



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: April 08, 2016

Jurisdiction: City of Molalla

Local file no.: P70-2015

DLCD file no.: 002-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 04/06/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Notice of the proposed amendment was submitted to DLCD 41 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 002-15 {24078}
Received: 4/6/2016

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Molalla

Local file no.: **P70-2015**

Date of adoption: 3/23/16

Date sent: 4/5/2016

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 10/9/15

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Nicolas Lennartz

Phone: 5037590219

E-mail: nlennartz@cityofmolalla.com

Street address: 117 N Molalla Ave

City: Molalla

Zip: 97038-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from R1	to R2	Acres: 10.16
Change from R1	to R3	Acres: 4.51
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 52E07A 1600; 52E08B 3201/3202/3203

List affected state or federal agencies, local governments and special districts: City of Molalla

Identify supplemental information that is included because it may be useful to inform DLCDC or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Attached: City Council packet from adoption of the ordinance, 2016-02.



Molalla City Council – Meeting Agenda
Meeting located at: Molalla Adult Center
315 Kennel Ave, Molalla, OR 97038

March 23, 2016

Work Session at 6:30pm

Business meeting will begin at 7:00PM. The Council has adopted Public Participation Rules. Public comment cards are available at the entry desk. Request to speak must be turned into to the Mayor prior to the start of the regular Council meeting.

Executive Session : N/A

1. CALL TO ORDER – 1,755th Regular Meeting

- A. Call the meeting to order
- B. Flag Salute and Roll Call

2. COMMUNICATIONS AND PUBLIC COMMENT

3. AWARDS, RECOGNITIONS & PRESENTATIONS

4. PROCLAMATIONS

5. PUBLIC HEARINGS

6. NEW BUSINESS (Motion to authorize expense)

- A. Authorization to repair water plant roof – Huff/Cline

7. CONTINUING BUSINESS

8. ORDINANCES (1st & 2nd Reading needed before motion to adopt)

- A. 2016-02 – An Ordinance for Zone Change P70-2015 for Multiple Situses – Huff/Lennartz

9. RESOLUTION (Motion to approve)

- A. Resolution 2016-07: City of Molalla Updated Fee Schedule – Huff/Cline

10. REPORTS AND ANNOUNCEMENTS

- A. City Manager/Staff Reports – Dan Huff

- Budget Committee Meeting Dates: April 27, 2016 and May 4, 2016 at 6:30pm at the Molalla Adult Center. 315 Kennel Ave. Molalla, OR 97038

11. EXECUTIVE SESSIONS

12. ADJOURNMENT

City Of Molalla

City Council Meeting

Agenda Category: New Business

Subject: Authorize Expenditure to Repair Roof Leak at Water Plant

Staff Recommendation: Discussion and approval

Date of Meeting to be Presented: March 23, 2016

Fiscal Impact: Not to exceed \$28,000.00.

Background: The water plant roof has had leak issues for years. The leak is located in the main building with computers, lab equipment, and chemicals. Patchwork has been attempted many times including coatings around vents and seams.

Staff called for repair again as the wet winter has proved last years' patchwork was not sufficient. The contractor reported back that the roof is beyond repairing and they could not warranty any work if we continue to coat and patch as it will fail. They recommend a full roof removal and re-install.

The 2015/2016 budget identifies \$40,000.00 for building maintenance within the water fund and have identified \$28,000.00 slated for this repair. We have obtained one quote for approximately \$27,500 and are in the process of obtaining two more quotes.

This approval will allow staff to move forward when the quote process is complete to select a contractor and make the much needed repair.

SUBMITTED BY: Heather Penni, Finance Director
APPROVED BY: Dan Huff, City Manager

ORDINANCE 2016-02

**AN ORDINANCE OF THE CITY OF MOLALLA
FOR ZONE CHANGE P70-2015 (Multiple Situses)**

The City of Molalla ordains as follows:

Section 1. That property described as Township 5 South, Range 2 East, Section 07A, Tax Lot 01600, and that property described as Township 5 South, Range 2 East, Section 08B, Tax Lot(s) 03201, 03202 and 03203. Said properties being particularly described in attached Exhibit “A” and as well as Exhibit “1”, which is the Clackamas County map depicting tax lots of said properties and surrounding properties.

Section 2. The zoning designation of said properties is changed from R1 (Residential - 1) to R2 (Residential – 2), excepting that portion of those lots that lie within an area that is south of a line that is 227 feet north of and parallel to the north right-of-way line of Oregon State Highway No. 211 along the frontage of those three lots.

Section 3. The findings in Exhibit “B” attached hereto and incorporated by reference herein are hereby adopted as the findings of the Molalla City.

Duly adopted by the City Council of the City of Molalla this _____ day of March 2016, by a vote of ____ ayes and ____ nays.

Mayor Debbie Rogge

ATTEST this _____ day of March 2016

Sadie Cramer, City Recorder

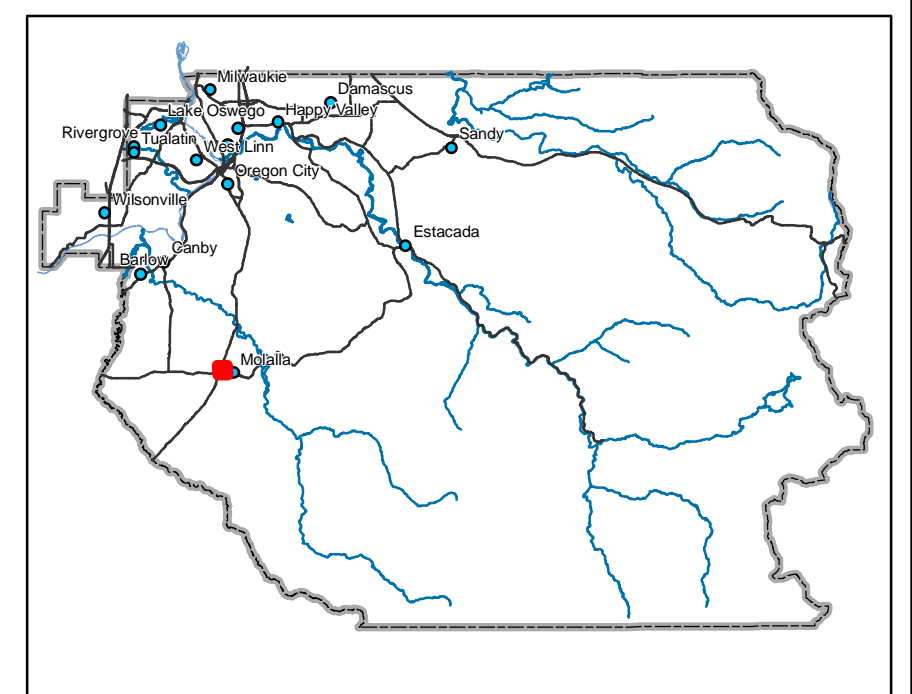
N.E.1/4 SEC.7 T.5S. R.2E. W.M.
CLACKAMAS COUNTY
1" = 200'

D. L. C.
HUGH GORDON NO. 40

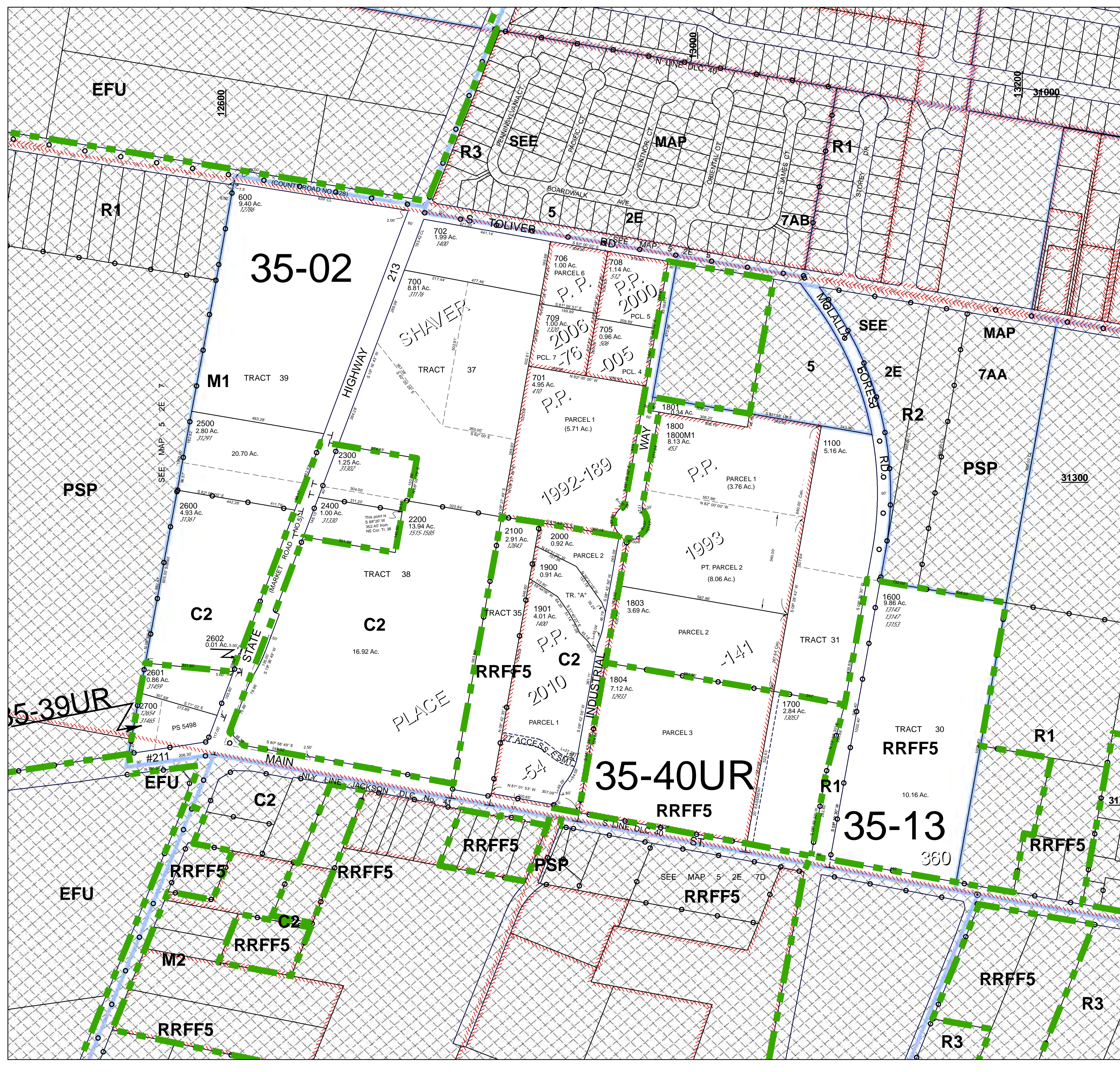
Cancelled Taxlots

- 600
- 100
- 101
- 200
- 300
- 400
- 500
- 501
- 590
- 703
- 704
- 707
- 800
- 705A1
- 900
- 1000
- 1101
- 1200
- 1290
- 1300
- 1400
- 1500
- 1802
- 1890
- 2690
- 2790

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT PURPOSES ONLY



This map was prepared for assessment purpose only.

NW 1/4 SEC. 8 T.5S. R.2E. W.M.
CLACKAMAS COUNTY
1"=200'

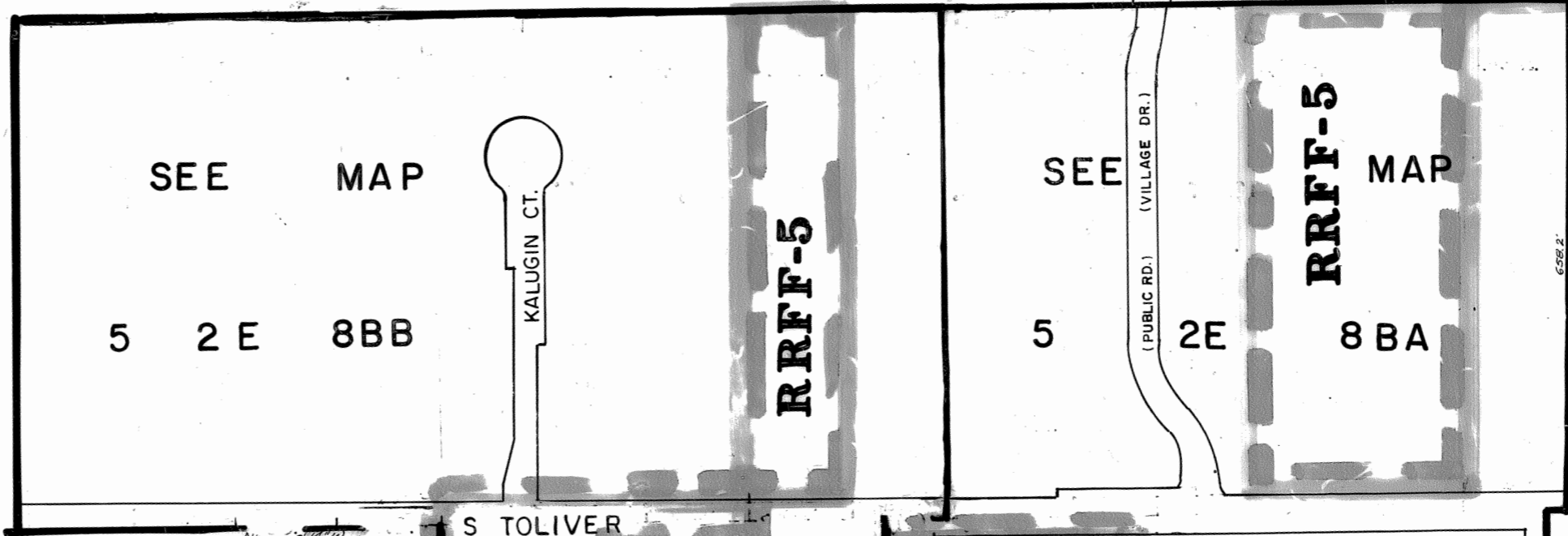
D.L.C. HUGH GORDON NO.40

CANCELLED			
1600	1200	1902	700
1700	1201	1900	800
1701	1202	1900	900
1800	1300	290	1000
1901	1301	601	1001
1903	1401	602	1002
1904	1400	2100	1100
1905	1402	2200	
	100	2300	
	200	2400	
	201	2401	
300	2402		
301	2403		
303	2404		
400	2500		
500	2501		
	2502		
	2503		
	2504		
	2600		
	2601		
	2602		
	2700		
	2800		
	2900		

13100

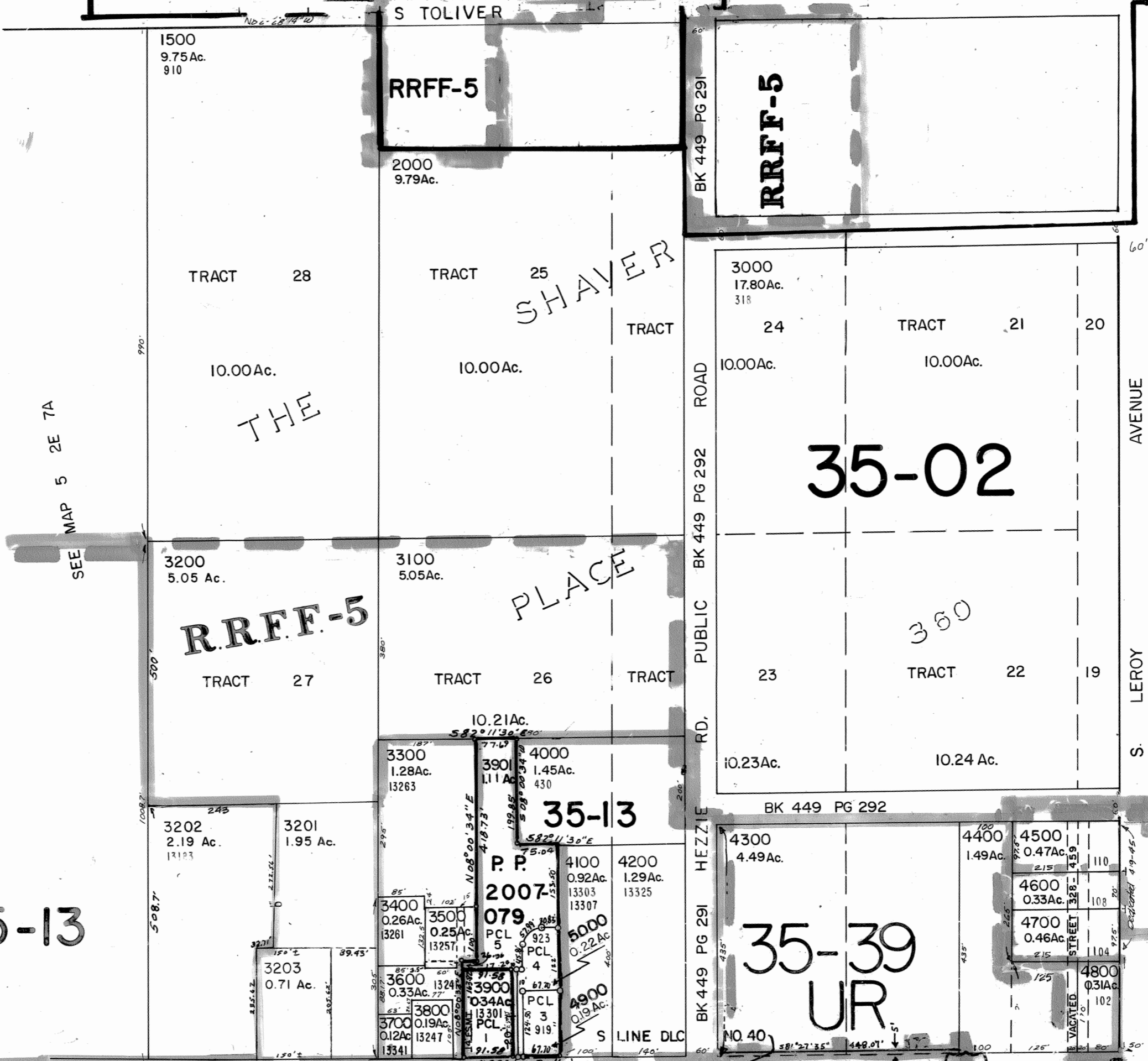
SEE MAP 5 2E 5

13400



300 2402
301 2403
303 2404
400 2500
500 2501
2502
2503
2504
2600
2601
2602
2700
2800
2900

31100



SEE MAP 5 2E 7A

SEE MAP 5 2E 8A

31400

35-13

35-13

35-39 UR

35-13 RRFF-5

35-40UR

35-40UR

NE COR. D.L.C. 41

NW COR. D.L.C. 43

P.P. 2003-71

SEE MAP 5 2E 8C

31600
5 2
MO

PS-10994

EXPLANATION:
The northerly corners of Tract 28 directly above Tract 27 were established using data from PS.10517 pro rate distances on straight lines were used to establish northerly corners of Tract 27.

HUGH GORDON DONATION LAND CLAIM N^o 40 T5 S R.2 E W.M

TRACT 27

SHAVER PLACE

2.433 Acres
(Not including highway)

Land survey of a portion of Tract 27 Shaver Place located in the Hugh Gordon Donation Land Claim N^o 40 Township 5 South, Range 2 East of the Willamette Meridian.

Surveyed: Dec. 1972 Scale: 1 inch = 50 feet
= 5/8" Iron rod set unless shown otherwise.

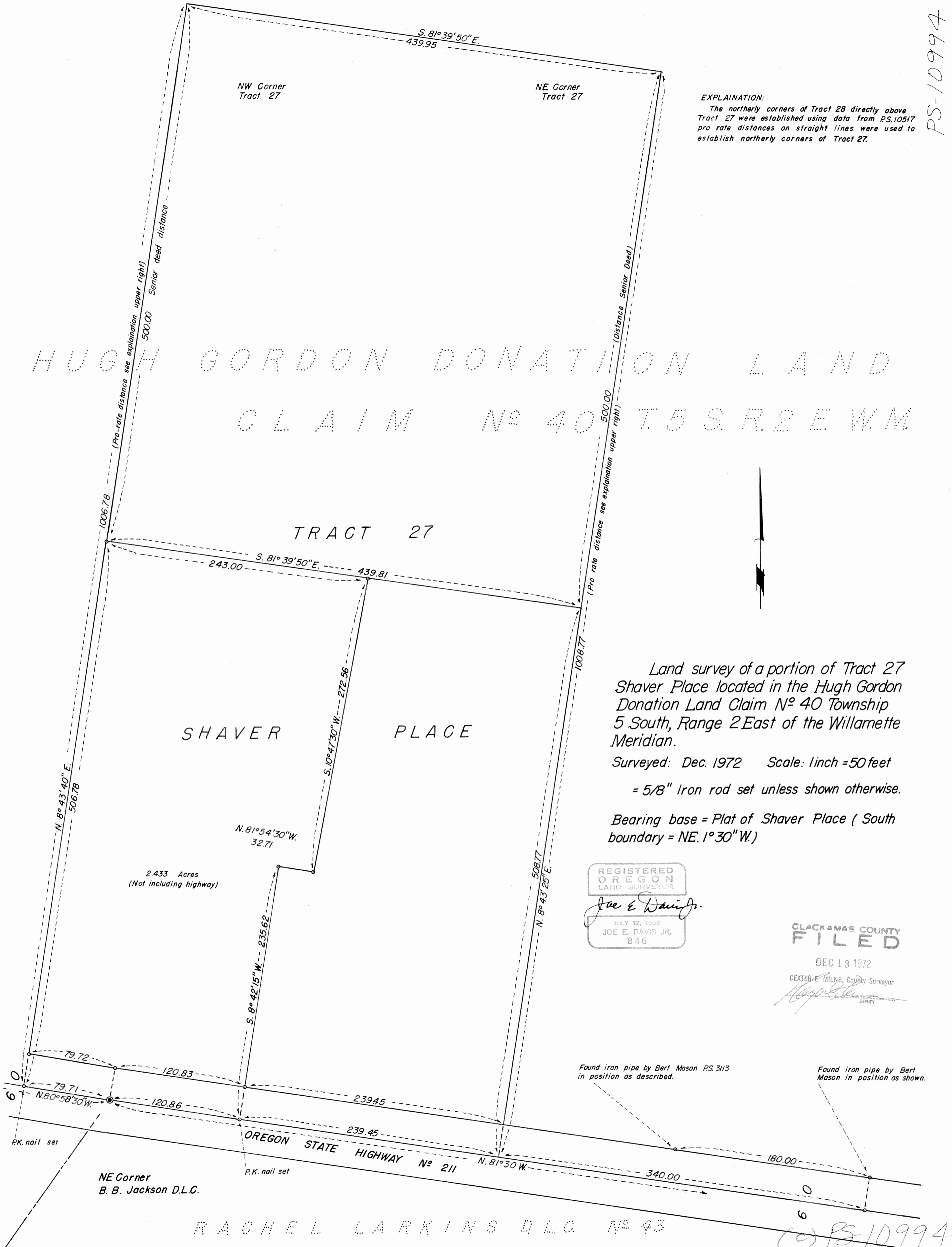
Bearing base = Plat of Shaver Place (South boundary = NE. 1° 30" W.)

REGISTERED OREGON LAND SURVEYOR
Joe E. Davis Jr.
JULY 12, 1968
JOE E. DAVIS JR.
846

CLACKAMAS COUNTY FILED
DEC 13 1972
DEXTER E. MILNE, County Surveyor
Dexter E. Milne
DEPUTY

Found iron pipe by Bert Mason PS.3113 in position as described.

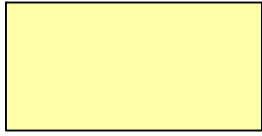


Found iron pipe by Bert Mason in position as shown.



RACHEL LARKINS D.L.C. N^o 43

(c) PS-10994

Zoning Districts

-  Single Family Residential (R-1) 10.11 Ac.
-  Single Family Residential (R-2) 10.16 Ac.
-  Single Family Residential (R-3) 4.51 Ac.

**Proposed
R-2**

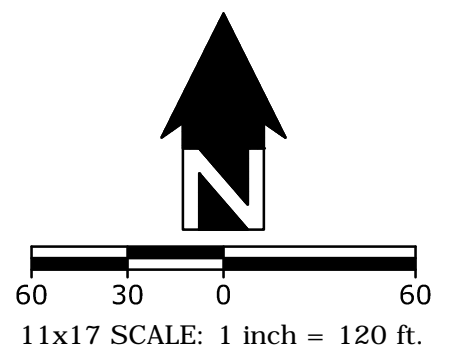
**To Remain
R-1**

**Proposed
R-3**

227

OREGON STATE HIGHWAY NO. 211

HEZZIE ROAD
WEST LANE



PLOTTED: 2/22/2016 12:50 PM

BEAR CREEK PUD
CASE FILE NO. P70-2015

STAFFORD LAND COMPANY INC.
485 S. STATE STREET
LAKE OSWEGO, OR 97034
503-305-7647

CES | NW

13190 SW 68th Parkway, Suite 150
Tigard, Oregon 97223
503.968.6655 www.cesnw.com

REVISIONS

02/22/16

AWW

DATE:

3/13

AWW

DESIGNED BY:

SHEET

1

OF

1

**ZONE CHANGE
EXHIBIT**

31822C-EXHIBIT.DWG



Planning & Community Dev.
117 N Molalla Avenue
PO Box 248
Molalla, Oregon 97038
Phone: (503) 759-0219
communityplanner@cityofmolalla.com

Findings & Decision – Proposed Rezoning, Planned Unit Development

File No.:	<i>P70-2015</i>
Legal Description:	<i>52E07A 01600, 52E08B 03202, 52E08B 03203, 52E08B 03201, 52E08B 03200, 52E08B 03100</i>
Address:	<i>Several</i>
Applicant:	<i>STAFFORD DEVELOPMENT COMPANY LLC</i>
Owner:	<i>STAFFORD DEVELOPMENT COMPANY LLC</i>
Proposal:	<i>Planned Unit Development, 132 lot subdivision, rezoning</i>
Current Use:	<i>Mostly vacant land, one commercial business, 3 single-family detached dwellings</i>

1. Overview, Background & Procedures

This Findings of Fact and Decision Document is in response to three (3) concurrent applications for a master-planned development in Western Molalla. Currently, the site is approximately 24.78 acres in size, and is used by 3 single-family detached dwellings and one commercial business.

This application was reviewed by the Molalla Planning Commission using a type III (quasi-judicial) review process as directed by the Molalla Municipal Code (MMC). The applicant (Stafford Land Company LLC) proposed a Planned Unit Development (PUD) including 132 new lots of various sizes, open space and recreational trails, which required the following review processes: property line adjustments (PLA), a rezoning application and a PUD application. Each application while reviewed using their respective approval criteria was considered holistically as they are co-dependent. Staff has combined these applications at the request of the applicant pursuant to section 19.04.110 of the Molalla Municipal Code. The rezoning application is currently being processed using a Type IV (Legislative) review process, and as such can only be accepted or denied without conditions by the City Council (upon recommendation by the Planning Commission).

After reviewing items submitted by the applicant, testimony provided by the applicant as well as testimony from interested individuals, the Planning Commission voted to approve application P70-2015 subject to conditions *a.-x.* as illustrated in this document. The Planning Commission found that each criterion for approval was or could be met provided certain conditions.

2. Public Notice

Notice was sent October 26th, 2015 to all landowners within 500 feet of the parcel. Notice was placed in the Molalla Pioneer under general public notices, and will have had three run dates prior to the hearing (November 4th, November 11th and November 18th). The first evidentiary hearing concerned the re-zoning specifically, which was held on November 18th, 2015. The next evidentiary hearing was then scheduled for December 16th, 2015, but was postponed due to lack of information. The final evidentiary hearing was held on January 20th, 2016, at which time a decision was rendered.

Notice was placed on the City of Molalla Website on October 26th, 2015 under the URL as follows: <http://www.cityofmolalla.com/planning/page/public-notices>, and under the general news feed.

Planning Commission finds that the notification throughout has been adequate.

3. Attachments & Exhibits

The applicant submission in its entirety is inherently referenced throughout this report. This includes all documents, maps, figures, narratives and reports (i.e. traffic study, soils study etc.).

Exhibit 1. Copy of Notice sent to local landowners, interested parties and posted on the City website.

Exhibit 2. Molalla Comprehensive Plan, Volume I; Amended 2014

Exhibit 3. Molalla Transportation System Plan

Exhibit 4. Molalla Riparian Inventory; Pacific Habitat Services Inc.; 2001

Exhibit 5. Residential Land Needs Report; Winterbrook Planning; 2009

Exhibit 6. Comments from Oregon Department of Transportation (ODOT)

Exhibit 7. Property Line Adjustment Application P70-2015 Review – city staff

Exhibit 8. Water Rights Memo – Molalla Public Works

Exhibit 9. Written Public Comments

4. Party Status & Public Comments:

The following individuals were granted party status at the first evidentiary hearing:

- Roy Salvetti
 - 931 W. Main St. Molalla, OR

The following individuals spoke neutrally of the proposal at the first evidentiary hearing:

- Roy Salvetti
 - 931 W. Main St. Molalla, OR

No other individuals provided oral public commentary in neither the November 18th meeting nor the January 20th meeting. Written public comments were received from one interested party opposed to the proposal, and are provided in *Exhibit 9*.

5. Procedural Findings:

1. An administrative, quasi-judicial and legislative (Types II-IV) review application was received by the City of Molalla, and a review process pursuant to the following sections were followed:

- a. 19.04.030 Type II procedure (administrative)
 - i. 19.12.190 Property line adjustments
 - b. 19.04.040 Type III procedure (quasi-judicial); 19.04.050 Type IV procedure (legislative)
 - i. 19.20.030 Review and approvals process (MASTER PLANNED DEVELOPMENTS AND PLANNED UNIT DEVELOPMENTS)
2. The Planning Commission found that notice was mailed to all local land owners within 500 feet of the subject parcel on October 26th, 2015. Subsequently, notice was placed on the City website as well as in the local newspaper with multiple run dates (weekly newspaper).
 3. The City of Molalla received 2 letters of written testimony or correspondence from local landowners regarding the proposed expansion.
 4. This matter came before the Planning Commission for consideration on two occasions:
 - a. November 18th, 2015 (Re-zone)
 - b. January 20th, 2016 (P.U.D)

Conclusion: The procedural findings noted above are adequate to support the Planning Commission’s decision on the proposed development.

6. Decision Criteria and Substantive Findings of Fact

The Molalla Municipal Code provides procedures and criteria for the administration of proposed development as described in this document. The proposed development is measured here against these criteria. The results of this analysis are presented as Findings of Fact below.

Part 1 - Rezoning Application

This application was reviewed using a type IV procedure pursuant to section 19.04.050 of the Molalla Municipal Code. Below are the approval criteria for Legislative Procedures:

19.04.050 Type IV procedure (legislative); F. Decision-Making Criteria

1. *Compliance with the applicable Statewide Planning Goals;*
2. *Compliance with applicable City of Molalla Comprehensive Plan provisions; and*
3. *The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are reasonably likely to be provided concurrently with the development of the property or within the applicable planning period.*

Upon review, Planning Commission made the following findings for this proposal:

1. *Compliance with the applicable Statewide Planning Goals;*
 - a. *GOAL 1 – CITIZEN INVOLVEMENT OAR 660-015-000(1) To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

Findings: Notification for this proposal has been adequate. Posting of the public hearing on the City of Molalla website and in the local newspaper (with three run dates). Notice has been mailed to all local landowners within 500 feet, any interested parties and Oregon DLCD within the required timeframe for their review.

- b. GOAL 5 – NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES OAR 660-015-0000(5) *To conserve open space and protect natural and scenic resources.*

Findings: Open space requirements will be upheld as per the Molalla Development Code. There is no difference between R1 (low density) and R2/R3 zone (high density) standards for common open space or natural resource retention. Any wetland that is impacted shall be mitigated pursuant to Federal & State Law. Development adjacent to these wetlands would offer greater access to a community resource, especially with the potential addition of walking trails and improved park areas, which could be conditions of development. Up-zoning the property would place more residents within proximity to these areas on-site. (See *Exhibit 4* for a copy of the wetland map). The commission shall ensure that any future development abide by the standards for open space and development of any recreational assets pursuant to the code.

- c. GOAL 6 – AIR, WATER AND LAND RESOURCES QUALITY OAR 660-015-0000(6) *To maintain and improve the quality of the air, water and land resources of the state.*

Findings: The proposed zoning change would allow a higher density of residents, which has been shown to decrease the per-capita footprint of local infrastructure. This translates into less total infrastructure required, which decreases land impact and sprawl. Utilization of public sewer and the appropriate waste disposal facilities on-site will minimize impact on land quality. The existing riparian margin will assist in the protection of local waterways. Development shall include storm-water mitigation pursuant to city code and public works standards.

- d. Goal 7 – AREAS SUBJECT TO NATURAL HAZARDS OAR 660-015-0000(7) *To protect life and property from natural disasters.*

Findings: There is no significant difference in risk for residents of an R1-standard development compared to an R3-standard development. None of the city lies within a 500-year floodplain, and the site is relatively flat relieving the risk of any landslides.

- e. Goal 9 – ECONOMIC DEVELOPMENT OAR 660-015-0000(9) *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of Oregon's citizens.*

Findings: While this goal primarily concerns commercial and industrial lands, there is a possible difference in economic opportunities between R1 and R2/R3 zones. High density development, as opposed to single-family residential, often entails long-term employment of managers and groundskeepers which can increase the gross productivity of the city. Group home or adult care facilities are also viable in R3 zones, which could offer more employment opportunities pending future development.

- f. Goal 10 – HOUSING OAR 660-015-0000(10) *To provide for the housing needs of citizens of the state.*

Findings: A 2009 Residential Lands Need Report (see *Exhibit 5*) performed by Winterbrook Planning studies a 20-year horizon for residential development opportunities, which finds that a ‘broader range of housing’ will be demanded by a changing demographic of residents. It cites increased employment opportunities, young commuting households and a growing Hispanic community as likely catalysts to this trend. The re-zone would allow the possibility of a broader range of housing types: single-family detached homes, traditional multi-family, group homes, adult care facilities, as well as more options for master-planned developments.

- g. Goal 11 – PUBLIC FACILITIES AND SERVICES OAR 660-015-0000(11) *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

Findings: The site itself can support full build-out for both R1 and R2/R3 zoning designations. If allowed the new zoning would support a more efficient use of the new and existing public facilities such as water, sewer, parks and transportation facilities with a lower per-capita cost for said services. This change in zoning may provide further opportunities for use of effluent in irrigation pursuant to DEQ standards.

- h. Goal 12 – TRANSPORTATION OAR 660-015-0000(12) *To provide and encourage a safe, convenient and economic transportation system.*

Findings: The full build-out of the property (at the proposed zone designation of R3) would entail new rights of way to be dedicated to the public domain, and increase cross-connectivity in the immediate vicinity at a similar rate to the existing zoning (R1). A higher number of residents could reside in proximity to these new dedications, however, and utilize the infrastructure. Development in both proposed and existing zoning designations would require extension of convenient, safe and efficient transportation facilities.

- i. Goal 13 – ENERGY CONSERVATION OAR 660-015-0000(13) *To conserve energy.*

Findings: The change in zoning would allow a higher density and more efficient use of land, and thusly, utilities and energy resources. Smaller, more efficient homes would be permissible as a result of the zone change. Proximity to significant destinations such as two public schools could be argued to lower the daily Vehicle Miles Travelled (VMT) by residents of the development. Allowing a higher density of residents would comprehensively decrease the strain on energy resources comparing to lower density uses long-term.

The Planning Commission finds that this application is consistent with Oregon Statewide Planning Goals, and satisfies all applicable requirements.

2. **Compliance with applicable City of Molalla Comprehensive Plan provisions** (See Exhibit 2); below are the applicable sections of the Comprehensive Plan. The Molalla Comprehensive Plan is based on the Oregon Statewide planning Goals, thus many of the requirements exist in both documents. For this reason, the report will discuss only the most pertinent portions of the Comprehensive Plan for this proposal.

a. *Park and Recreation Policies, Pages 26-28*

Findings: With the proposed zone change, a higher density of dwelling units would be within a 10-minute walk (or less) to two outdoor school facilities. Potential future development on the site at a full build out in the proposed R2 & R3 zones would place more residents within this walking shed. Opportunities for greater connectivity to mixed-use trails (pedestrian and bicycle trails) on Molalla Forest Road may be catalyzed by future development.

b. *Housing Policies, Pages 46-48*

Findings: The Comprehensive Plan states that the zoning ordinance shall allow variable lot sizes in single-family residential subdivisions. The proposed change in zoning would meet this standard by providing more opportunities for master-planned developments, which is the primary type of development that offers significant lot variability. Policy 7 states that the city shall work with the private sector to encourage housing at various prices and rents in order to maximize choice. Up-zoning the property would create a wider range of possibilities for lot sizes and their resulting cost. Policy 15 states that new residential developments in areas without established character or quality should be permitted maximum flexibility, which this rezone would allow as R1 standards are more constraining to variability in urban form. Policy 19 states that residential density designations are intended to discourage development at lower densities in order to maintain efficiency with land use. Several large-scale developments on R3 properties (i.e. some phases of the Big Meadow Subdivision) are built at R1 densities, which are allowed by city code. By allowing the proposed zone change in this instance, it is likely that overall density would balance and compensate these under-built developments.

c. *Energy Conservation Policies, Pages 71-72*

Findings: Policy 6 states that the City may use the following or similar implementation methods to encourage achievement of the energy goal: “[...] reduced lots sizes and increased housing density.” Policy 10 also advocates for more common wall and higher density development. R3 zones in general facilitate this type of housing.

d. *Proposed Land Efficiency Measures, Page 77*

Findings: Measure 2 states that increased opportunities shall be provided for affordable housing types, and specifically mentions small lot single-family

homes and multi-family developments. The proposed zone change would create opportunities for this style of urban development.

The Planning Commission finds that this application is consistent with the Molalla Comprehensive Plan (amended 2014), and satisfies all applicable requirements.

3. *The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are reasonably likely to be provided concurrently with the development of the property or within the applicable planning period.*

Findings: The property at present is not built-out to highest and best use, and is mostly vacant land with the exception of three homes and a commercial business spread between six tax lots. Public sewer and water utilities are available in the public right of way in W. Main St., and are viable in serving the highest possible density of development on the property. Two unimproved rights of way are located to the east (Hezzie Ln.) and west (Molalla Forest Rd.) of the subject parcels. A likely condition of future development would include improvement of at least one of these future streets for access, including full storm-water and pedestrian amenities. A State Highway (W Main St./ HWY 211) is located to the south of the subject parcels, and is one viable service route for access. Proper conditions shall be placed on future development, pursuant to jurisdictional standards and proportional to impact, for each area on and around the site.

Note: Reviewing this proposal only focused on the impact from implementing a higher density and intensity of residential development, and not the development itself. Outright permitted uses are generally similar in the higher residential zoning designations as compared to R1 zoning. The Oregon Statewide Planning Goals and the Comprehensive Plan make land use efficiency a priority throughout, which is reflected throughout the findings.

The Planning Commission found that in all instances (1-3 above) the criterion are met. The Planning Commission voted in favor of approving the zone change 4-0, and passed the decision along to the Legislative Body, the City Council.

Part 2 – Planned Unit Development

This application was reviewed using a multitude of review procedures, which were reviewed concurrently and sequentially pursuant to section 19.20.110 of the Molalla Municipal Code. Below are the elements of the approval process for a Planned Unit Development, which were reorganized for clarity. Please note that due to the length of the approval criteria, the findings have been combined with the approval criteria and/or standards, which are left italicized.

19.20.0110 Planned Unit Development; B. Approval Process; 3. Elements of Approval Process; 4. Decision Making Process

1. *The approval of the Planned Development Concept plan;*
 - a. *The concept plan shall be processed by means of the Type III land use procedure described in Title 19.*

- i. *The concept plan includes specific designations on the concept map for areas of open space, and describes their intended level of use, how they relate to other proposed uses on the site, and how they protect natural features of the site.*

Findings: The concept map submitted by the applicant clearly depicts the various open tracts, public rights of way and lots that would be created as a result of the development.

- ii. *The concept plan identifies areas of significant natural resources, if any, and identifies methods for their maximized protection, preservation, and/or management.*

Findings: The concept plan designates six permanent open space tracts. Tract 'B' and tract 'G' both have established wetlands, which are fully retained within the open space. Tract 'B' wetlands are 29064 square feet in area while tract 'G' are 18732 square feet in area. All existing trees within this area are proposed to remain, and all wetlands are unimpacted by the open space designation. Oregon White Oaks are proposed to be planted in tract 'G' in order to enhance the quality and aesthetics of the site. Park improvements are also proposed. Certain wetlands are impacted by the development, which will need to be mitigated pursuant to State law, as administered through Oregon Department of State Lands (DSL).

- iii. *The concept plan identifies how the future development will integrate into the existing neighborhood, either through compatible street layout, architectural style, housing type, or by providing a transition between the existing neighborhood and the project with compatible development or open space buffers.*

Findings: The surrounding site area lacks a true established character for housing, or a definable 'neighborhood' node to compare or integrate. However, the proposed street layout and architectural style is typical of the more recent neighborhood subdivisions in Molalla, with the exception of the more density-oriented sections of the PUD.

- iv. *The concept plan identifies methods for promoting walk ability or transit ridership; such methods may include separated parking bays, off-street walking paths, shorter pedestrian routes than vehicular routes, linkages to or other provisions for bus stops, etc.*

Findings: The proposed concept plan includes a comprehensive pedestrian network with off-street walking trails that are incorporated into the open space tracts. As such, pedestrians are offered a shorter route in some instances between locations. While not explicitly created for the purpose of public transit, there is no reason that the future build-out of the site and its surrounding area could not facilitate more public transit ridership, particularly when development is proposed on

the frontage parcel on W. Main St. (Note: this lot is proposed for re-zoning to R3 from R1 but not part of the current PUD application.)

- v. *The concept plan identifies the proposed uses, and their general arrangement on site. In the case of projects that include a residential component, housing type, unit density, or generalized lot sizes shall be shown in relation to their proposed location on site.*

Findings: The concept plan adequately identifies the proposed uses on each respective tract and lot in the site. Lot sizes, and sample housing elevations are provided as well.

- vi. *The concept plan must demonstrate that development of the property pursuant to the plan results in development that has significant advantages over a standard development. A concept plan has a significant advantage if it provides development consistent with the general purpose of the zone in which it is located at or above overall densities consistent with the zone, while protecting natural features or providing additional amenities or features not otherwise available that enhance the development project or the neighborhood.*

Findings: The concept plan illustrates a development that is pursuant to the intent of the development code in residential zones, yet is varied significantly than what is typically allowed particularly in terms of density and lot size. The concept plan provides common open space, preservation of natural resources (and enhancement with additional trees and play structures), varied housing types and an urban form that is unique within the city. It provides large lots with respectively larger dwellings as well as narrow, ultimately more affordable homes on smaller lots to create opportunities for more residential users. These smaller homes also allow windows on all four sides as opposed to typical zero lot line dwellings with common walls. The PUD proposed overall offers a unique neighborhood character that will certainly defy traditional development in the city, but may answer a market demand that could become more standard for residential developments in the future.

- 2. *The approval of a detailed development plan; and*
 - a. *The detailed development plan shall be reviewed using the Type III (Planning Commission) land use procedure described in Title 19, to ensure that it is substantially in compliance with the approved concept plan.*

Findings: A type III procedure was used.

- i. *The detailed plan is generally consistent with the concept plan. Minor changes from the concept plan do not make the detailed plan inconsistent with the concept plan unless:*
 - 1. *The change increases the residential densities, increases the lot coverage by buildings or reduces the amount of parking;*

2. *The change reduces the amount of open space and landscaping;*
3. *The change involves a change in use;*
4. *The change commits land to development which is environmentally sensitive or subject to a potential hazard; or*
5. *The change involves a major shift in the location of buildings, proposed streets, parking lots, landscaping or other site improvements.*

Findings: The conceptual plan and the detailed development plan have been submitted concurrently. As such, they are identical and complimentary. This criterion does not apply.

ii. *All the applicable land division provisions in Title 19 shall be met.*

1. *Preliminary Plat Approval Criteria;* The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:

a. *The proposed preliminary plat complies with the applicable Development Code sections and all other applicable ordinances and regulations. At a minimum, the provisions of this title, and the applicable chapters of Title 17 (Land Use Districts) and Title 18 (Design Standards) apply. Where a variance, annexation, or zone change is necessary to receive preliminary plat approval, the application shall also comply with the relevant sections of Title 20;*

Findings: Certain standards provided by Title 17 do not apply as they are superseded by section 19.20.110 *Planned Unit Development*, however, most standards still apply. In particular, minimum lot size and setbacks are proposed to vary from the Title 17 standards in accordance with 19.20.110; F; 3: a.; *“The minimum lot depth and lot width standards shall not apply. There shall be no minimum lot size except that lots on the perimeter of the project shall not be less than 80% of the minimum size required in the base zone.”*

Perimeter lot standard compliance:

- Lots 22-31 on the preliminary plat are perimeter lots in the R1 zone with lot areas in excess of 5600 feet, meeting the 80% threshold (7,000 standard).
- Lots 33-35, 38-39, 43-52 & 107-132 are perimeter lots in the R2 zone with lot areas in excess of 2400 ft², meeting the 80% threshold (3,000 ft² standard for attached housing).

The purpose of the PUD is to allow these types of variances to be inherent in the proposal, and to be reviewed for functionality and viability for the

community and users of the future site. As such, Planning Commission finds that this criterion can be met.

Update 12/10/15 –

The revised site plan submitted by the applicant alters the circulation plan by removing the access to the highway (W. Main St./ HWY 211). While there is still a stubbed street heading south aligned with Ona Way, the connection is proposed to not be improved for both phases of this subdivision, and in no timetable provided by this development. The connection of this street is supported by the TSP, which advocates for a higher number of north-south connections along W. Main St. Section 18.16.020; AL. of the code states: *The development will not generate traffic at volumes beyond the design capacity of the street. Pavement width and signalization are other factors that will be taken into consideration when determining level of service calculations.* Section 18.16.020; C. of the code also states: *Any street or accessway that serves 25 or more dwelling units shall be designed with at least 2 means of access to collector streets. Access to collector streets shall be by permanent dedicated public roadways built to City standards.* Since the designation of Hezzie Lane per the TSP is *neighborhood/local street*, the plan technically doesn't meet this standard of 2 accesses to collector streets. The traffic study submitted by the applicant fails to address this scenario, thus it is difficult to understand the functional implications of the new plan. The study could find an unacceptable LOS (level of service) on the two adjacent intersections at Leroy and Hezzie along W. Main St. The TSP future conditions analysis lists these two intersections at *LOS E* for *'full build 2019 land use scenario #2'* which is lower than our LOS 'D' standard. Comments from ODOT or the local fire marshal were not available at the writing of this report. Compliance with ODOT standards and OFC (Oregon Fire Code) will be required if this circulation plan were to be approved.

Update 1/20/15 –

The newest site plan provides that the intersection with Ona Way and W. Main St./211 will be provided after Phase 1 but before Phase 2. The addendum to the traffic study found that the intersection of Hezzie and W. Main St./211 could control the function of the intersection after full build-out of phase 1 and 2 of the

subdivision. Regardless of this fact, the applicant is proposing to make that street connection as a right-in/right-out access for this development. Acceptance of that traffic design will be contingent upon approval by ODOT and the Public Works Director.

- b. *The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;*

Findings: The proposed plat name 'Bear Creek' is unique to this development, and satisfies the provisions of ORS Chapter 92.

- c. *The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects. All proposed public improvements and dedications are identified on the preliminary plat;*

Findings: There are no existing or recent plats adjacent to this proposed development site. However, consideration is given to logically connect the site to fit the development in context with Molalla Forest Road, Hezzie Lane and W. Main Street as boundaries. All proposed public improvements are identified in the preliminary plat, however, further details for required improvements shall be included in the conditions of approval pending review of the City Engineer. The stubbing of an additional street at the corner intersection of Street 'A' and Street 'E' to the north will be a likely condition of approval as the TSP supports build-out in that direction. This street is listed as a 'Neighborhood Street' and/or 'Minor Collector'.

- d. *All proposed private common areas and improvements (e.g., homeowner association property) are identified on the preliminary plat;*

Findings: All common open spaces are identified. Reference to maintenance agreements in the form of Covenants, Conditions & Restrictions (CC&R's) shall be a condition of approval for the recordation of the Final Plat.

- e. *Evidence that any required state and federal permits have been obtained, or shall be obtained before approval of the final plat;*

Findings: Coordination with the Oregon Department of Transportation was required prior to submittal of the application. Their comments have been taken into consideration for the authoring of this report.

- f. *Meet the requirements of Section [19.04.260](#), Traffic Studies;*

Findings: The applicant coordinated with ODOT to submit a traffic study for the proposed development prior to submittal of an application. As such, they were the authority and governing body for determining the scope of the study per the referenced section above.

- g. *Evidence that improvements or conditions required by the City, road authority, Clackamas County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met; and*

Findings: Improvements and dedications shall be conditions of approval for the PUD at large.

- h. *If any part of the site is located within a Specific Area Plan District, Overlay Zone, or previously approved Master Planned Development, it shall conform to the applicable regulations and/or conditions.*

Findings: This criterion does not apply.

2. *Layout and Design of Streets, Blocks and Lots. All proposed blocks (i.e., 1 or more lots bound by public streets), lots and parcels conform to the specific requirements below:*

- a. *All lots shall comply with the lot area, setback, and dimensional requirements of the applicable land use district (Title 17), and the standards of Section [18.04.020](#), Street Connectivity and Formation of Blocks.*

Findings: As mentioned above, not all of the standards provided by *Title 17* apply due to the nature of a PUD application. Specifically lot dimensions, setbacks of the base land-use district do not apply. Lot dimensions are reviewed previously in this report. Setback standards are discussed in a separate section as this is the review criteria for a preliminary plat, which involves no development of structures but only the creation of land. ROW width for proposed street 'G' will be conditionally approved at 50', 40' is currently proposed.

- b. *Setbacks shall be as required by the applicable land use district (Title 17).*

Findings: The PUD proposes a variance to the setback standards, which are allowed by PUD's. However, a preliminary plat is concerned only with the created of land and compliance with existing structures. Compliance with development standards for setbacks in *Title 17* are discussed elsewhere in this report.

- c. Each lot shall conform to the standards of Chapter [18.04](#), Access and Circulation.

Findings: See above.

- d. Landscape or other screening may be required to maintain privacy for abutting uses. See Title 17, Land Use Districts, and Chapter [18.08](#), Landscaping.

Findings: No privacy concerns are anticipated as a result of this development. Adjacent uses are school grounds to the north, and other residential uses to the east and west. To the south lie more residential uses separated by a significant arterial road. Standard fencing should alleviate any privacy issues, but other solutions such as landscaping can be sought to alleviate any potential conflicts should they arise.

- e. In conformance with the Uniform Fire Code, a 20-foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive. See Chapter [18.04](#), Access and Circulation.

Findings: All proposed structures are located within 150 feet of a public right of way. Each right of way is at least 20 feet in width throughout. Fire Marshal review of the final plat shall be a condition of approval.

- f. Where a common drive is to be provided to serve more than 1 lot, a reciprocal easement which will ensure access and maintenance rights shall be recorded with the approved subdivision or partition plat.

Findings: This criterion does not apply.

- g. All applicable engineering design standards for streets, utilities, surface water management, and easements shall be met.

Findings: Approval of the final plat shall be conditional upon review of the civil engineering plans by the appointed city engineer or designee.

3. **Conditions of Approval.** The City may attach such conditions as are necessary to carry out provisions of this Code, and other applicable ordinances and regulations, to offset any impacts of the development, and may require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties. See Chapter [18.16](#) (Public Facilities). (Ord. 2010-15 §1; Ord. 2010-04 §1)

Findings: The land division protocols related to the creation of parcels as a result of the PUD are met. Final plat approval shall be a condition of approval for the PUD.

- iii. *Except as noted, the provisions of the following chapters shall be utilized as guidelines. A Planned Development need not meet these requirements where a development plan provides alternative designs and methods, if acceptable to the Planning Commission. In each case, the applicant must provide findings to justify the modification of the standards in the chapters listed below. The applicant shall respond to all the applicable criteria of each chapter as part of these findings and clearly identify where their proposal is seeking a modification to the strict application of the standards. For those chapters not specifically exempted, the applicant bears the burden of fully complying with those standards, unless a variance has been requested.*
 1. *The detailed development plan review is intended to address the same type of issues as the Site Development Review.*
 2. *Access, Egress and Circulation. The Planning Commission may grant an exception to the access standards, upon a demonstration by a professional engineer that the resulting access will not be detrimental to the public safety considering emergency vehicle needs, and provisions are provided for all modes of transportation using the site (vehicles, bicycles, pedestrians, and transit).*

Findings: The applicant has requested no exceptions to the access and circulation standards.

3. *Density Computation and Limitations. Unless authorized below, density shall be governed by the density established in the underlying zoning district, using the minimum lot size established for that district. Where a project site encompasses more than 1 underlying zoning district, density shall be aggregated for each district, and may be allocated anywhere within the project site, as deemed appropriate by the commission. The Planning Commission may further authorize a density bonus not to exceed 10% as an incentive to increase or enhance open space, architectural character and/or site variation incorporated into the development. These factors must make a substantial contribution to*

objectives of the planned development. The degree of distinctiveness and the desirability of variation achieved shall govern the amount of density increase which the Commission may approve according to the following:

- a. A 1% bonus for each 5% of the gross site area set aside in open space, up to a maximum of 5%, is allowed for the provision of active use recreational open space, exclusive of areas contained in floodplain, steep slopes, drainage ways, or wetlands that would otherwise be precluded from development;*
- b. Up to a maximum of 5% is allowed for the development of pedestrian amenities, streetscape development, recreation areas, plazas, or other Planning Commission approved recreation items.*

Findings: The applicant is requesting an 8% out of the maximum 10% density bonus: The full 5% of the eligible bonus from the development of pedestrian amenities & recreation items etc. and 3% bonus from common open space dedication (15% open space / 1% bonus for every 5% = 3% eligible bonus). Planning Commission finds the 3% bonus to meet the code standard. The 5% bonus from pedestrian amenities is acceptable with the development of well-connected walking trails that should encourage recreational use. Also the development of play structures in tract 'G' match the standard for 'recreation items' that would allow this bonus. The Planning Commission may consider adding conditions upon the approval to require more amenities to be constructed per this standard.

Here is a breakdown of the proposed densities in each respective zone (units = acres unless otherwise noted):

R1: Total area: 10.11
ROW: 2.34
Open space: 1.59
Net: 6.18
(x 8 units/acre max) =
49 units max
53 units proposed

R2: Total area: 10.16
ROW: 2.07
Open Space: 2.47
Net: 5.62
(x 12 units/acre max) =
67 units max
78 proposed

R3: Total area: .79
ROW: .21

Open space: .14
Net: .44
(x 24 units/acre max) =
11 units max
None are proposed

Total units max: 127 (aggregate)
Density bonus: (127 x .08) = 11 units
Total units max w/ bonus: 138 units

Proposed density: 131 units/138 eligible

Note that the density is allowed to meet the aggregate standard as opposed to the specific standard in each zone. As such, there are 7 remaining eligible units in the R3 zone, which is not included in this PUD application.

In summary, Planning Commission finds this criterion is met.

4. *Landscaping and Screening. The Commission may grant an exception to the landscape requirements of this title upon a finding that the overall landscape plan was prepared by a licensed landscape architect, provides for 20% of the net site area to be professionally landscaped, and meets the intent of the specific standard being modified.*

Findings: The proposal includes 20% of the gross area to be landscaped, both on developed parcels and open space tracts. Front and rear yard setback areas are included. Planning Commission finds this criterion is met.

5. *Off-Street Parking and Loading Requirements. The Planning Commission may grant an exception to the off-street parking dimensional and minimum number of space requirements in the applicable zone if:*
- a. *The minimum number of parking spaces is not reduced by more than 10% of the required parking; and*
 - b. *The application is for a use designed for a specific purpose which is intended to be permanent in nature, e.g., a nursing home, and which has a low demand for off-street parking; or*
 - c. *There is an opportunity for sharing parking and there is written evidence that the property owners are willing to enter into a legal agreement; or*
 - d. *Public transportation is available to the site, and reducing the standards will not adversely affect adjoining uses; or*
 - e. *There is a community interest in the preservation of particular natural features of the site which make it in the public interest to grant an exception to the parking standards.*

Findings: The applicant has requested no exceptions to the parking standards. A minimum of two off-street parking spaces are proposed per dwelling unit, which meets the 2 space (one-covered) standard. Including off-street parking spaces (approximately 153) the PUD includes 404 parking spaces, well above the standard.

6. *Signs. The Planning Commission may grant an exception to the sign dimensional requirements in the applicable zone if:*
- a. *The sign is not increased by more than 10% of the required applicable dimensional standard for signs; and*
 - b. *The exception is necessary for adequate visibility of the sign on the property; and*
 - c. *The sign will be compatible with the overall site plan, the structural improvements and with the structures and uses on adjoining properties.*

Findings: No signs are being proposed as a result of the development with the exception of a monument sign prior to and during construction. The gross area of the sign shall not exceed 32 square feet, including both sides, and shall only be allowed prior to and during construction as stated in the submitted narrative.

7. *Visual Clearance Areas. The Planning Commission may grant an exception to the visual clearance requirements, when adequate sight distance is or can be met;*

Findings: The applicant has proposed no exceptions to visual clearance standards.

8. *Street and Utility Improvements. Deviations from street standards shall be made on a limited basis, and nothing in this section shall obligate the City Engineer to grant an exception. The Planning Commission has the authority to reject an exception request. The Planning Commission can only grant an exception to street sections if sanctioned by the City Engineer. The City Engineer may determine that certain exceptions to the street and utility standards are permissible when it can be shown that:*

- a. *The City Engineer may determine that certain exceptions to the street and utility standards are permissible when it can be shown that:*
 - i. *Public safety will not be compromised; and*
 - ii. *In the case of public streets, maintenance costs will not be greater than with a conforming design; and*
 - iii. *The design will improve storm water conveyance either by reducing the rate or amount of runoff from present*

standards or increasing the amount of pollutant treatment.

Findings: The applicant has requested a significant variance to the street design standards. The Molalla Transportation System Plan (TSP) standards and the proposal compare as follows:

TSP:

ROW width for neighborhood streets = 50 feet minimum
Pavement width = 36 feet minimum.

Proposal:

ROW width 50 feet throughout

*One section proposed at 40 feet. Narrative does not specify why this width is requested.

Pavement width 32 feet

*Note, certain sections pavement width is proposed at 28 feet. The applicant narrative states that off-street parking would be allowed only on one side of the ROW, maintaining a 20-foot travel lane, and are only allowed in areas where parking is not needed on both sides of the ROW and where a wide travel lane is warranted for improved circulation and vehicle access/maneuvering.

Allowance of this standard is contingent upon approval by the City Engineer, but planning staff strongly suggests the Planning Commission consider this variance for several reasons:

- Lower volume of infrastructure to maintain, lowers long-term cost
- Lower net storm water runoff, decreases treatment needs and resulting maintenance costs
- Retention of parking on both sides of the travel lane
- Traffic calming offered by tighter streets
- More landscaping opportunities along ROW (street trees, planter strips, etc.)

Public safety would seemingly not be impacted by skinny streets, and research shows that smaller streets with on-street parking create a safer environment by creating the effect of traffic calming. It is certain that maintenance costs related to skinny streets would be lower than standard street development, and the resulting storm water system would benefit from less impervious surface area. Staff finds this criterion can be met provided certain conditions are applied, and suggests the Planning Commission consider this variance pending approval of the City Engineer.

Update 1/20/16

Upon more information from the City engineer staff is supporting the asphalt be a minimum 34 feet in width for the

function of the street, as opposed to the 28' proposed. For the same reasons listed above, the commission supports the lowering of the asphalt to 34, but no less.

iv. *In addition the following criteria shall be met:*

1. *Relationship to the Natural and Physical Environment.*

- a. *The streets, buildings and other site elements shall be designed and located to preserve the existing trees, topography and natural drainage to the greatest degree possible. The Planning Commission may require the applicant to provide an alternate site plan to demonstrate compliance with this criterion;*
- b. *Structures located on the site shall not be in areas subject to ground slumping and sliding as demonstrated by the inclusion of a specific geotechnical evaluation; and*
- c. *Using the basic site analysis information from the concept plan submittal, the structures shall be oriented with consideration for the sun and wind directions where possible.*

Findings: The proposed site plan currently retains a significant amount of existing trees and wetland areas. The applicant has submitted a geotechnical evaluation that revealed no concerns with regards to soil stability, ground slumping or sliding. Several dwelling units as proposed are facing south to maximize sun exposure, and the majority of homes are facing north to south. All dwelling units on site will be eligible to install solar panels due to the height consistency and step-down requirement standards.

2. *Buffering, Screening and Compatibility Between Adjoining Uses.*

- a. *Buffering shall be provided between different types of land uses, e.g., between single-family and multifamily residential, and residential and commercial uses;*
- b. *In addition to buffer requirements, the requirements of the buffer may be reduced if a landscape plan prepared by a registered Landscape Architect is submitted that attains the same level of buffering and screening with alternate materials or methods. The following factors shall be considered in determining the adequacy and extent of the buffers.*
 - i. *The purpose of the buffer, for example to decrease noise levels, absorb air pollution, filter dust, or to provide a visual barrier;*
 - ii. *The size of the buffer needs in terms of width and height to achieve the purpose;*
 - iii. *The direction(s) from which buffering work is needed;*
 - iv. *The required density of the buffering; and*
 - v. *Whether the viewer is stationary or mobile.*

Findings: The proposed PUD, at its closest, is 100 feet away from the significant arterial road W. Main St. (HWY 211). Per preliminary comments from ODOT, residents of these dwellings may be exposed to traffic noise levels that exceed federal noise guidelines. Staff believes that requiring the buffer to be established before determining the level of conflict is not viable. A condition of approval can include a provision for mitigation of any future noise conflicts as a result of proximity to W. Main St. Staff believes that future conflicts should be minimal, however, with the eventual lowering of speed limits and progression improvements to the highway. Industrial lands lie to the NW of the PUD site. Open tracts 'F' and 'G' provide a type of physical buffer between the existing uses and this PUD. Excepting the two potential conflicts listed above, staff finds no inherent conflicts that may require mitigation beyond what is proposed.

- c. *On-site screening from view from adjoining properties of such activities as service areas, storage areas, parking lots and mechanical devices on roof tops shall be provided and the following factors shall be considered in determining the adequacy of the type and extent of the screening:*
 - i. *What needs to be screened;*
 - ii. *The direction from which it is needed; and*
 - iii. *Whether the screening needs to be year-round.*

Findings: This criterion does not apply.

- 3. *Privacy and Noise. Nonresidential structures which abut existing residential dwellings shall be located on the site or be designed in a manner, to the maximum degree possible, to protect the private areas on the adjoining properties from view and noise;*

Findings: No non-residential structures are proposed in the PUD.

- v. *Exterior Elevations—Single-Family Attached and Multiple-Family Structures. Along the vertical face of single-family attached and multiple-family structures, offsets shall occur at a minimum of every 30 feet by providing any 2 of the following:*
 - 1. *Recesses, e.g., decks, patios, entrances, floor area, of a minimum depth of 8 feet;*

2. *Extensions, e.g., decks, patios, entrances, floor area, of a minimum depth of 8 feet, a maximum length of an overhang shall be 25 feet; and*
3. *Offsets or breaks in roof elevations of 3 or more feet in height.*

Findings: This criterion does not apply.

vi. *Private Outdoor Area—Residential Use.*

1. *Exclusive of any other required open space facility, each ground-level residential dwelling unit shall have an outdoor private area (patio, terrace, or porch) of not less than 48 square feet with a minimum width dimension of 4 feet.*
2. *Wherever possible, private outdoor open spaces should be oriented toward the sun; and*
3. *Private outdoor spaces shall be screened or designed to provide privacy for the use of the space.*

Findings: Each proposed dwelling meets the above standard for space, however, it is unclear from the submitted materials whether the open space (located in the rear setback area) is improved and to what extent. A condition of approval shall include provisions for private open space improvements, such as a paved patio, to meet this standard.

vii. *Shared outdoor spaces shall be screened or designed to provide privacy for the use.*

1. *Exclusive of any other required open space facilities, each residential dwelling development shall incorporate shared usable outdoor recreation areas within the development plan as follows:*
 - a. *Studio units up to and including 2 bedroom units, 200 square feet per unit;*
 - b. *Three or more bedroom units, 300 square feet per unit.*
 - c. *This does not apply to multifamily residential development in the CBD.*
2. *Shared outdoor recreation space shall be readily observable from adjacent units for reasons of crime prevention and safety;*
3. *The required recreation space may be provided as follows:*
 - a. *Additional outdoor passive use open space facilities;*
 - b. *Additional outdoor active use open space facilities;*
 - c. *Indoor recreation center; or*
 - d. *A combination of the above.*

Findings: Contrary to the submitted narrative, this criterion does apply. This criterion is met, however, with the provided open space on-site as it meets the ‘additional passive use open space facilities’ description, as well as the gross area standards as follows:

131 proposed units (assuming 3+ bedroom) (x) 300 ft² per unit = 39,300 ft² required

Total area of passive open space = 135,685 ft² *(not including the established wetlands)

The established open space is mostly visible from the residential dwelling units, with the exception of the NW corner of tract 'B' and 'G'. Planning Commission finds this criterion is met.

viii. *Access and Circulation*

1. *The number of required access points for a development shall be provided as required in this Code.*
2. *All circulation patterns within a development must be designed to accommodate emergency and service vehicles; and*
3. *Provisions shall be made for pedestrian and bicycle ways abutting a through site if such facilities are shown on an adopted plan or terminate at the boundaries of the project site.*

Findings: The circulation plan submitted is sufficient, pending review of the City engineer.

- ix. *Landscaping and Open Space—Residential Development. In addition to the buffering and screening requirements of this subsection, and any minimal use open space facilities, a minimum of 20% of the site shall be landscaped. This may be accomplished in improved open space tracts, or with landscaping on individual lots provided the developer includes a landscape plan, prepared or approved by a licensed landscape architect, and surety for such landscape installation.*

Findings: 20% of the gross site area shall be landscaped as proposed in the PUD.

x. *Public Transit.*

1. *Provisions for public transit may be required where the site abuts or is within a quarter mile of a public transit route. The required facilities shall be based on:*
 - a. *The location of other transit facilities in the area; and*
 - b. *The size and type of the proposed development.*
2. *The required facilities may include but are not necessarily limited to such facilities as:*
 - a. *A waiting shelter;*
 - b. *A turn-out area for loading and unloading; and*
 - c. *Hard surface paths connecting the development to the waiting area.*
3. *If provision of such public transit facilities on or near the site is not feasible, the developer may contribute to a fund for public transit improvements provided the Planning Commission establishes a direct relationship and rough proportionality between the impact of the development and the requirement.*

Findings: The South Clackamas Transit District (SCTD) operates between Oregon City, Canby and Molalla, and utilizes W. Main St. (HWY 211) in certain routes. Planning Commission recommends improvements be considered during the development of the frontage parcel which is not included with this PUD application. Coordination with the SCTD for potential future improvements, or a share in improvement costs proportional to impact, shall be a condition of approval.

xi. Parking

1. *All parking and loading areas shall be generally laid out in accordance with the requirements set forth in the Molalla Development Code;*
2. *Up to 50% of required off-street parking spaces for single-family attached dwellings may be provided on 1 or more common parking lots within the planned development as long as each single-family lot contains 1 off-street parking space.*

Findings: No parking or loading areas are proposed.

- xii. Drainage. All drainage provisions shall be generally laid out in accordance with the requirements set forth in this Code. An applicant may propose an alternate means for storm water conveyance on the basis that a reduction of storm water runoff or an increase in the level of treatment will result from the use of such means as green streets, porous concrete, or eco roofs.*

Findings: No alternative drainage methods are proposed. The storm water conveyance shall meet the requirements of this code pending final review of the City Engineer prior to authorization of the final plat.

- xiii. Floodplain Dedication. Where landfill and/or development are allowed within or adjacent to the 100-year floodplain, the City shall require consideration of the dedication of sufficient open land area for greenway adjoining and within the floodplain. This area shall include portions of a suitable elevation for the construction of a pedestrian/bicycle pathway with the floodplain in accordance with the adopted pedestrian bicycle pathway plan.*

Findings: No floodplain exists on the site.

- xiv. Shared Open Space Facilities. The detailed development plan shall designate a minimum of 20% of the gross site area as a shared open space facility. The open space facility may be comprised of any combination of the following:*
1. *Minimal Use Facilities. Up to 75% of the open space requirement may be satisfied by reserving areas for minimal use. Typically these areas are designated around sensitive lands (steep slopes, wetlands, streams, or 100-year floodplain).*
 2. *Passive Use Facilities. Up to 100% of the open space requirement may be satisfied by providing a detailed development plan for improvements (including landscaping, irrigation, pathway and other structural improvements) for passive recreational use.*

3. *Active Use Facilities. Up to 100% of the open space requirement may be satisfied by providing a detailed development plan for improvements (including landscaping, irrigation, pathway and other structural improvements) for active recreational use.*
4. *The open space area shall be shown on the final plan and recorded on the final plat or covenants.*

Findings: This criterion and similar standards have been reviewed at length in previous sections of this report. The PUD proposes 20% of the gross site area to remain common open space, meeting the minimum requirement as follows:

Minimal Use Facilities (wetland area) – 1.31 acres or 26% out of 75% max

Passive & Active Use Facilities – 3.08 acres, 74% out of the 100% max

Total Open Space Facilities – 4.21 acres / 21.06 acres = 20% site coverage

The covenants shall be shown on the Final plat, and shall be a condition of approval. Planning Commission finds this criterion is met.

- xv. *Open Space Conveyance. Where a proposed park, playground or other public use shown in the plan adopted by the City is located in whole or in part in a subdivision, the Commission may require the dedication is roughly proportional to the impact of the subdivision on the park system. Where considered desirable by the Commission in accordance with adopted Comprehensive Plan polices, and where a development plan of the City does not indicate proposed public use areas, the Commission may require dedication or reservation of areas within the subdivision or sites of a character, extent and location suitable for the development of parks or other public use, provided that the reservation or dedication is roughly proportional to the impact of the subdivision on the park system. The open space shall be conveyed in accordance with 1 of the following methods:*
 1. *Public Ownership. Open space proposed for dedication to the City must be acceptable to it with regard to the size, shape, location, improvement and budgetary and maintenance limitations. A determination of City acceptance shall be made in writing by the City Manager prior to final approval.*
 2. *Private Ownership. By conveying title (including beneficial ownership) to a corporation, home association or other legal entity, and granting a conservation easement to the City in a form acceptable by the City. The terms of the conservation easement must include provisions for the following:*
 - a. *The continued use of such land for the intended purposes;*
 - b. *Continuity of property maintenance;*
 - c. *When appropriate, the availability of funds required for such maintenance;*
 - d. *Adequate insurance protection; and*

- e. *Recovery for loss sustained by casualty and condemnation or otherwise.*

Findings: There is no specifically referenced public park in the Parks, Recreation and Trails Master Plan for the subject site in this PUD. As such, there is no nexus to enforce this criterion. However, the PUD does entail common open space that will in theory be accessible to the public, but under HOA jurisdiction for maintenance & ownership. Impacts to the park system as a result of this new development will be mitigated by System Development Charges (SDC's), and acquisition of new park lands by the city in accordance with *18.16.090 Parks*.

*Note, approval criteria for the Detailed Development Plan are listed in multiple locations. As such, the report will now review the detailed plan per section *19.20.090 Detailed development plan approval criteria*; which will be treated as supplemental to the aforementioned review sections.

- xvi. *Increased residential densities (overall or reallocated between development phases) by not more than 20%, provided such increase conforms to the Comprehensive Plan and underlying District;*

Findings: Density bonuses are requested by the applicant at a rate of 8% above standard densities allowed in the respective zones, and aggregately calculated across the three zones. Review of the density bonus is discussed previously in this report. Conveniently, review of the compatibility with the Comprehensive Plan is discussed in the rezoning application that is concurrent with this PUD application. Please refer to the above rezoning application review for compliance with the Comprehensive Plan policies and measures. The Planning Commission finds this criterion is met.

- xvii. *Increase in lot coverage or impervious surface (overall or reallocated between development phases) by not more than 15% over that which is approved;*

Findings: The applicant requests no increase in impervious surface or lot coverage standards pursuant to *Title 17*.

- xviii. *Reduction in open space or landscaping by not more than 10%;*

Findings: The applicant requests no reduction in open space or landscaping requirements pursuant to the applicable sections of *Title 17 & Title 18*.

- xix. *Increase in overall automobile parking spaces by not more than 10%;*

Findings: The automobile parking standards are met, providing exactly two spaces (at least one covered) per dwelling unit. No increase beyond the standard is proposed.

- xx. **Land Use.** *No change in land use shall be permitted without a major modification to the concept plan;*

Findings: All proposed uses are allowed outright per Title 17.

- xxi. *Proposals to add or increase lot coverage within environmentally sensitive areas (sensitive lands) or areas subject to a potential hazard require a major modification to the concept plan;*

Findings: No development is proposed within the 50-foot riparian buffer on-site. The applicant has supplied proof of submittal for a wetland delineation report for the wetlands that may be impacted as a result of this development. Conditional approval of the application will include review of this eventual report by the applicable authorities, including city staff.

- xxii. *Major changes in the location of buildings, proposed streets, parking lot configuration, utility easements, landscaping or other site improvements require a major modification pursuant to Chapter 19.24. "Major" in this subsection means by more than 100 feet, or 15%, relative to setbacks; and*

Findings: Per this criterion, no variances are requested that meet the 'major' designation.

- xxiii. *Other substantial modifications not listed in subsections A through G above require approval of a major modification, in conformance with Chapter 19.24.*

Findings: This criterion does not apply.

3. *The approval of the Planned Development Overlay Zone.*

Findings: Per section 19.20.110 *Planned Unit Development; B. Approval Process; 4. Decision Making Process; c.*; the code states as follows: *'The Planned Development Overlay zone will be applied concurrently with the approval of the detailed plan.'* Planning Commission interprets this language to infer that approval of the detailed plan allows the implementation of the overlay zone. Approval criteria for the Overlay Zone are identical to the concept plan per section 19.20.060 *Overlay zone and concept plan approval criteria.* The criteria concern Comprehensive Plan compliance, Land Division standards compliance, Title 17 & 18 standards compliance, and open space compliance. These standards are reviewed at length in the detailed development plan review above.

4. *In the case of existing Planned Development Overlay Zone, once construction of the detailed plans has been completed, subsequent applications conforming to the detailed plan shall be reviewed under the provisions required in the chapter which apply to the particular land use application.*

Findings: There is no existing Planned Development Overlay Zone on or near the subject parcel. This criterion does not apply.

5. *If the application involves subdivision of land, the applicant may also apply for preliminary plat approval and the applications shall be heard concurrently with the detailed plan.*

Findings: The applicant has applied for concurrent review of the preliminary plat along with the PUD application. Final Plat Review shall be a condition of approval.

Planning Commission found that in all instances (1-5 above) the criterion could be met provided certain conditions.

7. Decision

Based upon the submitted materials and the findings of this report, the City of Molalla Planning Commission **APPROVES** application P70-2015, and hereby takes the following actions:

- i. Recommend approval of the rezoning application P70-2015 without conditions to the deciding body, the City Council.
- ii. Approve the Planned Development Concept Plan application P70-2015 without conditions.
- iii. Approve the Detailed Development Plan application P70-2015 **subject to the following conditions:**

- a. Approval of the detailed development plan shall only be valid with concurrent approval of the Planned Development Overlay Zone.
- iv. Approve the Planned Development Overlay Zone application P70-2015 **subject to conditions.**

The following are suggested conditions that may be placed upon the plan approval:

- a. Approval of the PUD application shall be valid pending approval of the rezoning application. The final decision is to be made by the Molalla City Council at a date succeeding the approval of this PUD.
- b. Submission and approval of the Final Plat pursuant to section 19.12.150 of the MDC. The City Engineer is required to approve of the Preliminary Plat and Final Plat as a result of this condition, including all aspects of civil engineering related to development. The Fire Marshal shall also be required to approve of these plans as well. The City of Molalla Design Specifications shall be upheld for review of the following components of the project, but are not necessarily limited to:
 - i. Water utility improvements
 - ii. Storm water infrastructure improvements
 - iii. Sanitary Sewer utility improvements
 - iv. Street improvements
 - v. Turning radii and emergency vehicle access standards
- c. The applicant shall submit updated plans, documents or reports in conjunction with any subsequent findings as a result of this decision, which may require alternation of submitted plans.
- d. The applicant shall obtain valid permits from the Department of State Lands and the Army Corps of Engineers prior to the impaction of any wetlands. The applicant shall abide by the requirements of the permits.
- e. The applicant shall obtain any applicable permits from Clackamas County. The applicant shall abide by the requirements of the permits.
- f. The applicant or owner shall obtain land use approvals prior to specific development on any future tax lots created as a result of this application approval.

- g. The applicant shall mitigate any future conflicts with regards to noise from the adjacent State Highway 211 (W. Main St.) as a result of development in proximity to the existing arterial road. This may include buffering, screening, or construction of facilities in accordance with federal guidelines.
- h. The applicant shall ensure that dwelling units are outfitted with improved rear setback areas that include a patio, porch or terrace pursuant to section 19.20.110.
- i. The applicant shall coordinate with the South Clackamas Transit District for potential future improvements. These improvements and their cost shall only be required in proportion to impact from the new development(s).
- j. The applicant shall mitigate future community impact for park space pursuant to section 18.16.090 Parks.
- k. The proposed open space 'Tract C' shall be constructed (improved) as proposed in Phase 2 prior to Phase 1 being completed, and will not function as a fire turnaround at any phase of development. Final authority for this condition shall rest with the Fire Marshal.
- l. The applicant shall ensure that the extension street 'G' in the preliminary plat be widened to 50' for dedication as a public ROW. The street shall be built to city standards (TSP Neighborhood Collector) prior to the development of Phase 2.
- m. The applicant will include a stubbed street northbound at the intersection of Street 'E' and 'A' as identified in the TSP as a North-South connection, and a 'Neighborhood Collector' street.
- n. The applicant shall abide by the recommended conditions of approval from the Highway 211/W, Main St. road authority, the Oregon Department of Transportation (ODOT), listed in *Exhibit 6*, pursuant to the following specifications:
 - i. The applicant shall dedicate any necessary ROW as requested by ODOT.
 - ii. Only improvements related to the proposed access on W. Main St. shall be required to be performed before development of Phase 2 begins. No Street improvement shall be required (along w. Main St./211) that are unrelated to the function and performance of the intersection at Ona Way and 211/W. Main St.
- o. The applicant shall share in the cost of improvements, or improve, directly proportional to impacts at the following locations (in each case, the pertinent jurisdiction shall have the authority to require the improvements along a specified timeline):
 - i. Hezzie Lane between W. Main St. (HWY 211) and the north-easterly terminus of the subject parcels.
 - 1. A half-street improvement shall be required prior to Phase I construction commencement along the entirety of the ROW in this section.
 - 2. Any ODOT (road authority) requested access improvements at W. Main St. and Hezzie Ln. pursuant to State standards.
 - ii. West Ln. between Hezzie Ln. and Leroy Ave.
 - 1. A half-street improvement shall be required as phasing and future development catalyzes the need for improvements.
 - iii. W. Main St. (HWY 211) at Leroy Ave.
 - 1. These improvements shall be completed in accordance with phasing requirements as suggested in the applicant narrative, and as future adjacent development catalyzes improvements.
 - iv. W. Main St. (HWY 211) at Ona Way.
 - 1. These improvements shall be completed in accordance with phasing requirements as suggested in the applicant narrative.

- p. The applicant shall not make the commercial business more non-conforming as a result of this development, and shall long-term terminate the non-conforming use prior any subsequent development.
- q. The applicant shall construct any new driveway, access aprons or access-related facilities to the standard of the applicable road authority, subject to differing timelines as stated below:
 - i. In Certain cases, but not all, the access construction/improvement may be required prior to development (highway access).
 - ii. Driveway and accesses improvements for dwelling units on a single tax lot may be performed after construction, but prior to occupancy being granted, at the direction of the city.
- r. The applicant shall obtain written approval from the local Fire Marshal for compliance with any applicable Oregon Fire Code standards throughout the development, particularly before approval of the Final Plat.
- s. The applicant shall abide by the standards provided in section *18.08.030 Landscaping* prior to land use approvals being issued on a respective site. Covenants for maintenance shall be included in the Final Plat for the applicable open spaces and private lots.
- t. Fences shall be provided throughout the development in accordance with *18.08.050 Fences and walls*.
- u. The applicant shall obtain written approval of the proposed variation to street width standards in certain areas of the development. This approval is required prior to Final Plat approval.
- v. Public Utility easements shall be provided at the standard rate, size and locations, and noted in the Final Plat.
- w. The applicant shall provide maintenance guarantees for any public improvements pursuant to section *19.04.210 Performance guarantees*.
- x. The applicant shall be required to pay any applicable System Development Charges (SDC's) in full prior to development.

DATED this _____ Day of February, 2016.

X

Laura Ferris
Chair

X

Nicolas Lennartz
Secretary

City of Molalla

City Council Meeting

Agenda Category: Resolution

Subject: Resolution 2016-07 – A Resolution Adopting Administrative Fees for all City

Recommendation: Adopt Resolution

Date of Meeting to be Presented: March 23, 2016

Fiscal Impact - Unknown

The administrative fees (City Hall, Court, Police Department, Library, Public Works & Planning) are included in the annual review for house-keeping purposes to insure all fees assessed are passed by resolution and adjusted accordingly. Public Works and Library have requested to raise fees or add new fees to the schedule. See attached.

SUBMITTED BY: Sadie Cramer, City Recorder

APPROVED BY: Dan Huff, City Manager

:

RESOLUTION 2016-07

**A RESOLUTION ADOPTING ADJUSTED FEES FOR THE
ADMINISTRATIVE FEE SCHEDULE FOR THE CITY OF MOLALLA**

The City Council of Molalla finds that:

Whereas, the Molalla Municipal Code specifies that the City Council shall establish fees for city services by resolution; and

Whereas, the Oregon Administrative Rules states that fees may be charged to reimburse the public entity of incurred expenses by furnishing administrative services; and

Whereas, the City Hall offices incurs expenses in administrative areas as attached, which costs the City of Molalla to supply these services and have placed a burden on the administrative budget; and

Whereas, existing administrative services and proposed fees for such services are hereby listed as the attachment to this Resolution; and

Whereas, that for administrative efficiencies, the fees, and fines imposed by the City of Molalla be collectively established.

Now, therefore, based upon the above findings, be it resolved by the City Council of the City of Molalla, the fees listed for the departments for the City of Molalla, are hereby established as listed effective this 23rd day of March, 2016.

Mayor Debbie Rogge

ATTEST this 23rd March, 2016:

Sadie R. Cramer, City Recorder

City of Molalla Administrative Fees

RESO #

Public Works

Overnight parking \$5.00/night \$25.00/week \$100.00/mo. \$1000/yr

RES 2013-17

Molalla Water, Sewer, Street, Storm, & Parks SDC's

	Flow	Water SDC	Sewer SDC	Street SDC	Storm SDC	Park SDC	
¾" Meter	<u>15 GPM</u>	<u>3620</u>	<u>4600</u>	<u>3225</u>	<u>760</u>	<u>5570</u>	RES 2014-03
1" Meter	<u>25 GPM</u>	<u>6030</u>	<u>7660</u>				RES 2014-03
1.5" Meter	<u>50 GPM</u>	<u>12070</u>	<u>15320</u>				RES 2014-03
2" Meter	<u>80 GPM</u>	<u>19310</u>	<u>24520</u>				RES 2014-03
3" Meter	<u>175 GPM</u>	<u>42250</u>	<u>53670</u>				RES 2014-03
4" Meter	<u>300 GPM</u>	<u>72400</u>	<u>92000</u>				RES 2014-03

Typical Single Family Dwelling Charges with ¾" Meter

	Fee	Unit
<u>Water Hook Up Fee</u>	<u>\$600.00</u>	RES 2014-03
<u>Sewer Hook Up Fee</u>	<u>\$600.00</u>	RES 2014-03
<u>Water SDC</u>	<u>\$3,620.00</u>	RES 2014-03
<u>Sewer SDC</u>	<u>\$4,600.00</u>	RES 2014-03
<u>Street SDC</u>	<u>\$3,225.00</u>	RES 2014-03
<u>Storm SDC</u>	<u>\$760.00</u>	RES 2014-03
<u>Park SDC</u>	<u>\$5,570.00</u>	RES 2014-03
<u>Development Fee</u>	<u>\$25.00</u>	RES 2014-03
<u>Total</u>	<u>\$19,000.00</u>	RES 2014-03

Water Base

INSIDE CITY

<u>Water-Residential Single Family ¾"</u>	<u>\$11.13</u>	RES 2014-03
<u>Water-Residential Single Family 1"</u>	<u>\$18.65</u>	RES 2009-19
<u>Water-Residential Single Family 1.5"</u>	<u>\$37.10</u>	RES 2009-19
<u>Water-Residential Single Family 2"</u>	<u>\$59.63</u>	RES 2009-19
<u>Water-Multi Family All</u>	<u>\$11.13</u>	RES 2009-19
<u>Water-Commercial ¾"</u>	<u>\$11.13</u>	RES 2009-19
<u>Water-Commercial 1"</u>	<u>\$18.55</u>	RES 2009-19
<u>Water-Commercial 1.5"</u>	<u>\$37.11</u>	RES 2009-19
<u>Water-Commercial 2"</u>	<u>\$59.63</u>	RES 2009-19
<u>Water-Sm Industry 3"</u>	<u>\$129.85</u>	RES 2009-19
<u>Water-LG Industry 4"</u>	<u>\$222.60</u>	RES 2009-19
<u>Water-Lg Industry 6:"</u>	<u>\$463.75</u>	RES 2009-19
<u>Water-Lg Industry 8"</u>	<u>\$667.80</u>	RES 2009-19

Public Works (Cont.)

Water Base

OUTSIDE CITY

<u>Water-Residential Single Family 3/4"</u>	\$13.41		RES 2009-19
<u>Water-Residential Single Family 1"</u>	\$22.37		RES 2009-19
<u>Water-Residential Single Family 1.5"</u>	\$44.63		RES 2009-19
<u>Water-Residential Single Family 2"</u>	\$71.44		RES 2009-19
<u>Water-Multi Family All</u>	\$13.41		RES 2009-19
<u>Water-Commercial 3/4"</u>	\$13.41		RES 2009-19
<u>Water-Commercial 1"</u>	\$22.37		RES 2009-19
<u>Water-Commercial 1.5"</u>	\$44.63		RES 2009-19
<u>Water-Commercial 2"</u>	\$71.44		RES 2009-19
<u>Water-Sm Industry 3"</u>	\$156.44		RES 2009-19
<u>Water-LG Industry 4"</u>	\$268.18		RES 2009-19
<u>Water-Lg Industry 6:"</u>	\$558.72		RES 2009-19
<u>Water-Lg Industry 8"</u>	\$804.54		RES 2009-19

<u>Water Usage</u>	\$2.30	1000/C.F.	RES 2007-11
<u>Bulk Water</u>	\$3.50	1000/Gallons	RES 2007-11

<u>Water Service Installation Fee:</u>	<u>*Actual Cost</u>		RES 2016-
*Labor, Materials, Equipment & Admin. (3%)			

Sewer Base

<u>Sewer Base</u>	\$33.36		RES 2015-13
<u>Charges based on water usage from winter months</u>	\$3.30	C.F.	RES 2015-13

<u>Storm Drain Fee</u>	\$3.00		RES 2016-
<u>Street Maintenance Fee</u>	\$3.00		RES 2016-

<u>Service Shutoff Fee</u>	\$50.00		RES 2007-11
<u>Door Hanger Fee</u>	\$25.00		RES 2007-11
<u>Late Fee</u>	\$5.00		RES 2007-11

<u>Utility Service Deposits</u>	<u>Residential & Commercial</u>	\$100.00	RES 2007-11
	<u>Hydrant Customers</u>	\$700.00	RES 2016-

Plan Review Fee

<u>Engineering Design Review Fee</u>	<u>*5% but not less than \$250.00</u>		RES 2016-
* 5% of the total the Engineer's Estimate of the public improvements			

Permit Fee

<u>Hydrant Permit Fee</u>	\$25.00		RES 2016-
<u>Bulk Water Permit Fee</u>	\$25.00		RES 2016-
<u>Right-Of-Way Permit Fee (non-franchise)</u>	\$125.00		RES 2016-
<u>Right-Of-Way Permit Fee (non-franchise) - with Street Cut</u>	\$150.00	ea. Cut	RES 2016-
<u>Reinspection - Right-Of-Way Permit Fee (non-franchise)</u>	\$75.00		RES 2016-
<u>Right-Of-Way Permit Fee (franchise)</u>	\$0.00		RES 2016-

<u>Right-Of-Way Permit Fee (franchise) - with Street Cut</u>	<u>\$0.00</u> ea. Cut	RES 2016-
<u>Driveway, Sidewalk, and/or Curb & Gutter Const Permit Fee</u>	<u>\$95.00</u>	RES 2016-
<u>Reinspection - Driveway, Sidewalk, and/or Curb & Gutter Const Permit Fee</u>	<u>\$47.00</u>	RES 2016-
<u>Construction Permit Fee</u>	<u>*5% but not less than \$250.00</u>	RES 2016-
* 5% of the total the Engineer's Estimate of the public improvements		
<u>Construction Reinspection After 2 Failed Inspections</u>	<u>\$64.00</u> ea additional	RES 2016-
<u>Park & recreation fee</u>	<u>\$5.00</u> Repealed	RES 2007-09

Work in Right-of-way		Driveway/Sidewalk/ADA Permit & Inspection	
City	Fee	City	Fee
Newberg (2015)	\$152.00	Newberg (2015)	\$26-\$31
Silverton (2008)	\$183.00	Silverton (2008)	\$88.00
Stayton	\$65.00	Stayton	\$65.00
	Under \$5,000 5% of cost but not less than \$10		Under \$5,000 5% of cost but not less than \$10
	\$ 5,000 - \$25,000 \$ 250 + 4% over \$ 5,000		\$ 5,000 - \$25,000 \$ 250 + 4% over \$ 5,000
	\$25,000 - \$100,000 \$1,000 + 3% over \$ 25,000		\$25,000 - \$100,000 \$1,000 + 3% over \$ 25,000
	Over \$100,000 \$3,000 + 2% over \$100,000		Over \$100,000 \$3,000 + 2% over \$100,000
Woodburn		Woodburn	
Oregon City	\$148/Reinspection \$74	Oregon City	\$148/Reinspection \$74
Canby	\$100.00	Canby	\$100.00
Average	\$149.67	Average	\$96.67

----- Forwarded Message -----

Subject:library fees

Date:Thu, 3 Mar 2016 14:44:38 -0800

From:Diana Hadley <dhadley@lincc.org>

To:Sadie Cramer <cityrecorder@cityofmolalla.com>

Hi Sadie,

After feedback from other directors in the County, I'd like to bump up fines to \$0.25 for all items with a \$3.00 cap on Children's materials per item and a \$5.00 cap on Adult materials per item.

Is there anything else you need me to do in regards to this?

Thank you,

Diana

--

Diana L. Hadley
Library Director
Molalla Public Library
PO Box 1289
Molalla, OR 97038

503.759.0250

dhadley@lincc.org



MOLALLA'S ANNUAL SPRING CLEANUP

Service Provided By



It's Here and it's Free!!!

(Inside city limits only)

On the following Thursdays and Fridays

April 14th & 15th 2016

AND

April 28th – 29th 2016

See below for details & for additional questions please call Molalla Sanitary at 503-829-6183.



ITEMS YOU CAN DISCARD

*Garbage must be curbside, gray recycle carts not to exceed 65 pounds per container.

* Magazines and newspapers must be bundled or bagged and placed curbside.

***Other recyclables prepared and placed in separate bags as follows:** *Please don't put recycling in plastic bags*

- **Glass bottles and jars** - Clean and sort them by clear, green, brown glass categories. Labels and lids **do not** have to be removed. *Please NO window glass, china, Pyrex, etc.*
- **Aluminum** – Remove all *non-aluminum* parts from item and then flatten. Foil, TV dinner trays, pop-tops and out of state cans are acceptable.
- **Tin** - Remove tops and bottoms. Please make sure tin is clean and flattened.

- **Motor oil** – Pour up to 2 gallons of motor oil and auto lubricants into an unbreakable container with a screw on lid. (*Example: a bleach bottle with a screw on lid. Please mark the container as “Motor Oil”*)
- **Cardboard** - Needs to be flattened and tied neatly in a bundle. Brown paper bags may be included. Sorry, wax-coated cardboard will not be accepted.
- **Yard Debris** - Trimmings can be longer than 4 feet but need to be tied in bundles weighing no more than 25 pounds or in unbundled piles no longer than 3 feet by 4 feet long. Grass & small trimmings must be put suitable containers weighing no more than 65 pounds.
- **Car/Pick-up Tires** – *New!* Each address may put UP TO 4 car/pick-up tires without rims curbside.
- **Appliances** – *New!* Household appliances smaller than a kitchen stove can be picked up at curbside. Arrangements for kitchen stoves and appliances larger than that need to be made prior to pick up and may be subject to a fee. Please contact Molalla Sanitary at 503-829-6183 for more information.
- **Bicycles, tricycles, metal swing set equipment and BBQ sets** – *New!* Metal swing sets and BBQ sets need to be broken down into manageable bundles for employees to handle. Items may be left curbside until they are properly broken down.

*****VERY IMPORTANT!*****

ITEMS NOT INCLUDED OR ACCEPTED BY MOLALLA SANITARY AND HOW TO DISPOSE OF THE FOLLOWING ITEMS:

TAKE CARE OF OLD PAINT AND HAZARDOUS MATERIALS SAFELY AT METRO

Metro accepts paint and hazardous materials at its Oregon City location, 2001 Washington St., across from Home Depot, from 9 am to 4 pm, Monday through Saturday, year-round. No charge for residential amount up to 35 gallons. As you go through the gate, look to the right and follow the signs for Hazardous Waste. Need more information? Call Metro 503-234-3000 or go to www.oregonmetro.gov, *Garbage and Recycling*, then *Guide to Hazardous Waste*.

HAZARDOUS WASTE MATERIALS – TAKE TO METRO

- | | |
|---|--|
| • Thinners and solvents | • Pool and Spa chemicals |
| • Batteries | • Antifreeze and other automotive fluids |
| • Household cleaners and disinfectants | • Aerosol spray products |
| • Propane tanks and bottles | • Sharps (medical syringes, needles and lancets) |
| • Art and hobby chemicals and minerals | • Mercury contained items |
| • Pesticides, herbicides, fertilizers and poisons | • Compact fluorescent light bulbs (CFLs, fluorescent tubes and ballasts) |

MEDICATIONS

Unwanted human/pet medications – Can be dropped off at the Molalla Police Department 117 N Molalla Ave in downtown Molalla.

LARGE ITEMS RELATING TO CARS, APPLIANCES AND OTHER BIG MISCELLANEOUS ITEMS

To get a price quote and schedule a pick up time for big items larger than a kitchen stove, excess tires and other items that might be in question, please call Molalla Sanitary at 503.829.6183.

RECYCLE OLD COMPUTERS, TVS, MONITORS AND OTHER ELECTRONICS

Recycle them for free through the Oregon E-Cycles program. Molalla’s Oregon E-Cycle location is the Goodwill donation site at Bi-Mart, 514 W Main St. Hours: 9:00 AM – 8:00 PM every day. The Oregon E-Cycles program covers computers, laptops, monitors, and TVs. However, Goodwill also accepts and responsibly recycles other electronics such as printers, fax machines, etc. For more information, call Goodwill at 503.233.6589.