



City of Oregon City

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

Staff Report

File Number: PUB 17-006

Agenda Date: 4/5/2017

Status: Consent Agenda

To: City Commission

Agenda #: 8f.

From: Public Works Director John Lewis

File Type:
Non-Remonstrance

SUBJECT:

Restrictive Covenant Non-Remonstrance Agreement for the Residential Development of 16348 Frederick Street

RECOMMENDED ACTION (Motion):

Adopt the Restrictive Covenant Non-Remonstrance Agreement for 16348 Frederick Street and authorize the Mayor and City Recorder to execute this document.

BACKGROUND:

An applicant signed Restrictive Covenant Non-Remonstrance Agreement provides a waiver of any and all rights of current and future property owners to remonstrate against the City's formation of a Local Improvement District (LID) for the purpose of making various improvements. In accordance with Oregon City Municipal Code 16.12.095, at the time of land division, applicants shall execute a binding agreement to not remonstrate against the formation of an LID for improvements that benefit the applicant's property. Specifically identified in the OCMC are transportation, stormwater, sanitary sewer, water and sidewalk system improvements.

An applicant signed Restrictive Covenant Non-Remonstrance Agreement provides a waiver of any and all rights of current and future property owners to remonstrate against the City's formation of a Local Improvement District (LID) for the purpose of making various improvements. In accordance with Oregon City Municipal Code 12.04.003.B, application for new construction of a single-family dwelling is obligated to provide improvements to abutting public right-of-way in accordance with City standards. Because the development is located in a constrained area of the Natural Resources Overlay District, the City determined that the dwelling could be adequately served by a residential driveway in the right-of-way, in lieu of a roadway improved to public standards at this time.

Execution of the Covenant ensures that public improvements to Frederick Street may be implemented in the future should development patterns dictate the need for extension of the public improvements across the frontage of 16348 Frederick Street (NR 16-01/BB-16-0265) - Tax Map 2-2E-28BC and Tax Lot 4001.