



Oregon City Municipal Code Thimble Creek Concept Plan/Beavercreek Road Concept Plan Implementing Code Revised Draft March 18, 2020 Planning Commission Meeting

Edited for grammar, legal clarity and code numbering- no substantial revisions were made from February 10, 2020 version

Chapter 16.08, Land Divisions - Process and Standards

16.08.025 - Preliminary plat—Required information.

- A. Site Plan. A detailed site development plan drawn to scale by a licensed professional based on an existing conditions plan drawn by a licensed surveyor. The site plan shall include the location and dimensions of lots, streets, existing and proposed street names, pedestrian ways, transit stops, common areas, parks, trails and open space, building envelopes and setbacks, all existing and proposed utilities and improvements including sanitary sewer, stormwater and water facilities, total impervious surface created (including streets, sidewalks, etc.), all areas designated as being within an overlay district and an indication of existing and proposed land uses for the site. (...)

16.08.040 – Park and Open Space Requirements.

Additional Public Park and Open Space Requirements in Thimble Creek Concept Plan area- residential development.

- A1. Each development within the Thimble Creek Concept Plan area that includes residential development must ~~dedicate~~ ~~provide for~~ land for neighborhood parks and open space ~~subject to the location requirements set forth in subsection F as follows: during a development application which meets the requirements of this section:~~
 - 1a. The minimum ~~acreage amount~~ of land ~~in acres dedicated for the~~ South-Central Open Space-Neighborhood Park ~~as provided in shall be calculated according to~~ the following calculation: (2.6 persons per dwelling units) x (total number of dwelling units proposed ~~in the development~~) x (4 acres) / (1,000 persons); and -
 - 2.b The minimum amount of land in acres dedicated for the East Ridge--Thimble Creek Conservation Area shall be 7.5 acres.
 - 3e. The entire acreage must be dedicated ~~prior to approval or~~ as part of the final plat or site plan development approval for the first phase of development.

Commented [CR1]: OCMC 16.08 was amended to align code numbering format with adopted code, provide direction that the appraiser is retained and paid for by the applicant for the fee in lieu approach and revise some wording to provide legal clarity.

B.d If a larger area for a neighborhood park or open space is proposed than is required based on the per-unit calculation described in subsection (A) ~~for the South-Central Open Space – Neighborhood Park~~, the City must reimburse the applicant for the value of the amount of land that exceeds the required dedication based on the fee-in-lieu formula expressed in subsection ~~(C)(4)~~.

C.e The City may accept a fee-in-lieu as an alternative to this dedication at its discretion or may require a fee-in-lieu if a suitable site meeting the criteria described in subsection ~~(D)~~ of these provisions is not available within the development site. The calculation of the fee-in-lieu or other monetary contribution must meet the following standards:-:

- 1.i. The amount of the fee in lieu or other monetary contribution ~~shall be determined by a licensed, City-selected appraiser, retained by the applicant, who will value the excessive dedication is set~~ in dollars per acre ~~of required dedication and is equivalent to the appraised cost of land within the development, as provided by a certified appraiser chosen by the City and with the assumption~~ that zoning and other land use entitlements ~~necessary for park or open space development~~ are in place.
- 2.ii. The fee-in-lieu or other monetary contribution ~~shall must be paid- concurrent with public dedication prior to approval of the final plat or development approval for each phase of development.~~

D.f. Neighborhood park and open space sites proposed for dedication must be located within the South-Central Open Space Network & East Ridge Thimble Creek Conservation Area Park locations as shown in Figure 16.08.040 -1- and meet the following ~~locational and dimensional~~ standards:

1. South Central Open Space-Neighborhood Park

- a. 30-foot ped/bikeway string along the east side of Center Parkway to be located in a shared-use path and will not be considered part of a pearl.
- b. Up to 4 pearls of various sizes spread along the open space network
- c. Min sizes pearl: 2 acres minimum.
- d. Maximum size pearl: none
- e. Min combined size of all pearls: 10 acres
- f. Min average pearl width: 200 feet
- g. Min average pearl depth: 200 feet
- h. At least 5 acres to be developed with active recreation components
- i. The first pearl dedicated must be at least 3 acres in size

2. East Ridge- Thimble Creek Conservation Area ~~shall include:~~

- a. $\frac{1}{2}$ of area between the Thimble Creek stream buffer and the 490-foot elevation ridgeline to be open space;
- b. Two public viewpoints separated by at least 400 feet with a minimum size of .35 acre at less than 10% slope for each viewpoint. One of the viewpoints must be visible from a passing vehicle ~~on the Ridge Parkway;~~
- c. 700-foot non-interrupted view corridor along open space from ~~the east edge of the Ridge Parkway; and~~

- d. Provide a pedestrian-oriented forest trail from one view-point to another along the Ridge Parkway

Chapter 17.0504- Definitions

Chapter 17.0504.145 Beaver Creek Road Concept Plan

The Beaver Creek Road Concept Plan was renamed the Thimble Creek Concept Plan in 2020. Any reference to the Beaver Creek Road Concept Plan refers to the Thimble Creek Concept Plan.

Chapter 17.0504.1277 Thimble Creek Concept Plan

The Beaver Creek Road Concept Plan was renamed the Thimble Creek Concept Plan in 2020. Any reference to the Beaver Creek Road Concept Plan refers to the Thimble Creek Concept Plan.

Chapter 17.10, R-5 Medium Density Residential District (East Mixed-Use Neighborhood ~~subdistrict~~)

17.10.070 – Additional Standards for Thimble Creek Concept Plan Area

- A. Applicability. This section applies to all development in the R-5 district within the Thimble Creek Concept Plan ~~area~~Area.
- B. Relationship of Standards. These standards apply in addition to and supersede the standards of the R-5 zone within the Thimble Creek Concept Plan ~~A~~area. In the event of a conflict, the standards of this section control.
- C. Southern Perimeter Transition. Along the southern boundary of the Thimble Creek Concept Plan area between Beaver Creek Road and the eastern-most point of Tax Lot 00316, located on Clackamas County Map #32E15A, additional standards apply to create a perimeter transition.
 - 1. ~~Where any portion of a lot is within For all lots adjacent to the southern boundary and~~ within 20 feet of the southern boundary, uses shall be limited to single-family detached residential uses and roads, parks, trails and open space.
 - 2. ~~Where any portion of a lot is within 20 feet of the southern boundary For all lots adjacent to the southern boundary and within 20 feet of the southern boundary, the~~ minimum lot size for residential uses shall be 6,000 square feet.
 - 3. ~~Where any portion of a lot is within 20 feet of the southern boundary, A~~all primary structures shall be set back a minimum of 40 feet from the southern boundary. ~~for all lots adjacent to the southern boundary and within 20 feet of the southern boundary.~~
 - 4. Within the 40-foot wide setback ~~from the southern boundary~~, a combination of landscaping and screening shall be provided to buffer the perimeter. The landscaping and screening shall meet one of the two standards:
 - a. Utilize existing vegetation in compliance with OCMC 17.41 resulting in preservation ~~or replanting~~ of a minimum of 12 inches ~~total of tree diameter inches~~ DBH per lot with trees spaced an average of one tree for every 30 linear feet along the southern property line. These trees may be located on the residential lots or an abutting tract created for tree preservation consistent with OCMC 17.41.050.B or other similar landscaping or open space purpose.
 - b. Provide a combination of new landscaping and screening to include:

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Commented [CR3]: OCMC 17.10 was amended to align code numbering format with adopted code, revisions to some wording to provide legal clarity.

- (i) A minimum of 12 inches of ~~tree diameter inches per lot~~ total DBH, or a minimum of an average of one tree with minimum caliper of two inches DBH for every 30 linear feet along the southern property line, whichever is greater; and
 - (ii) A minimum six-foot-tall, decorative, sight-obscuring fence or wall running parallel to the southern boundary. The fence or wall shall be constructed of wood, stone, rock, or brick. Other durable materials may be substituted with ~~Planning Director/Community Development Director's~~ approval. Chain-link fencing with slats shall be not allowed to satisfy this standard.
5. An alternative southern perimeter transition may be proposed as part of a Master Plan per OCMC 17.65, provided it is consistent with the goals of the adopted Thimble Creek Concept Plan.

Chapter 17.12, R-2 High-Density Residential District (West Mixed-Use Neighborhood ~~subdistrict~~)

17.12.060 – Additional Standards for Thimble Creek Concept Plan Area

- A. Applicability. This section applies to all development in the R-2 district within the Thimble Creek Concept Plan ~~A~~area.
- B. Relationship of Standards. These standards apply in addition to and supersede the standards of the R-2 zone within the Thimble Creek Concept Plan ~~A~~area. In the event of a conflict, the standards of this section control.
- C. Uses.
 - 1. Live/work dwellings are a permitted use.
 - 2. As part of a master plan when authorized by and in accordance with the standards contained in OCMC 17.65, up to five thousand square feet of commercial space as a stand-alone building or part of a larger mixed-use building, to be used for:
 - a. Restaurants, eating and drinking establishments ~~without a drive through;~~
 - b. Services, including personal, professional, educational and financial services; laundry and dry-cleaning; or
 - c. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores, and similar.
 - d. Drive through facilities are prohibited.
- D. Sustainability density bonus. The maximum net density allowed in 17.12.050.B may be increased by five percent for each up to twenty percent, or a maximum net density of 26.2 du/acre, for projects incorporating the following- of the sustainability features identified below subject to a ~~For every feature provided below, net density may be increased by up to five percent, with a total maximum twenty percent bonus available or no greater than 26.2 du/acre. Buildings LEED-certified by the U.S. Green Building Council at any level shall be allowed to increase net density by the full twenty percent.~~
 - 1. A vegetated eco-roof for a minimum of thirty percent of the total roof surface.;

Commented [CR4]: OCMC 17.10 was amended to align code numbering format with adopted code and revisions to some wording to provide legal clarity.

2. For a minimum of seventy-five percent of the total roof surface, a white roof with a Solar Reflectance Index (SRI) of 78 or higher if the roof has a 3/12 roof pitch or less, or SRI of 29 or higher if the roof has a roof pitch greater than 3/12;:-
3. A system that collects rainwater for reuse on-site (e.g., site irrigation) designed to capture an amount of rainwater equivalent to the amount of stormwater anticipated to be generated by 50% of the total roof surface;:-
4. An integrated solar panel system for a minimum of thirty percent of the total roof or building surface;:-
5. Orientation of the long axis of the building within thirty degrees of the true east-west axis, with unobstructed solar access to the south wall and roof;:-
6. Windows located to take advantage of passive solar collection and include architectural shading devices (such as window overhangs) that reduce summer heat gain while encouraging passive solar heating in the winter;:-
7. Fifty percent or more of landscaped area covered by native plant species selected from the Oregon City Native Plant List;:-
8. Provision of pedestal or wall-mounted Level 2, two hundred forty-volt electric vehicle chargers, or similar alternative fueling stations as approved by the Planning Director, at a minimum ratio of one station per fifty vehicle parking spaces up to a maximum of five such stations;:-
9. Building energy efficiency measures that will reduce energy consumption by thirty percent based on HERS rating for building, including efficient lighting and appliances, efficient hot water systems, solar orientation or solar water heating, solar photovoltaic panels, geothermal, and offsetting energy consumption with alternative energy;:-
10. Use of Forest Stewardship Council certified wood Reclaimed Wood for a minimum of thirty percent of wood products used in the site development on the primary building of the site.; or
11. Permeable paving, which may include porous concrete, permeable pavers, or other pervious materials as approved by the city engineer, for a minimum of thirty percent of all paved surfaces.
12. ~~Buildings LEED certified by the U.S. Green Building Council at any level shall be allowed to increase net density by the full twenty percent.~~

Chapter 17.24, NC Neighborhood Commercial District (Main Street subdistrict)

17.24.050 – Additional Standards for Thimble Creek Concept Plan Area

- A. Applicability. This section applies to all development in the NC district within the Thimble Creek Concept Plan areaArea.
- B. Relationship of Standards. These standards apply in addition to and supersede the standards of the NC zone within the Thimble Creek Concept Plan areaArea. In the event of a conflict, the standards of this section control.
- C. Uses.

Commented [CR5]: OCMC 17.24 was amended to align code numbering format with adopted code, revisions to some wording to provide legal clarity and reinserting a provisions from the underlying zone that was removed in the January 17, 2020 Housing Code Amendments that allowed residential uses that do not exceed 50% of the non-residential uses.

1. All uses permitted per OCMC 17.24.020.A and B, including grocery stores, are limited to a maximum footprint for a stand-alone building with a single store or multiple buildings with the same business not to exceed ten thousand square feet, unless otherwise restricted in this chapter.
 2. Residential uses, excluding live work, that do not exceed fifty percent of the total building square footage within the Thimble Creek Concept Plan Neighborhood Commercial Zoning District. Residential uses are permitted subject to limitations in OCMC 17.24.050.E, and are not subject to OCMC 17.29.020.M, OCMC 17.29.020.N, and OCMC 17.24.020.D.
 3. Artisan and specialty goods production is permitted, constituting small-scale businesses that manufacture artisan goods or specialty foods and makes them available for purchase and/or consumption onsite, with an emphasis on direct sales rather than the wholesale market. Examples include: candy, fruit and vegetable preserving and specialty foods, bakeries and tortilla manufacturing; artisan leather, glass, cutlery, hand tools, wood, paper, ceramic, textile and yarn products; microbreweries, microdistilleries, and wineries. All uses shall provide either:
 - a. A public viewing area that includes windows or glass doors covering at least twenty-five percent of the front of the building face abutting the street or indoor wall, allowing direct views of manufacturing; or
 - b. A customer service space that includes a showroom, tasting room, restaurant, or retail space.
 4. Drive-throughs are prohibited.
 5. Gas stations are prohibited.
- D. Dimensional standards.
1. Maximum building height shall be sixty feet or five stories, whichever is less.
 2. Minimum building height shall be twenty-five feet or two stories, whichever is less, except for accessory structures or buildings under one thousand square feet.
 3. Maximum corner side yard setback abutting a street shall be five feet.
 4. Minimum floor area ratio (FAR) shall be 0.5.
 - a. Required minimum FARs shall be calculated on a project-by-project basis and may include multiple contiguous blocks. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FAR.
 - b. An individual phase of a project shall be permitted to develop below the required minimum FAR provided the applicant demonstrates, through covenants applied to the remainder of the site or project or through other binding legal mechanism, that the required FAR for the project will be achieved at project build-out.
 5. Minimum required landscaping: Ten percent. Required landscaping areas may include:
 - a. Landscaping within a parking lot.
 - b. Planter boxes.
 - c. Eco roofs.

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d. Paved courtyard or plaza with at least twenty-five percent of the area used for landscaping, planter boxes, and/or water features including shade trees planted at the ratio of one tree for every 500 square feet of urban plaza area.

E. Residential Uses. Residential uses, excluding live/work dwellings, shall be ~~are~~ subject to the following additional standards:

i:

1. All residential uses shall be proposed along with any nonresidential use allowed in the NC district in a single development application.
2. All ground-floor residential uses, with the exception of entrances for upper-story residential uses, shall be set back a minimum of 150 feet from the property line along Glen Oak Road.
3. Ground-floor residential building square footage shall not exceed fifty percent of the ground-floor nonresidential building square footage onsite.
4. Ground-floor residential uses shall achieve a minimum net density of 17.4 units per acre, with no maximum net density.
5. Any new lots proposed for exclusive residential use shall meet the minimum lot size and setbacks for the R-2 zone for the proposed residential use type.
6. Upper-story residential uses are permitted with no limitations.

F. Site design standards.

1. In lieu of complying with OCMC 17.62.050.B.1, parking areas shall be located behind the building façade that is closest to the street or below buildings and shall not be located on the sides of buildings or between the street and the building façade that is closest to the street.

Chapter 17.29, MUC Mixed-Use Corridor District (Mixed Employment Village ~~subdistrict~~)

17.29.080 – Additional Standards for Thimble Creek Concept Plan Area

A. Applicability. This section applies to all development in the MUC-2 district within the Thimble Creek Concept Plan ~~A~~area.

B. Relationship of Standards. These standards apply in addition to and supersede the standards of the MUC-2 zone within the Thimble Creek Concept Plan ~~A~~area. In the event of a conflict, the standards of this section control.

C. Uses.

1. Light industrial uses limited to the design, light manufacturing, processing, assembly, packaging, fabrication and treatment of products made from previously prepared or semi-finished materials are permitted.
2. The following permitted uses, alone or in combination, shall not exceed twenty percent of the total gross floor area of all of the other permitted and conditional uses within the development site. The total gross floor area of two or more buildings may be used, even if the buildings are not all on the same parcel or owned by the same property owner, as long as they are part of the net developable portion of contiguous Mixed Use Corridor zoned lands. ~~part of the same development site, as determined by the community development director.~~

a. Restaurants, eating and drinking establishments;

Revised Thimble Creek Concept Plan Code for the March 18, 2020 City Commission Meeting

Commented [CR6]: OCMC 17.29 was amended to align code numbering format with adopted code, revisions to some wording to provide legal clarity and verifying that the analysis of 20% allowance of retail is based not on the development proposal but on full zoning district of the concept plan area, which is a much clearer number to calculate.

- b. Services, including personal, professional, educational and financial services; laundry and dry-cleaning;
- c. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores, marijuana, and similar, provided the maximum footprint for a stand-alone building with a single store does not exceed twenty thousand square feet; and
- d. Grocery stores provided the maximum footprint for a stand-alone building does not exceed forty thousand square feet.

3. Drive-throughs are prohibited.

4. Gas stations are prohibited.

5. Bed and breakfast and other lodging facilities for up to ten guests per night are a conditional use.

6. Tax Lot 00800, located on Clackamas County Map #32E10C has a special provision to allow the multifamily residential use permitted as of (Ordinance effective date) as a permitted use. This property may only maintain and expand the current use.

D. Dimensional standards.

1. Minimum floor area ratio (FAR) shall be 0.35.

2. Maximum allowed setback for corner side yard abutting street shall be five feet.

E. Residential uses. All residential uses, except live/work units, are limited to upper stories only, and may only be proposed as part of a single development application incorporating nonresidential uses allowed in the MUC-2 district on the ground floor.

Commented [CR7]: Requested revision from the Planning Commission from the 2.24.20 PC Meeting to provide additional clarity

Chapter 17.37 CI Campus Institutional District (North Employment Campus subdistrict)

17.37.060 – Additional Standards for Thimble Creek Concept Plan Area

A. Applicability. This section applies to all development in the CI district within the Thimble Creek Concept Plan Area.

B. Relationship of Standards. These standards apply in addition to and supersede the standards of the CI zone within the Thimble Creek Concept Plan Area. In the event of a conflict, the standards of this section control.

C. Uses.

1. The following permitted uses supersedes the uses allowed in OCMC 17.37.020.L. Retail sales and services, including but not limited to eating establishments for employees (i.e. a cafe or sandwich shop) or retail sales of marijuana pursuant to OCMC 17.54.110, located in a single building or in multiple buildings that are part of the same development, shall be limited to a maximum of five thousand square feet in a single outlet or twenty thousand square feet in multiple outlets that are part of the same development project.

2. The following permitted uses supersedes the uses allowed in OCMC 17.37.020.M. Retail and professional services including but not limited to financial, insurance, real estate and legal office uses limited to a maximum of five thousand square feet in a single outlet or twenty thousand square feet in multiple outlets that are part of the same development project.

Commented [CR8]: OCMC 17.37 was amended to align code numbering format with adopted code and revisions to some wording to provide legal clarity.

Financial institutions shall primarily serve the needs of businesses and employees within the development, and drive-throughs are prohibited.

3. Offices as an accessory to a permitted use are permitted.

4. Parks, trails, urban agriculture and community garden uses are permitted.

56. Distribution and warehousing not associated with a primary use ~~are or are more than 50% of the size of the primary use building(s)~~ is prohibited.

67. Tax Lots 00300, 00301, 00302, 00303, 00400 and 00401, located on Clackamas County Map #32E10C have a special provision to allow single-family detached residential use as a permitted use. This property may only maintain and expand the current use.

D. Buffer zone treatment required in OCMC 17.37.040.D shall include:

1. Landscaping shall be installed to provide screening of ~~views of~~ parking, loading and vehicle maneuvering areas, refuse/recycling collection areas, outdoor storage, and building façades. Buffer zone treatment may substitute for perimeter parking lot landscaping required per OCMC 17.52.060.C. Landscaping shall include at least one of the following:

a. Trees a minimum of two caliper inches ~~dbh~~-DBH planted on average 30 feet on center. Existing mature vegetation may be used to meet this standard if it achieves a similar level of screening as determined by the ~~Planning Director~~Community Development Director.;

b. An evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than 4 four feet apart on average; ~~or-~~

c. Ground cover plants, which includes grasses covering all landscaping areas. Mulch (as a ground cover) shall only be allowed underneath plants at full growth and within two feet of the base of a tree and is not a substitute for ground cover.

2. ~~Landscape b~~Buffer shall incorporate a berm no less than three feet in height above the existing ~~final-~~ grade, constructed with a slope no steeper than 3:1 on all sides. The berm shall be planted with ~~vegetative plant~~ materials to prevent erosion.

3. A minimum six-foot-tall, decorative, sight-obscuring fence or wall. The fence or wall shall be constructed of materials commonly used in the construction of fences and walls, such as wood, stone, rock, brick, or other durable materials. Chainlink fencing with slats shall be not allowed to satisfy this standard.

E. Outdoor storage permitted per OCMC 17.37.050.D shall be limited to a maximum of twenty-five percent of the net developable area.

F. Power line corridors. A distinct feature of this district is the power line corridors north of Loder Road that define open corridors.

1. Within the power line corridors, a minimum 30-foot wide open space and public access easement shall be granted to the City. The easement shall run parallel to the power line corridor and align with easements on abutting properties to create a continuous corridor.

2. The easement may be shown on the final plat or recorded as a separate easement document. In either case, the easement must be recorded prior to issuance of a certificate of occupancy.

Commented [CR9]: Provides more certainty for the development community per the recommendation of the Oregon City's Economic Development Manager.

3. Open spaces within the power line corridors, including the open space easements, may be counted as landscaping satisfying the requirements of OCMC 17.62.050.A.
 4. Additional uses encouraged in the power line corridors include community gardens, urban agriculture, stormwater and water quality features, plant nurseries, and solar farms.
- G. Sustainability features. Each development must incorporate at least six of the following sustainability features:-
1. A vegetated eco-roof for stormwater management. An eco-roof covering twenty to forty percent of the total roof area shall count as one feature, and a roof covering more than forty percent of the total roof area shall count as two features:-
 2. A white roof with a Solar Reflectance Index (SRI) of 78 or higher if the roof has a 3/12 roof pitch or less, or SRI of 29 or higher if the roof has a roof pitch greater than 3/12 covering a minimum of seventy-five percent of the total roof area:-
 3. A system that collects rainwater for reuse on-site (e.g., site irrigation) designed to capture an amount of rainwater equivalent to the amount of stormwater anticipated to be generated by 50% of the total roof surface:-
 4. An integrated solar panel system mounted on the roof or anywhere on site. A solar system with surface area equivalent to a minimum of twenty to forty percent of the total roof area shall count as one feature, and a solar system with surface area equivalent to forty percent or more of the total roof area shall count as two features:-
 5. Use of native plant species selected from the Oregon City Native Plant List. Native plantings that cover twenty to thirty percent of the total landscaped area shall count as one feature, and plantings that cover thirty percent or greater of the total landscaped area shall count as two features:-
 6. Provision of pedestal or wall-mounted Level 2, two hundred forty-volt electric vehicle chargers, or similar alternative fueling stations as approved by the ~~planning director~~Community Development Director, at a minimum ratio of one station per fifty vehicle parking spaces up to a maximum of five such stations:-
 7. Permeable paving, which may include porous concrete, permeable pavers, or other pervious materials as approved by the city engineer. Permeable paving totaling twenty to forty percent of all paved surfaces shall count as one feature, and permeable paving of forty percent or more of all paved surfaces shall count as two features; ~~or-~~
 8. Buildings LEED-certified by the U.S. Green Building Council at any level shall be counted as three features.

Chapter 17.62 Site Plan and Design ~~Review~~

17.62.058 - Additional Public Park and Open Space Requirements in Thimble Creek Concept Plan area-non-residential development.

1. New non-residential development creating new commercial or industrial space will contribute to the creation of the parks and open space within the Thimble Creek Concept Plan ~~by contributing area during a development application. Each non-residential development creating new commercial or~~

Commented [CR10]: OCMC 16.08 & OCMC 17.62 was amended to align code numbering format with adopted code, provide direction that the appraiser is retained and paid for by the applicant for the fee in lieu approach and revise some wording to provide legal clarity.

~~industrial space will provide~~ a fee in lieu to the city to ~~proportionally~~ support the acquisition and interim use of needed park and open space land within the Concept Plan boundary ~~as follows:-~~

- a. The fee in lieu will be set by the City Commission and adopted yearly in the city's fee schedule. The fee shall only be used by the city for park, trail and open space acquisition and interim site development. ~~proposed fee \$1,000 per 5,000 square feet of new commercial space~~
- b. The fee-in-lieu or other equivalent monetary contribution, approved by the Community Development Director, must be paid prior to approval of the ~~c~~Certificate of ~~o~~ccupancy.

17.62.059- Additional Public Park and Open Space Requirements in Thimble Creek Concept Plan area- residential development.

~~1-A~~ Each development within the Thimble Creek Concept Plan area that includes residential development must ~~provide for~~dedicate land for neighborhood parks and open space ~~subject to the location requirement set forth in Subsection D as during~~follows: ~~a development application which meets the requirements of this section.~~

~~a.1~~ The minimum ~~amount-acerage~~ of land ~~in acres~~ dedicated for the South-Central Open Space- Neighborhood Park ~~as provided in shall be calculated according to the~~ following calculation: $(2.6 \text{ persons per dwelling units}) \times (\text{total number of dwelling units proposed in the development}) \times (4 \text{ acres}) / (1,000 \text{ persons})$; ~~and~~

~~b.2~~ The minimum amount of land in acres dedicated for the East Ridge- Thimble Creek Conservation Area shall be 7.5 acres.

~~c.3~~ The entire acreage must be dedicated ~~prior to approval or~~ as part of the final plat or site plan development approval for the first phase of development.

~~d.B~~ If a larger area for a neighborhood park or open space is proposed than is required based on the per-unit calculation described in subsection (A), ~~for the south Central Open Space Neighborhood Park~~, the City must reimburse the applicant for the value of the amount of land that exceeds the required dedication based on the fee-in-lieu formula expressed in subsection ~~(E)(1)-C~~

~~e.C~~ The City may accept a fee-in-lieu as an alternative to this dedication at its discretion or may require a fee-in-lieu if a suitable site meeting the criteria described in subsection ~~(F)~~D of these provisions is not available within the development site. The calculation of the fee-in-lieu or other monetary contribution must meet the following standards.

~~i.1~~ The amount of the fee in lieu of other monetary contribution ~~shall be determined by a licensed, city selected appraiser, retained by the applicant, who will value the excessive dedication is set in dollars per acre of required dedication and is equivalent to the appraised cost of land within the development, as provided by a certified appraiser chosen by the City and with the assumption-assuming that zoning and other land use entitlement necessary for park and open space development -are in place.~~

~~i.2~~ The fee-in-lieu or other monetary contribution ~~must shall be paid current with public dedication prior to approval of the final plat or development approval for each phase of development.~~

f.D Neighborhood park and open space sites proposed for dedication must be located within the South-Central Open Space Network & East Ridge Thimble Creek Conservation Area Park locations as shown in Figure 17.62.059 -1- and meet the following locational and development standards:

1. South Central Open Space-Neighborhood Park

- i.a. 30-foot ped/bikeway string along the east side of Center Parkway to be located in a shared-use path and will not be considered part of a pearl.
- ii.b. Up to 4 pearls of various sizes spread along the open space network
- iii.c. Min sizes pearl: 2 acres minimum.
- iv.d. Maximum size pearl: none
- v.e. Min combined size of all pearls: 10 acres
- vi.f. Min average pearl width: 200 feet
- vii.g. Min average pearl depth: 200 feet
- viii.h. At least 5 acres to be developed with active recreation components
- ix.i. The first pearl dedicated must be at least 3 acres in size

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2. East Ridge- Thimble Creek Conservation Area shall include:

- a. ½ of area between the Thimble Creek stream buffer and the 490-foot elevation ridgeline to be open space
- b. Two public viewpoints separated by at least 400 feet with a minimum size of .35 acre at less than 10% slope for each viewpoint. One of the viewpoints must be visible from a passing vehicle on the Ridge Parkway.
- c. 700-foot non-interrupted view corridor along open space from the east edge of the Ridge Parkway; and
- d. Provide a pedestrian-oriented forest trail from one view-point to another along the Ridge Parkway

17.54.120 -Home Occupations/Cottage Industry- Thimble Creek Concept Plan Area

Home occupations and Cottage Industries within the Thimble Creek Concept Plan Area are encouraged and allowed as a means an expanded level of uses to support job creation in Oregon City and shall comply with all of the following:

Commented [CR11]: OCMC 17.54.100 was amended to revise some wording to provide legal clarity.

A. Up to 3 offsite employees are allowed to work at the residence. Offsite employees may work onsite Monday-Friday 7:00 am-6:00 pm and Saturday 9:00 am to 5:00 pm;

B. All business conducted on-site shall be conducted within the home or accessory structure;

C. No outdoor storage of materials associated with the business shall occur on-site;

D. Not more than one-half of the square footage of the primary dwelling is devoted to such use;

E. One commercial vehicle associated with the business that ~~does not~~ ~~has no more than 15 seats and~~ ~~does not~~ require a commercial driver's license and one trailer associated with the business no more than 20 feet in length may be stored onsite outside of an accessory building. No commercial vehicles or trailers associated with the business may be stored in the ~~Right of Way;~~ right-of-way

Commented [CR12]: Requested revision from the Planning Commission from the 2.24.20 PC Meeting

F. Any dedicated retail space located within the residence may be no larger than 300 square feet. Retail hours may not exceed Monday-Friday 7:00 am-6:00 pm and Saturday 9:00 am to 5:00 pm;

G. The following retail uses are not allowed in this district: food, beverage, and/or marijuana sales.