



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

9/29/2009

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Oregon City Plan Amendment
DLCD File Number 001-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, October 13, 2009

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

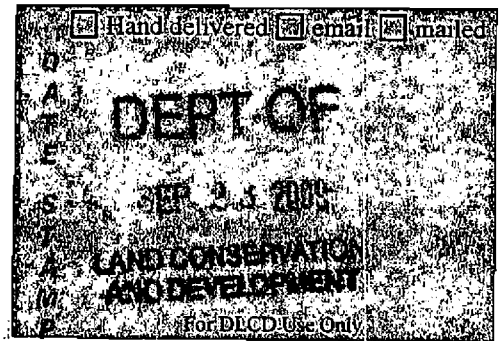
***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Tony Konkol, City of Oregon City
Gloria Gardiner, DLCD Urban Planning Specialist

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Notice of Adoption

**THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18**



Jurisdiction: CITY OF OREGON CITY Local file number: P2 09-01, ZC 09-01, TP 09-01
Date of Adoption: 9/16/09 Date Mailed: 9/21/09
Date original Notice of Proposed Amendment was mailed to DLCD: 6/26/09

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Approval of a comprehensive plan map amendment from low-density to high density and a zone change from R-10 SFR to R-2 MFR for 2,629 square feet of an 8,257 square foot property that is split zoned R-10 and R-2. The Commission also approved a fair lot subdivision on the subject site.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

Same

Plan Map Changed from: Low density to: Multi High density
Zone Map Changed from: R-10 SFR to: R-2 MFR
Location: 3-2E-9CC tax lots 9800 + 9890 Acres Involved: 0.06
Specify Density: Previous: 4.4 units/acre New: 21.8 units/acre
Applicable Statewide Planning Goals: _____

Was an Exception Adopted? YES NO

DLCD File No.: 001-09 (17663) [15725]

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

Affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: Tony Konkol Phone: (503) 496-1562 Extension: _____
Address: PO Box 3040 City: OREGON CITY
Zip Code + 4: 97045- Email Address: t Konkol@ci.oregon-city.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.

3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.

4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.

5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.

6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.

7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.



NOTICE OF DECISION (NOD) MAILING LIST

DATE: September 21, 2009

FILE # PZ 09-01, ZC 09-01 and TP 09-01. Ordinance No. 09-1005

IN-HOUSE DISTRIBUTION

- [REDACTED]
- [REDACTED]
- FIRE CHIEF
- [REDACTED]
- [REDACTED]
- [REDACTED]
- PARKS MANAGER
- [REDACTED]

MAIL-OUT DISTRIBUTION

- CIC
- NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR
- N.A. LAND USE CHAIR
- CLACKAMAS COUNTY - Joe Marek
- CLACKAMAS COUNTY - Ken Kent
- SCHOOL DISTRICT 62
- TRI-MET
- ODOT - Sonya Kazen
- [REDACTED]
- Other: DEA - Orlena Chiu

Applicant: AKS Engineering & Forestry

Applicant: _____

Owner: Rian Park Development

People who testified or wrote in:



NOTICE OF LAND USE DECISION

PZ 09-01, ZC 09-01 and TP 09-01

DATE OF MAILING OF NOTICE OF DECISION: September 21, 2009

OWNERS: Rian Park Development
Bruce Ament
15239 S. Lakeridge Way
Oregon City, Oregon 97045

APPLICANT: AKS Engineering & Forestry - Monty Hurley
13910 SW Galbreath Drive, Suite 100
Sherwood, Oregon 97140

REQUEST: Approval of a comprehensive plan map amendment from low density residential to high density residential and a zone change from R-10 single-family to R-2 multi-family for 2,629 square feet of an 8,257 square foot property that is split zoned R-10 single-family and R-2 multi-family. In addition, the applicant is requesting approval of a four lot subdivision.

LOCATION: Clackamas County Map 3-2E-9CC: Tax Lots 9800 and 9890.

CONTACT: Tony Konkol, Senior Planner

DECISION: On September 16, 2009 after reviewing all of the evidence in the record and considering all of the arguments made by the applicant, opposing and interested parties, the City Commission voted 4-1 to approve with conditions the requested Comprehensive Plan Map amendment, Zone Change and Subdivision. Accordingly, the City Commission adopted as its own the Staff Report and Conditions of Approval for File Numbers PZ 09-01, ZC 09-01 and TP 09-01 and approved Ordinance Number 09-1005.

PROCESS: Type IV decisions include only quasi-judicial plan amendments and zone changes. These applications involve the greatest amount of discretion and evaluation of subjective approval standards and must be heard by the city commission for final action. The process for these land use decisions is controlled by ORS 197.763. At the evidentiary hearing held before the planning commission, all issues are addressed. If the planning commission denies the application, any party with standing (i.e., anyone who appeared before the planning commission either in person or in writing) may appeal the planning commission denial to the city commission. If the planning commission denies the application and no appeal has been received within ten days of the issuance of the final decision then the action of the planning commission becomes the final decision of the city. If the planning commission votes to approve the application, that decision is forwarded as a recommendation to the city commission for final consideration. In either case, any review by the city commission is on the record and only issues raised before the planning commission may be raised before the city commission. The city commission decision is the city's final decision and is appealable to the land use board of appeals (LUBA) within twenty-one days of when it becomes final.

The application, decision, and supporting documents are available for inspection at the Oregon City Planning Division located at 320 Warner-Milne Road, Oregon City, OR 97045, (503) 657-0891, between the hours of 8am and 1pm. Copies of these documents are available (for a fee) upon request.

CONDITIONS OF APPROVAL**Planning Files: PZ 09-01, ZC 09-01 and TP 09-01.**

1. The Applicant is responsible for this project's compliance with Engineering Policy 00-01. The policy pertains to any land use decision requiring the Applicant to provide any public improvements.
2. The new public water system shall be designed with 1-inch water services provided to each lot.
3. The new public sanitary sewer system will be designed with service connections to each lot.
4. The new public storm sewer system will be designed with lot connections to the existing storm sewer main.
5. The Applicant shall follow the conclusions and recommendations of the Geotechnical Reports dated April 3, 2006 and August 8, 2006 prepared by James D. Imbrie of GeoPacific Engineering, Inc.
6. The applicant shall obtain an Erosion Prevention and Sedimentation Control permit for each lot approval at the time of building permit submittal. The applicant shall provide a Preliminary Residential Lot Grading Plan to the city for review prior to building permit submittal. A final site grading plan shall be required as part of the final construction plans, per the city's Residential Lot Grading Criteria and the Uniform Building Code. If significant grading is required for the lots due to the location or the nature of the site, rough grading shall be required of the developer prior to the acceptance of the public improvements. There shall not be more than a maximum grade differential of two (2) feet at all subdivision boundaries. Grading shall in no way create any water traps or create other ponding situations. The plan shall show the existing and proposed stormwater facilities.
7. The ten-foot public utility easements along the street and all on-site easements required for the final engineering plans shall be dedicated to the public on the final plat. All existing and proposed utilities and easements shall be indicated on the construction plans. Utility easements shall be sized and located to allow the proposed city utility line to be centered in the public easement. Any off-site utility easements required for this project shall be obtained and submitted to the city prior to approval of the construction plans.

ORDINANCE NO. 09-1005

AN ORDINANCE AMENDING THE CITY'S COMPREHENSIVE PLAN MAP FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL AND TITLE 17: ZONING, CHAPTER 17.06.030: OF THE OFFICIAL ZONING MAP, OF THE OREGON CITY MUNICIPAL CODE, FROM R-10 SINGLE-FAMILY DWELLING DISTRICT TO R-2 MULTI-FAMILY DWELLING DISTRICT FOR THE PROPERTY IDENTIFIED AS CLACKAMAS COUNTY MAP 3S-2E-9CC, TAX LOT 9800 AND APPROVING A 4-LOT SUBDIVISION ON THE PROPERTIES IDENTIFIED AS CLACKAMAS COUNTY MAP 3S-2E-9CC, TAX LOTS 9800 AND 9890.

WHEREAS, the City of Oregon City has adopted Comprehensive Plan and Zoning Maps to implement the Comprehensive Plan in conformance with statutory requirements and the requirements of the Statewide Land Use goals; and

WHEREAS, the City of Oregon City Comprehensive Plan and Zoning Maps may be amended and updated as necessary upon findings of facts that satisfy approval criteria in the City of Oregon City Municipal Code Section 17.68.020; and

WHEREAS, the owner of the subject site, identified as Clackamas County Map 3-2E-9CC, Tax Lots 9800, has requested the approval of a Comprehensive Plan Amendment from Low Density Residential to High Density Residential and a zone change from R-10 Single-Family Dwelling District to R-2 Multi-Family Dwelling District; and

WHEREAS, the comprehensive plan designation of the site as High Density Residential supports the R-2 Multi-Family Dwelling District zoning designation, and

WHEREAS, the zone change from R-10 Single-Family Dwelling District to R-2 Multi-Family Dwelling District is for a property that is currently located within an R-2 multi-family subdivision and the subject site is split zoned R-10 and R-2; and

WHEREAS, the projected transportation and public infrastructure impacts resulting from a zone change from R-10 Single-Family Dwelling District to R-2 Multi-Family Dwelling District has been found to have no significant impact on the transportation system or public infrastructure, and the applicant has demonstrated compliance with the Transportation System Plan, Public Infrastructure Master Plans and Oregon City Municipal Code; and

WHEREAS, the proposed 4-lot R-2 multi-family dwelling district subdivision meets, or can meet through the conditions of approval, the design requirements of the Oregon City Municipal Code; and

WHEREAS, notice of the proposed comprehensive plan map amendment, zone change and subdivision hearings were mailed to residents within 300 feet of the subject site, signs were posted on the property, notice was published in a local newspaper and the City held public hearings where the objectives and concepts of the proposal were presented and discussed; and

WHEREAS, on August 10th, 2009 the Planning Commission held a public hearing and, after considering all the public testimony and reviewing all the evidence in the record,

recommended approval with conditions to the City Commission by a 5 – 0 vote for the requested comprehensive plan amendment, zone change and subdivision; and

WHEREAS, approving the comprehensive plan amendment and zone change is in compliance with the Goal and Policies of the Oregon City Comprehensive Plan and that the 4-lot subdivision as proposed and conditioned is in compliance with all applicable city requirements.

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. The requested comprehensive plan map amendment from Low Density Residential to High Density Residential (PZ 09-01) and the zone change request from R-10 Single-Family Dwelling District to R-2 Multi-Family Dwelling District (ZC 09-01) are hereby approved as proposed by the applicant with conditions for the property identified as Clackamas County Map 3-2E-9CC, Tax Lot 9800.

Section 2. The 4-lot subdivision (TP 09-01) is hereby approved as proposed by the applicant with conditions for the properties identified as Clackamas County Map 3-2E-9CC, Tax Lots 9800 and 9890.

Section 3. The comprehensive plan amendment, zone change and subdivision applications are approved as proposed by the applicant with the conditions of approval attached to this Ordinance as Attachment A, Exhibit 1.

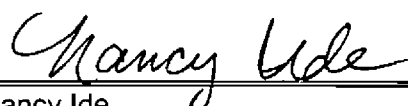
Section 4. The Commission adopts the findings and conclusions that are attached to the Ordinance as Attachment A, Exhibit 2, and incorporated herein to support the City's approval to amend the comprehensive plan map, zoning map and approve the subdivision application.

Read for the first time at a regular meeting of the City Commission held on the 2nd day of September 2009, and the City Commission finally enacted the foregoing ordinance this 16th day of September 2009.



ALICE NORRIS, Mayor

ATTESTED to this 16th day of September, 2009



Nancy Ide
City Recorder



CONDITIONS OF APPROVAL

Planning Files: PZ 09-01, ZC 09-01 and TP 09-01.

1. The Applicant is responsible for this project's compliance with Engineering Policy 00-01. The policy pertains to any land use decision requiring the Applicant to provide any public improvements.
2. The new public water system shall be designed with 1-inch water services provided to each lot.
3. The new public sanitary sewer system will be designed with service connections to each lot.
4. The new public storm sewer system will be designed with lot connections to the existing storm sewer main.
5. The Applicant shall follow the conclusions and recommendations of the Geotechnical Reports dated April 3, 2006 and August 8, 2006 prepared by James D. Imbrie of GeoPacific Engineering, Inc.
6. The applicant shall obtain an Erosion Prevention and Sedimentation Control permit for each lot approval at the time of building permit submittal. The applicant shall provide a Preliminary Residential Lot Grading Plan to the city for review prior to building permit submittal. A final site grading plan shall be required as part of the final construction plans, per the city's Residential Lot Grading Criteria and the Uniform Building Code. If significant grading is required for the lots due to the location or the nature of the site, rough grading shall be required of the developer prior to the acceptance of the public improvements. There shall not be more than a maximum grade differential of two (2) feet at all subdivision boundaries. Grading shall in no way create any water traps or create other ponding situations. The plan shall show the existing and proposed stormwater facilities.
7. The ten-foot public utility easements along the street and all on-site easements required for the final engineering plans shall be dedicated to the public on the final plat. All existing and proposed utilities and easements shall be indicated on the construction plans. Utility easements shall be sized and located to allow the proposed city utility line to be centered in the public easement. Any off-site utility easements required for this project shall be obtained and submitted to the city prior to approval of the construction plans.



OREGON CITY

Community Development - Planning

221 Molalla Ave. Suite 200 | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

AUGUST 10, 2009 PLANNING COMMISSION HEARING

- FILE NO.:** PZ 09-01: Comprehensive Plan Map Amendment
ZC 09-01: Zone Change
TP 09-01: Subdivision
- APPLICANT/
OWNER:** Rian Park Development, Inc. - Bruce Ament
15239 S. Lakeridge Way
Oregon City, Oregon 97045
- REPRESENTATIVE:** AKS Engineering- Monty Hurley
13910 SW Galbreath Drive, Suite 100
Sherwood, Oregon 97140
- REQUEST:** The Applicant is requesting approval of a Comprehensive Plan Map amendment from Low Density Residential to High Density Residential and a Zone Change from R-10 single-family to R-2 multi-family for 2,629 square feet of an 8,257 square foot property that is split zoned R-10 single family and R-2 multi family. In addition, the applicant is requesting approval of a four lot subdivision.
- LOCATION:** The subject site is identified as Clackamas County Map 3S-2E-9CC, Tax Lots 9800 and 9890. The site is located on the north side of the "bulb" curve radius connecting Traveler Road and Settlement Place and identified as Tract D within the Caufield Place Subdivision.
- REVIEWER:** Tony Konkol, Senior Planner
Bob Cullison, Development Engineering Manager
- RECOMMENDATION:** Recommend to the City Commission an Approval as Proposed by the Applicant with Conditions for their consideration at the August 19th, 2009 hearing.
- PROCESS:** Type IV decisions include only quasi-judicial plan amendments and zone changes. These applications involve the greatest amount of discretion and evaluation of subjective approval standards and must be heard by the city commission for final action. The process for these land use decisions is controlled by ORS 197.763. At the evidentiary hearing held before the planning commission, all issues are addressed. If

the planning commission denies the application, any party with standing (i.e., anyone who appeared before the planning commission either in person or in writing) may appeal the planning commission denial to the city commission. If the planning commission denies the application and no appeal has been received within ten days of the issuance of the final decision then the action of the planning commission becomes the final decision of the city. If the planning commission votes to approve the application, that decision is forwarded as a recommendation to the city commission for final consideration. In either case, any review by the city commission is on the record and only issues raised before the planning commission may be raised before the city commission. The city commission decision is the city's final decision and is appealable to the land use board of appeals (LUBA) within twenty-one days of when it becomes final.

THE APPLICATION IS ON FILE AT THE OREGON CITY CITY HALL. IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT (503) 722-3880.

I. BACKGROUND:

Caufield Place is a 94-lot subdivision that was approved by the City on December 29th, 2006 through Planning Files TP 06-07 and WR 06-19. The Caufield Place plat recorded on June 10th, 2008 and the construction of the project was completed in the fall of 2008. The subject site is identified as Tract D of the Caufield Place Subdivision Plan. Tract D was set aside to accommodate an anticipated sanitary sewer pump station that was to receive effluent from the lots in the subdivision and pump it to the main line in Highway 213. During the design phase of the Caufield Place subdivision, an improved alternate route for the sanitary sewer system was developed and constructed, utilizing an existing pump station to the north of the subject site, thereby negating the need for an additional pump station and Tract D to locate the station on. Subsequently, the configuration of Tract D has been revised through a property line adjustment (LL 09-01) and a plat vacation.

The Applicant has provided a detailed narrative (Exhibit 2), Site Plan (Exhibit 3), August 2006 Traffic Impact Study (Exhibit 4), August 11, 2006 Water Resource Report (Exhibit 5), April 3, 2006 Geotechnical Engineering Report (Exhibit 6) and the Caufield Place plat (Exhibit 7).

The subject site is currently split zoned, with approximately 2,269 square feet zoned R-10 single family and approximately 5,988 square feet zoned R-2 multi family. The Applicant has proposed a comprehensive plan amendment to change the comprehensive plan designation from Low Density Residential to High Density Residential and a zone change from R-10 single family to R-2 multi family for approximately 2,629 square feet (0.06 acres) of property. In addition, the applicant has requested approval of a four lot subdivision on the entire subject site, which is approximately 8,257 square feet and will be zoned R-2 multi-family.

II. BASIC FACTS:

1. **Zoning/Permitted Use:** The property is split zoned, with approximately 2,269 square feet designated Low Density Residential and zoned R-10 single family and approximately 5,988 square feet designated High Density Residential and zoned R-2 multi family
2. **Surrounding Uses/Zoning:** The property to the north of the subject site is Tract C of the Caufield Place Subdivision, which is developed and utilized as a stormwater management facility. Properties to the north of the storm pond include a property outside the Urban Growth Boundary and an apartment complex, which is zoned R-2. The property to the east of the site is open space zoned R-2 and includes "Tooze Pond". The properties to the west and south are zoned R-2 and located within the Caufield Place subdivision.
3. **Density Calculations:** The proposed subdivision includes 4 lots for the future construction of single-family attached homes in the R-2 zone. The gross site area and the net developable area is approximately 8,257 square feet (0.19 acres). The average lot size proposed in the project is 2,064 square feet and the maximum density allowed on the site is 4.13 lots.

4. **Comments:** Notice of the proposed subdivision with details of the development and requesting comments was sent to the Department of Land Conservation and Development, advertised in the Clackamas Review, mailed to property owners within 300 feet of the subject site and the property was posted with a Land Use Action sign requesting comments.

Comments were received from the following:

Ms. Sargent, a resident on Caufield Road (Exhibit 8).

The issues raised by the comments submitted that address an approval criteria have been addressed throughout the report and staff has provided findings, and when appropriate, conditions, to address the issues raised and to ensure that the proposal complies with the approval criteria.

DECISION-MAKING CRITERIA:

Municipal Code Standards and Requirements

- Title 16, Subdivisions:** Chapter 16.08, Subdivisions-Process and Standards
Chapter 16.12, Minimum Improvements and Design Standards for Land Division
- Title 17, Zoning:** Chapter 17.18, R-2 Multi Family Dwelling District
Chapter 17.50, Administration and Procedures
Chapter 17.68, Zone Changes and Amendments

OREGON CITY MUNICIPAL CODE

CHAPTER 16.08.010 - PURPOSE AND GENERAL PROVISIONS

All subdivisions shall be in compliance with the policies and design standards established by this chapter and with applicable standards in the City's Public Facilities Master Plan and the City Design Standards and Specifications. The evidence contained in this record indicates that the proposed subdivision is in compliance with standards and design specifications listed in this document, subject to the conditions of approval.

Finding: The proposed project was reviewed by the appropriate agencies and the findings necessary to be in compliance with Chapter 16.08.010 have been included. **The Applicant can satisfy this standard by complying with the attached Conditions of Approval.**

CHAPTER 16.08.020 - PRE-APPLICATION CONFERENCE

Finding: The pre-application conference, identified as PA 08-17, was held on August 5th, 2008.

Chapter 16.08.040 Preliminary subdivision plat--Required plans.

The preliminary subdivision plat shall specifically and clearly show the following features and information on the maps, drawings, application form or attachments. All maps and site drawings shall be at a minimum scale of one inch to fifty feet.

- A. *Site Plan.*

B. Traffic/Transportation Plan.

C. Natural Features Plan and Topography, Preliminary Grading and Drainage Plan.

D. Erosion and Sediment Control Permit

Finding: The Applicant provided detailed plans of the proposed development (Exhibits 2 - 7). This standard has been met.

CHAPTER 16.08.050 - PRELIMINARY SUBDIVISION PLAT - NARRATIVE STATEMENT

The Applicant shall explain in detail how and when each of the following public services or facilities is, or will be, adequate to serve the proposed development by the time construction begins:

A. Subdivision Description.

Finding: The Applicant provided a detailed description of the proposed development (Exhibits 2 - 7).

B. Timely Provision of Public Services and Facilities.

Water

Finding: There is an existing 8-inch water line in Traveler Road and Settlement Place. The proposed project will include individual 1" water service laterals and fire suppression sprinklers for all of the proposed lots. Adequate fire hydrants have been located and installed per Clackamas County Fire District No. 1's requirements. **The Applicant can satisfy this standard by complying with Conditions of Approval 1 and 2.**

Sanitary Sewer

Finding: There is an existing 8-inch City gravity sanitary sewer main that flows in Traveler across the frontage and then heads north along the east side of the site. The applicant has proposed to provide individual service laterals to access and provide sanitary sewer service to the proposed lots. The applicant shall design the new public sanitary sewer system with service connections to each lot. **The Applicant can satisfy this standard by complying with Conditions of Approval 1 and 3.**

Storm Sewer and Storm Water Drainage

Finding: The site is located in the Caufield Basin Master Plan area. The site generally slopes to the northern boundary, which borders Tooze Pond and Caufield Creek. The applicant has proposed to install individual service laterals that will drain into the existing stormwater facility located in Tract C of the Caufield Place Subdivision. The stormwater facility provides stormwater quality and detention as required by the Oregon City Municipal Code. The applicant shall design the new storm sewer system with lot connections to the existing storm sewer main. **The Applicant can satisfy this standard by complying with Conditions of Approval 1 and 4.**

Parks and Recreation

Finding: Wesley Lynn and Hillendale parks are located west and north of the subject site. As part of the approval of the Caufield Place Subdivision, the applicant coordinate with the Oregon City Parks and Recreation department to determine the best location and width of a future path through the site as identified on the Trails Master Plan. The applicant recorded a public access easement over Tracts A, B and the Water Resource area to allow the construction of the future local trail east to west across the site. The residents of the subdivision will directly benefit from the future development of the local trail, which will connect the site to Hwy. 213, which has public transportation access, and Clackamas Community College, which will provide additional public transportation options as well as recreational options. In addition, Parks System Development Charges will be paid at the time building permits are issued for each lot in the proposed subdivision. This standard is met.

Traffic and Transportation

Finding: The city's transportation engineer, John Replinger of Replinger & Associates, LLC, reviewed the materials submitted in support of the proposed Caufield Place No. 2 subdivision (Exhibit 9). The relevant materials included the project narrative, site plan and Transportation Impact Analysis (TIA) prepared for the original Caufield Place subdivision. The original TIA was prepared in August 2006 by Geoffrey Judd, PD of Lancaster Engineering. The original TIA was prepared in support of a 94-lot subdivision. Since Caufield Place No. 2 consists of only 4 lots, it falls within the range that allows the transportation analysis requirements to be satisfied by a Transportation Analysis Letter. The original TIA, project narrative and site plan provide adequate basis upon which to judge the impact of the proposed 4-lot subdivision. The original TIA, combined with the project narrative and site plan, adequately addresses the city requirements for a transportation impact analysis. From a transportation standpoint, additional conditions of approval are not necessary. This standard is met.

Schools

Finding: The Oregon City school district is responsible for providing adequate facilities and has not indicated that there is inadequate capacity to serve this development. This standard is met.

Fire and Police Services

Finding: This property is currently in the City and is closer in than newer developments around the City. Fire hydrants have been provided in accordance with Clackamas County Fire District #1 requirements and the applicant has proposed to provide fire sprinklers within each housing unit. Oregon City will provide Police service to the subdivision. There are no adopted standards to measure the adequacy of Police service to accommodate the development. Property taxes will be paid by the property owners which contribute to the provision of police services in the City. This standard is met.

C. Approval Criteria and Justification for Variances.

Finding: The Applicant is not requesting any variances.

D. Geologic Hazards.

Finding: The site is located in a High Water Table area. The Applicant provided a Geotechnical Investigation dated April 3, 2006 and August 8, 2006 for the site (Exhibit 6). The report concludes that the proposed development is geotechnically feasible, provided that the recommendations of the report are incorporated in the design and construction phases of the project. **The Applicant can satisfy this standard by complying with Conditions of Approval 1 and 5.**

E. Water Resources.

Finding: As part of the Caufield Place Subdivision, the applicant delineated the existing water resource located on the site (Exhibit 5). The applicant has not proposed to encroach within the vegetated corridor approved through the water quality resource review (WR 06-19). A water quality permit is not required.

F. Drafts of the proposed CC&R's.

Finding: The Applicant has submitted CC&R's (Exhibit 7) for the project and has indicated that the four lots proposed have been added to the CC&R's that were previously approved with the Caufield Place subdivision. This standard is met as proposed.

G. Phasing.

Finding: The Applicant is not proposing to phase develop of the site.

H. Density.

Finding: The proposed subdivision includes 4 lots for the future construction of single-family attached homes in the R-2 zone. The gross site area and the net developable area is approximately 8,257 square feet (0.19 acres). The average lot size proposed in the project is 2,064 square feet and the maximum density allowed on the site is 4.13 lots. This standard is met.

CHAPTER 16.12.020 - STREET DESIGN-GENERALLY

The location, width and grade of the 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, pedestrian/bicycle access-ways, and the proposed use of the land to be served by the streets.

Finding: No new streets are proposed. This standard is not applicable.

CHAPTER 16.12.030 STREET DESIGN-MINIMUM RIGHT-OF-WAY

This standard addresses minimum right-of-way width for public streets and discusses a variety of minimum street design standards brought forward from the Oregon City Transportation Master Plan. OCMC 16.12.030 allows specific right-of-way and pavement widths to be determined by the decision-maker based upon the City Engineer's recommendation.

Finding: All of the streets within the Caufield Place subdivision have been constructed to comply with the standards of the Oregon City Municipal Code. This standard is met.

Chapter 16.12.040 Street Design-Reserve Strips

The decision-maker shall require the dedication of reserve strips to prevent access to streets when recommended by the City Engineer to protect public safety and welfare.

Finding: No new streets are proposed. This standard is not applicable.

CHAPTER 16.12.050 STREET DESIGN-ALIGNMENT

Streets other than local or constrained streets shall be aligned with existing streets by continuation of the centerlines.

Finding: No new streets are proposed. This standard is not applicable.

Chapter 16.12.055 Minimum Street Intersection Spacing Standards

All new development and redevelopment shall meet the following Minimum Street Intersection Spacing Standards.

Finding: No new streets are proposed. This standard is not applicable.

Chapter 16.12.060 Street Design-Constrained Local Streets and/or Right-of-Way

Any accessway with a pavement width of less than thirty-two feet shall require the approval of the city engineer, planning manager and fire chief and shall meet minimum life safety requirements, which may include fire suppression devices as determined by the fire chief to assure an adequate level of fire and life safety. The standard width for constrained streets is twenty feet of paving with no on-street parking and twenty-eight feet with on-street parking on one side only. Constrained local streets shall maintain a twenty-foot wide unobstructed accessway. Constrained local streets and/or right-of-way shall comply with necessary slope easements, sidewalk easements and altered curve radius, as approved by the city engineer and planning manager.

Finding: No new streets are proposed. This standard is not applicable.

Chapter 16.12.065 Intersection Level of Service Standards.

When approving land use actions, the City of Oregon City requires all relevant intersections to be maintained at the minimum acceptable Level Of Service (LOS) upon full build-out of the proposed land use action.

Finding: The subdivision is located within the boundaries of the Caufield Place subdivision (TP 06-07). The relevant materials included the project narrative, site plan and Transportation Impact Analysis (TIA) prepared for the original Caufield Place subdivision, which was prepared in August 2006 by Geoffrey Judd, PE, of Lancaster Engineering (Exhibit 4). The TIA predicted adequate operations at the intersections within the study area, with no intersection operating below a level of service C. The addition of 4 lots falls within the range that allows the transportation analysis requirements to be satisfied by Transportation Analysis Letter. The original TIA, project narrative and site plan provide adequate basis upon which to judge the impact of the proposed development (Exhibit 9). This standard is met.

Chapter 16.12.070 Street Design-Intersection Angles

Finding: No new streets are proposed. This standard is not applicable.

Chapter 16.12.080 Street Design-Additional right-of-way

The decision-maker shall require dedication of additional right-of-way sufficient to achieve conformance with minimum applicable design standards.

Finding: No new streets are proposed. This standard is not applicable.

Chapter 16.12.090 Street Design–Half Street

Half streets may be approved where essential to the reasonable development of the land division, when it is in conformance with all other applicable requirements, and where it will not be a safety hazard.

Finding: No new streets are proposed. This standard is not applicable.

Chapter 16.12.100 Street Design–Cul-de-sac

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

Finding: No new streets are proposed. This standard is not applicable.

Chapter 16.12.110 Street Design–Private Street

The city discourages the use of private streets and permanent dead-end private streets except where construction of a through street is found by the decision-maker to be impracticable due to topography; some significant physical constraint

Finding: No new streets are proposed. This standard is not applicable.

Chapter 16.12.120 Street Design–Street Names

Finding: No new streets are proposed. This standard is not applicable.

Chapter 16.12.130 Street Design–Grades and Curves

Finding: No new streets are proposed. This standard is not applicable.

Chapter 16.12.140 Street Design–Access Control

Where a land division abuts or contains an existing or proposed arterial or collector street, the decision-maker may require: access control; screen planting or wall contained in a reserve strip 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.

Finding: Not applicable.

Chapter 16.12.150 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 non-local automobile traffic.

Finding: Due to the location of the proposed subdivision, the local streets are not anticipated to be used by non-local automobile traffic. This standard is met as proposed.

Chapter 16.12.160 Street Design–Alleys

Finding: No new streets are proposed. This standard is not applicable.

Chapter 16.12.170 Street Design–Transit

Streets shall be designed and laid out in a manner that promotes pedestrian and bicycle circulation. The applicant shall coordinate with Tri-Met where the application impacts transit streets as identified on Figure 5.7:

Finding: The proposed development does not impact a transit street. This standard does not apply.

Chapter 16.12.180 Street Design-Planter Strips

A. All development shall include vegetative planter strips that are five feet in width or larger and located adjacent to the curb. This requirement may be waived or modified if the community development director finds it is not practicable. Development proposed along a collector, minor arterial, or major arterial street may use tree wells located near the curb within a seven-foot wide sidewalk in lieu of a planter strip, in which case each tree shall have a protected area of at least six feet in diameter to ensure proper root growth.

B. Trees shall be selected and planted in accordance with Chapter 12.08, Street Trees. Individual abutting lot owners shall be legally responsible for maintaining in a healthy and attractive condition all trees and vegetation in the planter strip. If a homeowners' association is created as part of the development, the association may assume the maintenance obligation through a legally binding mechanism, e.g., deed restrictions, maintenance agreement, etc., which shall be reviewed and approved by the city attorney. Failure to properly maintain trees and vegetation in a planter strip shall be a violation of this code and enforceable as a civil infraction.

Finding: The original Caufield Place subdivision incorporated the frontage along the proposed 4-lot subdivision in the calculation for street trees to be provided. No additional street trees are required. This standard is met.

Chapter 16.12.190 Blocks-Generally

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.

Finding: No new streets are proposed. This standard is not applicable.

Chapter 16.12.200 Blocks-Length

Block lengths for local streets and collectors shall not exceed six hundred feet between through streets, as measured between nearside right-of-way lines.

Finding: No new streets are proposed. This standard is not applicable.

Chapter 16.12.210 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.

Finding: No new streets are proposed. This standard is not applicable.

Chapter 16.12.220 Blocks-Pedestrian and Bicycle Access

A. To facilitate the most practicable and direct pedestrian and bicycle connections to adjoining or nearby neighborhood activity centers, public rights-of-way, and pedestrian/bicycle accessways which minimize out-of-direction travel, subdivisions shall include pedestrian/bicycle accessways between discontinuous street right-of-way where the following applies:

1. Where a new street is not practicable;
2. Through excessively long blocks at intervals not exceeding five hundred feet of frontage; or
3. Where the lack of street continuity creates inconvenient or out of direction travel patterns for local pedestrian or bicycle trips.

B. Pedestrian/bicycle accessways shall be provided:

1. To provide direct access to nearby neighborhood activity centers, transit streets and other transit facilities;
2. Where practicable, to provide direct access to other adjacent developments and to adjacent undeveloped property likely to be subdivided or otherwise developed in the future;
3. To provide direct connections from cul-de-sacs and internal private drives to the nearest available street or neighborhood activity center;
4. To provide connections from cul-de-sacs or local streets to arterial or connector streets.

Finding: As part of the approval of the Caufield Place Subdivision, the applicant coordinate with the Oregon City Parks and Recreation department to determine the best location and width of a future path through the site as identified on the Trials Master Plan. The applicant recorded a public access easement over Tracts A, B and the Water Resource area to allow the construction of the future local trail east to west across the site (Exhibit 7). The residents of the subdivision will directly benefit from the future development of the local trail, which will connect the site to Hwy. 213, which has public transportation access, and Clackamas Community College, which will provide additional public transportation options as well as recreational options. The applicant has not proposed a new street nor does this project create any further need for additional trails, connections or accessways. This standard is met.

Chapter 16.12.230 Building Sites

The size, width, shape and orientation of building sites shall be appropriate for the primary use of the land division, and shall be consistent with the residential lot size provisions of the zoning ordinance.

Finding: The Applicant has proposed a subdivision with lots in a manner compatible with the requirements for high-density residential development. The Applicant has not requested any variances from the dimensional standards of the zone. The Applicant has satisfied this standard as proposed.

Chapter 16.12.232 Building Sites - Minimum Density

All subdivision layouts shall achieve at least 80% of the maximum density of the base zone for the net developable area as defined in Section 17.04.

Finding: The proposed subdivision includes 4 lots for the future construction of single-family attached homes in the R-2 zone. The gross site area and the net developable area is approximately 8,257 square feet (0.19 acres). The average lot size proposed in the project is 2,064 square feet. The minimum density allowed on the site is 3.3 lots and the maximum density allowed on the site is 4.13 lots. This standard is met.

Chapter 16.12.235 Calculations of Lot Area.

A subdivision in the R-10, R-8, R-6, R-3.5 and R-2 Dwelling District may include lots that are up to 10% less than the required minimum lot area of the applicable zoning designation provided the entire subdivision on average meets the minimum site area requirement of the underlying zone.

Finding: The proposed subdivision includes 4 single-family attached home residential units in the R-2 zone, which requires a minimum lot size average of 2,000 square feet. The applicant has proposed a

subdivision with lots ranging from 1,800 square feet to 2,392 square feet. The minimum lot size is 1,800 square feet and the average of all the lot sizes must exceed 2,000 square feet in the R-2 district. The average lot size is approximately 2,064 square feet in the R-2 district. This standard is met as proposed.

Chapter 16.12.238 Flag Lots

Finding: No flag lots are proposed. This standard is met as proposed.

Chapter 16.12.240 Building Sites—Frontage Width Requirement

Finding: All lots have 20 feet or more of frontage on a public street. This standard is met as proposed.

Chapter 16.12.250 Building Sites -Through Lots

Finding: No through-lots are proposed. This standard does not apply.

Chapter 16.12.260 Building Sites—Lots and Parcel Side Lines

Finding: As far as practicable, the proposed lot lines and parcels run at right angles to the street upon which they face. This standard is met as proposed.

Chapter 16.12.270 Building Sites—Solar Access

Finding: The Applicant has orientated lots to meet this standard to the extent practicable due to the site constraints. This standard is met.

Chapter 16.12.280 Building Sites—Grading

Grading of building sites shall conform to the state of Oregon Structural Specialty Code, Chapter 29, Appendix Chapter 70 of the Uniform Building Code, any approved grading plan and any approved residential lot grading plan in accordance with the requirements of Chapter 15.48 and the Public Works Stormwater and Grading Design Standards, and the erosion control requirements of Chapter 17.47.

Finding: The Applicant has provided a preliminary rough grading and erosion control plan. The proposed grading appears to match adjacent property grades at the site boundaries. The Applicant has proposed grading that appears to meet City requirements. The applicant shall obtain an erosion prevention and sedimentation control permit for each lot approval at the time of building permit submittal. **The applicant can meet this standard by complying with condition of approval 6.**

Chapter 16.12.290 Building Sites—Setback and Building Location

This standard ensures that lots are configured in a way that development can be oriented toward streets to provide a safe and better environment for pedestrians and bicyclists. Lots located on a neighborhood collector, collector or minor arterial street shall locate the front yard setback on and orient the front of the primary structure to face the neighborhood collector, collector or minor arterial street. An alternative to the lot orientation, which incorporates landscaping and fencing into the lot and street design, may be approved if it is found to accomplish the objective of this standard by the Community Development Director.

Garage setbacks in residential areas shall be a minimum of twenty feet from the public right-of-way where access is taken, except for alleys. Garages on an alley shall be set back a minimum of five feet in residential areas. Any special building setback lines established in a subdivision or partition shall be shown on the preliminary and final plats or guaranteed through deed restrictions or easements. (Ord. 98-1007 §1(part), 1998)

Finding: The applicant has proposed to combine the driveways of lots 95-96 and 97-98 with a 24-foot wide driveway approach, which will reduce the conflicts between cars entering and exiting the driveway and pedestrians walking on the sidewalk. This standard is met as proposed.

Chapter 16.12.300 Building Sites—Division of Lots

Where a tract of land is to be divided into lots or parcels capable of redivision in accordance with this chapter, the decision-maker shall require an arrangement of lots, parcels and streets that facilitates future redivision.

Finding: No tracts of land are large enough to be divided and provide a buildable lot. The remaining tracts are located in the WQRA or the BPA easement. This standard is met as proposed.

CHAPTER 16.12.310 BUILDING SITES—PROTECTION OF TREES

Site planning, including the siting of structures, roadways and utility easements, shall provide for the protection of tree resources. All trees with a diameter six inches or greater measured four feet from the ground shall be preserved outside the building area, which is defined as right-of-way, public utility easements, and within the building setbacks of each lot. Where the community development director determines it is impracticable or unsafe to preserve these trees, the Applicant may be allowed to remove the trees so long as they are replaced in accordance with an approved landscape plan that includes new plantings of at least two inches in caliper measured six inches above the root crown and the plan must meet, at a minimum, the requirements of Table 16.12.310-1.

Table 16.12.310-1

Tree Replacement Requirements

<i>Size of tree removed (Inches in diameter at the 4-foot height)</i>	<i>Number of trees to be planted.</i>
<i>6 to 12</i>	<i>3 trees</i>
<i>13 to 18</i>	<i>5 trees</i>
<i>19 to 24</i>	<i>8 trees</i>
<i>25 to 30</i>	<i>10 trees</i>
<i>31 and over</i>	<i>15 trees</i>

Where the community development director finds this requirement would cause an undue hardship, the requirement may be modified in a manner that the community development director finds will reasonably satisfy the objectives of this section. 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 (Ord. 03-1014, Att. B3 (part), 2003; Ord. 98-1007 §1(part), 1998)

Finding: There are no trees identified for removal as part of the application. This standard is not applicable.

CHAPTER 16.12.320 EASEMENTS

This standard governs the location improvement and layout of easements. These include utilities, unusual facilities, watercourses, access, and resource protection.

Finding: There are existing 10-foot-wide public utility easements (PUEs) along the street frontage of the project, a 15-foot public sanitary sewer easement along the eastern property line of the project, and a public storm drainage easement along the northern property line of the project. The easements have been dedicated to the public on the final plat as required in the conditions of approval for the original Caufield Place subdivision. The 10-foot PUE and all public off- and on-site easements required for the final engineering plans shall be dedicated to the public on the final plat. All existing and proposed utilities and easements shall be indicated on the construction plans. Any off-site utility easements required for this project shall be obtained and submitted to the City prior to approval of the construction plans. **The Applicant can satisfy this standard by complying with Conditions of Approval 1 and 7.**

Chapter 16.12.330 Water Resources

Any land division which contains water quality resource area shall comply with the requirements of the water quality resource area overlay district, Chapter 17.49, including the requirement, pursuant to Section 17.49.060, that new subdivisions and partitions delineate and show the water quality resource area as either a separate tract or part of a larger tract that will not be developed.

Finding: This standard is not applicable.

Chapter 16.12.340 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.

Finding: The Applicant has indicated that construction plans for all required improvements will be presented to the City for review and approval prior to the commencement of any construction activities on the site. Inspection will be provided for as required by this standard and City policy. The Applicant will provide inspection of the construction procedures as required by the City. Erosion control measures will be provided and are depicted in conceptual form on the attached preliminary grading plans. As-built plans will be provided as required. **The Applicant can satisfy this standard by complying with Conditions of Approval 1 and 6.**

Chapter 16.12.350 Minimum Improvements—Public Facilities and Services

The following minimum improvements shall be required of all Applicants for a land division under Title 16, unless the decision-maker determines that any such improvement is not proportional to the impact imposed on the City's public systems and facilities.

Finding: This standard addresses minimum improvements that are required for public transportation systems, stormwater drainage, and sanitary sewer systems. Minimum improvements are required for all land divisions (partitions and subdivisions) under Title 16. The City Engineering Division reviewed the need for the minimum improvements required for this project under Title 16 above. **The Applicant can satisfy this standard by complying with Condition of Approval 1.**

16.12.360 Minimum Improvements—Road Standards and Requirements

Finding: This section addresses requirements for public streets that do not meet adopted standards. The applicant has proposed streets that will meet the city standards. This section does not apply.

16.12.370 Minimum Improvements—Timing Requirements

Finding: The Applicant has indicated that prior to applying for final plat approval construction of all public improvements required as part of the preliminary plat approval will be completed per the approved plans or a guarantee for the construction of those improvements will be provided.

17.68.020 Zone Changes and Amendments - Criteria

The criteria for a zone change are set forth as follows:

A. The proposal shall be consistent with the goals and policies of the comprehensive plan.

Goal 1: Citizen Involvement

Goal 1.2: Ensure that citizens, neighborhood groups and affected property owners are involved in all phases of the comprehensive planning program.

Finding: The applicant advertised and held a neighborhood meeting on March 10, 2009 at the Beaver Creek Fire Station to discuss the proposal with affected property owners. As part of the land use process, the city has advertised the proposal and hearing dates in the newspaper, posted the site and mailed requests for comments to surrounding property owners. This standard is met.

Goal 2: Land Use

Goal 2.1: Ensure that property planned for residential, commercial, office and industrial uses is used efficiently and that land is developed following principles of sustainable development.

Finding: The applicant has requested a comprehensive plan amendment and zone change for a property that is split zoned R-10 and R-2. Approximately three-quarters of the site is zoned R-2, and the proposed comprehensive plan amendment and zone change would change approximately one-quarter of the site from R-10 to R-2, to be consistent with the majority of the site and allow the construction of 4 lots within the 94-lot Caufield Place subdivision, which consists of 89 R-2 lots and 5 R-10 lots. The proposed amendment and

zone change would allow the property, which is currently serviced by new infrastructure, to be utilized in an efficient and consistent manner with the adjacent properties. This standard is met.

Goal 2.7: Maintain the Oregon City Comprehensive Plan Land-Use Map as the official long-range planning guide for land-use development of the city by type, density and location.

Finding: The location of the proposed amendment and zone change is within an area of the city that is currently designated high density and zoned R-2. The minor amendment and zone change, requested for approximately 2,629 square feet of a 8,257 square foot split zoned property, would provide consist and compatible land uses with the adjacent properties. This standard is met.

Goal 6: Quality of Air, Water and Land Resources

Goal 6.1.1: Promote land-use patterns that reduce the need for distance travel by single-occupancy vehicles and increase opportunities for walking, biking and/or transit to destinations such as places of employment, shopping and education.

Finding: The property is an infill project within the Caufield Place subdivision. Streets and sidewalks have been constructed and will provide walking and biking options for the proposed use. The property is located approximately 1,200 linear feet from Highway 213, less than ½ mile from Clackamas Community College, which includes recreational, educational and mass transit options, and less than ½ mile from shopping options. In addition, as part of the approval of the Caufield Place Subdivision, the applicant coordinate with the Oregon City Parks and Recreation department to determine the best location and width of a future path through the site as identified on the Trials Master Plan. The applicant recorded a public access easement over Tracts A, B and the Water Resource area to allow the construction of the future local trail east to west across the site. The residents of the subdivision will directly benefit from the future development of the local trail, which will connect the site to Hwy. 213 and Clackamas Community College. This standard is met.

Goal 10: Housing

Goal 10.1.3: Designate residential land for a balanced variety of densities and types of housing, such as single-family attached and detached, and a range of multi-family densities and types, including mixed-use development.

Finding: The proposed amendment and zone change to allow the construction of 4 attached dwelling units provides additional opportunities for an attached housing design on smaller lots and provides an alternative to detached dwelling units. This standard is met.

Goal 11: Public Facilities

Goal 11.1: Serve the health, safety, education, welfare and recreational needs of all Oregon City residents through the planning and provision of adequate public facilities.

Policy 11.1.4: Support development of underdeveloped or vacant buildable land within the city where public facilities and services are available or can be provided and where land use compatibility can be found relative to the environment, zoning and comprehensive plan goals.

Finding: The applicant has indicated that the requested comprehensive plan amendment to High Density Residential and zone change to R-2 multi-family is for a portion of the project site which is currently designated Low Density Residential and zoned R-10 single-family. Approximately three-quarters of the property is designated High Density and zoned R-2, while approximately one-quarter is designated Low Density and zoned R-10. The zone change from the R-10 to R-2 allows 4 dwelling units to be constructed on the site. The property has access to required infrastructure, including all necessary public facilities and services, such as newly installed water, sanitary sewer, stormwater drainage and transportation systems. Automatic fire suppression systems (sprinklers) will be installed in each of the dwelling units. Each of the infrastructure systems is new and adequately sized to accommodate the recently completed Caufield Place subdivision and the proposed Caufield Place No. 2 subdivision.

The applicant has requested a comprehensive plan amendment and zone change of approximately 2,629 square feet of an approximately 8,257 square foot split zoned property. Staff has reviewed the applicant's proposal and finds that the public facilities and services are presently capable of supporting the requested comprehensive plan amendment and zone change and the proposed 4-lot R-2 subdivision. This standard is met as proposed.

Goal 12: Transportation

Goal 12.6: Develop and maintain a transportation system that has enough capacity to meet users' needs.

Finding: The August 2006 TIA demonstrated that the study area intersections will operate at a level of service C or better during the AM and PM peak hours upon full build out of the site. The proposed amendment, zone change and addition of 4-lots will have a minimal impact on the transportation system. The findings of the August 2006 TIA, combined with the project narrative and site plan address the city requirements for a transportation impact analysis, demonstrates that the requested comprehensive plan amendment and zone change are consistent with the planned function, capacity and level of service of the transportation system, and that there is no reason to place additional conditions of approval on the development. This standard is met.

B. That public facilities and services (water, sewer, storm drainage, transportation, schools, police and fire protection) are presently capable of supporting the uses allowed in the zone, or can be made available prior to issuing a certificate of occupancy. Service shall be sufficient to support the range of uses and development allowed by the zone.

Finding: The applicant has indicated that the requested comprehensive plan amendment to High Density Residential and zone change to R-2 multi-family is for a portion of the project site which is currently designated Low Density Residential and zoned R-10 single-family. Approximately three-quarters of the property is designated High Density and zoned R-2, while approximately one-quarter is designated Low

Density and zoned R-10. The zone change from the R-10 to R-2 allows 4 dwelling units to be constructed on the site. The property has access to required infrastructure, including all necessary public facilities and services, such as newly installed water, sanitary sewer, stormwater drainage and transportation systems. Automatic fire suppression systems (sprinklers) will be installed in each of the dwelling units. Each of the infrastructure systems is new and adequately sized to accommodate the recently completed Caufield Place subdivision and the proposed Caufield Place No. 2 subdivision.

The applicant has requested a comprehensive plan amendment and zone change of approximately 2,629 square feet of an approximately 8,257 square foot split zoned property. Staff has reviewed the applicant's proposal and finds that the public facilities and services are presently capable of supporting the requested comprehensive plan amendment and zone change and the proposed 4-lot R-2 subdivision. This standard is met as proposed.

C. The land uses authorized by the proposal are consistent with the existing or planned function, capacity and level of service of the transportation system serving the proposed zoning district.

Finding: The applicant states that a Traffic Impact Analysis (TIA), by Lancaster Engineering, that was submitted with the Caufield Place Subdivision application materials is included with the Caufield Place No. 2 subdivision application. The study demonstrates that all intersections studied are currently operating within acceptable limits and are forecast to continue operating at acceptable levels of service after the proposed 94-lot subdivision is built-out. The City's Traffic Engineer reviewed the TIA and concurred with the findings of the report.

The applicant continues, as previously noted in the application, the Caufield Place subdivision was built 16 units under the maximum allowed density of the site. This is significant because it demonstrates that there are no impacts to services that were not already considered during the process of developing the Comprehensive Plan and Zoning for the property and that the planned densities, with the addition of the 4 additional lots, have not been exceeded. This assumption included capacities for the transportation system. The projected transportation impacts resulting from a zone change for a portion of the property from R-10 to the R-2 district for this 8,257 square foot property will not have significant impact on the transportation system. Therefore, the request complies with the Transportation System Plan.

The August 2006 TIA demonstrated that the study area intersections will operate at a level of service C or better during the AM and PM peak hours upon full build out of the site. The addition of 4-lots will have a minimal impact on the transportation system. The findings of the August 2006 TIA, combined with the project narrative and site plan address the city requirements for a transportation impact analysis, demonstrates that the requested comprehensive plan amendment and zone change are consistent with the planned function, capacity and level of service of the transportation system, and that there is no reason to place additional conditions of approval on the development. This standard is met.

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

Finding: The Oregon City Comprehensive Plan was acknowledged by the Land Conservation and Development Commission in June 2004. The Comprehensive Plan implements the statewide planning goals at the local level. The acknowledged Comprehensive Plan includes specific goals and policies that apply to the requested Comprehensive Plan Amendment and Zone Change. Therefore, it is not necessary to address the statewide planning goals. This section is not applicable.

IV. CONCLUSION AND RECOMMENDATION:

In conclusion, the proposed Comprehensive Plan Amendment to High Density Residential (PZ 09-01), Zone Change to R-2 multi-family dwelling district (ZC 09-01) and 4-lot Subdivision (TP 09-01) can meet the requirements as outlined above as proposed or by complying with the attached Conditions of Approval. Therefore, the Community Development Director recommends approval of files PZ 09-01, ZC 09-01 and TP 09-01 on the properties identified as Clackamas County Map 3S-2E-9CC, Tax Lots 9800 and 9890, subject to the applicant's proposal and conditions of approval contained in this report.

V. EXHIBITS

The following exhibits are attached to this staff report.

1. Vicinity Map;
2. Applicant's Narrative, dated April 2009;
3. Caufield Place No. 2 Site Plans, dated March 31, 2009;
4. Traffic Impact Study, dated August 2006 (Excerpt, complete study on file);
5. Water Resource Report, dated August 11, 2006 (On File);
6. Geotechnical Report, dated April 3, 2006 and August 8, 2006 (On File);
7. Caufield Place plat and Covenants, Conditions and Restrictions (CC&R's are on file);
8. Karla Sargent's July 9, 2009 email comments; and
9. Traffic Impact review comments from Mr. Replinger, dated July 31, 2009.



CITY OF OREGON CITY

P.O. Box 3040

Oregon City, OR 97045-0304

Address Correction Requested

PLAN AMENDMENT SPEC.
Oregon Department of Land
Conservation & Development
635 Capitol St NE Suite 200
Salem OR 97301-2540

PRESERVING OUR PAST. BUILDING OUR FUTURE

