



# City of Oregon City

625 Center Street  
Oregon City, OR 97045  
503-657-0891

## Meeting Agenda Planning Commission

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Monday, October 24, 2016

7:00 PM

Commission Chambers

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1. Call to Order

2. Public Hearing

2a. [PC 16-104](#) AN-16-0003: Annexation of Oregon City Golf Course

**Staff:** Community Development Director Laura Terway

**Attachments:** [Commission Report](#)  
[Staff Report with Findings and Recommendation](#)  
[AN-16-0003 Application](#)  
[Vicinity Map](#)  
[Assessor Values List Report](#)  
[Clackamas County Land Use application for ROW](#)  
[DLCD Notice](#)  
[300 foot Public Notice](#)  
[Affected Parties Public Notice](#)  
[Newspaper Public Notice](#)  
[Beavercreek Road Concept Plan](#)

3. Communications

4. Adjournment

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*Public Comments: The following guidelines are given for citizens presenting information or raising issues relevant to the City but not listed on the agenda.*

- *Complete a Comment Card prior to the meeting and submit it to the staff member.*
- *When the Chair calls your name, proceed to the speaker table and state your name and city of residence into the microphone.*
- *Each speaker is given 3 minutes to speak. To assist in tracking your speaking time, refer to the timer at the dais.*
- *As a general practice, Oregon City Officers do not engage in discussion with those making comments.*

*Agenda Posted at City Hall, Pioneer Community Center, Library, and City Web site([oregon-city.legistar.com](http://oregon-city.legistar.com)).*

*Video Streaming & Broadcasts: The meeting is streamed live on Oregon City's Web site at [www.orcity.org](http://www.orcity.org) and is available on demand following the meeting.*

*ADA: City Hall is wheelchair accessible with entry ramps and handicapped parking located on the east side of the building. Hearing devices may be requested from the City staff member prior to the meeting. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.*



# City of Oregon City

625 Center Street  
Oregon City, OR 97045  
503-657-0891

## Staff Report

File Number: PC 16-104

**Agenda Date:** 10/24/2016

**Status:** Agenda Ready

**To:** Planning Commission

**Agenda #:** 2a.

**From:** Community Development Director Laura Terway

**File Type:** Planning Item

### **SUBJECT:**

AN-16-0003: Annexation of Oregon City Golf Course

### **RECOMMENDED ACTION (Motion):**

Staff recommends that the Planning Commission review the findings in the Staff Report for compliance with the applicable criteria and forward a recommendation for approval of AN-16-0003 to the City Commission.

### **BACKGROUND:**

This proposal is for annexation of the Oregon City Golf Course (117 acres) and approximately 2,000 square feet of Abutting Beaver Creek Road Right-of-Way into Oregon City.

Locations: No Situs Address, APN 3-2E-10D -03500 (63.82 ac);  
(See Vicinity Map) 20124 S Beaver Creek Rd, APN 3-2E-15A -00290 (50.87 ac);  
20118 S Beaver Creek Rd, APN 3-2E-15A -00201 (0.25 ac); and  
20130 S Beaver Creek Rd, APN 3-2E-15A -00202 (0.29 ac).

The 117 acre site is within the Oregon City Urban Growth Boundary and has a Comprehensive Plan designation of FU- Future Urban with FU-10 and TBR zoning in Clackamas County. The property is within the area of the Beaver Creek Road Concept Plan.

Staff has reviewed the application for compliance with the applicable review criteria as discussed in the Staff Report with Findings and Recommendation, which include compliance and consistency with the following:

Metro Code 3.09 - Local Government Boundary Changes

Oregon City Municipal Code 14.04 - Annexations

The Oregon City Comprehensive Plan

The Clackamas County Comprehensive Plan

The Oregon City / Clackamas County Urban Growth Management Agreement

No zone change or comprehensive plan amendment is proposed at this time, and no changes in use are proposed or will be authorized by this application. Staff has recommended conditions of approval to ensure that the subject site will not be developed fully until Oregon City can provide urban services to the property.



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### STAFF REPORT WITH FINDINGS AND RECOMMENDATION

**FILE NO.:** AN-16-0003

**APPLICATION TYPE:** Annexation of Oregon City Golf Course and Abutting Right-of-Way

**HEARING DATES:** *Planning Commission*  
Monday, October 24<sup>th</sup>, 2016 - 7:00 p.m., Oregon City City Hall  
625 Center Street, Oregon City, OR 97045

*City Commission*  
Wednesday, November 16<sup>th</sup>, 2016 - 7:00 p.m., Oregon City City Hall  
625 Center Street, Oregon City, OR 97045

**APPLICANT:** Brownstone Development, Inc., 47 South State St, Lake Oswego, OR 97934

**OWNER(s):** Multiple (See petition for all Owners).  
Herberger Fam Ltd Ptnrshp / Herberger May Rose Co-Trste / Rosemary S Holden

**REPRESENTATIVE:** DOWL, 720 SW Washington Street, Ste. 750, Portland, OR 97205

**REQUEST:** Annexation of Oregon City Golf Course (117 acres) and approximately 2000 square feet of Abutting Beavercreek Road Right-of-Way into Oregon City. The 117 acre site is within the Oregon City Urban Growth Boundary and has a Comprehensive Plan designation of FU- Future Urban. The property is within the area of the Beavercreek Road Concept Plan. No zone change is proposed at this time, and no changes in use are proposed or will be authorized by this application.

**LOCATION:** No Situs Address, APN 3-2E-10D -03500 (63.82 ac);  
(See Vicinity Map) 20124 S Beavercreek Rd, APN 3-2E-15A -00290 (50.87 ac);  
20118 S Beavercreek Rd, APN 3-2E-15A -00201 (0.25 ac); and  
20130 S Beavercreek Rd, APN 3-2E-15A -00202 (0.29 ac).

**STAFF REVIEWERS:** Pete Walter, AICP, Planner

**COMPREHENSIVE  
PLAN DESIGNATION:** FU - Future Urban

**CURRENT ZONING:** Clackamas County FU-10 (Future Urban - 10 Acre) and TBR (Timber District)

**RECOMMENDATION:** Approval.

**PROCESS:** The applicant and all documents submitted by or on behalf of the applicant are available for inspection at no cost at the Oregon City Planning Division, 221 Molalla Avenue, Oregon City, Oregon 97045, from 8:30am to 3:30pm Monday thru Friday. The staff report, with all the applicable approval criteria, will also be available for inspection 7 days prior to the hearings. Copies of these materials may be obtained for a reasonable cost in advance.

Please be advised that any issue that is intended to provide a basis for appeal must be raised before the close of the City Commission hearing, in person or by letter, with sufficient specificity to afford the City Commission and the parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity will preclude any appeal on that issue. The City Commission will make a determination as to whether the application has or has not complied with the factors set forth in section 14.04.060 of the Oregon City Municipal Code.

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# I. INTRODUCTION

## GENERAL INFORMATION

Proposal No AN-06-00032 was initiated by consent petitions of owners of 100% of the acreage (117 acres acres), 100% of the owners, and owners of 100% of the total assessed value of the properties (\$3,387,749.00). The petitions meet the requirement for initiation set forth in ORS 222.170 (2) (triple majority annexation law) and Metro Code 3.09.040 (a) (Metro's minimum requirements for a petition).

10/06/2016

### Assessor Values List Report

Page 1 of 1

APN	Address	Taxpayer	Zone	Acres	Land Mkt Value	Bldg Mkt Value	Net Mkt Value	Assessed Value	System Date
3-2E-10D -03500		HERBERGER FAM LTD PTNRSH	County	63.82	\$1,236,571	\$0	\$1,236,571	\$1,181,304	1/15/15
3-2E-15A -00201	20118 S BEAVERCREEK RD	HERBERGER MAY ROSE CO-TRSTE	County	0.25	\$111,243	\$143,770	\$255,013	\$210,779	1/5/16
3-2E-15A -00202	20130 S BEAVERCREEK RD	ROSEMARY S HOLDEN	County	0.29	\$111,243	\$287,220	\$398,463	\$381,097	1/5/16
3-2E-15A -00290	20124 S BEAVERCREEK RD	HERBERGER FAM LTD PTNRSH	County	50.87	\$1,099,799	\$514,770	\$1,614,569	\$1,614,569	1/15/15
<b>TOTALS</b>	Taxlot Count = 4			115.23	\$2,558,856	\$945,760	\$3,504,616	\$3,387,749	

## SB 1573

If the City Commission decides the proposed annexations should be approved, the City Commission is required by the Charter to submit the annexation to the electors of the City. However, the passage of SB 1573 requires that the City annex the territory without submitting the proposal to the electors of the city if:

*(a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015;*

**Finding:** The territory is included within the City's UGB adopted by the City and Metro.

*(b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city;*

The territory

*(c) At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right of way or a body of water; and*

*(d) The proposal conforms to all other requirements of the city's ordinances.*

**Finding:** As demonstrated within this report, the proposal meets items (a) through (d), with the conditions of approval.

If a necessary party raises concerns prior to or at the City Commission's public hearing, the necessary party may appeal the annexation to the Metro Appeals Commission within 10 days of the date of the City Commission's decision.

## SUMMARY OF PROPOSAL

Brownstone Development, Inc. (applicant) is requesting annexation of four tax lots located on or near S. Beaver Creek Road. The subject properties are part of the Beaver Creek Road Concept Plan area and are within Oregon City's urban growth boundary (UGB). No development or City zoning or Comprehensive Plan designation is being proposed concurrent with this annexation request. The future application of zoning designations will be required concurrent or before a formal land division or development application can be submitted. All four private properties are under the same ownership or ownership representatives while the adjacent right-of-way is under the ownership of Clackamas County. Properties proposed for annexation are shown in Figure 1.

There is not a proposal to develop this site at the present time. Until issues regarding transportation planning impacting the Hwy. 213 corridor are resolved through adoption of alternative mobility standards, the City is unable to approve zone changes that would allow for increased traffic impacting this area. For this reason, the proposed annexation will bring the subject property into the city limits, but will leave the property with Clackamas County's Future Urbanizable 10 acre zoning (FU-10) on 51.42 acres and Timber (TBR) zoning on the northern 63.82 acres. The FU-10 zone is a holding zone that precludes creating parcels smaller than 10 acres until urban services can be provided by the City. The TBR zone is a resource zone district that predates the golf course use of the property. At such time as the traffic issues are resolved, a separate application to rezone the properties to an appropriate Oregon City residential and mixed use zoning will be filed. Zoning regulations to implement the Beaver Creek Road Concept Plan have not been developed at this time.

## EXISTING CONDITIONS

The site is located in east Oregon City, on the east side of S. Beaver Creek Road within the southern limits of the Beaver Creek Road Concept Plan area. The site is comprised of four tax lots that total approximately 117 acres. The entire area is currently zoned FU-10 on 51.42 acres and TBR on 63.82 acres by Clackamas County. The site is the current location of the Oregon City Golf Club, which includes a club house facility with associated parking area and an 18-hole golf course. Two single-family homes and a number of accessory buildings are also located on the site. The eastern edge of the proposed annexation area is within a natural resource area associated with Thimble Creek and is undeveloped. Much of the site is relatively flat, with slopes ranging from 1% to 8% (there are limited areas of up to 15% slope).

Uses surrounding the site are described below.

**North:** Land uses to the north include a natural resource area associated with Thimble Creek and, further north, some low-density residential development. Although properties to the north are inside the city limits, no city plan or zoning designations have been applied to those properties. The area is zoned Timber (TBR) and Rural Residential Farm Forest (RRFF) by Clackamas County.

**East:** Land uses to the east include natural resource areas associated with Thimble Creek and, at the southeast corner, a residential subdivision. Lands to the east are zoned TBR, RRFF and Rural Residential 2-Acres (RA-2) by Clackamas County.

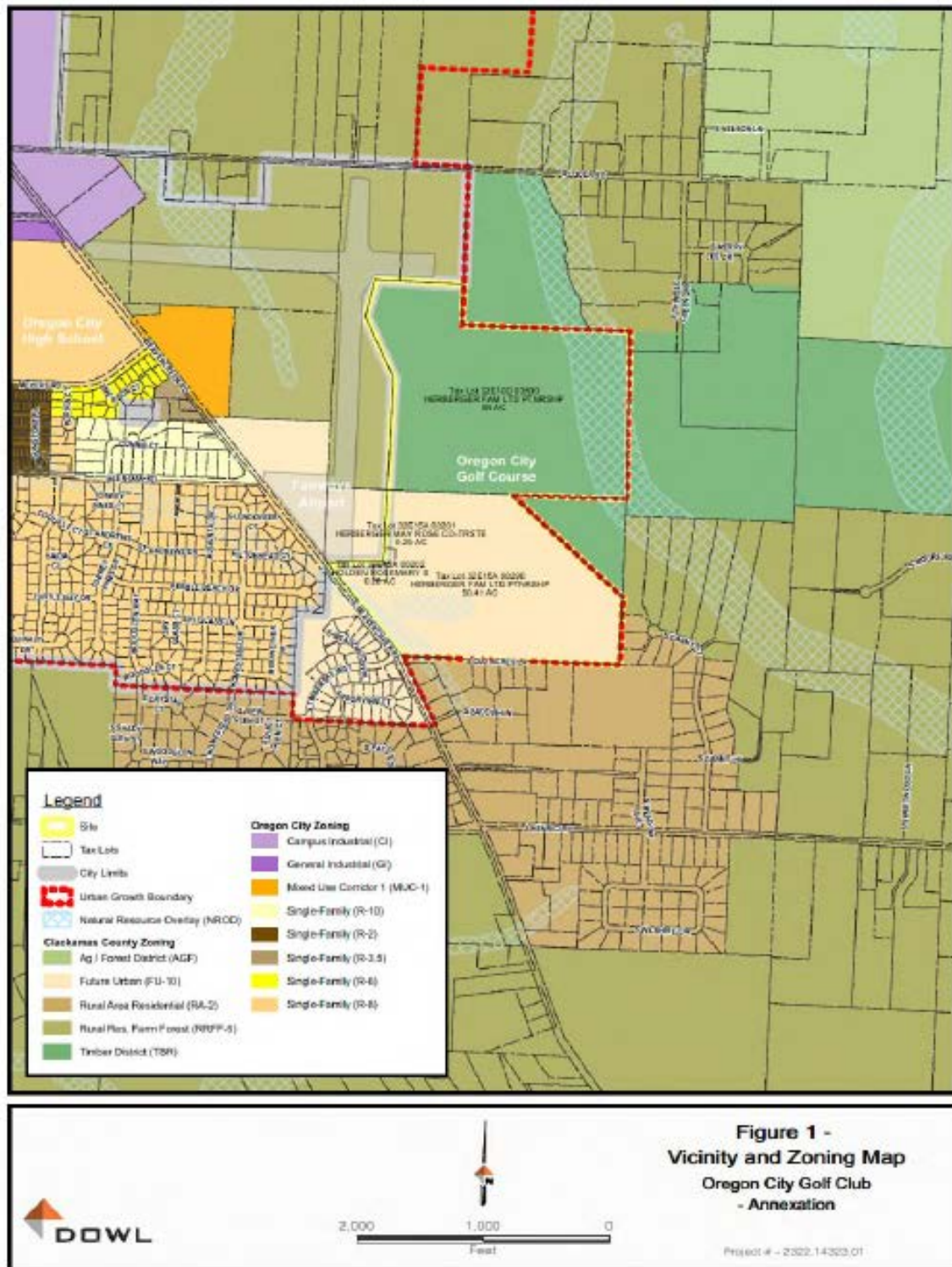
**South:** To the south, land is zoned RA-2 by Clackamas County and is comprised of single-family homes.

**West:** Land to the west and north of the site is zoned RRFF and FU-10 and is largely undeveloped. There are two single-family homes and a private airport with associated runway strip and buildings. Land to the west and south of the site, across S. Beaver Creek Road, is developed with a residential subdivision.

Access to the site is from S. Beaver Creek Road via a private driveway that connects to the two homes and the golf club.

**Figure 1 below indicates the current zoning designations on and adjacent to the property.**

Figure 1: Zoning and Vicinity Map



## **SITE HISTORY AND BEAVERCREEK ROAD CONCEPT PLAN**

The proposed annexation site has long been planned for urban levels of development. The southern portion of the site was included in the original UGB boundary when it was established by Metro in 1979.

The remainder of the site (along with rest of the Beaver Creek Road Concept Plan area) was brought into the UGB in two separate expansions, one in 2002 and another in 2004.

In 2007, the city began the concept planning effort for the Beaver Creek area; an effort which involved a significant amount of community engagement and ultimately resulted in adoption of the Beaver Creek Road Concept Plan (Concept Plan) in September 2008. Although approved by the City Commission in 2008 and accepted by Metro, the decision to adopt the Concept Plan was appealed to the Land Use Board of Appeals (LUBA), and LUBA remanded the decision back to the city to address an issue associated with industrial land designations (not related to the proposed annexation site).

The adoption of the concept plan in 2007 was preceded by an annexation application for the Golf Course (AN-07-02). AN-07-02 was rejected by the voters following approval by the City Commission.

After resolution of the industrial land designation issue, the City Commission voted unanimously to re-adopt the Concept Plan in March 2016. That decision was again appealed (LUBA # 2016-044) and is currently under review at LUBA.

The Beaver Creek Road Concept Plan is attached as an Exhibit.

The Concept Plan process did not include adoption of a Comprehensive Plan map, or associated implementation measure in the Oregon City Municipal Code. An additional public process is required to identify how the Concept Plan will be implemented prior to development occurring.



## II. APPLICABLE REGULATIONS AND APPROVAL CRITERIA

This section of the staff report provides findings to demonstrate that the proposed annexation is consistent with applicable approval criteria. The findings are based largely on the applicant's submitted approval criteria narrative, with additional details and specificity provided where necessary.

Annexations in Oregon City are governed at both local (city) regional (Metro) and State level. Locally, annexations are regulated by Title 14 of the Oregon City Municipal Code, and by goals and policies in the adopted Comprehensive Plan. Regionally, annexations are regulated by Metro's Code Section 3.09, which establishes requirements for local government boundary changes.

### COMPLIANCE WITH METRO CODE 3.09 – LOCAL GOVERNMENT BOUNDARY CHANGES

Metro Code Section 3.09 establishes requirements for local government boundary changes. The criteria for a minor boundary change are found in Section 3.09.050.D and are applicable to this annexation request. This annexation is considered an expedited decision pursuant to Metro code. Additional petition and notice requirements are also noted below.

#### 3.09.030 Notice Requirements

*B. Within 45 days after a reviewing entity determines that a petition is complete, the entity shall set a time for deliberations on a boundary change. The reviewing entity shall give notice of its proposed deliberations by mailing notice to all necessary parties, by weatherproof posting of the notice in the general vicinity of the affected territory, and by publishing notice in a newspaper of general circulation in the affected territory. Notice shall be mailed and posted at least 20 days prior to the date of deliberations. Notice shall be published as required by state law.*

**Finding: The proposal is consistent with this requirement.** The City provided public notice to all property owners within 300 feet of the property on September 20, 2016. Notice was published in the Clackamas Review / Oregon City News on September 28, 2016. Notice was provided to affected agencies, utilities and affected parties, including all Oregon City Neighborhood Associations, the Hamlet of Beavercreek Community Planning Organization (CPO), the Holcomb-Outlook CPO and the Central Point / Leland Road / New Era CPO via email on September 20, 2016.

Due to a staff oversight, the Land Use Notice Sign was not posted on the property 21 days prior the public hearing. Subsequently staff requested a continuation of the publicly noticed October 24<sup>th</sup>, 2016 Public Hearing to the date certain of November 14<sup>th</sup> 2016 to allow for complete public notice.

#### 3.09.040 Requirements for Petitions

*A. A petition for a boundary change must contain the following information:*

- 1. The jurisdiction of the reviewing entity to act on the petition;*
- 2. A map and a legal description of the affected territory in the form prescribed by the reviewing entity;*
- 3. For minor boundary changes, the names and mailing addresses of all persons owning property and all electors within the affected territory as shown in the records of the tax assessor and county clerk; and*

4. For boundary changes under ORS 198.855(3), 198.857, 222.125 or 222.170, statements of consent to the annexation signed by the requisite number of owners or electors.

**Finding: The proposal is consistent with this requirement.** Items 1-4 were submitted.

#### **Consistency with Metro Code 3.09.04(D)(1) for Expedited Decisions**

a. Any applicable urban service agreement adopted pursuant to ORS 195.065;

**Finding: Not applicable.** This criterion requires that annexations be consistent with applicable provision of annexation plans and/or agreements that have been adopted pursuant to ORS 195. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit, and have been addressed in the Statements of Availability of Facilities and Services findings of this report as required by under OCMC 14.04 .040 and Metro Code 3.09. There are no applicable urban service agreements adopted for the area at this time.

b. Any applicable annexation plan adopted pursuant to ORS 195.205;

**Finding: This criteria is not applicable.** There is no annexation plan applicable to the subject site. Therefore, this criterion does not apply.

c. Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;

**Finding: The proposal is consistent with this requirement.** The City and the County have an Urban Growth Management Agreement (UGMA) for portions of the property, which is a part of their Comprehensive Plans.

#### **Clackamas County – City of Oregon City Urban Growth Management Agreement (UGMA, 1990)**

The City and the County have an Urban Growth Management Agreement (UGMA), which is a part of their Comprehensive Plans. The territory to be annexed falls within the Urban Growth Management Boundary (UGMB) identified for Oregon City and is subject to the agreement. The County agreed to adopt the City's Comprehensive Plan designations for this area, which currently is Future Urban. When property is annexed to Oregon City, it will be zoned FU-10 and TBR until the Beavercreek Road Concept Plan is adopted and the appropriate comprehensive plan and zoning can be designated to implement the Concept Plan.

The Agreement presumes that all the urban lands within the UGMB will ultimately annex to the City. It specifies that the city is responsible for the public facilities plan required by Oregon Administrative Rule Chapter 660, division 11. The Agreement goes on to say:

- City and County Notice and Coordination

\* \* \*

D. The CITY shall provide notification to the COUNTY, and an opportunity to participate, review and comment, at least 20 days prior to the first public hearing on all proposed annexations . . .

\* \* \*

5. City Annexations

A. *CITY may undertake annexations in the manner provided for by law within the UGMB. CITY annexation proposals shall include adjacent road right-of-way to properties proposed for annexation. COUNTY shall not oppose such annexations.*

B. *Upon annexation, CITY shall assume jurisdiction of COUNTY roads and local access roads that are within the area annexed. As a condition of jurisdiction transfer for roads not built to CITY street standards on the date of the final decision on the annexation, COUNTY agrees to pay to CITY a sum of money equal to the cost of a two-inch asphaltic concrete overlay over the width of the then-existing pavement; however, if the width of pavement is less than 20 feet, the sum shall be calculated for an overlay 20 feet wide. The cost of asphaltic concrete overlay to be used in the calculation shall be the average of the most current asphaltic concrete overlay projects performed by each of CITY and COUNTY. Arterial roads will be considered for transfer on a case-by-case basis. Terms of transfer for arterial roads will be negotiated and agreed to by both jurisdictions.*

C. *Public sewer and water shall be provided to lands within the UGMB in the manner provided in the public facility plan . . .*

**Finding: The proposal is consistent with this requirement.** The required notice was provided to Clackamas County at least 20 days before the Planning Commission hearing. The UGMA requires that adjacent road rights-of-way be included within annexations. The Beavercreek Road right-of-way adjacent to the subject site is included in the initial legal description provided with this application. Since Beavercreek Road is an arterial, transfer of jurisdiction to the city would fall under the case-by-case basis, subject to negotiation. The County has agreed to consent to the annexation of the Beavercreek Road Right-of-Way and has signed the Petition and Land Use application, but the transfer in ownership of the roadway is not proposed with this application. Beavercreek Road shall be included in the final legal description for annexation.

*d. Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;*

**Finding: The proposal is consistent with this requirement.** The proposed annexation is consistent with adopted public facility plans, as described below.

Water: The city's 2012 *Water Distribution System Master Plan* identifies recommended improvement projects intended to serve the proposed annexation area. Those projects include:

- Pipeline project no. F-CIP-4 – New 8-inch and 12-inch pipelines (total of 5,875 feet in length) that connect to the existing system along S. Beavercreek Road and travel north through the proposed annexation area. The project description states it is “intended to supply future growth in the area and will likely be developer driven.” Total estimated cost is \$1,133,720.
- Pipeline project no. F-CIP-14 – A new 2 MG water storage facility and 10,750 feet of 16-inch pipeline extending from the storage facility on S. Wilson Road to the Fairway Downs Pump Station along S. Beavercreek Road. This project is intended to create storage for a newly created pressure zone in the Fairway Downs areas. A siting study will be required prior to design. Total estimated cost is \$5,687,500.

More recently (May 2016), the city has provided an updated assessment of future water facilities that will be needed to serve the Concept Plan area. To serve areas above a ground elevation of 480 feet, which includes the subject annexation site, the city has identified the following future facilities: a reservoir, pump station, transmission main and main extensions to serve the Fairway Downs Pressure Zone. The city anticipates that a phasing plan for construction of these water facilities will be completed in the next two years (2016 – 2017).

Sewer: The *Oregon City Sanitary Sewer Master Plan* (2014) also identifies recommended improvements intended to accommodate future demand in the proposed annexation area. Those improvements consist of gravity sewer extensions throughout the annexation area connecting to an existing line in S. Beaver Creek Road.

Transportation: The TSP identifies the following planned improvements intended to serve the Beaver Creek area:

- Project D39 – A new roundabout at the intersection of S. Beaver Creek Road and Glen Oak Road.
- Project D47 – Extension of Meyers Road (planned minor arterial) through the Beaver Creek area, north of the proposed annexation site.
- Project D55 – Extension of Glen Oak Road through the annexation area from Beaver Creek Road to the Meadow Lane extension. Street will be built to the Residential Collector cross section, which has three travel lanes, sidewalk/landscape strip on both sides, on-street parking and a 6-foot bike lane.
- Project D56 – New east-west collector (Timbersky Way extension) connecting Beaver Creek Road to the Meadow Lane extension. Street will be built to the Residential Collector cross section.
- Project D59 – New north-south collector (Holly Lane extension) through the annexation area, parallel to S. Beaver Creek Road. Street will be built to the Mixed-Use Collector cross section, which has three travel lanes, 10.5-foot sidewalks with tree wells on both sides, on-street parking and a 6-foot bike lane.
- Project D60 – new north-south collector (Meadow Lane extension) through the annexation area. Street will be built to the Mixed-Use Collector cross section.
- Project D82 – Planned street upgrade to S. Beaver Creek Road from Meyers Road south to the edge of the UGB. Beaver Creek will be improved to the Residential Major Arterial cross-section, which has five travel lanes, sidewalk/landscape strip on both sides, on-street parking, a median and a 6-foot bike lane.

With the exception of the roundabout in Project D39, all improvements are designated as Likely to be Funded System Projects. The TSP also identifies a shared-use path extending throughout the annexation area and generally following the collector street alignments. That project is considered a Not Likely to be Funded System Project but it could be provided as development occurs.

Stormwater: On-site or sub-regional stormwater drainage, water quality, and detention facilities will be required at the time of development. The Beaver Creek Road Concept Plan has extensive language on the recommended methodology to capture and treat stormwater. Additionally, the City has adopted new a Stormwater and Grading Design Standard Manual and Low Impact Development (LID) standards. When development is proposed for the subject site, the owner will be required to design a stormwater drainage plan that is consistent with these standards.

Police, Emergency and Fire Protection:

The area to be annexed lies within the Clackamas County Service District for Enhanced Law Enforcement, which provides additional police protection to the area. The combination of the county-wide service and the service provided through the Enhanced Law Enforcement CSD results in a total level of service of approximately 1

officer per 1000 population. According to ORS 222.120 (5) the City may provide in its approval ordinance for the automatic withdrawal of the territory from the District upon annexation to the City. If the territory were withdrawn from the District, the District's levy would no longer apply to the property.

Upon annexation, the Oregon City Police Department will serve the subject site. Oregon City fields approximately 1.41 officers per 1,000 people. The Police Department has a goal of four-minute emergency response, 7 to 9 minute actual, and twenty-minute non-emergency response times. As no zone change or additional development is proposed as part of this annexation application, this annexation will have a minimal impact on police services.

The proposed annexation area is currently, and will remain, within the Clackamas Fire District #1. The Clackamas Fire District provides all fire protection for Oregon City since the entire city was annexed into their district in 2007. As no zone change or additional development is proposed as part of this annexation application, this annexation will have no impact on fire protection services. Oregon Revised Statute 222.120 (5) allows the City to specify that the territory be automatically withdrawn from the District upon approval of the annexation; however, based on the November 2007 fire district annexation approval, staff recommends that the properties remain within the fire district.

Emergency Medical Services to the area are provided through American Medical Response (AMR) through a contract with Clackamas County. Oregon City and the unincorporated areas surrounding Oregon City are all part of the AMR contract service area. Clackamas Fire District#1 provides EMS service to all areas they serve include ALS (advanced life support) staffing. This means all fire apparatus are staffing with a minimum of one firefighter/paramedic; usually there are more than one. Additionally, Clackamas Fire does provide ambulance transport when an AMR unit is not readily available. Therefore EMS services are provided from Clackamas Fire #1 with AMR being dispatched as well.

*e. Any applicable comprehensive plan;*

**Finding: The proposal is consistent with this requirement.** The Beavercreek Road Concept Plan will ultimately be the concept plan that will guide future development in the proposed annexation area, once acknowledged by State Department of Land Conservation and Development and following the resolution of the current LUBA appeal. The Concept Plan has been adopted by the city and has been adopted as an ancillary document to the Comprehensive Plan, but is not yet effective and therefore does not provide any applicable approval criteria. The Beavercreek Road Concept Plan serves as the principal guiding land use document for annexation and urbanization of the area, and as mentioned in this report, has been relied upon and incorporated into the legislative review and approval of four recent major public facilities master plan updates; the Water System Master Plan (2012), the Sanitary Sewer Master Plan (2014), the Transportation System Plan (2014), and the Stormwater and Grading Design Standards (2015). The applicant has not applied for a comprehensive plan amendment or zone change at this time, but has relied upon and referenced the status of the concept plan and acknowledges the land use designations within the Beavercreek Road Concept Plan. In the meantime the current adopted Oregon City Comprehensive Plan for the area is addressed below:

**Clackamas County Comprehensive Plan Finding: The annexation area zoning designation of FU-10 and TBR is consistent with Clackamas County's Comprehensive Plan.** The Clackamas County Comprehensive Plan implements the Oregon City Comprehensive Plan for lands within the Urban Growth Boundary. The plan

designation for these properties on the County's Urban Area Land Use Plan the properties as Urban. According to the County's Plan,

"Urban areas include all land inside urban growth boundaries. Urban areas are either developed or planned to be developed with adequate supportive public services provided by cities or by special districts. Urban areas have concentrations of people, jobs, housing, and commercial activity."

The Land Use section of the Clackamas County Comprehensive Plan, Chapter 4, further distinguishes Urban Areas into Immediate Urban Areas and Future Urban Areas.

Immediate Urban Areas: Immediate urban areas are lands that are within urban growth boundaries, are planned and zoned for urban uses, and meet at least one of the following conditions:

1. Served by public facilities, including sanitary sewage treatment, water, storm drainage, and transportation facilities;
2. Included within boundaries of cities or within special districts capable of providing public facilities and planned to be served in the near future; or
3. Substantially developed or surrounded by development at urban densities.

The County's plan and map 4-1 identifies the territory proposed for annexation as a future urban area, which is defined as:

"Future urbanizable areas are lands within the Urban Growth Boundaries but outside Immediate Urban areas. Future Urbanizable areas are planned to be served with public sewer, but are currently lacking a provider of sewer service. Future Urbanizable areas are substantially underdeveloped and will be retained in their current use to insure future availability for urban needs.

Section 4.A of the County's Plan includes several policies that address the conversion of Future Urbanizable lands to Immediate Urban lands to "Provide for an orderly and efficient transition to urban land use." and "Encourage development in areas where adequate public services and facilities can be provided in an orderly and economic way."

Further, County Land Use Policy 4.A.1 requires that the County "Coordinate with Metro in designating urban areas within Metro's jurisdiction. Recognize the statutory role of Metro in maintenance of and amendments to the Portland Metropolitan Urban Growth Boundary."

Finally, 4.C. the County's Future Urban Policy 4.C.1. requires that the County control premature development (before services are available) by:

4.C.1.1. Applying a future urban zone with a 10-acre minimum lot size within the Portland Metropolitan UGB except those lands identified in Subsection 7.1.b.

The subject site is adjacent to the City limits of Oregon City. As demonstrated within this report, public facilities and urban services can be orderly and economically provided to the subject site. Nothing in the County Plan speaks directly to criteria for annexation of property from the County to the City, although the Urban Growth

Management Agreement (UGMA) between the City and the County does address these requirements as discussed above.

*f. Any applicable concept plan; and*

**Finding: The proposal is consistent with this requirement.** As discussed above, the Beaver Creek Road Comprehensive Plan will ultimately be the concept plan that will guide future development in the proposed annexation area. The Concept Plan has been adopted by the city but due to a current second appeal at LUBA is not yet effective and therefore does not provide any applicable approval criteria. The appeals notwithstanding, the Beaver Creek Road Concept Plan has served as the principal guiding land use document for annexation and urbanization of the area, and as mentioned in this report, has been relied upon and incorporated into the legislative review and approval of four recent major public facilities master plan updates; the Water System Master Plan (2012), the Sanitary Sewer Master Plan (2014), the Transportation System Plan (2014), and the Stormwater and Grading Design Standards (2015).

The applicant has not applied for a comprehensive plan amendment or zone change at this time, but has relied referenced the status of the concept plan and acknowledges the land use designations within the Beaver Creek Road Concept Plan.

#### **Consideration under Metro Code 3.09.045(D)(2) for Expedited Decisions**

*a. Promote the timely, orderly and economic provision of public facilities and services;*

**Finding: The proposal is consistent with this requirement.** The proposed annexation site is inside the UGB, contiguous with the city limits, and directly adjacent to developed areas that currently receive public facilities and services. Public facilities (water, sewer and transportation) are available near the proposed annexation site and the city has adopted public facilities plans that provide for extension of those facilities to serve the site to accommodate future development.

*b. Affect the quality and quantity of urban services; and*

**Finding: The proposal is consistent with this requirement.** The city has updated its sewer, water and transportation facilities master plans to plan for future extension of those services into the proposed annexation area. Fire protection is provided by Clackamas Fire District #1; the fire district will continue to serve this area after annexation and will need to adjust service levels as development occurs. Parks and open spaces will be provided in accordance with the city's parks requirements and the guidance provided in the Concept Plan, which identifies an interconnected system of green corridors, parks, and natural areas. Transit service within the annexation area is currently not available; however, transit is available near the subject site at Clackamas Community College, and the Concept Plan anticipates transit-supportive levels of development for the Beaver Creek area and anticipates eventual extension of transit service.

*c. Eliminate or avoid unnecessary duplication of facilities or services.*

**Finding: The proposal is consistent with this requirement.** The city notified all applicable service providers of this annexation request for their review and comment. Annexation to, or withdrawal from, service provider districts has been addressed in this report as part of the final recommendations, and will be done concurrent or subsequent to this proposed annexation.

The Metro Code also contains a second set of 10 factors that are to be considered where: 1) no ORS 195 agreements have been adopted, and 2) a necessary party is contesting the boundary change. Those 10 factors are not applicable at this time to this annexation because no necessary party has contested the proposed annexation. **This criterion is not applicable.**

## COMPLIANCE WITH OREGON CITY MUNICIPAL CODE

### OCMC Chapter 14.04

#### *14.04.050 - Annexation Procedures*

##### *A. Application Filing Deadlines*

**Finding: The proposal is consistent with this requirement.** Annexation of these properties may not be subject to vote provided that the application meets all of the requirements of SB 1573. Should an annexation approval require subsequent approval by the Voters of Oregon City, staff will prepare the necessary ballot title and resolution scheduling an election pursuant to this requirement and in sufficient time for the matter to be submitted to the voters as provided by the election laws of the State of Oregon.

##### *B. Pre-Application Review*

**Finding: The proposal is consistent with this requirement.** The applicant and applicant's representative attended a pre-application review meeting with city staff on June 29, 2016. Pre-application meeting notes are included with the application.

##### *C. Neighborhood Contact*

**Finding: The proposal is consistent with this requirement.** The applicant held a neighborhood meeting on Tuesday, June 28 at 7:00 PM to discuss the proposed annexation with surrounding neighbors. An invitation to the meeting was sent to a mailing list of approximately 2,000 households, including the Caufield Neighborhood Association mailing list and property owners surrounding the subject site. In addition to the mailing, representatives of the Caufield Neighborhood Association and the Hamlet of Beavercreek were notified about the meeting. The Hamlet of Beavercreek sent out a notice of the meeting to its members. Approximately 75 people attended the meeting. Exhibit C of the application contains a map of the mailing list and a copy of the meeting invitation that was mailed.

##### *D. Signatures on Consent Form and Application.*

**Finding: The proposal is consistent with this requirement.** The application submittal package includes the application form and consent form signed by the owners of the subject properties.

*E. Contents of Application. An applicant seeking to annex land to the city shall file with the city the appropriate application form approved by the city manager. The application shall include the following:*

*1. Written consent form to the annexation signed by the requisite number of affected property owners, electors or both, provided by ORS 222, if applicable;*

**Finding: The proposal is consistent with this requirement.** The written consent signed by the property owners or property owner representatives has been provided as part of the boundary change petition packet



submitted with this application. Specifically, under ORS 222.125, all of the owners of land and not less than 50 percent of the electors residing in the territory to be annexed have consented in writing to the annexation.

*2. A legal description of the territory to be annexed, meeting the relevant requirements of the Metro Code and ORS Ch. 308. If such a description is not submitted, a boundary survey may be required. A lot and block description may be substituted for the metes and bounds description if the area is platted. If the legal description contains any deed or book and page references, legible copies of these shall be submitted with the legal description;*

**Finding: The proposal is consistent with this requirement.** A legal description of the territory to be annexed has been provided as part of the boundary change petition packet submitted with this application.

*3. A list of property owners within three hundred feet of the subject property and, if applicable, those property owners that will be "islanded" by the annexation proposal, on mailing labels acceptable to the city manager;*

**Finding: The proposal is consistent with this requirement.** A list of property owners within 300 feet of the annexation property has been provided as part of the boundary change petition packet submitted with this application. No property owners will be "islanded" by the proposed annexation.

*4. Two full quarter-section county tax assessor's maps, with the subject property(ies) outlined;*

**Finding: The proposal is consistent with this requirement.** Two full quarter-section county tax assessor's maps have been provided as part of this application submittal package.

*5. A site plan, drawn to scale (not greater than one inch = fifty feet), indicating:*

*a. The location of existing structures (if any);*

*b. The location of streets, sewer, water, electric and other utilities, on or adjacent to the property to be annexed;*

*c. The location and direction of all water features on and abutting the subject property. Approximate location of areas subject to inundation, stormwater overflow or standing water. Base flood data showing elevations of all property subject to inundation in the event of one hundred year flood shall be shown;*

*d. Natural features, such as rock outcroppings, marshes or wetlands (as delineated by the Division of State Lands), wooded areas, identified habitat conservation areas, isolated preservable trees (trees with trunks over six inches in diameter—as measured four feet above ground), and significant areas of vegetation;*

*e. General land use plan indicating the types and intensities of the proposed, or potential development;*

**Finding: The proposal is consistent with this requirement.** The required site plan is provided in Exhibit B of the application.

*6. If applicable, a double-majority worksheet, certification of ownership and voters. Certification of legal description and map, and boundary change data sheet on forms provided by the city.*

**Finding: The proposal is consistent with this requirement.** The double-majority worksheet is not applicable.

## AVAILABLE PUBLIC FACILITIES AND SERVICES

### OCMC 14.04.050(E)(7)(a) - (g) NARRATIVE STATEMENTS

The applicant's narrative statements and findings that follow provide additional factual basis for a determination of a "positive balance of factors" required for approval of an annexation petition, as required under OCMC 14.04.060, which section follows this one.

*7. A narrative statement explaining the conditions surrounding the proposal and addressing the factors contained in the ordinance codified in this chapter, as relevant, including:*

*a. Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities;*

**Finding: The proposal is consistent with this requirement.** Overall, the land proposed for annexation is largely undeveloped and located within a future urban zone at the edge of urban/rural development. As such, public facilities are available near the area but will require further development as planned by the city in its adopted capital facilities plans, as described elsewhere in this report and in further detail below. The following is a brief summary of existing facilities.

Water: Currently, there is a 16-inch public water service line along S. Beavercreek Road and a pump station (Fairway Downs) located near the intersection of S. Beavercreek Road and Glen Oak Road. The city has identified several future capital improvement projects in the vicinity of the proposed annexation that are intended to serve future growth in the area. More detail about planned public facility improvements, specific to the approval criteria for an annexation request, is provided in subsequent sections of this narrative.

Sewer: Existing sanitary sewer service in the vicinity of the proposed annexation consists of a 2,400-foot trunk sewer in S. Beavercreek Road. The trunk sewer terminates near the Oregon City High School, approximately 0.5 miles north of the subject site. The Oregon City Sanitary Sewer Master Plan (2014) identifies a number of recommended future capital improvement projects intended to serve the Concept Plan area. More detail about planned public facility improvements, specific to the approval criteria for an annexation request, is provided in subsequent sections of this narrative.

Stormwater: The proposed annexation site slopes in several directions with two central drainages: Beavercreek Road to the west and Thimble Creek to the east. There are no existing stormwater treatment facilities currently serving the site. Future stormwater facilities to serve anticipated development will be consistent with the city's updated stormwater master plan and design standards and will be constructed concurrently with site development after the Concept Plan becomes effective and city zoning is applied to the annexed property.

Transportation: The transportation network currently serving the proposed annexation area consists of Beavercreek Road and a private driveway connecting to the Oregon City Golf Club and two residences on the property. Just north and west of the proposed annexation area is a private airport (Fairways Airport). The nearest available public transit (TriMet bus lines) is located at the Clackamas County Community College transit center

approximately 1.4 miles from the proposed annexation area. The Oregon City Transportation System Plan (2013) (TSP) identifies future collector streets serving the proposed annexation area consistent with the network recommended in the Concept Plan. Those collector streets are designated as “Likely to be Funded System Projects.” More detail about planned transportation improvements is provided in the applicant’s narrative and this report.

**Parks and Schools:** Oregon City High School and Clackamas County Community College are both in the vicinity of the proposed annexation area. There are currently no Oregon City parks in the vicinity of the proposed annexation area. The nearest park is Hillendale Park, which is about 2.8 miles from the proposed annexation area. There is an existing community trail along Glen Oak Road, extending east from OR Highway 213. That trail currently does not connect with Beaver Creek Road or the proposed annexation area. The Beaver Creek Road Concept Plan has identified open space and park locations to serve the community. No specific park size, location or ownership is required to be identified at the time of annexation, however this will be required at the time an application for the development of the property is submitted.

Oregon City School District received notice of the application and did not comment. The school district was involved with the initial development of the Beaver Creek Road Concept Plan and also submitted testimony during the recent re-adoption process for the Concept Plan. The superintendent for Oregon City School District indicated at that time (November 17, 2015) that the district owns property adjacent to the Beaver Creek Road Concept Plan and believes this is probably adequate for the near term. The District has some current capacity at the elementary school K-5 level and high school 9-12 level. The District is near capacity at the middle school 6-8 level. The School District indicated that even with existing school property adjacent to the Beaver Creek Road Concept Plan, public financing support will be required to develop the additional capacity in the future. The District is embarking on a long-range facilities planning process to study existing and future capital needs.

*b. Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time;*

**Finding: The proposal is consistent with this requirement.** The above item applies to development being proposed at this time and anticipates that no development may be proposed as part of an annexation application. No development is being proposed as part of this annexation application; therefore, the above item is not applicable. As discussed elsewhere in this report, all applicable public facilities and services to serve future development of the site have been or will be made available pursuant to the adopted Public Facilities plans that the City has adopted, which take future development within the Urban Growth Boundary into account based on estimates of growth capacity for the area in question.

*c. Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand;*

**Finding: The proposal is consistent with this requirement.** The above item applies to development being proposed at this time and anticipates that no development may be proposed as part of an annexation application. No development is being proposed as part of this annexation application; therefore, the above item is not applicable. As discussed elsewhere in this report, all applicable public facilities and services to serve future development of the site have been or will be made available pursuant to the adopted Public Facilities plans that the City has adopted, which take future development within the Urban Growth Boundary into account based on estimates of growth capacity for the area in question. Although not required for approval of the annexation, the

City is required by law to assure that System Development Charges commensurate with the projected level of demand for public facilities are applicable and payable by new development. The Beaver Creek Road Concept Plan serves as the principal guiding land use document for annexation and urbanization of the area, and as mentioned in this report, has been relied upon and incorporated into the legislative review and approval of four recent major public facilities master plan updates which are part of the City's Capital Improvement Program; the Water System Master Plan (2012), the Sanitary Sewer Master Plan (2014), the Transportation System Plan (2014), and the Stormwater and Grading Design Standards (2015). These facilities are mainly funded, part of the City's Capital Improvement Program, and the City is collecting System Development Charges.

*d. Statement outlining method and source of financing required to provide additional facilities, if any;*

**Finding: The proposal is consistent with this requirement.** The above item applies to development being proposed at this time and anticipates that no development may be proposed as part of an annexation application. No development is being proposed as part of this annexation application; therefore, the above item is not applicable. However, the Beaver Creek Road Concept Plan, as required for compliance with Metro Title 11 of the Urban Growth Functional Management Plan, includes a similar requirement to identify methods and sources of financing to provide additional facilities. Likewise, each of the City's recently adopted public facilities for Transportation, Sewer, and Water include a discussion of methods and sources of financing required to provide such facilities to the proposed annexation area. Specific funding mechanisms are not required to be identified until the time a development is proposed. Although not required for approval of the annexation, the City is required by law to assure that System Development Charges commensurate with the projected level of demand for public facilities are applicable and payable by new development. The Beaver Creek Road Concept Plan serves as the principal guiding land use document for annexation and urbanization of the area, and as mentioned in this report, has been relied upon and incorporated into the legislative review and approval of four recent major public facilities master plan updates which are part of the City's Capital Improvement Program; the Water System Master Plan (2012), the Sanitary Sewer Master Plan (2014), the Transportation System Plan (2014), and the Stormwater and Grading Design Standards (2015). These facilities are mainly funded, part of the City's Capital Improvement Program, and the City is collecting System Development Charges.

*e. Statement of overall development concept and methods by which the physical and related social environment of the site, surrounding area and community will be enhanced;*

**Finding: The proposal is consistent with this requirement.** The above item applies to any development being proposed as part of the annexation application. No development is being proposed as part of this annexation application. Future development and the application of Oregon City zoning and Comprehensive Plan designations will be reviewed for consistency with the Beaver Creek Road Concept Plan, which was developed through two-year intensive public involvement process and guided by a citizen advisory group comprised of a wide variety of stakeholders of the surrounding community.

*f. Statement of potential physical, aesthetic, and related social effects of the proposed, or potential development on the community as a whole and on the small subcommunity or neighborhood of which it will become a part; and proposed actions to mitigate such negative effects, if any;*

**Finding: The proposal is consistent with this requirement.** As noted previously, no development is being proposed at this time and this application requirement anticipates that no development may be proposed as part of an annexation application. Ultimately, the proposed annexation area is intended to be developed in the plan as mixed-use neighborhood concepts established in the Concept Plan, but that development cannot occur until the Concept Plan is effective and the implementing zoning is applied to the property.

In terms of physical effects of potential development, the annexation area will eventually be developed with a mix of housing types and densities, and possibly some neighborhood-scale commercial uses. A new street network will be developed, along with trails, open spaces and parks. Public facilities will be extended to serve the site. The annexation site will be subject to existing city code requirements related to impacts of new development, including protection of natural resources, street design, and buffering and landscaping.

Aesthetically, future development in the Beavercreek area is intended to emphasize and protect existing natural resources and view corridors, and link them to green open spaces and active parks via a connected system of biking and walking trails. Streets will be developed using green street designs with street trees, landscape strips and integrated stormwater treatment.

Socially, the proposed annexation site will ultimately be developed to be part of a complete community, one that integrates a diverse mix of uses, including housing, services, and public spaces that are necessary to support a thriving employment center. Future development will provide a mix of housing types at a range of prices, with multi-modal connections within the site and to surrounding activity centers, including the Oregon City High School and Clackamas Community College. New streets and street improvements will be designed to maximize safety and convenience for all users, including pedestrians and cyclists. Natural resources will be managed for optimum ecological health to help protect watersheds.

Overall, the annexation site will be developed in accordance with a carefully crafted vision identified in the Beavercreek Road Concept Plan that was the result of a vigorous public process and was adopted by the city to guide future growth in a way that will contribute to Oregon City as a whole.

*g. Statement indicating the type and nature of any comprehensive plan text or map amendments, or zoning text or map amendments that may be required to complete the proposed development;*

**Finding: The proposal is consistent with this requirement.** The applicant is not requesting a comprehensive plan text amendment or zone change for the proposed annexation properties at this time. Ultimately, in order for the properties to develop, land use plan and zoning designations will need to be applied. It is anticipated that zoning designations consistent with the Concept Plan will be developed and applied to the site. However, until such time, existing County FU-10 and TBR zoning will continue apply.

*8. The application fee for annexations established by resolution of the city commission and any fees required by metro. In addition to the application fees, the city manager shall require a deposit, which is adequate to cover any and all costs related to the election;*

**Finding: The proposal is consistent with this requirement.** The applicable application fee has been provided as part of this application submittal.

*9. Paper and electronic copies of the complete application as required by the community development director.*

**Finding: The proposal is consistent with this requirement.** Paper and electronic copies of this narrative have been included as part of this submittal package.

#### **COMPLIANCE WITH OCMC 14.04.060 – ANNEXATION FACTORS**

*A. When reviewing a proposed annexation, the commission shall consider the following factors, as relevant:*

*1. Adequacy of access to the site;*

**Finding: The proposal is consistent with this requirement.** The site currently has adequate access opportunities from S. Beaver Creek Road (a designated major arterial in the Oregon City Transportation System Plan) in the form of a driveway from Beaver Creek Road that serves the two residences and the golf club. No zone change or additional development is proposed as part of this annexation application. The current access, then, will remain adequate for the existing development and existing zoning until new zoning is proposed for the property. Once the property is rezoned consistent with the Concept Plan and development consistent with the Concept Plan is proposed, a primary street network will be developed in accordance with the connectivity concept identified in Figure 14 of the Concept Plan and Figure 17 of the TSP. See Images 1-2 below. In the vicinity of the subject site, the Concept Plan identifies three parallel north-south routes (the existing Beaver Creek Road and two new parkways) connected by east-west extensions of Glen Oak Road, Old Acres Lane and the south golf club entrance. Additional local streets will supplement this street network as required by Oregon City Code section 12.04. The specific design of the local street system is intentionally flexible in the Beaver Creek Road Concept Plan, and subject to additional master plan and subdivision review by the city.

The City's adopted TSP has incorporated the street network from the Concept Plan that will serve the proposed annexation area. These improvements are designated as "Likely to be Funded System Projects." More detail about TSP projects is provided in the discussion of public facilities in item (3) below.

Figure 14 from the Beavercreek Road Concept Plan

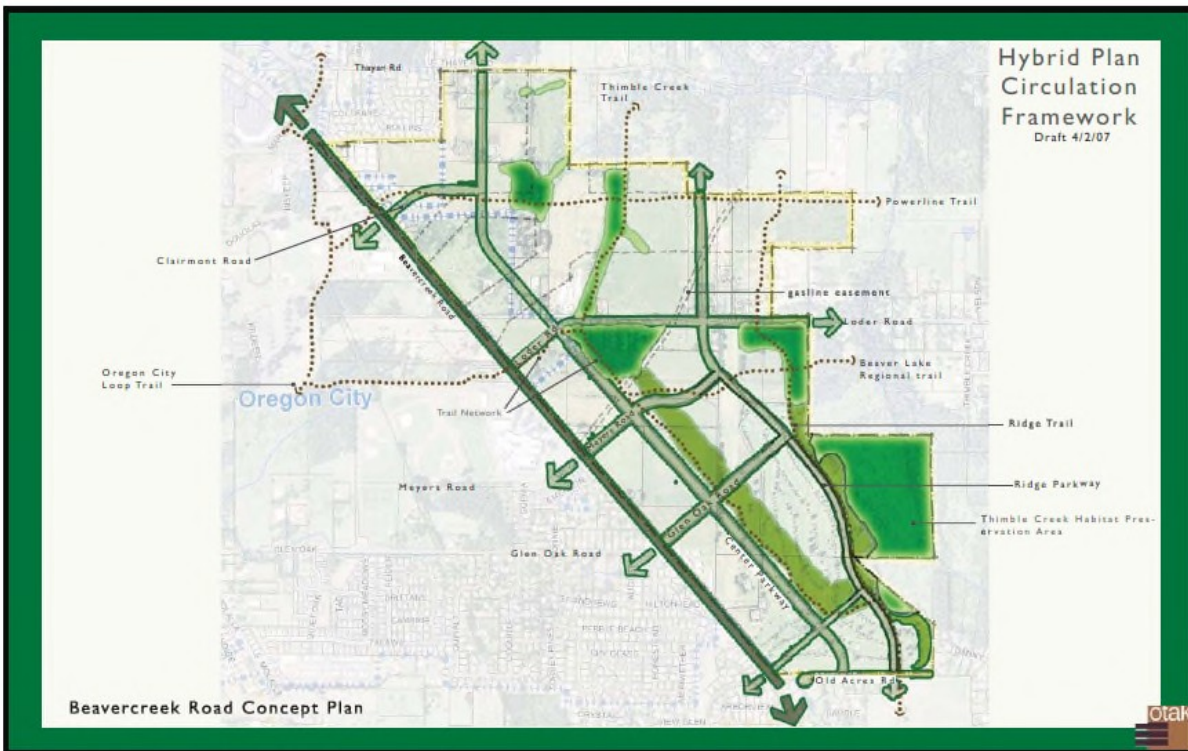
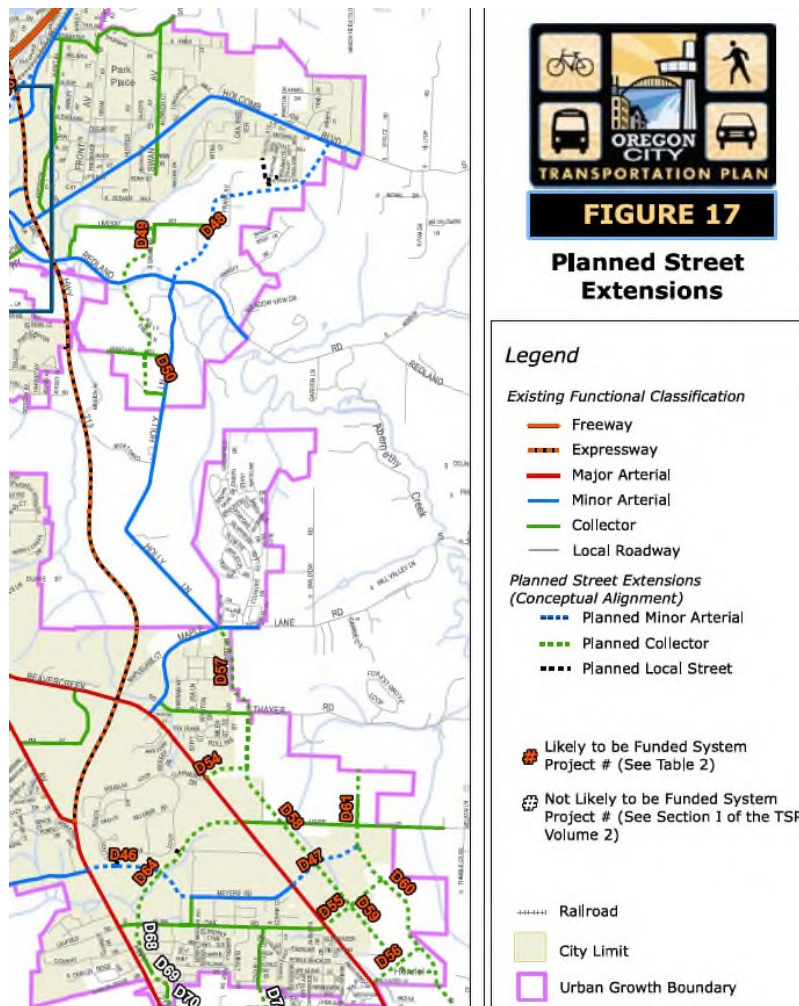


Figure 14 - Circulation Framework

**Image 2: Figure 17 from the Oregon City Transportation System Plan**



2. *Conformity of the proposal with the city's comprehensive plan;*

**Finding: The proposal is consistent with this requirement.** The conformity of this proposal with applicable goals and policies in the city's Comprehensive Plan is addressed in the following section of this report and in Section II.B of the Applicant narrative.

### **Compliance with Oregon City Comprehensive Plan**

Applicable goals and policies from the Comprehensive Plan were identified in the Pre-Application Conference Notes (Exhibit A). This section demonstrates how the proposed annexation is consistent with applicable goals and policies.

### **Section 2 Land Use**

**Goal 2.6 Industrial Land Development** *Ensure an adequate supply of land for major industrial employers with family wage jobs.*

**Finding: The proposal is consistent with this requirement.** The proposed annexation site is part of the larger Beaver Creek Road Concept Plan area, which has been planned for a complete mix of uses, including



employment, industrial, commercial and residential. Per the Concept Plan, the lands north of the subject site will be designated for employment uses and are intended to provide a mix of industries, research and development facilities, large corporate headquarters, office and retail, and some civic uses. This northern area (called the North Employment Campus and Mixed Employment Village in the Concept Plan) has been determined to be the most appropriate location for major industrial employers with family wage jobs, while the southern part of the Concept Plan area (where the subject site is located) has been determined to be most appropriate for residential uses that support the nearby employment areas. As a whole, the Concept Plan area will support the goal of ensuring adequate supply of land for employment uses, but the territory subject to this annexation application has no impact on the city's supply of land for major industrial employers either before or after annexation.

***Policy 2.6.8*** *Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which if approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the city's employment goals.*

**Finding: The proposal is consistent with this requirement.** As noted in the response above, the proposed annexation area is part of the larger Beaver Creek Road Concept Plan area, which has been adopted by the city but is not yet acknowledged or effective. In accordance with this policy, the Concept Plan will ultimately guide zoning designations for the lands east of Clackamas Community College that are designated as Future Urban Holding, as well as for the larger plan area. Consistent with this policy, the majority of the lands east of Clackamas Community College that are designated as Future Urban Holding have been identified in the Concept Plan for employment uses. This employment area is intended to provide for a mix of industries, research and development facilities, large corporate headquarters, office and retail, and some civic uses. The northern location of this employment area is important, because its proximity to Clackamas Community College and Oregon City High School is intended to foster connections and relationships among the employers that site in the employment area and these two educational institutions. The proposed annexation site is located in the southern portion of the Concept Plan area and is identified for mixed use residential neighborhoods that will support the nearby employment uses. Therefore, the territory subject to this annexation application has no impact on the city's ability to meet its employment goals under this policy either before or after annexation.

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

**Finding: The proposal is consistent with this requirement.** The Oregon City Comprehensive Plan Land-Use Map remains the long-range planning guide for development in the city. Ultimately, the Comprehensive Plan Map will be updated to apply land use designations to the proposed annexation area, consistent with land use designations identified in the Concept Plan. Therefore, this annexation application has no impact on this policy.

***Policy 2.7.3*** *Recognize the design types of Metro's 2040 Growth Concept. Establish boundaries for the Regional Center in Downtown Oregon City; Corridors along 7th Street, Molalla Avenue, Beaver Creek Road, and Highway 99; Industrial areas; and for Inner and Outer Neighborhoods.*

**Finding: The proposal is consistent with this requirement.** The proposed annexation area is within the boundaries of the Concept Plan which is consistent with the Metro 2040 Growth Concept. The Beavercreek Road Concept Plan supports the provision of a variety of housing types and income levels, creation of mixed use zones to encourage more employment and housing, and the designation of Metro Design Types (Industrial and Employment). The revised Industrial and Other Employment Areas map adopted by Metro in 2010 by Ordinance 10-1244B, Exhibit D is consistent with the North Employment Campus (NEC) plan area on the BRCP. The remaining plan areas – the Mixed Employment Village, Main Street, and West and East Mixed Use Neighborhoods, are consistent with the Metro Outer Neighborhoods design type designation.

#### **Section 14 Urbanization**

**Goal 14.3 Orderly Provision of Services to Growth Areas** *Plan for public services to lands within the Urban Growth Boundary through adoption of a concept plan and related Capital Improvement Program, as amendments to the Comprehensive Plan.*

**Finding: The proposal is consistent with this requirement.** This policy contains a requirement that the city plan for public services to lands within the urban growth boundary through concept plans and a related capital improvement program. This policy, then, is not directly applicable to this annexation request, because this annexation request has no impact on the city's ability to plan for such public services. In any event, the proposed annexation area is part of the Beavercreek Road Concept Plan, which has been adopted by the city (adopted originally in 2008 and re-adopted in 2016). Since the 2008 adoption, the city has updated its water, sewer and transportation master plans to include new projects intended to serve the Concept Plan area. Details regarding planned capital improvements to provide public services to the annexation site are below.

Water: Recommended future water service improvements identified in the 2012 *Water Distribution System Master Plan* include:

- Pipeline project no. F-CIP-4 – new 8-inch and 12-inch pipelines (total of 5,875 feet in length) that connect to the existing system along S. Beavercreek Road and travel north through the proposed annexation area. The project description states it is “intended to supply future growth in the area and will likely be developer driven.” Total estimated cost is \$1,133,720.
- Pipeline project no. F-CIP-14 – a new 2 MG water storage facility and 10,750 feet of 16-inch pipeline extending from the storage facility on S. Wilson Road to the Fairway Downs Pump Station along S. Beavercreek Road. This project is intended to create storage for a newly created pressure zone in the Fairway Downs areas. A siting study will be required prior to design. Total estimated cost is \$5,687,500.

More recently (May 2016), the city has provided an updated assessment of future water facilities that will be needed to serve the Concept Plan area. For the areas above a ground elevation of 480 feet, which includes the subject annexation site, the city has identified the following future facilities: a reservoir, pump station, transmission main and main extensions to serve the Fairway Downs Pressure Zone. The city anticipates that a phasing plan for construction of these water facilities will be identified in the next two years (2016 – 2017).

Sewer: The *Oregon City Sanitary Sewer Master Plan* (2014) identifies recommended improvements intended to accommodate future demand in the proposed annexation area. Those improvements consist of 8-inch, 10-inch and 12-inch gravity sewer line extensions throughout the annexation area connecting to an existing line in S. Beavercreek Road.

Transportation: The TSP identifies the following planned improvements intended to serve the Beavercreek area:

- Project D39 – A new roundabout at the intersection of S. Beavercreek Road and Glen Oak Road.
- Project D47 – Extension of Meyers Road (planned minor arterial) through the Beavercreek area, north of the proposed annexation site.
- Project D55 – Extension of Glen Oak Road through the annexation area from Beavercreek Road to the Meadow Lane extension. Street will be built to the Residential Collector cross section, which has three travel lanes, sidewalk/landscape strip on both sides, on-street parking and a 6- foot bike lane.
- Project D56 – New east-west collector (Timbersky Way extension) connecting Beavercreek Road to the Meadow Lane extension. Street will be built to the Residential Collector cross section.
- Project D59 – New north-south collector (Holly Lane extension) through the annexation area, parallel to S. Beavercreek Road. Street will be built to the Mixed-Use Collector cross section, which has three travel lanes, 10.5-foot sidewalks with tree wells on both sides, on-street parking and a 6-foot bike lane.
- Project D60 – New north-south collector (Meadow Lane extension) through the annexation area. Street will be built to the Mixed-Use Collector cross section.
- Project D82 – Planned street upgrade to S. Beavercreek Road from Meyers Road south to the edge of the UGB. Beavercreek will be improved to the Residential Major Arterial cross-section, which has five travel lanes, sidewalk/landscape strip on both sides, on-street parking, a median and a 6-foot bike lane.

With the exception of the roundabout in Project D39, all improvements are designated as Likely to be Funded System Projects. The TSP also identifies a shared-use path extending throughout the annexation area and generally following the collector street alignments. That project is considered a “Not Likely to be Funded System Project.”

As evidenced above, the city has planned for public services to the lands within the urban growth boundary through the adoption of the Concept Plan and the amendment of its related public facilities plans that detail how those lands will be served. This annexation application does not affect that.

The Beavercreek Road Concept Plan serves as the principal guiding land use document for annexation and urbanization of the area, and as mentioned in this report, has been relied upon and incorporated into the legislative review and approval of four recent major public facilities master plan updates which are part of the City’s Capital Improvement Program; the Water System Master Plan (2012), the Sanitary Sewer Master Plan (2014), the Transportation System Plan (2014), and the Stormwater and Grading Design Standards (2015).

Further analysis of the adequacy of the public facilities to serve the site without diminishing service to existing customers is required prior to any subsequent development proposal of the annexed property, including any zone changes, land divisions, or other development approvals required. Future development of the annexed properties will be required to construct or pay fee-in-lieu of construction of all necessary city public facilities to serve the subject site, as well as paying applicable System Development Charges.

**Policy 14.3.1** *Maximize new public facilities and services by encouraging new development within the Urban Growth Boundary at maximum densities allowed by the Comprehensive Plan.*

**Finding: The proposal is consistent with this requirement.** The proposed annexation site is inside the urban growth boundary and will ultimately be designated for residential uses consistent with the Comprehensive Plan designations for medium- and high-density residential land use categories. Those land use designations will be implemented by city zoning, consistent with the densities identified in the Concept Plan for the West (R-2 zoning) and East (R- 5 zoning) Mixed Use Neighborhoods. The city's water, sewer and transportation master plans (as described previously) have been updated to reflect those land use designations and associated densities. As noted earlier, no zone change or additional development is proposed as part of this annexation application. Until land use plan and zoning designations are applied to the site and future development approvals are obtained, uses on the affected property will remain as they are. Therefore, this annexation application will not hinder the city's ability to maximize new public facilities and services at maximum densities per the direction of the Concept Plan.

**Policy 14.3.2** *Ensure that the extension of new services does not diminish the delivery of those same services to existing areas and residents in the city.*

**Finding: The proposal is consistent with this requirement.** As noted previously, the city has updated its water, sewer and transportation master plans to plan for extension of services to the annexation area. The updated public facility master plans take into account the demand for services from both existing and planned development in the city. The master plans identify future capital improvement projects intended to ensure that public services can be maintained and extended as needed to meet demand. Further, as no zone change or additional development is proposed as part of this annexation application, the proposed annexation does not affect the ability of the city to deliver services to existing areas, at existing densities, and residents in the city. The service demand on city systems will be the same if the property develops under the existing FU-10 zone if annexed to the city as it would be if development occurred today when the land is in the county. Further analysis of the adequacy of the public facilities to serve the site without diminishing service to existing customers is required prior to any subsequent development proposal of the annexed property, including any zone changes, land divisions, or other development approvals required. Future development of the annexed properties will be required to construct or pay fee-in-lieu of construction of all necessary city public facilities to serve the subject site, as well as paying applicable System Development Charges.

**Policy 14.3.3** *Oppose the formation of new urban services districts and oppose the formation of new utility districts that may conflict with efficient delivery of city utilities within the Urban Growth Boundary.*

**Finding: Not applicable.** The proposed annexation does not involve formation of a new urban service or utility district.

**Policy 14.3.4** *Ensure the cost of providing new public services and improvements to existing public services resulting from new development are borne by the entity responsible for the new development to the maximum extent allowed under state law for Systems Development Charges.*

**Finding: The proposal is consistent with this requirement.** As noted previously, the city's water, sewer and transportation master plans have been updated to plan for extension of those services to the proposed annexation area. Capital improvement projects needed to provide those services are identified in the master plans and the city's system development charges (SDCs) have been updated accordingly. The updated SDCs

will ensure that new development in the annexation area will fund those public improvements to the maximum extent allowed under state law.

***Goal 14.4 Annexation of Lands to the City*** *Annex lands to the city through a process that considers the effects on public services and the benefits to the city as a whole and ensures that development within the annexed area is consistent with the Oregon City Comprehensive Plan, City ordinances, and the City Charter.*

**Finding: The proposal is consistent with this requirement.** This annexation application will be reviewed through a process that considers the effects on public services and benefits to the city. Consistency with the Comprehensive Plan and applicable city ordinances is required for annexation approval and has been demonstrated in this narrative and in the supporting materials provided with the application package. Further, as no zone change or additional development is proposed as part of this annexation application, the proposed annexation will have no greater effect on public services that it currently does with the lands located outside city boundaries but within the UGB. By approving this annexation, the city takes the next step in urbanizing this area, realizing the objectives identified in the Beavercreek Concept Plan.

***Policy 14.4.1*** *Promote compact urban form and support efficient delivery of public services by ensuring that lands to be annexed are within the City's Urban Growth Boundary, and contiguous with the city limits. Do not consider long linear extensions, such as cherry stems and flag lots, to be contiguous with the city limits.*

**Finding: The proposal is consistent with this requirement.** This application supports this policy by proposing annexation of property that is within the city's urban growth boundary and is contiguous with the southeastern edge of existing city limits. This application does not propose long linear extensions such as cherry stems or flag lots.

***Policy 14.4.2*** *Include an assessment of the fiscal impacts of providing public services to unincorporated areas upon annexation, including the costs and benefits to the city as a whole as a requirement for concept plans.*

**Finding: The proposal is consistent with this requirement.** This policy contains a requirement that the city include a fiscal impact assessment as part of the preparation of concept plans. This policy, then, is not directly applicable to this annexation request, because this annexation request is not a concept plan. In any event, the Concept Plan does provide the required assessment of the fiscal impacts of providing public services to the proposed annexation area when it develops, including potential costs and benefits to the city. As part of the Concept Plan preparation and adoption process, associated city master plans have also been updated to include projects identified in the Concept Plan. Those plans include the Transportation System Plan (2013), Water System Master Plan (2012) and Sanitary Sewer Master Plan (2014) – all of which have been adopted by the city and acknowledged by the State of Oregon. The infrastructure requirements and cost estimates contained in those master plans were used to update the city's system development charges and have been included as part of the city's capital improvement program.

***Policy 14.4.3*** *Evaluate and in some instances require that parcels adjacent to proposed annexations be included to:*

- *avoid creating unincorporated islands within the city;*
- *enable public services to be efficiently and cost-effectively extended to the entire area; or*
- *implement a concept plan or sub-area master plan that has been approved by the Planning and City Commissions.*

**Finding: The proposal is consistent with this requirement.** The proposed annexation will not create an unincorporated island within the city. As demonstrated in the Concept Plan and adopted public facility plans, public services can be efficiently and cost-effectively extended to serve the Beavercreek area without including additional parcels with this annexation. This proposed annexation will facilitate implementation of the Concept Plan, which has been adopted by the city.

#### **Compliance with OCMC 14.04.060 – Annexation Factors – Continued**

##### *3. Adequacy and availability of public facilities and services to service potential development;*

**Finding: The proposal is consistent with this requirement.** The adequacy and availability of public facilities and services to service the potential development of the property was discussed earlier under the applicant's statements section, and is further discussed here. No zone change or additional development is proposed as part of this annexation application. The current public facilities and services, then, will remain adequate for the existing development and existing zoning until new zoning is proposed for the property. The Concept Plan identifies this area as a future location for mixed-use neighborhoods that include a variety of residential types (at densities similar to the city's R-2 and R-5 zones), smaller-scale employment and retail uses, and parks and pedestrian ways. Public facilities plans have been updated and adopted by the city to anticipate and accommodate urban levels of development on the subject site upon the Concept Plan becoming effective. The following is a summary of how public facility improvements are being addressed to service potential development in the annexation area.

#### **Water**

**Beavercreek Road Concept Plan:** According to the Concept Plan, a network of water supply pipelines will be created to serve as the "backbone" system. In addition, as individual parcels are developed, a local service network of water mains will be needed to serve individual lots. Figure 22 in the Concept Plan identifies this "backbone" system comprised of 8- and 12-inch pipelines along the proposed new north-south collector streets, and connected by east-west pipelines at the north and south ends of the annexation area.

**Adopted Public Facilities Plan:** Recommended future water service improvements identified in the 2012 *Water Distribution System Master Plan* implement the water supply network envisioned in the Concept Plan and include:

- Pipeline project no. F-CIP-4 – new 8-inch and 12-inch pipelines (total of 5,875 feet in length) that connect to the existing system along S. Beavercreek Road and travel north through the proposed annexation area. The project description states it is "intended to supply future growth in the area and will likely be developer driven."
- Pipeline project no. F-CIP-14 – a new 2 MG water storage facility and 10,750 feet of 16-inch pipeline extending from the storage facility on S. Wilson Road to the Fairway Downs Pump Station along S. Beavercreek Road. This project is intended to create storage for a newly created pressure zone in the Fairway Downs areas. A siting study will be required prior to design.

More recently (May 2016), the city has provided an updated assessment of future water facilities that will be needed to serve the Concept Plan area. For the areas above a ground elevation of 480 feet, which

includes the subject annexation site, the city has identified the following future facilities: a reservoir, pump station, transmission main and main extensions to serve the Fairway Downs Pressure Zone. The city anticipates that a phasing plan for construction of these water facilities will be prepared in the next two years (2016 – 2017).

### **Sewer**

**Beavercreek Road Concept Plan:** The Concept Plan notes that the majority of the southern half of the concept area (which includes the proposed annexation area) will be served by a gravity sanitary sewer system that will convey waste water to the existing 2,400-foot long trunk sewer in Beavercreek Road. This portion of the system can be built in the planned roadways and in the existing Beavercreek Road right-of-way. The Concept Plan also notes that, “The approximate elevation of 490 ft (MSL) is important in the southern half of the concept plan area relative to gravity sewer service. Roadways and development constructed above 490 ft will most likely allow for gravity sewer service. If land uses requiring sanitary sewer service (or roadways with sewer underneath) are located lower than 490 ft, individual pump stations and pressurized services may be required.”

**Adopted Public Facilities Plan:** The *Oregon City Sanitary Sewer Master Plan* (2014) implements the sanitary sewer network envisioned in the Concept Plan and identifies recommended improvements intended to accommodate future demand in the proposed annexation area. Those improvements consist of gravity sewer extensions throughout the annexation area connecting to the existing line in S. Beavercreek Road. Image 3 below provides additional detail.

Image 3: Figure 5-4 from the Oregon City Sanitary Sewer Master Plan

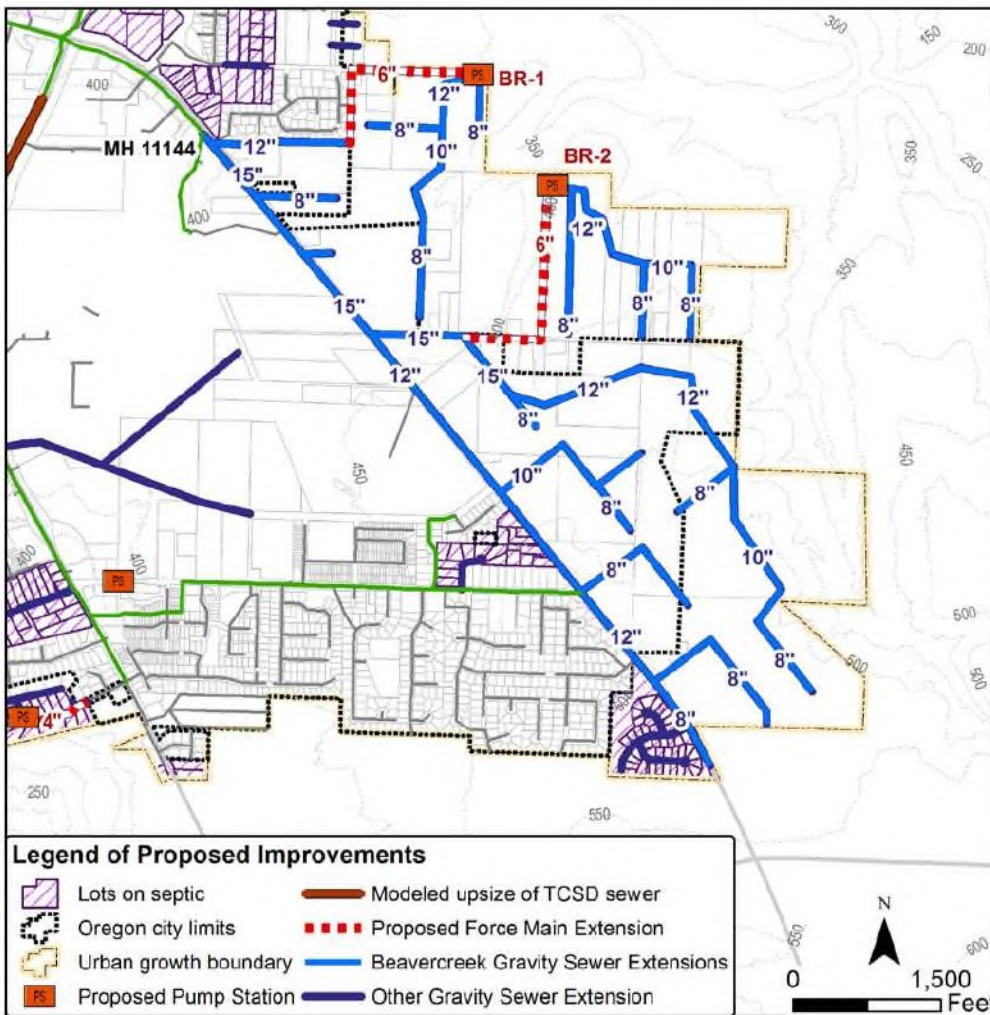


Figure 5-4. Beavercreek Road Concept Area improvements

### Transportation

**Beavercreek Road Concept Plan:** As noted previously (and shown in Image 1 above), the Concept Plan identifies recommended improvements to the street network intended to serve future development in the annexation area.

**Adopted Public Facilities Plan:** The TSP identifies future improvements to the street network serving the proposed annexation site and implements the transportation network envisioned in the Concept Plan. See Image 2 above for future street extensions. Specific projects are summarized as follows:

- **Project D39** – A new roundabout at the intersection of S. Beavercreek Road and Glen Oak Road.
- **Project D47** – Extension of Meyers Road (planned minor arterial) through the Beavercreek area, north of the proposed annexation site.
- **Project D39** – A new roundabout at the intersection of S. Beavercreek Road and Glen Oak Road.
- **Project D47** – Extension of Meyers Road (planned minor arterial) through the Beavercreek area, north of the proposed annexation site.



- **Project D55** – Extension of Glen Oak Road through the annexation area from Beavercreek Road to the Meadow Lane extension. Street will be built to the Residential Collector cross section, which has three travel lanes, sidewalk/landscape strip on both sides, on-street parking and a 6-foot bike lane.
- **Project D56** – New east-west collector (Timbersky Way extension) connecting Beavercreek Road to the Meadow Lane extension. Street will be built to the Residential Collector cross section.
- **Project D59** – New north-south collector (Holly Lane extension) through the annexation area, parallel to S. Beavercreek Road. Street will be built to the Mixed-Use Collector cross section, which has three travel lanes, 10.5-foot sidewalks with tree wells on both sides, on-street parking and a 6-foot bike lane.
- **Project D60** – New north-south collector (Meadow Lane extension) through the annexation area. Street will be built to the Mixed-Use Collector cross section.
- **Project D82** – Planned Street upgrade to S. Beavercreek Road from Meyers Road south to the edge of the UGB. Beavercreek will be improved to the Residential Major Arterial cross-section, which has five travel lanes, sidewalk/landscape strip on both sides, on-street parking, a median and a 6-foot bike lane. The roadway section in the Beavercreek Road Concept Plan calls for a 3-lane section in this location with flaring and turn lanes where needed, in order to minimize ROW impacts to adjacent properties.

With the exception of Project D39, all improvements are designated as “Likely to be Funded System Projects.” The TSP also identifies a shared-use path extending throughout the annexation area and generally following the collector street alignments. That project is considered a “Not likely to be Funded System Project.” Please note that projects listed as “Not Likely to be Funded” still qualify as meeting the requirements for adequate Transportation Facilities planning under in compliance with OAR 660-012-0060(4)(b)(A).

The Beavercreek Road Concept Plan serves as the principal guiding land use document for annexation and urbanization of the area, and as mentioned in this report, has been relied upon and incorporated into the legislative review and approval of four recent major public facilities master plan updates which are part of the City’s Capital Improvement Program; the Water System Master Plan (2012), the Sanitary Sewer Master Plan (2014), the Transportation System Plan (2014), and the Stormwater and Grading Design Standards (2015).

Further analysis of the adequacy of the transportation system is required prior to any subsequent development proposal of the annexed property, including any zone changes, land divisions, or other development approvals required. Future development of the annexed properties will be required to construct or pay fee-in-lieu of construction of all necessary city public facilities to serve the subject site, as well as paying applicable System Development Charges.

### **Stormwater**

**Beavercreek Road Concept Plan:** The Concept Plan identifies a stormwater infrastructure plan that emphasizes the use of low impact development (LID) practices throughout the proposed annexation area. The Plan organizes stormwater facilities into three tiers, which are summarized below:

- **Tier 1 site-specific facilities** – Each property within the annexation area will need to utilize on-site best management practices to control and treat runoff. The Plan recommends the use of low impact facilities such as rain gardens, swales and pervious surface treatments over structural solutions such as underground tanks and filtration systems.
- **Tier 2 green street facilities** – Green street designs are recommended for the entire annexation area to collect and convey stormwater runoff to regional facilities.

- **Tier 3 regional facilities** – Seven regional facilities are identified for the Beavercreek plan area, including one regional detention pond located within the proposed annexation site.

**City Stormwater Management Requirements:** New development on the annexation site will be required to meet the city's *Stormwater and Grading Design Standards* (2015). Those standards are intended to meet federal and state requirements, reduce stormwater runoff volumes, maintain pre-development characteristics to protect drainage-ways, and encourage the use of low-impact development practices. Per the standards, post-development runoff rates must match pre-development rates at existing discharge locations. According to the Concept Plan, there are several small discharge locations to Thimble Creek and flow control may not be feasible at all locations. In that case, over-detention will be required in order to meet the city's standards.

### **Schools and Parks**

Oregon City High School and Clackamas County Community College are both in the vicinity of the proposed annexation area.

The Concept Plan provides a conceptual open space network including parks, trails, open spaces and natural areas that link together and connect with the environmentally sensitive resource areas. In the vicinity of the proposed annexation area, the Concept Plan identifies the following:

- A linear open space park linking the neighborhoods south of Loder Road, consistent with Metro's Goal 5 mapping efforts.
- Thimble Creek conservation and habitat preservation areas.
- South Ridge Overlook habitat preservation area.

The Plan also notes that park space will need to be provided consistent with the city's parks standard of 6 to 10 acres per 1,000 people. This requirement is applied during master planning and/or other land use process, such as a subdivision, to approve future development.

As no zone change or additional development is proposed as part of this annexation application, this annexation will have no impact on the provision of schools or parks.

### **Police, Emergency and Fire Protection:**

The area to be annexed lies within the Clackamas County Service District for Enhanced Law Enforcement, which provides additional police protection to the area. The combination of the county-wide service and the service provided through the Enhanced Law Enforcement CSD results in a total level of service of approximately 1 officer per 1000 population. According to ORS 222.120 (5), the City may provide in its approval ordinance for the automatic withdrawal of the territory from the District upon annexation to the City. If the territory were withdrawn from the District, the District's levy would no longer apply to the property.

Upon annexation, the Oregon City Police Department will serve the subject site. Oregon City fields approximately 1.33 officers per 1,000 people. The Police Department has a goal of four-minute emergency response, 7 to 9 minute actual, and twenty-minute non-emergency response times. As no zone change or additional development is proposed as part of this annexation application, this annexation will have a minimal impact on police services.

The proposed annexation area is currently, and will remain, within the Clackamas Fire District #1. The Clackamas Fire District provides all fire protection for Oregon City since the entire city was annexed into their

district in 2007. As no zone change or additional development is proposed as part of this annexation application, this annexation will have no impact on fire protection services. Oregon Revised Statute 222.120 (5) allows the City to specify that the territory be automatically withdrawn from the District upon approval of the annexation; however, based on the November 2007 fire district annexation approval, staff recommends that the properties remain within the fire district.

Emergency Medical Services to the area are provided through American Medical Response (AMR) through a contract with Clackamas County. Oregon City and the unincorporated areas surrounding Oregon City are all part of the AMR contract service area. Clackamas Fire District#1 provides EMS service to all areas they serve include ALS (advanced life support) staffing. This means all fire apparatus are staffing with a minimum of one firefighter/paramedic; usually there are more than one. Additionally, Clackamas Fire does provide ambulance transport when an AMR unit is not readily available. Therefore EMS services are provided from Clackamas Fire #1 with AMR being dispatched as well.

*4. Compliance with applicable sections of ORS Ch. 222, and Metro Code Section 3.09;*

**Finding: The proposal is consistent with this requirement.** See findings earlier in this report for Metro 3.09. ORS 222 requires the proposed annexation property be contiguous with the city and provides several options for annexing land into a city. As noted in 14.04.050(E)(1), this annexation relies on ORS 222.125, annexation by consent of all land owners and a majority of electors. The requirements of ORS 222, then, are met. Metro Section 3.09 is addressed separately in earlier in this report.

#### **Compliance with OCMC 14.04.060 – Annexation Factors – Continued**

*5. Natural hazards identified by the city, such as wetlands, floodplains and steep slopes;*

**Finding: The proposal is consistent with this requirement.** The Concept Plan has identified water resource and steep slope areas that will require further investigation at time of development to demonstrate compliance with Oregon City's overlay district zoning; OCMC Chapter 17.49 regulating water resource and habitat protection and OCMC Chapter 17.44 regulating development in and near geologic hazards and steep slopes. Future development of the site will be required to meet all applicable city, state and federal requirements, which will be addressed through the land development processes (site plan and design review, land divisions, etc.). As no zone change or additional development is proposed as part of this annexation application, this annexation will have no impact on identified natural hazards to any greater degree than development that is currently permitted.

*6. Any significant adverse effects on specially designated open space, scenic, historic or natural resource areas by urbanization of the subject property at time of annexation;*

**Finding: The proposal is consistent with this requirement.** The above resources are Goal 5 resources within the Beaver Creek Road Concept Plan that were addressed in detail in the Natural Resource Inventory which was part of the existing conditions analysis required by Metro Title 11. A detailed review of the Goal 5 resources within the study area was conducted, including wetlands, streams, riparian area, wildlife habitat and historic and cultural resources. The inventory consisted of two parts: 1) An examination of existing resource information for the Plan area; and 2) A field study to verify the location and evaluate resource habitat quality.

Once the land is annexed, the Beavercreek Road Concept Plan will protect Goal 5 natural resource areas by guiding the designation of Natural Resource Overlay District areas and the restriction of development in those areas pursuant to OCMC 17.49. The code requires that further on-site analysis be conducted to determine the current extent of the protected resources which initially was done with the concept plan. More detailed, site specific delineations of the resources and the required associated vegetated corridors is required prior to development, along with impact analysis and mitigation for impacts. These existing restrictions will adequately protect natural resource areas and to the extent necessary serve as a natural resource protection plan.

A Goal 5 resource inventory that was conducted with the plan included a review of cultural and historic resources on any known state, county or local lists which, if found, would potentially be protected and included in the City's inventory and regulated under Chapter 17.40 of the City Municipal Code, when properties are annexed to the City.

No inventoried historic resources were documented within the Plan boundaries at the time of concept planning. Staff confirmed this through communication with County planning staff. If property owners seek designation for any eligible historic resources, or if any inventory reveals eligible landmarks in the future, those landmarks could potentially be protected and included in the City's inventory and regulated through the designation process described in Chapter 17.40 of the Oregon City Municipal Code, when properties are annexed to the City.

#### **Open Space:**

The Beavercreek Road Open Space Framework plan provides a network of green spaces that are intended to provide a system of connected parks, opens spaces and natural areas, provide access to nature, preserve existing natural resources and provide green spaces near the system of trails and pedestrian connections. The power line corridors comprise approximately 52 acres of land north of Loder Road and have been utilized to provide publicly accessible opens space, trails and links to the broader open space network. The standard of 16-acres per 1,000 population was amended to a standard of 6 to 10 acres per 1,000 population as discussed at the Planning Commission. The extent and location of the park is conceptual, flexible and the costs associated with acquisition and development will need to be determined through more detailed parks master planning processes, similar to the Glen Oak Road park site and the Hazel Grove parks site master planning that was conducted in 2014. The parks master planning process will refine the locations and costs of parks infrastructure. Existing parks SDCs do not reflect the cost of providing parks in this area, and will require further study to account for the amount of parks acreage envisioned in the concept plan but they may be updated or lands could be obtained by private developers as development occurs. A park is proposed to extend through the central and southern areas of the BRCP. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. This open space feature is intended as a continuous green space that links the districts and neighborhoods south of Loder Road.

The open space plan envisions establishing a publicly accessible resource area as the eastern edge of the community that is free from development, and accessible by low impact trails, known as the East Ridge. This vantage point is located at 490' elevation with views to the east into the Trimble Creek area (See pages 22-23). The plan provides very specific measures to preserve the East Ridge open space and conservation area.

The code will allow flexibility in the width, shape and acreage of the open space, provided there remains a clearly identifiable and continuous open space. The buildable lands identified 292 acres of Tier A or 'unconstrained' lands, 28 acres of Tier B or "Low Impact Development Allowed with Review" and 131 acres of Tier C or "Constrained". The Low Impact area was later evaluated and recommended for conservation under an Environmentally Sensitive and Resource Area designation on the BRCP. New development will be required to comply with the City's Natural Resources Overlay District in compliance with this goal.

The proposed annexation area is in the Newell and Thimble drainage basins according to the Drainage Master Plan. The Concept Plan has identified natural and water resources, as well as geologic and steep slope areas that will require further investigation. Prior to development, an applicant would be required to study and delineate these resource areas to ensure compliance with Oregon City requirements and standards, including:

- Chapter 16.08 Subdivision Standards
- Chapter 17.40 Historic Overlay District
- Chapter 17.41 Tree Protection Standards
- Chapter 17.42 Flood Management Overlay District
- Chapter 17.44 Geologic Hazards
- Chapter 17.47 Erosion and Sediment Control
- Chapter 17.49 Natural Resource Overlay District

As no zone change or additional development is proposed as part of this annexation application, this annexation will have no significant adverse effect on any specially designated open space, scenic, historic or natural resource areas.

*7. Lack of any significant adverse effects on the economic, social and physical environment of the community by the overall impact of the annexation.*

**Finding: The proposal is consistent with this requirement.** As no zone change or additional development is proposed as part of this annexation application, this annexation will have no significant adverse effects on the economic, social or physical environment of the community. This narrative interprets the "community" as including the city of Oregon City and the lands within its urban service area. The city will obtain a small increase in property tax revenues from adding assessed value to its tax roll as a result of annexing the territory. The city will also obtain land use jurisdiction over the territory. Finally, it will have service responsibilities including fire, police, and general administration. The increases in service responsibilities to the area that result from the annexation will be insignificant.

The proposed annexation area has not been subdivided or partitioned and the zoning must be changed before development at any density other than FU-10 can be approved. Further, conditions of approval prohibit any zone changes or land divisions until the zone change occurs. As a result, any impacts on the community resulting from development permits will be a direct consequence of a zone change, subdivision and development permit approval sometime in the future and are not the result of this annexation. Before any urban development can occur, the applicant must show compliance with the State's Transportation Planning Rule for the desired re-zoning, and the territory must also be annexed to the Tri-City Service District.

## **COMPLIANCE WITH APPLICABLE PROVISIONS OF ORS 222**

**Finding: The proposal is consistent with this requirement.** ORS 222 requires the proposed annexation property be contiguous with the city and provides several options for annexing land into a city. As noted in 14.04.050(E)(1), this annexation relies on ORS 222.125, annexation by consent of all land owners and a majority of electors. The requirements of ORS 222, then, are met.

#### **TRANSPORTATION PLANNING RULE (OAR 660-012-0060)**

**Finding: The proposal is consistent with this requirement.** The city requires a transportation discussion to determine whether or not the proposed annexation complies with the Transportation Planning Rule (TPR). The primary “test” of the TPR is to determine if an amendment to a functional plan, acknowledged comprehensive plan, or a land use regulation will significantly affect an existing or planned transportation facility. Per an email from John Replinger, the city’s traffic engineer, dated July 6, 2016:

“As long as no zone change is being requested in connection with the annexation, you can delay the need to address compliance with the Transportation Planning Rule (specifically, OAR 660-12-0060). You may state in your application that the annexation has no significant transportation impact and that the compliance with the TPR will be addressed by a traffic engineer in connection with a transportation analysis at the time of a zone change and/or a specific development proposal.”

Because no changes to plan or zoning designations are being requested at this time, no significant impacts to the surrounding transportation system will occur as a result of the proposed annexation. Further, the City's acknowledged TSP includes the area to be annexed and contemplates full build-out of the area in accordance with the Concept Plan. Therefore, the TPR test is met and no further analysis is necessary with this annexation request.

### **III. PROPOSED FINDINGS, REASONS FOR DECISION, AND RECOMMENDATIONS**

Based on the Findings provided above, the Commission determines:

1. The Metro Code calls for consistency of the annexation with the Regional Framework Plan or any functional plan. The Commission concludes the annexation is not inconsistent with this criterion because there were no directly applicable criteria for boundary changes found in the Regional Framework Plan, the Urban Growth Management Function Plan, or the Regional Transportation Plan.
2. Metro Code 3.09.050(d)(1) requires the Commission's findings to address consistency with applicable provisions of urban service agreements or annexation plans adopted pursuant to ORS 195. As noted in the Findings, there are no such plans or agreements in place. Therefore the Commission finds that there are no inconsistencies between these plans/agreements and this annexation.
3. The Metro Code, at 3.09.050(d)(3), requires the City's decision to be consistent with any "directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facilities plans." The County Plan also states that conversion of future urban lands to immediate urban lands "Provide for an orderly and efficient transition to urban land use" and "encourage development in areas where adequate public services and facilities can be provided in an orderly and economic way." The applicant has demonstrated that the City can provide all necessary urban services. Nothing in the County Plan speaks directly to criteria for annexation. Therefore the Commission finds this proposal is consistent with the applicable plan as required Metro Code 3.09.050 (d)(3).
4. The Commission concludes that the annexation is consistent with the City Comprehensive Plan that calls for a full range of urban services to be available to accommodate new development as noted in the Findings above. The City operates and provides a full range of urban services. Specifically with regard to water and sewer service, the City has both of these services available to serve some of the area from existing improvements due to the Beavercreek Road improvements from Carrington Place and Fairway Downs subdivisions.
5. Water service is available in large water mains in both Beavercreek and Glen Oak Roads; the existing homes will continue to be serviced by Clackamas River Water (CRW) or wells until such time as the City and CRW confer on the issue or development provides water main extensions and connections.
6. With regard to storm drainage to the Newell and Thimble Basins, the City has the service available in the form of regulations to protect and control stormwater management. The specifics of applying these will be a part of the development review process.
7. The Commission notes that the Metro Code also calls for consistency of the annexation with urban planning area agreements. As stated in the Findings, the Oregon City-Clackamas County Urban Growth Management Agreement specifically provides for annexations by the City.
8. Metro Code 3.09.050(d)(5) states that another criterion to be addressed is "Whether the proposed change will promote or not interfere with the timely, orderly, and economic provision of public facilities and services." Based on the evidence in the Findings, the Commission concludes that the annexation will not interfere with the timely, orderly, and economic provision of services.
9. The Oregon City Code Chapters 14 and 17 contains provisions on annexation processing. Section 6 of the ordinance requires that the City Commission consider seven factors if they are relevant. These

factors are covered in the Findings and on balance the Commission believes they are adequately addressed to justify approval of this annexation.

10. The City Commission concurs with Tri-City Service District's annexation of the subject property in the enacting City ordinance upon voter approval of the city annexation.
11. The Commission determines that the property should be withdrawn from the Clackamas County Service District for Enhanced Law Enforcement as allowed by statute since the City will provide police services upon annexation.
12. The Commission determines that the property should not be withdrawn from the Clackamas Fire District #1 as allowed by statute.
13. The Commission determines that the property should be not be withdrawn from the Clackamas River Water District at this time and remain in the District until such time as the City and CRW confer on the issue or development provides water main extensions and connections.
14. The City Commission recommends that the properties remain zoned Clackamas County FU-10 and TBR until such time as a city zoning designation is applied to the properties and that the City apply and administer the zones.
15. The City Commission recognizes that the applicant has not applied for a zone change or amendment to the Oregon City comprehensive plan map to implement the Beaver Creek Road Concept Plan at this time.

## **IV. STAFF RECOMMENDATION**

Based on the study and the Proposed Findings and Reasons for Decision for this annexation, the staff recommends that the Planning Commission:

Make a recommendation on Proposal No. AN-16-0003 to the City Commission regarding how the proposal has or has not complied with the factors set forth in Section 14.04.060. Staff has prepared draft Findings and stands ready to adjust them as needed.

If the Planning Commission sends forward a positive recommendation, then the staff further recommends that the Planning Commission:

- Recommend withdrawing the territory from the County Service District for Enhanced Law Enforcement as allowed by statute.
- Recommend that the City Commission concur with Tri-City Service District's annexation of the subject property in the enacting ordinance upon voter approval of the city annexation.
- Recommend that the City apply and administer the County FU-10 and TBR zones until Oregon City zone districts are applied to the subject properties.
- Recommend that no land division or changes of land use may occur on the properties until Oregon City Comprehensive Plan designations and zoning associated with the concept plan are applied to the subject properties.







# LAND USE APPLICATION FORM

### Type I (OCMC 17.50.030.A)

- ☐ Compatibility Review
- ☐ Lot Line Adjustment
- ☐ Non-Conforming Use Review
- ☐ Natural Resource (NROD) Verification

### Type II (OCMC 17.50.030.B)

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

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

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

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

Proposed Land Use or Activity: Annexation

Project Name: Oregon City Golf Course Number of Lots Proposed (If Applicable): \_\_\_\_\_

Physical Address of Site: 20124 South Beavercreek Road, Oregon City, OR 97045

Clackamas County Map and Tax Lot Number(s): Map 3 2E 15A TL 201

### Applicant(s):

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

Applicant(s) Name Printed: Randy Myers, Brownstone Development, Inc. Date: \_\_\_\_\_

Mailing Address: 47 South State Street, Lake Oswego, OR 97934

Phone: (503) 358-4460 Fax: \_\_\_\_\_ Email: randy@brownstonehomes.net

### Property Owner(s):

Property Owner(s) Signature: Tresa Edematta Co-Trustee

Property Owner(s) Name Printed: Herberber Family Trust Date: 8/3/2016

Mailing Address: 16112 W. Adams Street, Goodyear, AZ 85338

Phone: (623) 398-5994 Fax: \_\_\_\_\_ Email: TLEMATTA@J-BSALESCO.COM

### Representative(s):

Representative(s) Signature: Read Stapleton

Representative (s) Name Printed: Read Stapleton, DOWL Date: 8-8-16

Mailing Address: 720 SW Washington Street, Suite 750, Portland, OR 97205

Phone: (971) 280-8641 Fax: \_\_\_\_\_ Email: rstapleton@dowl.com

*All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exhibits herewith are correct and indicate the parties willingness to comply with all code requirements.*



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Physical Address of Site: 20124 South Beavercreek Road, Oregon City, OR 97045

Clackamas County Map and Tax Lot Number(s): Map 3 2E 15A TL 202

**Applicant(s):**

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

Applicant(s) Name Printed: Randy Myers, Brownstone Development, Inc. Date: \_\_\_\_\_

Mailing Address: 47 South State Street, Lake Oswego, OR 97934

Phone: (503) 358-4460 Fax: \_\_\_\_\_ Email: randy@brownstonehomes.net

**Property Owner(s):**

Property Owner(s) Signature: Rosemary Holden and William F. Holden Jr.

Property Owner(s) Name Printed: Rosemary Holden and William F. Holden Date: July 15, 2016

Mailing Address: 20130 South Beavercreek Road, Oregon City, OR 97045

Phone: 503-807-8865 Fax: \_\_\_\_\_ Email: rose@ocgolfclub.com

**Representative(s):**

Representative(s) Signature: Read Stapleton

Representative (s) Name Printed: Read Stapleton, DOWL Date: 8-8-16

Mailing Address: 720 SW Washington Street, Suite 750, Portland, OR 97205

Phone: (971) 280-8641 Fax: \_\_\_\_\_ Email: rstapleton@dowl.com

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**OREGON  
CITY**

Community Development - Planning

221 Molalla Ave. Suite 200 | Oregon City OR 97045  
Ph (503) 722-3780 | Fax (503) 722-3880

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- ☐ Municipal Code Amendment
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- ☐ Zone Change

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

Proposed Land Use or Activity: Annexation

Project Name: Oregon City Golf Course

Number of Lots Proposed (if Applicable): \_\_\_\_\_

Physical Address of Site: 20124 South Beaver Creek Road, Oregon City, OR 97045

Clackamas County Map and Tax Lot Number(s): Map 3 2E 10D TL 3500 and Map 3 2E 15A TL 290

### Applicant(s):

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

Applicant(s) Name Printed: Randy Myers, Brownstone Development, Inc.

Date: \_\_\_\_\_

Mailing Address: 47 South State Street, Lake Oswego, OR 97034

Phone: (503) 358-4460

Fax: \_\_\_\_\_

Email: randy@brownstonehomes.net

### Property Owner(s):

Property Owner(s) Signature: [Signature]

Property Owner(s) Name Printed: Herberger Family Limited Partnership

Date: July 15, 2016

Mailing Address: 20124 S Beaver Creek Rd Oregon City, OR 97045

Phone: 503 518 2846

Fax: \_\_\_\_\_

Email: rose@ocgolfclub.com

### Representative(s):

Representative(s) Signature: [Signature]

Representative(s) Name Printed: Read Stapleton, DOWL

Date: 8-8-16

Mailing Address: 720 SW Washington Street, Suite 750, Portland, OR 97205

Phone: (971) 280-8641

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[www.oregoncity.org/planning](http://www.oregoncity.org/planning)



# OREGON CITY

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Clackamas County Map and Tax Lot Number(s): Map 3 2E 15A TL 201

### Applicant(s):

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

Applicant(s) Name Printed: Randy Myers, Brownstone Development, Inc Date: \_\_\_\_\_

Mailing Address: 47 South State Street, Lake Oswego, OR 97934

Phone: (503) 358-4460 Fax: \_\_\_\_\_ Email: randy@brownstonehomes.net

### Property Owner(s):

Property Owner(s) Signature: M. Rose Herberger Trustor/Trustee

Property Owner(s) Name Printed: Herberger Family Trust Date: 8-1-2016

Mailing Address: 20118 South Beaver Creek Road, Oregon City, OR 97045

Phone: (503) 518-2846 Fax: \_\_\_\_\_ Email: rose@ocgolfclub.com

### Representative(s):

Representative(s) Signature: [Signature]

Representative (s) Name Printed: Read Stapleton, DOWL Date: 8-8-16

Mailing Address: 720 SW Washington Street, Suite 750, Portland, OR 97205

Phone: (971) 280-8641 Fax: \_\_\_\_\_ Email: rstapleton@dowl.com

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File Number(s): AN-16-0003

Proposed Land Use or Activity: Annexation

Project Name: Oregon City Golf Course Number of Lots Proposed (If Applicable): \_\_\_\_\_

Physical Address of Site: 20124 South Beaver Creek Road, Oregon City, OR 97045

Clackamas County Map and Tax Lot Number(s): Map 3 2E 15A TL 201

### Applicant(s):

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

Applicant(s) Name Printed: Randy Myers, Brownstone Development, Inc Date: \_\_\_\_\_

Mailing Address: 47 South State Street, Lake Oswego, OR 97934

Phone: (503) 358-4460 Fax: \_\_\_\_\_ Email: randy@brownstonehomes.net

### Property Owner(s):

Property Owner(s) Signature: Rose Herberger Trustor/Trustee

Property Owner(s) Name Printed: Herberger Family Trust Date: 8-1-2016

Mailing Address: 20118 South Beaver Creek Road, Oregon City, OR 97045

Phone: (503) 518-2846 Fax: \_\_\_\_\_ Email: rose@ocgolfclub.com

### Representative(s):

Representative(s) Signature: Read Stapleton

Representative (s) Name Printed: Read Stapleton, DOWL Date: 8-8-16

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Property Owner(s) Signature: Presa Edematt Co-Trustee

Property Owner(s) Name Printed: Herberber Family Trust Date: 8/3/2016

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File Number(s):

AN-16-0003

Proposed Land Use or Activity: Annexation

Project Name: Oregon City Golf Course

Number of Lots Proposed (If Applicable):

Physical Address of Site: 20124 South Beavercreek Road, Oregon City, OR 97045

Clackamas County Map and Tax Lot Number(s): Map 3 2E 15A TL 202

### Applicant(s):

Applicant(s) Signature: [Signature]

Applicant(s) Name Printed: Randy Myers, Brownstone Development, Inc.

Date:

Mailing Address: 47 South State Street, Lake Oswego, OR 97934

Phone: (503) 358-4460

Fax:

Email: randy@brownstonehomes.net

### Property Owner(s):

Property Owner(s) Signature: Rosemary Holden and Will F. Holden Jr.

Property Owner(s) Name Printed: Rosemary Holden and William F. Holden

Date:

July 15, 2016

Mailing Address: 20130 South Beavercreek Road, Oregon City, OR 97045

Phone: 503-807-8865

Fax:

Email: rose@ocgolfclub.com

### Representative(s):

Representative(s) Signature: [Signature]

Representative (s) Name Printed: Read Stapleton, DOWL

Date:

8-8-16

Mailing Address: 720 SW Washington Street, Suite 750, Portland, OR 97205

Phone: (971) 280-8641

Fax:

Email: rstapleton@dowl.com

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Community Development - Planning

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Project Name: Oregon City Golf Course

Number of Lots Proposed (if Applicable):

Physical Address of Site: 20124 South Beavercreek Road, Oregon City, OR 97045

Clackamas County Map and Tax Lot Number(s): Map 3 2E 10D TL 3500 and Map 3 2E 15A TL 290

**Applicant(s):**

Applicant(s) Signature: 

Applicant(s) Name Printed: Randy Myers, Brownstone Development, Inc.

Date:

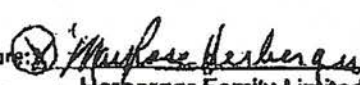
Mailing Address: 47 South State Street, Lake Oswego, OR 97934

Phone: (503) 358-4460

Fax:

Email: randy@brownstonehomes.net

**Property Owner(s):**

Property Owner(s) Signature: 

Property Owner(s) Name Printed: Herberger Family Limited Partnership

Date:

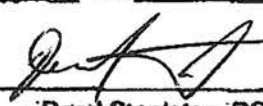
Mailing Address: 20124 S Beavercreek Rd Oregon City, OR 97045

Phone: 503 518 2846

Fax:

Email: rose@ocgolfclub.com

**Representative(s):**

Representative(s) Signature: 

Representative(s) Name Printed: Read Stapleton, DOWL

Date:

Mailing Address: 720 SW Washington Street, Suite 750, Portland, OR 97205

Phone: (971) 280-8641

Fax:

Email: rstapleton@dowl.com

All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exhibits herewith are correct and indicate the parties willingness to comply with all code requirements.

[www.oregoncity.org/planning](http://www.oregoncity.org/planning)

# OREGON CITY GOLF COURSE

## OREGON CITY, OREGON

An Application For:

Annexation

Submitted August 2016

Applicant:  
**Brownstone Development, Inc.**  
47 South State Street  
Lake Oswego, OR 97934

Applicant's Representative:  
**DOWL**  
720 SW Washington Street, Suite 750  
Portland, OR 97205



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## **Exhibits**

- A. Pre-Application Conference Notes
- B. Site Plan
- C. Neighborhood Meeting Information

## **I. INTRODUCTION**

### **A. GENERAL INFORMATION**

<b>Applicant:</b>	<b>Brownstone Development, Inc.</b> 47 South State Street PO Box 2375 Lake Oswego, OR 97934 Contact: Randy Myers Phone: (503) 358-4460 Email: randy@brownstonehomes.net
<b>Applicant's Representative:</b>	<b>DOWL</b> 720 SW Washington Street, Suite 750 Portland, OR 97205 Contact: Read Stapleton, AICP Phone: (971) 280-8641 Email: rstapleton@dowl.com
<b>Tax Lot Information:</b>	Map 3 2E 10D, TL 03500 (66.0 acres) Map 3 2E 15A, TL 00201 (0.25 acres) Map 3 2E 15A, TL 00202 (0.28 acres) Map 3 2E 15A, TL 00290 (50.41 acres)
<b>Location:</b>	20124 South Beavercreek Road, Oregon City
<b>Zoning District:</b>	Clackamas County FU-10 and TBR
<b>Site Size:</b>	117 acres

## **B. SUMMARY OF PROPOSAL**

Brownstone Development, Inc. (applicant) is requesting annexation of four tax lots located on or near S. Beaver Creek Road. The subject properties are part of the Beaver Creek Road Concept Plan area and are within Oregon City's urban growth boundary (UGB). No development is being proposed concurrent with this annexation request as future application of zoning designations will be required before a formal development application can be submitted. All four properties are under the same ownership or ownership representatives. Properties proposed for annexation are shown in Figure 1.

## **C. EXISTING CONDITIONS**

The site is located in east Oregon City, on the east side of S. Beaver Creek Road within the southern limits of the Beaver Creek Road Concept Plan area. The site is comprised of four tax lots that total approximately 117 acres. The entire area is currently zoned FU-10 and TBR by Clackamas County. The site is the current location of the Oregon City Golf Club, which includes a club house facility with associated parking area and an 18-hole golf course. Two single-family homes and a number of accessory buildings are also located on the site. The eastern edge of the proposed annexation area is within a natural resource area associated with Thimble Creek and is undeveloped. Much of the site is relatively flat, with slopes ranging from 1% to 8% (there are limited areas of up to 15% slope).

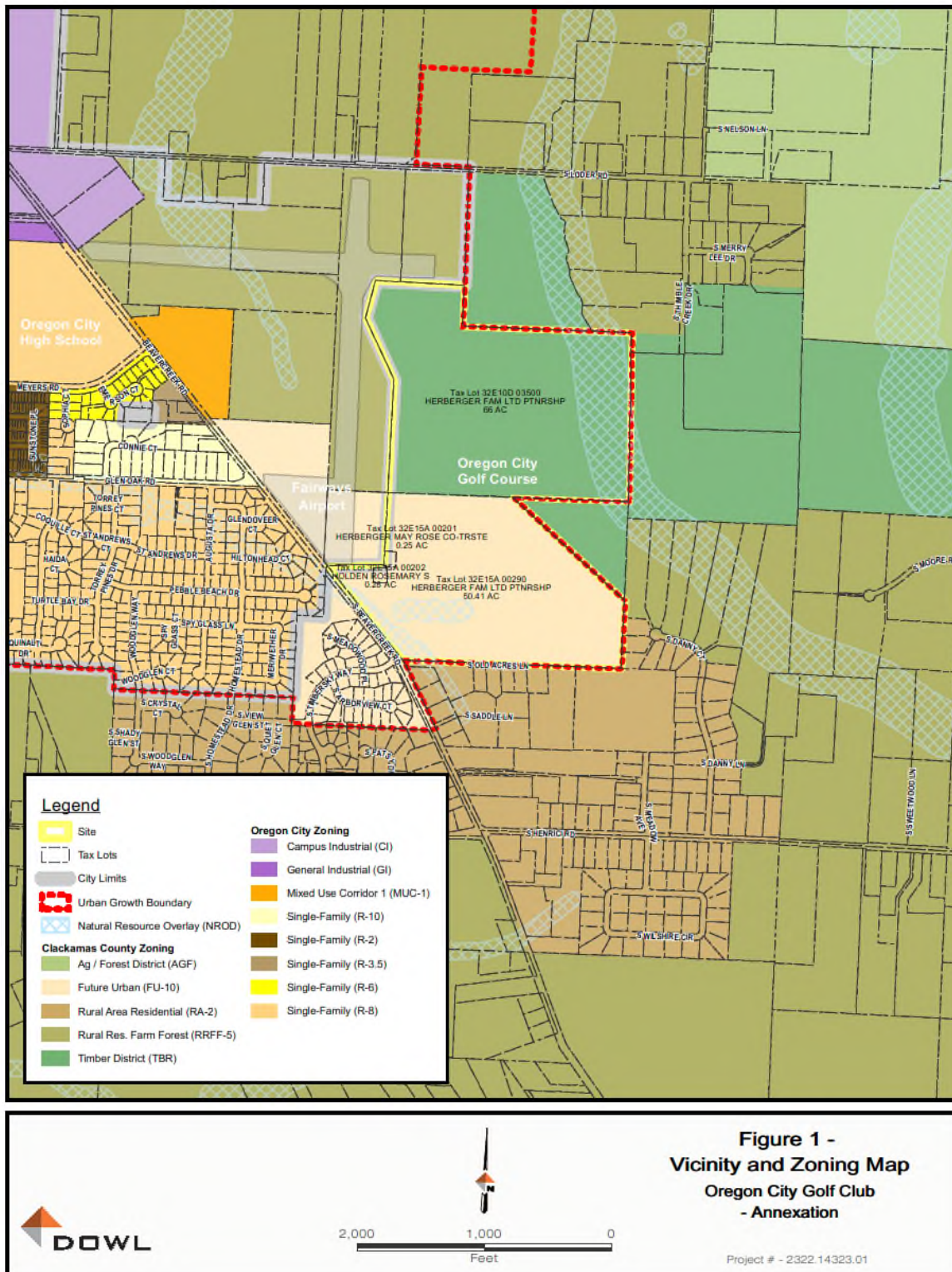
Uses surrounding the site are described below.

- North: Land uses to the north include a natural resource area associated with Thimble Creek and, further north, some low-density residential development. Although properties to the north are inside the city limits, no city plan or zoning designations have been applied to those properties. The area is zoned Timber (TBR) and Rural Residential Farm Forest (RRFF) by Clackamas County.
- East: Land uses to the east include natural resource areas associated with Thimble Creek and, at the southeast corner, a residential subdivision. Lands to the east are zoned TBR, RRFF and Rural Residential 2-Acres (RA-2) by Clackamas County.
- South: To the south, land is zoned RA-2 by Clackamas County and is comprised of single-family homes.
- West: Land to the west and north of the site is zoned RRFF and FU-10 and is largely undeveloped. There are two single-family homes and a private airport with associated runway strip and buildings. Land to the west and south of the site, across S. Beaver Creek Road, is developed with a residential subdivision.

Access to the site is from S. Beaver Creek Road via a private driveway that connects to the two homes and the golf club.



Figure 1: Zoning and Vicinity Map



#### **D. SITE HISTORY & BEAVERCREEK ROAD CONCEPT PLAN**

The proposed annexation site has long been planned for urban levels of development. The southern portion of the site was included in the original UGB boundary when it was established by Metro in 1979. The remainder of the site (along with rest of the Beaver Creek Road Concept Plan area) was brought into the UGB in two separate expansions, one in 2002 and another in 2004.

In 2007, the city began a concept planning effort for the Beaver Creek area; an effort which involved a significant amount of community engagement and ultimately resulted in adoption of the Beaver Creek Road Concept Plan (Concept Plan) in September 2008. The decision to adopt the Concept Plan was appealed to the Land Use Board of Appeals (LUBA) and LUBA remanded the decision back to the city to address an issue associated with industrial land designations (not related to the proposed annexation site). After resolution of the industrial land designation issue, the City Commission voted unanimously to re-adopt the Concept Plan in March 2016. That decision was again appealed and is currently under review at LUBA.

Although officially adopted by the city, the Concept Plan is not yet effective. By the terms of the ordinance that adopted the Concept Plan, the Concept Plan takes effect upon the "adoption and enactment of the zoning that implements the Beaver Creek Road Concept Plan." In the meantime, the adopted Concept Plan represents the city's vision for how the Beaver Creek area is expected to develop. That vision has not changed since the planning effort began a decade ago. In anticipation of Concept Plan implementation, the city has updated its water, sewer and transportation master plans to allow for extension of public facilities to the Beaver Creek area to accommodate the urban levels of development anticipated in the Concept Plan. Specific information regarding planned public facilities and services to the site is provided later in this narrative.

It's important to note that the proposed annexation area has been planned for development that is consistent with the vision established in the Concept Plan. That vision is the creation of a "complete and sustainable community" with a diverse mix of uses woven together by open space, trails and green streets. The Concept Plan emphasizes sustainable practices and transit-supportive levels of development. Within the planning area, distinct districts are identified for employment uses, a main street area, residential neighborhoods, and open space and natural areas.

The area within the proposed annexation site contains most of what will become the residential area for the Concept Plan. This residential area is intended to support the employment area within the Concept Plan and, when added to the Concept Plan's commercial and recreational elements, form the "complete community" envisioned by the plan. The Concept Plan provides for three districts within the annexation area:

- The West Mixed-Use Neighborhood (WMU) is intended to be a walkable, transit-oriented neighborhood with a mix of housing types, mixed-use buildings and a limited amount of neighborhood commercial uses. Residential densities in this neighborhood are expected to average about 22 units per acre, similar to the city's R-2 zoning designation. The WMU neighborhood is located, in part, in the southwest corner of the proposed annexation site, adjacent to S. Beaver Creek Road. The Concept Plan identifies a total of 22 acres of WMU neighborhood, approximately 13 of which are located within the proposed annexation area.
- The East Mixed-Use Neighborhood (EMU) is intended to be a lower-density (similar to the city's R-5 zone), walkable neighborhood with a variety of housing types and incorporation of green



development practices. The EMU neighborhood encompasses the bulk of the proposed annexation site. The Concept Plan identifies a total of 77 acres of EMU neighborhood, approximately 59 of which are located within the proposed annexation area.

- The western edge of the proposed annexation site is intended to remain largely undeveloped to protect the natural resource areas associated with Thimble Creek and its riparian buffer. That area will serve as a public open space and recreational area for the community and beyond. Approximately 18 acres of the proposed annexation site will be within this natural resource area.

The existing golf course club house is intended to remain and be repurposed as a community center for neighborhood gatherings and possibly some small-scale retail. It is identified as a “Neighborhood Focal Point” in the Concept Plan.

The Concept Plan also identifies a multi-modal transportation network for the proposed annexation area consisting of new north-south and east-west collector streets and a system of connected biking and walking trails linking the community with open spaces and natural areas. Streets within the Beavercreek area are intended to have green street designs, with integrated stormwater management and street trees. Block sizes are expected to be small to moderate to provide a high level of connectivity.

The applicant intends to develop the proposed annexation site in accordance with the guidance established in the Concept Plan and with the adopted capital facilities plans that implement Concept Plan urban levels of development. Approving this annexation request is an important first step to achieving the decade-long vision for growth in Oregon City.

## **II. APPLICABLE REGULATIONS & APPROVAL CRITERIA**

This section of the narrative provides responses to demonstrate that the proposed annexation is consistent with applicable approval criteria, as identified in the Pre-Application Conference Notes dated June 29, 2016 (see Exhibit A). Annexations in Oregon City are governed at both the local (city) and regional (Metro) level. Locally, annexations are regulated by Title 14 of the Oregon City Municipal Code, and by goals and policies in the adopted Comprehensive Plan. Regionally, annexations are regulated by Metro's Code Section 3.09, which establishes requirements for local government boundary changes. Subsection A below addresses applicable city regulations from Title 14, followed by Comprehensive Plan policies in Subsection B, and Metro Code requirements in Subsection C.

### **A. OREGON CITY MUNICIPAL CODE**

The applicable Oregon City Municipal Code provisions are set forth below along with findings demonstrating the project's consistency with these provisions.

#### ***Title 14 - ANNEXATIONS***

#### ***Chapter 14.04 - CITY BOUNDARY CHANGES AND EXTENSION OF SERVICES***

#### ***14.04.050 - Annexation procedures.***

- A. *Application Filing Deadlines. Annexation elections shall be scheduled for March, May, September and November of each year. Each application shall first be approved by the city commission, which shall provide a valid ballot title in sufficient time for the matter to be submitted to the voters as provided by the election laws of the state of Oregon.*

**Response:** Annexation of these properties will not be subject to vote and therefore, the annexation filing deadlines above do not apply.

- B. *Preapplication Review. Prior to submitting an annexation application, the applicant shall confer in the manner provided by Section 17.50.050(A) with the representative of the planning division appointed by the city manager.*

**Response:** The applicant and applicant's representative attended a pre-application review meeting with city staff on June 29, 2016. Pre-application meeting notes are provided in Exhibit A.

- C. *Neighborhood Contact. Prior to filing an annexation application, the applicant is encouraged to meet with the city-recognized neighborhood association or associations within which the property proposed to be annexed is located. If the city manager deems that more than one such association is affected, the applicant is encouraged to meet with each such association, as identified by the city manager. Unwillingness or unreasonable unavailability of a neighborhood association to meet shall not be deemed a negative factor in the evaluation of the annexation application.*

**Response:** The applicant held a neighborhood meeting on Tuesday, June 28 at 7:00 PM to discuss the proposed annexation with surrounding neighbors. An invitation to the meeting was sent to a mailing list of approximately 2,000 households, including the Caulfield Neighborhood Association mailing list and property owners surrounding the subject site. In addition to the mailing, representatives of the Caulfield

Neighborhood Association and the Hamlet of Beavercreek were notified about the meeting. The Hamlet of Beavercreek sent out a notice of the meeting to its members. Approximately 75 people attended the meeting. Exhibit C contains a map of the mailing list and a copy of the meeting invitation that was mailed.

- D. Signatures on Consent Form and Application. The applicant shall sign the consent form and the application for annexation. If the applicant is not the owner of the property proposed for annexation, the owner shall sign the consent form and application in writing before the city manager may accept the same for review.*

**Response:** The application submittal package includes the application form and consent form signed by the owners of the subject properties.

- E. Contents of Application. An applicant seeking to annex land to the city shall file with the city the appropriate application form approved by the city manager. The application shall include the following:*

- 1. Written consent form to the annexation signed by the requisite number of affected property owners, electors or both, provided by ORS 222, if applicable;*

**Response:** Written consent signed by the property owners or property owner representatives has been provided as part of the boundary change petition packet submitted with this application. Specifically, under ORS 222.125, all of the owners of land and not less than 50 percent of the electors residing in the territory to be annexed have consented in writing to the annexation.

- D. A legal description of the territory to be annexed, meeting the relevant requirements of the Metro Code and ORS Ch. 308. If such a description is not submitted, a boundary survey may be required. A lot and block description may be substituted for the metes and bounds description if the area is platted. If the legal description contains any deed or book and page references, legible copies of these shall be submitted with the legal description;*

**Response:** A legal description of the territory to be annexed has been provided as part of the boundary change petition packet submitted with this application.

- E. A list of property owners within three hundred feet of the subject property and, if applicable, those property owners that will be "islanded" by the annexation proposal, on mailing labels acceptable to the city manager;*

**Response:** A list of property owners within 300 feet of the annexation property has been provided as part of the boundary change petition packet submitted with this application. No property owners will be "islanded" by the proposed annexation.

- F. Two full quarter-section county tax assessor's maps, with the subject property(ies) outlined;*

**Response:** Two full quarter-section county tax assessor's maps have been provided as part of this application submittal package.

5. *A site plan, drawn to scale (not greater than one inch = fifty feet), indicating:*
  - a. *The location of existing structures (if any);*
  - b. *The location of streets, sewer, water, electric and other utilities, on or adjacent to the property to be annexed;*
  - c. *The location and direction of all water features on and abutting the subject property. Approximate location of areas subject to inundation, stormwater overflow or standing water. Base flood data showing elevations of all property subject to inundation in the event of one hundred year flood shall be shown;*
  - d. *Natural features, such as rock outcroppings, marshes or wetlands (as delineated by the Division of State Lands), wooded areas, identified habitat conservation areas, isolated preservable trees (trees with trunks over six inches in diameter—as measured four feet above ground), and significant areas of vegetation;*
  - e. *General land use plan indicating the types and intensities of the proposed, or potential development;*

**Response:** The required site plan is provided in Exhibit B.

6. *If applicable, a double-majority worksheet, certification of ownership and voters. Certification of legal description and map, and boundary change data sheet on forms provided by the city.*

**Response:** The double-majority worksheet is not applicable.

7. *A narrative statement explaining the conditions surrounding the proposal and addressing the factors contained in the ordinance codified in this chapter, as relevant, including:*
  - a. *Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities;*

**Response:** Overall, the land proposed for annexation is largely undeveloped and located within a future urban zone at the edge of urban/rural development. As such, public facilities are available near the area but will require further development as planned by the city in its adopted capital facilities plans. The following is a brief summary of existing facilities.

Water: Currently, there is a 16-inch public water service line along S. Beaver Creek Road and a pump station (Fairway Downs) located near the intersection of S. Beaver Creek Road and Glen Oak Road. The city has identified several future capital improvement projects in the vicinity of the proposed annexation that are intended to serve future growth in the area. More detail about planned public facility improvements, specific to the approval criteria for an annexation request, is provided in subsequent sections of this narrative.

Sewer: Existing sanitary sewer service in the vicinity of the proposed annexation consists of a 2,400-foot trunk sewer in S. Beaver Creek Road. The trunk sewer terminates near the Oregon City High School,

approximately 0.5 miles north of the subject site. The *Oregon City Sanitary Sewer Master Plan* (2014) identifies a number of recommended future capital improvement projects intended to serve the Concept Plan area. More detail about planned public facility improvements, specific to the approval criteria for an annexation request, is provided in subsequent sections of this narrative.

Stormwater: The proposed annexation site slopes in several directions with two central drainages: Beaver Creek Road to the west and Thimble Creek to the east. There are no existing stormwater treatment facilities currently serving the site. Future stormwater facilities to serve anticipated development will be consistent with the city's updated stormwater master plan and design standards and will be constructed concurrently with site development after the Concept Plan becomes effective and city zoning is applied to the annexed property.

Transportation: The transportation network currently serving the proposed annexation area consists of S. Beaver Creek Road and a private driveway connecting to the Oregon City Golf Club and two residences on the property. Just north and west of the proposed annexation area is a private airport (Fairways Airport). The nearest available public transit (TriMet bus lines) is located at the Clackamas County Community College transit center approximately 1.4 miles from the proposed annexation area. The *Oregon City Transportation System Plan* (2013) (TSP) identifies future collector streets serving the proposed annexation area consistent with the network recommended in the Concept Plan. Those collector streets are designated as "Likely to be Funded System Projects." More detail about planned transportation improvements is provided later in this narrative.

Parks and schools: Oregon City High School and Clackamas County Community College are both in the vicinity of the proposed annexation area. There are currently no Oregon City parks in the vicinity of the proposed annexation area. The nearest park is Hillendale Park, which is about 2.8 miles from the proposed annexation area. There is an existing community trail along Glen Oak Road, extending east from OR Highway 213. That trail currently does not connect with Beaver Creek Road or the proposed annexation area.

- b. Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time;*

**Response:** The above item applies to development being proposed at this time and anticipates that no development may be proposed as part of an annexation application. No development is being proposed as part of this annexation application; therefore, the above item is not applicable.

- c. Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand;*

**Response:** The above item applies to development being proposed at this time and anticipates that no development may be proposed as part of an annexation application. No development is being proposed as part of this annexation application; therefore, the above item is not applicable.

- d. Statement outlining method and source of financing required to provide additional facilities, if any;*

**Response:** The above item applies to development being proposed at this time and anticipates that no development may be proposed as part of an annexation application. No development is being proposed as part of this annexation application; therefore, the above item is not applicable.

- e. Statement of overall development concept and methods by which the physical and related social environment of the site, surrounding area and community will be enhanced;*

**Response:** The above item applies to any development being proposed as part of the annexation application. No development is being proposed as part of this annexation application. It is expected that future development will occur consistent with the vision of the Concept Plan.

- f. Statement of potential physical, aesthetic, and related social effects of the proposed, or potential development on the community as a whole and on the small subcommunity or neighborhood of which it will become a part; and proposed actions to mitigate such negative effects, if any;*

**Response:** As noted previously, no development is being proposed at this time and this application requirement anticipates that no development may be proposed as part of an annexation application. Ultimately, the proposed annexation area is intended to be developed according to the mixed-use neighborhood concepts established in the Concept Plan, but that development cannot occur until the Concept Plan is effective and the prescribed zoning is applied to the property.

In terms of physical effects of potential development, the annexation area will eventually be developed with a mix of housing types and densities, and possibly some neighborhood-scale commercial uses. A new street network will be developed, along with trails, open spaces and parks. Public facilities will be extended to serve the site. The annexation site will be subject to existing city code requirements related to impacts of new development, including protection of natural resources, street design, and buffering and landscaping.

Aesthetically, future development in the Beavercreek area is intended to emphasize and protect existing natural resources and view corridors, and link them to green open spaces and active parks via a connected system of biking and walking trails. Streets will be developed using green street designs with street trees, landscape strips and integrated stormwater treatment.

Socially, the proposed annexation site will ultimately be developed to be part of a complete community, one that integrates a diverse mix of uses, including housing, services, and public spaces that are necessary to support a thriving employment center. Future development will provide a mix of housing types at a range of prices, with multi-modal connections within the site and to surrounding activity centers, including the Oregon City High School and Clackamas Community College. New streets and street improvements will be designed to maximize safety and convenience for all users, including pedestrians and cyclists. Natural resources will be managed for optimum ecological health to help protect watersheds.

Overall, the annexation site will be developed in accordance with a carefully crafted vision that was the result of a vigorous public process and was adopted by the city to guide future growth in a way that will contribute to Oregon City as a whole.

- g. Statement indicating the type and nature of any comprehensive plan text or map amendments, or zoning text or map amendments that may be required to complete the proposed development;*

**Response:** The applicant is not requesting a comprehensive plan text amendment or zone change for the proposed annexation properties at this time. Ultimately, in order for the properties to develop, land use plan and zoning designations will need to be applied. It is anticipated that zoning designations consistent with the Concept Plan will be developed and applied to the site. However, until such time, existing County FU-10 and TBR zoning will continue apply.

- 8. The application fee for annexations established by resolution of the city commission and any fees required by metro. In addition to the application fees, the city manager shall require a deposit, which is adequate to cover any and all costs related to the election;*

**Response:** The applicable application fee has been provided as part of this application submittal.

- 9. Paper and electronic copies of the complete application as required by the community development director.*

**Response:** Paper and electronic copies of this narrative have been included as part of this submittal package.

#### **14.04.060 - Annexation factors.**

- A. When reviewing a proposed annexation, the commission shall consider the following factors, as relevant:*

- 1. Adequacy of access to the site;*

**Response:** The site currently has adequate access opportunities from S. Beaver Creek Road (a designated major arterial) in the form of a driveway from Beaver Creek Road that serves the two residences and the golf club. No zone change or additional development is proposed as part of this annexation application. The current access, then, will remain adequate for the existing development and existing zoning until new zoning is proposed for the property. Once the property is rezoned consistent with the Concept Plan and development consistent with the Concept Plan is proposed, a primary street network will be developed in accordance with the connectivity concept identified in Figure 14 of the Concept Plan and Figure 17 of the TSP. See Images 1-2 below. In the vicinity of the subject site, the Concept Plan identifies three parallel north-south routes (the existing Beaver Creek Road and two new parkways) connected by east-west extensions of Glen Oak Road, Old Acres Lane and south golf club entrance. Additional local streets will supplement this street network. The specific design of the local street system is intentionally flexible and subject to additional master plan and subdivision review by the city.

The TSP has incorporated the street network from the Concept Plan that will serve the proposed annexation area. These improvements are designated as “Likely to be Funded System Projects.” More detail about TSP projects is provided in the discussion of public facilities in item (3) below.

Image 1: Figure 14 from the Beavercreek Road Concept Plan

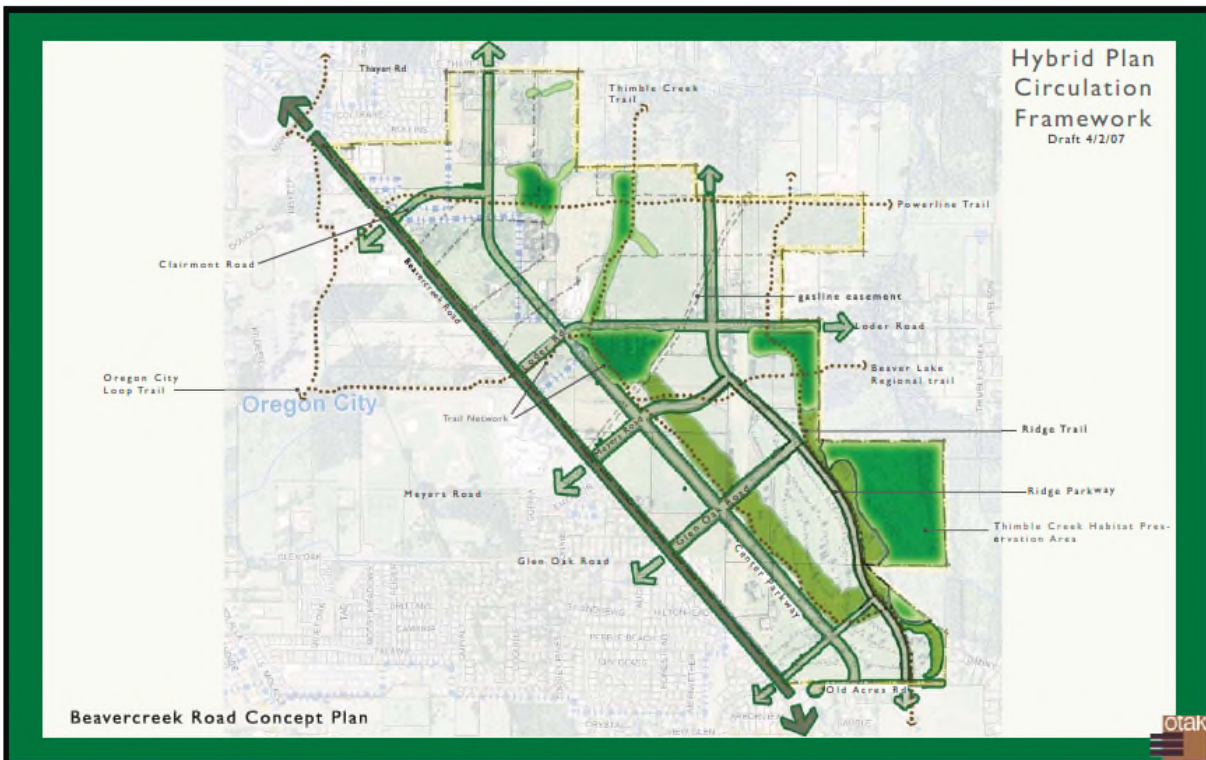
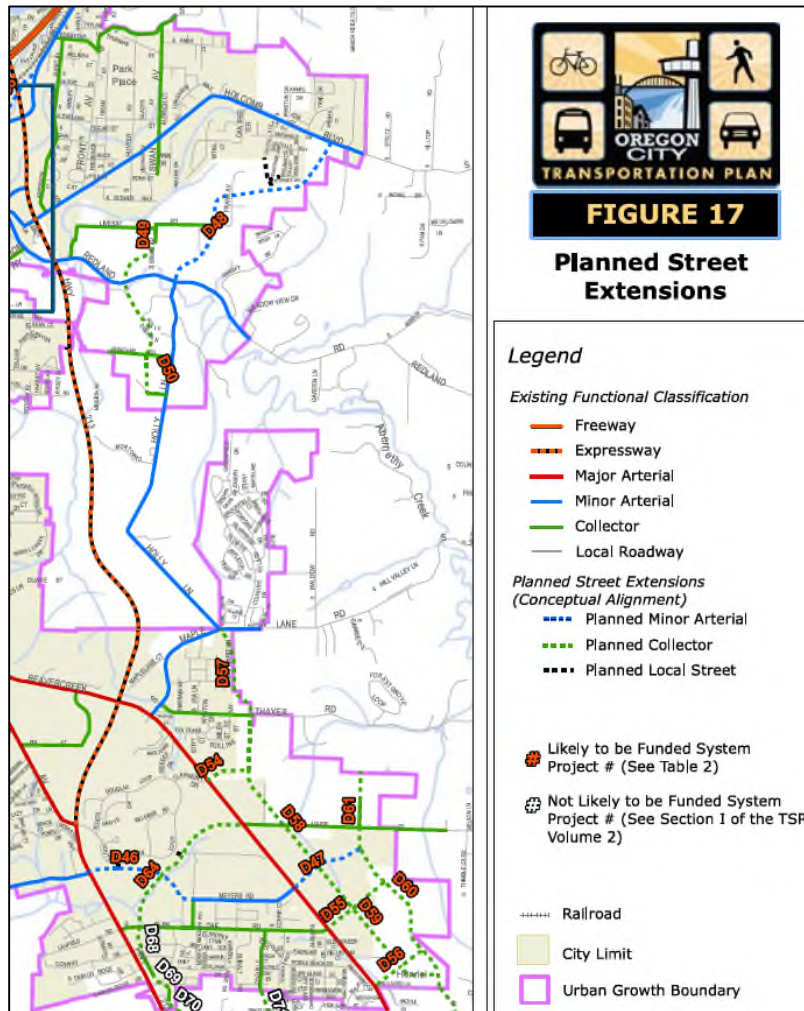


Figure 14 - Circulation Framework



Image 2: Figure 17 from the Oregon City Transportation System Plan



2. *Conformity of the proposal with the city's comprehensive plan;*

**Response:** Conformity of this proposal with applicable goals and policies in the city's comprehensive plan is addressed in Section II.B of this narrative.

3. *Adequacy and availability of public facilities and services to service potential development;*

**Response:** No zone change or additional development is proposed as part of this annexation application. The current public facilities and services, then, will remain adequate for the existing development and existing zoning until new zoning is proposed for the property. The Concept Plan identifies this area as a future location for mixed-use neighborhoods that include a variety of residential types (at densities similar to the city's R-2 and R-5 zones), smaller-scale employment and retail uses, and parks and pedestrian ways. Public facilities plans have been updated and adopted by the city to

anticipate and accommodate urban levels of development on the subject site upon the Concept Plan becoming effective. The following is a summary of how public facility improvements are being addressed to service potential development in the annexation area.

### Water

**Beavercreek Road Concept Plan:** According to the Concept Plan, a network of water supply pipelines will be created to serve as the “backbone” system. In addition, as individual parcels are developed, a local service network of water mains will be needed to serve individual lots. Figure 22 in the Concept Plan identifies this “backbone” system comprised of 8- and 12-inch pipelines along the proposed new north-south collector streets, and connected by east-west pipelines at the north and south ends of the annexation area.

**Adopted Public Facilities Plan:** Recommended future water service improvements identified in the 2012 *Water Distribution System Master Plan* implement the water supply network envisioned in the Concept Plan and include:

- Pipeline project no. F-CIP-4 – new 8-inch and 12-inch pipelines (total of 5,875 feet in length) that connect to the existing system along S. Beavercreek Road and travel north through the proposed annexation area. The project description states it is “intended to supply future growth in the area and will likely be developer driven.”
- Pipeline project no. F-CIP-14 – a new 2 MG water storage facility and 10,750 feet of 16-inch pipeline extending from the storage facility on S. Wilson Road to the Fairway Downs Pump Station along S. Beavercreek Road. This project is intended to create storage for a newly created pressure zone in the Fairway Downs areas. A siting study will be required prior to design.

More recently (May 2016), the city has provided an updated assessment of future water facilities that will be needed to serve the Concept Plan area. For the areas above a ground elevation of 480 feet, which includes the subject annexation site, the city has identified the following future facilities: a reservoir, pump station, transmission main and main extensions to serve the Fairway Downs Pressure Zone. The city anticipates that a phasing plan for construction of these water facilities will be prepared in the next two years (2016 – 2017).

### Sewer

**Beavercreek Road Concept Plan:** The Concept Plan notes that the majority of the southern half of the concept area (which includes the proposed annexation area) will be served by a gravity sanitary sewer system that will convey waste water to the existing 2,400- foot long trunk sewer in Beavercreek Road. This portion of the system can be built in the planned roadways and in the existing Beavercreek Road right-of-way. The Concept Plan also notes that, “The approximate elevation of 490 ft (MSL) is important in the southern half of the concept plan area relative to gravity sewer service. Roadways and development constructed above 490 ft will most likely allow for gravity sewer service. If land uses requiring sanitary sewer service (or roadways with sewer underneath) are located lower than 490 ft, individual pump stations and pressurized services may be required.”

**Adopted Public Facilities Plan:** The *Oregon City Sanitary Sewer Master Plan* (2014) implements the sanitary sewer network envisioned in the Concept Plan and identifies recommended improvements intended to accommodate future demand in the proposed annexation area. Those improvements consist of gravity sewer extensions throughout the annexation area connecting to the existing line in S. Beavercreek Road. Image 3 below provides additional detail.

Image 3: Figure 5-4 from the Oregon City Sanitary Sewer Master Plan

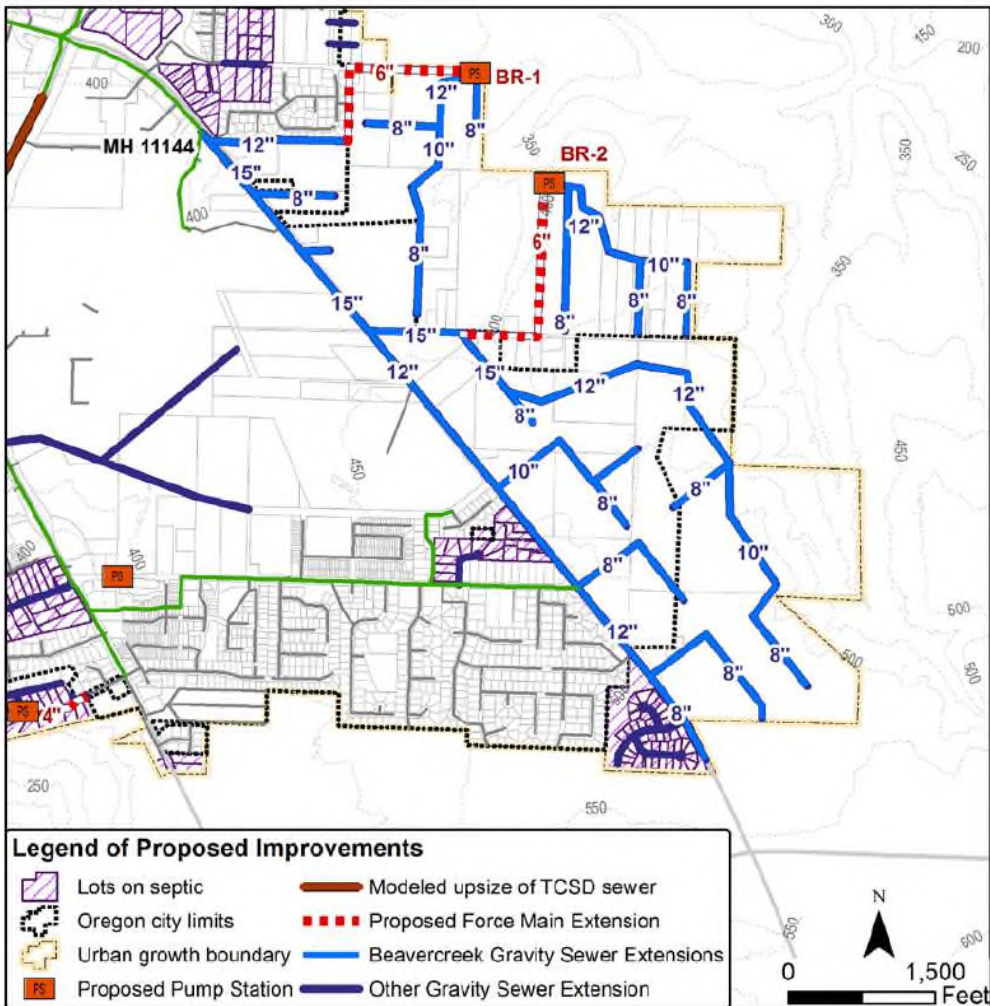


Figure 5-4. Beaver Creek Road Concept Area improvements

## Transportation

**Beaver Creek Road Concept Plan:** As noted previously (and shown in Image 1 above), the Concept Plan identifies recommended improvements to the street network intended to serve future development in the annexation area.

**Adopted Public Facilities Plan:** The TSP identifies future improvements to the street network serving the proposed annexation site and implements the transportation network envisioned in the Concept Plan. See Image 2 above for future street extensions. Specific projects are summarized as follows:

- Project D39 – a new roundabout at the intersection of S. Beaver Creek Road and Glen Oak Road.
- Project D47 – extension of Meyers Road (planned minor arterial) through the Beaver Creek area, north of the proposed annexation site.

- Project D55 – extension of Glen Oak Road through the annexation area from Beavercreek Road to the Meadow Lane extension. Street will be built to the Residential Collector cross section, which has three travel lanes, sidewalk/landscape strip on both sides, on-street parking and a 6-foot bike lane.
- Project D56 – new east-west collector (Timbersky Way extension) connecting Beavercreek Road to the Meadow Lane extension. Street will be built to the Residential Collector cross section.
- Project D59 – new north-south collector (Holly Lane extension) through the annexation area, parallel to S. Beavercreek Road. Street will be built to the Mixed-Use Collector cross section, which has three travel lanes, 10.5-foot sidewalks with tree wells on both sides, on-street parking and a 6-foot bike lane.
- Project D60 – new north-south collector (Meadow Lane extension) through the annexation area. Street will be built to the Mixed-Use Collector cross section.
- Project D82 – planned street upgrade to S. Beavercreek Road from Meyers Road south to the edge of the UGB. Beavercreek will be improved to the Residential Major Arterial cross-section, which has five travel lanes, sidewalk/landscape strip on both sides, on-street parking, a median and a 6-foot bike lane.

With the exception of Project D39, all improvements are designated as “Likely to be Funded System Projects.” The TSP also identifies a shared-use path extending throughout the annexation area and generally following the collector street alignments. That project is considered a “Not Likely to be Funded System Project.”

### **Stormwater**

**Beavercreek Road Concept Plan:** The Concept Plan identifies a stormwater infrastructure plan that emphasizes the use of low impact development (LID) practices throughout the proposed annexation area. The Plan organizes stormwater facilities into three tiers, which are summarized below:

- Tier 1 site-specific facilities – each property within the annexation area will need to utilize on-site best management practices to control and treat runoff. The Plan recommends the use of low impact facilities such as rain gardens, swales and pervious surface treatments over structural solutions such as underground tanks and filtration systems.
- Tier 2 green street facilities – green street designs are recommended for the entire annexation area to collect and convey stormwater runoff to regional facilities.
- Tier 3 regional facilities – seven regional facilities are identified for the Beavercreek plan area, including one regional detention pond located within the proposed annexation site.

**City Stormwater Management Requirements:** New development on the annexation site will be required to meet the city’s *Stormwater and Grading Design Standards* (2015). Those standards are intended to meet federal and state requirements, reduce stormwater runoff volumes, maintain pre-development characteristics to protect drainage-ways, and encourage the use of low-impact development practices. Per the standards, post-development runoff rates must match pre-development rates at existing discharge locations. According to the Concept Plan, there are several small discharge locations to Thimble Creek and flow control may not be feasible at all locations. In that case, over-detention will be required in order to meet the city’s standards.

### **Schools and Parks**

Oregon City High School and Clackamas County Community College are both in the vicinity of the proposed annexation area.

The Concept Plan provides a conceptual open space network including parks, trails, open spaces and natural areas that link together and connect with the environmentally sensitive resource areas. In the vicinity of the proposed annexation area, the Concept Plan identifies the following:

- A linear open space park linking the neighborhoods south of Loder Road, consistent with Metro's Goal 5 mapping efforts.
- Thimble Creek conservation and habitat preservation areas.
- South Ridge Overlook habitat preservation area.

The Plan also notes that park space will need to be provided consistent with the city's parks standard of 6 to 10 acres per 1,000 people. This requirement is applied during master planning and/or other land use process, such as a subdivision, to approve future development.

As no zone change or additional development is proposed as part of this annexation application, this annexation will have no impact on the provision of schools or parks.

### **Police and Fire Protection**

Upon annexation, the Oregon City Police Department will serve the subject site. Oregon City fields approximately 1.33 officers per 1,000 people. The Police Department has a goal of four-minute emergency response, 7 to 9 minute actual, and twenty-minute non-emergency response times. As no zone change or additional development is proposed as part of this annexation application, this annexation will have a de minimis impact on police services.

The proposed annexation area is currently, and will remain, within the Clackamas Rural Fire Protection District #1. The Clackamas Fire District provides all fire protection for Oregon City since the entire city was annexed into their district in 2007. As no zone change or additional development is proposed as part of this annexation application, this annexation will have no impact on fire protection services.

#### *4. Compliance with applicable sections of ORS Ch. 222, and Metro Code Section 3.09;*

**Response:** ORS 222 requires the proposed annexation property be contiguous with the city and provides several options for annexing land into a city. As noted in 14.04.050(E)(1), this annexation relies on ORS 222.125, annexation by consent of all land owners and a majority of electors. The requirements of ORS 222, then, are met. Metro Section 3.09 is addressed separately in Section II.C of this narrative.

#### *5. Natural hazards identified by the city, such as wetlands, floodplains and steep slopes;*

**Response:** The Concept Plan has identified water resource and steep slope areas that will require further investigation at time of development to demonstrate compliance with existing Oregon City Municipal Code's water resource protection and geologic hazards standards.

Future development of the site will be required to meet all applicable city, state and federal requirements, which will be addressed through the land development processes (site development

review, land divisions, etc.). As no zone change or additional development is proposed as part of this annexation application, this annexation will have no impact on identified natural hazards.

*6. Any significant adverse effects on specially designated open space, scenic, historic or natural resource areas by urbanization of the subject property at time of annexation;*

**Response:** The proposed annexation area is in the Newell and Thimble drainage basins according to the Drainage Master Plan. The Concept Plan has identified natural and water resources, as well as geologic and steep slope areas that will require further investigation. Prior to development, an applicant would be required to study and delineate these resource areas to ensure compliance with Oregon City requirements and standards, including:

- Chapter 16.08 Subdivision Standards
- Chapter 17.40 Historic Overlay District
- Chapter 17.41 Tree Protection Standards
- Chapter 17.42 Flood Management Overlay District
- Chapter 17.44 Geologic Hazards
- Chapter 17.47 Erosion and Sediment Control
- Chapter 17.49 Natural Resource Overlay District

As no zone change or additional development is proposed as part of this annexation application, this annexation will have no significant adverse effect on any specially designated open space, scenic, historic or natural resource areas.

*7. Lack of any significant adverse effects on the economic, social and physical environment of the community by the overall impact of the annexation.*

**Response:** As no zone change or additional development is proposed as part of this annexation application, this annexation will have no significant adverse effects on the economic, social or physical environment of the community. This narrative interprets the “community” as including the city of Oregon City and the lands within its urban service area. The city will obtain a small increase in property tax revenues from adding assessed value to its tax roll as a result of annexing the territory. The city will also obtain land use jurisdiction over the territory. Finally, it will have service responsibilities including fire, police, and general administration. The increases in service responsibilities to the area that result from the annexation will be insignificant.

The proposed annexation area has not been subdivided or partitioned and the zoning must be changed before development at any density other than FU-10 can be approved. Any impacts on the community that result from approval of development permits are a direct consequence of a zone change, subdivision and development permit approval, not of the annexation. Before any urban development can occur, the applicant must show compliance with the State’s Transportation Planning Rule for the desired re-zoning, and the territory must also be annexed to the Tri-City Service District.

## **B. OREGON CITY COMPREHENSIVE PLAN**

Applicable goals and policies from the Comprehensive Plan were identified in the Pre-Application Conference Notes (Exhibit A). This section demonstrates how the proposed annexation is consistent with applicable goals and policies.

### ***Section 2 Land Use***

***Goal 2.6 Industrial Land Development*** *Ensure an adequate supply of land for major industrial employers with family wage jobs.*

**Response:** The proposed annexation site is part of the larger Beaver Creek Road Concept Plan area, which has been planned for a complete mix of uses, including employment, industrial, commercial and residential. Per the Concept Plan, the lands north of the subject site will be designated for employment uses and are intended to provide a mix of industries, research and development facilities, large corporate headquarters, office and retail, and some civic uses. This northern area (called the North Employment Campus and Mixed Employment Village in the Concept Plan) has been determined to be the most appropriate location for major industrial employers with family wage jobs, while the southern part of the Concept Plan area (where the subject site is located) has been determined to be most appropriate for residential uses that support the nearby employment areas. As a whole, the Concept Plan area will support the goal of ensuring adequate supply of land for employment uses, but the territory subject to this annexation application has no impact on the city's supply of land for major industrial employers either before or after annexation.

***Policy 2.6.8*** *Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which if approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the city's employment goals.*

**Response:** As noted in the response above, the proposed annexation area is part of the larger Beaver Creek Road Concept Plan area, which has been adopted by the city but is not yet acknowledged or effective. In accordance with this policy, the Concept Plan will ultimately guide zoning designations for the lands east of Clackamas Community College that are designated as Future Urban Holding, as well as for the larger plan area. Consistent with this policy, the majority of the lands east of Clackamas Community College that are designated as Future Urban Holding have been identified in the Concept Plan for employment uses. This employment area is intended to provide for a mix of industries, research and development facilities, large corporate headquarters, office and retail, and some civic uses. The northern location of this employment area is important, because its proximity to Clackamas Community College and Oregon City High School is intended to foster connections and relationships among the employers that site in the employment area and these two educational institutions. The proposed annexation site is located in the southern portion of the Concept Plan area and is planned for mixed use residential neighborhoods that will support the nearby employment uses. Therefore, the territory subject to this annexation application has no impact on the city's ability to meet its employment goals under this policy either before or after annexation.

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

**Response:** The Oregon City Comprehensive Plan Land-Use Map remains the long-range planning guide for development in the city. Ultimately, the Comprehensive Plan Map will be updated to apply land use designations to the proposed annexation area, consistent with land use designations identified in the Concept Plan. Therefore, this annexation application has no impact on this policy.

**Policy 2.7.3** *Recognize the design types of Metro's 2040 Growth Concept. Establish boundaries for the Regional Center in Downtown Oregon City; Corridors along 7th Street, Molalla Avenue, Beavercreek Road, and Highway 99; Industrial areas; and for Inner and Outer Neighborhoods.*

**Response:** The proposed annexation area is within the boundaries of the Concept Plan which is consistent with the Metro 2040 Growth Concept.

#### **Section 14 Urbanization**

**Goal 14.3 Orderly Provision of Services to Growth Areas** *Plan for public services to lands within the Urban Growth Boundary through adoption of a concept plan and related Capital Improvement Program, as amendments to the Comprehensive Plan.*

**Response:** This policy contains a requirement that the city plan for public services to lands within the urban growth boundary through concept plans and a related capital improvement program. This policy, then, is not directly applicable to this annexation request, because this annexation request has no impact on the city's ability to plan for such public services. In any event, the proposed annexation area is part of the Beavercreek Road Concept Plan, which has been adopted by the city (adopted originally in 2008 and re-adopted in 2016). Since the 2008 adoption, the city has updated its water, sewer and transportation master plans to include new projects intended to serve the Concept Plan area. Details regarding planned capital improvements to provide public services to the annexation site are below.

Water: Recommended future water service improvements identified in the 2012 *Water Distribution System Master Plan* include:

- Pipeline project no. F-CIP-4 – new 8-inch and 12-inch pipelines (total of 5,875 feet in length) that connect to the existing system along S. Beavercreek Road and travel north through the proposed annexation area. The project description states it is “intended to supply future growth in the area and will likely be developer driven.” Total estimated cost is \$1,133,720.
- Pipeline project no. F-CIP-14 – a new 2 MG water storage facility and 10,750 feet of 16-inch pipeline extending from the storage facility on S. Wilson Road to the Fairway Downs Pump Station along S. Beavercreek Road. This project is intended to create storage for a newly created pressure zone in the Fairway Downs areas. A siting study will be required prior to design. Total estimated cost is \$5,687,500.

More recently (May 2016), the city has provided an updated assessment of future water facilities that will be needed to serve the Concept Plan area. For the areas above a ground elevation of 480 feet, which includes the subject annexation site, the city has identified the following future facilities: a reservoir, pump station, transmission main and main extensions to serve the Fairway Downs Pressure



Zone. The city anticipates that a phasing plan for construction of these water facilities will be identified in the next two years (2016 – 2017).

Sewer: The *Oregon City Sanitary Sewer Master Plan* (2014) identifies recommended improvements intended to accommodate future demand in the proposed annexation area. Those improvements consist of 8-inch, 10-inch and 12-inch gravity sewer line extensions throughout the annexation area connecting to an existing line in S. Beaver Creek Road.

Transportation: The TSP identifies the following planned improvements intended to serve the Beaver Creek area:

- Project D39 – a new roundabout at the intersection of S. Beaver Creek Road and Glen Oak Road.
- Project D47 – extension of Meyers Road (planned minor arterial) through the Beaver Creek area, north of the proposed annexation site.
- Project D55 – extension of Glen Oak Road through the annexation area from Beaver Creek Road to the Meadow Lane extension. Street will be built to the Residential Collector cross section, which has three travel lanes, sidewalk/landscape strip on both sides, on-street parking and a 6-foot bike lane.
- Project D56 – new east-west collector (Timbersky Way extension) connecting Beaver Creek Road to the Meadow Lane extension. Street will be built to the Residential Collector cross section.
- Project D59 – new north-south collector (Holly Lane extension) through the annexation area, parallel to S. Beaver Creek Road. Street will be built to the Mixed-Use Collector cross section, which has three travel lanes, 10.5-foot sidewalks with tree wells on both sides, on-street parking and a 6-foot bike lane.
- Project D60 – new north-south collector (Meadow Lane extension) through the annexation area. Street will be built to the Mixed-Use Collector cross section.
- Project D82 – planned street upgrade to S. Beaver Creek Road from Meyers Road south to the edge of the UGB. Beaver Creek will be improved to the Residential Major Arterial cross-section, which has five travel lanes, sidewalk/landscape strip on both sides, on-street parking, a median and a 6-foot bike lane.

With the exception of the roundabout in Project D39, all improvements are designated as Likely to be Funded System Projects. The TSP also identifies a shared-use path extending throughout the annexation area and generally following the collector street alignments. That project is considered a “Not Likely to be Funded System Project.”

As evidenced above, the city has planned for public services to the lands within the urban growth boundary through the adoption of the Concept Plan and the amendment of its related public facilities plans that detail how those lands will be served. This annexation application does not affect that.

***Policy 14.3.1 Maximize new public facilities and services by encouraging new development within the Urban Growth Boundary at maximum densities allowed by the Comprehensive Plan.***

**Response:** The proposed annexation site is inside the urban growth boundary and will ultimately be designated for residential uses consistent with the Comprehensive Plan designations for medium- and high-density residential land use categories. Those land use designations will be implemented by city

zoning, consistent with the densities identified in the Concept Plan for the West (R-2 zoning) and East (R-5 zoning) Mixed Use Neighborhoods. The city's water, sewer and transportation master plans (as described previously) have been updated to reflect those land use designations and associated densities. As noted earlier, no zone change or additional development is proposed as part of this annexation application. Until land use plan and zoning designations are applied to the site and future development approvals are obtained, uses on the affected property will remain as they are. Therefore, this annexation application will not hinder the city's ability to maximize new public facilities and services at maximum densities per the direction of the Concept Plan.

***Policy 14.3.2*** *Ensure that the extension of new services does not diminish the delivery of those same services to existing areas and residents in the city.*

**Response:** As noted previously, the city has updated its water, sewer and transportation master plans to plan for extension of services to the annexation area. The updated public facility master plans take into account the demand for services from both existing and planned development in the city. The master plans identify future capital improvement projects intended to ensure that public services can be maintained and extended as needed to meet demand. Further, as no zone change or additional development is proposed as part of this annexation application, the proposed annexation does not affect the ability of the city to deliver services to existing areas and residents in the city.

***Policy 14.3.3*** *Oppose the formation of new urban services districts and oppose the formation of new utility districts that may conflict with efficient delivery of city utilities within the Urban Growth Boundary.*

**Response:** The proposed annexation does not involve formation of a new urban service or utility district.

***Policy 14.3.4*** *Ensure the cost of providing new public services and improvements to existing public services resulting from new development are borne by the entity responsible for the new development to the maximum extent allowed under state law for Systems Development Charges.*

**Response:** As noted previously, the city's water, sewer and transportation master plans have been updated to plan for extension of those services to the proposed annexation area. Capital improvement projects needed to provide those services are identified in the master plans and the city's system development charges (SDCs) have been updated accordingly. The updated SDCs will ensure that new development in the annexation area will fund those public improvements to the maximum extent allowed under state law.

***Goal 14.4 Annexation of Lands to the City*** *Annex lands to the city through a process that considers the effects on public services and the benefits to the city as a whole and ensures that development within the annexed area is consistent with the Oregon City Comprehensive Plan, City ordinances, and the City Charter.*

**Response:** This annexation application will be reviewed through a process that considers the effects on public services and benefits to the city. Consistency with the Comprehensive Plan and applicable city ordinances is required for annexation approval and has been demonstrated in this narrative and in the

supporting materials provided with the application package. Further, as no zone change or additional development is proposed as part of this annexation application, the proposed annexation will have a minimis effect on public services.

***Policy 14.4.1 Promote compact urban form and support efficient delivery of public services by ensuring that lands to be annexed are within the City's Urban Growth Boundary, and contiguous with the city limits. Do not consider long linear extensions, such as cherry stems and flag lots, to be contiguous with the city limits.***

**Response:** This application supports this policy by proposing annexation of property that is within the city's urban growth boundary and is contiguous with the southeastern edge of existing city limits. This application does not propose long linear extensions such as cherry stems or flag lots.

***Policy 14.4.2 Include an assessment of the fiscal impacts of providing public services to unincorporated areas upon annexation, including the costs and benefits to the city as a whole as a requirement for concept plans.***

**Response:** This policy contains a requirement that the city include a fiscal impact assessment as part of the preparation of concept plans. This policy, then, is not directly applicable to this annexation request, because this annexation request is not a concept plan. In any event, the Concept Plan does provide the required assessment of the fiscal impacts of providing public services to the proposed annexation area when it develops, including potential costs and benefits to the city. As part of the Concept Plan preparation and adoption process, associated city master plans have also been updated to include projects identified in the Concept Plan. Those plans include the Transportation System Plan (2013), Water System Master Plan (2012) and Sanitary Sewer Master Plan (2014) – all of which have been adopted by the city and acknowledged by the State of Oregon. The infrastructure requirements and cost estimates contained in those master plans were used to update the city's system development charges and have been included as part of the city's capital improvement program.

***Policy 14.4.3 Evaluate and in some instances require that parcels adjacent to proposed annexations be included to:***

- *avoid creating unincorporated islands within the city;*
- *enable public services to be efficiently and cost-effectively extended to the entire area;*  
*or*
- *implement a concept plan or sub-area master plan that has been approved by the Planning and City Commissions.*

**Response:** The proposed annexation will not create an unincorporated island within the city. As demonstrated in the Concept Plan and adopted public facility plans, public services can be efficiently and cost-effectively extended to serve the Beavercreek area without including additional parcels with this annexation. This proposed annexation will facilitate implementation of the Concept Plan, which has been adopted by the city.

### **C. METRO CODE SECTION 3.09**

Metro Code Section 3.09 establishes requirements for local government boundary changes. The criteria for a minor boundary change are found in Section 3.09.050.D and are applicable to this annexation request.

#### ***Section 3.09.050***

*D. To approve a boundary change through an expedited process, the city shall:*

*1. Find that the change is consistent with expressly applicable provisions in:*

*a. Any applicable urban service agreement adopted pursuant to ORS 195.065;*

**Response:** There is no urban service agreement applicable to the subject site. Therefore, this criterion does not apply.

*b. Any applicable annexation plan adopted pursuant to ORS 195.205;*

**Response:** There is no annexation plan applicable to the subject site. Therefore, this criterion does not apply.

*c. Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;*

**Response:** Oregon City and Clackamas County have an Urban Growth Management Agreement (UGMA), which is a part of their adopted Comprehensive Plans. The territory proposed for annexation falls within the Urban Growth Management Boundary (UGMB) identified for Oregon City and is subject to the agreement. As prescribed by the UGMA, the County agreed to adopt the city's Comprehensive Plan designation for this area, which is Future Urban.

The UGMA presumes that all urban lands within the UGMB will ultimately annex to the city. It specifies that the city is responsible for the public facilities plan required by Oregon Administrative Rule Chapter 660, division 11. The UGMA goes on to say:

*4. City and County Notice and Coordination*

*D. The CITY shall provide notification to the COUNTY, and an opportunity to participate, review and comment, at least 20 days prior to the first public hearing on all proposed annexations . . .*

*5. City Annexations*

*A. CITY may undertake annexations in the manner provided for by law within the UGMB. CITY annexation proposals shall include adjacent road right-of-way to properties proposed for annexation. COUNTY shall not oppose such annexations.*

*B. Upon annexation, CITY shall assume jurisdiction of COUNTY roads and local access roads that are within the area annexed. As a condition of jurisdiction transfer for roads not built to CITY street standards on the date of the final decision on the annexation, COUNTY agrees to pay to CITY a sum of money equal to the cost of a two-inch asphaltic concrete overlay over the width of the*

*then-existing pavement; however, if the width of pavement is less than 20 feet, the sum shall be calculated for an overlay 20 feet wide. The cost of asphaltic concrete overlay to be used in the calculation shall be the average of the most current asphaltic concrete overlay projects performed by each of CITY and COUNTY. Arterial roads will be considered for transfer on a case-by-case basis. Terms of transfer for arterial roads will be negotiated and agreed to by both jurisdictions.*

- C. *Public sewer and water shall be provided to lands within the UGMB in the manner provided in the public facility plan . . .*

The city will provide the required notice to the County as specified. The agreement requires that adjacent road rights-of-way be included within annexations. The Beavercreek Road right-of-way adjacent to the subject site is included in the legal description provided with this application. Since Beavercreek Road is an arterial, transfer of jurisdiction to the city would fall under the case-by-case basis, subject to negotiation.

- d. *Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;*

**Response:** The proposed annexation is consistent with adopted public facility plans, as described below.

Water: The city's 2012 *Water Distribution System Master Plan* identifies recommended improvement projects intended to serve the proposed annexation area. Those projects include:

- Pipeline project no. F-CIP-4 – new 8-inch and 12-inch pipelines (total of 5,875 feet in length) that connect to the existing system along S. Beavercreek Road and travel north through the proposed annexation area. The project description states it is “intended to supply future growth in the area and will likely be developer driven.” Total estimated cost is \$1,133,720.
- Pipeline project no. F-CIP-14 – a new 2 MG water storage facility and 10,750 feet of 16-inch pipeline extending from the storage facility on S. Wilson Road to the Fairway Downs Pump Station along S. Beavercreek Road. This project is intended to create storage for a newly created pressure zone in the Fairway Downs areas. A siting study will be required prior to design. Total estimated cost is \$5,687,500.

More recently (May 2016), the city has provided an updated assessment of future water facilities that will be needed to serve the Concept Plan area. To serve areas above a ground elevation of 480 feet, which includes the subject annexation site, the city has identified the following future facilities: a reservoir, pump station, transmission main and main extensions to serve the Fairway Downs Pressure Zone. The city anticipates that a phasing plan for construction of these water facilities will be completed in the next two years (2016 – 2017).

Sewer: The *Oregon City Sanitary Sewer Master Plan* (2014) also identifies recommended improvements intended to accommodate future demand in the proposed annexation area. Those improvements consist of gravity sewer extensions throughout the annexation area connecting to an existing line in S. Beavercreek Road.

Transportation: The TSP identifies the following planned improvements intended to serve the Beaver Creek area:

- Project D39 – a new roundabout at the intersection of S. Beaver Creek Road and Glen Oak Road.
- Project D47 – extension of Meyers Road (planned minor arterial) through the Beaver Creek area, north of the proposed annexation site.
- Project D55 – extension of Glen Oak Road through the annexation area from Beaver Creek Road to the Meadow Lane extension. Street will be built to the Residential Collector cross section, which has three travel lanes, sidewalk/landscape strip on both sides, on-street parking and a 6-foot bike lane.
- Project D56 – new east-west collector (Timbersky Way extension) connecting Beaver Creek Road to the Meadow Lane extension. Street will be built to the Residential Collector cross section.
- Project D59 – new north-south collector (Holly Lane extension) through the annexation area, parallel to S. Beaver Creek Road. Street will be built to the Mixed-Use Collector cross section, which has three travel lanes, 10.5-foot sidewalks with tree wells on both sides, on-street parking and a 6-foot bike lane.
- Project D60 – new north-south collector (Meadow Lane extension) through the annexation area. Street will be built to the Mixed-Use Collector cross section.
- Project D82 – planned street upgrade to S. Beaver Creek Road from Meyers Road south to the edge of the UGB. Beaver Creek will be improved to the Residential Major Arterial cross-section, which has five travel lanes, sidewalk/landscape strip on both sides, on-street parking, a median and a 6-foot bike lane.

With the exception of the roundabout in Project D39, all improvements are designated as Likely to be Funded System Projects. The TSP also identifies a shared-use path extending throughout the annexation area and generally following the collector street alignments. That project is considered a Not Likely to be Funded System Project.

*e. Any applicable comprehensive plan;*

**Response:** The Oregon City Comprehensive Plan contains goals and policies that are applicable to this annexation request. Consistency with those goals and policies is demonstrated in Section II.B of this narrative.

*f. Any applicable concept plan; and*

**Response:** The Beaver Creek Road Concept Plan will ultimately be the concept plan that will guide future development in the proposed annexation area. The Concept Plan has been adopted by the city but is not yet effective and therefore does not provide any applicable approval criteria.

*2. Consider whether the boundary change would:*

*a. Promote the timely, orderly and economic provision of public facilities and services;*

**Response:** The proposed annexation site is inside the UGB, contiguous with the city limits, and directly adjacent to developed areas that currently receive public facilities and services. Public facilities (water, sewer and transportation) are available near the proposed annexation site and the city has adopted public facilities plans that provide for extension of those facilities to serve the site to accommodate future development.

*b. Affect the quality and quantity of urban services; and*

**Response:** The city has updated its sewer, water and transportation facilities master plans to plan for future extension of those services into the proposed annexation area. Fire protection is provided by Clackamas Fire District #1; the fire district will continue to serve this area after annexation and will need to adjust service levels as development occurs. Parks and open spaces will be provided in accordance with the city's parks requirements and the guidance provided in the Concept Plan, which identifies an interconnected system of green corridors, parks, and natural areas. Transit service to the annexation area is currently not available; however, the Concept Plan anticipates transit-supportive levels of development for the Beavercreek area and anticipates eventual extension of transit service.

*c. Eliminate or avoid unnecessary duplication of facilities or services.*

**Response:** The city will notify all applicable service providers of this annexation request for their review and comment. Annexation to, or withdrawal from, service provider districts will be done concurrent or subsequent to this proposed annexation.

#### **D. TRANSPORTATION PLANNING RULE (OAR 660-012-0060)**

Per the Pre-Application Conference held on June 29, 2016, the city requires a transportation discussion to determine whether or not the proposed annexation complies with the Transportation Planning Rule (TPR). The primary "test" of the TPR is to determine if an amendment to a functional plan, acknowledged comprehensive plan, or a land use regulation will significantly affect an existing or planned transportation facility. Per an email from John Replinger, the city's traffic engineer, dated July 6, 2016:

"As long as no zone change is being requested in connection with the annexation, you can delay the need to address compliance with the Transportation Planning Rule (specifically, OAR 660-12-0060). You may state in your application that the annexation has no significant transportation impact and that the compliance with the TPR will be addressed by a traffic engineer in connection with a transportation analysis at the time of a zone change and/or a specific development proposal."

Because no changes to plan or zoning designations are being requested at this time, no significant impacts to the surrounding transportation system will occur as a result of the proposed annexation. Further, the City's acknowledged TSP includes the area to be annexed and contemplates full build-out of the area in accordance with the Concept Plan. Therefore, the TPR test is met and no further analysis is necessary with this annexation request.

### **III. CONCLUSION**

This narrative and attached exhibits demonstrate how the proposed annexation meets applicable requirements and criteria for annexation of lands into Oregon City. The subject site was brought into the UGB over a decade ago to ultimately accommodate urban levels of development. The city developed and adopted the Beavercreek Road Concept Plan to establish a land use vision for the Beavercreek area and provide guidance for future development. Once annexation has occurred and city zoning has been applied to the site, the applicant intends to develop the site consistent with the Concept Plan. Approving this annexation request is a key step to realizing the vision set forth in the Concept Plan.



## **EXHIBIT A**

### **PRE-APPLICATION SUMMARY NOTES**



**PA-16-29: Pre-application Conference Notes**

**Date: June 29, 2016**

Prior Pre-application Conference: PA 15-12

Date: 5/6/2015

Annexation of the subject territory is required to show compliance with the Oregon City Comprehensive Plan. Comprehensive Plan designations have not been adopted for the subject site yet.

**Beavercreek Road Concept Plan**

City Commission readopted the BRCP in March 16. (Planning file LE-15-0003). LUBA Appeal No. 2016-044 was filed on June 3, 2016 by Elizabeth Graser-Lindsey, with Christine Kosinski and Paul Edgar as Co-Petitioners, and James Nicita as Intervenor-Petitioner. The petitioners have filed a record objection and the City will respond to the record objection and file a supplemental record by July 18.

**Zoning**

Staff will recommend that zoning designation of the property remain FU-10 until the City adopts new zoning designations for the BRCP through separate legislative process. Re-zoning is also subject to compliance with the Transportation Planning Rule, and the Mobility Standards of [OCMC 12.04.205](#). Currently, the intersection of I-205 / OR 213 exceeds the mobility standard and no-rezoning can occur until alternative mobility standards for the interchange are adopted and approved through the Oregon Transportation Commission.

The City will be working with ODOT and Clackamas County to adopt a refinement plan for the development of alternative mobility standards in order to comply with the Transportation Planning Rule.

**Items that are needed for Development Approval – Post-Concept Plan Acknowledgement**

- a. Public facilities discussions with Public Works.
- b. Re-Zoning
- c. At applicant's option - Master Plan – per OCMC 17.65. Allows for phasing, adjustment of development standards by Planning Commission.
- d. Subdivisions (for single family homes)



- e. Site Plan and Design Review (for commercial and non-single family portions of the site).

### **Annexation Approval Criteria to Address in Narrative:**

#### **1. City Code Chapter 14**

- Address 14.04.050 - Annexation procedures.
- Provide all items required in (E) Contents of Application.
- The required narrative shall include the following statements completely addressed:
  - (a) 7. A narrative statement explaining the conditions surrounding the proposal and addressing the factors contained in the ordinance codified in this chapter, as relevant, including:
    - a. Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities;
    - b. Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time;
    - c. Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand;
    - d. Statement outlining method and source of financing required to provide additional facilities, if any;
    - e. Statement of overall development concept and methods by which the physical and related social environment of the site, surrounding area and community will be enhanced;
    - f. Statement of potential physical, aesthetic, and related social effects of the proposed, or potential development on the community as a whole and on the small subcommunity or neighborhood of which it will become a part; and proposed actions to mitigate such negative effects, if any;
    - g. Statement indicating the type and nature of any comprehensive plan text or map amendments, or zoning text or map amendments that may be required to complete the proposed development;
- The narrative should also address [14.04.060 - Annexation factors](#) in detail.

#### **2. Metro Code 3.09.050.D.- (Minor Boundary Change Criteria) - Attached**

"Minor boundary change" means an annexation or withdrawal of territory to or from a city or district or from a county to a city. "Minor boundary change" also means an extra-territorial extension of water or sewer service by a city or district. "Minor boundary change" does not mean withdrawal of territory from a district under ORS 222.520.



D. To approve a boundary change through an expedited process, the city shall:

1. Find that the change is consistent with expressly applicable provisions in:
  - a. Any applicable urban service agreement adopted pursuant to ORS 195.065;
  - b. Any applicable annexation plan adopted pursuant to ORS 195.205;
  - c. Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;
  - d. Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;
  - e. Any applicable comprehensive plan;
  - f. Any applicable concept plan; and
2. Consider whether the boundary change would:
  - a. Promote the timely, orderly and economic provision of public facilities and services;
  - b. Affect the quality and quantity of urban services; and
  - c. Eliminate or avoid unnecessary duplication of facilities or services.

### **3. Oregon City Comprehensive Plan – Applicable Goals and Policies From Page 4 – “Implementing the Plan”.**

Applicant should address each goal and policy in detail.

*“Concept plans are land-use plans for areas of the city that have just been included in the Urban Growth Area. Before these areas can be zoned or subdivided, a concept plan must be completed and adopted by the City Commission and accepted by Metro. Concept plans require a detailed assessment of the area to determine the most appropriate intensity and type of land use, and when completed, are adopted as part of the comprehensive plan.”*

Take time to tell the story of the Beavercreek Road Concept Plan and its status. Acknowledge the plan is under current LUBA appeal and not yet in effect or acknowledged. Discuss the Vision, Goals and Policies of the BRCP and consistency with;

- West and East Mixed Use Village areas (WMV and EMV)
- The Center Parkway and Ridge Parkway transportation concepts and overall block patterns
- The Open Space areas identified in the concept plan
- The Trail System identified in the concept plan (and the TSP)
- Mixed Use concepts discussed in the plan

*Goal 2.6 - Industrial Land Development*

Ensure an adequate supply of land for major industrial employers with familywage jobs.

*Policy 2.6.8*

Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which if approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the city's employment goals.

*Goal 2.7 - Oregon City Comprehensive Plan Land-Use Map*

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

*Policy 2.7.3*

Recognize the design types of Metro's 2040 Growth Concept. Establish boundaries for the Regional Center in Downtown Oregon City; Corridors along 7<sup>th</sup> Street, Molalla Avenue, Beaver Creek Road, and Highway 99; Industrial areas; and for Inner and Outer Neighborhoods.

*Goal 14.3 Orderly Provision of Services to Growth Areas*

Plan for public services to lands within the Urban Growth Boundary through adoption of a concept plan and related Capital Improvement Program, as amendments to the Comprehensive Plan.

*Policy 14.3.1*

Maximize new public facilities and services by encouraging new development within the Urban Growth Boundary at maximum densities allowed by the Comprehensive Plan.

*Policy 14.3.2*

Ensure that the extension of new services does not diminish the delivery of those same services to existing areas and residents in the city.

*Policy 14.3.3*

Oppose the formation of new urban services districts and oppose the formation of new utility districts that may conflict with efficient delivery of city utilities within the Urban Growth Boundary.



### *Policy 14.3.4*

Ensure the cost of providing new public services and improvements to existing public services resulting from new development are borne by the entity responsible for the new development to the maximum extent allowed under state law for Systems Development Charges.

### *Goal 14.4 – Annexation of Lands to the City*

Annex lands to the city through a process that considers the effects on public services and the benefits to the city as a whole and ensures that development within the annexed area is consistent with the Oregon City Comprehensive Plan, City ordinances, and the City Charter.

### *Policy 14.4.1*

Promote compact urban form and support efficient delivery of public services by ensuring that lands to be annexed are within the City's Urban Growth Boundary, and contiguous with the city limits. Do not consider long linear extensions, such as cherry stems and flag lots, to be contiguous with the city limits.

### *Policy 14.4.2*

Include an assessment of the fiscal impacts of providing public services to unincorporated areas upon annexation, including the costs and benefits to the city as a whole as a requirement for concept plans.

### *Policy 14.4.3*

Evaluate and in some instances require that parcels adjacent to proposed annexations be included to:

- avoid creating unincorporated islands within the city;
- enable public services to be efficiently and cost-effectively extended to the entire area; or
- implement a concept plan or sub-area master plan that has been approved by the Planning and City Commissions.

## **4. Transportation**

- Traffic Impact Analysis is required. Please contact the City's transportation consultant John Replinger for further information, and to determine whether a more detailed Transportation Planning Rule (TPR) analysis is required by ODOT. **Traffic Analysis is a**

significant portion of the application, which may impact the processing of the application and timing of the election.

- Development of the BRCP area must be shown to meet the Statewide Transportation Planning Rule.
- In 2013, the City adopted a new Transportation System Plan (TSP) that identifies transportation improvements necessary to accommodate existing and projected population and employment growth within the city limits along with urban growth areas through 2035. The TSP calculates transportation demand using a Metro model that divides land into Transportation Area Zones (TAZ.) In Metro's model, the TAZs represent the sources of vehicle trip generation within the region. Although each TAZ does not align perfectly with the city limits or urban growth boundary, they were subdivided to correspond with these boundaries. The land use plan designations within each TAZ were then used to determine the expected traffic generation. The result is a calculation within each TAZ that captures pass-by trips, additional development of vacant or underdeveloped properties under existing zoned densities within the city limits, coupled with concept planned areas within the urban growth boundary including the Beavercreek Concept Plan (BRCP), which is pending adoption on remand from LUBA.
- Taken together, the TSP concludes that existing and planned growth will result in congestion at the Highway 213 / Beavercreek intersection, as well as a number of other intersections. By 2035, that congestion will exceed the identified mobility standards. In this case, the relevant mobility standard is established in the Oregon Highway Plan (OHP) and is set at .99 v/c. Evidence indicates that, not only does this intersection fail over the 2035 planning horizon, current traffic volumes through this intersection exceed the .99 v/c threshold.
- If annexation while maintaining FU designation is requested, transportation analysis will be much simpler. Applicant will then be able to work with the City to complete transportation analysis through the legislative process.
- Scoping of the TIS for the annexation by the applicant should be conducted with guidance from Oregon City Public Works Director, City Attorney, Clackamas County Transportation Planning, ODOT, and the Oregon City Planning Division.
- We are available to discuss the Transportation Impact Analysis in further detail.

**NOTICE TO APPLICANT:** A property owner may apply for any permit they wish for their property. HOWEVER, THERE ARE NO GUARANTEES THAT ANY APPLICATION WILL BE APPROVED. No decisions are made until all reports and testimony have been submitted. The Pre-application Notes and Any Documentation submitted will be kept by the Community Development Department. A



# OREGON CITY

## **Community Development Department**

221 Molalla Ave. Suite 200 | Oregon City OR 97045

Ph (503) 722-3789 | Fax (503) 722-3880

copy will be given to the applicant. IF the applicant does not submit an application within six (6) months from the Pre-application Conference meeting date, a NEW Pre-Application Conference will be required, unless an extension is granted by the Community Development Director.



## DEVELOPMENT SERVICES

### PRE-APPLICATION MEETING NOTES

**Date:** 6-29-2016

*These are preliminary notes based on the application and documents submitted*

**Planning Project Number:** PA 16-29  
**Address:** 20124 S Beaver Creek Road, Oregon City, OR 97045  
**Map Number(s):** 3-2E-10D, 3-2E-15A  
**Tax Lot(s):** 3500 (Map # 3-2E-10D)  
201, 202, and 290 (Map # 3-2E-15A)  
**Project Name:** Oregon City Golf Course 117-Acre Annexation  
**Meeting Date:** June 29, 2016  
**Reviewer(s):** Matthew Palmer, EIT

---

#### ENGINEERING - UTILITIES

##### Stormwater

1. The proposed annexation area, at the time of development, shall adhere to the requirements of the Stormwater and Grading Design Standards. The current Standards can be found online here:

**[http://www.orcity.org/sites/default/files/final\\_manual\\_0.pdf](http://www.orcity.org/sites/default/files/final_manual_0.pdf)**

2. Stormwater run-off generated from future development will generally flow in the northwesterly and northeasterly directions. These flows must be conveyed to natural drainage channels located north of the proposed annexation area.
3. Flow to the existing stormwater system located within Beaver Creek Road will not be permitted unless substantial upgrades to this system are made. The Beaver Creek Road frontage of the proposed annexation area currently has no existing stormwater system.

##### Water

1. The 2012 Water Distribution System Master Plan was adopted in February 2012. A PDF version of the adopted master plan is available on our City website located here:

**<http://www.orcity.org/publicworks/water-plans>**

2. Portions of the proposed annexation area which sit above the 480 foot elevation level currently have no available water pressure zone to take water flow from for future development. The City is currently in preliminary conceptual design phase of the required reservoir, pump station(s), and transmission pipelines needed to serve future development in this area. There is currently no projected date of completion for this water system

expansion. A more defined timeline will be determined during the next budget cycle (January through June 2017).

3. System Development Charge (SDC) credits will likely be available for this planned water system expansion. At this time, the SDC eligible percentage is unknown, but will be better defined once water modeling for this water system expansion is completed ( $\pm 6$  months).

### **Sanitary Sewer**

1. The 2014 Sanitary Sewer Master Plan Update was adopted in November 2014. A PDF version of the adopted master plan is available on our City website located here:

**<http://www.orcity.org/publicworks/sanitary-sewer-master-plan-0>**

2. There is currently inadequate capacity in the *Glen Oak Basin* sanitary sewer system (located to the west across Beavercreek Road) to take additional flows from future development.
3. As part of future development within the proposed annexation area, a sanitary sewer main (likely 12-inch diameter) will need to be extended to the southeast within Beavercreek Road. The City is currently in the planning/design phase to extend the existing Beavercreek Road sanitary sewer main from near Marjorie Lane to Loder Road. The exact extents and timing of this project are not currently known at this time.
4. System Development Charge (SDC) credits will be available for costs above and beyond the cost to extend the standard 8-inch diameter PVC sanitary sewer main (e.g. SDC credits equal to the cost difference between installing 8-inch versus 12-inch sanitary sewer main).
5. After a cursory review of the existing topography, there appears to be a mounded area in the center of the proposed annexation area. As part of future development, a design engineer shall provide a design which accounts for this mounded area and propose connection locations to the Beavercreek Road sanitary sewer system which will allow for sanitary sewer flows by gravity.

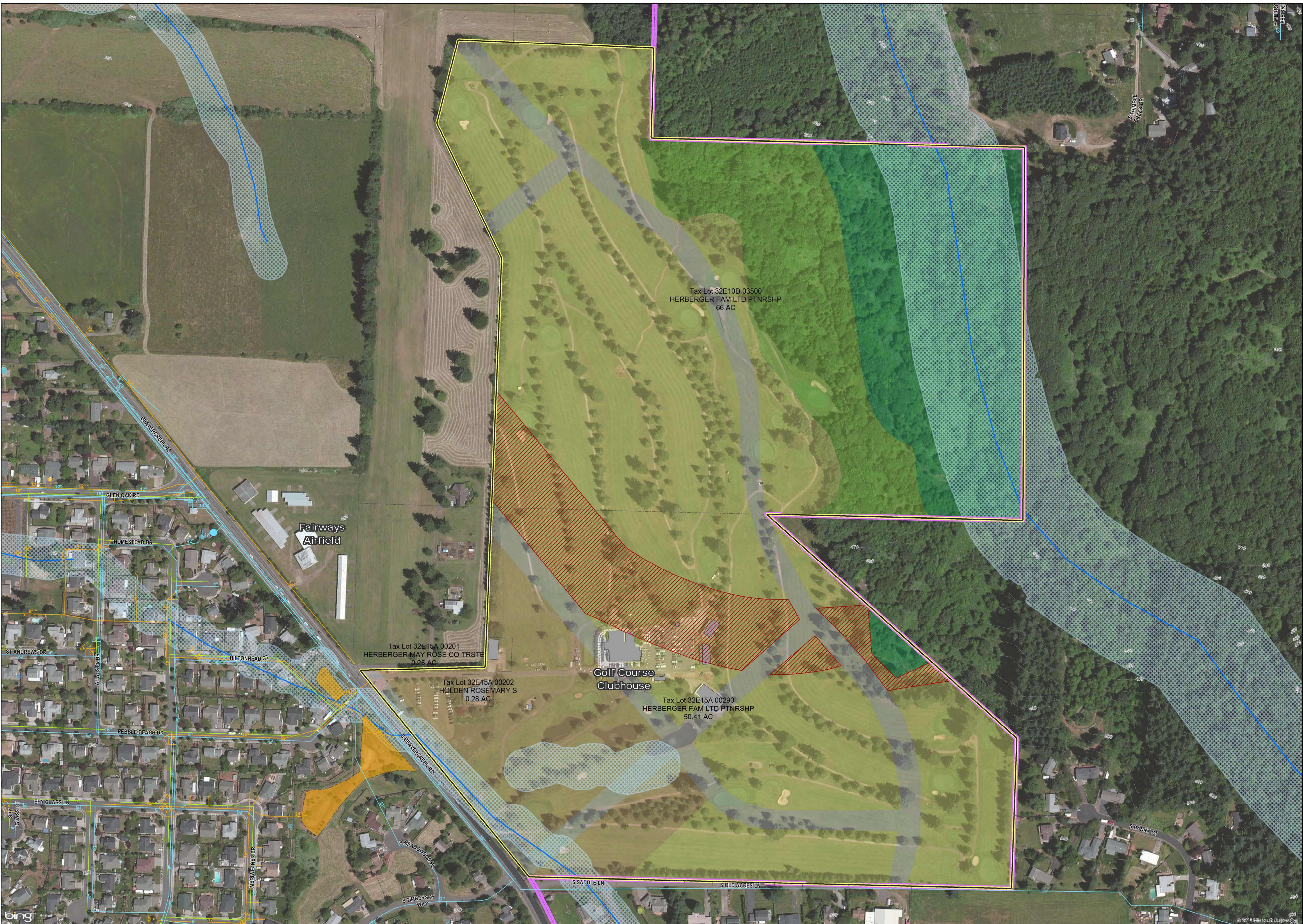
### **Other**

1. Portions of the proposed annexation area is within the Natural Resource Overlay District (NROD).
2. Portions of the proposed annexation area reside within the Geologic Hazard zone. Future proposed development will be subject to the City's Geologic Hazard code (OCMC 17.44).
3. The southwestern portion of the annexation area (along the Beavercreek Road frontage) is within the High Water Table area.

P:\CommunityDevelopment\2016 Permits-Projects\PA - Pre-Application Conferences\PA 16-29 Golf Course Annexation\Engineering\20160629 Pre-App Conf Meeting Notes\_DevServices\_PA 16-29.docx

**EXHIBIT B**  
**ANNEXATION SITE PLAN**





**Legend**

- Tax Lots
- Annexation Area
- Urban Growth Boundary
- Building Footprints
- Natural Resource Overlay (NROD)
- 10' Contours
- Streams and Water Bodies

**Utilities**

- Water Pump Station
- Water Pipes
- Sanitary Sewer Pipes
- Stormwater Conduits
- Storm Detention Basins

**Conceptual Land Use Plan\***

- Main Street
- North Employment Campus
- West Mixed Use Neighborhood
- East Mixed Used Neighborhood
- Mixed Employment Village
- Conservation and Low Impact Development
- Natural Area
- Right of Way
- South-Central Open Space Network

\* From the Beaver Creek Road Concept Plan, adopted March 2016, not yet effective.



## **EXHIBIT C**

### **NEIGHBORHOOD MEETING INFORMATION**

*You're Invited*

# **Neighborhood Meeting**

Annexation of  
Oregon City Golf Club  
to Oregon City

June 28, 2016

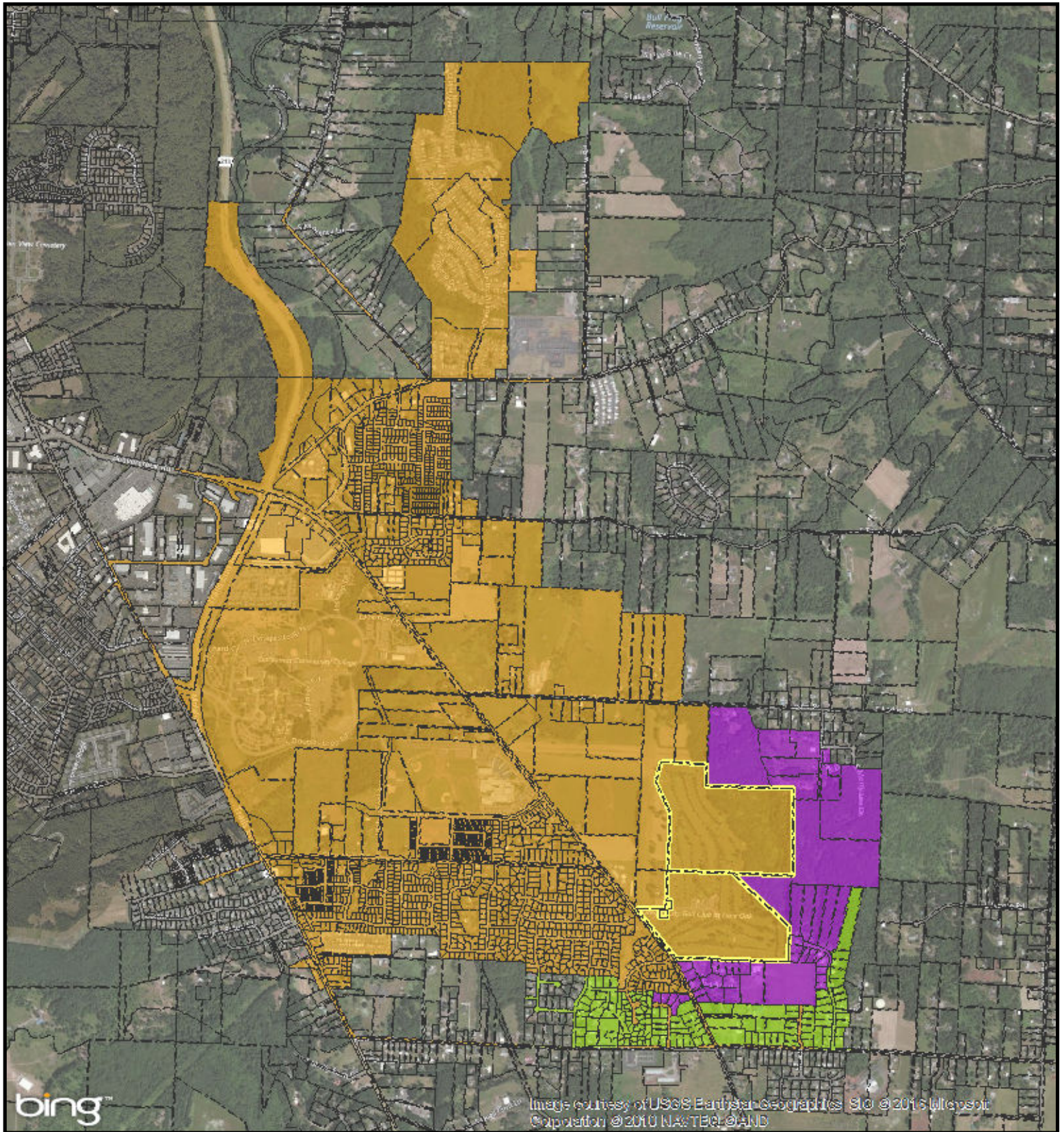
7 to 8:30 p.m.

Oregon City Golf Club

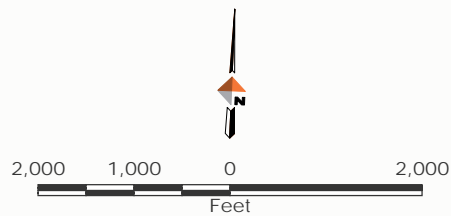
20124 S. Beaver Creek Road

*There will be a short presentation about the annexation petition,  
followed by an opportunity for you to ask questions  
and see renderings of the concept plan for this area*





- Caufield NA Lots
- 600-ft Radius Lots
- Additional Lots



**Oregon City Golf Course  
Annexation**  
Lots to be Notified





# CITY OF OREGON CITY

## ANNEXATION PETITION

By signing below I indicate my consent to and support of being annexed into the City of Oregon City, and my consent for having my signature (below) used for any application form required for the annexation, including but not limited to the City of Oregon City's Land Use Application Form.

NOTE: This petition may be signed by qualified persons even though they may not know their property description or precinct number.

SIGNATURE	PRINTED NAME	I AM A *			ADDRESS	PROPERTY DESCRIPTION				PRECINCT #	DATE
		PO	RV	OV		LOT #	1/4 SEC	TOWNSHIP	RANGE		
<i>Rosemary Holden</i>	Rosemary Holden			X	20130 S Beaver Creek	202	Map 3 2E 15A				July 15, 2016
<i>William F. Holden</i>	William F. Holden	X			6016 3rd St. OC	202	Map 3 2E 15A				July 15, 2016
<i>MayRose Herberger</i>	Herberger Family Trust (1)	X			2314E MONROE RD. #2	201	Map 3 2E 15A				7-15-16
<i>Keno E. Lematta</i>	Herberger Family Trust (2)	X			16112 W. ADAMS ST. GOODYEAR, AZ, 85338	201	Map 3 2E 15A				8-4-16
<i>MayRose Herberger</i>	Herberger Family LP	X			20124 S. Beaver Creek	290	Map 3 2E 15A				7-15-16
<i>MayRose Herberger</i>	Herberger Family LP	X			20124 S. Beaver Creek	3500	Map 3 2E 100				7-15-16
<i>Russel Spohn</i>	Russel Spohn		X		20130 S Beaver Creek						7-15-16
<i>Carolyn A. Herberger</i>	Carolyn A. Herberger		X		20118 S Beaver Creek						7/15/16
<i>Anthony Herberger</i>	Anthony Herberger		X		20118 S Beaver Creek						7/15/16
<i>John A. Herberger</i>	John A. Herberger		X		20118 S Beaver Creek						7/15/16
<i>Krystal E. Herberger</i>	Krystal E. Herberger		X		20118 S Beaver Creek						7/15/16
	(1) MayRose Herberger, Trustor/Trustee										
	(2) Tresa E. Lematta, Successor Co-Trustee										

\* PO = Property Owner  
RV = Registered Voter  
OV = Owner and Registered Voter



**CERTIFICATION OF PROPERTY OWNERSHIP OF**

**100% OF LAND AREA**

**(City 100% Ownership Method)**

I hereby certify that the attached petition for a proposed boundary change involving the territory described in the petition contains the names of the owners\* of 100% of the land area within the annexation area described in the petition, as shown on the last available complete assessment roll.

NAME Alice Tarachow  
TITLE Cartographer 2  
DEPARTMENT Assessment and Taxation  
COUNTY OF Clackamas  
DATE 8/10/16

- \* "Owner" means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.



**CERTIFICATION OF LEGAL DESCRIPTION AND MAP**

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 352E10D and 32SE15A 00201, 00202, 00290  
03500) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME Alice Tarachow  
TITLE Cartographer 2  
DEPARTMENT Assessment & Taxation  
COUNTY OF Clackamas  
DATE 8/10/16



## Herberger Property Description

Part of the South  $\frac{1}{2}$  of Section 10 and of the North  $\frac{1}{2}$  of Section 15 Township 3 South, Range 2 East of the Willamette Meridian, County of Clackamas, State of Oregon, and further described as follows:

Beginning at the most northwesterly corner of the duly recorded plat of Saddle Hill Estates at Beaver Creek (County Plat No. 3149), thence East along portions of the North line of said Saddle Hill Estates at Beaver Creek and being the Urban Growth Boundary line 1740 Feet more or less to a point being 1320 feet North and 1320 feet West of the one-quarter corner between sections 14 and 15, Township 3 South, Range 2 East of the Willamette Meridian;

Thence North  $0^{\circ} 30'$  West tracing the Urban Growth Boundary Line 540 feet more or less, to a point of deflection of the Urban Growth Boundary line;

Thence Northwesterly, tracing the Urban Growth Boundary Line, a distance of 1110 feet, more or less, to a point on the Southerly boundary of Section 10, Township 3 South, Range 2 East of the Willamette Meridian;

Thence East, tracing the Southerly boundary line of said Section 10 and the Urban Growth Boundary line a distance of 840 feet more or less to a point in the east line of the parcel described in Deed Book 564, pages 638-640, Clackamas County Deed Records and the West boundary of that parcel of land described in Clackamas County Recorder's Fee No. 78-18499;

Thence North  $0^{\circ} 30'$  West 1320 feet along said line and the Urban Growth Boundary to the Southeast corner of Government Lot 2 in Section 10 of Township 3, Range 2 East of the Willamette Meridian;

Thence West following the South boundary of said Lot 2 and the Urban Growth Boundary to the Southwest corner of said Lot 2, a distance of 1330.56 feet;

Thence North  $0^{\circ} 13'$  East 378 feet along the West line of said Lot 2 and the Urban Growth Boundary to a  $\frac{5}{8}$  inch rod set in a mound of stone at the North most Southeast corner of Parcel of land conveyed to Wayne C Hall and Helen E Hall and recorded in Clackamas County Deed Records in Book 546, page 288;

Thence N  $89^{\circ} 13' 00''$  W, 500.04 feet to  $\frac{5}{8}''$  iron rod;

Thence N  $89^{\circ} 13' 00''$  W, 197.71 feet to  $\frac{5}{8}''$  iron rod;

Thence S  $12^{\circ} 49' 21''$  W, 306.64 feet to  $\frac{5}{8}''$  iron rod;

Thence S  $27^{\circ} 12' 06''$  E, 533.04 feet to  $\frac{1}{2}''$  iron rod;

Thence S  $0^{\circ} 46' 57''$  W, 480.44 feet to a  $\frac{5}{8}''$  iron rod;

Thence S  $0^{\circ} 46' 16''$  W, 410.31 feet to  $\frac{5}{8}''$  iron rod;

Thence S  $0^{\circ} 46' 16''$  W, 570.00 feet to a  $\frac{5}{8}''$  iron rod set at the South most Southeast corner of said Hall tract;





# CITY OF OREGON CITY

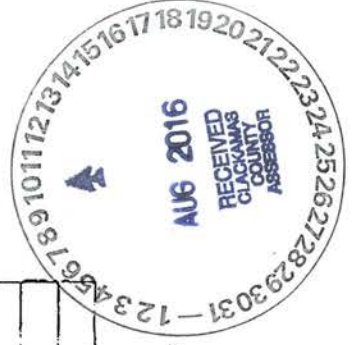
## ANNEXATION PETITION

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NOTE: This petition may be signed by qualified persons even though they may not know their property description or precinct number.

SIGNATURE	PRINTED NAME	I AM A *		ADDRESS	LOT #	PROPERTY DESCRIPTION		PRECINCT #	DATE
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<i>William F. Holden</i>	William F. Holden	X		1616 3rd St. DC	202	Map 3 2E 15A			July 15, 2016
<i>Herberger Family Trust (1)</i>	Herberger Family Trust (1)	X		2314E WOODDA RD. #201	201	Map 3 2E 15A			7-15-16
<i>Herberger Family Trust (2)</i>	Herberger Family Trust (2)	X		16112 W ADAMS ST. GOODYEAR, AZ, 85338	201	Map 3 2E 15A			8-4-16
<i>Herberger Family LP</i>	Herberger Family LP	X		20124 S. Beaver Creek	290	Map 3 2E 15A			7-15-16
<i>Herberger Family LP</i>	Herberger Family LP	X		20124 S. Beaver Creek	3500	Map 3 2E 10B			7-15-16
<i>Russel Spohn</i>	Russel Spohn		X	20130 S Beaver Creek					7-15-16
<i>Carolyn A. Herberger</i>	Carolyn A. Herberger		X	20118 S Beaver Creek					7-15-16
<i>Anthony Herberger</i>	Anthony Herberger		X	20118 S Beaver Creek					7-15-16
<i>John A. Herberger</i>	John A. Herberger		X	20118 S Beaver Creek					7-15-16
<i>Krystal E. Herberger</i>	Krystal E. Herberger		X	20118 S Beaver Creek					7-15-16
(1) MayRose Herberger, Trustor/Trustee									
(2) Tresa E. Lematta, Successor Co-Trustee									

PO = Property Owner  
RV = Registered Voter  
OV = Owner and Registered Voter



## BOUNDARY CHANGE INFORMATION SHEET

### I. EXISTING CONDITIONS IN AREA TO BE ANNEXED

- A. General location East of South Beaver Creek Rd., east and south of city limits
- B. Land Area: Acres 117 or Square Miles \_\_\_\_\_
- C. General description of territory. (Include topographic features such as slopes, vegetation, drainage basins, floodplain areas, which are pertinent to this proposal).  
Slopes ranging from 1-8%, some areas of steeper slopes (15%)  
Natural resource areas associated with Thimble exist along the eastern portion of subject site
- D. Describe land uses on surrounding parcels. Use tax lots as reference points.  
North: Natural resource areas, Thimble Creek, some single-family dwellings  
East: Natural resource areas, Thimble Creek, residential subdivision  
South: Single-family dwellings  
West: Mostly undeveloped, two dwellings, private airport
- E. Existing Land Use:  
Number of single-family units 2 Number of multi-family units 0  
Number commercial structures 0 Number industrial structures 0  
Public facilities or other uses Club house  
What is the current use of the land proposed to be annexed: two dwellings and  
the Oregon City Golf Course, club house and 18-hole golf course
- F. Total current year Assessed Valuation \$ \$ 3,387,749.00
- G. Total existing population 6

### III. LAND USE AND PLANNING

- A. What is the applicable County Planning Designation? FU-10 and TBR  
What City Planning Designation is being sought? None at this time

- B. What is the zoning on the territory to be served?  
County FU-10 and TBR  
What zoning designation is being sought? None at this time

- C. Is the subject territory to be developed at this time? No

- D. Generally describe the anticipated development (building types, facilities, number of units).  
Property will ultimately be developed with a mix of housing types consistent  
with the Beaver Creek Road Concept Plan. No development proposed at this time.

- E. Can the proposed development be accomplished under current county zoning?  
☐ Yes ☒ No

If No,---has a zone change been sought from the county either formally or informally.

☐ Yes ☒ No

Please describe outcome of zone change request if answer to previous questions was Yes. \_\_\_\_\_

- F. Is the proposed development compatible with the city's comprehensive land use plan for the area?

☒ Yes ☐ No ☐ City has no Plan for the area.

Has the proposed development been discussed either formally or informally with any of the following? (Please indicate)

☐ City Planning Commission ☒ City Planning Staff  
☐ City Council ☐ City Manager

Please describe the reaction to the proposed development from the persons or agencies indicated above.

Held a pre-application conference with planning staff on June 29, 2016

- G. Please indicate all permits and/or approvals from a City, County, or Regional Government which will be needed for the proposed development. If already granted, please indicate date of approval and identifying number:

APPROVAL	PROJECT FILE #	DATE OF APPROVAL	FUTURE REQUIREMENT
Metro UGB Amendment			
City or County Plan Amendment			
Pre-Application Hearing (City or County)	City	June 29, 2016	
Preliminary Subdivision Approval			
Final Plat Approval			
Land Partition			
Conditional Use			
Variance			
Sub-Surface Sewage Disposal			
Building Permit			

Please submit copies of proceedings relating to any of the above permits or approvals which are pertinent to the annexation.

- H. Does the proposed development comply with applicable regional, county or city comprehensive plans? Please describe.

See the annexation request narrative included with this submittal.

- I. If a city and/or county-sanctioned citizens' group exists in the area of the annexation, please list its name and address of a contact person.

Caufield Neighborhood Association, Mike Mermelstein Co-Chair, email: mike1376@aol.com

Hamlet of Beaver Creek, Tammy Stevens Chair, P.O. Box 587, Beaver Creek, Oregon 97004

#### IV. SERVICES AND UTILITIES

- A. Please indicate the following:

1. Location and size of nearest water line which can serve the subject area.

16-inch public water line in South Beaver Creek Road

2. Location and size of nearest sewer line which can serve the subject area.

2,400-foot trunk sewer line in South Beaver Creek Road, north of subject site.

3. Proximity of other facilities (storm drains, fire engine companies, etc.) which can serve the subject area \_\_\_\_\_

A storm detention basin is located west of the subject site, across S. Beaver Creek Rd.

4. The time at which services can be reasonably provided by the city or district.  
Public facilities plans have been updated to plan for service to subject area.

5. The estimated cost of extending such facilities and/or services and what is to be the method of financing. (Attach any supporting documents.)

Cost estimates are provided in the public facilities plans adopted by the city.

SDCs have been updated to reflect improvements needed to serve subject area.

6. Availability of the desired service from any other unit of local government.  
(Please indicate the government.)

- B. If the territory described in the proposal is presently included within the boundaries of or being served extraterritorially or contractually by, any of the following types of governmental units, please so indicate by stating the name or names of the governmental units involved.

City \_\_\_\_\_

Rural Fire Dist. Clackamas Fire District #1

County Service Dist. \_\_\_\_\_

Sanitary District \_\_\_\_\_

Hwy. Lighting Dist. \_\_\_\_\_

Water District Clackamas River Water Dist.

Grade School Dist. Oregon City

Drainage District \_\_\_\_\_

High School Dist. Oregon City

Diking District \_\_\_\_\_

Library Dist. Oregon City

Park & Rec. Dist. \_\_\_\_\_

Special Road Dist. \_\_\_\_\_

Other Dist. Supplying Water Service \_\_\_\_\_

- C. If the territory is proposed to be served by any of the above units or any other units of government please note.

- D. If any of the above units are presently servicing the territory (for instance, are



residents in the territory hooked up to a public sewer or water system), please so describe.

Clackamas River WD currently provides water to site.

APPLICANT'S NAME Brownstone Development, Inc.

MAILING ADDRESS 47 South State Street

PO Box 2375

Lake Oswego, OR 97934

TELEPHONE NUMBER (503) 358-4460 (Work)

(Res.)

REPRESENTING

DATE:

# Herberger Property Description

Part of the South  $\frac{1}{2}$  of Section 10 and of the North  $\frac{1}{2}$  of Section 15 Township 3 South, Range 2 East of the Willamette Meridian, County of Clackamas, State of Oregon, and further described as follows:

Beginning at the most northwesterly corner of the duly recorded plat of Saddle Hill Estates at Beavercreek (County Plat No. 3149), thence East along portions of the North line of said Saddle Hill Estates at Beavercreek and being the Urban Growth Boundary line 1740 Feet more or less to a point being 1320 feet North and 1320 feet West of the one-quarter corner between sections 14 and 15, Township 3 South, Range 2 East of the Willamette Meridian;

Thence North  $0^{\circ} 30'$  West tracing the Urban Growth Boundary Line 540 feet more or less, to a point of deflection of the Urban Growth Boundary line;

Thence Northwesterly, tracing the Urban Growth Boundary Line, a distance of 1110 feet, more or less, to a point on the Southerly boundary of Section 10, Township 3 South, Range 2 East of the Willamette Meridian;

Thence East, tracing the Southerly boundary line of said Section 10 and the Urban Growth Boundary line a distance of 840 feet more or less to a point in the east line of the parcel described in Deed Book 564, pages 638-640, Clackamas County Deed Records and the West boundary of that parcel of land described in Clackamas County Recorder's Fee No. 78-18499;

Thence North  $0^{\circ} 30'$  West 1320 feet along said line and the Urban Growth Boundary to the Southeast corner of Government Lot 2 in Section 10 of Township 3, Range 2 East of the Willamette Meridian;

Thence West following the South boundary of said Lot 2 and the Urban Growth Boundary to the Southwest corner of said Lot 2, a distance of 1330.56 feet;

Thence North  $0^{\circ} 13'$  East 378 feet along the West line of said Lot 2 and the Urban Growth Boundary to a  $\frac{5}{8}$  inch rod set in a mound of stone at the North most Southeast corner of Parcel of land conveyed to Wayne C Hall and Helen E Hall and recorded in Clackamas County Deed Records in Book 546, page 288;

Thence N  $89^{\circ} 13' 00''$  W, 500.04 feet to  $\frac{5}{8}''$  iron rod;

Thence N  $89^{\circ} 13' 00''$  W, 197.71 feet to  $\frac{5}{8}''$  iron rod;

Thence S  $12^{\circ} 49' 21''$  W, 306.64 feet to  $\frac{5}{8}''$  iron rod;

Thence S  $27^{\circ} 12' 06''$  E, 533.04 feet to  $\frac{1}{2}''$  iron rod;

Thence S  $0^{\circ} 46' 57''$  W, 480.44 feet to a  $\frac{5}{8}''$  iron rod;

Thence S  $0^{\circ} 46' 16''$  W, 410.31 feet to  $\frac{5}{8}''$  iron rod;

Thence S  $0^{\circ} 46' 16''$  W, 570.00 feet to a  $\frac{5}{8}''$  iron rod set at the South most Southeast corner of said Hall tract;



Thence S 87° 11' 21" W along the South line of said Hall tract, 445.92 feet to the South most Southwest corner of said Hall tract; and being on the Easterly right-of-way line of Beaver creek Road;

Thence South 40° 37' East along the Easterly right-of-way of said Beaver creek Road 70 feet, more or less, to a point which bears Northeasterly from the most Northerly corner of Tract "G" of the duly recorded plat of Three Mountains-Randall (County Plat No. 2482);

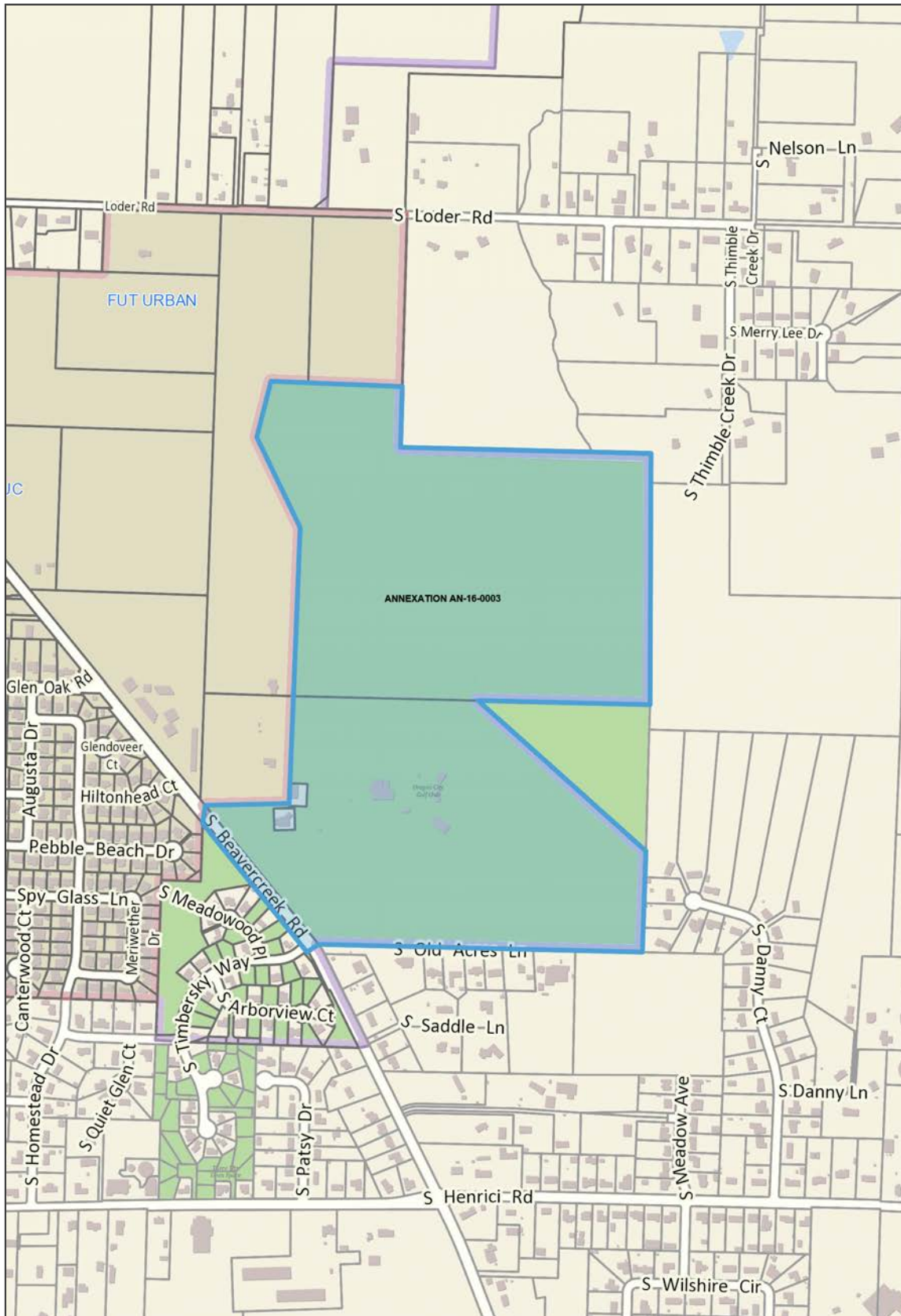
Thence Southwesterly, crossing said Beaver creek Road at right angles, a distance of 60 feet to the Southwesterly right-of-way of said Beaver creek Road;

Thence following said Southwesterly right-of-way of said road South 40° 37' East 810 feet, more or less, to a point on the Westerly extension of the Northerly line of the duly recorded plat of Saddle Hill Estates at Beaver creek (County Plat No. 3149);

thence Easterly along the said Westerly extension of Northerly line of said Saddle Hill Estates at Beaver creek and crossing Beaver creek Road to the point of beginning.



# ANNEXATION PROPOSAL AN-16-0003

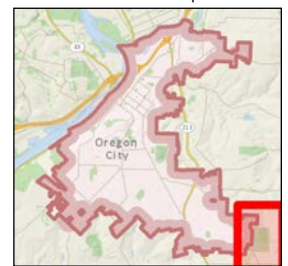


- ### Legend
- All Streets - 9600 - RLIS
  - Taxlots
  - Taxlots (Outside UGB)
  - Unimproved ROW
  - City Limits
  - UGB
  - Basemap

## Notes

Annexation of approx.  
117 acres + Abutting  
Right-of-Way of  
Beavercreek Road to  
the City of Oregon  
City

### Overview Map



The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.



0 800 Feet  
1: 9,600

City of Oregon City  
PO Box 3040  
625 Center St  
Oregon City  
OR 97045  
(503) 657-0891  
[www.orcity.org](http://www.orcity.org)



## Assessor Values List Report

APN	Address	Taxpayer	Zone	Acres	Land Mkt Value	Bldg Mkt Value	Net Mkt Value	Assessed Value	System Date
3-2E-10D -03500		HERBERGER FAM LTD PTNRSH	County	63.82	\$1,236,571	\$0	\$1,236,571	\$1,181,304	1/15/15
3-2E-15A -00201	20118 S BEAVERCREEK RD	HERBERGER MAY ROSE CO-TRSTE	County	0.25	\$111,243	\$143,770	\$255,013	\$210,779	1/5/16
3-2E-15A -00202	20130 S BEAVERCREEK RD	ROSEMARY S HOLDEN	County	0.29	\$111,243	\$287,220	\$398,463	\$381,097	1/5/16
3-2E-15A -00290	20124 S BEAVERCREEK RD	HERBERGER FAM LTD PTNRSH	County	50.87	\$1,099,799	\$514,770	\$1,614,569	\$1,614,569	1/15/15
<b>TOTALS</b>	Taxlot Count = 4			115.23	\$2,558,856	\$945,760	\$3,504,616	\$3,387,749	



# LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A)	Type II (OCMC 17.50.030.B)	Type III / IV (OCMC 17.50.030.C)
<input type="checkbox"/> Compatibility Review	<input type="checkbox"/> Extension	<input type="checkbox"/> Annexation
<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Detailed Development Review	<input type="checkbox"/> Code Interpretation / Similar Use
<input type="checkbox"/> Non-Conforming Use Review	<input type="checkbox"/> Geotechnical Hazards	<input type="checkbox"/> Concept Development Plan
<input type="checkbox"/> Natural Resource (NROD) Verification	<input type="checkbox"/> Minor Partition (<4 lots)	<input type="checkbox"/> Conditional Use
	<input type="checkbox"/> Minor Site Plan & Design Review	<input type="checkbox"/> Comprehensive Plan Amendment (Text/Map)
	<input type="checkbox"/> Non-Conforming Use Review	<input type="checkbox"/> Detailed Development Plan
	<input type="checkbox"/> Site Plan and Design Review	<input type="checkbox"/> Historic Review
	<input type="checkbox"/> Subdivision (4+ lots)	<input type="checkbox"/> Municipal Code Amendment
	<input type="checkbox"/> Minor Variance	<input type="checkbox"/> Variance
	<input type="checkbox"/> Natural Resource (NROD) Review	<input type="checkbox"/> Zone Change

**File Number(s):** AN-16-0003

**Proposed Land Use or Activity:** Annexation

**Project Name:** Oregon City Golf Course **Number of Lots Proposed (If Applicable):** \_\_\_\_\_

**Physical Address of Site:** South Beavercreek Road right-of-way adjacent to annexation site

**Clackamas County Map and Tax Lot Number(s):** Map 3 2E 15A

**Applicant(s):**

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

**Applicant(s) Name Printed:** Randy Myers, Brownstone Development, Inc. **Date:** \_\_\_\_\_

**Mailing Address:** 47 South State Street, Lake Oswego, OR 97934

**Phone:** (503) 358-4460 **Fax:** \_\_\_\_\_ **Email:** randy@brownstonehomes.net

**Property Owner(s):**

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

**Property Owner(s) Name Printed:** Clackamas County **Date:** 9-22-16

**Mailing Address:** 2051 Kaen Road, Oregon City, OR 97045

**Phone:** 503-655-8581 **Fax:** 503 742-5919 **Email:** BCC@clackamas.us

**Representative(s):**

**Representative(s) Signature:** \_\_\_\_\_

**Representative (s) Name Printed:** Read Stapleton, DOWL **Date:** \_\_\_\_\_

**Mailing Address:** 720 SW Washington Street, Suite 750, Portland, OR 97205

**Phone:** (971) 280-8641 **Fax:** \_\_\_\_\_ **Email:** rstapleton@dowl.com

*All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exhibits herewith are correct and indicate the parties willingness to comply with all code requirements.*

# ANNEXATION PETITION

City of Oregon City's Land Use Application Form.

NOTE: This petition may be signed by qualified persons even though they may not know their property description or precinct number.

[illegible]

PO = Property Owner  
RV = Registered Voter  
OV = Owner and Registered Voter





# NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.:

Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing**. (See OAR 660-018-0020 for a post-acknowledgment plan amendment and OAR 660-025-0080 for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **CITY OF OREGON CITY**Local file no.: **AN-16-0003**

Please check the type of change that best describes the proposal:

- ☐ **Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- ☐ **UGB amendment** over 100 acres by a metropolitan service district
- ☐ **Urban reserve designation**, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- ☐ **Periodic review task** – Task no.:
- ☒ **Any other change** to a comp plan or land use regulation (e.g., a post-acknowledgement plan amendment)

Local contact person (name and title): **PETER J. WALTER, AICP, PLANNER**Phone: (503) 496-1568 E-mail: [pwalter@orcify.org](mailto:pwalter@orcify.org)Street address: **221 Molalla Ave, Ste. 200 City: Oregon Cty Zip: 97215**

**Briefly summarize the proposal** in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

**Annexation of Oregon City Golf Course (117 acres) and approximately 2000 square feet of abutting right-of-way of Beaver Creek Road into the city limits of Oregon City. The 117 acre site is within the Oregon City Urban Growth Boundary, within the Beaver Creek Road Concept Plan area (currently on appeal - LUBA 2016-044), and has a Comprehensive Plan designation of FU- Future Urban. No zone change is proposed at this time, and no changes in use are proposed or will be authorized by the application.**

Date of first evidentiary hearing: **10/24/2016**Date of final hearing: **N/A**

☐ This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

- ☒ ~~Comprehensive Plan text amendment(s)~~ **N/A**
- ☒ ~~Comprehensive Plan map amendment(s)~~ Change from \_\_\_\_\_ to **N/A**  
Change from \_\_\_\_\_ to **N/A**
- ☒ ~~New or amended land use regulation~~ **N/A**
- ☒ ~~Zoning map amendment(s)~~ Change from \_\_\_\_\_ to **N/A**  
Change from \_\_\_\_\_ to **N/A**
- ☒ ~~An exception to a statewide planning goal is proposed – goal(s) subject to exception:~~ **N/A**
- ☒ ~~Acres affected by map amendment:~~ **N/A**

Location of property, if applicable (site address and T, R, Sec., TL): **See attached Public Notice and Map**



List affected state or federal agencies, local governments and special districts: Metro, Clackamas County, Clackamas Fire District #1 (CFD#1), South Fork Water Board (SFWB), Clackamas River Water (CRW), Oregon City School District (OCSD), Water Environment Services (WES), Tri-Met, Tri-City Sewer District (TCSD)



### NOTICE OF ANNEXATION PUBLIC HEARING

Mailed to all Owners within 300 feet of the Subject Property on or before: October 4<sup>th</sup>, 2016

(Notices to affected parties & agencies, DLCD, Neighborhoods, and Newspaper provided separately)

COMMENT DEADLINE:	On <b>Monday, October 24<sup>th</sup>, 2016</b> , the <b>Planning Commission</b> will conduct a public hearing at 7:00 pm in the Commission Chambers at City Hall, 625 Center Street, Oregon City, Oregon 97045, and; On <b>Wednesday, November 16<sup>th</sup>, 2016</b> , the <b>City Commission</b> will conduct a public hearing at 7:00 pm in the Commission Chambers at City Hall, 625 Center Street, Oregon City, Oregon 97045 on the following annexation application. Any interested party may testify at either or both of the public hearings or submit written testimony at the Planning Commission or City Commission hearings prior to the close of the hearing.
FILE NUMBER:	AN-16-0003: Annexation of Oregon City Golf Course and Abutting ROW
APPLICANT:	Brownstone Development, Inc., 47 South State St, Lake Oswego, OR 97934
OWNER:	Herberger Fam Ltd Ptnrshp / Herberger May Rose Co-Trste / Rosemary S Holden
REPRESENTATIVE:	DOWL, 720 SW Washington Street, Ste. 750, Portland, OR 97205
REQUEST:	Annexation of Oregon City Golf Course (117 acres) and approximately 2000 square feet of Abutting Beaver Creek Road Right-of-Way into Oregon City. (See attached map.) The 117 acre site is within the Oregon City Urban Growth Boundary and has a Comprehensive Plan designation of FU- Future Urban. The property is within the area of the Beaver Creek Road Concept Plan. No zone change is proposed at this time, and no changes in use are proposed or will be authorized by this application.
WEBPAGE:	<a href="https://www.orcity.org/planning/project/16-0003">https://www.orcity.org/planning/project/16-0003</a>
LOCATION:	No Situs Address, APN 3-2E-10D -03500 (63.82 ac); 20124 S Beaver Creek Rd, APN 3-2E-15A -00290 (50.87 ac); 20118 S Beaver Creek Rd, APN 3-2E-15A -00201 (0.25 ac); and 20130 S Beaver Creek Rd, APN 3-2E-15A -00202 (0.29 ac) (See attached map.)
STAFF CONTACT:	Pete Walter, AICP, Associate Planner, (503) 496-1568. Email: <a href="mailto:pwalter@orcify.org">pwalter@orcify.org</a>
NEIGHBORHOOD ASSOC. / CPOs:	City - Caufield N.A. (Upon Annexation) County - Hamlet of Beaver Creek CPO
CRITERIA:	Oregon City Comprehensive Plan Chapters 11 and 14, Metro Code 3.09 - <i>Local Government Boundary Changes</i> , Oregon City Municipal Code (OCMC) Title 14 - <i>Annexations</i> , ORS 222 - <i>City Boundary Changes</i> , the Land Use Chapter of the <i>Clackamas County Comprehensive Plan</i> , and the <i>City/County Urban Growth Boundary Management Agreement (UGMA)</i> .

The applicant and all documents submitted by or on behalf of the applicant are available for inspection at no cost at the Oregon City Planning Division, 221 Molalla Avenue, Oregon City, Oregon 97045, from 8:30am to 3:30pm Monday thru Friday. The staff report, with all the applicable approval criteria, will also be available for inspection 7 days prior to the hearings. Copies of these materials may be obtained for a reasonable cost in advance.

Please be advised that any issue that is intended to provide a basis for appeal must be raised before the close of the City Commission hearing, in person or by letter, with sufficient specificity to afford the City Commission and the parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity will preclude any appeal on that issue. The City Commission will make a determination as to whether the application has or has not complied with the factors set forth in section 14.04.060 of the Oregon City Municipal Code.



### NOTICE OF ANNEXATION PUBLIC HEARING

Mailed to Affected Agencies, Special Districts and Utilities – 9.20.2016

COMMENT DEADLINE:	On <b>Monday, October 24<sup>th</sup>, 2016</b> , the <b>Planning Commission</b> will conduct a public hearing at 7:00 pm in the Commission Chambers at City Hall, 625 Center Street, Oregon City, Oregon 97045, and; On <b>Wednesday, November 16<sup>th</sup>, 2016</b> , the <b>City Commission</b> will conduct a public hearing at 7:00 pm in the Commission Chambers at City Hall, 625 Center Street, Oregon City, Oregon 97045 on the following annexation application. Any interested party may testify at either or both of the public hearings or submit written testimony at the Planning Commission or City Commission hearings prior to the close of the hearing.
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6605 SE Lake Road, Portland, OR 97222  
PO Box 22109, Portland, OR 97269-2109  
Phone: 503-684-0360 Fax: 503-620-3433  
E-mail: [legals@commnewspapers.com](mailto:legals@commnewspapers.com)

## AFFIDAVIT OF PUBLICATION

State of Oregon, County of Clackamas, SS  
I, Charlotte Allsop, being the first duly sworn, depose and say that I am Accounting Manager of *Clackamas Review/Oregon City News and Estacada News*, a newspaper of general circulation, published at Clackamas, in the aforesaid county and state, as defined by ORS 193.010 and 193.020, that

### City of Oregon City

### Notice of Annexation Public Hearing – LE16-0003 CLK13739

a copy of which is hereto annexed, was published in the entire issue of said newspaper for

1

week in the following issue:

**September 28, 2016**

*Charlotte Allsop*

Charlotte Allsop (Accounting Manager)

Subscribed and sworn to before me this  
September 28, 2016.

*Jerrin L. SiPE*

NOTARY PUBLIC FOR OREGON

### PO: PETE WALTER

Acct #500291

Attn: Pete Walter

City of Oregon City

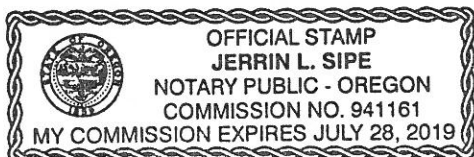
PO Box 3040

Oregon City, OR 97045-0304

Size: 2 x 7.5"

Amount Due: \$177.75\*

\*Please remit to address above.



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(Notices to affected parties & agencies, DLCD, Neighborhoods, and Newspaper provided separately)

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**STAFF CONTACT:** Pete Walter, AICP, Associate Planner, (503) 496-1568. Email: [pwalter@orcity.org](mailto:pwalter@orcity.org)

**NEIGHBORHOOD ASSOC. / CPOs:** City - Caulfield N.A. (Upon Annexation) and County - Hamlet of Beaver Creek CPO

**CRITERIA:** Oregon City Comprehensive Plan Chapters 11 and 14, Metro Code 3.09 - Local Government Boundary Changes, Oregon City Municipal Code (OCMC) Title 14 - Annexations, ORS 222 - City Boundary Changes, the Land Use Chapter of the Clackamas County Comprehensive Plan, and the City/County Urban Growth Boundary Management Agreement (UGMA).

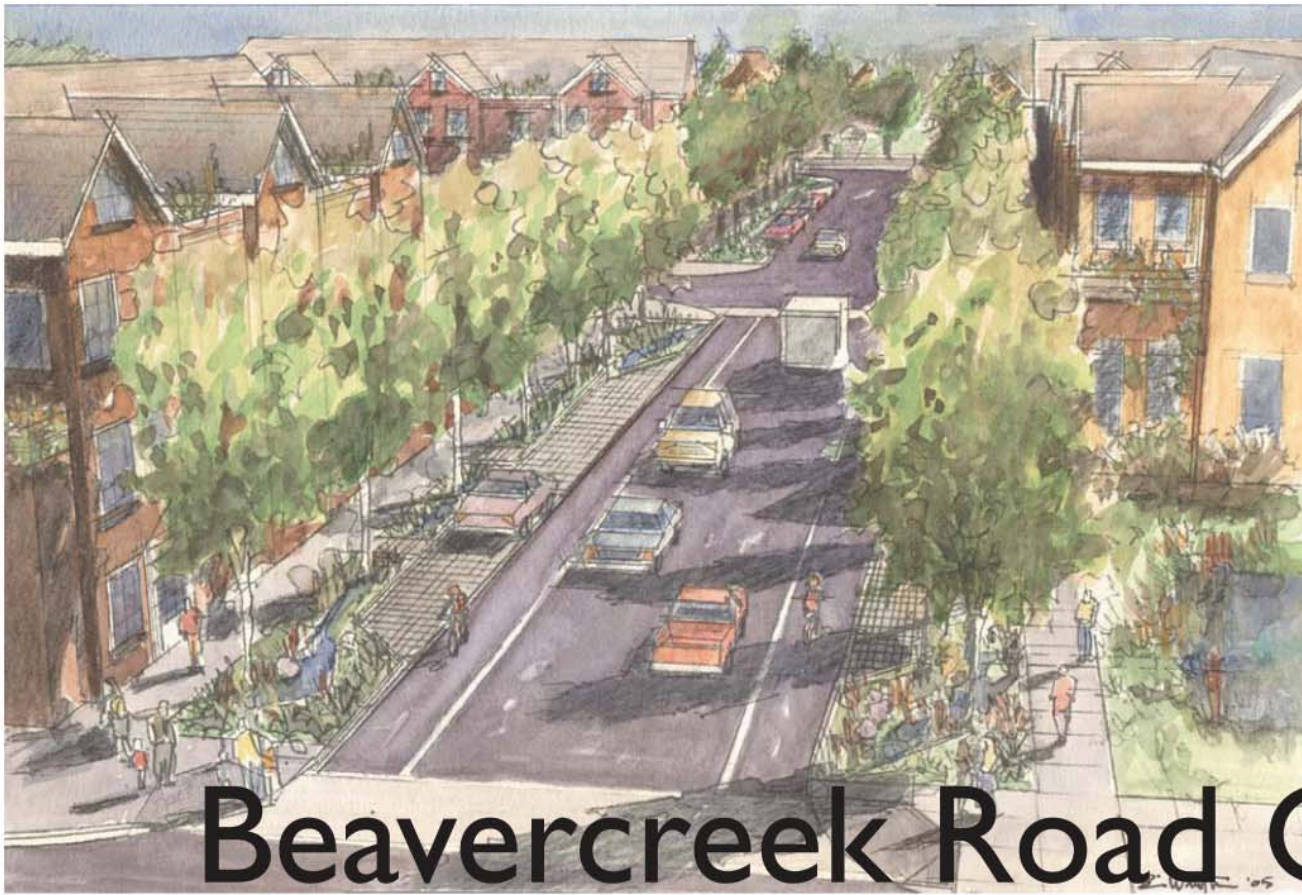
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Publish 09/28/2016.

CLK13739





# Beavercreek Road Concept Plan

## Envisioning a Complete and Sustainable Community

Concept Plan Report, Summary and Recommendations

Final Plan August 2008



This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by Federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), local government, and State of Oregon funds. The contents of this document do not necessarily reflect views or policies of the State of Oregon.

Cover images credits:

Top left – courtesy of Greenworks

Lower, left – illustration by Laurence Qamar

Lower, center – photo by Otak, Inc.

Lower, right – illustration by Jim Longstreth

# Beavercreek Road Concept Plan

## Summary and Recommendations

### **Final Plan - August 2008**

#### **Funding provided by:**

City of Oregon City

Oregon Department of Transportation -  
Transportation and Growth Management Program

#### **Consultant Team**



ECONorthwest

Environmental Sciences Associates, Inc.

Jeanne Lawson Associates

Kittelson and Associates

Otak Project No. 13599





# Project Participants

## Citizen Advisory Committee

Dave Prideaux	Natural Resources
Elizabeth Graser-Lindsey	The Hamlet of Beavercreek
Dan Lajoie	Planning Commission
Mike Riseling	Oregon City School District
Mary Smith	Transportation Advisory Committee
Bill Leach	Clackamas Community College
Lynda Orzen	Resident, Caufield Neighborhood
Ron Estes	Resident, Caufield Neighborhood
Rose Holden	Property Owner, Oregon City Golf Course
Ken Allen	Development Interest, Representing Hall family
Richard Mudgett/Patty Jacobs (alt)	Representing Hall family
Phil Gentemann	Development Interest, Property Owner
Renate Mengelberg	Clackamas County, Economic Development
Beverly Thacker	State of Oregon, Economic Development
Amber Holveck	Oregon City Chamber of Commerce, Business
Doug Neeley	Transportation Advisory Committee

## Technical Advisory Committee

Ray Valone	Metro
Ben Baldwin	Tri-Met
Gail Curtis	Oregon Department of Transportation
Stacy Humphrey	Department of Land Conservation and Development
Joe Marek	Clackamas County Transportation
Nancy Kraushaar	Oregon City Public Works Department
Renate Mengelberg	Clackamas County
Lorranine Gonzales	Clackamas County
Dan Drentlaw	Oregon City Community Development

## City Staff

Dan Drentlaw, Community Development Director  
Tony Konkol, Senior Planner and City Project Manager  
Nancy Kraushaar, Public Works Director  
Laura Butler, Planner

## Consultant Team

### Otak

Joe Dills, AICP, Project Manager  
Michelle Stephens, Planner  
Kathryn Yagodinski, Project Assistant  
Martin Glastra van Loon, Urban Designer  
Chunlin Yang, Urban Designer  
Del Leu, GIS  
Dan Antonson, GIS  
Jerry Markisino, PE, Engineer  
Amanda Owings, PE, Engineer  
Kevin Timmins, PE, Water Resource Engineer  
Mandy Flett, Planner

### ECONorthwest

Terry Moore  
Anne Fifield  
Sarah Graham  
Radcliffe Dacanay  
Jacob Holcombe

### Environmental Sciences Associates

Wallace Leake

### Kittelson and Associates

Phillip S.D. Worth  
Nick Foster

### Jeanne Lawson Associates

Kristin Hull  
Kalin Schmoldt



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## Appendix

- 1. Project Goals with Objectives, March 13, 2007
- 2. Concept Plan Alternatives
- 3. GIS Analysis Map
- 4. Job and Housing Estimates

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- A. Public Involvement Plan
  - B. Goals and Evaluation Criteria
  - C. Existing Conditions, Opportunities and Constraints Reports
    - 1. Land use
    - 2. Transportation
    - 3. Sustainability
    - 4. Market
    - 5. Natural resources
    - 6. Infrastructure
  - D. Focus Group Summaries
  - E. Summaries of Community Events
    - 1. Open House No. 1
    - 2. Design Workshop
    - 3. Open House No. 2
- F. Alternatives Evaluation Report
  - G. Final Transportation Evaluation
  - H. Infrastructure Reports
    - 1. Water
    - 2. Sewer
    - 3. Storm Water/Water Quality
  - I. Fiscal Impact Analysis
  - J. Draft Code



# I. Introduction

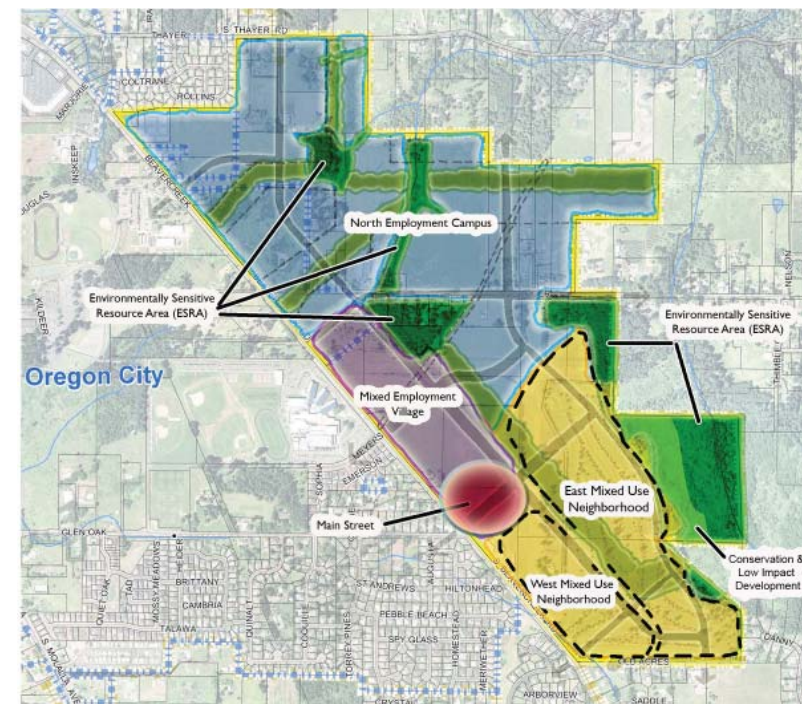
## Summary

The Beaver Creek Road Concept Plan is a guide to the creation of a complete and sustainable community in southeast Oregon City. Most of the 453 acre site along Beaver Creek Road was added to the regional urban growth boundary by Metro in 2002 and 2004. The plan envisions a diverse mix of uses (an employment campus north of Loder Road, mixed use districts along Beaver Creek Road, and two mixed use neighborhoods) all woven together by open space, trails, a network of green streets, and sustainable development practices. Transit-oriented land uses have been strategically located to increase the feasibility of transit service in the future. The plan has been carefully crafted to create a multi-use community that has synergistic relationships with Clackamas Community College, Oregon City High School, and adjacent neighborhoods.

Key features of the Concept Plan are:

- *A complete mix of land uses, including:*
  - A North Employment Campus for tech flex and campus industrial uses, consistent with Metro requirements for industrial and employment areas.
  - A Mixed Employment Village along Beaver Creek Road, between Meyers Road and Glen Oak Road, located as a center for transit-oriented densities, mixed use, 3-5 story building scale, and active street life.
  - A 10-acre Main Street area at Beaver Creek Road and Glen Oak Road, located to provide local shops and services adjacent neighborhoods and Beaver Creek sub-districts.

- A West Mixed Use Neighborhood along Beaver Creek Road, intended for medium to high density (R-2) housing and mixed use.
- An East Mixed Use Neighborhood, intended for low density residential (R-5) and appropriate mixed use. The East Neighborhood has strong green edges and the potential for a fine grain of open space and walking routes throughout.



Proposed Land Use Sub-districts

- *Policy support for employment and program connections with Clackamas Community College.*
- *Sustainability strategies, including:*
  - Mixed and transit supportive land uses.
  - A sustainable stormwater management plan that supports low impact development, open conveyance systems, regional detention, and adequate sizing to avoid downstream flooding.
  - Green street design for all streets, including the three lane boulevard design for Beaver Creek Road.
  - A preliminary recommendation supporting LEED certification or equivalent for all commercial and multi-family buildings, with Earth Advantage or equivalent certification for single family buildings. This recommendation includes establishment of a Green Building Work Group to work collaboratively with the private sector to establish standards.
  - Open spaces and natural areas throughout the plan. North of Loder Road, these include the power line corridors, the tributary to Thimble Creek, and a mature tree grove. South of Loder Road, these include an 18-acre Central Park, the east ridge area, and two scenic view points along the east ridge.
- *A trail framework that traverses all sub-districts and connects to city and regional trails.*
- *A street framework that provides for a logical and connected street pattern, parallel routes to Beaver Creek Road, and connections at Clairmont, Meyers, Glen Oak, and the southern entrance to the site.*
- *A draft Beaver Creek Road Zone development code to implement the plan.*

## Purpose of this Report and Location of Additional Information

This report is a summary of the Plan, with emphasis on describing key elements and recommendations. Many of the recommendations are based on technical reports and other information that is available in the Technical Appendix to this report.



Beaver Creek Road Concept Plan Area - Existing Conditions



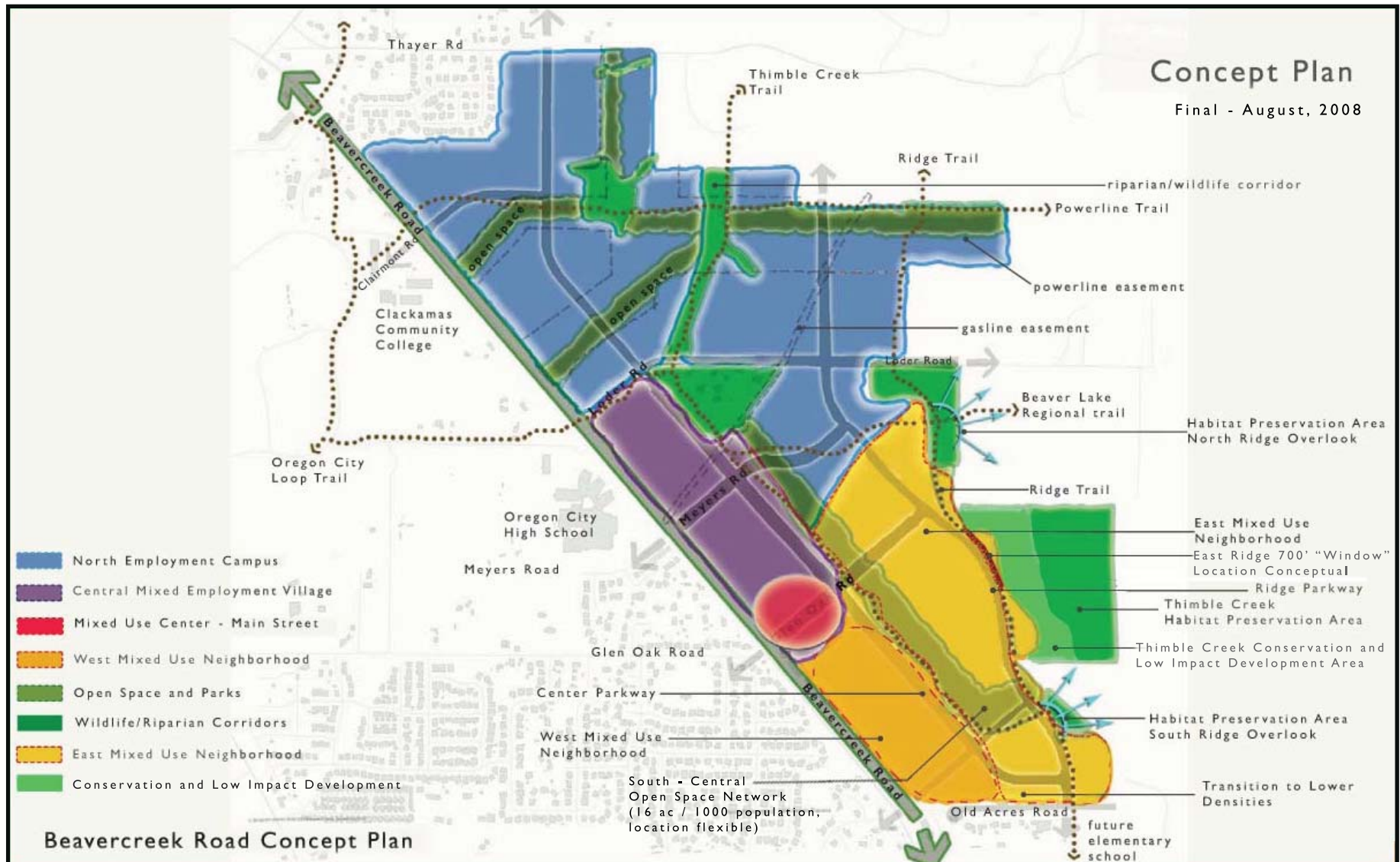


Figure 1 - Composite Concept Plan





## II. Purpose and Process

The purpose of the Beavercreek Road Concept Plan is to provide a conceptual master plan to be adopted as an ancillary document to the City of Oregon City's Comprehensive Plan. As such, it provides a comprehensive and cohesive guide to future development, in three parts:

- Framework plan maps, goals and policies – These elements will be adopted as part of the Oregon City Comprehensive Plan. Compliance will be required for all land use permits and development.
- Ancillary report materials – The descriptive text, graphics and technical appendix of this report will be adopted as an “ancillary document” to the Comprehensive Plan, which provides “operational guidance to city departments in planning and carrying out city services” (Oregon City Comprehensive Plan, page 4). These documents include information for updating the City's utility master plans and Transportation System Plan.
- Draft development code – A working draft development code was prepared as part of the Concept Plan. Once final, it will be adopted as part of the Oregon City Code. Compliance will be required for all land use permits and development. The Beavercreek Zone code relies on master planning to implement the concepts in the Plan.

The Concept Plan was developed by a 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC) (see Project Participants list at the beginning of this report). The committees met twelve times between June 2006 and July 2007.



Design Workshop Participants

In addition to the Committee meetings, additional process steps and community involvement included:

- Study area tour for CAC and TAC members
- Two public open houses
- Market focus group
- Sustainability focus group
- Employment lands coordination with Metro
- Community design workshop
- Website
- Project posters, site sign, email notice, and extensive mailing prior to each public event

The major steps in the process were:

- Inventory of base conditions, opportunities, constraints for land use, transportation, natural resources, market conditions, infrastructure and sustainability.
- Establishment of project goals.
- Extensive discussion of employment lands questions: how much, what type and where?
- Following the community workshop, preparation of three alternative concept plans (sketch level), addition of a fourth plan, prepared by a CAC member, and narrowing of the alternatives to two for further analysis.
- Evaluation of the alternatives (including transportation modeling) and preparation of a hybrid Concept Plan (framework level).
- Preparation of detailed plans for water, sewer, storm water, and transportation facilities.
- Preparation of a draft development code.
- Committee action to forward the Concept Plan package to the Planning Commission and City Commission.

For additional information please see Technical Appendix, Sections A, D, E, and F.



Design Workshop Plan

### III. Vision, Goals and Principles

The overall vision for the Beavercreek Concept Plan is to create “A Complete and Sustainable Community”. The images shown on this page were displayed throughout the process to convey the project’s intent for this vision statement.

Regarding the meaning of sustainability, the vision statement is based in part on the definition of sustainability originally developed by the United Nations Brandtland Commission: “A sustainable society meets the needs of the present without sacrificing the ability of future generations to meet their own needs”.

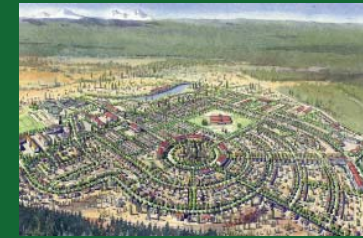
The following project goals were developed by the Citizen Advisory Committee. The Committee also added objectives to each of the goals – please see Appendix 1 for the objectives.

The Beavercreek Road Concept Plan Area will:

- Create a complete and sustainable community, in conjunction with the adjacent land uses, that integrates a diverse mix of uses, including housing, services, and public spaces that are necessary to support a thriving employment center;
- Be a model of sustainable design, development practices, planning, and innovative thinking;
- Attract “green” jobs that pay a living wage;
- Maximize opportunities for sustainable industries that serve markets beyond the Portland region and are compatible with the site’s unique characteristics;
- Incorporate the area’s natural beauty into an ecologically compatible built environment;
- Provide multi-modal transportation links (such as bus routes, trails, bike-ways, etc.) that are connected within the site as well as to the surrounding areas;

#### Complete Means

- Live
- Work
- Shop
- Play
- Garden
- Lifelong Learning
- (What does “complete” mean to you?)

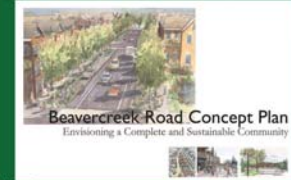


Northwest Crossing, Bend, Oregon

BEAVERCREEK ROAD  
CONCEPT PLAN

#### Sustainable Means

- Walkable
- Green
- Energy Efficient
- Water Efficient
- Non-Resource Depleting
- Clean Employment
- Non-Polluting
- (What does “sustainable” mean to you?)



BEAVERCREEK ROAD  
CONCEPT PLAN

#### Community Means

- A Place for People



BEAVERCREEK ROAD  
CONCEPT PLAN



- Implement design solutions along Beavercreek Road that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand;
- Promote connections and relationships with Oregon City High School and Clackamas Community College;
- Have a unique sense of place created by the mix of uses, human scale design, and commitment to sustainability; and
- Ecological Health – Manage water resources on site to eliminate pollution to watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.

The following 10 Principles of Sustainable Community Design were submitted by a CAC member, supported by the committee, and used throughout the development of the Concept Plan:

1. Mix Land Uses - Promote a mix of land uses that support living wage jobs and a variety of services.
2. Housing Types - Create a range of housing choices for all ages and incomes.
3. Walk-ability - Make the Neighborhood “walkable” and make services “walk-to-able.”
4. Transportation - Provide a range of transportation options using a connected network of streets and paths.
5. Open Space - Protect and maintain a functioning green space network for a variety of uses.
6. Integrate Systems - Integrate ecological and man-made systems to maximize function, efficiency and health.
7. Watershed Health - Manage water resources on site to eliminate pollution to watershed and lesson impact on municipal infrastructures.

8. Reuse, Recycle, Regenerate - Reuse existing resources, regenerate existing development areas
9. Green Buildings - Build compact, innovative structures that use less energy and materials
10. Work Together - Work with community members and neighbors to design and develop.



Thimble Creek Tributary





Like all additions to the Portland Metropolitan Area Urban Growth Boundary, the Beaver Creek Road area is inextricably tied to its place in the region and its place within Oregon City. The Concept Plan responds to this context in multiple ways.

From a regional perspective, the Beaver Creek Road area is currently a transition point from urban to rural use. Whether this “hard line” of transition will remain in the future cannot be established with certainty. The CAC openly acknowledged this issue in its discussions and sought to balance the needs of creating a great urban addition to Oregon City with sensitivity to adjacent areas. Examples of this balance include:

- The plan has land use and transportation connections that support future transit. This will link the Beaver Creek Road area, via alternative transportations, to Clackamas Community College (CCC), the Oregon City Regional Center (downtown and adjacent areas) and the rest of the region.
- Trails and green spaces have been crafted to link into the broader regional network.
- The plan recommends lower densities and buffer treatments along Old Acres Road.
- The north south collector roads are coalesced to one route that could (if needed) be extended south of Old Acres Road.
- The recommended street framework provides for a street that parallels Beaver Creek Road, connecting Thayer Road to Old Acres Road, and potentially north and south in the future. This keeps options open: if the UGB extends south, the beginning of a street network is in place. If it does not, the connection is available for rural to urban connectivity if desired.
- As with the street network described above, the East Ridge trail is extended all the way to Old Acres Road, and therefore, potentially beyond.

This will provide a connection from rural areas to the open spaces and trail network of Beaver Creek Road area and the rest of the region.

From a City and local neighborhood perspective, the Beaver Creek Road area offers an opportunity to establish a new complete and sustainable community within Oregon City. Specific linkages include the following:

- Oregon City needs employment land. The Beaver Creek Concept Plan provides 156 net acres of it in two forms: 127 net acres of tech flex campus industrial land, 29 acres of more vertical mixed use village and main street. Additional employment will be available on the Main Street and as mixed use in the two southern neighborhoods.
- The street framework connects to all of the logical adjacent streets. This includes Thayer, Clairmont, Meyers, Glen Oak, and Old Acres Roads. This connectivity will disperse traffic to many routes, but equally important, make Beaver Creek Road connected to, rather than isolated from, adjacent neighborhoods, districts and corridors.
- The plan provides for a complete community: jobs, varied housing, open space, trails, mixed use, focal points of activity, trails, and access to nature.
- The plan provides for a sustainable community, in line with the City’s

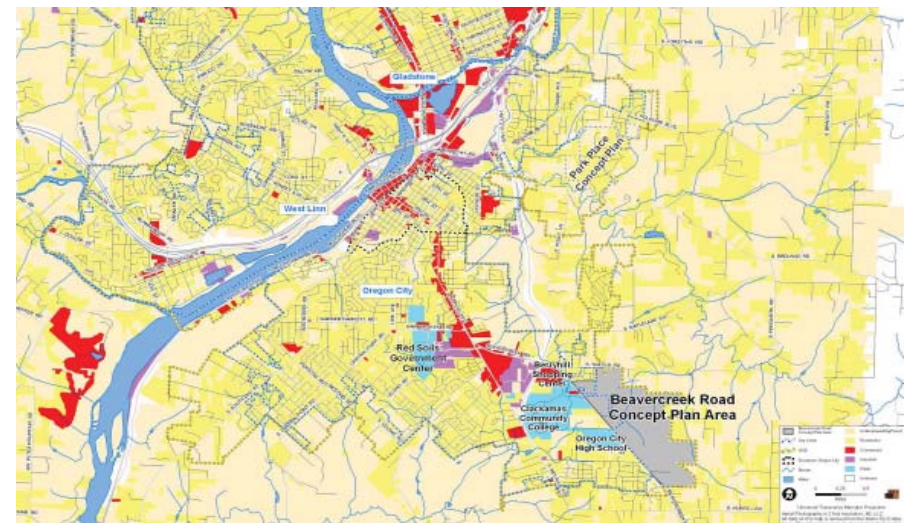


Figure 3 - Oregon City Context

Comprehensive Plan support for sustainability. This takes the form of mixed land uses, transportation options, green streets, sustainable storm water systems, and LEED or equivalent certification for buildings. Much more can certainly be done – the Concept Plan offers an initial platform to work from.

- Physical linkages have been provided to Oregon City High School and Clackamas Community College. These take the form of the planned 3-lane green street design for Beaver Creek Road and the intersections and trails at Clairmont, Loder and Meyers Roads. The physical linkages are only the beginning – the City, School District and College need to work together to promote land uses on the east side of Beaver Creek Road that truly create an institutional connection.

For additional information, see Existing Conditions, Opportunities and Constraints Reports, Technical Appendix C.



Figure 4 - Existing Conditions

## Site Conditions and Buildable Lands

A portion of the study area (approximately 50 acres) is currently within the existing city limits and zoned Campus Industrial (CI). The study area's northern boundary is Thayer Road and the southern boundary is Old Acres Lane. Loder Road is the only existing road that runs through the project area.

Currently, the project area is largely undeveloped, which has allowed the site to retain its natural beauty. There are 448 gross acres in the project area, not including the right-of-way for Loder Road (approximately five acres). The existing land uses are primarily large-lot residential with agricultural and undeveloped rural lands occupying approximately 226 acres of the project area. The Oregon City Golf Club (OCGC) and private airport occupy the remaining 222 acres.

There are several large power line and natural gas utility easements within the project boundaries. These major utility easements crisscross the northern and central areas of the site. The utility easements comprise approximately 97 acres or 20% of the project area.

There are 51 total properties ranging in size from 0.25 acres to 63.2 acres. Many of these properties are under single ownership, resulting in only 42 unique property owner names (Source: Clackamas County Assessor). There are several existing homes and many of the properties have outbuildings such as, sheds, greenhouses, barns, etc. , which result in 127 existing structures on the site (Source: Clackamas County Assessor).

A key step in the concept planning process is the development of a Buildable Lands Map. The Buildable Lands Map was the base map from which the concept plan alternatives and the final recommended plan were. "Buildable" lands, for the purpose of the Beaver Creek Road Concept Plan, are defined as the gross site area minus wetlands, steep slopes, other Goal 5 resources, public utility easements, road rights-of-way, and committed properties (developed properties with an assessed improvement value



greater than \$350,000). Properties with an assessed improvement value of less than \$350,000 (based on County assessment data) are considered redevelopable over the long-term as the existing structures are converted to higher value uses. The OCGC has an improvement value over \$350,000, but has been included as buildable lands (minus the clubhouse) because the owners may wish to redevelop the property in coordination with the recommended concept plan over time. The private airport has also been included as buildable over the long-term, recognizing that the owners may choose to continue the airport's use for many years.

When land for power lines, the natural gas line, natural resources, and committed structures are removed the net draft buildable acreage is approximately 292 acres. The CAC reviewed the Preliminary Buildable Lands map and approved a three-tier system to define the buildable lands. Tier A or "Unconstrained" has approximately 292 acres, Tier B or "Low Impact Development Allowed with Review" has approximately 28 acres, and Tier C "Constrained" has approximately 131 acres. The "Low Impact" area was later further evaluated and recommended for conservation under a Environmentally Sensitive and Resource Area designation on the plan.

The Buildable Lands Map was reviewed at the July 20th and August 17th Citizen and Technical Advisory Committee (CAC/TAC) meetings, as well as at the August 24th, 2006 Open House. The draft buildable land boundaries and acreages shown in Figure 6 reflect the input received from the advisory committee members, property owners, and citizen input.

For additional information, see Existing Conditions, Opportunities and Constraints Reports, Technical Appendix C.

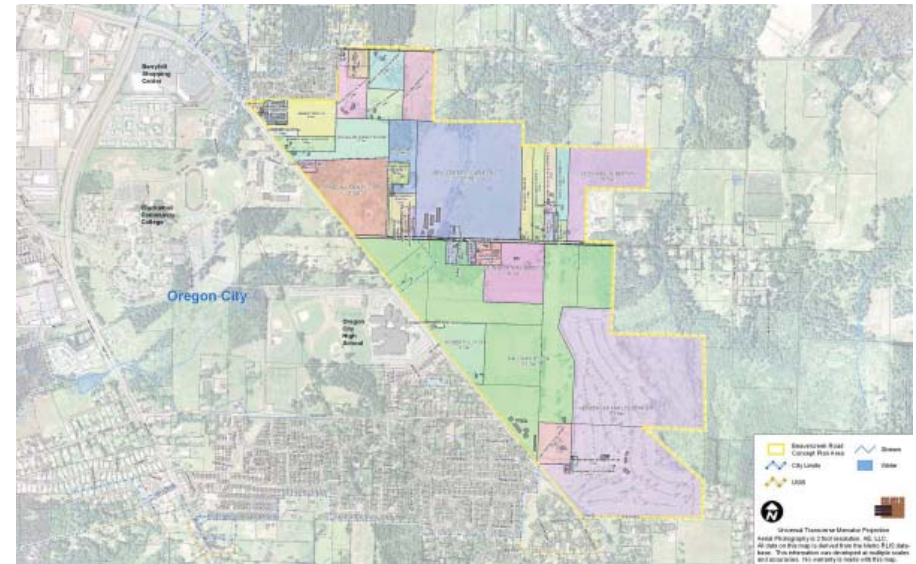


Figure 5 - Ownerships

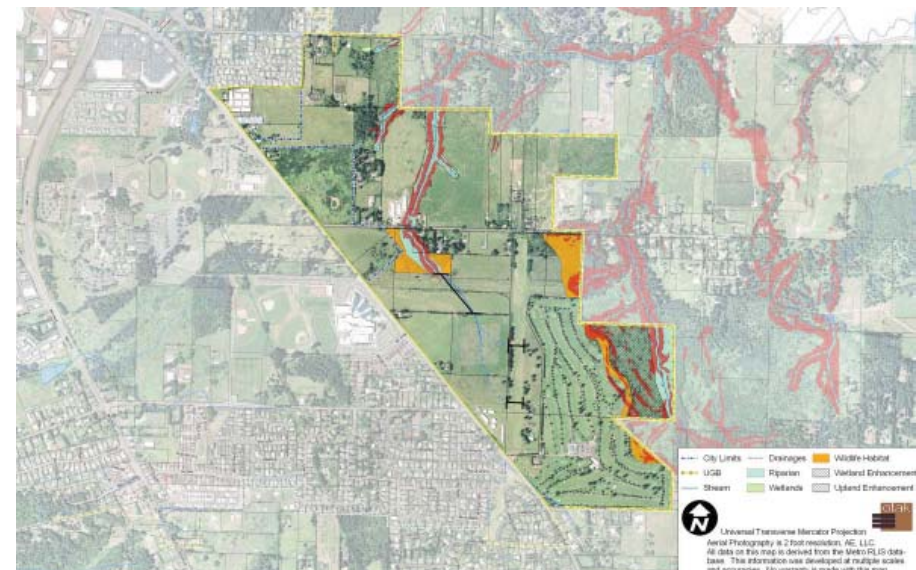


Figure 6 - Natural Resource Inventory



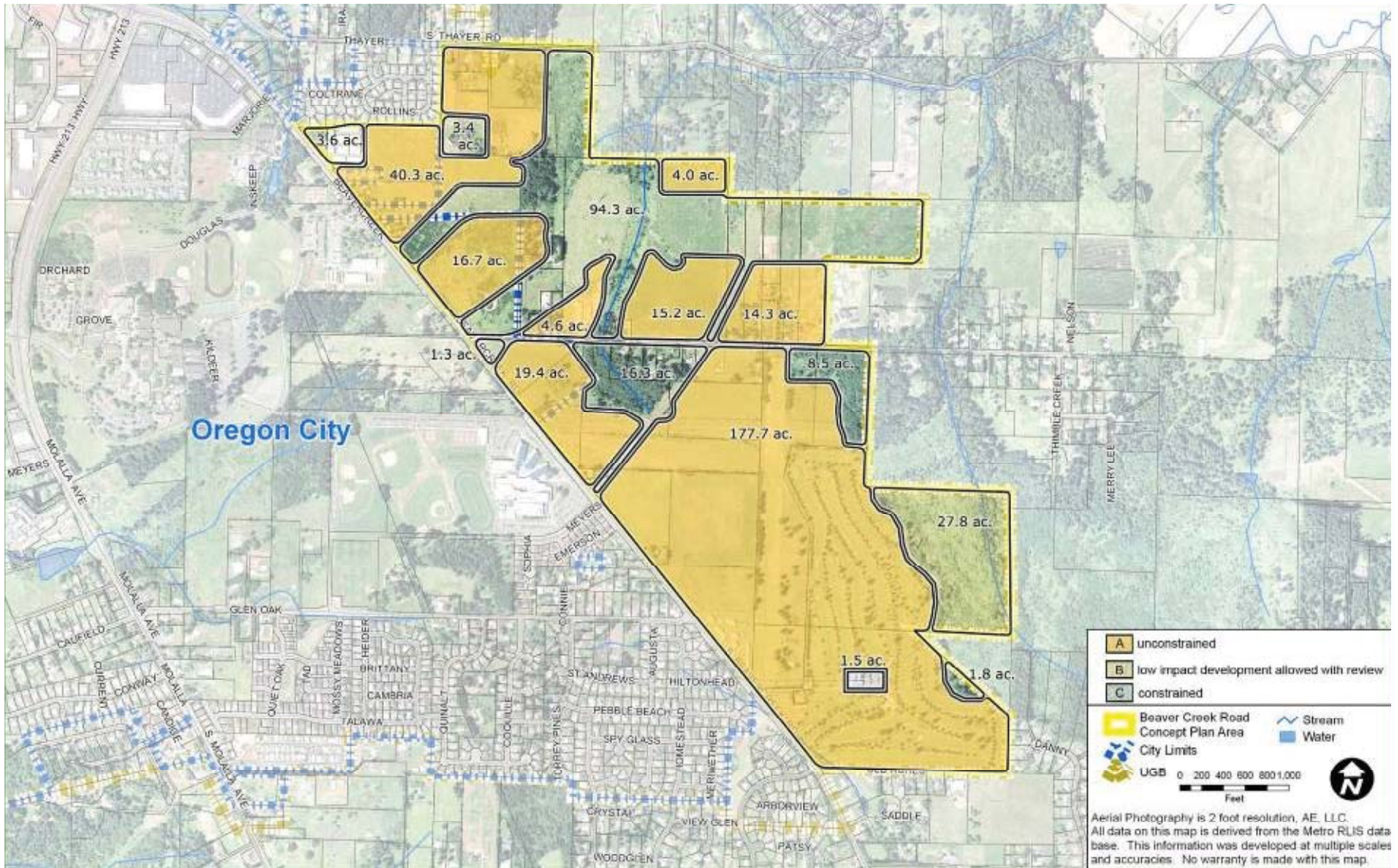


Figure 7 - Buildable Lands



## Employment – A Key Issue

How much employment? What type? And where? These questions were extensively discussed during the development of the Concept Plan. Three perspectives emerged as part of the discussion:

### Oregon City Perspective

Prior to initiating the Concept Plan process, the City adopted a comprehensive plan policy which emphasizes family wage employment on the site. The policy reads: “Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which is approved as an amendment to the Comprehensive Plan, [and will] guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City’s employment goals.” Oregon City Comprehensive Plan, Policy 2.6.8.

### Metro Perspective

Metro brought the majority of the concept plan area (245 gross acres) into the UGB in 2002 and 2004 to fulfill regional industrial employment needs. These areas (308 gross acres) are designated as the Industrial Design Type on Metro’s 2040 Growth Concept Map. As part of its land need metrics reported to the region and state, Metro estimated 120 net acres of the Beavercreek Road Concept Plan’s land would be used for employment uses. Metro representatives met with the Concept Plan CAC and emphasized: (1) it was important to Metro for the Concept Plan to fulfill their original intent for providing Industrial land; and, (2) that there was flexibility, from Metro’s perspective, for the local process to evaluate creative ways to meet that intent.

### Citizen Advisory Committee Perspective

The CAC discussed extensively the issues and options for employment lands. Many sources of information were consulted: a market analysis by ECONorthwest (See Appendix \_\_), a developer focus group, land inventory and expert testimony submitted by property owners, the Metro perspective cited above, and concerns of neighbors. The advice ranged from qualified optimism about long term employment growth to strong opposition based on shorter term market factors and location considerations. Some members of the CAC advocated for a jobs target (as opposed to an acreage target) to be the basis for employment planning.

At its meeting on September 14th, 2006, the CAC developed a set of “bookends” for the project team to use while creating the plan alternatives.

- a. At least one plan alternative will be consistent with the Metro Regional Growth Concept.
- b. At least one plan alternative (may be the same as above) would be designed consistent with Policy 2.6.8.
- c. Other alternatives would have the freedom to vary from “a” and “b” above, but would also include employment.
- d. No alternative would have heavy industrial, regional warehousing or similar employment uses”.

After evaluating alternatives, the CAC ultimately chose a hybrid employment strategy. The recommended Concept Plan includes: (1) about 127 net acres of land as North Employment Campus, which is consistent with Metro’s intent and similar to Oregon City’s Campus Industrial designation; (2) about 29 acres as Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub; and, (3) mixed use neighborhoods to the south that also provide for jobs tailored to their neighborhood setting.

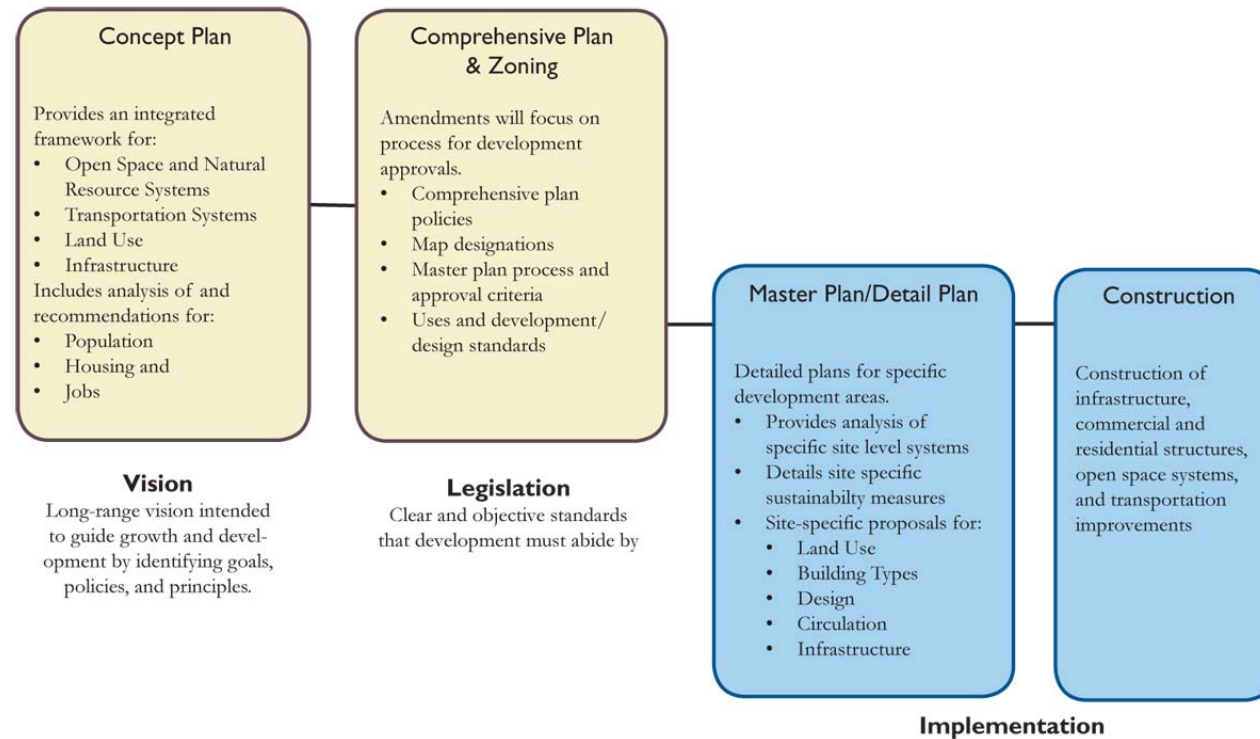
## V. Concept Plan Summary

### The Framework Plan Approach

The Beaver Creek Road Concept Plan is a framework for a new, urban community. The plan is comprised of generalized maps and policies that integrate land use, transportation, open space, and green infrastructure. The framework maps and policies are supported by detailed code and requirements for master planning and design review. The approach here is to set the broad framework and intent on the figures and text in this Plan. Detailed development plans demonstrating compliance with the Concept Plan are required in the implementing code.

The framework plan approach is intended to:

- Ensure the vision, goals and standards are requirements in all land use decisions
- Provide for flexibility in site specific design and implementation of the Plan and code
- Allow for phased development over a long period of time (20+ years)



The code describes many detailed requirements such as street connectivity, block configuration, pocket parks, building scale, pedestrian connections, low impact development features, tree preservation, and sustainable buildings. These design elements will be essential to the success of the area as a walkable, mixed use community. The expectation of this Plan is that the flexibility is coupled with a high standard for sustainable and pedestrian-oriented design.

## Land Use Sub-Districts

Figure 8 illustrates the five land-use “sub-districts” of the concept plan area. Each has a specific focus of land use and intended relationship to its setting and the plan’s transportation and open space systems. Each is briefly described below and illustrated on Figures 9 through 12.

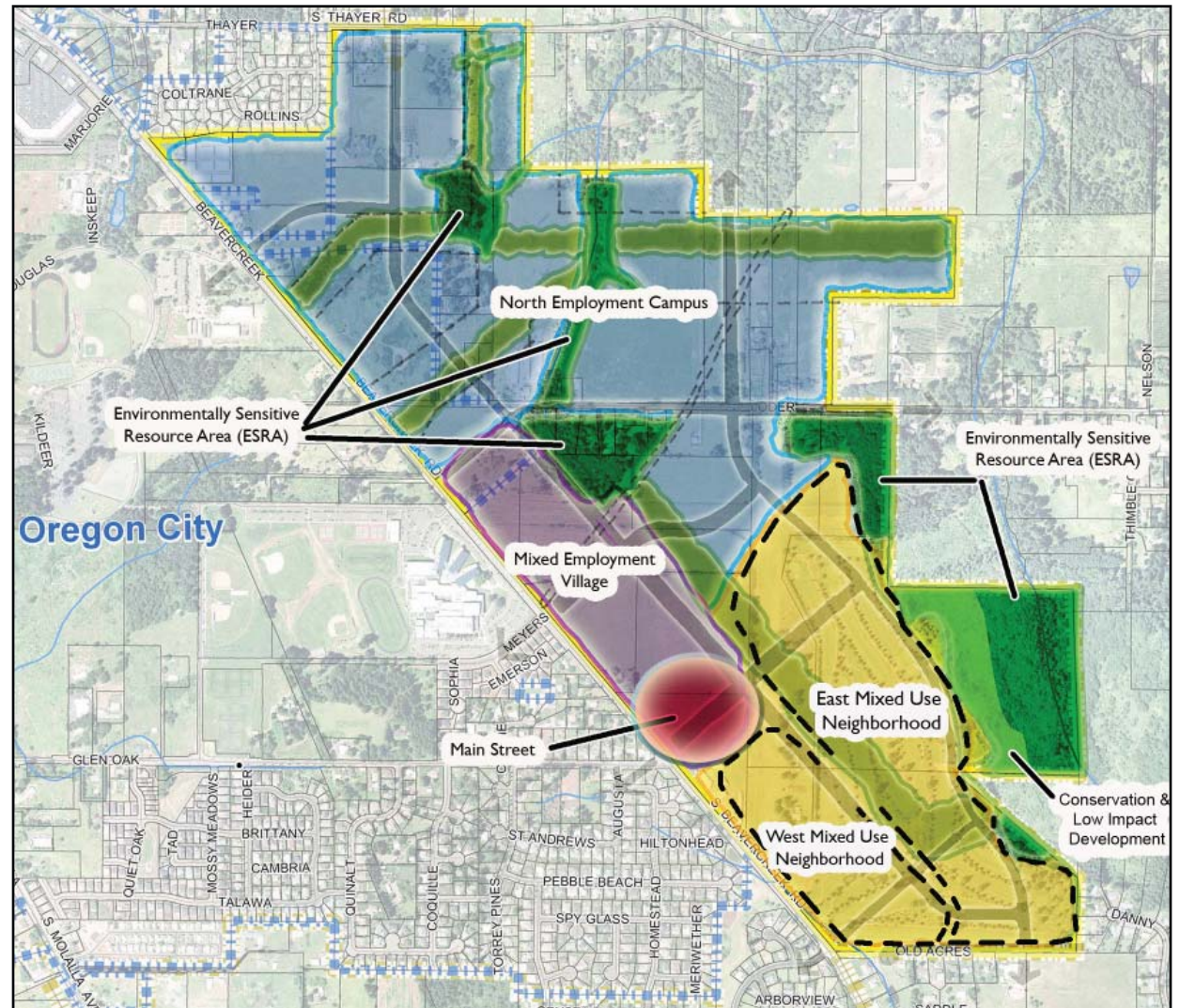


Figure 8 - Land Use Sub-districts



## North Employment Campus – NEC

The purpose of the North Employment Campus is to provide for the location of family wage employment that strengthens and diversifies the economy. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of sites for employment by limiting incompatible uses. The sub-district is intended to comply with Metro's

Title 4 regulations. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College (CCC) are encouraged to help establish a positive identity for the area and support synergistic activity between CCC and NEC properties. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

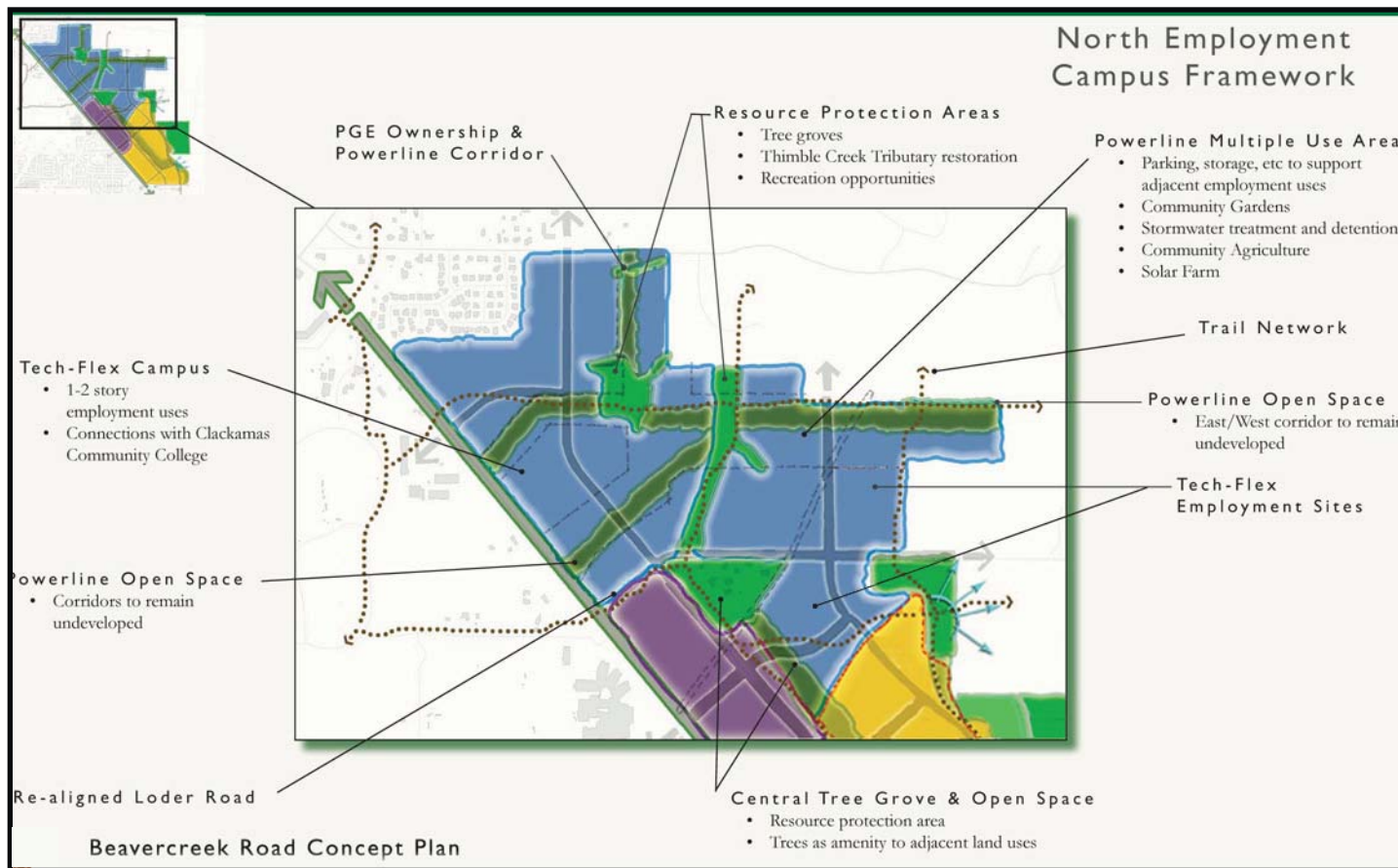


Figure 9 - North Employment Campus Framework



### Mixed Employment Village – MEV

The purpose of the Mixed Employment Village is to provide employment opportunities in an urban, pedestrian friendly, and mixed use setting. The MEV is intended to be transit supportive in its use mix, density, and design so that transit remains an attractive and feasible option. The MEV allows a mix of retail, office, civic and residential uses that make up an active urban district and serve the daily needs of adjacent neighborhoods and Beaver Creek Road sub-districts. Site and building design will create

pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College and Oregon City High School are encouraged. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beaver Creek Road area.

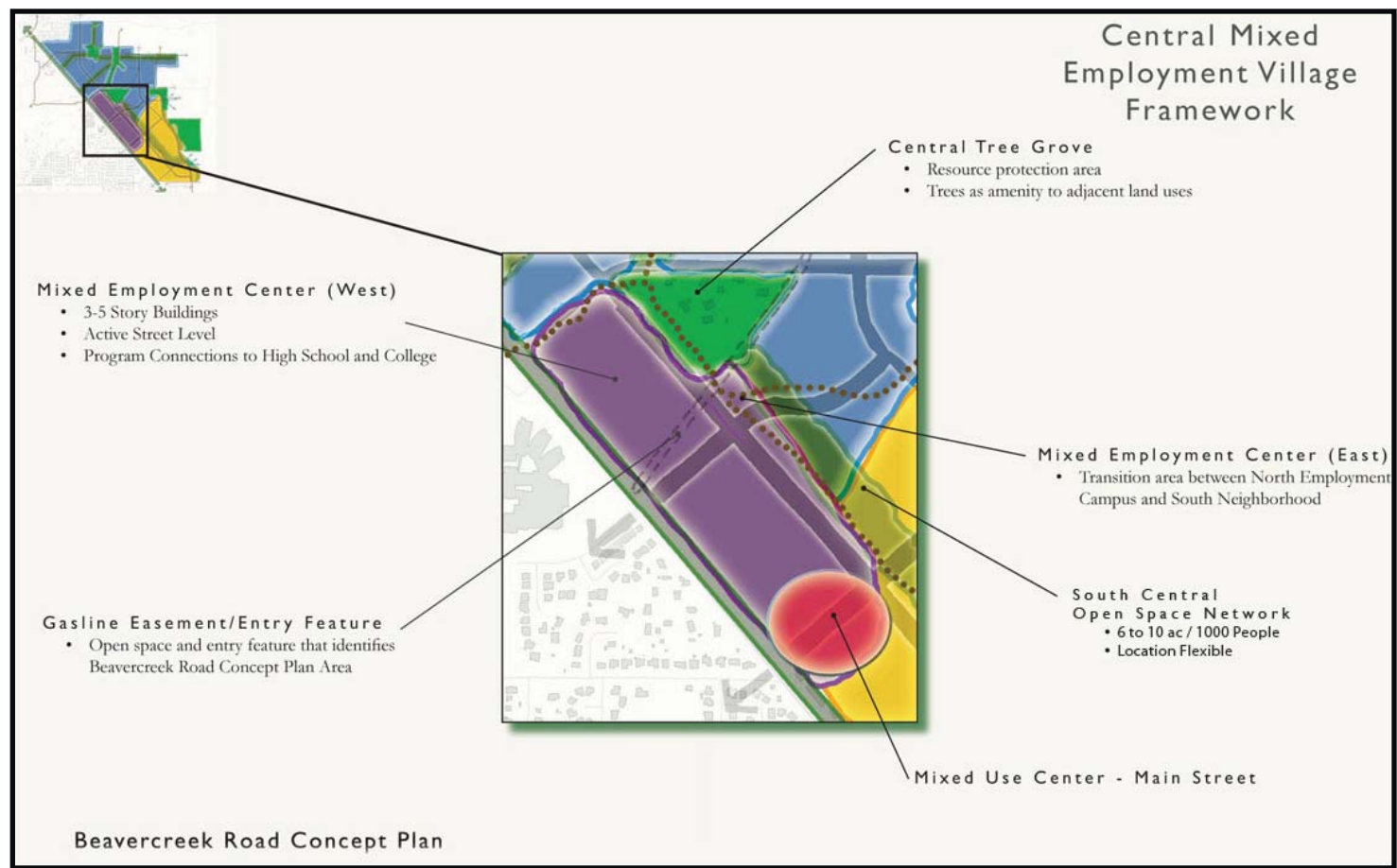


Figure 10 - Central Mixed Employment Village Framework

## Main Street – MS

The purpose of this small mixed-use center is to provide a focal point of pedestrian activity. The MS allows small scale commercial, mixed use and services that serve the daily needs of the surrounding area. “Main Street” design will include buildings oriented to the street, an minimum of 2 story building scale, attractive streetscape, active ground floor uses and other elements that reinforce pedestrian oriented character and vitality of the area.



Figure 11 - Main Street Framework

### West Mixed Use Neighborhood – WMU

The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood. This area allows a transit supportive mix of housing, live/work units, mixed use buildings and limited commercial uses. A variety of housing and building forms is required, with the overall average of residential uses not exceeding 22 dwelling units per acre. The WMU area's uses, density and design will support the multi-modal transportation system and provide good access for pedestrians, bicycles, transit and vehicles. Site and building design will create a walkable area and utilize cost effective green development practices.

### East Mixed Use Neighborhood – EMU

The East Mixed Use Neighborhood will be a walkable and tree-lined neighborhood with a variety of housing types. The EMU allows for a variety of housing types while maintaining a low density residential average not exceeding densities permitted in the R-5 zone. Limited non-residential uses are permitted to encourage a unique identity, sustainable community, and in-home work options. The neighborhood's design will celebrate open space, trees, and relationships to public open spaces. The central open space, ridge open space scenic viewpoints, and a linked system of open spaces and trails are key features of the EMU. Residential developments will provide housing for a range of income levels, sustainable building design, and green development practices.

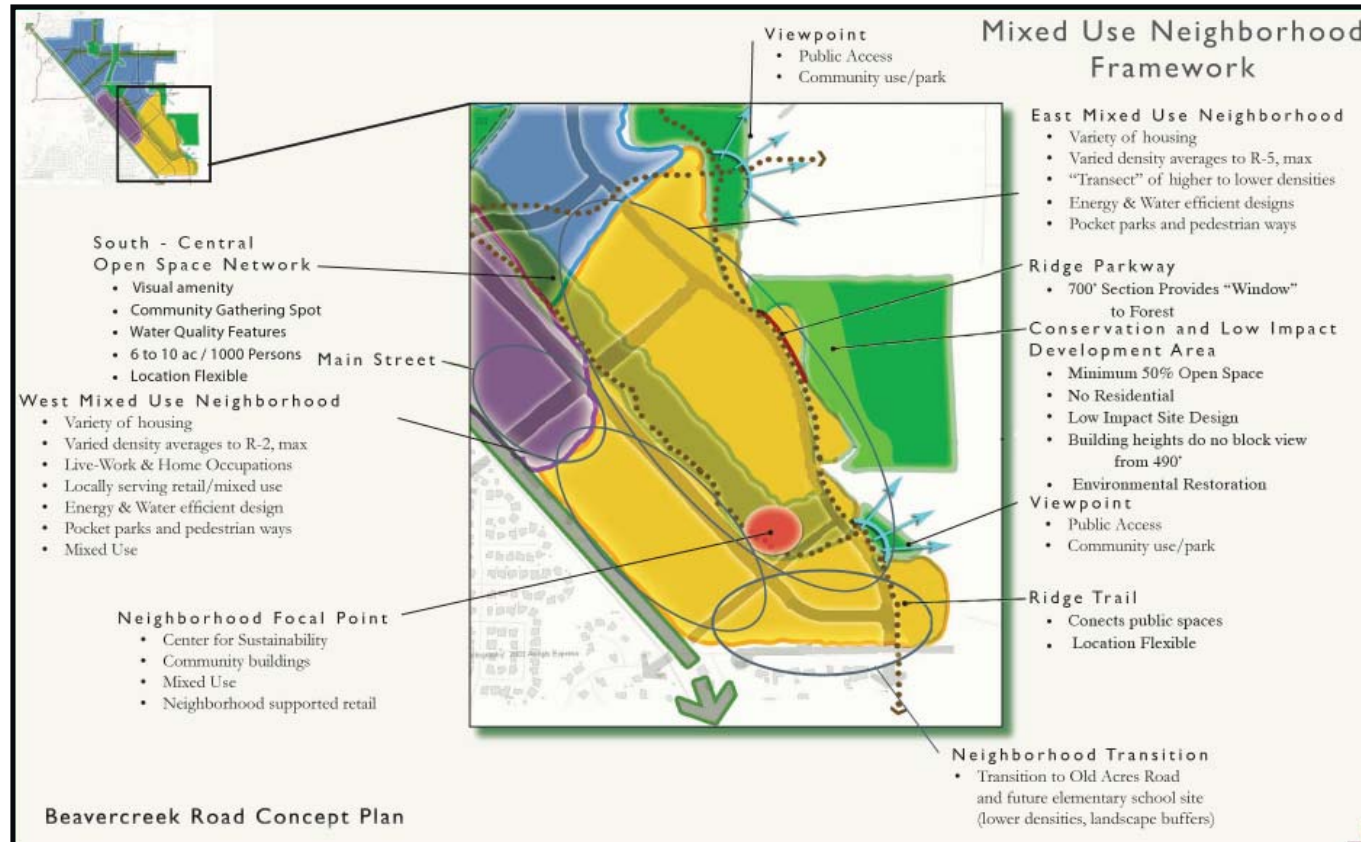


Figure 12 - West and East Mixed Use Neighborhoods

## Open Space

The Open Space Framework illustrated on Figure 13 provides a network of green spaces intended to provide:

- A connected system of parks, open spaces and natural areas that link together and link to the Environmentally Sensitive Resource Areas.
- Scenic and open space amenities and community gathering places
- Access to nature
- Tree and natural area preservation
- Locations where storm water and water quality facilities can be combined with open space amenities, and opportunities to implement sustainable development and infrastructure
- Green spaces near the system of trails and pedestrian connections
- Open spaces which complement buildings and the urban, built environment

### Power Line Open Spaces

The power line corridors and gas line corridor comprise 97 acres of land. The power line corridors north of Loder Road are a dominant feature. They are a dominant feature because they define open corridors and have a significant visual impact related to the towers. They also have an influence on the pattern of land use and transportation connections. In response to these conditions, the Concept Plan includes four main strategies for the use of the power line corridors:

- Provide publicly accessible open spaces. The implementing code includes a minimum 100 foot-wide open space and public access easement would be required at the time of development reviews, or, obtained through cooperative agreements with the utilities and property owners.
- Provide trails. A new east-west trail is shown on Figure 13 that follows the main east-west corridor. This corridor has outstanding views of Mt. Hood.

- Allow a broad array of uses. Ideas generated by the CAC, and permitted by the code, include: community gardens, urban agriculture, environmental science uses by CCC, storage and other “non-building” uses by adjacent industries, storm water and water quality features, plant nurseries, and solar farms.
- Link to the broader open space network. The power line corridors are linked to the open spaces and trail network in the central and southern areas of the plan.

### South-Central Open Space Network

Park spaces in the central and southern areas of the plan will be important to the livability and sustainability goals for the plan. The basic concept is to assure parks are provided, provide certainty for the total park acreage, guide park planning to integrate with other elements, and provide flexibility for the design and distribution of parks.

The following provisions will apply during master planning and other land use reviews:

- Park space will be provided consistent with the City’s Park and Recreation Master Plan standard of 6 to 10 acres per 1000 population.
- The required acreage may be proposed to be distributed to a multiple park spaces, consistent with proposed land uses and master plan design.
- A central park will be provided. The location and linearity of the park was first indicated by Metro’s Goal 5 mapping. It was illustrated by several citizen groups during the design workshop held in October, 2006. This open space feature is intended as a connected, continuous and central green space that links the districts and neighborhoods south of Loder Road. The code provides for flexibility in its width and shape, provided there remains a clearly identifiable and continuous open space. It may be designed as a series of smaller spaces that are clearly connected by open space. It may be designed



as a series of smaller spaces that are clearly connected by open space. If buildings are incorporated as part of the central park, they must include primary uses which are open to the public. Civic buildings are encouraged adjacent to the central park. Streets may cross the park as needed. The park is an opportunity to locate and design low impact storm water facilities as an amenity for adjacent urban uses.

### East Ridge

The East Ridge is a beautiful edge to the site that should be planned as a publicly accessible amenity and protected resource area. The natural resource inventory identified important resources and opportunities for habitat restoration in the riparian areas of Thimble Creek. In addition, Lidar mapping and slope analysis identified steeper slopes (greater than 15%) that are more difficult to develop than adjacent flat areas of the concept plan. The sanitary sewer analysis noted that lower areas on the east

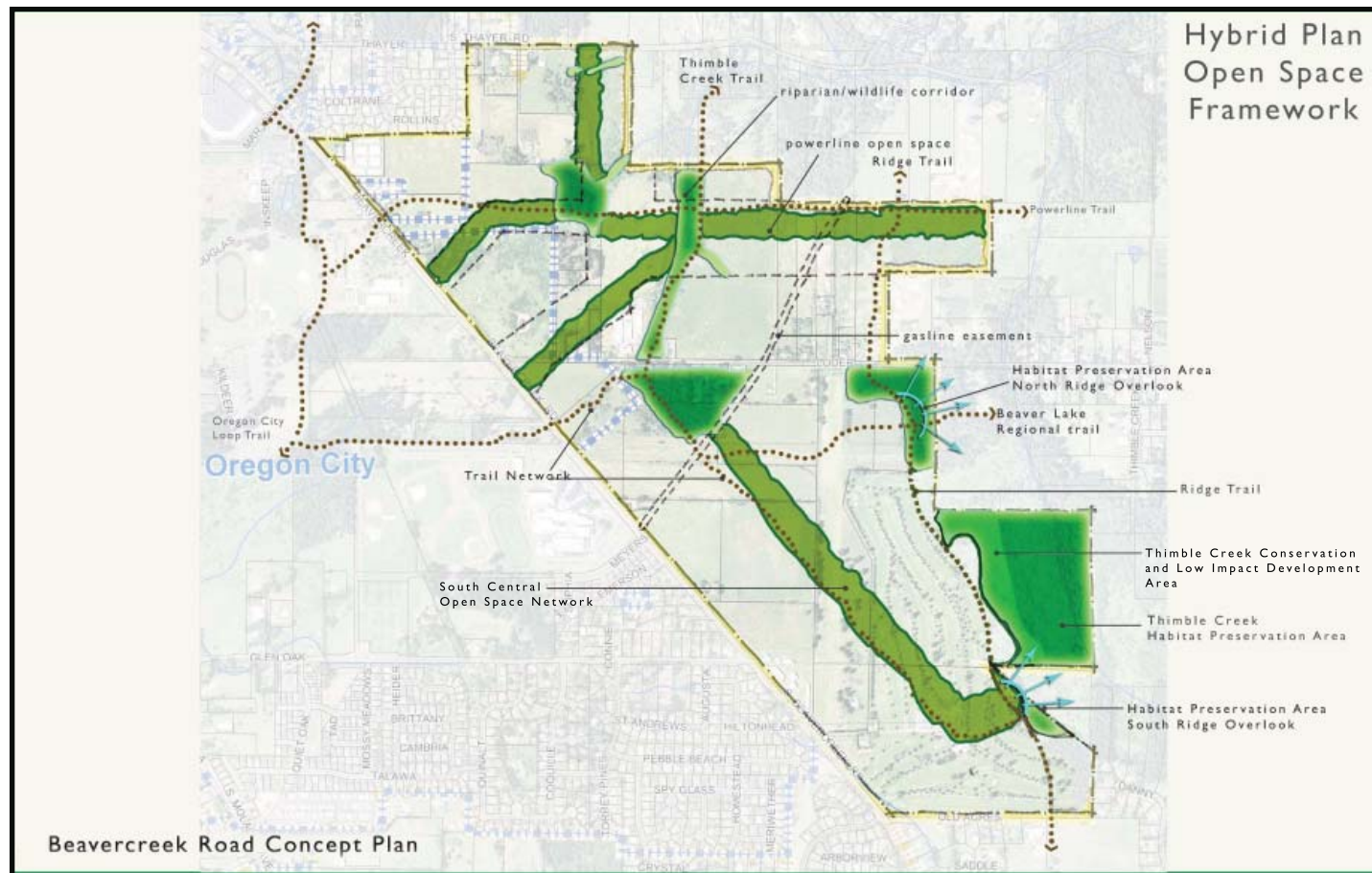


Figure 13 - Open Space Framework

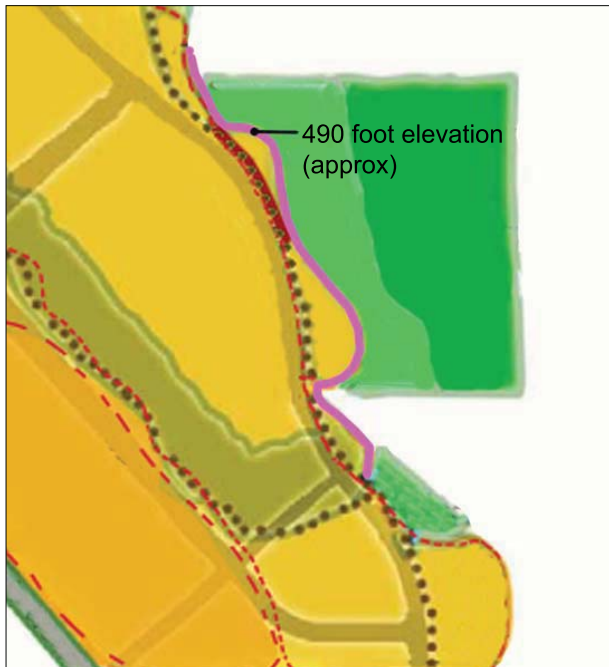
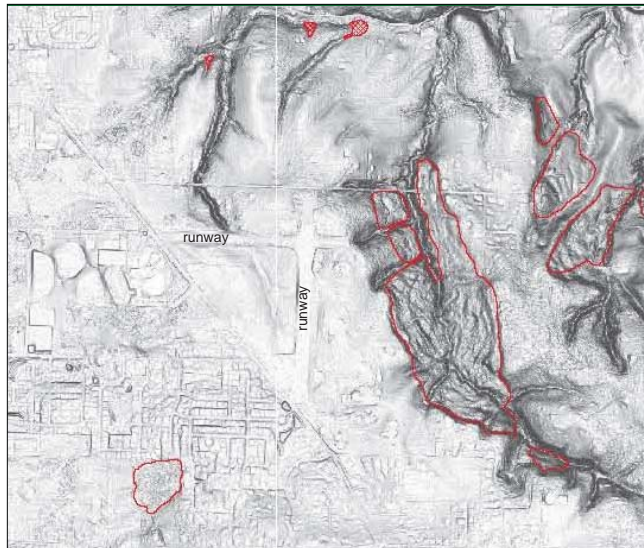


Figure 13A - East Ridge Lidar and 490 foot elevation

ridge could not be readily served with gravity systems - they would require private pump facilities. For all of these reasons, it is recommended here that an East Ridge open space and conservation area be designated.

The plan and code call for:

- Establishing the Class I and II Riparian area (per Metro mapping) plus 200 feet as a protected open space area. No development is permitted, except for very limited uses such as trails.
- Between the west edge of the above referenced protected open space area and the 490 foot elevation (MSL), establish a conservation area within which the following provisions apply:
  - a. A minimum of 50% of the conservation area must be open space. No residential uses are permitted.
  - b. All development must be low impact with respect to grading, site design, storm water management, energy management, and habitat.
  - c. Building heights must not obscure views from the 490 foot elevation of the ridge.
  - d. Open space areas must be environmentally improved and restored.
- Establishing a limit of development that demarks the clear edge of urban uses and a “window” to adjacent natural areas. In the central area of the est ridge, the “window” must be a minimum of 700 feet of continuous area and publicly accessible. The specific location of the “window” is flexible and will be establishing as part of a master plan.
- Creating two scenic view points that are small public parks, located north and south of the central area.
- Creating an East Ridge Trail - the location of the trail is flexible and will be established during master planning. It will be located so as to be safe, visible, and connect the public areas along the ridge. Along the “window” area described above, it will be coordinated with the location of the adjacent East Ridge Parkway.

## Transportation

In summary, the key elements of the Concept Plan transportation strategy are to:

- Plan a mixed use community that provides viable options for internal trip making (i.e. many daily needs provided on-site), transit use, maximized walking and biking, and re-routed trips within the Oregon City area.
  - Improve Beavercreek Road as a green street boulevard.
  - Create a framework of collector streets that serve the Beavercreek Road Concept Plan area.
  - Require local street and pedestrian way connectivity.
  - Require a multimodal network of facilities that connect the Beavercreek Road Concept Plan area with adjacent areas and surrounding transportation facilities.
  - Provide an interconnected street system of trails and bikeways.
  - Provide transit-attractive destinations.
  - Provide a logical network of roadways that support the extension of transit services into the Beavercreek Road Concept Plan area.
  - Use green street designs throughout the plan.
  - Update the Oregon City Transportation System Plan to include the projects identified in the Beavercreek Road Concept Plan, provide necessary off-site improvements, and, assure continued compliance with Oregon's Transportation Planning Rule.
- *Center Parkway as a parallel route to Beavercreek Road.* This new north-south route provides the opportunity to completely avoid use of Beavercreek Road for trips between Old Acres and Thayer Road. This provides a much-needed separation of local and through trips, as well as an attractive east-side walking and biking route. Major cross-street intersections, such as Loder, Meyers and Glen Oak may be treated with roundabouts or other treatments to help manage average speeds on this street. Minor intersections are likely to be stop-controlled on the side street approaches. The alignment of Center Parkway along the central open space is intended to provide an open edge to the park. The cross-section for Center Parkway includes a multi-use path on the east side and green street swale. Center Parkway is illustrated as a three-lane facility. Depending on land uses and block configurations, it may be able to function well with a two lane section and left turn pockets at selected locations.
  - *Ridge Parkway as a parallel route to Center Parkway and Beavercreek Road.* The section of Ridge Parkway south of the Glen Oak extension is intended as the green edge of the neighborhood. This will provide a community “window” and public walkway adjacent to the undeveloped natural areas east of the parkway. Ridge Parkway should be two lanes except where left turn pockets are needed. Major intersections south of Loder are likely to only require stop control of the side street, if configured as “tee” intersections. Mini roundabouts could serve as a suitable option, particularly if a fourth leg is added.
  - *Ridge Parkway.* Ridge Parkway was chosen to extend as the through-connection south of the planning area to Henrici Road. Center Parkway and Ridge Parkway are both recommended for extension to the north as long-term consideration for Oregon City and Clackamas County during the update of respective Transportation System Plans. It is beyond the scope of this study to identify and determine each route and the feasibility of such extensions. Fatal flaws to one or both may be discovered during subsequent planning. Nonetheless, it is prudent at this level of study, in this area of the community, to identify opportunities to efficiently and systematically expand the transportation system to meet existing and future needs.

## Streets

Figure 14 illustrates the street plan. Highlights of the plan include:

- *Beavercreek as a green boulevard.* The cross-section will be a 5 lane arterial to Clairmont, then a 3 lane arterial (green street boulevard) from Clairmont to UGB. The signalization of key intersections is illustrated on the Street Plan.



- *Extensions of Clairmont, Meyers, Glen Oak Roads and the south entrance through to the Ridge Parkway.* These connections help complete the network and tie all parts of the community to adjacent streets and neighborhoods.
- *Realignment of Loder Road at its west end. Loder is recommended for re-configuration to create a safer “T” intersection.* The specific location of the intersection is conceptual and subject to more site specific planning.

The streets of the Concept Plan area are recommended to be green streets. This is an integral part of the storm water plan and overall identity and vision planned for the area. The green street cross-sections utilize a combination of designs: vegetated swales, planter islands, curb extensions, and porous pavement. Figures 15 – 19 illustrate the recommended green street cross-sections. These are intended as a starting point for more detailed design.

### Trails

Figure 14 also illustrates the trail network. The City’s existing Thimble Creek Trail and Metro’s Beaver Lake Regional Trail have been incorporated into the plan. New trails include the Powerline Corridor Trail, multi-use path along Center Parkway, and the Ridge Trail.

### Transit

The Concept Plan sets the stage for future transit, recognizing that how that service is delivered will play out over time. Specifics of transit service will depend on the actual rate and type of development built, Tri-Met resources and policies, and, consideration of local options. Three options have been identified:

1. A route modification is made to existing bus service to Clackamas Community College (CCC) that extends the route through CCC to Beaver Creek Road via Clairmont, then south to Meyers or Glen Oak, back to HWY 213, and back onto Molalla to complete the normal route down to the Oregon City Transit Center. To date, CCC has identified Meyers Road as a future transit connection to the college.
2. A new local loop route that connects to the CCC transit center and serves the Beaver Creek Road Concept Planning area, the High School, the residential areas between Beaver Creek and HWY 213, and the residential areas west of HWY 213 (south of Warner Milne).
3. A new “express” route is created from the Oregon City Transit Center, up/down HWY 213 to major destinations (CCC, the Beaver Creek Road Employment area, Red Soils, Hilltop Shopping Center, etc.).

It is the recommendation of this Plan that the transit-oriented (and Use mix), density, and design of the Beaver Creek Road area be implemented so that transit remains a viable option over the long term. The City should work with Tri-Met, CCC, Oregon City High School, and developers within the Concept Plan area to facilitate transit.



## Connectivity

The street network described above will be supplemented by a connected local street network. Consistent with the framework plan approach, connectivity is required by policy and by the standards in the code. The specific design for the local street system is flexible and subject to master plan and design review. Figure 20 illustrates different ways to organize the street and pedestrian systems. These are just three examples, and are not intended to suggest additional access to Beaver Creek Road beyond what is recommended in Figure 14. The Plan supports innovative ways to configure the streets that are consistent with the goals and vision for the Beaver Creek Concept Plan area.

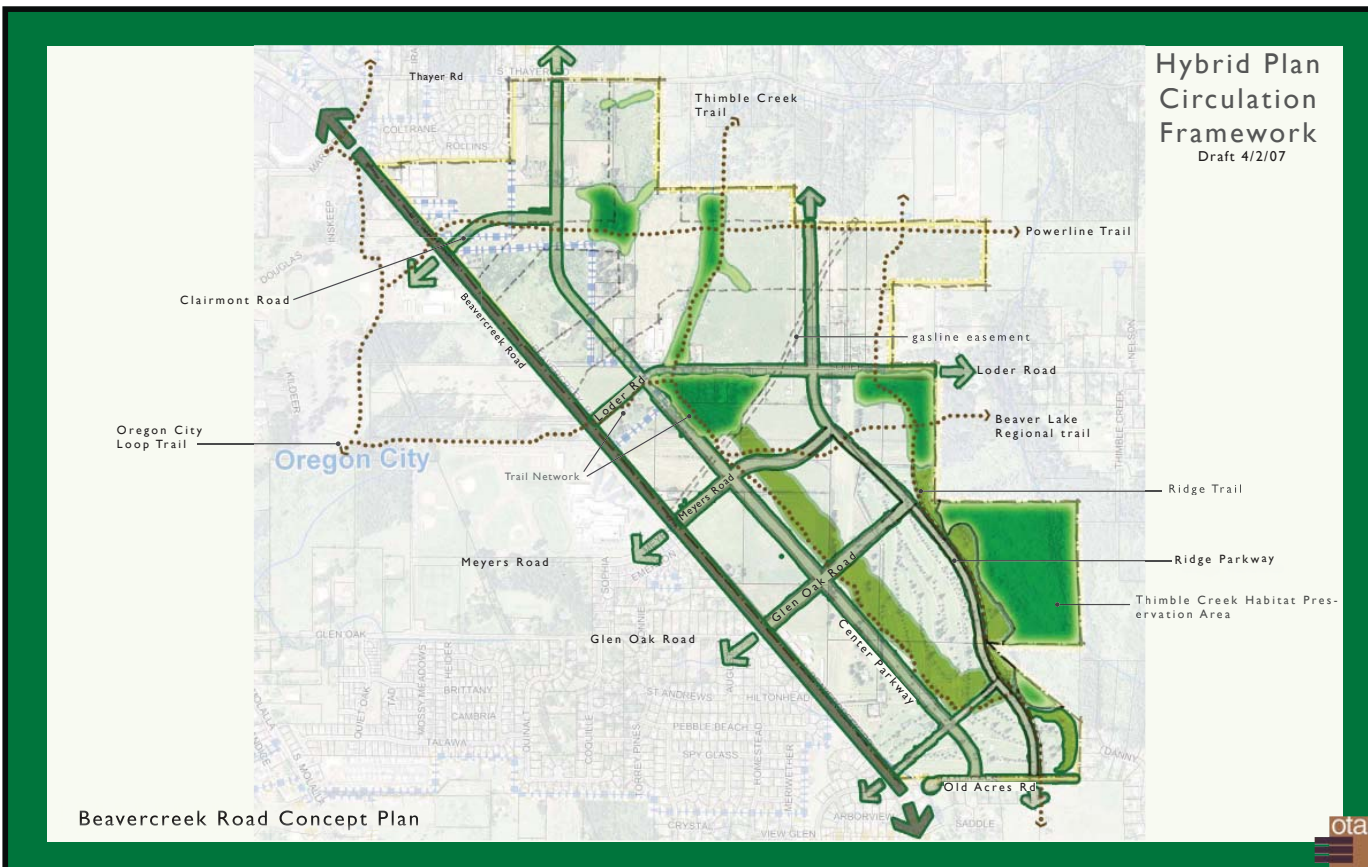


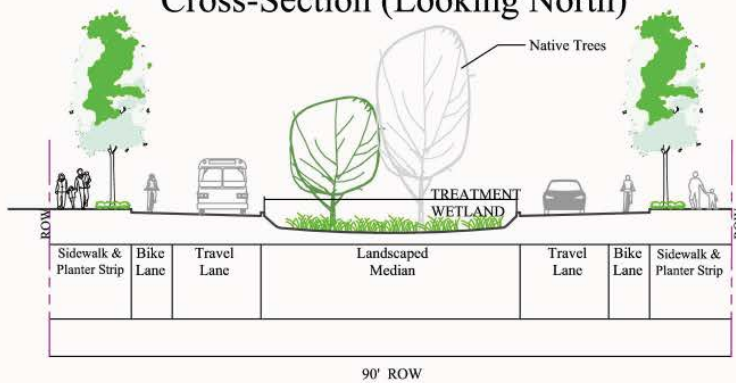
Figure 14 - Circulation Framework



Figure 20 - Connectivity Diagrams

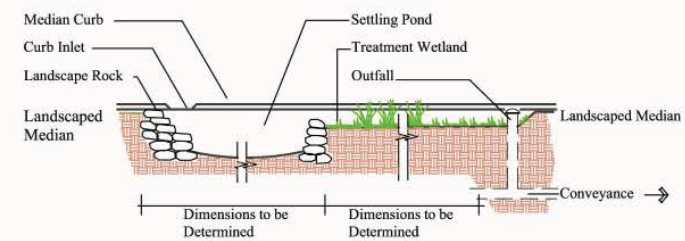
*Conceptual only - See Figure 14 for recommended access points to Beaver Creek Road.*

### Beavercreek Road Greenstreet - Option 1 3-lane Right-of-way Cross-Section (Looking North)



### Beavercreek Road Concept Plan

#### Median Treatment Wetland Conceptual Detail



#### Beavercreek Road - Option 1 3-lane Right-of-way Plan Concept

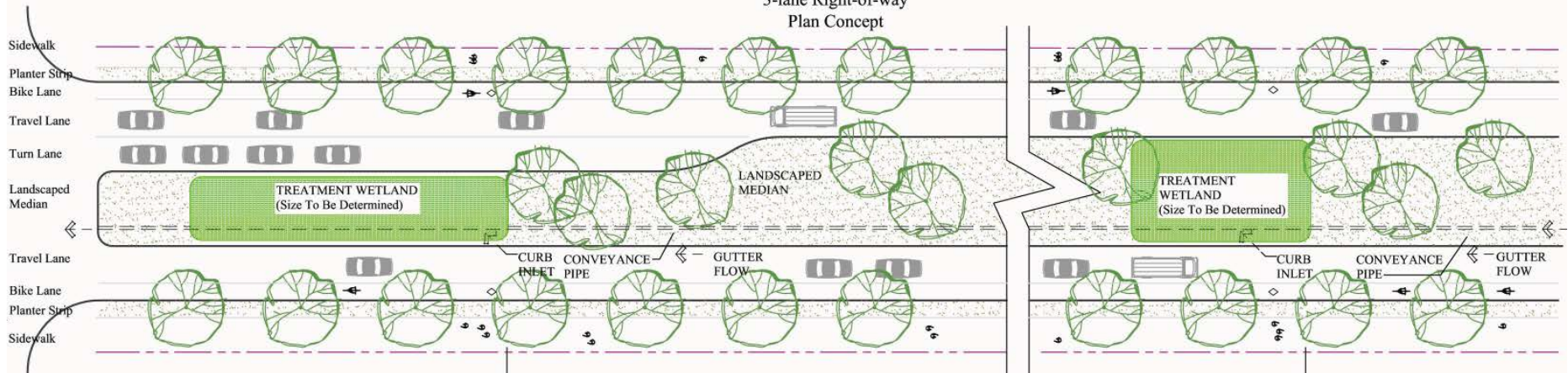


Figure 15 - Beavercreek Road Green Street



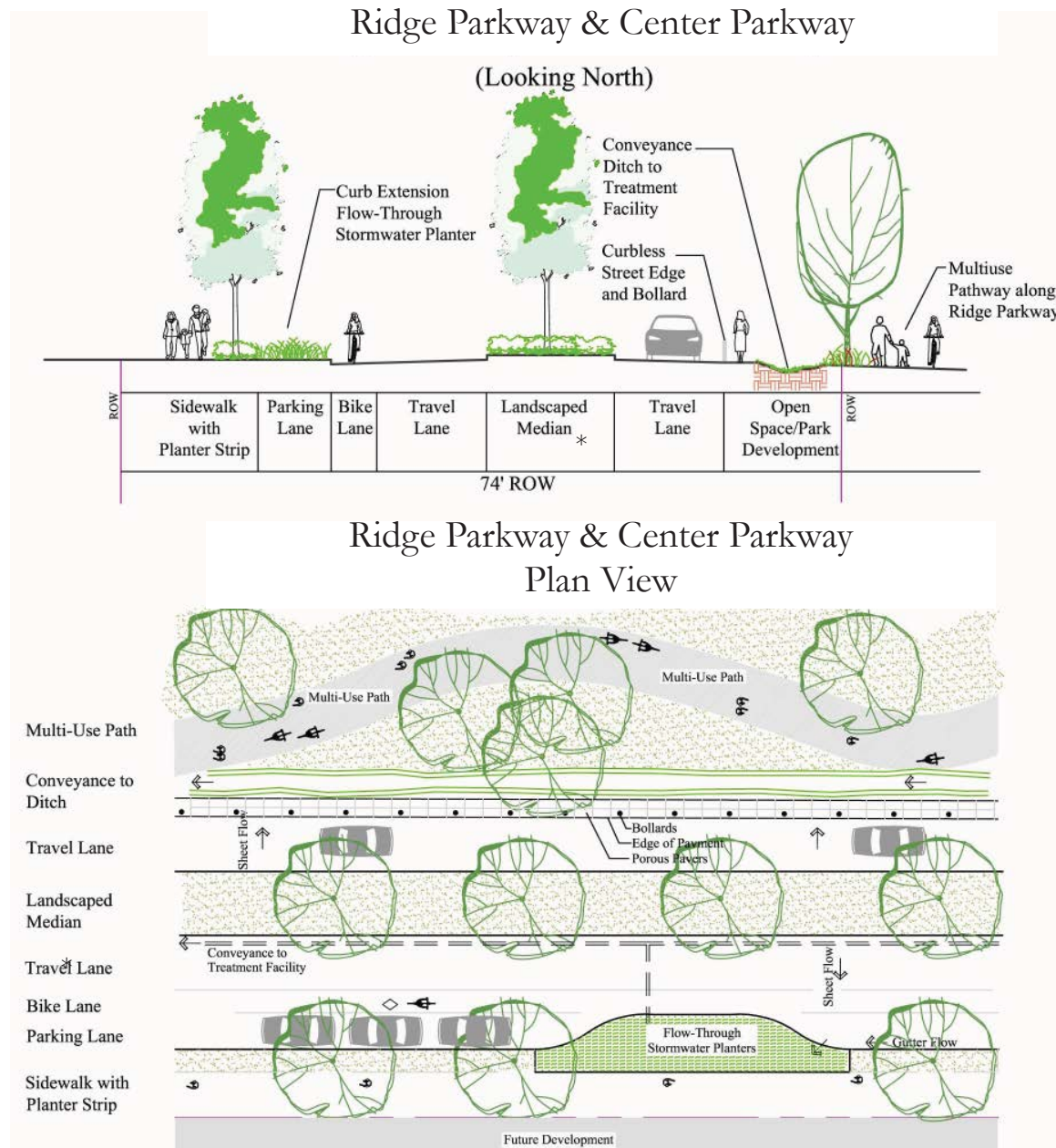
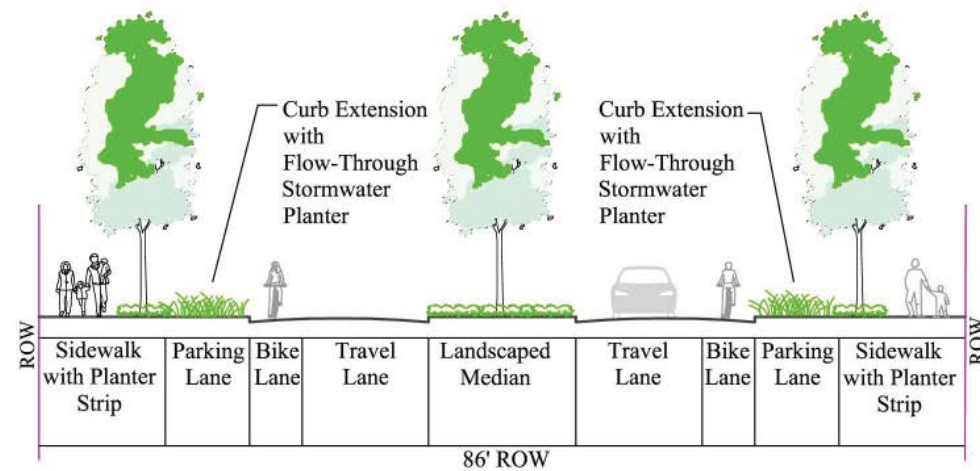


Figure 16 - Ridge Parkway and Central Parkway Green Streets

\*Center median is optional for Ridge Parkway.

## Collector Greenstreet (Looking North)



## Collector Greenstreet

### Plan View

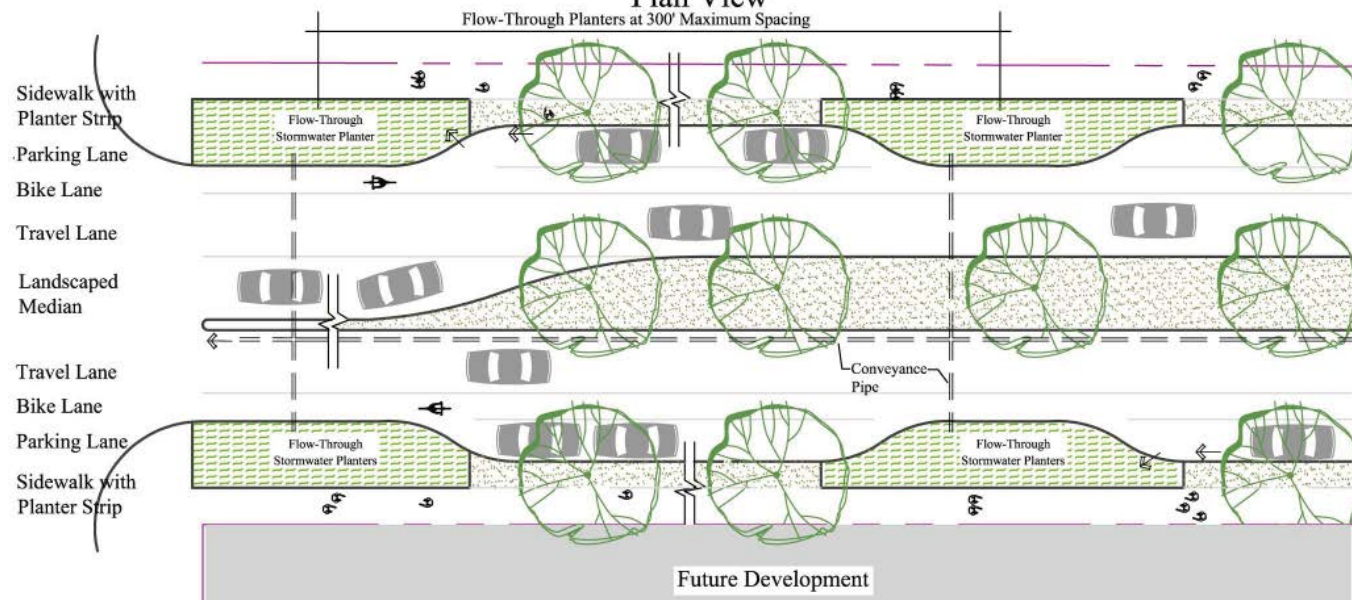
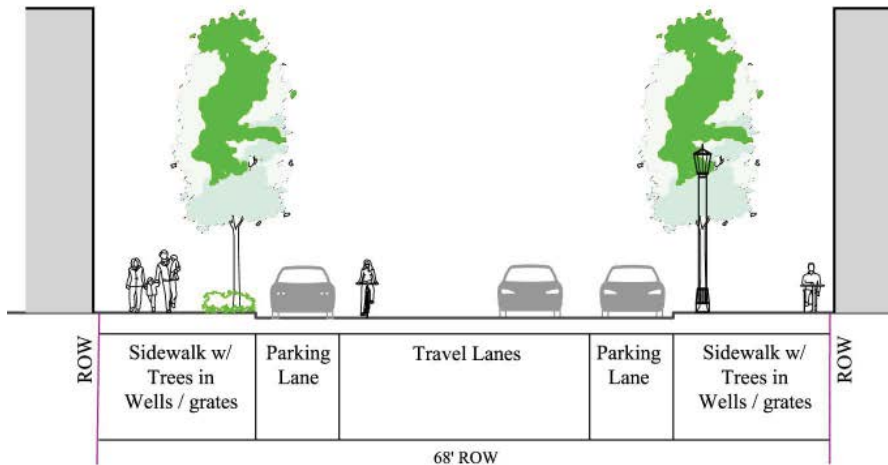


Figure 17 - Collector Green Street



## Main Street Collector

Potential Building  
Frontage with Future  
Development



### Main Street Collector Plan View

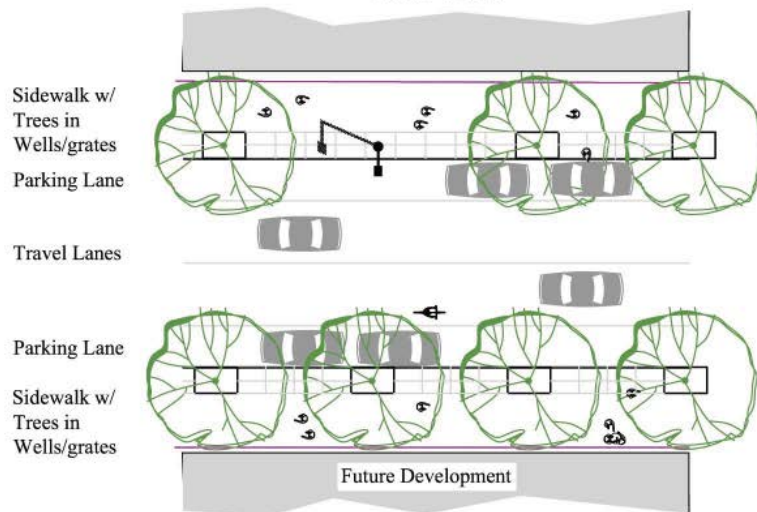
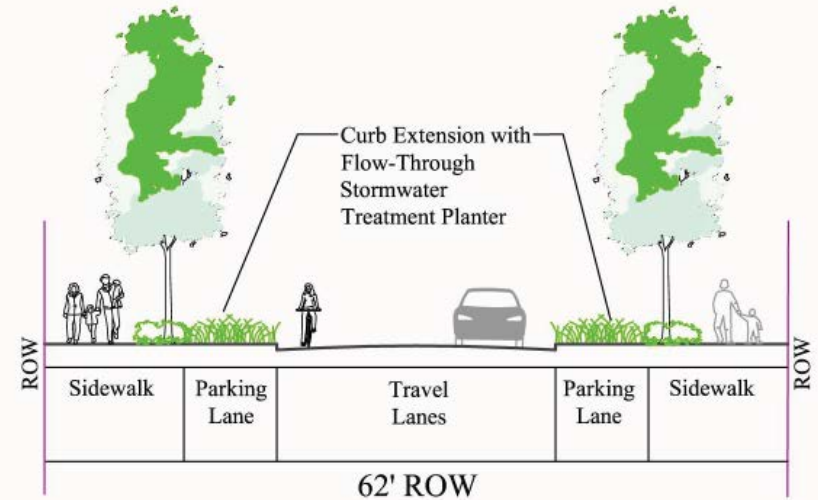


Figure 18 - Main Street Green Street

## Neighborhood Greenstreet



### Neighborhood Greenstreet Plan View

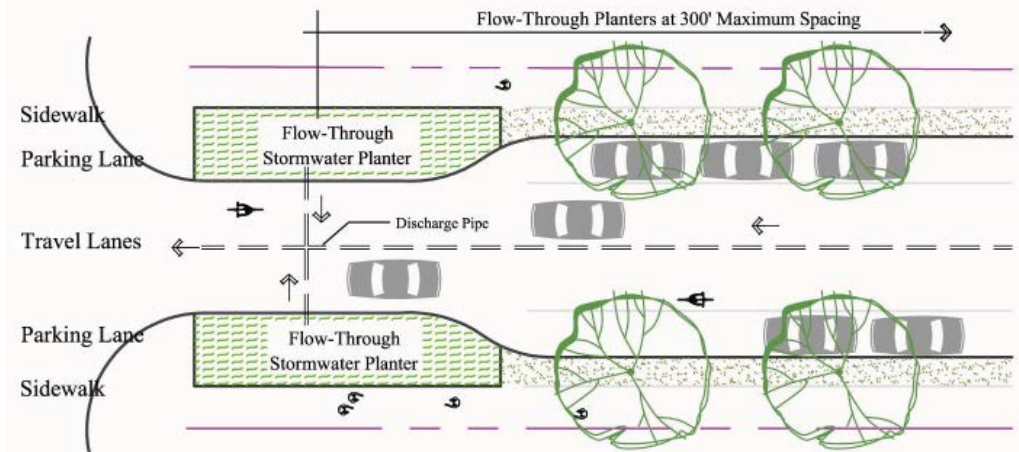


Figure 19 - Neighborhood Green Street

## Cost Estimate

A planning-level cost estimate analysis was conducted in order to approximate the amount of funding that will be needed to construct the needed improvements to the local roadway system, with the build-out of the Beaver Creek Road Concept Plan. The table below lists these improvements and their estimated costs. These generalized cost estimates include assumptions for right-of-way, design, and construction.

For additional information, please see Technical Appendix, Sections C2 and G.

<b>Roadway Improvements</b>	<b>Improvement</b>	<b>Estimated Cost</b>
Beaver Creek Road: Marjorie Lane to Clairmont Drive	Construct 5-lane cross-section to City standards	\$6,300,000
Beaver Creek Road: Clairmont Drive to Henrici Road	Construct 3-lane cross-section to City standards	\$12,300,000
Clairmont Drive: Beaver Creek Road – Center Parkway	Construct new 3-lane collector to City standards and modify signal at Beaver Creek Road	\$2,400,000
Loder Road: Beaver Creek Road to Center Parkway	Construct 3-lane cross-section to City standards and signalize Beaver Creek Road intersection	\$1,400,000
Loder Road: Center Parkway – East Site Boundary	Construct 3-lane cross-section to City standards	\$4,200,000
Meyers Road: Beaver Creek Road – Ridge Parkway	Construct new 3-lane collector to City standards and modify signal at Beaver Creek Road	\$3,500,000
Glean Oak Road: Beaver Creek Road – Ridge Parkway	Construct new 3-lane collector to City standards and modify signal at Beaver Creek Road	\$3,400,000
Center Parkway	Construct new 3-lane collector with 12' multi-use path	\$17,700,000
Ridge Parkway	Construct new 3-lane collector	\$9,800,000
<b>Total Roadway Improvements</b>		<b>\$61,000,000</b>
<b>Intersection Only Improvements</b>	<b>Improvement</b>	<b>Estimated Cost</b>
Beaver Creek Road/Maplelane	Road Construct new WB right-turn lane	\$250,000
Beaver Creek Road/ Meyers Road	Construct new NB and SB through lanes	\$5,000,000
<b>Total Intersection Improvements</b>		<b>\$5,250,000</b>
<b>TOTAL IMPROVEMENTS</b>		<b>\$66,250,000</b>

Transportation Cost Estimate



Figure 21 - Sustainable Stormwater Plan



## Storm Water and Water Quality

This Beavercreek Road stormwater infrastructure plan embraces the application of low-impact development practices that mimic natural hydrologic processes and minimize impacts to existing natural resources. It outlines and describes a stormwater hierarchy focused on managing stormwater in a naturalistic manner at three separate scales: site, street, and neighborhood.

### Tier 1 – Site Specific Stormwater Management Facilities (Site)

All property within the study area will have to utilize on-site best management practices (BMPs) to reduce the transport of pollutants from their site. Non-structural BMPs, such as source control (e.g. using less water) are the best at eliminating pollution. Low-impact structural BMPs such as rain gardens, vegetated swales, pervious surface treatments, etc. can be designed to treat stormwater runoff and reduce the quantity (flow and volume) by encouraging retention/infiltration. They can also provide beneficial habitat for wildlife and aesthetic enhancements to a neighborhood. These low-impact BMP's are preferred over other structural solutions such as underground tanks and filtration systems. Most of these facilities will be privately maintained.

### Tier 2 – Green Street Stormwater Management Facilities (Street)

Green Streets are recommended for the entire Beavercreek Concept Plan area. The recommended green street design in Figures 15 - 19 use a combination of vegetated swales or bioretention facilities adjacent to the street with curb cuts that allow runoff to enter. Bioretention facilities confined within a container are recommended in higher density locations where space is limited or is needed for other urban design features, such as on-street parking or wide sidewalks. The majority of the site is underlain with silt loam and silty clay loam. Both soils are categorized as Hydrologic Soil Group C and have relatively slow infiltration rates.

The recommended green streets will operate as a collection and conveyance system to transport stormwater from both private property and streets to regional stormwater facilities. The conveyance facilities need to be capable of managing large storm events that exceed the capacity of the swales. For this reason, the storm water plan's conveyance system is a combination of open channels, pipes, and culverts. Open channels should be used wherever feasible to increase the opportunity for stormwater to infiltrate and reduce the need for piped conveyance.

### Tier 3 – Regional Stormwater Management Facilities (Neighborhood)

Regional stormwater management facilities are recommended to manage stormwater from larger storms that pass through the Tier 1 and Tier 2 facilities. Figure 21 illustrates seven regional detention pond locations. Coordinating the use of these for multiple properties will require land owner cooperation during development reviews, and/or, City initiative in advance of development.

The regional facilities should be incorporated into the open space areas wherever possible to reduce land costs, and reduce impacts to the buildable land area. Regional stormwater facilities should be designed to blend with the other uses of the open space area, and can be designed as a water feature that offers educational or recreational opportunities. Stormwater runoff should be considered as a resource, rather than a waste stream. The collection and conveyance of stormwater runoff to regional facilities can offer an opportunity to collect the water for re-use.



## Discharge Locations

Post-development stormwater runoff rates from the Beaver Creek Road Concept Plan Area will need to match pre-development rates at the existing discharge locations, per City Stormwater Design Standards. Since there are several small discharge locations to Thimble Creek, flow control facilities may not be feasible at all discharge locations. In this situation, over-detention is needed at some discharge locations to compensate for the undetained areas so that flows in Thimble Creek at the downstream point of compliance meet City Stormwater Design Standards for flow control.

The stormwater infrastructure for the Beaver Creek Road Concept Plan Area is estimated to cost between \$7.8 million and \$9.4 million for base construction. When construction contingencies, soft costs (engineering, permitting, construction management), and land acquisition, the total cost is estimated at \$15 to \$23 million.

## Water

The proposed water infrastructure plan creates a network of water supply pipelines as the “backbone” system. In addition, as individual parcels are developed, a local service network of water mains will be needed to serve individual lots.

Since there are two pressure zones in the concept plan area, there will need to be a network of pipes for each of the two zones. These systems are illustrated on Figure 22. The Fairway Downs Pressure Zone will serve the south one-third of the concept plan area. This zone receives water from

the system reservoirs. But, because this zone is at the highest elevation in the entire water system, pressure from the reservoir system is insufficient to maintain a usable pressure to customers in this part of the system. The water pressure is increased by using a booster pump station located at the intersection of Glen Oak Road and Beaver Creek Road.

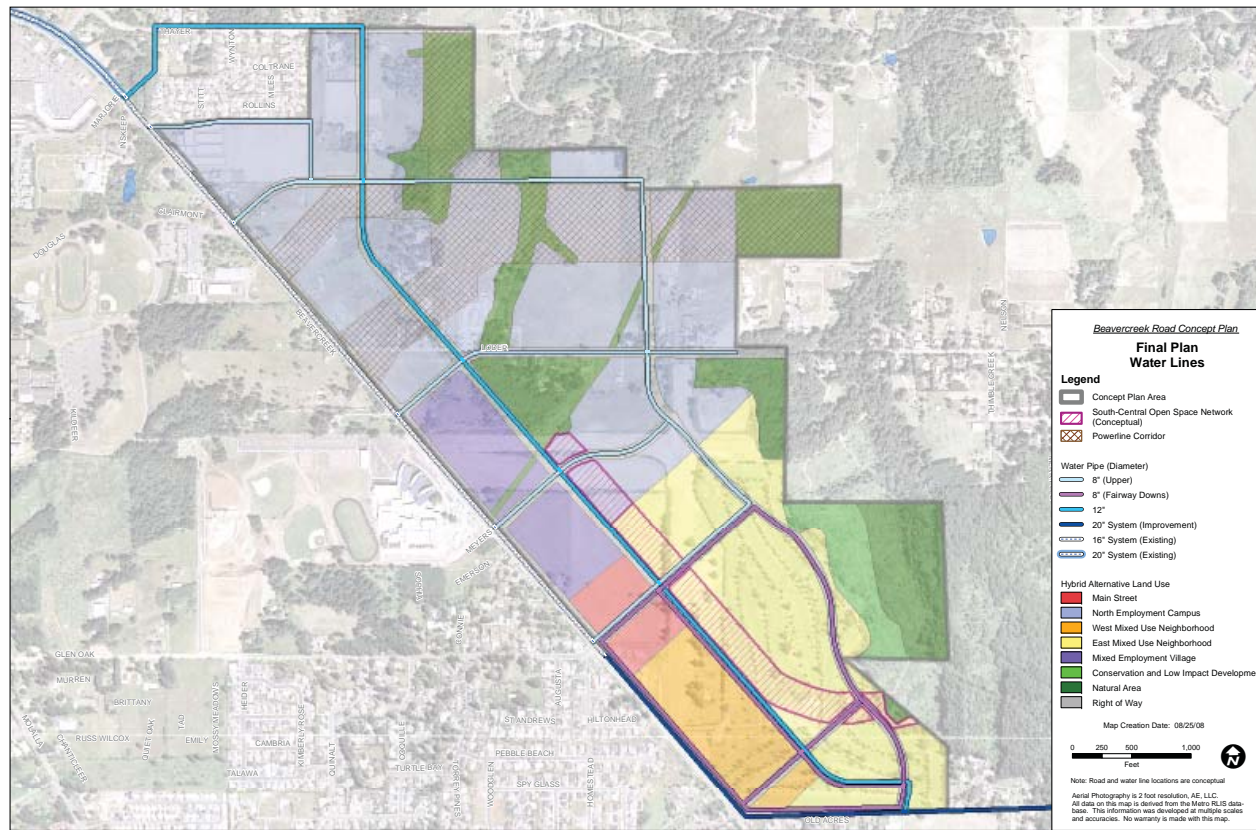


Figure 22 - Water Plan

In the Fairway Downs Pressure Zone, the majority of the water mains will be installed in the proposed public rights-of-way. However, a small portion of the system may need to be in strip easements along the perimeter of the zone at the far southeast corner of the concept plan area. The system layout shown is preliminary and largely dependent on future development and the final system of internal (local) streets. Additional mains may be needed or some of the water mains shown may need to be removed. For instance, if the development of the residential area located at the southeast end of the site, adjacent to Old Acres Road, includes internal streets, the water mains shown along the perimeter of the site may be deleted because service will be provided from pipes that will be installed in the internal street system.

Some of the planned streets in the Fairway Downs Pressure Zone will contain two water mains. One water main will provide direct water service to the area from the booster pump system. The other water main will carry water to the lower elevation areas in the Upper Pressure Zone.

The Upper Pressure Zone will serve the north two-thirds of the concept plan area. The “backbone” network for the Upper Pressure Zone will have water mains that are pressured from the Henrici and Boynton reservoirs. A single 12-inch water main will run parallel with Beaver Creek Road through the middle of concept plan area. This water conduit will serve as the “spine” for the Upper Pressure Zone. A network of 8-inch water pipes will be located in the public rights-of-way and will provide water to the parcels that are identified for development. The system can be extended easterly on Loder Road, if needed.

The preliminary design ensures that the system is looped so that there are no dead-end pipes in the system. Along a portion of the north perimeter, approximately 1,600 feet of water pipe will be needed to complete a system loop and provide water service to adjacent lots. This pipe will share

a utility easement with a gravity sanitary sewer and a pressure sewer. There may also be stormwater facilities in this same alignment.

In the Water Master Plan, under pipeline project P-201, there is a system connection in a strip easement between Thayer Road and Beaver Creek Road at the intersection with Marjorie Lane. Consideration should be given to routing this connection along Thayer Road to Maple Lane Road and then onto Beaver Creek Road. This will keep this proposed 12-inch main in the public street area where it can be better accessed.

The estimated total capital cost for the “backbone” network within the concept plan area will be in the area of \$5,400,000. This estimate is based on the one derived for Alternative D, which for concept planning purposes, is representative of the plan and costs for the final Concept Plan. This is in addition to the \$6.9 million of programmed capital improvement projects that will extend the water system to the concept plan area. All estimates are based on year 2003 dollars. Before the SDC can be established, the estimates will need to be adjusted for the actual programmed year of construction.

For additional information, please see Technical Appendix, Sections C6 and H3.



### Sanitary Sewer

The northern half of the concept area drains generally to the north and follows the natural land contours formed by the uppermost portion of Thimble Creek. The proposed sanitary sewer system in the vicinity of Loder Road will follow the north-south street rights-of-way. This part of the system will terminate at the low point of the concept plan area in a wetwell. A sanitary lift station over the wetwell will pump the wastewater uphill in a westerly direction to a point that it can be discharged into a gravity sewer that will flow west to the trunk sewer in Beaver Creek Road. The lift station and pressure sewer project has been identified in the Sanitary Sewer Master Plan as projects BC-COL-5 and 6. A utility bridge that will carry the pressure pipe and gravity sewer pipe over Thimble Creek is anticipated.

A short road access to the pump station that is parallel to Thimble Creek will also be needed.

The majority of the southern half of the concept area will have a gravity sanitary sewer system that will convey waste water to the existing 2,400-foot long trunk sewer in Beaver Creek Road, which currently extends from Highway 213 to approximately 800 feet south of Marjorie Lane. This portion of the system can be built in the planned roadways and in the existing Beaver Creek Road right-of-way. This portion of the system can be built in the planned roadways. A portion of the system, approximately 900 feet long, will need to be built in the current alignment of Loder Road so that the gravity sewer can be connected to the trunk sewer in Beaver Creek Road. The circulation plan includes a realignment of Loder Road. Therefore, a sewer easement will need to be retained across the future parcel that now includes the current Loder Road alignment.

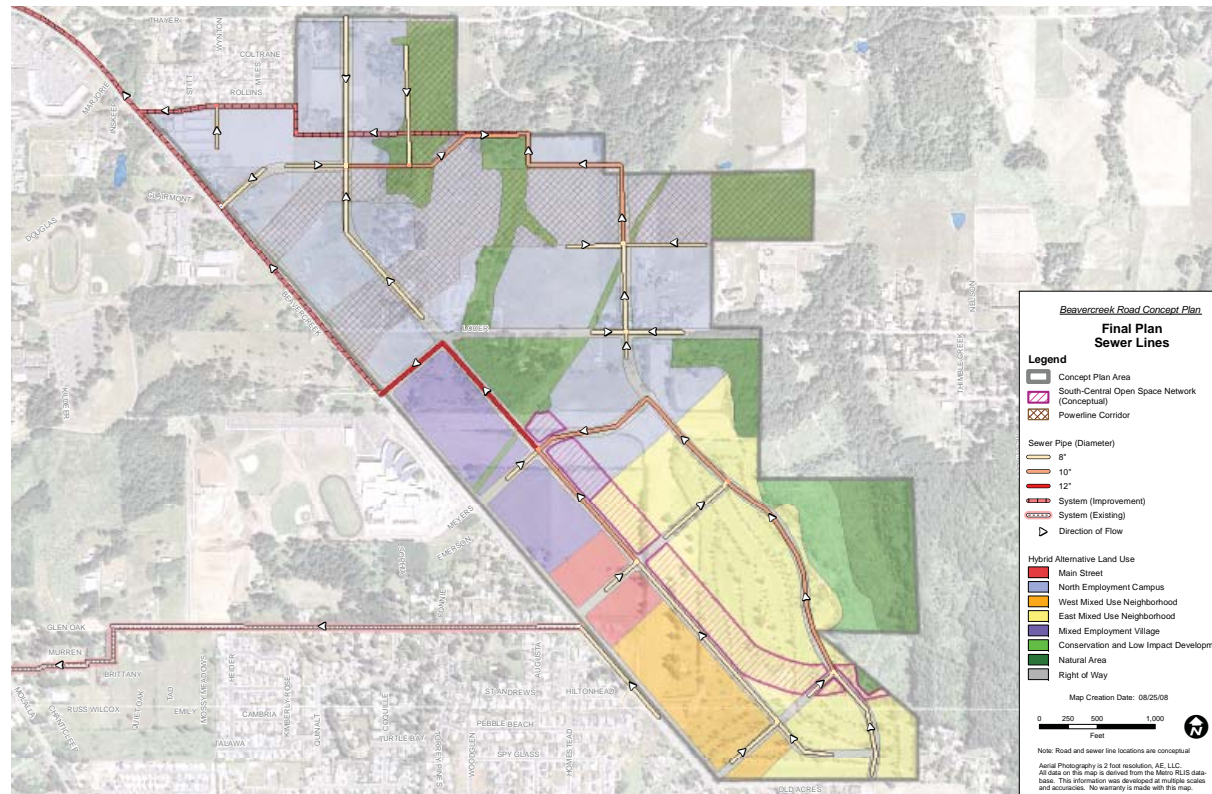


Figure 23 - Sewer Plan

The approximate elevation of 490 ft (MSL) is important in the southern half of the concept plan area relative to gravity sewer service. Roadways and development constructed above 490 ft will most likely allow for gravity sewer service. If land uses requiring sanitary sewer service (or roadways with sewer underneath) are located lower than 490 ft, individual pump stations and pressurized services may be required.

The estimated total capital cost will be in the vicinity of \$4,400,000. This estimate is based on the cost analysis for Alternative D, which is comparable. This is in addition to the \$2.3 million in sanitary sewer master plan capital costs that needed to bring the sanitary sewers to the concept plan area. These estimates are based on year 2003 dollars. The estimates will need to be adjusted for the programmed year of construction.

For additional information, please see Technical Appendix, Sections C6 and H2.

## Funding strategies

For water, sewer, storm water and parks, there are five primary funding sources and strategies that can be used:

- *System development charges (SDCs)*– Oregon City requires developers to pay SDCs for new development. Developers pay these charges up front based on the predicted impact of the new development on the existing infrastructure and the requirements it creates for new improvements. Although the charges are paid by the developer, the developer may pass on some of these costs to buyers of newly developed property. Thus, SDCs allocate costs of development to the developer and buyers of the new homes or new commercial or industrial buildings.
- *Urban renewal/tax increment financing* - Tax increment financing is the primary funding vehicle used within urban renewal areas (URA). The tax increment revenue is generated within a URA when a designated area is established and the normal property taxes within that area are ‘frozen’ (often called the frozen base). Any new taxes generated within that area through either property appreciation or new investment becomes the increment. Taxing jurisdictions continue to collect income from the frozen base but agree to release assessed value above the base to the URA. The URA then can issue bonds to pay for identified public improvements. The tax increment is used to pay off the bonds.

Oregon City has the authority to establish an URA. The Beavercreek Road Concept Plan Area would have to meet the definition of ‘blight’ as defined in ORS 457. It is likely to meet ‘blight’ standards because its existing ratios of improvement-to-land values are likely low enough to meet that standard.

- *Local Improvement Districts* - Local Improvement Districts (LIDs) are formed for the purpose of assessing local property owners an amount sufficient to pay for a project deemed to be of local benefit. LIDs are a specific type of special assessment district, which more broadly includes any district that is formed within an existing taxing district to assess specific property owners for some service that is not available throughout the larger district. The revenues from the LID assessments are used to pay the debt payments on a special assessment bond or a note payable issued for the capital improvements.

LID assessments increase costs for property owners. Under a LID the improvements must increase the value of the taxed properties by more than the properties are taxed. LIDs are typically used to fund improvements that primarily benefit residents and property owners within the LID.

- *Bonds* - Bonds provide a financing mechanism for local governments to raise millions of dollars for parks and other capital projects. The City could back a bond with revenue from a LID, the Urban Renewal Districts, or property taxes citywide. General obligation (GO) bonds issued by local governments are secured by a pledge of the issuer’s power to levy real and personal property taxes. Property taxes necessary to repay GO bonds are not subject to limitation imposed by recent property tax initiatives. Oregon law requires GO bonds to be authorized by popular vote.

Bond levies are used to pay principal and interest for voter-approved bonded debt for capital improvements. Bond levies typically are approved in terms of dollars, and the tax rate is calculated as the total levy divided by the assessed value in the district.

- *Developer funded infrastructure* – The City conditions land use approvals and permits to include required infrastructure. Beyond



the sources cited above, developers cover the remaining costs for the infrastructure required for their development.

Additional funding tools that could be investigated and implemented within the Concept Plan area include a Road District, a County Service District, Intergovernmental Agreements, an Advance Finance District, a Certificate of Participation, and a Utility Fee. There are benefits and limitations associated with each of the funding options that should be reviewed carefully before implementing.

For transportation infrastructure, the same sources as cited above are available. For larger facilities, such as Beavercreek Road, additional funds may be available. They include Metro-administered federal STP and CMAQ funding, and, regional Metro Transportation Improvement Plan funding. These sources are limited and extremely competitive. County funding via County SCSs should also be considered a potential source for Beavercreek Road. Facilities like Beavercreek Road are often funded with a combination of sources, where one source leverages the availability of another.

## Sustainability

One of the adopted goals is: The Beavercreek Road Concept Plan Area will be a model of sustainable design, development practices, planning, and innovative thinking.

Throughout the development of the concept plan, sustainability has been paramount in guiding the CAC, the City, and the consultant team. The final plan assumes that sustainable practices will be a combination of private initiatives (such as LEED certified buildings), public requirements (green streets and low impact development policies), and public-private partnerships. It is recommended that City use incentives, education and policy support as much as possible for promoting sustainability at Beavercreek Road. Some initiatives will require regulation and City mandates, but caution and balance should be used. At the end of the

day, it is up to the private sector to invest in sustainable development. The Beavercreek Road's site's legacy as a model of sustainable design will depend, in large part on the built projects that are successful in the marketplace and help generate the type of reputation that the community desires and deserves.

The key to fulfilling the above-listed goal will be in the implementation. For the City's part, implementation strategies that support sustainable design will be included within the Oregon City Comprehensive Plan policies and Code provisions. They will be applied during master plan and design review permitting. Some of these strategies will be "required" while other are appropriate to "encourage." These sustainability strategies include:

- Energy efficiency
- Water conservation
- Compact development
- Solar orientation
- Green streets/infrastructure
- Adaptive reuse of existing buildings/infrastructure
- Alternative transportation
- Pedestrian/Cyclist friendly developments
- Natural drainage systems
- Tree preservation and planting to "re-establish" a tree canopy
- Minimizing impervious surfaces
- Sustainability education (builder, residents, businesses and visitors)
- Collaboration with "local" institutional and economic partners, particularly Clackamas Community College and Oregon City High School
- Community-based sustainable programs and activities

## Principles for Sustainable Community Design

The CAC discussed Principles for Sustainable Community Design that were offered by one of the members. These provide a good framework for how the Concept Plan is addressing sustainability.

*Mix Land Uses - Promote a mix of land uses that support living wage jobs and a variety of services.*

All of the sub-districts are, to some degree, mixed use districts. The Mixed Use Village, Main Street and West Mixed Use Neighborhood allow a rich mix of employment, housing, and services. Taken together, the entire 453 acre area will be a complete community.

*Housing Types - Create a range of housing choices for all ages and incomes.*

The concept plan includes housing in many forms: mixed use formats in the 3-5 story buildings, high density apartments and condominiums, live-work units, townhomes, small cottage lots, and low density single family homes.

*Walk-ability - Make the Neighborhood “walkable” and make services “walk-to-able.”*

The plan provides a street and trail framework. The code will require a high level of connectivity and maximum block sizes for most sub-districts. Services are provided throughout the plan as part of mixed use areas and a broad range of permitted uses.

*Transportation - Provide a range of transportation options using a connected network of streets and paths.*

The plan provides for all modes: walking, biking, driving and transit. Transit-supportive land use is specifically required in the Mixed Employment Village, Main Street and West Mixed Use Neighborhoods. The framework of connected streets and paths will be supplemented by a

further-connected system of local streets and walking routes.

*Open Space - Protect and maintain a functioning green space network for a variety of uses.*

Open space is distributed throughout the plan. New green spaces are connected with existing higher-value natural areas.

*Integrate Systems - Integrate ecological and man-made systems to maximize function, efficiency and health.*

Infrastructure systems (green storm water, multi-modal transportation) are highly integrated with the open space network and array of land uses. It will be important for the implementation of the plan to further integrate heating, cooling, irrigation and other man-made systems with the Concept Plan framework.

*Ecological Health - Manage natural resources to eliminate pollution to watersheds and lessen impact on habitat and green infrastructure.*

Methods to achieve this principle are identified in the Stormwater Infrastructure Report. Additionally, the code requires measures to preserve natural resources and eliminate pollution to watersheds necessary to achieve this principle.

*Reuse, Recycle, Regenerate - Reuse existing resources, regenerate existing development areas.*

The principle will be applied primarily at time of development and beyond.

*Green Buildings - Build compact, innovative structures that use less energy and materials.*

The draft code includes provisions for green buildings. This is a new area for the City to regulate, so a public-private Green Building Work Group is recommend to explore issues, build consensus, and develop specific code recommendations.

*Work Together - Work with community members and neighbors to design and develop.*

The development of the alternatives and the recommended plan has been a collaborative process with all project partners. The concept plan process through implementation and subsequent project area developments will continue to be a collaborative process where all stakeholders are invited to participate.

For additional information, please see Technical Appendix, Sections C3, D, and F.

## Metrics

### Land Use

The following table summarizes the acreages for major land uses on the Concept Plan.

Land Use Category (acres)	Hybrid
North Employment Campus (adjusted gross acreage)*	149
Mixed Employment Village	26
Main Street	10
West Mixed Use Neighborhood	22
East Mixed Use Neighborhood	77
<b>Total Acres of "built" land use</b>	<b>284</b>
<b>Other Land Uses (not "built")</b>	
Parks/Open Space/Natural Areas (Total)**	113
Major ROW+	56
Existing Uses (unbuildable)	0
<b>Total Project Area Gross Acres</b>	<b>453</b>

\*Adjusted gross acreage is the sum of 50% of the employment land use shown under the powerline easement plus all other unconstrained employment land use areas. Calculations shown below:

Land Use Category (acres)	Hybrid
Total North Employment Campus	175
<b>Unconstrained NEC</b>	<b>123</b>
Employment with powerline overlay	52
<b>Useable portion of powerline overlay (50%)</b>	<b>26</b>
<b>North Employment Campus (adjusted gross acreage)*</b>	<b>149</b>



### Housing and Employment Estimates

The Concept Plan has an estimated capacity for approximately 5000 jobs and 1000 dwellings. The following table displays the estimates and assumptions used to estimate jobs and housing. On a net acreage, these averages are 33 jobs/ net developable acre and 10.3 dwellings/ net developable acre.

Land Use Category	Hybrid Gross Acres	Hybrid Net Acres*	FAR/Acre**	SF/Job**	# of Jobs***	Avg. Units/Acre	# of Units+
North Employment Campus (adjusted gross acreage)	149	127	0.3	450	3,678		
Mixed Employment Village	26	21	0.44	350	1,139		
Main Street****	10	8	0.44	350	219	25	100
West Mixed Use Neighborhood	22	18			15	22	387
East Mixed Use Neighborhood	77	62			21	8.7	536
<b>Total # of Jobs</b>					<b>5,073</b>		
<b>Total # of Housing Units</b>							<b>1,023</b>
<b>Total Acres of Developed Land++</b>	<b>284</b>	<b>235</b>					

\*For Hybrid - Net acres equals gross acres minus 15% for local roads and easements in Employment. Mixed Employment, Mixed Use, and residential areas assume 20% for local roads and easements

\*Based on Metro 2002-2022 Urban Growth Report: An Employment Land Need Analysis. Includes total on site employment (full and part time). Mixed Employment FAR and job density reflects a mix of office, tech/flex, and ground floor retail.

\*\*\*Number of Jobs in Employment, Mixed Employment, Mixed Use calculated by multiplying total acres by the FAR; Converting to square feet; and dividing by number of jobs/square foot. Jobs in residential areas (Work at Home Jobs) estimated at 4% (potential could be as high as 15%).

\*\*\*\* Mixed Use land use assumes 50% of acreage devoted to commercial uses and the remaining 50% devoted to vertical mixed use.

+Number of units calculated by multiplying total net acres of residential land use by average units per acre

++Includes 50% of useable power line corridor (26 acres total) as part of developed land (included in Employment land area)

+++Does not include powerline corridor acreage as part of developed land

## VI. Goals and Policies

The following goals and policies are recommended for adoption into the Oregon City Comprehensive Plan. The goal statements are those developed by the Citizen Advisory Committee as goals for the plan.

### Goal 1 Complete and Sustainable Community

Create a complete and sustainable community, in conjunction with the adjacent land uses, that integrates a diverse mix of uses, including housing, services, and public spaces that are necessary to support a thriving employment center.

#### Policy 1.1

Adopt new comprehensive plan and zone designations, and development code, that implement the Beavercreek Concept Plan. Require all development to be consistent with the Concept Plan and implementing code.

#### Policy 1.2

Establish sub-districts to implement the Concept Plan. The sub-districts are:

#### North Employment Campus – NEC

The purpose of the North Employment Campus is to provide for the location of family wage employment that strengthens and diversifies the economy. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of sites for employment by limiting

incompatible uses. The sub-district is intended to comply with Metro's Title 4 regulations. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College (CCC) are encouraged to help establish a positive identity for the area and support synergistic activity between CCC and NEC properties. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

#### Mixed Employment Village – MEV

The purpose of the Mixed Employment Village is to provide employment opportunities in an urban, pedestrian friendly, and mixed use setting. The MEV is intended to be transit supportive in its use mix, density, and design so that transit remains an attractive and feasible option. The MEV allows a mix of retail, office, civic and residential uses that make up an active urban district and serve the daily needs of adjacent neighborhoods and Beavercreek Road sub-districts. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College and Oregon City High School are encouraged. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

#### Main Street – MS

The purpose of this small mixed-use center is to provide a focal point of pedestrian activity. The MS allows small scale commercial, mixed use and services that serve the daily needs of the surrounding area. "Main Street" design will include buildings oriented to the street, and minimum of 2 story building scale, attractive streetscape, active ground floor uses and other elements that reinforce pedestrian oriented character and vitality of the area.

### West Mixed Use Neighborhood – WMU

The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood. This area allows a transit supportive mix of housing, live/work units, mixed use buildings and limited commercial uses. A variety of housing and building forms is required, with the overall average of residential uses not exceeding 22 dwelling units per acre. The WMU area's uses, density and design will support the multi-modal transportation system and provide good access for pedestrians, bicycles, transit and vehicles. Site and building design will create a walkable area and utilize cost effective green development practices.

### East Mixed Use Neighborhood – EMU

The East Mixed Use Neighborhood will be a walkable and tree-lined neighborhood with a variety of housing types. The EMU allows for a variety of housing types while maintaining a low density residential average not exceeding the densities permitted in the R-5 zone. Limited non-residential uses are permitted to encourage a unique identity, sustainable community, and in-home work options. The neighborhood's design will celebrate open space, trees, and relationships to public open spaces. The central open space, ridge open space scenic viewpoints, and a linked system of open spaces and trails are key features of the EMU. Residential developments will provide housing for a range of income levels, sustainable building design, and green development practices.

### Policy 1.3

Within the Northern Employment Campus sub-district, support the attraction of family wage jobs and connections with Clackamas Community College.

### Policy 1.4

Within the Mixed Employment Village and Main Street sub-districts, promote job creation, mixed use and transit oriented development. Adopt minimum densities, limitations on stand-alone residential developments, and other standards that implement this policy.

### Policy 1.5

The Main Street sub-district may be located along the extension of Glen Oak Road and not exceed 10 gross acres. The specific configuration of the MS sub-district may be established as part of a master plan.

### Policy 1.6

Within the West and East Mixed Use Neighborhoods, require a variety of housing types. Allow lot size averaging and other techniques that help create housing variety while maintaining overall average density.

### Policy 1.7

Within the MEV, MS, WMU and EMU sub-districts, require master plans to ensure coordinated planning and excellent design for relatively large areas (e.g. 40 acres per master plan). Master plans are optional in the NEC due to the larger lot and campus industrial nature of the area.

## Goal 2 Model of Sustainable Design

Be a model of sustainable design, development practices, planning, and innovative thinking.

### Policy 2.1

Implement the Sustainable Storm Water plan recommended in the Concept Plan. During site specific design, encourage innovative system design and require low impact development practices that manage water at the site, street and neighborhood scales.

### Policy 2.2

Storm water facilities will be designed so they are amenities and integrated into the overall community design.

### Policy 2.3

Support public and private sector initiatives to promote sustainable design, development practices and programs, including but not limited to:

- Energy efficiency
- Water conservation
- Compact development
- Solar orientation
- Green streets/infrastructure
- Adaptive reuse of existing buildings/infrastructure
- Alternative transportation
- Pedestrian/Cyclist friendly developments
- Natural drainage systems
- Tree preservation and planting to “re-establish” a tree canopy
- Minimizing impervious surfaces

- Sustainability education (builder, residents, businesses and visitors)
- Collaboration with “local” institutional and economic partners, particularly Clackamas Community College and Oregon City High School
- Community based sustainable programs and activities

### Policy 2.4

Work with stakeholders and the community to develop LEED or equivalent green building standards and guidelines to apply in the Concept Plan area.

## Goal 3 Green Jobs

Attract “green” jobs that pay a living wage.

### Policy 3.1

Coordinate with county, regional and state economic development representatives to recruit green industry to the Concept Plan area.

### Policy 3.2

Promote the Concept Plan area as a place for green industry.

### Policy 3.3

Work with Clackamas Community College to establish programs and education that will promote green development within the Concept Plan area.



## Goal 4 Sustainable Industries

Maximize opportunities for sustainable industries that serve markets beyond the Portland region and are compatible with the site's unique characteristics.

### Policy 4.1

As master plans are approved, ensure there is no net loss of land designated North Employment Campus.

### Policy 4.2

Coordinate with County, regional and state economic development representatives to recruit sustainable industries that serve markets beyond the Portland region.

## Goal 5 Natural Beauty

Incorporate the area's natural beauty into an ecologically compatible built environment.

### Policy 5.1

Incorporate significant trees into master plans and site specific designs. Plant new trees to establish an extensive tree canopy as part of the creation of an urban community.

### Policy 5.2

Provide scenic viewpoints and public access along the east ridge.

### Policy 5.3

Protect views of Mt Hood and locate trails and public areas so Mt Hood can be viewed within the community

### Policy 5.4

Establish open space throughout the community consistent with the Open Space Framework Plan. Allow flexibility in site specific design of open space, with no net loss of total open space area.

### Policy 5.5

Protect steeply sloped and geologically sensitive areas along the east ridge from development.

## Goal 6 Multi-modal Transportation

Provide multi-modal transportation links (such as bus routes, trails, bike-ways, etc.) that are connected within the site as well as to the surrounding areas.

### Policy 6.1

Work with Tri-Met and stakeholders to provide bus service and other alternatives to the Concept Plan area.

### Policy 6.2

As land use reviews and development occur prior to extension of bus service, ensure that the mix of land uses, density and design help retain transit as an attractive and feasible option in the future.

### Policy 6.3

Ensure that local street connectivity and off-street pedestrian routes link together into a highly connected pedestrian system that is safe, direct, convenient, and attractive to walking.

### Policy 6.4

The "walkability" of the Concept Plan area will be one of its distinctive qualities. The density of walking routes and connectivity should mirror

the urban form – the higher the density and larger the building form, the “finer” the network of pedestrian connections.

### Policy 6.5

Require trails to be provided consistent with the Concept Plan Circulation Framework.

### Policy 6.6

Provide bike lanes on Beavercreek Road and all collector streets, except for Main Street. The City may consider off-street multi-use paths and similar measures in meeting this policy. Bike routes will be coordinated with the trails shown on the Circulation Framework.

## Goal 7 Safety Along Beavercreek Road

Implement design solutions along Beavercreek Road that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand.

### Policy 7.1

Design Beavercreek Road to be a green street boulevard that maximizes pedestrian safety.

### Policy 7.2

Work with the County and State to establish posted speeds that are safe for pedestrians and reinforce the pedestrian-oriented character of the area.

### Policy 7.3

Control access along the east side of Beavercreek Road so that full access points are limited to the intersections shown on the Circulation Framework. Right in-Right-out access points may be considered as part of master plans or design review.

## Goal 8 Oregon City High School and Clackamas Community College

Promote connections and relationships with Oregon City High School and Clackamas Community College.

### Policy 8.1

Coordinate with OCHS and CCC when recruiting businesses and promoting sustainability. Within one year of adoption of the Concept Plan, the City will convene dialogue with OCHS, CCC and other relevant partners to identify target industries and economic development strategies that are compatible with the vision for the Concept Plan. Encourage curricula that are synergistic with employment and sustainability in the Concept Plan area.

### Policy 8.2

Prior to application submittal, require applicants to contact OCHS and CCC to inform them and obtain early comment for master plans and design review applications.

### Policy 8.3

Improving the level-of-service and investing in the Highway 213 corridor improves the freight mobility along Highway 213, which provides access to Beavercreek Road and the Concept Plan area. Protecting the corridor and intersections for freight furthers the City goal of providing living-wage employment opportunities in the educational, and research opportunities to be created with CCC and OCHS.

## Goal 9 Unique Sense of Place

Have a unique sense of place created by the mix of uses, human scale design, and commitment to sustainability.

### Policy 9.1

Utilize master plans and design review to ensure detailed and coordinated design. Allow flexibility in development standards and the configuration of land uses when they are consistent with the comprehensive plan, development code, and vision to create a complete and sustainable community.

### Policy 9.2

Implement human scale design through building orientation, attractive streetscapes, building form/architecture that is matched to the purpose of the sub-district, location of parking, and other techniques. The design qualities of the community should mirror the urban form – the higher the density and larger the buildings, the higher the expectation for urban amenities and architectural details.

### Policy 9.3

Density should generally transition from highest on the west to lowest in the eastern part of the site.

### Policy 9.4

Promote compatibility with existing residential areas at the north and south end of the Concept Plan area. Transition to lower densities, setbacks, buffers and other techniques shall be used.

## Goal 10 Ecological Health

Manage water resources on site to eliminate pollution to watersheds and lessen impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.

### Policy 10.1

Utilize low impact development practices and stormwater system designs that mimic natural hydrologic processes, minimize impacts to natural resources and eliminate pollution to watersheds.


### Policy 10.2

Prepare the Environmentally Sensitive Resource Area overlay to protect, conserve and enhance natural areas identified on the Concept Plan. Apply low-density base zoning that allows property owners to cluster density outside the ESRA and transfer to other sites.

## Appendix

1. Project Goals
2. Concept Plan Alternatives
3. GIS Analysis Map
4. Job and Housing Estimates



	<p>To: Beaver Creek Road Concept Plan Citizens and Technical Advisory Committees</p> <p>From: Tony Konkol</p> <p>Date: March 13, 2007</p> <p>Subject: Project Goals with Objectives</p>
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The following project goals and supplemental objectives were prepared using the *Ideas we Like*, *Principles of Sustainable Development*, and the Advisory Committees' long-term vision for the project area. This update reflects input by the Citizens and Technical Advisory Committees at their March 8<sup>th</sup>, 2007 meeting.

The Beaver Creek Road Concept Plan Area will:

#### Goal

1. Create a **complete community**, in conjunction with the adjacent land uses, that integrates a diverse mix of uses, including housing, services, and public spaces that are necessary to support a thriving employment center;

#### Objective 1.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

#### Objective 1.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

#### Objective 1.3

Continue to coordinate with the Oregon City School District and Clackamas Community College to identify partnerships, land needs and programs that would be beneficial to all parties and contribute to the community.

#### Objective 1.4

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services, and housing for local workers and residents of all ages and incomes.

#### Objective 1.5

Become a model of sustainability that may be implemented throughout the City.

#### Objective 1.6

Allow the integration of housing and employment uses where practicable.

#### Objective 1.7

Work with Metro to ensure that there is enough land available within the Beaver Creek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

2. Be a **model of sustainable design**, development practices, planning, and innovative thinking;

Objective 2.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 2.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 2.3

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 2.4

Encourage environmentally responsible developments that are economically feasible, enhance livability of neighborhoods and enhance the natural environment.

Objective 2.5

Investigate development standards that offer incentives for developments that exceed energy efficiency standards and meets green development requirements and goals.

3. Attract **“green” jobs** that pay a living wage;

Objective 3.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 3.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 3.3

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 3.4

Allow the integration of housing and employment uses where practicable.

Objective 3.5

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 3.6

Create a “brand” for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

4. Maximize opportunities for **sustainable industries that serve markets beyond the Portland region** and are compatible with the site’s unique characteristics;

Objective 4.1

Create a “brand” for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

Objective 4.2

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 4.3

Support locally based and founded employers that provide living wages jobs.

Objective 4.4

Support the development of sustainable industries that utilize green design standards and development practices.

5. Incorporate the area’s **natural beauty** into an ecologically compatible built environment;

Objective 5.1

Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

Objective 5.2

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 5.3

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 5.4

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

6. Provide **multi-modal transportation links** (such as bus routes, trails, bike-ways, etc.) that are connected within the site as well as to the surrounding areas;

Objective 6.1

Provide public connectivity routes for bicycles and pedestrians that encourage non-vehicular trips to employment, retail and recreational areas within the study area and to the communities beyond.

Objective 6.2

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.

Objective 6.3

Explore local and regional transit opportunities that will increase non-single occupancy vehicle travel.

7. Implement **design solutions along Beavercreek Road** that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand;

Objective 7.1

Develop and maintain a multi-modal transportation system that is safe for all users and will minimize conflict points between different modes of travel, especially across Beavercreek Road to the existing neighborhoods, Clackamas Community College, Oregon City High School and the Berry Hill Shopping Center.

Objective 7.2

Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

8. Promote connections and relationships with **Oregon City High School and Clackamas Community College;**

Objective 8.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 8.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 8.3

Continue to coordinate with the Oregon City School District and Clackamas Community College to identify partnerships, land needs and programs that would be beneficial to all parties and contribute to the community.

9. Have a **unique sense of place** created by the mix of uses, human scale design, and commitment to sustainability.

Objective 9.1

Provide public connectivity routes for bicycles and pedestrians that encourage non-vehicular trips to employment, retail and recreational areas within the study area and to the communities beyond.

Objective 9.2

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.

Objective 9.3

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 9.4

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.



Objective 9.5

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 9.6

Allow the integration of housing and employment uses where practicable.

Objective 9.7

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 9.8

Create a “brand” for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

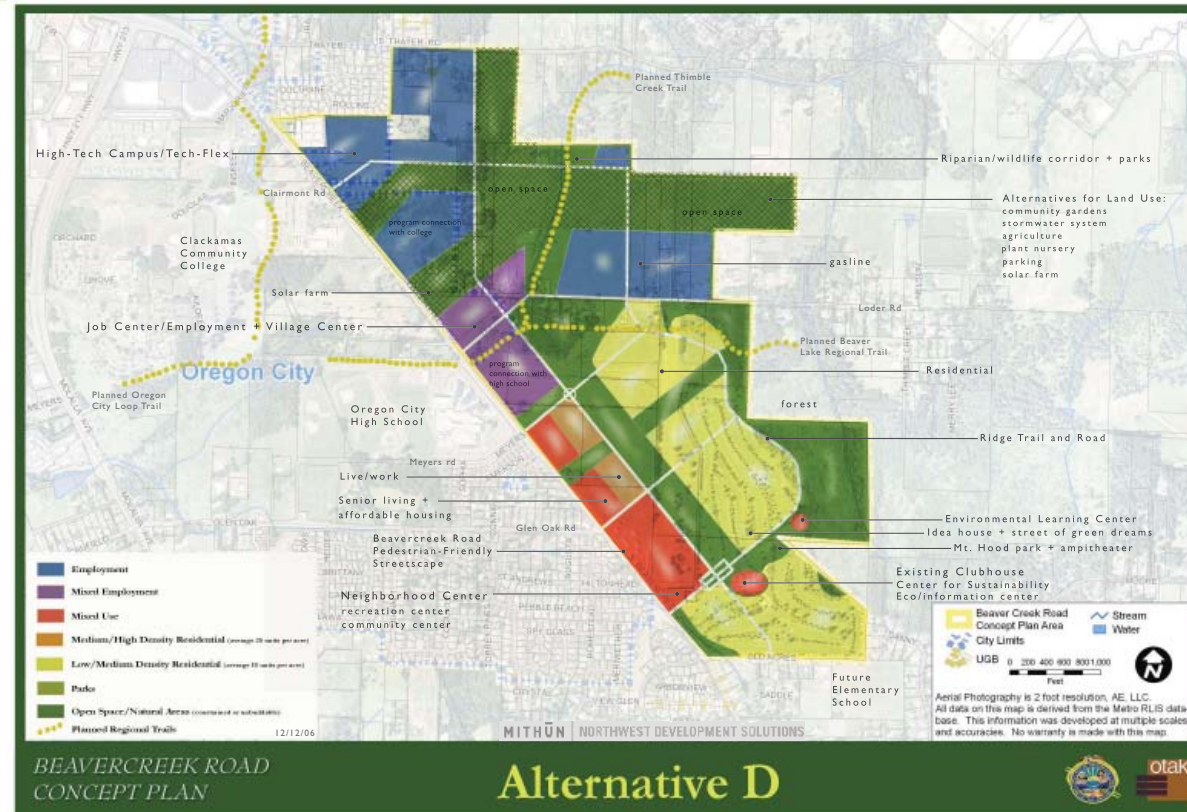
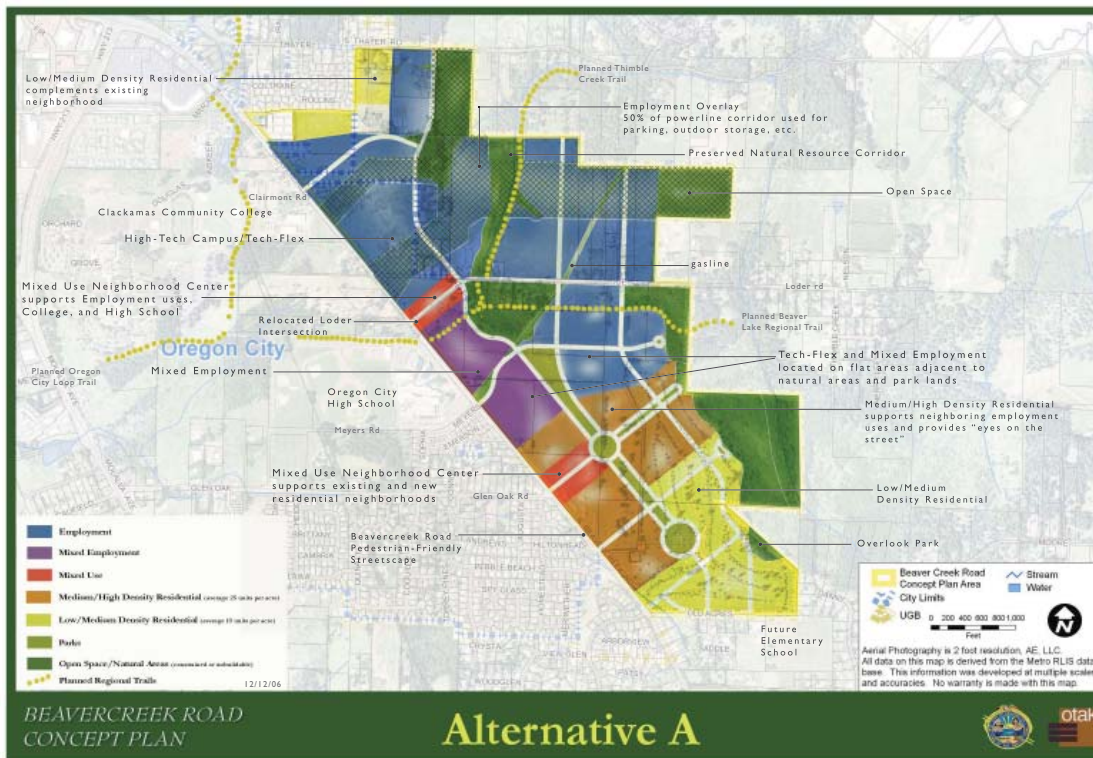
Objective 9.9

Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

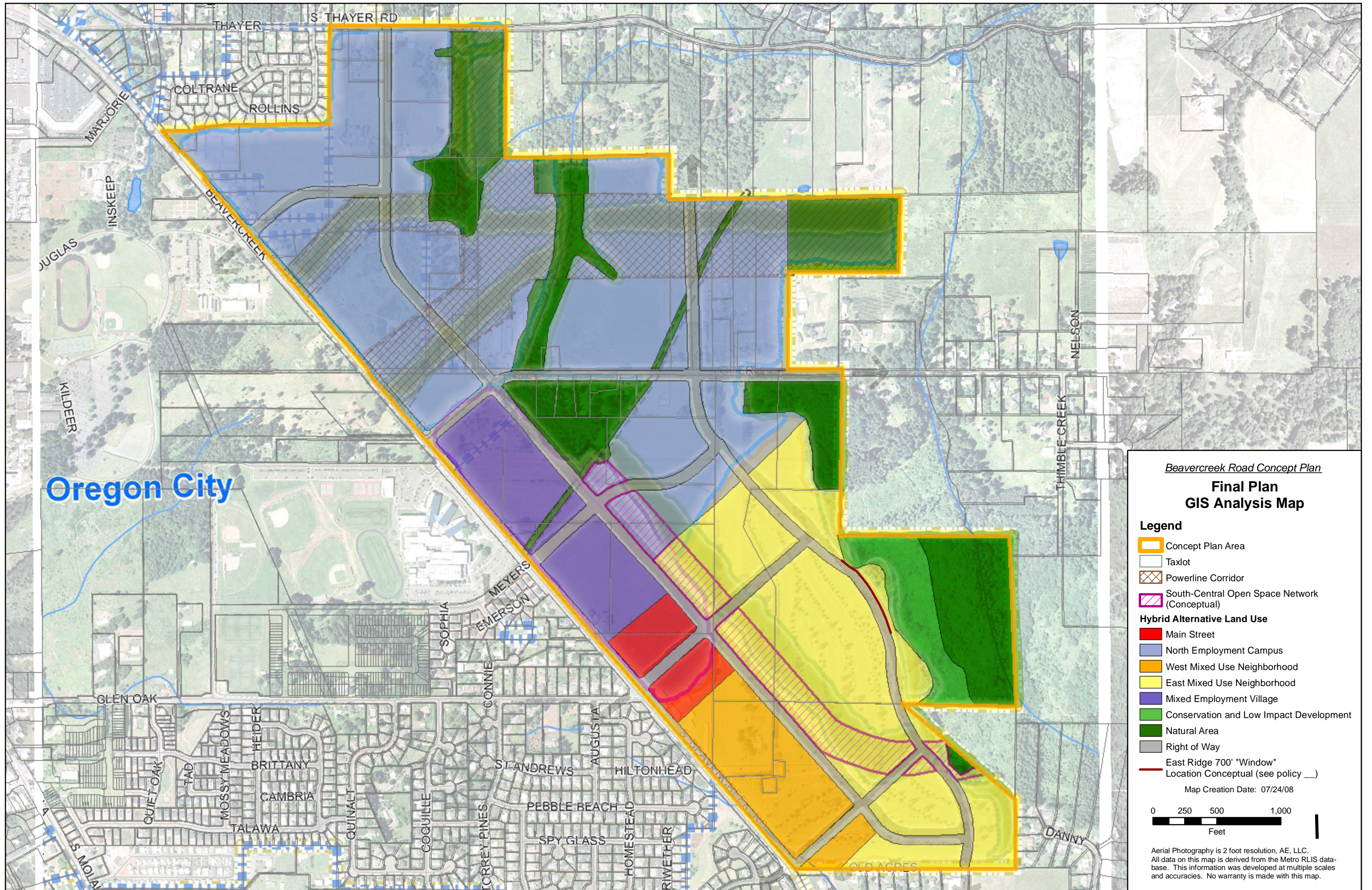
10. Ecological Health – Manage water resources on site to **eliminate pollution to watersheds** and lessen impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.

Objective 10.1

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.









**Table 2**  
**Beavercreek Concept Plan Job & Housing Density Assumptions**  
**Revised - 7/10/07**

<b>Land Use Category</b>	<b>Hybrid Gross Acres</b>	<b>Hybrid Net Acres*</b>	<b>FAR/Acre**</b>	<b>SF/Job**</b>	<b># of Jobs***</b>	<b>Avg. Units/Acre</b>	<b># of Units+</b>
North Employment Campus (adjusted gross acreage)	149	127	0.3	450	3,678		
Mixed Employment Village	26	21	0.44	350	1,139		
Main Street****	10	8	0.44	350	219	25	100
West Mixed Use Neighborhood	22	18			15	22	387
East Mixed Use Neighborhood	77	62			21	8.7	536
<b>Total # of Jobs</b>					<b>5,073</b>		
<b>Total # of Housing Units</b>							<b>1,023</b>
<b>Total Acres of Developed Land++</b>	<b>284</b>	<b>235</b>					
<b>Land Use Category</b>	<b>Plan A Gross Acres</b>	<b>Plan A Net Acres*</b>	<b>FAR/Acre**</b>	<b>SF/Job**</b>	<b># of Jobs***</b>	<b>Avg. Units/Acre</b>	<b># of Units+</b>
Employment (adjusted gross acreage)	139	118	0.3	450	3,431		
Mixed Employment	24	20	0.44	350	1,117		
Mixed Use****	10	9	0.44	350	233	25	106
Medium/High Density Residential	50	43			43	25	1,063
Low/Medium Density Residential	53	45			18	10	451
<b>Total # of Jobs</b>					<b>4,841</b>		
<b>Total # of Housing Units</b>							<b>1,619</b>
<b>Total Acres of Developed Land++</b>	<b>276</b>	<b>235</b>					
<b>Land Use Category</b>	<b>Plan D Gross Acres</b>	<b>Plan D Net Acres*</b>	<b>FAR/Acre**</b>	<b>SF/Job**</b>	<b># of Jobs***</b>	<b>Avg. Units/Acre</b>	<b># of Units+</b>
Employment (adjusted gross acreage)	84	71	0.3	450	2,073		
Mixed Employment	25	21	0.44	350	1,164		
Mixed Use****	29	25	0.44	350	675	25	308
Medium/High Density Residential	9	8			8	25	191
Low/Medium Density Residential	99	84			34	10	842
<b>Total # of Jobs</b>					<b>3,953</b>		
<b>Total # of Housing Units</b>							<b>1,341</b>
<b>Total Acres of Developed Land+++</b>	<b>246</b>	<b>209</b>					

\*For Hybrid - Net acres equals gross acres minus 15% for local roads and easements in Employment. Mixed Employment, Mixed Use, and residential areas assume 20% for local roads and easements

\* \*Based on Metro 2002-2022 Urban Growth Report: An Employment Land Need Analysis. Includes total on site employment (full and part time). Mixed Employment FAR and job density reflects a mix of office, tech/flex, and ground floor retail.

\*\*\*Number of Jobs in Employment, Mixed Employment, Mixed Use calculated by multiplying total acres by the FAR; Converting to square feet; and dividing by number of jobs/square foot. Jobs in residential areas (Work at Home Jobs) estimated at 4% (potential could be as high as 15%).

\*\*\*\* Mixed Use land use assumes 50% of acreage devoted to commercial uses and the remaining 50% devoted to vertical mixed use.

+Number of units calculated by multiplying total net acres of residential land use by average units per acre

++Includes 50% of useable power line corridor (26 acres total) as part of developed land (included in Employment land area)

+++Does not include powerline corridor acreage as part of developed land



**Table 3**  
**Land Use Metrics/Assumptions - HYBRID**  
**Revised - 7/10/07**

<b>Land Use Category (acres)</b>	<b>Hybrid</b>	<b>Alt. A</b>	<b>Alt. D</b>
North Employment Campus (adjusted gross acreage)*	149	139	84
Mixed Employment Village	26	24	25
Main Street	10	10	29
West Mixed Use Neighborhood	22	50	9
East Mixed Use Neighborhood	77	53	99
<b>Total Acres of "built" land use</b>	<b>284</b>	<b>276</b>	<b>246</b>
<b>Other Land Uses (not "built")</b>			
Parks/Open Space/Natural Areas (Total)**	113	132	166
Major ROW+	56	36	30
Existing Uses (unbuildable)	0	7	7
<b>Total Project Area Gross Acres</b>	<b>453</b>	<b>~450</b>	<b>~450</b>

\***Adjusted gross acreage** is the sum of 50% of the employment land use shown under the powerline easement plus all other unconstrained employment land use areas. Calculations shown below:

<u>Land Use Category (acres)</u>	<u>Hybrid</u>	<u>Alt. A</u>	<u>Alt. D</u>
Total North Employment Campus	175	166	84
<b>Unconstrained NEC</b>	<b>123</b>	<b>111</b>	<b>84</b>
Employment with powerline overlay	52	55	0
<b>Useable portion of powerline overlay (50%)</b>	<b>26</b>	<b>28</b>	<b>na</b>
<b>North Employment Campus (adjusted gross acreage)*</b>	<b>149</b>	<b>139</b>	<b>84</b>

\*\* Open Space/Natural areas is the sum of all "unbuildable lands" as shown on the *Buildable Lands Map* plus two areas under the powerlines. Calculations shown below.

<u>Open Space/Natural Areas Break-Out</u>	<u>Hybrid</u>	<u>Alt. A</u>	<u>Alt. D</u>
Open Space -Gas Overlay	3	4	4
Open Space - Unbuildable Powerlines***	48	49	0
Environmental Resources/ <i>Buildable Lands Map</i>	61	61	61
Parks	na	12	na
Other Open Space Areas	18	6	101
<b>Open Space/Natural Areas (Total)</b>	<b>130</b>	<b>132</b>	<b>166</b>

\*\*\***For Hybrid** - Unbuildable Powerlines area includes 12 acres on east edge of site under powerlines plus 50% of employment area under powerlines (~26 acres) and the PGE parcel (10 acres). **For Alt. A** - Unbuildable Powerlines area includes 12 acres on east edge of site under powerlines and 10 acres of the PGE Parcel and 50% of powerline area (27 acres).

+Major ROW are approximate location & acreage (may be shown as crossing natural resource areas. Actual location and size of ROW will be addressed during development review/master planning). Includes 2 acre adjustment for GIS polygon alignment.

# COMMENT FORM



\*\*\*PLEASE PRINT CLEARLY\*\*\*

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to 3 MINUTES.
- Give to the Clerk in Chambers prior to the meeting.

Date of Meeting 10-24-16

Item Number From Agenda 2A

NAME: CHRISTINE KOSINSKI

ADDRESS: Street: \_\_\_\_\_

City, State, Zip: OC

PHONE NUMBER: \_\_\_\_\_

E-MAIL ADDRESS: BRITENSHIN@POL.COM

SIGNATURE: Christine Kosinski

# COMMENT FORM



\*\*\*PLEASE PRINT CLEARLY\*\*\*

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to 3 MINUTES.
- Give to the Clerk in Chambers prior to the meeting.

Date of Meeting 10/24/16

Item Number From Agenda \_\_\_\_\_

NAME: JASON POMPEL

ADDRESS: Street: 15644 S. OLD ACRE LN.

City, State, Zip: ORC, OR, 97045

PHONE NUMBER: 503-891-0936

E-MAIL ADDRESS: POMPELS@MSN.COM

SIGNATURE: Jason Pompel



# OREGON CITY PLANNING COMMISSION

## Tally of Votes

Planning Commission Hearing Date: 10.24.2016

### Board Members Present

### Staff Present

Geil	P. WALTER
McGriff	C. RICHTER
Mabee	
Charles Kidwell	
Zach Henkin	
Bob Mahoney	

Agenda Item: 2A. AN-16-0003

Decision: Approve with Conditions    Approve    Deny    Continue to NOV. 14 2016

	Motion:	Second:	Aye:	Nay:	Abstain:	Comments:
Commissioner Geil	1		✓			
Commissioner McGriff			✓			
Commissioner Mabee			✓			
Commissioner Henkin		2	✓			
<del>Commissioner Espe</del>						
Commissioner Mahoney			✓			
Chair Kidwell			✓			

EXCUSED

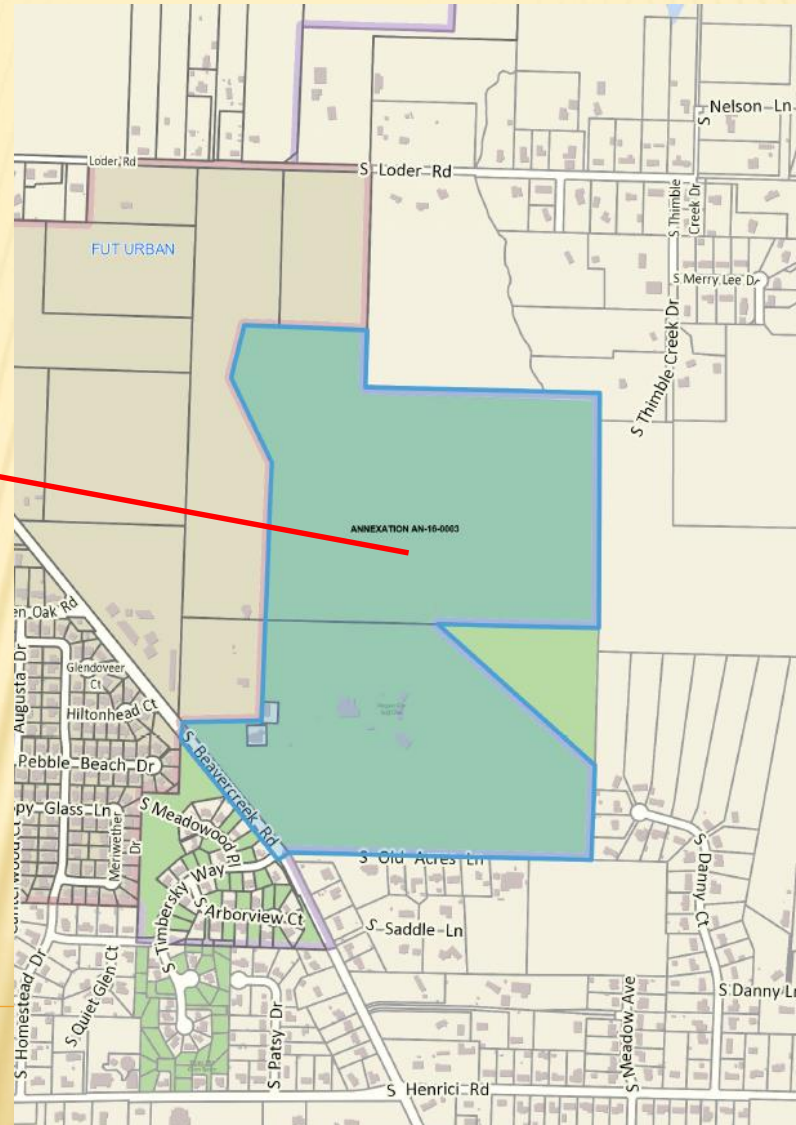
Agenda Item: \_\_\_\_\_

Decision: Approve with Conditions    Approve    Deny    Continue to \_\_\_\_\_

	Motion:	Second:	Aye:	Nay:	Abstain:	Comments:
Commissioner Geil						
Commissioner McGriff						
Commissioner Mabee						
Commissioner Henkin						
Commissioner Espe						
Commissioner Mahoney						
Chair Kidwell						

# CITY OF OREGON CITY ANNEXATION REQUEST - AN-16-03 VICINITY MAP

Subject Site  
117 acres





## AN-16-003 - AERIAL PHOTO





# PLANNING FILE: AN 16-03

## PROPOSAL DESCRIPTION

- Applicant is requesting annexation only, without a zone change
- 20124 S. Beavercreek Rd - Oregon City Golf Course
- Four tax (4) tax lots totaling approximately 117 acres.
- Two existing houses and the existing club house.
- The property is contiguous to the city and does not create any county islands.
- Staff has prepared recommended findings for compliance with the following
  - *Oregon City Municipal Code 14.04.050 – Annexation Procedures*
  - *Oregon City Municipal Code 14.04.050 – Annexation Grounds*
  - *Metro Code 3.09 – Local Government Boundary Changes*
  - *ORS 222, Boundary Changes; Mergers & Consolidations*
  - *OAR 660-012-0060 (Transportation Planning Rule)*

***WHEN REVIEWING A PROPOSED ANNEXATION, THE COMMISSION SHALL CONSIDER THE FOLLOWING FACTORS, AS RELEVANT:***

1. Adequacy of access to the site.
2. Conformity of the proposal with the City's Comprehensive Plan.
3. Adequacy and availability of public facilities and services to service potential development.
4. Compliance with applicable sections of Oregon Revised Statutes Chapter 222 and Metro Code 3.09.
5. Natural hazards identified by the City, such as wetlands, floodplains and steep slopes.
6. Any significant adverse effects on specially designated open space, scenic, historic or natural resource areas by urbanization of the subject property at the time of annexation.
7. Lack of any significant adverse effects on the economic, social and physical environment of the community by the overall impact of annexation.

## PLANNING FILE: AN 16-03

### ADDITIONAL ITEMS TO BE SUBMITTED INTO RECORD

- Applicant's memo w/ findings for SB 1573 and proposed condition of approval: *"The annexation of this territory will not be filed with the secretary of state until the Beavercreek Road Concept Plan is acknowledged."*
- Applicant's comments on Staff Report (Email) – Staff agrees with these comments.
- Comments of Planning Commissioner Paul Espe

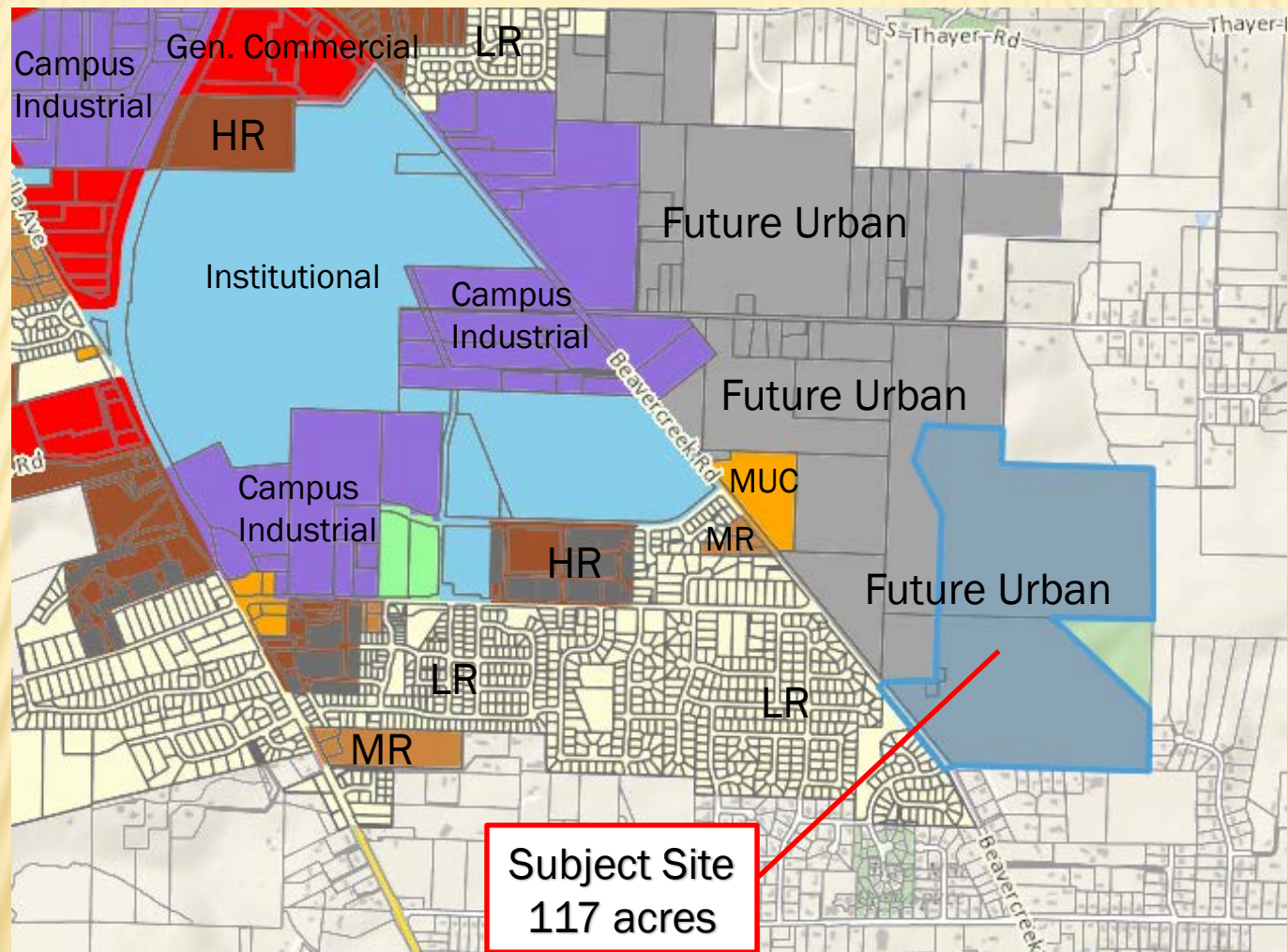


## PLANNING FILE: AN-16-03

To allow time for additional public notice and to respond to comments, staff requests a continuance to November 14, 2016. Therefore staff recommends that the Planning Commission:

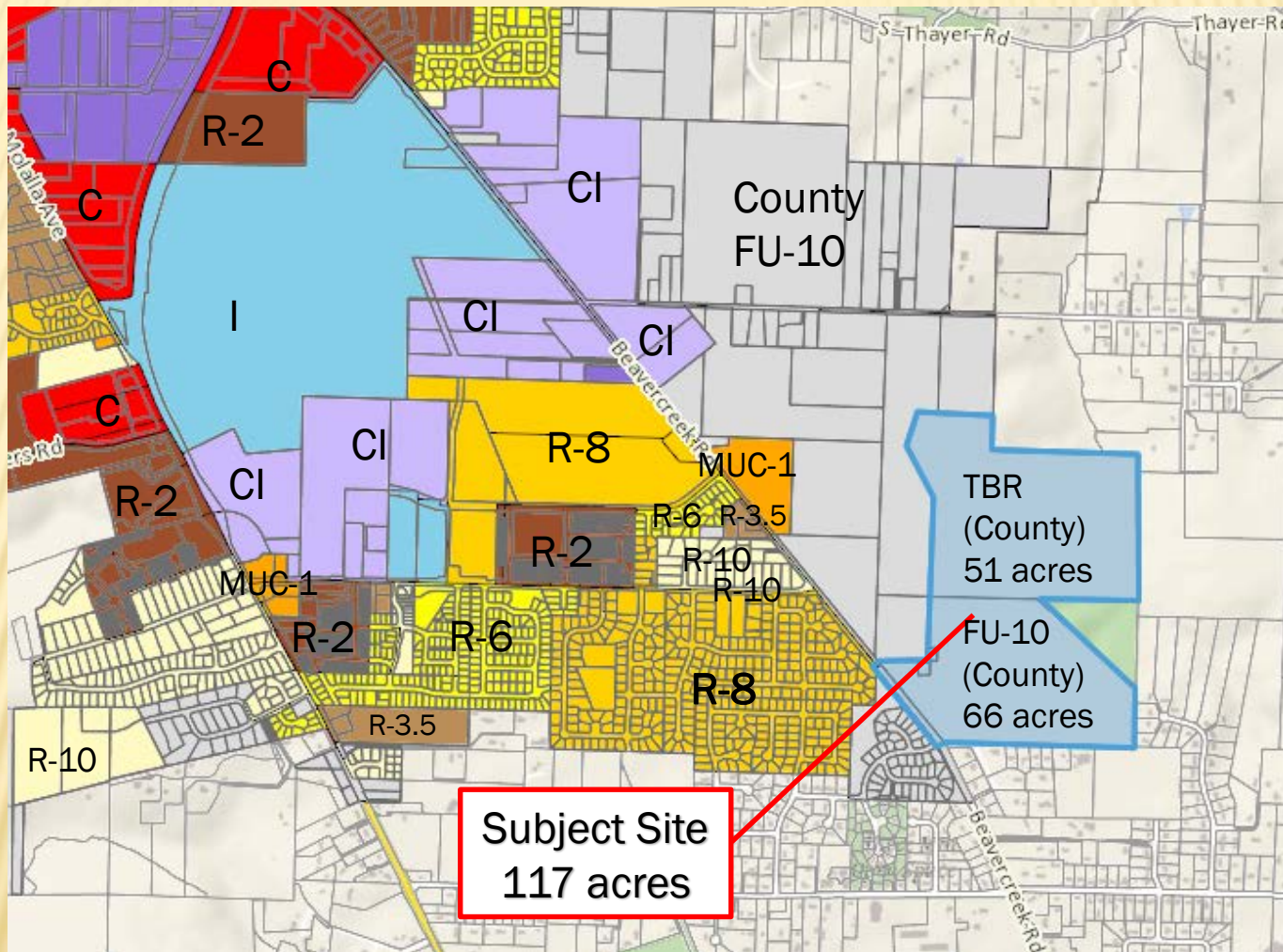
- Hear from the applicant, Brownstone Development
  - Take Public Testimony
  - Continue the public hearing for AN-16-03 to Nov. 14, 2016
- 
- Staff will prepare revised recommended findings which will be available on November 7<sup>th</sup>, 2016
  - Staff will provide a more detailed presentation on the recommended findings and reasons for decision on November 14<sup>th</sup>, 2016
  - Applicant will provide more detailed presentation on the proposal on November 14<sup>th</sup>, 2016.

# AN-16-03 COMPREHENSIVE PLAN DESIGNATIONS



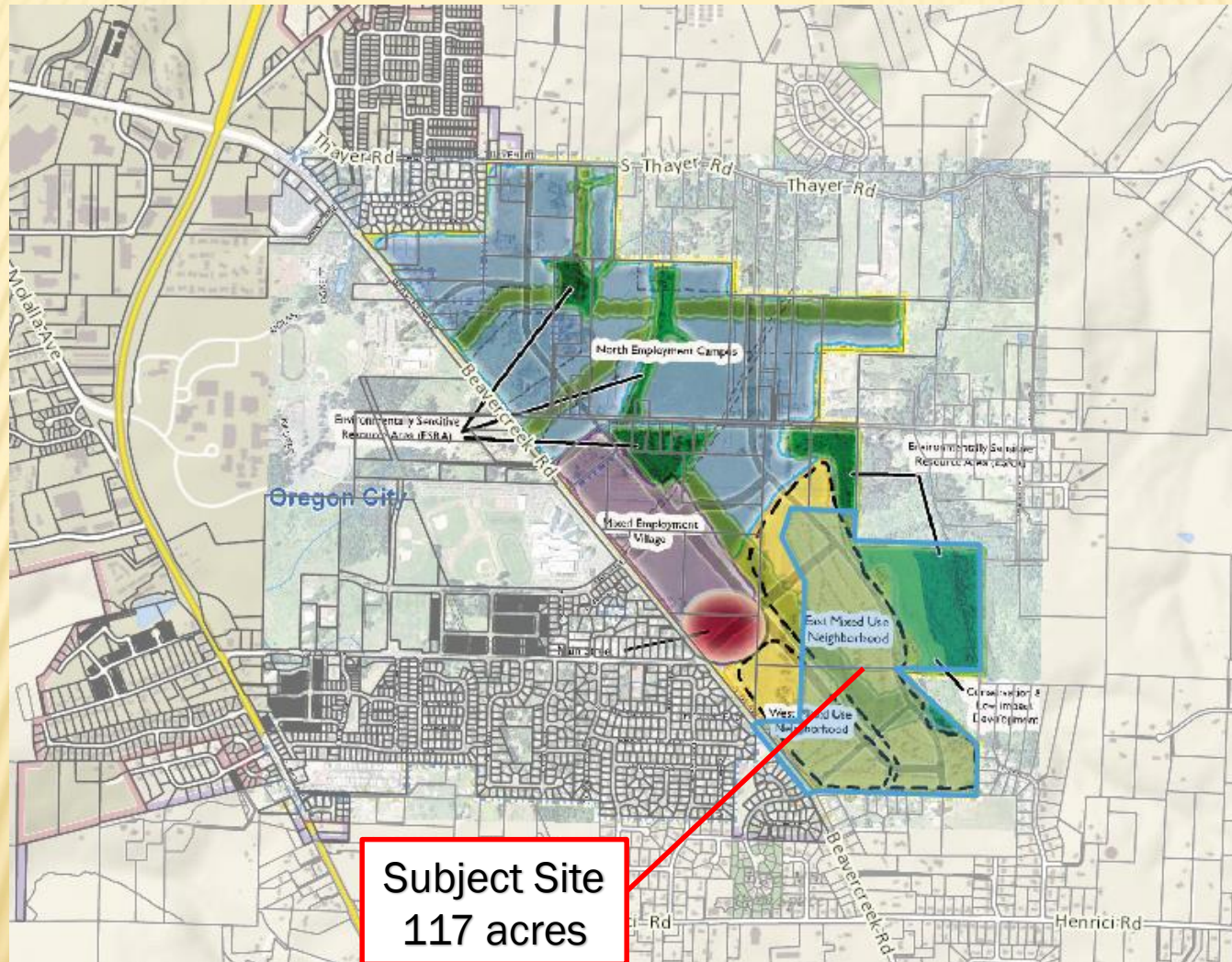


# AN-16-03 ZONING DESIGNATIONS



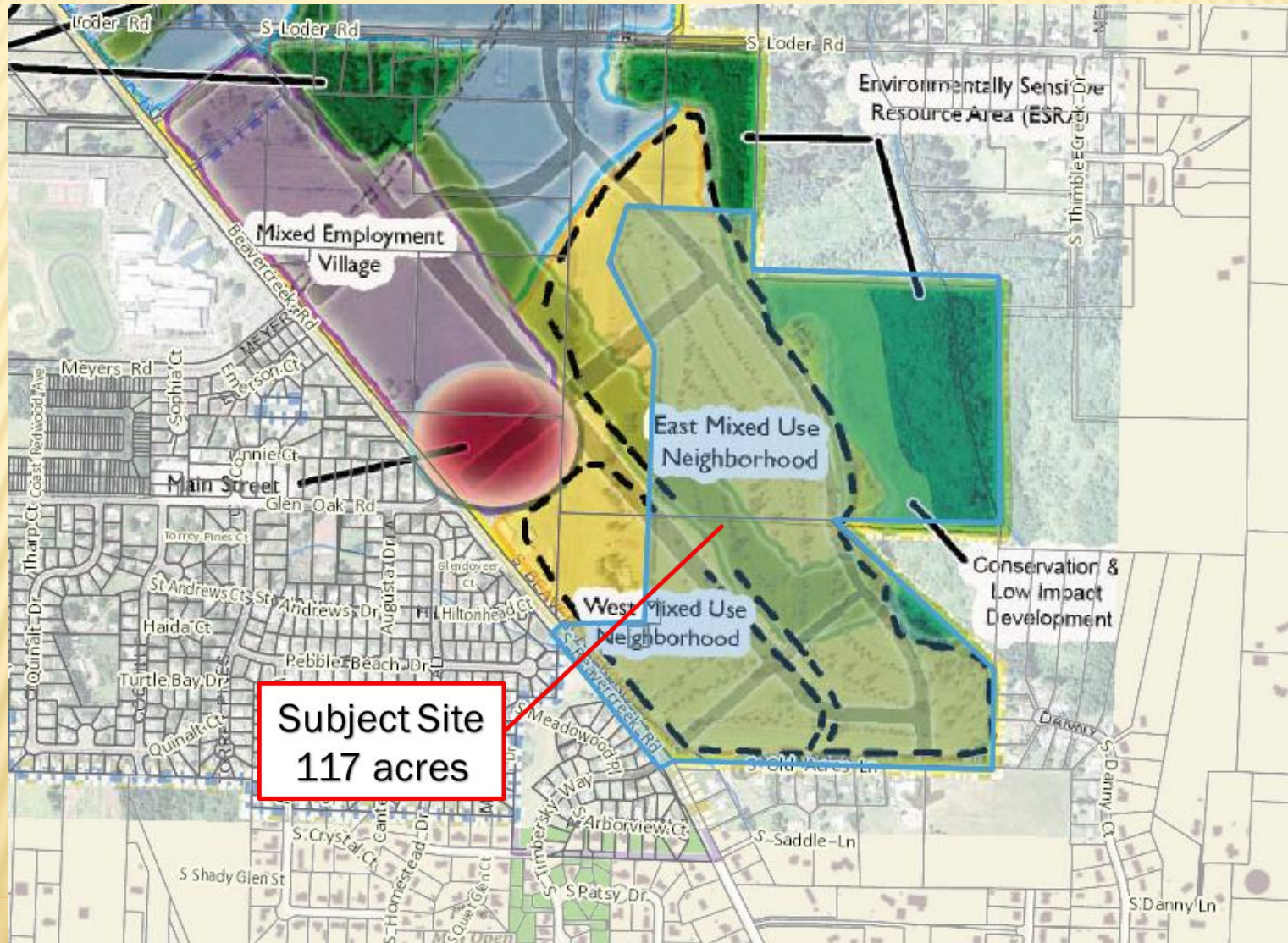


# AN-16-03 BEAVERCREEK ROAD CONCEPT PLAN





# BEAVERCREEK ROAD CONCEPT PLAN



## PLANNING FILE: AN-16-03

To allow time for additional public notice and to respond to comments, staff requests a continuance to November 14, 2016. Therefore staff recommends that the Planning Commission:

- Hear from the applicant, Brownstone Development
  - Take Public Testimony
  - Continue the public hearing for AN-16-03 to Nov. 14, 2016
- 
- Staff will prepare revised recommended findings which will be available on November 7<sup>th</sup>, 2016
  - Staff will provide a more detailed presentation on the recommended findings and reasons for decision on November 14<sup>th</sup>, 2016
  - Applicant will provide more detailed presentation on the proposal on November 14<sup>th</sup>, 2016.





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## MEMORANDUM

**TO:** Pete Walter, Oregon City Planning Department  
**FROM:** Serah Breakstone  
**DATE:** September 6, 2016  
**SUBJECT:** Oregon City Golf Course Annexation (AN-16-0003) Supplemental Submittal Materials

This memo provides findings to demonstrate how the proposed Oregon City Golf Course Annexation complies with Senate Bill 1573, which authorizes annexations to occur without public vote under certain circumstances.

Language from SB 1573 is cited below along with a response that demonstrates how the request complies with these provisions.

### *Senate Bill 1573*

*(1) This section applies to a city whose laws require a petition proposing annexation of territory to be submitted to the electors of the city.*

**Response:** The city of Oregon City has laws that require annexation of territory to be submitted to the electors of the city. Therefore, this section applies.

*(2) Notwithstanding a contrary provision of the city charter or a city ordinance, upon receipt of a petition proposing annexation of territory submitted by all owners of land in the territory, the legislative body of the city shall annex the territory without submitting the proposal to the electors of the city if:*

*(a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015;*

**Response:** The proposed annexation territory is located entirely within the Oregon City urban growth boundary. This criterion is met.

*(b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city;*

**Response:** Although Oregon City has an acknowledged comprehensive plan, the territory to be annexed is in an area that is included in the Beaver Creek Road Concept Plan. The Concept Plan was adopted by the City in March 2016, and is currently the subject of an appeal being considered by the Land Use Board of Appeals (LUBA). Thus, it is not yet acknowledged. Annexations are not effective until they are filed with the Secretary of State, pursuant to ORS 222.180(1).

ENTERED INTO THE RECORD  
DATE RECEIVED: 10/24/16  
SUBMITTED BY: Staff  
SUBJECT: AN-16-0003  
Exhibit A.

## Pete Walter

---

**From:** Breakstone, Serah <sbreakstone@dowl.com>  
**Sent:** Wednesday, October 19, 2016 9:02 AM  
**To:** Pete Walter  
**Subject:** FW: Oregon City Planning Commission Agenda for October 24, 2016, 2016  
**Attachments:** PC Agenda 10.24.2016.pdf

Pete,  
I'm forwarding some comments from Kelly Hossaini regarding the staff report – see below. Please let me know if you have any questions.

Thank you,  
Serah

---

**From:** Hossaini, Kelly [mailto:Kelly.Hossaini@MillerNash.com]  
**Sent:** Tuesday, October 18, 2016 2:26 PM  
**To:** Stapleton, F. Read; Breakstone, Serah  
**Cc:** randy@brownstonehomes.net  
**Subject:** FW: Oregon City Planning Commission Agenda for October 24, 2016, 2016

Read and Serah -

I've taken a look at the staff report and accompanying documents and following are my comments:

1. I don't see Serah's September 6, 2016, memo to Pete re SB 1573 in the record. That should be included.
2. On the top of page 4, Pete characterizes the annexation as a triple majority annexation. On page 17 he characterizes it as a 100% owners annexation. It is the latter and he should revise page 4 to be consistent.
3. On page 4, Pete addresses SB 1573 except that he doesn't include any findings for (b) or (c) consistent with Serah's September 6, 2016, memo. He should revise the staff report to include our answers to those criteria.
4. On page 40, in #10 and in the second bullet point at the bottom of the page, Pete references voter approval of the annexation. There will be no vote, so he needs to delete those references.
5. Also on page 40, Pete needs to add the condition of approval we proposed for SB 1573.

Anything else that I missed? Are we having a meeting tomorrow at 3:30 pm?

Thanks much - Kelly

### Kelly Hossaini

Partner, Real Estate and Land Use Team Leader

#### Miller Nash Graham & Dunn LLP

3400 U.S. Bancorp Tower | 111 S.W. Fifth Avenue | Portland, Oregon 97204  
Direct: 503.205.2332 | Office: 503.224.5858 | Fax: 503.224.0155

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**ENTERED INTO THE RECORD**  
**DATE RECEIVED:** 10/24/16  
**SUBMITTED BY:** staff  
**SUBJECT:** AN-16-0003  
Exhibit B

**CONFIDENTIALITY NOTICE:** This e-mail message may contain confidential or privileged information. If you have received this message by mistake, please do not review, disclose, copy, or distribute the e-mail. Instead, please notify us immediately by replying to this message or telephoning us. Thank you.



## Pete Walter

---

**From:** Espe, Paul <pespe@ci.oswego.or.us>  
**Sent:** Monday, October 24, 2016 4:30 PM  
**To:** Pete Walter  
**Subject:** RE: AN-16-0003

Thanks Pete,

I was in a hurry (what's new?) I removed the second "not"

Paul

---

**From:** Pete Walter [mailto:pwalter@ci.oregon-city.or.us]  
**Sent:** Monday, October 24, 2016 3:51 PM  
**To:** Espe, Paul <pespe@ci.oswego.or.us>  
**Subject:** RE: AN-16-0003

Sorry I meant second sentence. I highlighted it below.

---

**From:** Pete Walter  
**Sent:** Monday, October 24, 2016 3:50 PM  
**To:** 'Espe, Paul' <pespe@ci.oswego.or.us>  
**Subject:** RE: AN-16-0003

Hi Paul,

I see you have a double negative in your first sentence. Did you intend that or do you wish to correct this and resend?

Thanks,

Pete

---

**From:** Espe, Paul [mailto:pespe@ci.oswego.or.us]  
**Sent:** Monday, October 24, 2016 3:16 PM  
**To:** Pete Walter <pwalter@ci.oregon-city.or.us>  
**Subject:** AN-16-0003

Hello Pete

I apologize for the late comments. In general, I do not believe the public services are adequate to serve site. In my opinion, the city needs to find that public facilities are available to serve the territory at future urbanizable levels to approve the annexation. I do not believe the city can claim that that public facilities are adequate merely by identifying them the Beavercreek Master Plan Public Facilities Plan, TSP or other adopted plans. These facilities either need to be in place or will be eminent in the very near future in order for the annexation to be approved. The annexation request is premature and cannot be supported by the Planning Commission until the Beavercreek Master plan has been adopted and specific development agreements with Clackamas County, Tri Cities Sewer District, The Seaside Sewer District and other

ENTERED INTO THE RECORDS  
DATE RECEIVED: 10/24/16  
SUBMITTED BY: Staff  
SUBJECT: AN-16-0003  
EXHIBIT B. C

service providers for these public facilities have been made. Additional specific comments I made while reading the staff report are listed below:

1. Transportation facilities (ie., Beaver Creek and Hwy 213) are not adequate for future urbanization of this area. The report does not discuss these future improvements identified in the Transportation Master Plan, or their timing.
2. Sanitary Sewer Facilities: Not enough information has been provided to determine if Sewer facilities are adequate. Are the current houses and facilities out at the golf course on septic. Is their system function properly? How far away is the existing sewer from the property now? Is it within 300 feet? What is the size of the sewer line in Beaver Creek road Will future development on this site impact existing flows relative to the schools and existing development in the area and is there adequate capacity for future development? What is the capacity of the Tri Cities Sewer District and how will the future urbanization of this area affect this capacity?
3. Are the property owners willing to follow the Beaver Creek Master Plan? Do we have any guarantees that they will? Are they willing to sign and record a revocable annexation contract for them to follow the plan, even though it hasn't been adopted yet? How much open space are they willing to provide?
4. Beaver Creek is a regional highway and serves many more people in surrounding communities than Oregon City traffic. Before I can support this annexation, the City needs to negotiate for more roadway improvements to Beaver Creek – and the intersection with 213 - before the City agrees to annex or change the maintenance jurisdiction of this roadway, not afterward. A 2 inch lift is not adequate for this roadway or other in this vicinity that are likely in need of major road bed improvements.
5. Water: It does not appear that the water system is adequate for the future urbanization of this area. Does the property owner need to install more pipeline or upsize the pump station. How much of these improvements is the property owner willing to do? What kind of guarantees and agreements does the City have in hand today to ensure that the system will be upgraded to adequately serve future development of this territory?
6. Specific quantitative information on the burden to Fire and Police is needed for the annexation and future urbanization of this 114 acre site. Have they specifically said that they will be accommodate development at the future urbanizable levels?
7. Provide a discussion under OCMC Chapter 14.04.050-C (Neighborhood Contact) of the discussion and major issues raised in this meeting.
8. School Capacity: Provide more information on how annexation of the territory will have existing capacity and future capacity of the schools.
9. OCMC 14.04.050(E)(7)(a-g): (Available Public Facilities and Services): c - "Statement of additional facilities" I believe that this criteria *is* applicable. Provide more information on the public facilities needed to support the current and future urbanization of this site, once the territory is annexed.

Thanks,

Paul

**PUBLIC RECORDS LAW DISCLOSURE**

**This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This e-mail is subject to the State Retention Schedule**

---

**From:** Pete Walter [mailto:[pwalter@ci.oregon-city.or.us](mailto:pwalter@ci.oregon-city.or.us)]

**Sent:** Monday, October 17, 2016 5:46 PM

**Subject:** Oregon City Planning Commission Agenda for October 24, 2016, 2016

Please find attached the Agenda for the Planning Commission meeting on October 24, 2016.

All Oregon City Board and Commission agendas, packets, minutes and videos are available on line at <https://oregon-city.legistar.com/Calendar.aspx>

Planning Commission regular meetings are held on the second and fourth Monday of each month unless cancelled.

Please forward and post as required.

Thank you.



Pete Walter, AICP, Planner  
[pwalter@orccity.org](mailto:pwalter@orccity.org)  
Community Development Department  
Planning Division  
221 Molalla Avenue, Ste. 200  
Oregon City, Oregon 97045  
503-496-1568 Direct  
503-722-3789 Front Desk  
503-722-3880 Fax  
Website: [www.orccity.org](http://www.orccity.org)  
New Hours(Sept 2): 8:30 AM – 3:30 PM, M-F



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**PUBLIC RECORDS LAW DISCLOSURE:** This e-mail is subject to the State Retention Schedule and may be made available to the public.

Testimony of: Christine Kosinski, Unincorporated Clackamas County

For: The Oregon City Planning Commission Meeting of October 24<sup>th</sup>, 2016

RE: Agenda Item 2A – AN16-0003 Annexation of Oregon City Golf Course

Before I begin my testimony, I request that the hearing be continued and left open for further testimony. When Oregon City placed Holly Lane, Maplelane and Thayer Roads into the Beavercreek Road Concept Plan and into its TSP upgrade, these roads became part of the Concept Plan development, therefore the property owners on Holly Ln, Maplelane and Thayer should have been noticed by the City for the hearings to propose Annexation for the Oregon City Golf Course. These property owners all sit within 300 feet of Holly, Maplelane and Thayer. The Concept Plan cannot be developed without first developing all three of these streets.

The following Annexation Factors 14.04.060 shall be considered

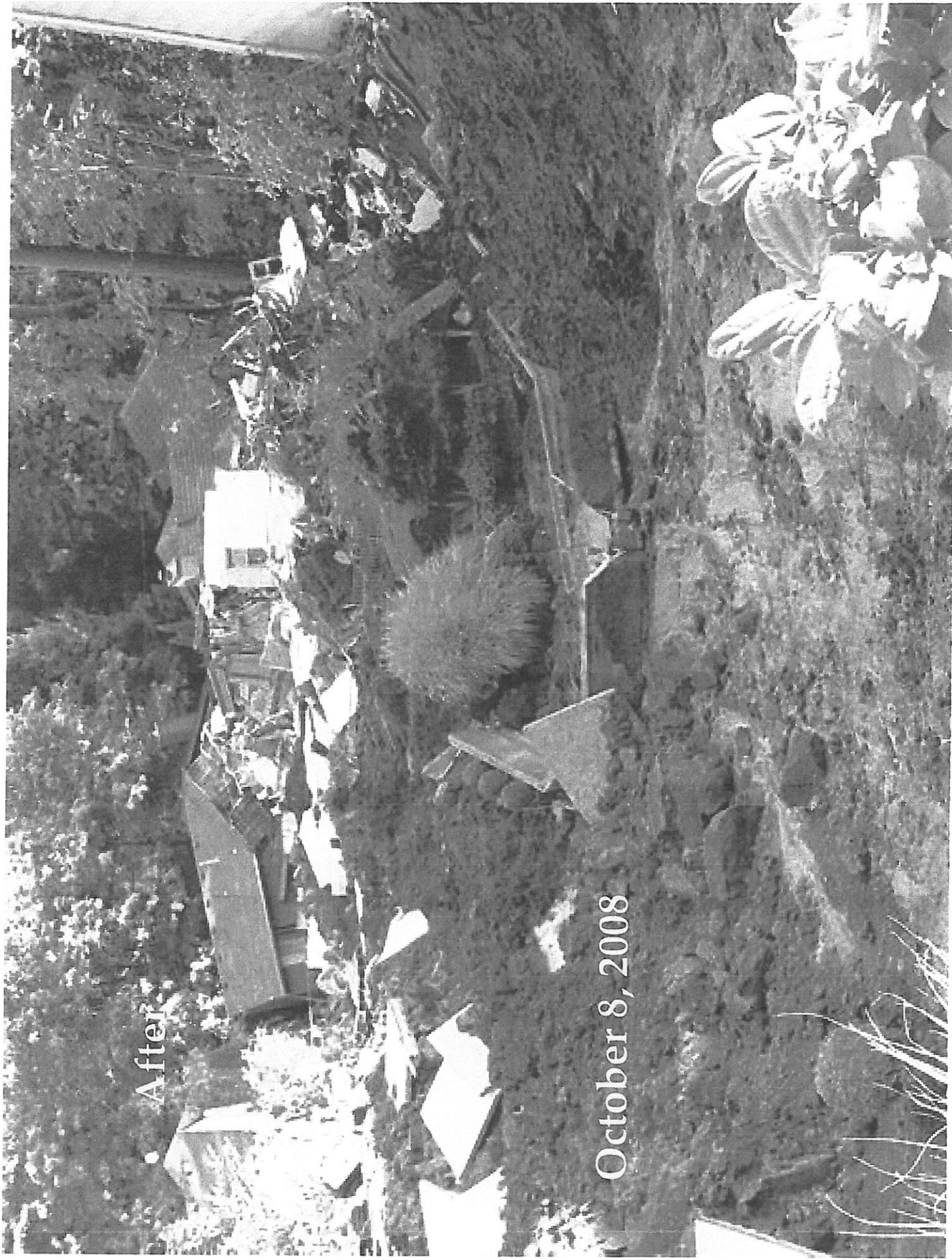
- (1) Adequacy of access to the site.
- (2) Adequacy and availability of public facilities and services to service potential development.
- (3) Provide adequate public information and sufficient time for public review
- (4) Maximize citizen involvement in the annexation review process

-



After

October 8, 2008



6436 SW Burlingame Pl, Portland, OR, United States  
Address is approximate

Before

No Insurance!



SW Burlingame Pl

