



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

December 27, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Lake Oswego Plan Amendment
DLCD File Number 003-06



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: January 10, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. 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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Meg Fernekees, DLCD Regional Representative
Sidaro Sin, City of Lake Oswego

<paa> ya/

NOTICE OF ADOPTION
Must be filed within 5 Working Days
See OAR 660-18-040

DEPT OF
DEC 21 2006
LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction	<u>City of Lake Oswego</u>	Local File No.	<u>LU 06-0038</u>
Date Mailed	<u>12/22/06</u>	Date of Approval	<u>12/19/06</u>
Date Proposal was Provided to DLCD	<u>07/31/06</u>		

Type of Adopted Action (Check all that apply)

<input checked="" type="checkbox"/> Comprehensive	<input checked="" type="checkbox"/> Land Use	<input checked="" type="checkbox"/> New Land Use
<input checked="" type="checkbox"/> Plan Amendment	<input checked="" type="checkbox"/> Regulation Amendment	<input checked="" type="checkbox"/> Regulation

Please complete (A) for text amendments and (B) for map amendments

A. Summary of Adopted Action (A brief description is adequate. Please avoid highly technical terms and zone code abbreviations. Please do not write "see attached"):

The City Council adopted legislative amendment to the Comprehensive Plan Map - Creation of the Park and Natural Area (PNA) description to be applied to properties designated P (Public), PK (Park), SP (Semi-Public) and OS (Open Space) and to certain properties with the residential designation of R-5, R-7.5, R-10, R-15 (Low Density Residential), R-0 and R-2 (High Density Residential), OC/R-3 (Office Commercial/High Density Residential), IP (Industrial Park) and I (Industrial), on the Comprehensive Plan Map.

Comprehensive Plan Text Amendment – Add a policy under Goal 8 to recognize the PNA zone.

Zoning Map Amendment – Creation of the PNA zone to be applied to 81 parcels on the zoning map currently zoned R-5, R-7.5, R-10, R-15, R-2, OC/R-3, IP, I, and R-0/EC.

Zoning Text Amendment – Adoption of the PNA zone text in the Community Development Code (CDC) and other minor text amendments in other CDC sections to be consistent with the PNA zone.

Describe how the Adopted Amendment Differs from the Proposal (If it is the same, write "Same". If it was not proposed, write "N/A").:

Same

B. If the Action Amends the Plan or Zone Map, Provide the Following Information for Each Area Which was Changed (Provide a separate sheet for each area. Multiple sheets can be submitted as a single adoption action. Please include street address whenever possible. Do not use tax lot number alone.):

Previous Plan Designation:	New Plan Designation:
<u>All designation</u>	<u>PNA</u>
Previous Zone:	New Zone:
<u>All zones</u>	<u>PNA</u>
Location:	<u>City-wide</u>

Acreage involved: +/- 670

Does this change include a Goal exception? Yes No

DLCD #003-06(15290)

For Residential Changes, Please Indicate the Change in Allowed Density in Units Per Net Acre

Previous Density
N/A

New Density
N/A

If Notice of Proposal was not sent to DLCD 45 Days Prior to the Final Hearing Please Indicate Why:

_____ **Statewide Planning Goals are Inapplicable**
_____ **Emergency Circumstances Required Expedited Review**

List Statewide Goals Which May Apply:

Goals 2 and 8

List any State or Federal Agencies, Local Government or Local Special Service Districts Which May be Interested in or Impacted by the Adoption:

State of Oregon Parks & Recreation Department, Lake Oswego School District

Direct Questions and Comments to:

Sidaro Sin, Senior Planner
City of Lake Oswego
P. O. Box 369
Lake Oswego, OR 97034
(Phone) (503) 503-697-7421

Send To: Department of Land Conservation and Development
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540

Attach one (1) copy of the Adopted Action to this form and/or three (3) copies of Bound Materials and Maps larger than 8-1/2 by 11 inches.

Note: If more copies of this form are needed, please contact the DLCD office at 503-373-0050, or this form may be duplicated on green paper. Failure to provide notice of an adopted plan or land use regulation amendment results in an extension of the appeal period. Appeals may be filed within 21 days of the date the proposal is mailed to DLCD. Statutes require mailing within 5 days of the action becoming final (See OAR 660-18-040).

*****FOR DLCD OFFICE USE*****

DLCD File Number _____

30 days, January 18, 2007

ORDINANCE NO. 2462

AN ORDINANCE OF THE CITY OF LAKE OSWEGO AMENDING GOAL 8 (PARKS AND RECREATION) OF THE COMPREHENSIVE PLAN, THE COMPREHENSIVE PLAN MAP, THE ZONING MAP AND THE COMMUNITY DEVELOPMENT CODE TO ESTABLISH A PARK AND NATURAL AREA (PNA) ZONE DESIGNATION, TO ADOPT DEVELOPMENT STANDARDS FOR THE PNA ZONE AND TO APPLY THE PNA ZONE DESIGNATION TO CERTAIN PROPERTIES WITHIN THE CITY AND ADOPTING FINDINGS (LU 06-0038-1630).

The City of Lake Oswego ordains as follows:

The Lake Oswego City Code is hereby amended as follows:

Section 1. Section 50.02.005 is hereby amended by adding new text shown in **bold and double underlined**:

Section 50.02.005 Definitions.

For the purposed of this Code certain terms and words are defined as follows: the words "used for" include "designed for" and vice-versa; words used in the present tense include the future, the singular tense includes the plural and vice-versa; the work "shall" is always mandatory; the word "may" is discretionary; the masculine gender includes the feminine gender, except as otherwise provided. The following terms shall mean:

Farming – To cultivate or produce a crop on.

Horticulture – The science or art of cultivating fruits, vegetables, flowers and plants.

Park Lands - Lands that provide for protection of natural resources and/or developed for public active and passive recreational uses.

Minor Park Improvements – Park improvements with limited offsite impacts. Minor park improvements include:

- 1. One play area that is not intended for organized sport games (regardless of size), without lighting.**
- 2. Facilities that require a building permit, that may include park buildings, picnic shelters, restrooms, athletic courts, non-motorized boating facilities, and playground structures provided the uses do not occupy more than 3,500 square feet of site area (individually or cumulatively, excluding facilities authorized by a master plan).**
- 3. On-site parking for eight or less vehicles.**
- 4. Trails.**

Major Park Improvements –

- 1. Athletic field for organized sport games.**
- 2. Lighting for outdoor recreational facilities and activities.**
- 3. Facilities that require a building permit, occupying more than 3,500 square feet of site area. (A play area for non-organized sport games is not subject to this subsection even if more than 3,500 square feet.)**

Ordinance No. 2462

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4. On-site parking for more than eight vehicles.
5. Facilities for motorized boats.

Silviculture – The care and cultivation of forest trees.

Section 2. A new Article 50.13B is hereby added as shown in **bold and double underlined**:

50.13B Park and Natural Area Zone

Section 3. A new Section 50.13B.005 is hereby added as shown in **bold and double underlined**:

Section 50.13B.005 Purpose.

The purpose of the Park and Natural Area (PNA) Zone is to:

- 1. Protect, preserve, conserve and enhance natural areas, greenways and parks.**
- 2. Permit a wide range of passive and active recreational uses, and accessory uses, on property for the future use and enjoyment of the City and its residents.**
- 3. Implement Statewide Planning Goal 8, Recreational Needs.**
- 4. Establish a Master Plan process for park planning and development.**

Section 4. A new section 50.13B.010 is hereby added as shown in **bold and double underlined**:

Section 50.13B.010 Permitted Uses.

- 1. Park lands.**
- 2. Natural areas.**
- 3. Any use authorized in a Master Plan that is consistent with the purpose of the PNA Zone or modification that complies with LOC 50.13B.020.**
- 4. Horticulture, farming, silviculture.**
- 5. Concession facilities.**
- 6. Minor park improvements.**
- 7. Minor public facilities, including collocated telecommunication facilities.**

Section 5. A new section 50.13B.015 is hereby added as shown in **bold and double underlined**:

Section 50.13B.015 Conditional Uses.

- 1. Equestrian facilities.**
- 2. Raising of livestock.**
- 3. Major park improvements.**
- 4. Major public facilities.**
- 5. New telecommunication facilities.**

Section 6. A new section 50.13B.020 is hereby added as shown in **bold and double underlined**:

Section 50.13B.020 Master Plans.

A Master Plan, including Master Plan modifications, may be used by the park/natural area

provider to plan for uses on PNA zoned land, to provide for a coordinated plan that considers community needs, infrastructure and land use. A Master Plan is a plan that is:

1. Established by a park/natural area provider and the hearing body authorized to adopt the Master Plan, at the time of adoption or thereafter, found that it met:

a. The minimum Master Plan element requirements of LOC 50.13B.025,

b. The procedural requirements of LOC 50.13B.030,

c. The Master Plan criteria requirements of LOC 50.13B.035, and

d. If a modification of a Master Plan, the Master Plan modification requirements of LOC 50.13B.045; or

2. Established by a park/natural area provider and the City Manager found that it was a minor modification of a Master Plan and complied with the requirements of LOC 50.13B.045; or

3. The following previously adopted Lake Oswego Master Plans:

- Canal Area Master Plan
- Luscher Farm Master Plan
- George Rogers Park Master Plan
- Lake Oswego Trails and Pathways Master Plan

Section 7. A new section 50.13B.025 is hereby added as shown in **bold and double underlined**:

Section 50.13B.025 Master Plan Elements.

At a minimum, a Master Plan under LOC 50.13B.020(1) shall include the plan elements and public involvement processes as follows:

1. Plan Elements:

a. Plan vision or goals.

b. Design program, including statement of character, proposed uses, and size of facilities.

c. A site plan, including general circulation patterns and approximate access points, methods of public services, and general placement of structures and type of uses.

d. A site inventory and environmental analysis.

e. Identification of opportunities and constraints.

f. A site master plan, including provisions for protecting natural resources, where applicable.

g. Construction estimating and phasing plan.

2. Public Involvement Elements:

a. Development of the Master Plan through a committee approved by the City of Lake Oswego.

b. Public meetings to address the following items:

1. Project introduction

2. Discussion of site analysis, opportunities and constraints.

3. Discussion of design alternatives and selection of a preferred alternative.

c. A study session has been held where members of affected Boards and Commissions have been invited to review the proposal.

Section 8. A new section 50.13B.030 is hereby added as shown in **bold and double underlined**:

Section 50.13B.030 Master Plan Procedure.

The review of a Master Plan under LOC 50.13B.020(1) shall be subject to the following procedure below:

1. The public hearing notice shall follow the same requirements in LOC 50.82.020.
2. The City's Planning Commission shall hold a public hearing to review the Master Plan application and the Commission shall forward a recommendation to the City Council whether or not a proposed master plan satisfies the criteria found under Section 50.13B.035.
3. The City Council shall hold a public hearing to consider the hearing body's recommendations and make the final decision based on the criteria found in LOC 50.13B.035.

Section 9. A new section 50.13B.035 is hereby added as shown in bold and double underlined:

Section 50.13B.035 Master Plan Criteria.

A master plan presented to the City Council pursuant to LOC 50.13B.030 shall be approved if it complies with the following criteria:

1. The master plan satisfies applicable regulatory policies of the City Comprehensive Plan;
2. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features; and,
3. The improvements and uses proposed for the site are capable of being served by the existing or planned transportation systems, public facilities and services; and,
4. The proposed uses will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties as allowed by the respective underlying zone; and,
5. A master plan shall include an analysis of the projected average daily vehicle trips to be generated by the proposed uses to be authorized under the master plan and their distribution pattern, and the impact of the traffic on the capacity of the street system which would serve the uses; and,
6. The allowed development will be compatible or can be made compatible with the surrounding neighborhood to the extent practicable.

Section 10. A new section 50.13B.040 is hereby added as shown in bold and double underlined:

50.13B.040 Master Plan Conditions of Approval

In reviewing the Master Plan, the City Council may impose conditions that are suitable and necessary to assure compliance with the criteria in LOC 50.13B.035. These conditions may include, but are not limited to:

- a. Limiting the manner in which the uses are conducted, by restricting the time an activity may take place and by minimizing such environmental effects as noise, vibration, air pollution, glare and odor;
- b. Establishing a special yard, setback, lot area or other lot dimensions.
- c. Limiting the height, size or location of a building or other structure.
- d. Designating the size, number, location and design of vehicle access points.
- e. Increasing roadway widths, requiring street dedication, and/or requiring street.
- f. Designating the size, location, screening, drainage, surfacing or other improvement of a parking area or truck loading area.
- g. Limiting or otherwise designating the number, size, location, height and lighting of signs.
- h. Limiting the location and intensity of outdoor lighting, including and shielding necessary.
- i. Requiring berming, screening or landscaping and designating standards for its installation

and maintenance.

i. Designating the size, height, location and materials for fences.

k. Protecting and preserving existing trees, soils, vegetation, water resources, wildlife habitat or other significant natural resources.

l. On and off-site public improvements including, but not limited to storm water and transportation.

Section 11. A new section 50.13B.045 is hereby added as shown in bold and double underlined:

Section 50.13B.045 Master Plan Modification.

(1) Unless otherwise established through the Master Plan, modification of an approved Master Plan shall comply with LOC 50.13B.025 and 50.13B.035 as applicable to the modification.

(2). Minor modifications of the Master Plan may be approved by the City Manager. The criteria set forth in LOC 50.86.025 shall be used by the City Manager in determining whether the modification is minor.

(3). Modifications of the Master Plan that are not minor modifications shall be processed in the same manner as a Master Plan (LOC 50.13B.030).

Section 12. A new section 50.13B.050 is hereby added as shown in bold and double underlined:

Section 50.13B.050 Site Development Limitations.

1. Setbacks: The following setbacks shall apply:

a. Except as provided in subsections (1)(b) and (1)(c), below, the setback of any respective yard (front, side, street side, or rear) shall be equal to the minimum required yard for the property abutting the respective yard's lot line.

b. In cases where the lot line of the PNA-zoned property abuts properties with two or more different yard requirements, the required setback for the yard abutting the properties with the two or more different yard requirements shall be equal to the average of the minimum yards required for the two or more abutting properties.

c. Setback requirements for any yard may be modified by the Master Plan.

2. Height of structure: Except as otherwise permitted by LOC 50.22.015, the maximum height of any portion of a structure shall be the greater of:

a. 35 feet, or

b. A height as determined by the ratio of one foot in height for every 3.5 feet of distance from the portion of the structure to the lot line of the nearest residentially zoned property, to a maximum height of 75 feet.

3. Lot coverage: The maximum lot coverage shall not exceed 35% or as established by the Master Plan.

Section 13. Section 50.79.010 is hereby amended by deleting text shown in ~~strikeout~~ and adding new text shown in bold and double underlined:

Section 50.79.010 Ministerial Development Classification.

1. A ministerial development is a development which requires a permit from the City where the decision:

a. Is made pursuant to land use standards which do not require interpretation or the exercise of policy or legal judgment;

b. Approves or denies a building permit issued under clear and objective land use standards; or
c. Determines final engineering design, construction, operation, maintenance, repair or preservation of a transportation facility which is otherwise authorized by and consistent with the comprehensive plan and land use regulations.

2. Ministerial developments include:

a. Exterior modification of single family detached dwellings, duplexes or zero lot line dwellings or modification of an accessory structure in the DD zone.

b. Construction or exterior modification of a detached single family dwelling, duplex, zero lot line dwelling or a structure accessory to such structures which:

i. Is not processed through the Residential Infill Design Review process (LOC Article 50.72).

ii. Is not located within a delineated RP resource or buffer area or RC protection area pursuant to LOC Article 50.16.

iii. Does not impact an Historic Landmark designated pursuant to LOC Chapter 58.

iv. Does not change the nature of the use or occupancy classification to a use that does not qualify as a permitted use in the zone or as an approved conditional use; or

v. Does not require special design review by the zone, design district, prior development approval or Overall Development Plan and Schedule (ODPS) for the development in which the subject property is located.

vi. Is not located on weak foundation soils as identified in LOC 50.42.030 (1).

vii. Is not located in a "Known Potential Severe Landslide Area" as defined in LOC 50.43.010.

viii. Is not located in the Greenway Management Overlay District, as identified in LOC Article 50.15.

c. Exterior modification of a structure other than a detached single family dwelling, duplex, zero lot line dwelling or structure accessory to such structures which:

i. Does not increase building footprint or height; or

ii. Does not modify more than 25% of the facade or, if the property abuts property zoned for residential use, does not modify any portion of the facade visible from the residentially zoned property; and

iii. Complies with LOC 50.79.010 (2)(b)(i) through (viii).

d. Lot line adjustments which do not increase the allowable density on a site.

e. Resource enhancement projects in an RP or RC District.

f. Passive use recreational facilities within an RC or RP District if such a facility would otherwise qualify as a ministerial development.

g. Passive use recreational facilities that require a building permit such as pedestrian bridges, observation decks and handicapped facilities.

~~g.~~ **h.** Construction or alteration of public transportation or utility facilities consistent with the Comprehensive Plan and land use regulations and is not located in a delineated RP Resource or buffer or RC protection area pursuant to LOC Article 50.16.

~~h.~~ **i.** Building permits for structures approved pursuant to a prior approved major or minor development.

~~i.~~ **j.** Collocated Telecommunications Facilities.

~~j.~~ **k.** Delineation of a resource boundary pursuant to LOC 50.16.035 (5).

~~k.~~ **l.** Fill in quantities of 10 cubic yards or less when located within the Flood Management Area and outside of the floodway boundary.

~~l.~~ **m.** When located within the floodplain of Oswego Lake, fill in quantities greater than 10 cubic yards, provided the fill is associated with development of a single family dwelling, duplex, zero lot line dwelling, water dependent use, or related accessory structure.

3. Ministerial decisions are made without notice or the opportunity for appeal.

Section 14. Section 50.79.020 is hereby amended by deleting text shown in ~~strikeout~~ and adding new text shown in **bold and double underlined**:

Section 50.79.020 Minor Development Classification.

1. A Minor Development is a development which requires a permit from the City that requires a more discretionary level of review than a ministerial decision. "Minor Development" is intended to include decisions defined as "limited land use decisions" pursuant to ORS 197.015 (12).

2. "Minor Development" includes:

a. In the DD zone:

i. Construction of new single family detached dwellings, duplexes, multi-family dwellings, zero lot line dwellings or exterior modification of a structure containing a non-conforming use that requires a building permit;

ii. Expansion or reconstruction of the structures listed in subsection (2)(a)(i) above, that result in a change of use (e.g. from single family to duplex) or in an expansion of floor area of an existing structure by more than 50%.

b. Construction or exterior modification of a detached single family structure, duplex, zero lot line dwelling or a structure accessory to such structures which:

i. Does not qualify as a ministerial decision pursuant to LOC 55.79.010 (2)(b)(i) through (viii);

or

ii. Requires one or more variances.

c. Involves a determination by the City Manager that a use not expressly permitted in the zone may be allowed pursuant to the considerations contained in LOC 50.04.015. In such case, the required notice shall include a description of the proposed use and the reasons for the City Manager's determination.

d. Involves an improvement to an existing park or school facility that will increase the capacity of the school facility, generate additional traffic, or generate significant additional noise or other negative impact on the surrounding neighborhood.

e. Secondary dwelling units.

f. Construction of a structure other than a detached single family dwelling, duplex, zero lot line dwelling or accessory structure, or an exterior modification of such a structure which does not qualify as a ministerial development pursuant to LOC 50.79.010 (2)(c).

g. Lot line adjustments which would increase allowable density on the site.

h. Partitions.

i. Subdivisions (with or without a Planned Development overlay).

j. Review of development phases subject to an ODPS.

k. A change of use from one permitted use to another that increases on-site parking or loading requirements or which changes access requirements pursuant to LOC Article 50.55 or that will result in the construction of private streets, driveways.

l. Determining an RC District protection area pursuant to LOC 50.16.055.

m. Construction of a structure described in LOC 50.60.005 (2).

n. Fill in the floodway or fill in quantities greater than 10 cubic yards when located elsewhere in the Flood Management Area, excluding fill for single family detached dwellings, duplexes, zero lot line dwellings, water dependent uses, or related accessory structures when the fill is located within the floodplain of Oswego Lake.

o. Outright permitted residential dwellings, other than in the DD zone, when processed through the Residential Infill Design Review process (LOC Article 50.72).

- p. Variances, Class 1 or Class 2.
 - q. Construction of any public or private road, or major transportation or utility facility within a delineated RP District or buffer or RC protection area.
 - r. **Permitted uses in the PNA zone that are not listed as exempt in LOC 50.79.005 or classified as a ministerial use.**
3. Minor developments are initially decided by the City Manager subject to notice, the opportunity to request a hearing, and appeal as provided by LOC Article 50.81.

Section 15. Comprehensive Plan Text Amendment. The Lake Oswego Comprehensive Plan is hereby amended to add a new policy under Goal 8 – Parks and Recreation, shown in **bold and double underlined**:

20. The Park and Natural Area Zone shall provide a wide range of passive and active recreational uses while protecting, preserving, conserving and enhancing natural areas, greenways and parks.

Section 16. Comprehensive Plan Map Amendment. The Lake Oswego Comprehensive Map is hereby amended to designate certain parcels as “Park and Natural Area” (PNA) as shown in Attachments “A-1” – “A-20” as follows:

Attach. #	Facility	Tax Map & Lot Number	Designation
A-1	Southwood Park	21E06BC 1800	PNA
	Meadows Creek at Westwood		
A-1	Tracts A, B, C	21E06BD 6800	PNA
A-1	Kruse Creek Open Space Tracts B, C	21E06BD 158	PNA
A-1	Kruse Creek Open Space Tracts A, D	21E06BD 159	PNA
A-1	Bay Creek Estates #4 Open Space Tract A	21E06BA 718	PNA
A-1	Bay Creek Estates #4 Open Space Tract B	21E06BA 719	PNA
A-1	Bay Creek Estates #3 Open Space Tract A	21E06BA 12100	PNA
A-2	Mountain View Open Space	11E31DC 3500, 11E31DC 4400	PNA
A-3	Westbrooke Open Space A	21E06AD 545	PNA
A-3	Westlake Park	21E06DA 10300	PNA
A-4	Waluga Park West	21E07AC 2501, 21E07AC 2800, 21E07AC 3400, 21E07DB 100, 21E07DB 200, 21E07DB 300, 21E07DB 2209	PNA
A-4	Waluga Park East	21E07AD 2900, 21E07AD 3000, 21E07AD 3100, 21E07DA 800	PNA
A-4	Kruse Way Open Space	21E08BB 4900	PNA
A-5	Boones Ferry Open Space	21E18AB 700	PNA

A-5	Tualatin Open Space	21E18AB 3001	PNA
A-5	Lamont Spring Natural Area	21E18AA 3600, 21E18AA 3601	PNA
A-5	City Skate Park	21E18BD 1700	PNA
A-6	Bryant Woods Park	21E19AA 9800, 21E20BB 1500, 21E20BB 1600, 21E20BB 1700, 21E20BB 1800, 21E20BB 1900, 21E20BB 2000, 21E17CC 648, 21E17CC 700	PNA
A-6	Canal Acres Natural Area	21E19AD 100, 21E19AD 112, 21E19AD 113, 21E20BC 400, 21E20BC 500, 21E20BC 600, 21E20BC 700, 21E20BC 800, 21E20BC 900	PNA
A-6	River Run Park	21E20BC 145, 21E20BC 185, 21E20BD 552	PNA
A-6	Old Gate Rd. Open Space	21E20BB 2103, 21E20BB 2200	PNA
A-6	Waterstone Open Space Tract A	21E20BB 216	PNA
A-6	Waterstone #2 Open Space Tract A	21E20BB 109	PNA
A-6	Brians Landing City Park Tract A	21E17CC 1618	PNA
A-6	Heather Estate Park & Open Space Tract A	21E17CC 113	PNA
A-7	Pilkington Park	21E19BA 2600	PNA
A-8	Westridge Park	21E17DB 2421, 21E17DB 2600	PNA
A-8	Sara Hill Lane Open Space	21E17CB 2018	PNA
A-8	Lake Grove Swim Park	21E08CD 1700, 21E08CD 1800	PNA
A-9	Pennington Park	21E08BD 117, 21E08BD 202, 21E08BD 301, 21E08BD 302, 21E08BD 303, 21E08BD 304, 21E08BD 305, 21E08BD 306, 21E08BD 308	PNA
A-9	Boones Brook Open Space Tract A	21E08BA 311	PNA
A-9	Springbrook Creek #1	21E05DC 5400	PNA
A-9	Springbrook Creek #2	21E05DC 5300	PNA
A-10	PP 1994-1 Open Space Tract A	21E05DC 404	PNA
A-10	Sherbrook Open Space Tracts A & B	21E05DB 826	PNA
A-10	Boones Ferry/Kerr Parkway Open Space	21E05DA 200, 21E05DB 100	PNA
A-10	Springbrook Park/Indoor Tennis Center	21E04CC 3800, 21E05DA 300, 21E05DA 600, 21E05DD 200, 21E05DD 300, 21E05DD 700, 21E05DD 800, 21E05DD 900, 21E08AA 1000	PNA

A-11	Iron Mountain Park	21E08 AA 6100, 21E08AA 6200, 21E08AC 100, 21E08AD 100, 21E08AD 200, 21E09 100, 21E09 601, 21E09 602, 21E09AB 1600, 21E09BA 500, 21E09BA 600, 21E09BA 800, 21E09BA 900, 21E09BB 3000, 21E09BB 3100, 21E09BC 100	PNA
A-11	Campbell Native Garden	21E08AD 1100	PNA
A-11	Iron Mountain Blvd. south of Fairway Road	21E09AB 1500	PNA
A-11	Diamond Head at Lilly Bay	21E09 AC 500, 21E09AC 600	PNA
A-11	West Country Club Rd. Open Space	21E04CA 3800, 21E04CA 3900, 21E04CA 4000	PNA
A-11	East Country Club Rd. Open Space	21E04DB 3100, 21E04DB3200	PNA
A-11	Woodmont Natural Park	21E04AC 1900, 21E04AC 2200	PNA
A-12	Pine Cone Park	21E04AA 107	PNA
A-12	Hide-A-Way Park	21E03BA 5900	PNA
A-12	Boca Ratan Open Space	21E03BC 5800	PNA
A-12	Kelly Creek Park	21E04DA 107, 21E04DA 197, 21E04DA 1401, 21E04DA 1700	PNA
A-12	Bayberry Wetlands	21E03CD 1900	PNA
A-12, A-13, A-14	Tryon Creek State Natural Area	1S1E34 600, 1S1E34 700, 1S1E34 800, 21E04AA 100, 21E03 100, 21E03 190, 21E03 500, 21E03AC 401, 21E03AC 1700, 21E03DA 700, 21E03DA 800, 21E03DA 1200, 21E03DA 1500, 21E03BC 3000, 21E03BC 3500, 21E03BC 3501, 21E03BC 3502, 21E03CB 500	PNA
A-14	Tryon Cove Park	21E02CB 600, 21E02CB 700, 21E02CB 800, 21E02CB 1100, 21E02CB 1200,	PNA
A-14	Rossman Park	21E03DC 1000, 21E03DC 1100, 21E03DC 1200, 21E03DC 1300	PNA
A-14	Millennium Park	21E10AA 400, 21E10AA 500, 21E10AA 3400, 21E10AA 3500, 21E10AA 5500, 21E10AA 5600	PNA
A-14	Foothills Park	21E02CB 1300, 21E02CC 100, 21E02CC 700, 21E02CC 800, 21E02CC 990	PNA
A-14	Roehr Park	21E02 200, 21E11BB 401, 21E11BC 1100	PNA
A-15	Lake Oswego Swim Park	21E10AC 10600	PNA
A-15	George Rogers Park	21E10AD 3500, 21E11BC 1000, 21E11BC 100, 21E10DA 100, 21E10DA 400, 21E10DA 1800, 21E10DB 5200	PNA
A-15	Ellen Bergis Nature Preserve	21E10DA 1100	PNA
A-15	Laurell-Hallinan Open Space	21E10DB 10200	PNA
A-15	East Side of River Road Pathway Open Space	21E11CB 300	PNA
A-15	Glenmorrie Gateway	21E11CB 800	PNA
A-15	Glenmorrie Greenway	21E11CC 500, 21E11CC 700	PNA

A-15	Bullock St. Open Space	21E10DA 8100, 21E10DA 8102, 21E10DA 8103, 21E10DA 8104	PNA
A-15	Hallinan Natural Area	21E10DD 100, 21E10DD 1203	PNA
A-15	Glenmorrie Park	21E14BD 7500	PNA
A-16	Lake Garden Park	21E03CC 1000	
A-17	Freepons Park	21E10DC 4700, 21E10DC 4701, 21E10DC 4800, 21E10DC 10900, 21E10DC 11000, 21E10DC 11100, 21E10DC 12000, 21E10DC 12100, 21E10DC 12300	PNA
A-17	Cornell Natural Area	21E15BA 3100	PNA
A-17	McVey Open Space	21E10CA 8101, 21E10CA 8200	PNA
A-17	Maple St. Open Space	21E10CB 1700	PNA
A-17	Oak St. Open Space	21E10CB 4600	PNA
A-17	Laurel St. Open Space	21E10CC 300, 21E10CC 700	PNA
A-18	South Shore Natural Area	21E09DB 500, 21E09DB 501, 21E09DB 600, 21E09DB 1100, 21E09DB 1200, 21E09DB 1300, 21E09DD 1500, 21E09DD 1600, 21E09DD 1700	PNA
A-18	Lost Dog Creek #1 Open Space	21E09DD 2900	PNA
A-18	Lost Dog Creek #2 Open Space	21E09DD 2902	PNA
A-18	Greentree Open Space	21E16AB 1500	PNA
A-18	Greentree Park	21E16AB 624	PNA
A-19	Cooks Butte Park	21E16C 502, 21E16CA 3100	PNA
A-20	Lake Oswego Municipal Golf Course	21E16 101, 21E16A 600, 21E16AC 100, 21E16AC 190	PNA
A-20	Rassekh Property	21E16D 1100	PNA
A-20	North Luscher Farm	21E16D 400, 21E16D 500, 21E16AD 2800, 21E16AD 2900	PNA

Section 17. Zoning Map Amendment. The Lake Oswego Zoning Map is hereby amended to designate certain parcels as "Park and Natural Area" (PNA) as shown in Attachments "A-1" – "A-20" as follows:

Attach. #	Facility	Tax Map & Lot Number	Zoning
A-1	Southwood Park	21E06BC 1800	PNA
A-1	Meadows Creek at Westwood Tracts A, B, C	21E06BD 6800	PNA
A-1	Kruse Creek Open Space Tracts B, C	21E06BD 158	PNA
A-1	Kruse Creek Open Space Tracts A, D	21E06BD 159	PNA
A-1	Bay Creek Estates #4 Open Space Tract A	21E06BA 718	PNA
A-1	Bay Creek Estates #4 Open Space Tract B	21E06BA 719	PNA
A-1	Bay Creek Estates #3 Open Space Tract A	21E06BA 12100	PNA

A-2	Mountain View Open Space	11E31DC 3500, 11E31DC 4400	PNA
A-3	Westbrooke Open Space A	21E06AD 545	PNA
A-3	Westlake Park	21E06DA 10300	PNA
A-4	Waluga Park West	21E07AC 2501, 21E07AC 2800, 21E07AC 3400, 21E07DB 100, 21E07DB 200, 21E07DB 300, 21E07DB 2209	PNA
A-4	Waluga Park East	21E07AD 2900, 21E07AD 3000, 21E07AD 3100, 21E07DA 800	PNA
A-4	Kruse Way Open Space	21E08BB 4900	PNA
A-5	Boones Ferry Open Space	21E18AB 700	PNA
A-5	Tualatin Open Space	21E18AB 3001	PNA
A-5	Lamont Spring Natural Area	21E18AA 3600, 21E18AA 3601	PNA
A-5	City Skate Park	21E18BD 1700	PNA
A-6	Bryant Woods Park	21E19AA 9800, 21E20BB 1500, 21E20BB 1600, 21E20BB 1700, 21E20BB 1800, 21E20BB 1900, 21E20BB 2000, 21E17CC 648, 21E17CC 700	PNA
A-6	Canal Acres Natural Area	21E19AD 100, 21E19AD 112, 21E19AD 113, 21E20BC 400, 21E20BC 500, 21E20BC 600, 21E20BC 700, 21E20BC 800, 21E20BC 900	PNA
A-6	River Run Park	21E20BC 145, 21E20BC 185, 21E20BD 552	PNA
A-6	Old Gate Rd. Open Space	21E20BB 2103, 21E20BB 2200	PNA
A-6	Waterstone Open Space Tract A	21E20BB 216	PNA
A-6	Waterstone #2 Open Space Tract A	21E20BB 109	PNA
A-6	Brians Landing City Park Tract A	21E17CC 1618	PNA
A-6	Heather Estate Park & Open Space Tract A	21E17CC 113	PNA
A-7	Pilkington Park	21E19BA 2600	PNA
A-8	Westridge Park	21E17DB 2421, 21E17DB 2600	PNA
A-8	Sara Hill Lane Open Space	21E17CB 2018	PNA
A-8	Lake Grove Swim Park	21E08CD 1700, 21E08CD 1800	PNA
A-9	Pennington Park	21E08BD 117, 21E08BD 202, 21E08BD 301, 21E08BD 302, 21E08BD 303, 21E08BD 304, 21E08BD 305, 21E08BD 306, 21E08BD 308	PNA
A-9	Boones Brook Open Space Tract A	21E08BA 311	PNA
A-9	Springbrook Creek #1	21E05DC 5400	PNA
A-9	Springbrook Creek #2	21E05DC 5300	PNA
A-10	PP 1994-1 Open Space Tract A	21E05DC 404	PNA

A-10	Sherbrook Open Space Tracts A & B	21E05DB 826	PNA
A-10	Boones Ferry/Kerr Parkway Open Space	21E05DA 200, 21E05DB 100	PNA
A-10	Springbrook Park/Indoor Tennis Center	21E04CC 3800, 21E05DA 300, 21E05DA 600, 21E05DD 200, 21E05DD 300, 21E05DD 700, 21E05DD 800, 21E05DD 900, 21E08AA 1000	PNA
A-11	Iron Mountain Park	21E08 AA 6100, 21E08AA 6200, 21E08AC 100, 21E08AD 100, 21E08AD 200, 21E09 100, 21E09 601, 21E09 602, 21E09AB 1600, 21E09BA 500, 21E09BA 600, 21E09BA 800, 21E09BA 900, 21E09BB 3000, 21E09BB 3100, 21E09BC 100	PNA
A-11	Campbell Native Garden	21E08AD 1100	PNA
A-11	Iron Mountain Blvd. south of Fairway Road	21E09AB 1500	PNA
A-11	Diamond Head at Lilly Bay	21E09 AC 500, 21E09AC 600	PNA
A-11	West Country Club Rd. Open Space	21E04CA 3800, 21E04CA 3900, 21E04CA 4000	PNA
A-11	East Country Club Rd. Open Space	21E04DB 3100, 21E04DB3200	PNA
A-11	Woodmont Natural Park	21E04AC 1900, 21E04AC 2200	PNA
A-12	Pine Cone Park	21E04AA 107	PNA
A-12	Hide-A-Way Park	21E03BA 5900	PNA
A-12	Boca Raton Open Space	21E03BC 5800	PNA
A-12	Kelly Creek Park	21E04DA 107, 21E04DA 197, 21E04DA 1401, 21E04DA 1700	PNA
A-12	Bayberry Wetlands	21E03CD 1900	PNA
A-12, A-13, A-14	Tryon Creek State Natural Area	1S1E34 600, 1S1E34 700, 1S1E34 800, 21E04AA 100, 21E03 100, 21E03 190, 21E03 500, 21E03AC 401, 21E03AC 1700, 21E03DA 700, 21E03DA 800, 21E03DA 1200, 21E03DA 1500, 21E03BC 3000, 21E03BC 3500, 21E03BC 3501, 21E03BC 3502, 21E03CB 500	PNA
A-14	Tryon Cove Park	21E02CB 600, 21E02CB 700, 21E02CB 800, 21E02CB 1100, 21E02CB 1200	PNA
A-14	Rossman Park	21E03DC 1000, 21E03DC 1100, 21E03DC 1200, 21E03DC 1300	PNA
A-14	Millennium Park	21E10AA 400, 21E10AA 500, 21E10AA 3400, 21E10AA 3500, 21E10AA 5500, 21E10AA 5600	PNA
A-14	Foothills Park	21E02CB 1300, 21E02CC 100, 21E02CC 700, 21E02CC 800, 21E02CC 990	PNA
A-14	Roehr Park	21E02 200, 21E11BB 401, 21E11BC 1100	PNA
A-15	Lake Oswego Swim Park	21E10AC 10600	PNA
A-15	George Rogers Park	21E10AD 3500, 21E11BC 1000, 21E11BC 100, 21E10DA 100, 21E10DA 400, 21E10DA 1800, 21E10DB 5200	PNA

A-15	Ellen Bergis Nature Preserve	21E10DA 1100	PNA
A-15	Laurel-Hallinan Open Space	21E10DB 10200	PNA
A-15	East Side of River Road Pathway Open Space	21E11CB 300	PNA
A-15	Glenmorrie Gateway	21E11CB 800	PNA
A-15	Glenmorrie Greenway	21E11CC 500, 21E11CC 700	PNA
A-15	Bullock St. Open Space	21E10DA 8100, 21E10DA 8102, 21E10DA 8103, 21E10DA 8104	PNA
A-15	Hallinan Natural Area	21E10DD 100, 21E10DD 1203	PNA
A-15	Glenmorrie Park	21E14BD 7500	PNA
A-16	Lake Garden Park	21E03CC 1000	
A-17	Freepons Park	21E10DC 4700, 21E10DC 4701, 21E10DC 4800, 21E10DC 10900, 21E10DC 11000, 21E10DC 11100, 21E10DC 12000, 21E10DC 12100, 21E10DC 12300	PNA
A-17	Cornell Natural Area	21E15BA 3100	PNA
A-17	McVey Open Space	21E10CA 8101, 21E10CA 8200	PNA
A-17	Maple St. Open Space	21E10CB 1700	PNA
A-17	Oak St. Open Space	21E10CB 4600	PNA
A-17	Laurel St. Open Space	21E10CC 300, 21E10CC 700	PNA
A-18	South Shore Natural Area	21E09DB 500, 21E09DB 501, 21E09DB 600, 21E09DB 1100, 21E09DB 1200, 21E09DB 1300, 21E09DD 1500, 21E09DD 1600, 21E09DD 1700	PNA
A-18	Lost Dog Creek #1 Open Space	21E09DD 2900	PNA
A-18	Lost Dog Creek #2 Open Space	21E09DD 2902	PNA
A-18	Greentree Open Space	21E16AB 1500	PNA
A-18	Greentree Park	21E16AB 624	PNA
A-19	Cooks Butte Park	21E16C 502, 21E16CA 3100	PNA
A-20	Lake Oswego Municipal Golf Course	21E16 101, 21E16A 600, 21E16AC 100, 21E16AC 190	PNA
A-20	Rassekh Property	21E16D 1100	PNA
A-20	North Luscher Farm	21E16D 400, 21E16D 500, 21E16AD 2800, 21E16AD 2900	PNA

Section 18. The City Council hereby adopts the Findings and Conclusions (LU 06-0038-1630) attached as Exhibit "B".

Section 19. Severability. The provisions of this ordinance are severable. If any portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

///

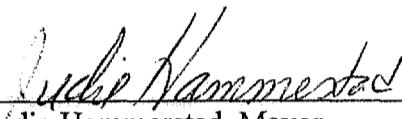
Read by title and enacted at the regular meeting of the City Council of the City of Lake Oswego held on
19 day of December, 2006.

AYES: Mayor Hammerstad, Hoffman, Graham, Groznik, McPeak,
Turchi, Peterson

NOES: none

ABSENT: none

ABSTAIN: none



Judie Hammerstad, Mayor

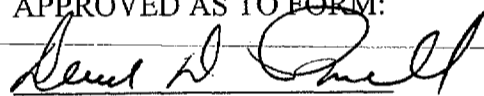
Dated: 12-20-06

ATTEST:

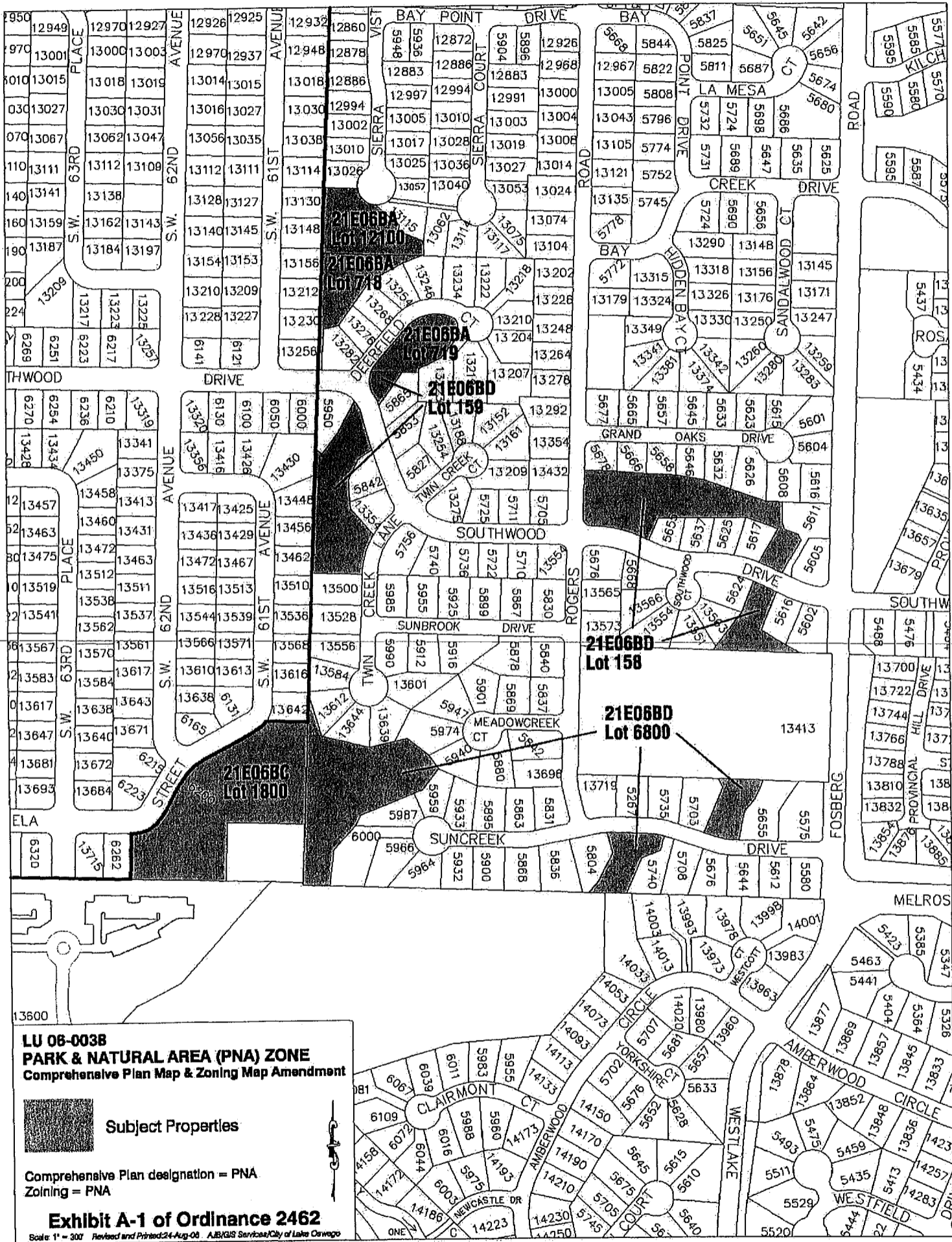
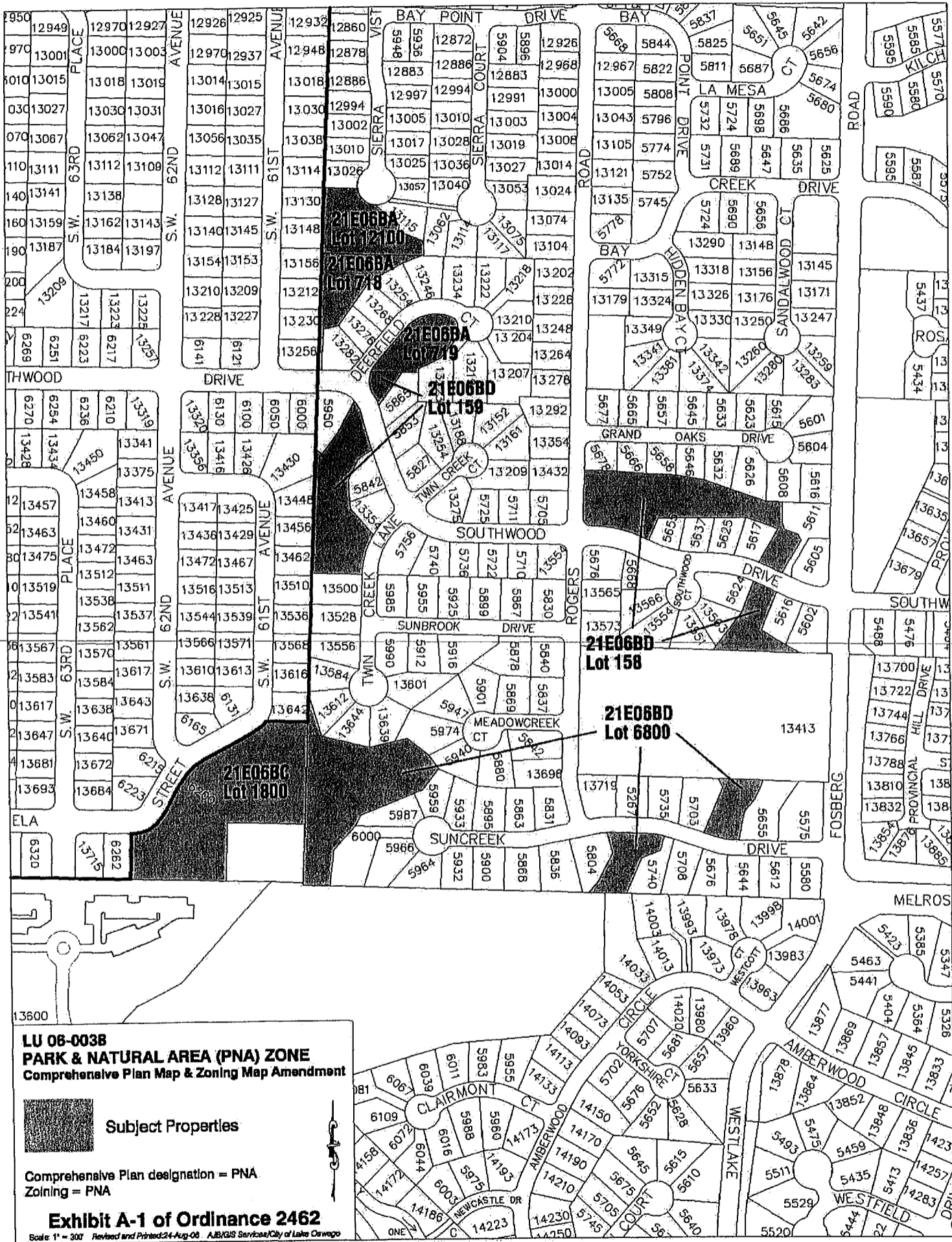


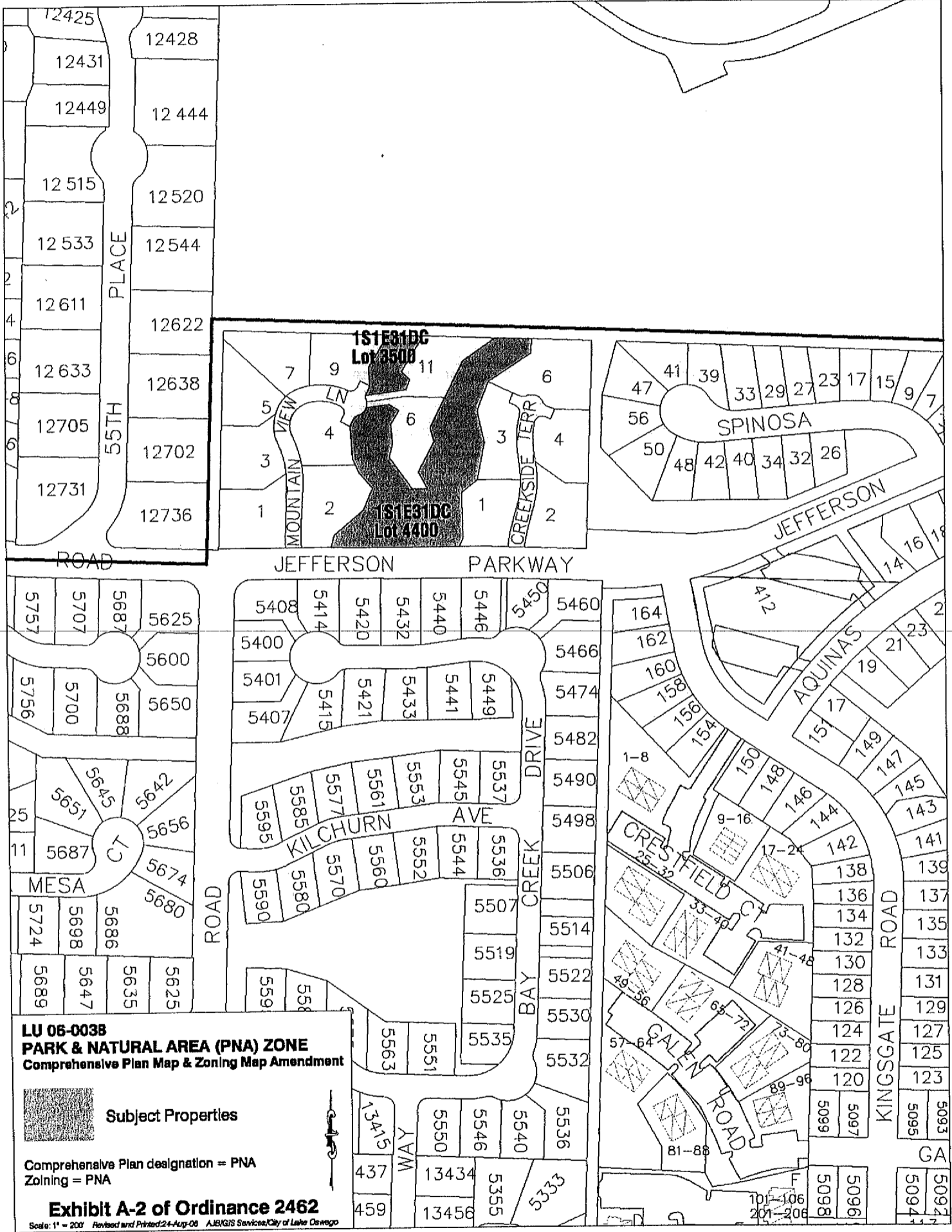
Robyn Christie, City Recorder

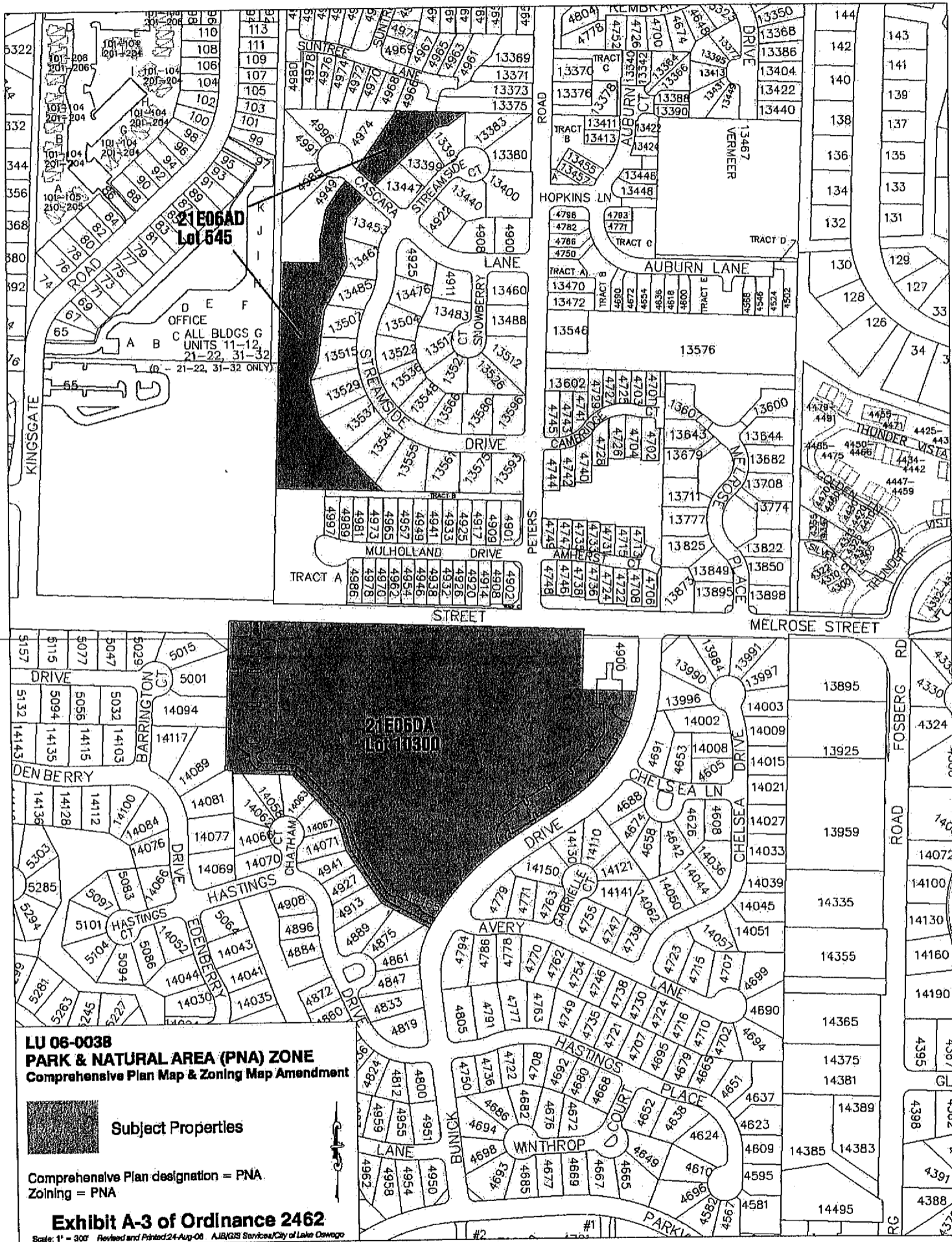
APPROVED AS TO FORM:



David D. Powell, City Attorney

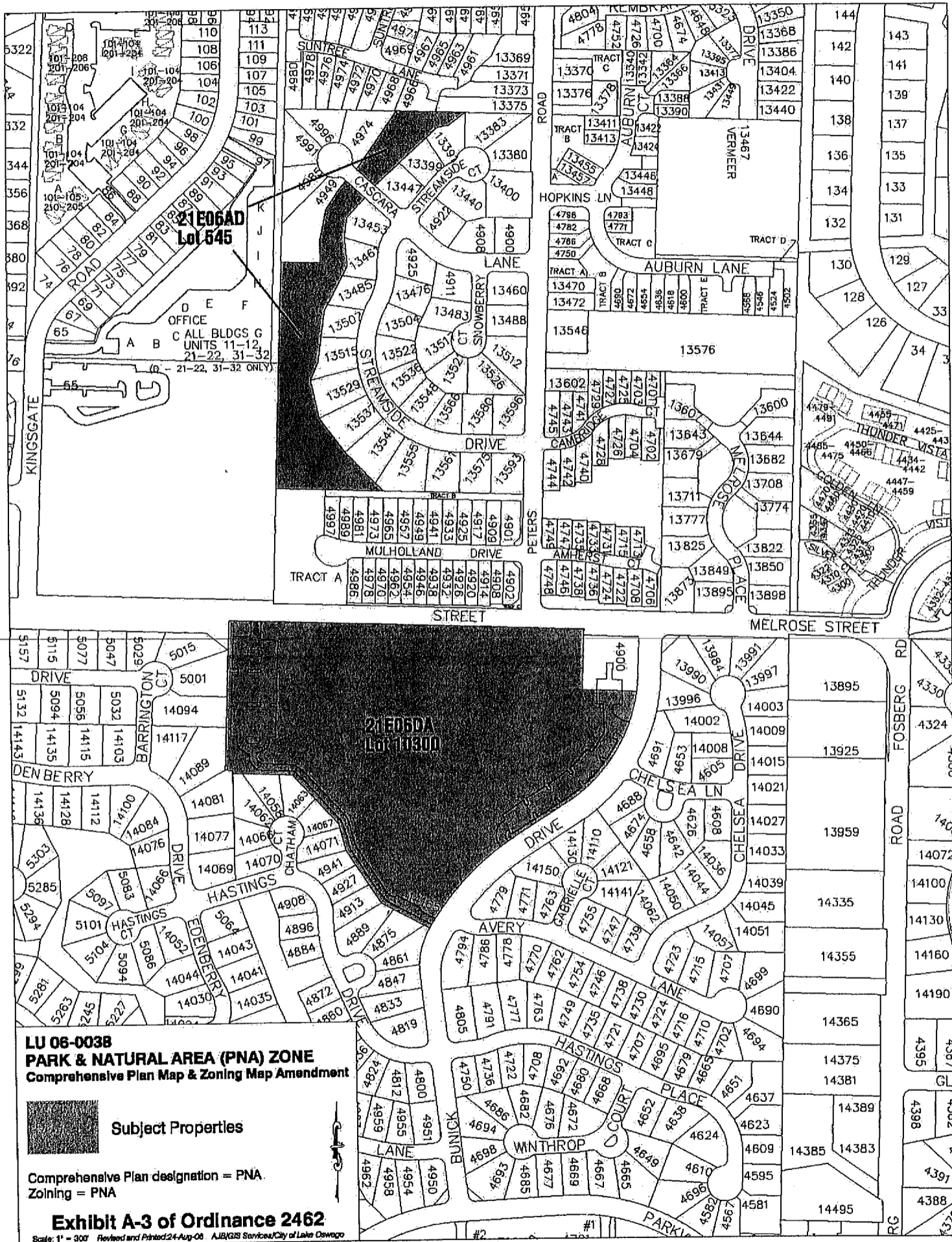


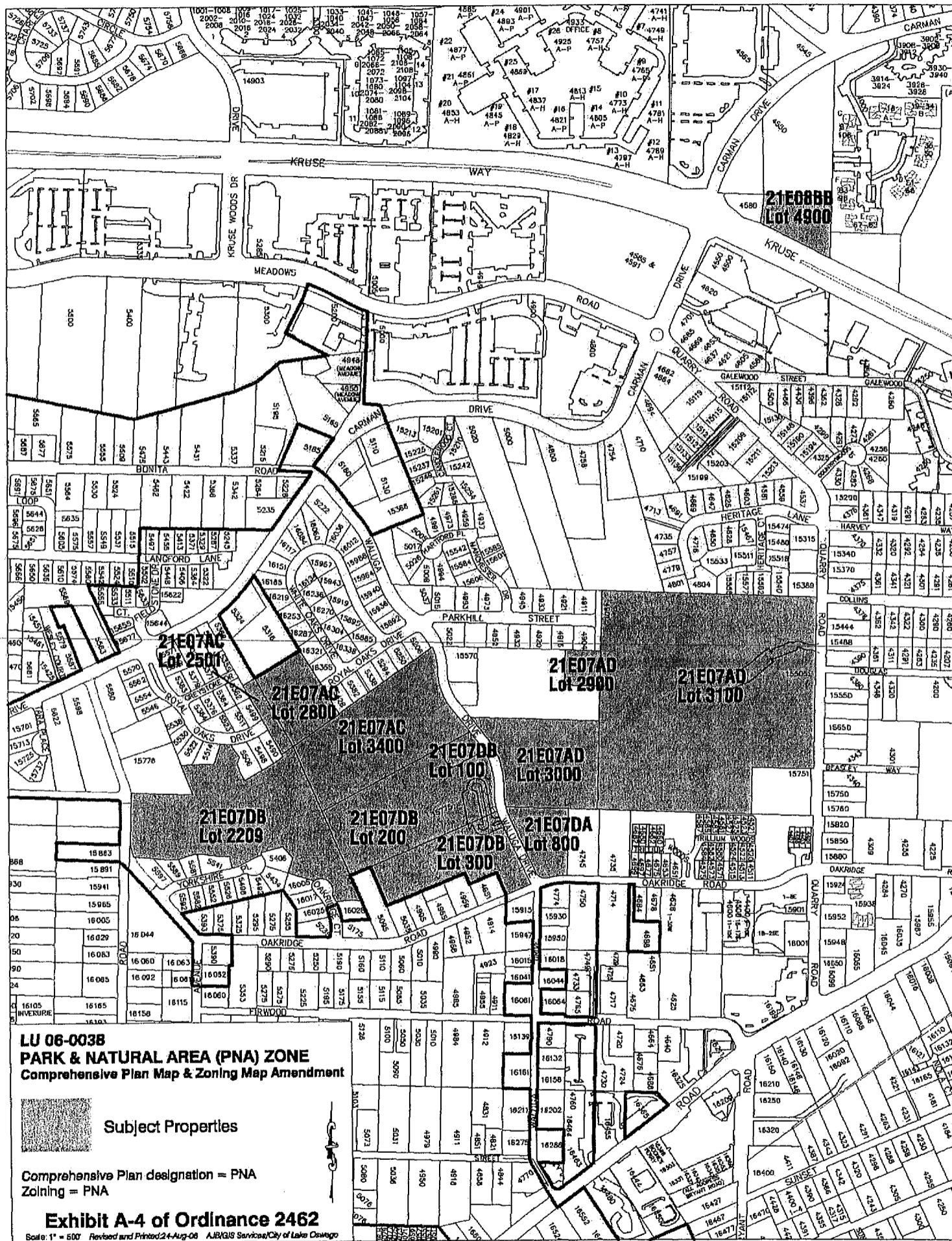




21E06AD
Lot 545

21E06DA
Lot 10300





21E08BB
Lot 4900

21E07AC
Lot 2500

21E07AC
Lot 2800

21E07AC
Lot 3400

21E07DB
Lot 100

21E07AD
Lot 2900

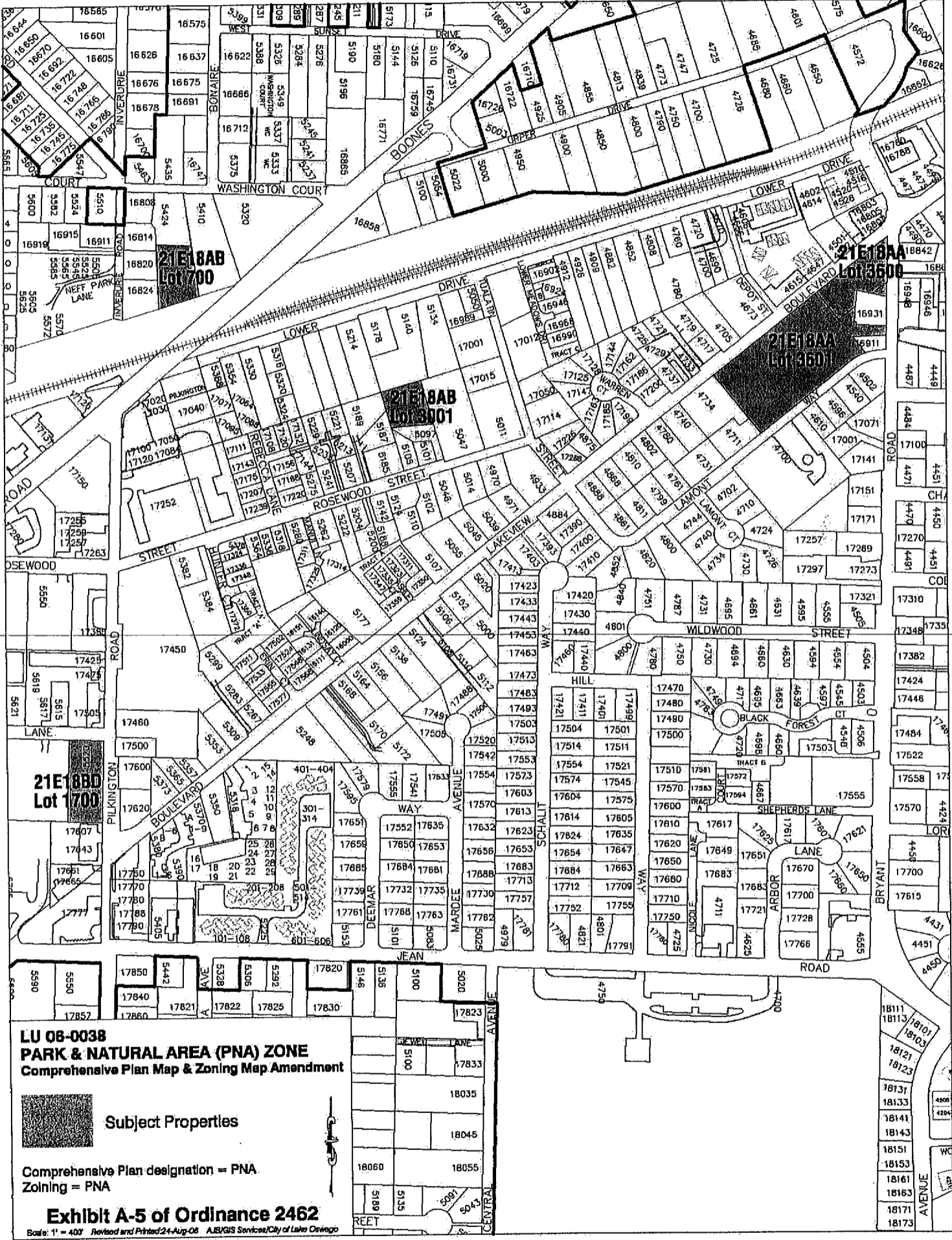
21E07AD
Lot 3000

21E07DA
Lot 800

21E07DB
Lot 2209

21E07DB
Lot 200

21E07DB
Lot 300



**LU 06-0038
PARK & NATURAL AREA (PNA) ZONE
Comprehensive Plan Map & Zoning Map Amendment**

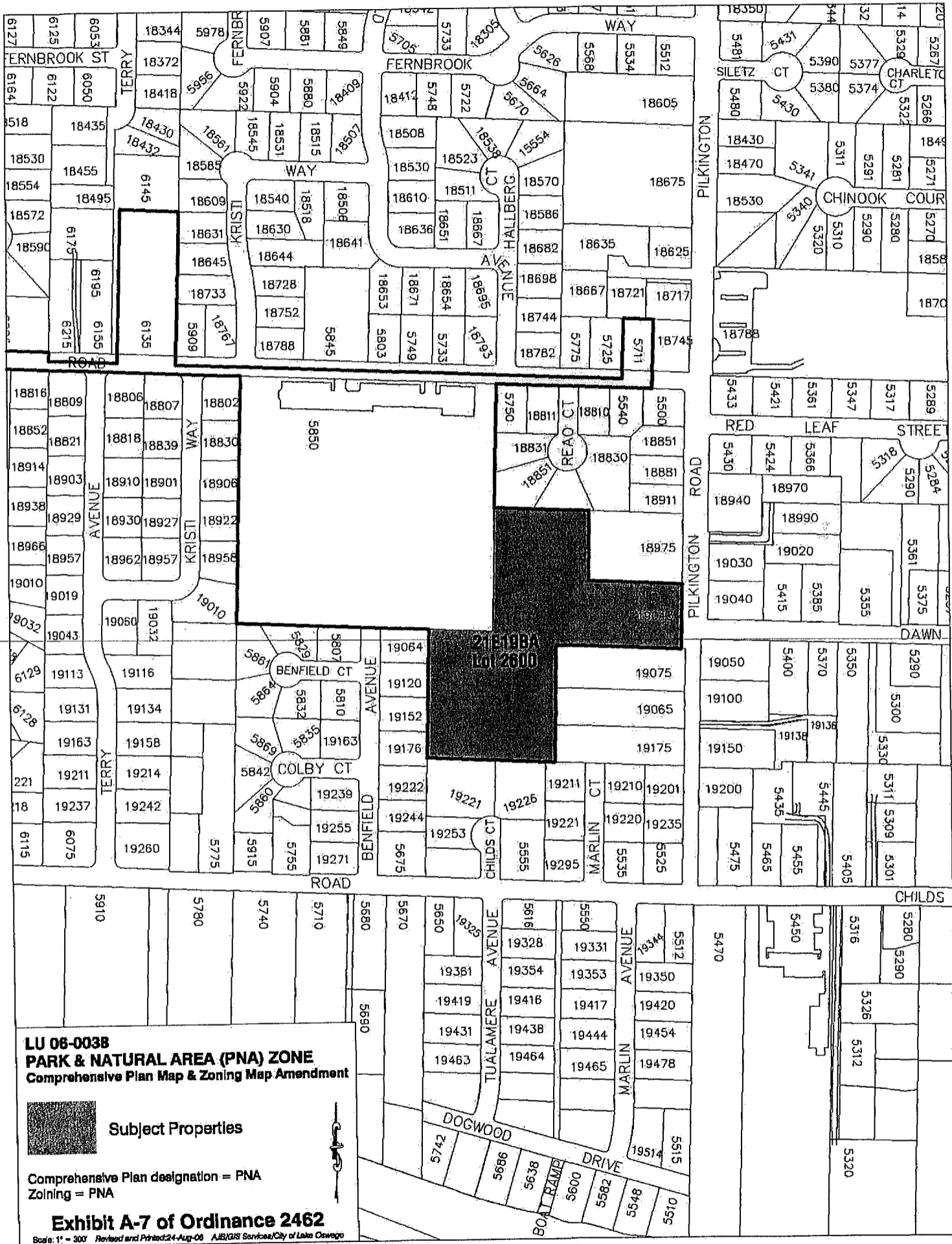


Subject Properties

Comprehensive Plan designation = PNA
Zoning = PNA

Exhibit A-5 of Ordinance 2462

Scale: 1" = 400' Revised and Printed 24-Aug-06 A/B/G/S Services/City of Lake Oswego



Map showing street names: FERNBROOK ST, TERRY, FERNBROOK, WAY, CHINOOK COUR, RED LEAF STREET, DAWN, COLBY CT, BENFIELD CT, CHILDREN'S AVENUE, MARLIN, DOGWOOD DRIVE, TUALAMERE AVENUE, and BOAT RAMP DRIVE.

Map showing lot numbers ranging from 18344 to 19466.

Map showing subject properties: 218188A and Lot 2600.



LU 06-0038
PARK & NATURAL AREA (PNA) ZONE
 Comprehensive Plan Map & Zoning Map Amendment

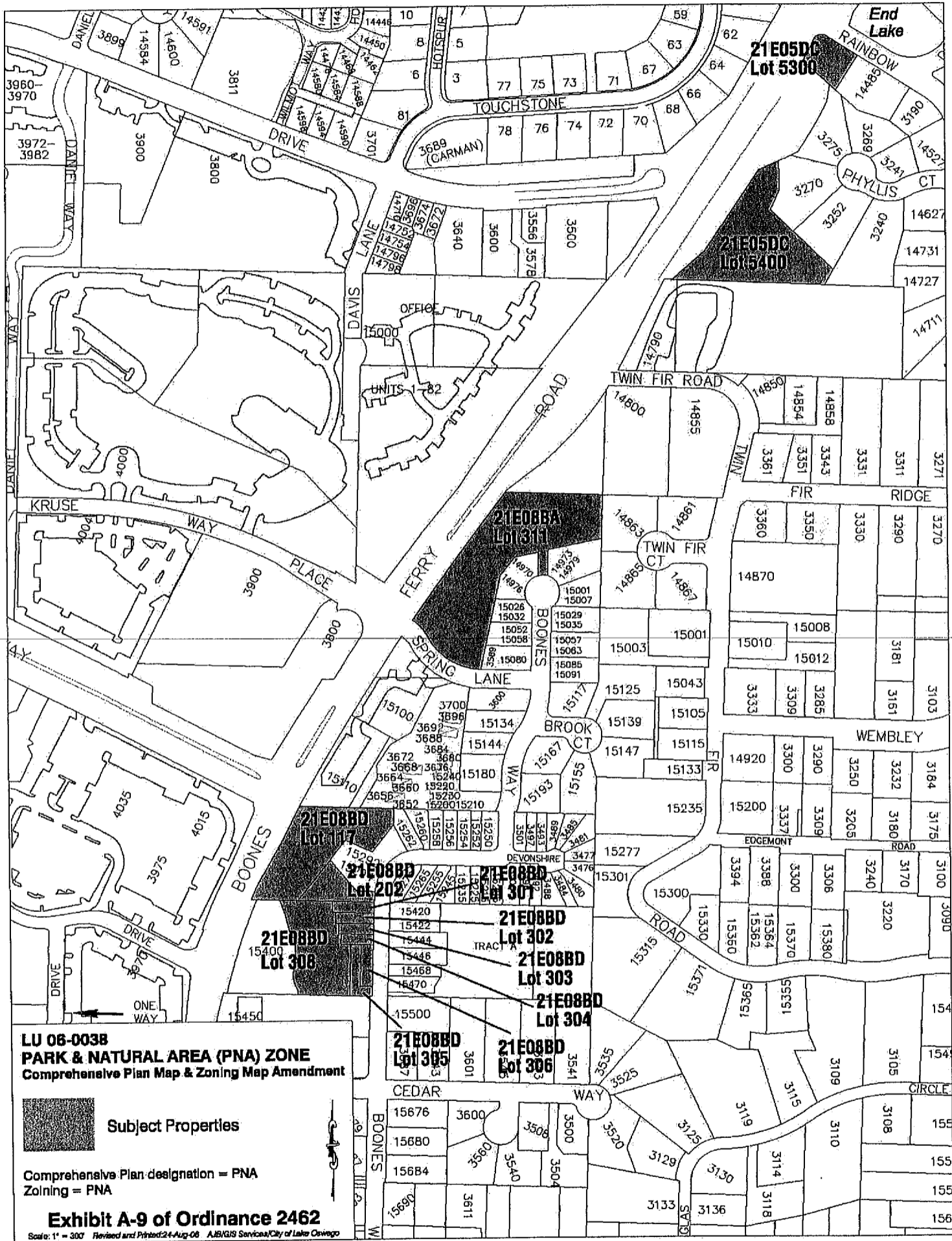


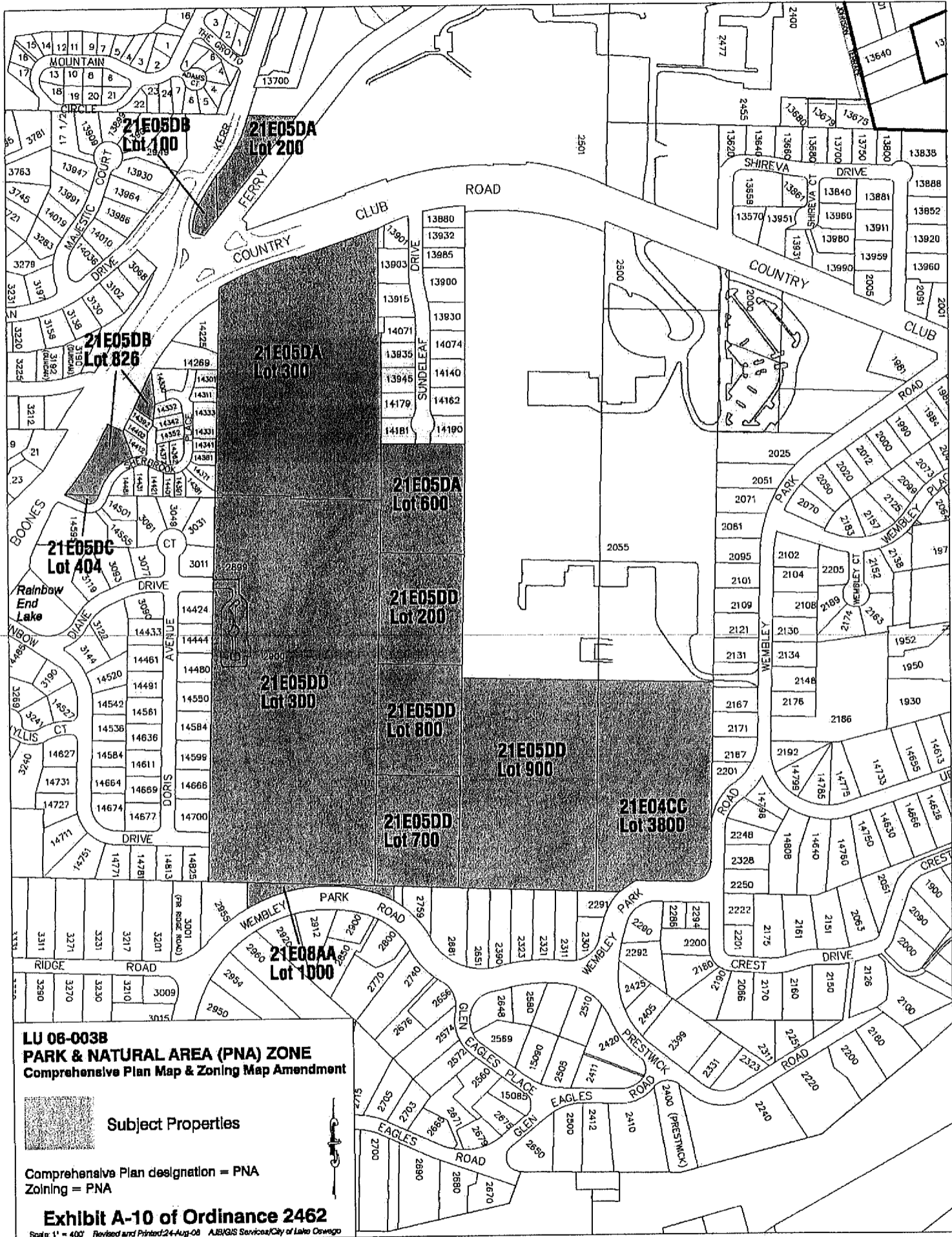
Subject Properties

Comprehensive Plan designation = PNA
 Zoning = PNA

Exhibit A-8 of Ordinance 2462

Scale: 1" = 500' Revised and Printed 24-Aug-08 AUBK&S Services/City of Lake Oswego





LU 06-003B
PARK & NATURAL AREA (PNA) ZONE
 Comprehensive Plan Map & Zoning Map Amendment

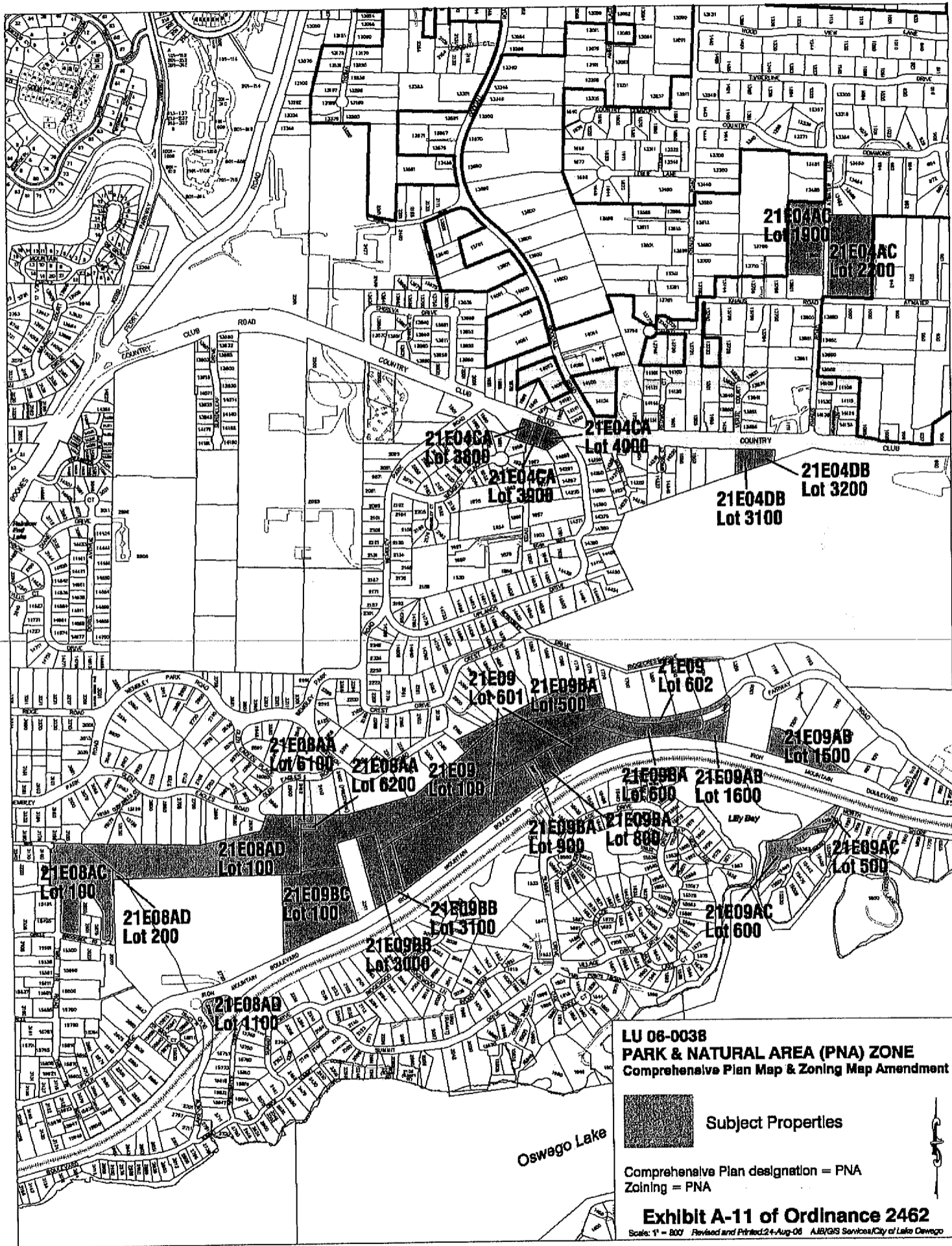


Subject Properties

Comprehensive Plan designation = PNA
 Zoning = PNA

Exhibit A-10 of Ordinance 2462

Scale: 1" = 400' Revised and Printed 24-Aug-08 AEGIS Services/City of Lake Oswego



21E04CA
Lot 3800

21E04CA
Lot 4000

21E04CA
Lot 3900

21E04DB
Lot 3100

21E04DB
Lot 3200

21E09
Lot 601

21E09BA
Lot 500

21E09
Lot 602

21E09AB
Lot 1500

21E08AA
Lot 6100

21E08AA
Lot 6200

21E09
Lot 1000

21E09BA
Lot 500

21E09AB
Lot 1600

21E08AC
Lot 100

21E08AD
Lot 200

21E08AD
Lot 100

21E09BC
Lot 100

21E09BB
Lot 3100

21E09BA
Lot 800

21E09BA
Lot 800

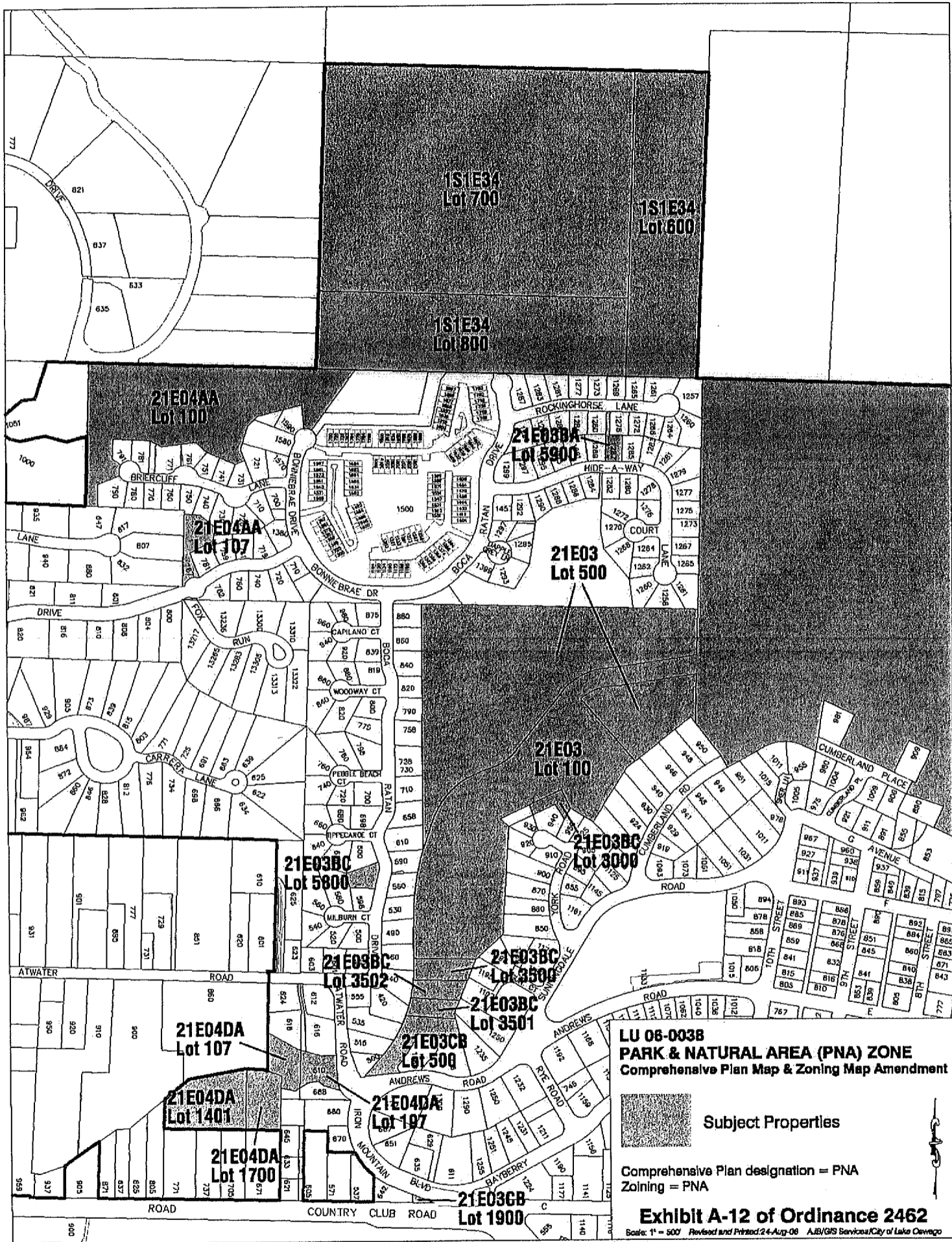
21E09AC
Lot 500

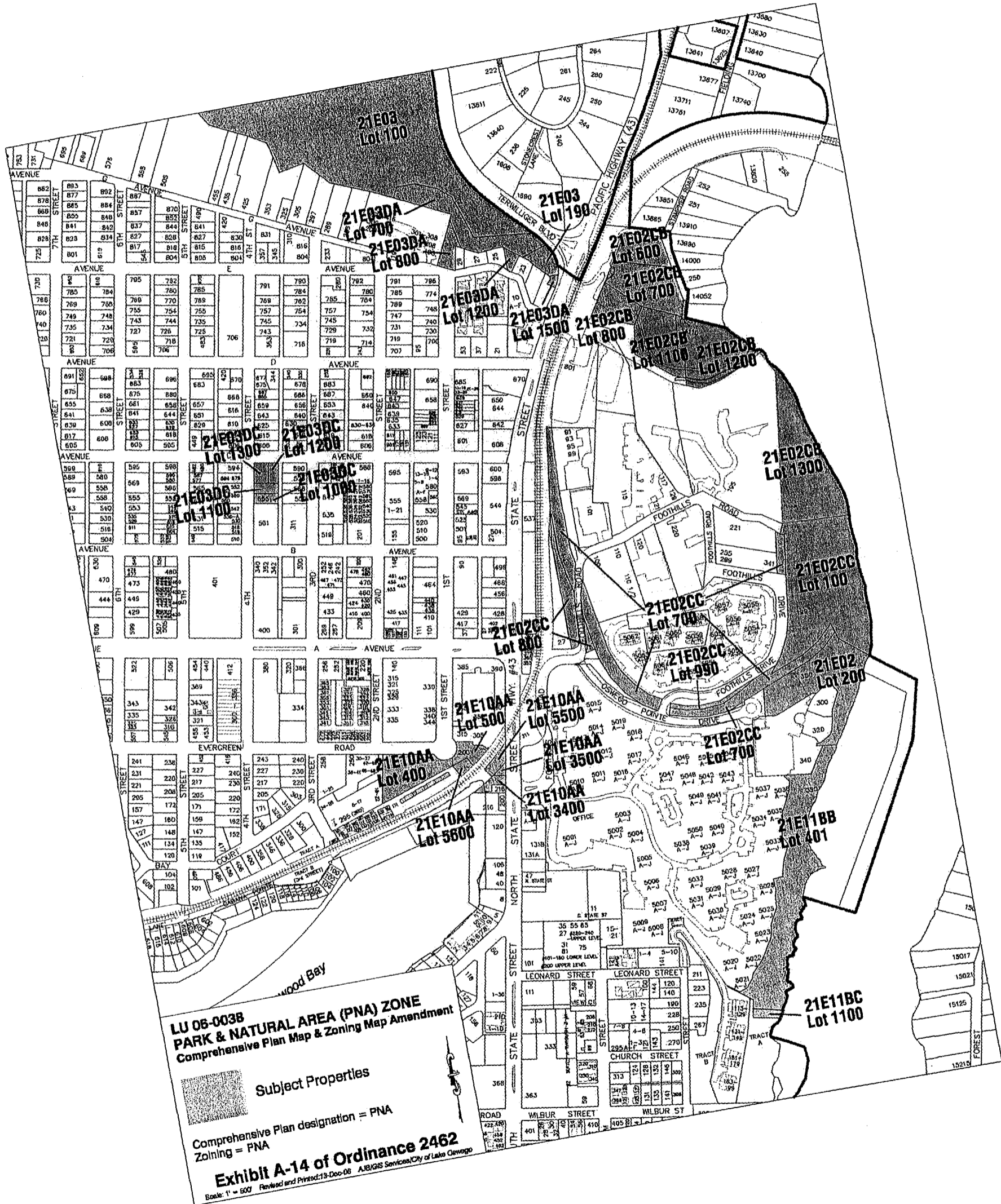
21E09AC
Lot 600

21E08AD
Lot 1100

21E09BB
Lot 3000

Oswego Lake





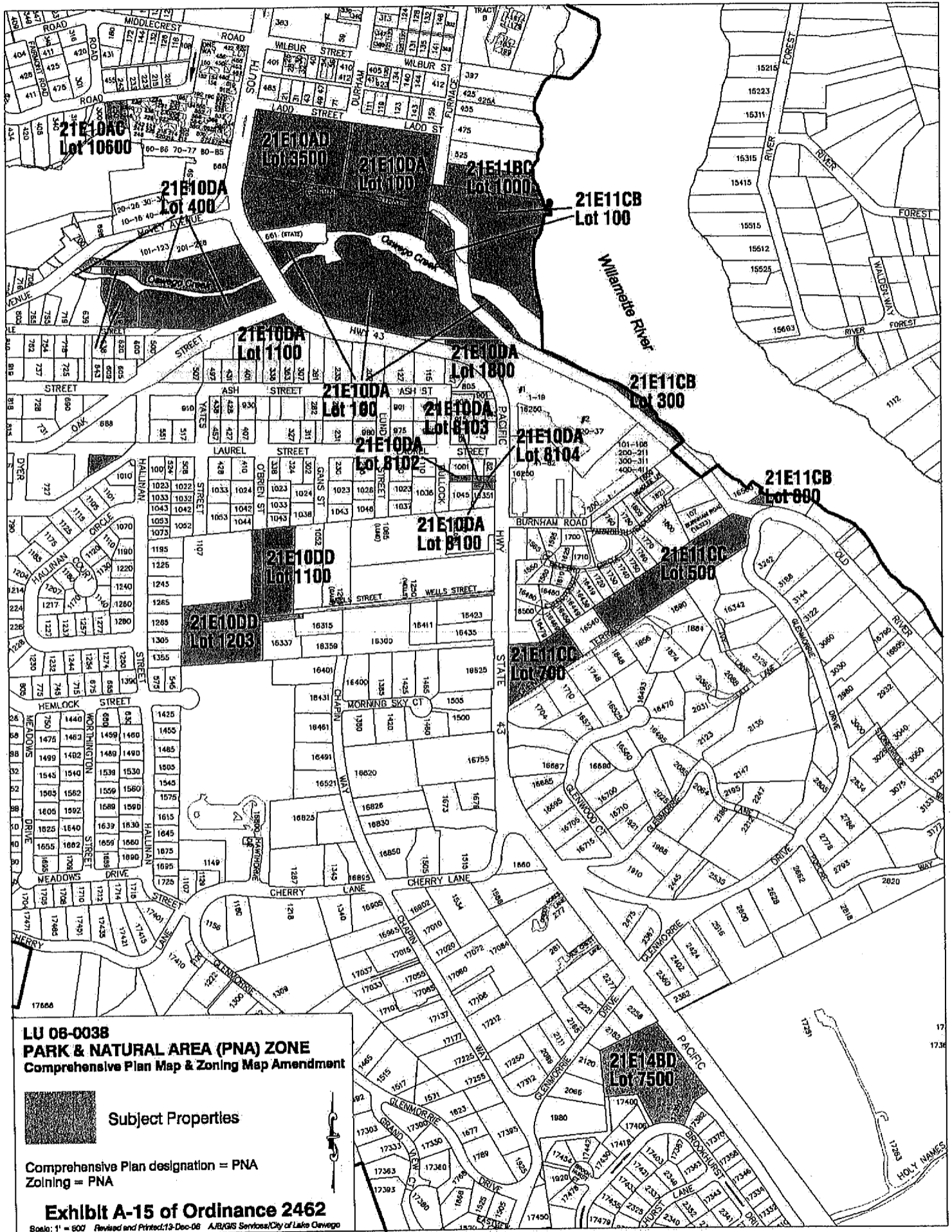
**LU 06-0038
PARK & NATURAL AREA (PNA) ZONE
Comprehensive Plan Map & Zoning Map Amendment**

Subject Properties

Comprehensive Plan designation = PNA
Zoning = PNA

Exhibit A-14 of Ordinance 2462

Scale: 1" = 600' Revised and Printed: 13-Dec-06 AIB/GIS Services/City of Lake Oswego



**LU 06-0038
PARK & NATURAL AREA (PNA) ZONE
Comprehensive Plan Map & Zoning Map Amendment**

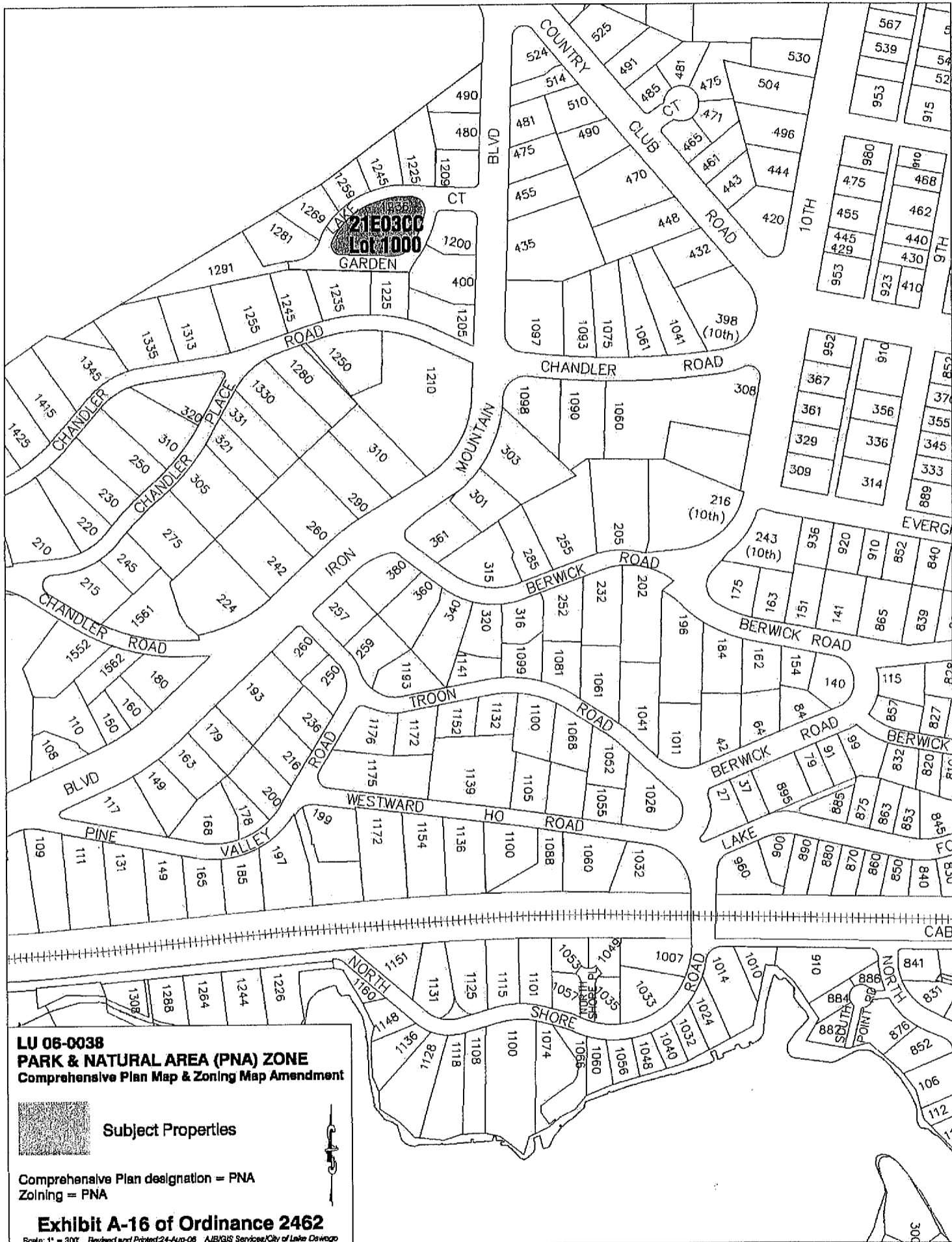


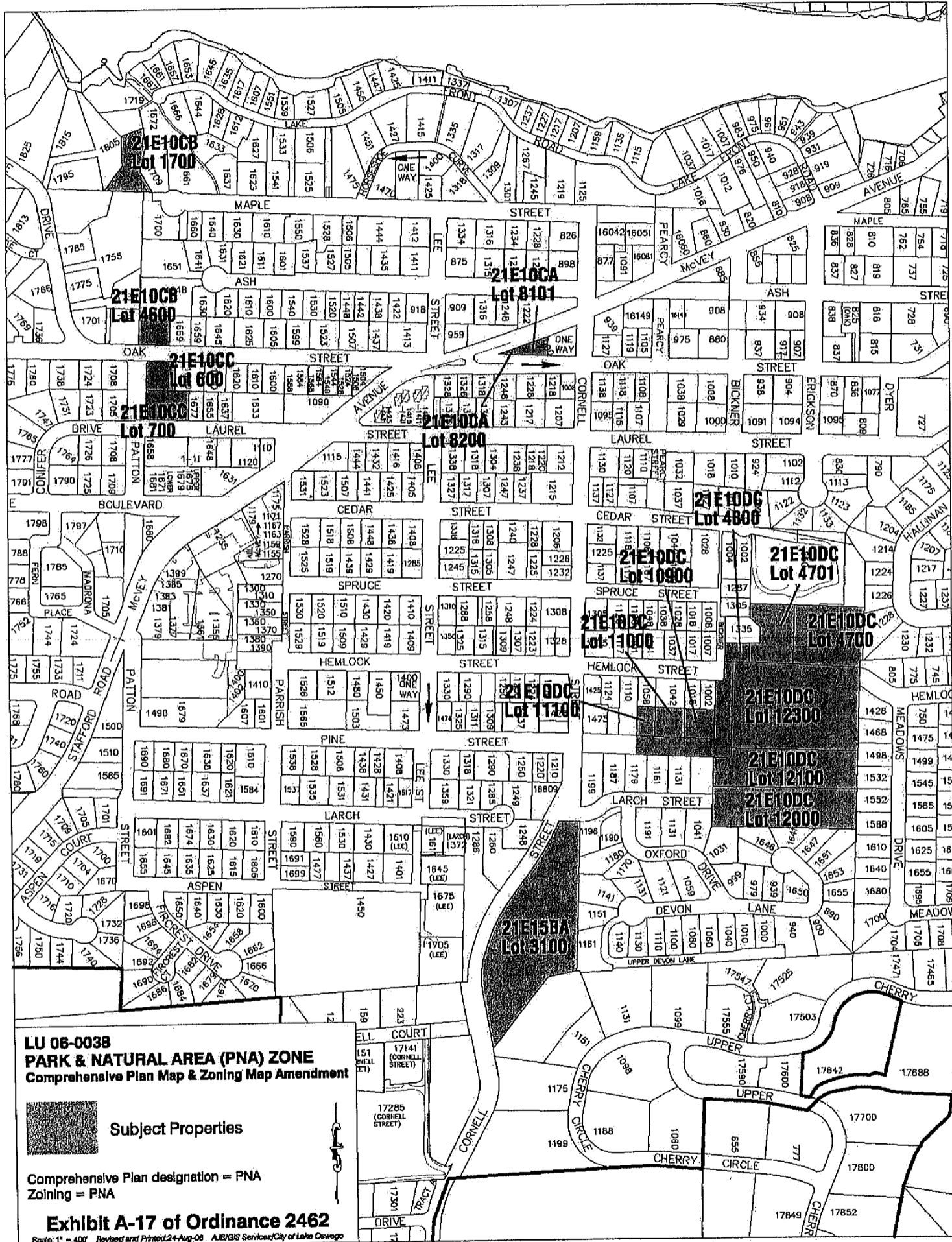
Subject Properties

Comprehensive Plan designation = PNA
Zoning = PNA


Exhibit A-15 of Ordinance 2462

Scale: 1" = 600' Revised and Printed: 13-Dec-06 A/R/G/S Services/City of Lake Oswego



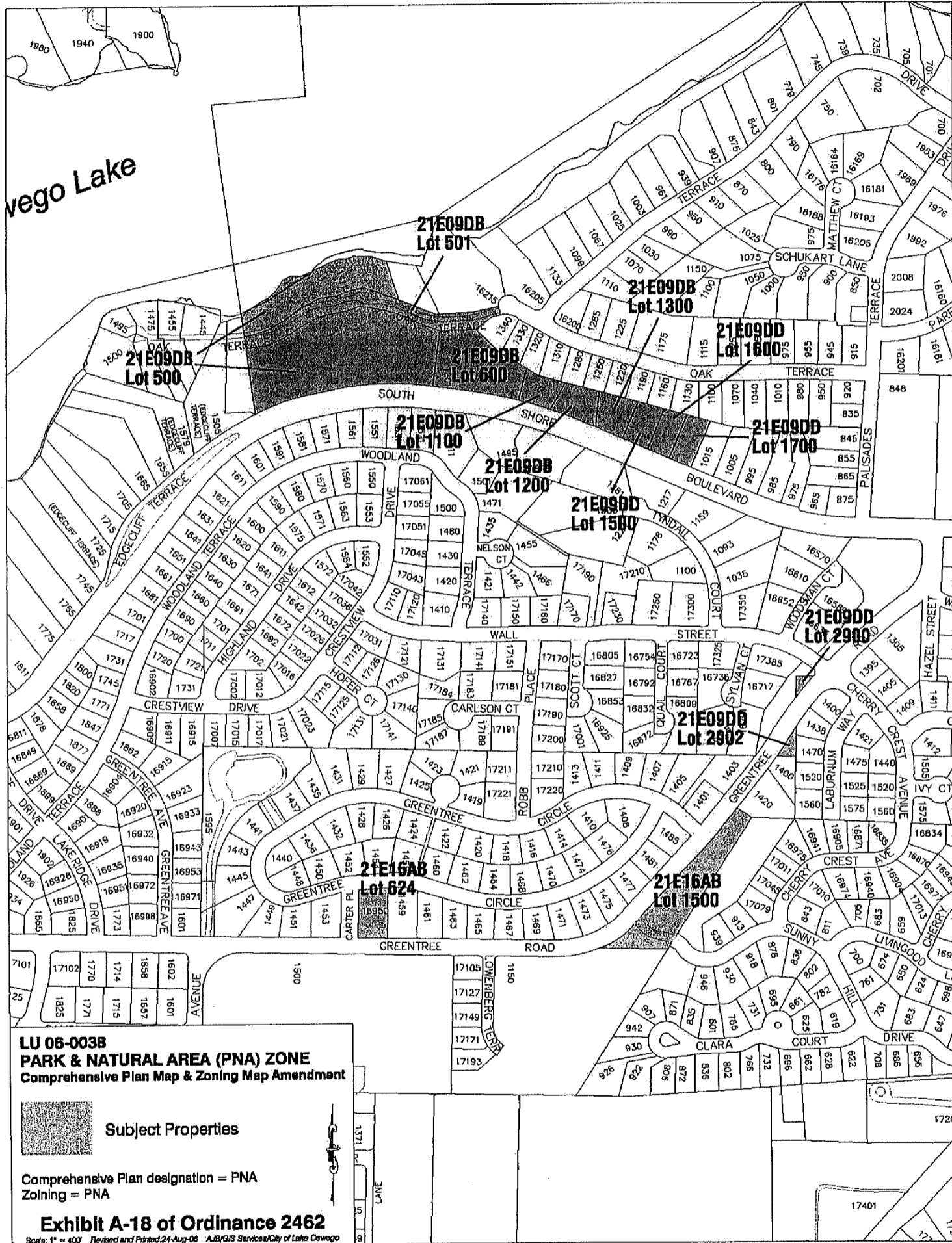


LU 06-0038
PARK & NATURAL AREA (PNA) ZONE
Comprehensive Plan Map & Zoning Map Amendment

 **Subject Properties**

Comprehensive Plan designation = PNA
 Zoning = PNA

Exhibit A-17 of Ordinance 2462
 Scale: 1" = 400' Revised and Printed 2-4-Aug-06 A/E/G/S Services/City of Lake Oswego



Vego Lake

**LU 06-0038
PARK & NATURAL AREA (PNA) ZONE
Comprehensive Plan Map & Zoning Map Amendment**

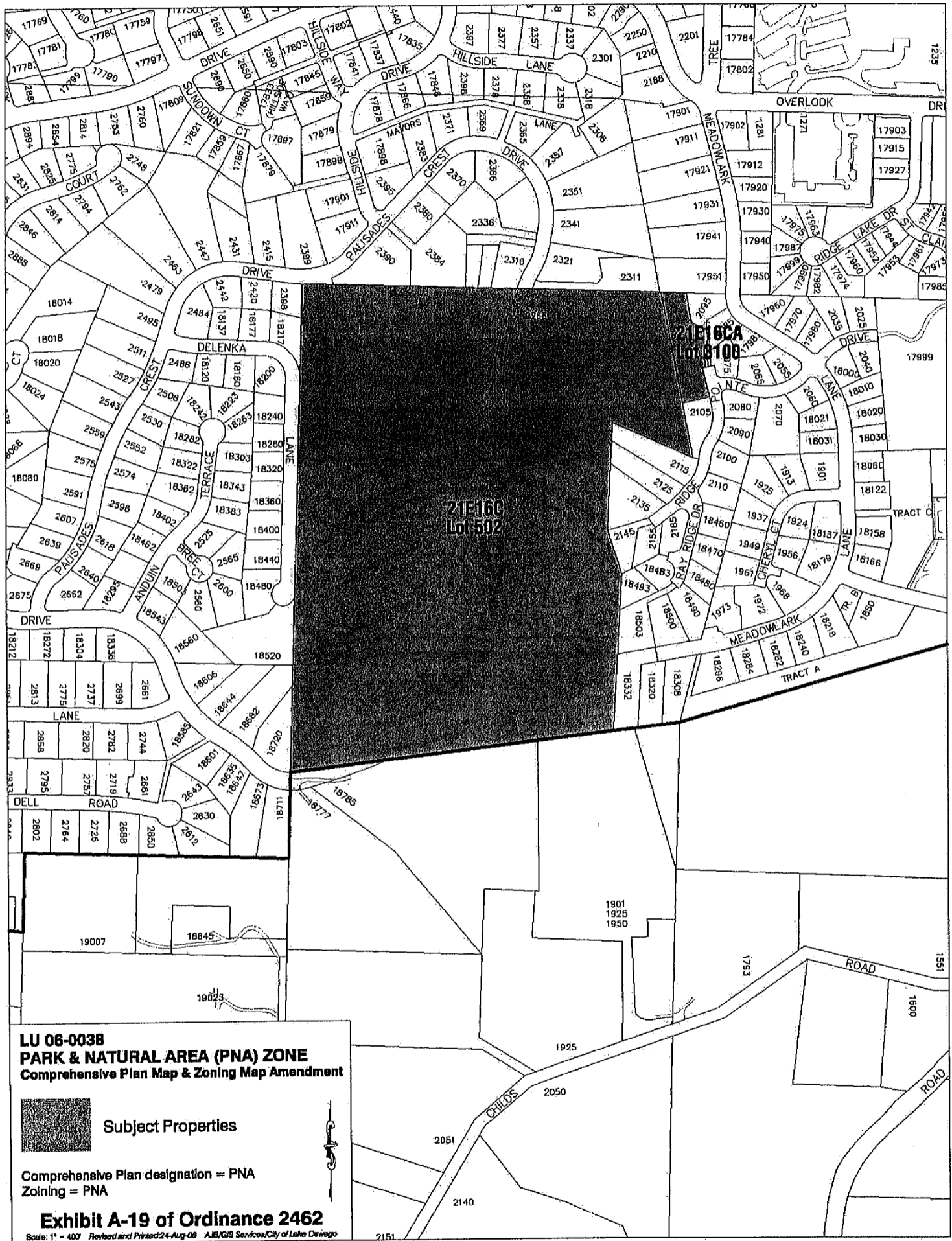


Subject Properties


Comprehensive Plan designation = PNA
Zoning = PNA

Exhibit A-18 of Ordinance 2462

Scale: 1" = 400' Revised and Printed 24-Aug-08 A.B./GIS Services/City of Lake Oswego



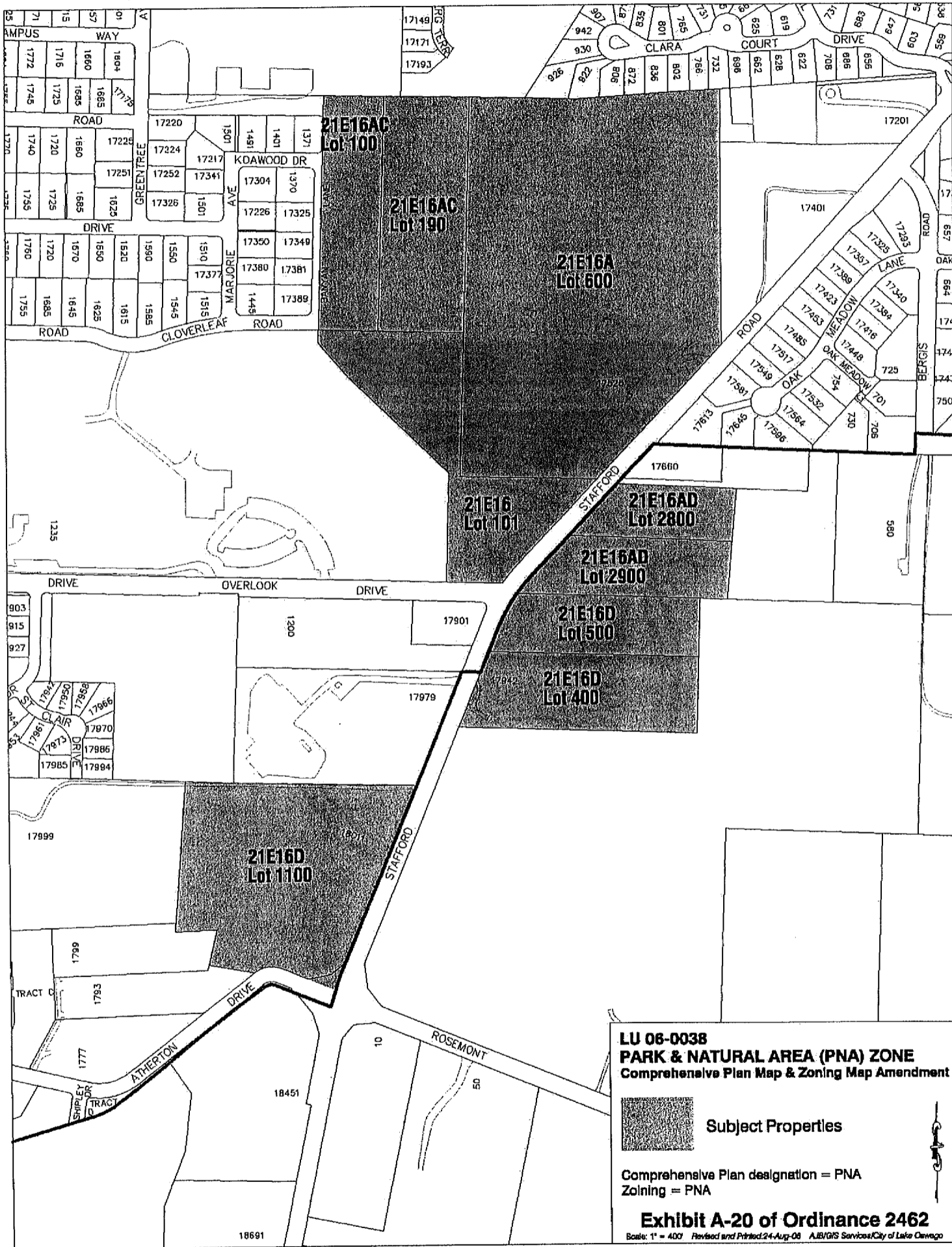
LU 06-003B
PARK & NATURAL AREA (PNA) ZONE
 Comprehensive Plan Map & Zoning Map Amendment

 **Subject Properties**

Comprehensive Plan designation = PNA
 Zoning = PNA

Exhibit A-19 of Ordinance 2462

Scale: 1" = 400' Revised and Printed 24-Aug-08 AUB/KSS Services/City of Lake Oswego



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**BEFORE THE CITY COUNCIL
OF THE CITY OF LAKE OSWEGO**

A REQUEST TO AMEND THE TEXT OF)
THE LAKE OSWEGO CODE. CHAPTER 50,) LU 06-0038-1630
COMMUNITY DEVELOPMENT CODE,) (City of Lake Oswego)
COMPREHENSIVE PLAN AND MAP,)
AND ZONING MAP TO ESTABLISH A) FINDINGS AND CONCLUSIONS
PARK AND NATURAL AREA ZONE)
(ORDINANCE NO. 2462))

NATURE OF PROCEEDING

This legislative amendment proceeding is before the City Council pursuant to a recommendation by the Lake Oswego Planning Commission to do the following:

1. Comprehensive Plan Map Amendment. Creation of the Park and Natural Area (PNA) Comprehensive Plan Map designation to be applied to properties currently designated P (Public), PK (Park), SP (Semi-Public) and OS (Open Space) and to certain properties with the current residential designation of R-5, R-7.5, R-10, R-15 (Low Density Residential), R-0 and R-2 (High Density Residential), OC/R-3 (Office Commercial/High Density Residential), IP (Industrial Park) and I (Industrial).

2. Comprehensive Plan Text Amendment. Add a new policy to Goal 8 (Park & Recreation) as follows:

“The Park and Natural Area Zone shall provide a wide range of passive and active recreational uses while protecting, preserving, conserving and enhancing natural areas, greenways and parks.”

3. Zoning Map Amendment. Creation of the PNA Zone to be applied to 81 parcels currently designed on the Zoning Map as R-5, R-7.5, R-10, R-15, R-2, OC/R-3, IP, I and R-0/EC.

David D. Powell
City Attorney - City of Lake Oswego
380 "A" Avenue - P.O. Box 369, Lake Oswego, Oregon 97034
(503) 635-0225 FAX (503) 699-7453



1 LOC 50.75.015 Required Notice to DLCD
2 LOC 50.79.020 Planning Commission Recommendation Required
3 LOC 50.79.025 City Council Review and Decision

4 **FINDINGS AND REASONS**

5 As support for its decision, the City Council incorporates the staff Council Report dated
6 November 15, 2006 for LU 06-0038 (with all exhibits), the Staff Reports of August 29 and
7 September 28, 2006 (with all exhibits), together with the findings and conclusions of the
8 Planning Commission, the minutes of the Planning Commission meetings of September 11,
9 2006, and the record of the proceedings before the City Council.

10 The proposed new Code language establishing the Park and Natural Area (PNA) Zone
11 lists certain permitted uses, which would be classified as minor developments under LOC
12 50.79.020, as well as conditional uses, which would be classified as major developments under
13 LOC 50.79.030. The Community Development Code provides that major development
14 applications are automatically referred to a hearing body for a public hearing. By contrast, minor
15 development applications may be approved or denied by staff following an opportunity for
16 written public comment. The staff order may be appealed to a hearing body.

17 Under the recommended Code amendments, "Minor Park Improvements" would be
18 permitted uses, and "Major Park Improvements" would be conditional uses. The proposed
19 definitions to be added to LOC 50.02.005 classify facilities requiring a building permit for uses
20 that do not occupy more than 5,000 square feet as Minor Park Improvements. Larger facilities
21 would be Major Park Improvements.

22 Typically, proposals for park-related developments generate a fair amount of public
23 interest, often accompanied by concern about impacts on surrounding neighborhoods. There
24
25
26

1 could be a variety of proposed facilities of somewhat less than 5,000 square feet that would
2 generate such attention and that would warrant an automatic requirement for a public hearing.
3 The City Council finds that, in order to enhance the opportunities for community input on
4 proposals that could generate public concern, the size threshold for classification as a Major Park
5 Development should be reduced from 5,000 square feet to 3,500 square feet.

6
7 It was recommended at the public hearing before the City Council that the proposed
8 definitions of Major and Minor Park Improvements should also be amended to specify that the
9 area of permeable surface trails would not be included in the size thresholds addressed above.
10 The City Council incorporated this recommendation in its tentative decision. Upon review,
11 however, it is apparent that this amendment is unnecessary because the proposed definitions
12 specifically classify trails as Minor Park Improvements without reference to their size.

13 The property shown on the Zoning Map as 16540 Pacific Highway (now known as 1805
14 Glenmorrie Terrace), and which was formerly a part of the Glenmorrie Greenway open space
15 area, has been sold by the city to a private party subject to restrictions requiring the restoration
16 and maintenance of the historic Trueblood House. Consequently, the City Council finds that this
17 property should not be included among those receiving the Park and Natural Area zone
18 designation.
19

20 Because options for the city-owned property at 13990 Stampher Road are currently being
21 considered by staff pending a recommendation to the City Council, it would be premature to
22 apply a Park and Natural Area zone designation at this time. The Council finds that this property
23 should also be removed from the list of those receiving the new designation.
24

25 With the modifications addressed above, the City Council concurs with the Planning
26 Commission that the proposal complies with all applicable criteria.

1 **CONCLUSION**

2 The City Council concludes that the Planning Commission's recommendations in LU 06-
3 0038-1630 for Comprehensive Plan text and map amendments, Zone Map Amendments and
4 Community Development Code amendments, comply with all applicable criteria and should be
5 implemented, modified as follows:

6 1. Changing the proposed definitions of "Major Park Improvements" and "Minor
7 Park Improvements" in LOC 50.02.005 to reduce the size threshold for determining the
8 appropriate classification of facilities from 5,000 square feet to 3,500 square feet; and

9 2. Removing the property shown as 16540 Pacific Highway (now known as 1805
10 Glenmorrie Terrace) and the property at 13990 Stampher Road from the list of properties
11 receiving the Park and Natural Area designation on the Comprehensive Plan Map and Zoning
12 Map.
13



CITY OF LAKE OSWEGO NOTICE OF COUNCIL DECISION

File Number: LU 06-0038 (Ordinance 2462)

Applicant: City of Lake Oswego

Location of Property: City-wide

Date of Decision: December 19, 2006

Description of Decision:

The City Council adopted legislative amendment to the Comprehensive Plan Map - Creation of the Park and Natural Area (PNA) description to be applied to properties designated P (Public), PK (Park), SP (Semi-Public) and OS (Open Space) and to certain properties with the residential designation of R-5, R-7.5, R-10, R-15 (Low Density Residential), R-0 and R-2 (High Density Residential), OC/R-3 (Office Commercial/High Density Residential), IP (Industrial Park) and I (Industrial), on the Comprehensive Plan Map.

Comprehensive Plan Text Amendment – Add a policy under Goal 8 to recognize the PNA zone.

Zoning Map Amendment – Creation of the PNA zone to be applied to 81 parcels on the zoning map currently zoned R-5, R-7.5, R-10, R-15, R-2, OC/R-3, IP, I, and R-0/EC.

Zoning Text Amendment – Adoption of the PNA zone text in the Community Development Code (CDC) and other minor text amendments in other CDC sections to be consistent with the PNA zone.

This decision will become final unless appealed as described below under “Right to Appeal”

How to Obtain More Information: The decision is available for review. A copy may be obtained at the following address:

Lake Oswego City Recorder’s Office (503) 675-3984
Lake Oswego City Hall
380 A Avenue, Third Floor
P. O. Box 369
Lake Oswego, OR 97034

Right to Appeal: This decision may be appealed by filing a written Notice of Intent to Appeal with the State of Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of the decision of December 19, 2006. For more information, contact LUBA at:

Land Use Board of Appeals
550 Capitol Street NE, Suite 235
Salem, OR 97301-2552

(503) 373-1265
