Portland, Oregon 97204  
Direct: 503-790-7862  
Email: [jwhite@firstam.com](mailto:jwhite@firstam.com)  
First American title Company

- Refer to attached PDF Document:  
**001b: Property\_2018-8-19 DEW\_01-4-2018 / Clackamas County Official Records Statutory Warranty Deed**

4. **INQUIRY:** Documentation indicating there are no liens favoring the city on the subject line.

**RESPONSE:** Per a conversation and email below from Ashley Flues / Oregon City Utility Billing there are NO liens on the subject property. See Below.

865 Molalla Ave. Oregon City OR 97045



Ashley Flues <[aflues@orcity.org](mailto:aflues@orcity.org)>  
To: [peter.cordts@s4xglobal.com](mailto:peter.cordts@s4xglobal.com)  
Cc: Ashley Flues

Good morning,

The City of Oregon City does not have any liens on the property located at 865 Molalla Ave.

Feel free to contact me by phone or e-mail with any questions.

Thank you,

-Ashley Flues



**Ashley Flues**  
**Utility Billing**  
[aflues@orcity.org](mailto:aflues@orcity.org)  
City of Oregon City  
PO Box 3040  
625 Center Street  
Oregon City, Oregon 97045  
503-496-1522 Direct phone  
503-657-8151 Utility Billing phone  
503-657-3339 fax

Website: [www.orcity.org](http://www.orcity.org) | [webmaps.orcity.org](http://webmaps.orcity.org) |

Follow us on: [Facebook](#) | [Twitter](#)

**PUBLIC RECORDS LAW DISCLOSURE:** This e-mail is subject to the State Retention Schedule and may be made available to the public.

5. **INQUIRY:** A receipt from the county assessor's office indicating that all taxes for the lot of parcels involved are paid in full for the preceding tax year.

**RESPONSE:** Per Clackamas County Property Tax Office and Real Property Tax Statement from 7/1/2019 to 6/30/2020 the property is paid to date: \$5,470.60 on 11/8/19

- Refer to attached PDF Document:  
**001c: 2019-2020 Clackamas County Tax Statement**
- Refer to attached PDF Document:  
**001d: 248.23 - STORE - NVA - Survey (Oregon City, OR) - FINAL**

This concludes "Inquiry and Response" for the Determination of Application Incompleteness. We trust that these responses have answered the Boards the questions. Should you require any additional information please do not hesitate to contact us.

Sincerely,

NVA's Project Management Representative

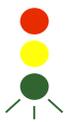
Peter J. Cordts

*Peter J. Cordts*

Managing Partner / COO  
S4(X) Global, LLC  
Program/Project Management

1176 Sleeping Meadow Drive  
New Albany, OH 43054  
614.309.2455  
[Peter.Cordts@S4\(X\)global.com](mailto:Peter.Cordts@S4(X)global.com)





# GREENLIGHT ENGINEERING

TRAFFIC ENGINEERING/TRANSPORTATION PLANNING

June 27, 2020

Kevin Hughes  
Senior Project Manager  
CBRE  
1300 SW 5<sup>th</sup> Avenue, Suite 3500  
Portland, OR 97201

Subject: Traffic analysis letter for Barclay Hills Animal Clinic Expansion

Dear Mr. Hughes,

The purpose of this letter is to address the requirements of the City of Oregon City’s Traffic Analysis Letter (“TAL”) in support of the proposed expansion of the existing Barclay Hills Animal Clinic. The site is located on the northeast quadrant of the Molalla Avenue/Barclay Hills Drive intersection at 865 Molalla Avenue in Oregon City, Oregon

The City requires a TAL to include the information listed below. The requirements are provided below in bold italics, while our responses are provided in regular typeface.

- 1. The expected trip generation of the proposed development including the AM peak hour, the PM peak hour, daily traffic, and other germane periods as may be appropriate, together with appropriate documentation and references.***

Currently the site is occupied by a 2,182 square foot animal clinic. The animal clinic will be expanded by 985 square feet to a total of 3,167 square feet. The trip generation presented below in Table 1 is based upon the net increase in size of the animal clinic from data presented in the 10<sup>th</sup> Edition of the Institute of Transportation Engineers *Trip Generation Manual*.

**Table 1. Net Trip Generation**

ITE Land Use	GFA (sq ft)	Weekday Trips						
		Average Daily Traffic	AM Peak Hour			PM Peak Hour		
			Total	Enter	Exit	Total	Enter	Exit
<i>Animal Hospital/Veterinary Clinic (Proposed)</i>	3,167	<b>68</b>	<b>12</b>	<b>8</b>	<b>4</b>	<b>11</b>	<b>4</b>	<b>7</b>
<i>Animal Hospital/Veterinary Clinic (Existing)</i>	2,182	<b>47</b>	<b>8</b>	<b>5</b>	<b>3</b>	<b>8</b>	<b>3</b>	<b>5</b>
<b>Net New Trips</b>		<b>21</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>2</b>

**2. Site plan showing the location of all access driveways or private streets where they intersect with public streets plus driveways of abutting properties and driveways on the opposite side of the street from the proposed development.**

A preliminary site plan is included in Appendix A.

The preliminary site plan illustrates the existing/proposed access locations. The site has frontage on both Molalla Avenue and Barclay Hills Drive.

No access exists or is proposed to Molalla Avenue, which is classified as a major arterial.

The existing accesses to Barclay Hills Drive that serve the existing animal clinic will be retained in their current configuration. The westernmost access is configured as an entry only. The easternmost driveway is configured as exit only. The parking lot and stalls are designed for one-way circulation. Barclay Hills Avenue is classified as a local street.

**3. Documentation that all site access driveways meet Oregon City Private Access Driveway Width Standards.**

Section 16.12.035 of the Oregon City Municipal Code (“OCMC”) addresses the requirements for minimum and maximum driveway width. According to Table 16.12.035.D, the minimum access width for one-way “Commercial, Industrial, Office, Institutional, Mixed Use, and/or Nonresidential” driveways is 12 feet. The maximum driveway width is 40 feet. Each of the existing accesses to Barclay Hills Drive are one-way driveways and approximately 12-13 feet in width.

**4. Documentation that all site access driveways meet Oregon City’s Minimum City Street Intersection Spacing Standards.**

Table 16.12.035.A of the OCMC provides the minimum access spacing standards. On local streets like Barclay Hills Drive, the minimum access spacing standard is 25 feet from “a street corner to a driveway for all uses other than detached single- and two-family dwellings.” The distance between Molalla Avenue and the westernmost driveway on Barclay Hills Drive is approximately 75 feet.

**5. Documentation that all new site accesses and/or public street intersections meet AASHTO intersection sight distance guidelines.**

There are no new site accesses proposed.

**6. Documentation that there are no inherent safety issues associated with the design and location of the site access driveways.**

The existing accesses to Barclay Hills Drive meet City driveway spacing and width standards.

A review of the crash history of Barclay Hills Drive did not illustrate any history of traffic crashes at either site driveway. The crash history report of Barclay Hills Drive is included in Appendix B.

**7. Documentation that the applicant has reviewed the City's TSP and that proposed streets and frontage improvements do or will comply with any applicable standards regarding the functional classification, typical sections, access management, traffic calming and other attributes as appropriate.**

The applicant has reviewed the City's TSP. Along the project frontage, Barclay Hills Drive is constructed with curb and sidewalk, but with no landscape strip. The existing cross section appears to be in substantial compliance with the "constrained section" of Oregon Standard Drawing OC500 "Local Street Section"<sup>1</sup> although not in compliance with the "standard section." Based upon the traffic impacts associated with the minor building expansion, it is unlikely that any improvements to Barclay Hills Drive would be proportional to the traffic impacts. Additionally, the City of Oregon City has not indicated that any improvements are required to Barclay Hills Drive.

**Conclusion**

It is recommended that vegetation be continually managed to ensure that intersection sight distance can be achieved at the easternmost driveway.

We trust that this letter addresses the criteria of the City's "Traffic Analysis Letter" requirements. There are no safety issues associated with this proposed development and the requirements of the city can be met. Should you have any questions, please contact me at [rick@greenlightengineering.com](mailto:rick@greenlightengineering.com) or 503-317-4559.

Sincerely,



Rick Nys, P.E.  
Principal Traffic Engineer

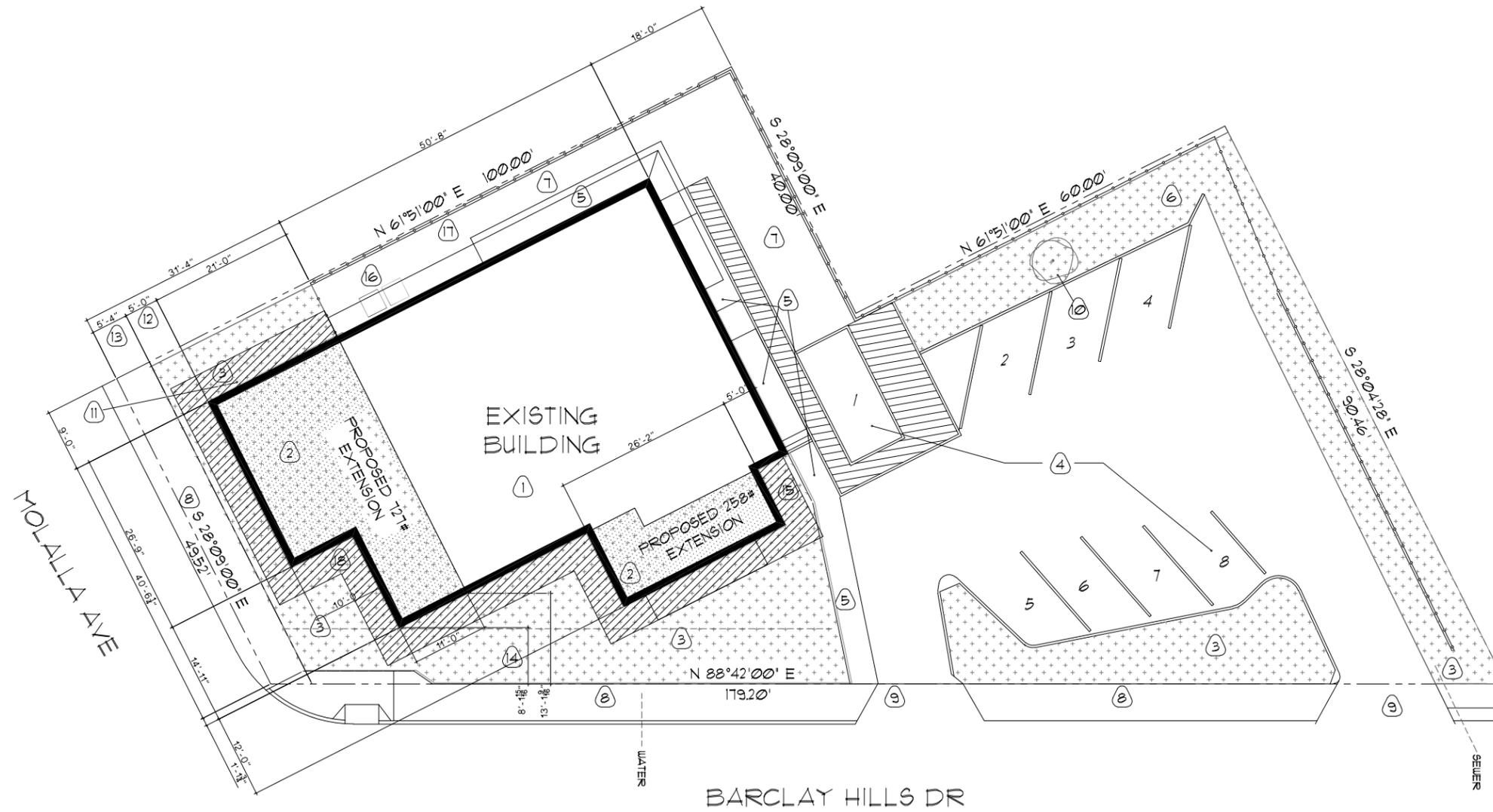
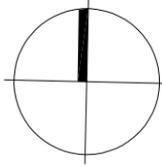


EXPIRES: 12/31/2020

<sup>1</sup> <https://ormswd.snynergydcs.com/HPRMWebDrawer/RecordView/6073026>

*Appendix A*

*Preliminary Site Plan*



EXISTING LOT COVERAGE	
BUILDING & PARKING	7625.9 SQ. FT.
LOT AREA	11,997.5 SQ. FT.
PERCENTAGE	63.5%
PROPOSED LOT COVERAGE	
BUILDING & PARKING	8610.9 SQ. FT.
LOT AREA	11,997.5 SQ. FT.
PERCENTAGE	71.7%

- SITEPLAN KEY NOTES**
- ① EXISTING BUILDING
  - ② PROPOSED ADDITIONAL SPACE
  - ③ EXISTING LANDSCAPING, CHANGE ONLY AT PROPOSED EXT.
  - ④ EXISTING PARKING, NO CHANGES PROPOSED (NCP)
  - ⑤ EXISTING WALKWAY, RAMP & STAIRS, NCP
  - ⑥ EXISTING FENCE, CHANGE ONLY AT PROPOSED EXT.
  - ⑦ EXISTING ASPHALT, CHANGE ONLY AT PROPOSED EXT.
  - ⑧ EXISTING SIDEWALK, NCP
  - ⑨ EXISTING DRIVEWAY, NCP
  - ⑩ EXISTING TREE TO REMAIN
  - ⑪ EXISTING TREE TO BE REMOVED
  - ⑫ PROPOSED UTILITY EASEMENT/MOLLALA SET BACK
  - ⑬ PROPOSED ROW DEDICATION
  - ⑭ PROPOSED BARCLAY HILLS SET BACK
  - ⑮ 5'-0" LANDSCAPE BUFFER
  - ⑯ EXISTING A/C UNITS
  - ⑰ EXISTING TRASH CAN STORAGE AREA
  - ⑱ MINIMUM LANDSCAPE IMPACT 663 SQ. FT.

**PARKING CALCULATIONS**

REQUIRED MIN	2.7 PER 1000 SF.
REQUIRED MAX	3.33 PER 1000 SF.
TOTAL AREA PROPOSED	3167 SQ. FT.
PARKING SPACES REQ'D MIN	8.55
TOTAL PARKING SPACES	8

**GENERAL NOTES**  
 1. ZONE IS MUC-1

5/22/2020 HLL  
 09/16/2019 HLL  
 05/15/2019 HLL  
 OREGON CITY/CLACKAMAS  
 865 MOLALLA AVE  
 971405  
 (11,997.5 SQ. FT.)  
 SCALE : 1" = 20'-0"  
 BY : HILL

**ALAN MASCORD DESIGN ASSOCIATES, INC.**  
 1300 NW 9th AVE, PORTLAND, OR 97209  
 503.225.9161 FAX: 503.225.0933 <http://www.mascord.com>

**ALAN MASCORD DESIGN ASSOCIATES, INC.**  
 1300 NW 9th AVE, PORTLAND, OR 97209  
 503.225.9161 FAX: 503.225.0933 <http://www.mascord.com>

**BARCLAY HILLS ANIMAL CLINIC**  
 BY : HILL

**Mascord**  
 COLLECTION

**Appendix B**

***Crash History***









