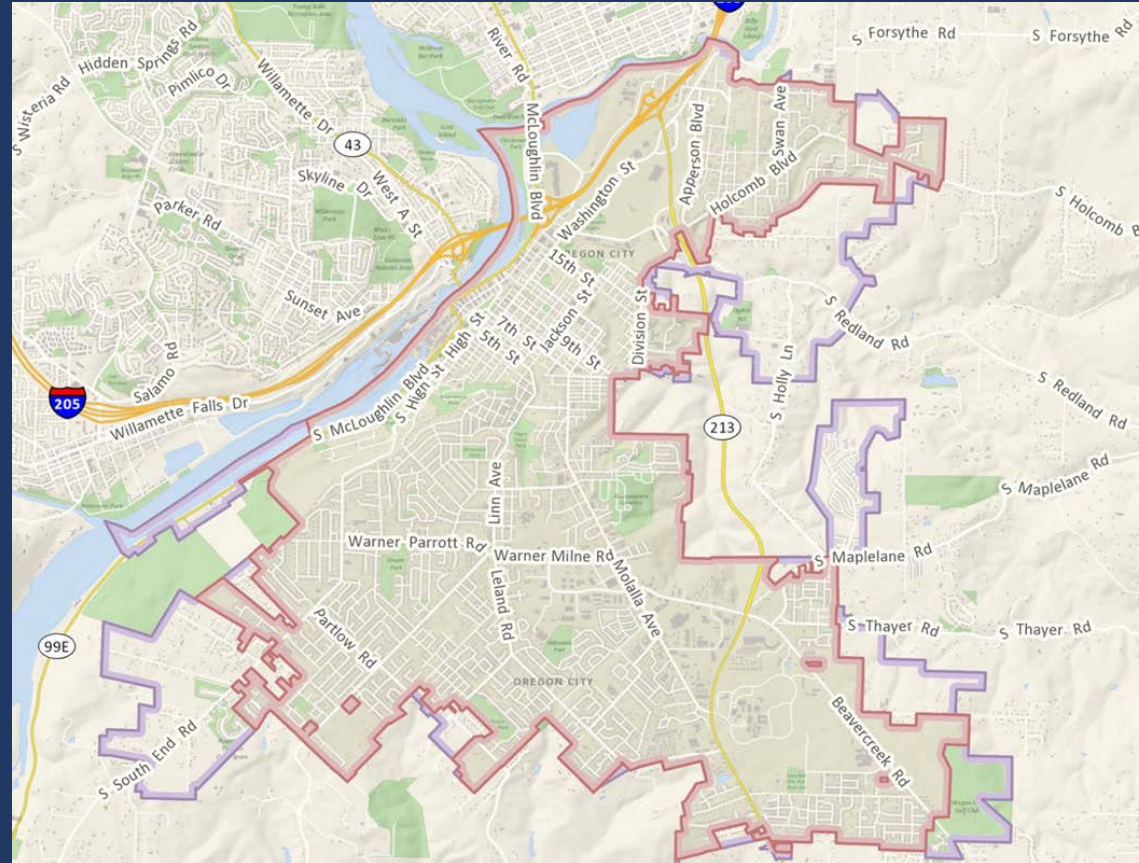


# Planning Division and the Development Review Process: Land Use 101



# Oregon City Municipal Code

Minimum criteria for commercial, industrial, office and residential uses.

The screenshot displays the Oregon City Municipal Code website. The header features the "OREGON CITY" logo on the left and a search bar on the right. Below the header is a navigation bar with links for "Codes", "CodeBank", "OrdBank", "Munidocs", and "Links". A secondary bar contains "Show Changes: OFF", "Update Me new!", and a "Menu" button. The main content area is divided into a left sidebar and a right main panel. The sidebar, titled "Browse", lists various code sections, with "Oregon City, Oregon - Code of Ordinances" selected. The main panel displays the title "Oregon City, Oregon - Code of Ordinances Supplement 32" and states that the online content was updated on December 31, 2015. It also mentions that the code was codified through Ordinance No. 15-1014, passed on October 7, 2015. A green banner with a "new!" icon prompts users to "See what's changed in this update" and provides a "View changes in TOC" button. A disclaimer at the bottom of the main panel states: "This Code of Ordinances and/or any other documents that appear on this site may not reflect the most current legislation adopted by the Municipality." The footer includes a "Municode Library" link on the left and "Support", "Terms of Use", "View Mobile Site", and "MuniPRO Sign In" links on the right.

**OREGON CITY**

Search

Home Codes CodeBank OrdBank Munidocs Links

Show Changes: OFF Update Me new! Menu

Browse Results Changes new!

**Oregon City, Oregon - Code of Ordinances**

OREGON CITY, OREGON MUNICIPAL CODE modified

SUPPLEMENT HISTORY TABLE modified

THE CHARTER OF OREGON CITY

Title 1 - GENERAL PROVISIONS

Title 2 - ADMINISTRATION AND PERSONNEL modified

Title 3 - REVENUE AND FINANCE

Title 5 - BUSINESS LICENSES AND REGULATIONS

Title 6 - ANIMALS

Title 8 - HEALTH AND SAFETY

Title 9 - PUBLIC PEACE, MORALS AND WELFARE

Title 10 - VEHICLES AND TRAFFIC

Title 12 - STREETS, SIDEWALKS AND PUBLIC PLACES

Title 13 - PUBLIC SERVICES

## Oregon City, Oregon - Code of Ordinances Supplement 32

Online content updated on December 31, 2015

OREGON CITY MUNICIPAL CODE

Codified through  
Ordinance No. 15-1014, passed October 7, 2015.  
(Supp. No. 32)

new! See what's changed in this update. View changes in TOC

*This Code of Ordinances and/or any other documents that appear on this site may not reflect the most current legislation adopted by the Municipality.*

Municode Library Support Terms of Use View Mobile Site MuniPRO Sign In

# Who Creates and Adopts the Code



Who May Propose to Change the Code?  
Anyone!

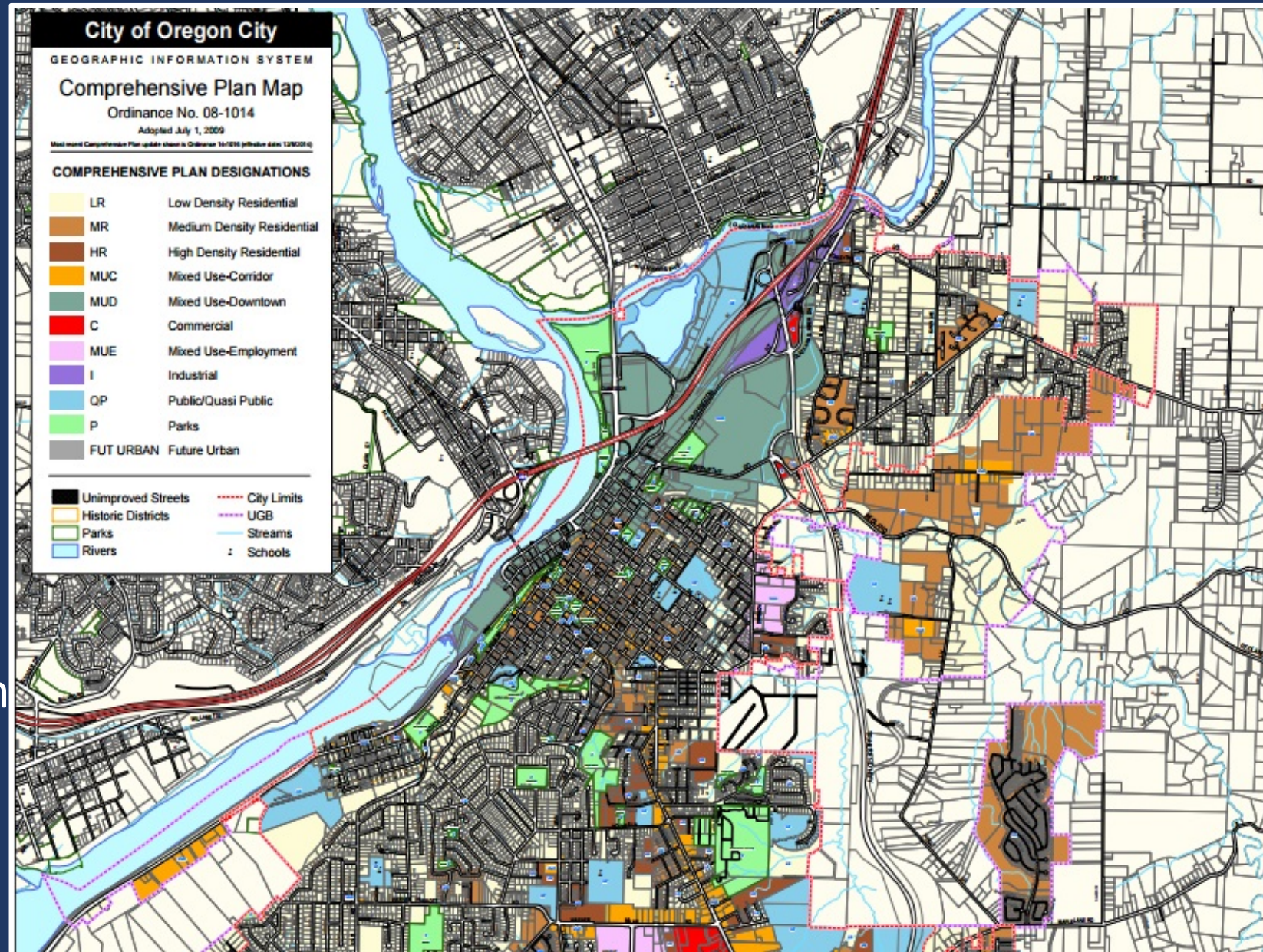
Who Adopts the Code?  
City Commission

With review by the Planning Commission and Public



# Comprehensive plan

- Primary document for guiding development in the city
- Required by state law since 1973
- 19 Statewide planning goals and guidelines
- Municipal code is consistent with the Comprehensive Plan



# Comprehensive plans:

## What are the Residential Designations?

### Comprehensive Plan Designations

Low Density  
Residential

Medium Density  
Residential

High Density  
Residential

R-10

R-8

R-6

R-5

R-3.5

R-2

### Zoning Designations

### City of Oregon City

GEOGRAPHIC INFORMATION SYSTEM

### Comprehensive Plan Map

Ordinance No. 08-1014

Adopted July 1, 2009

Most recent Comprehensive Plan update shown is Ordinance 16-024 (effective date 12/03/2016)

### COMPREHENSIVE PLAN DESIGNATIONS

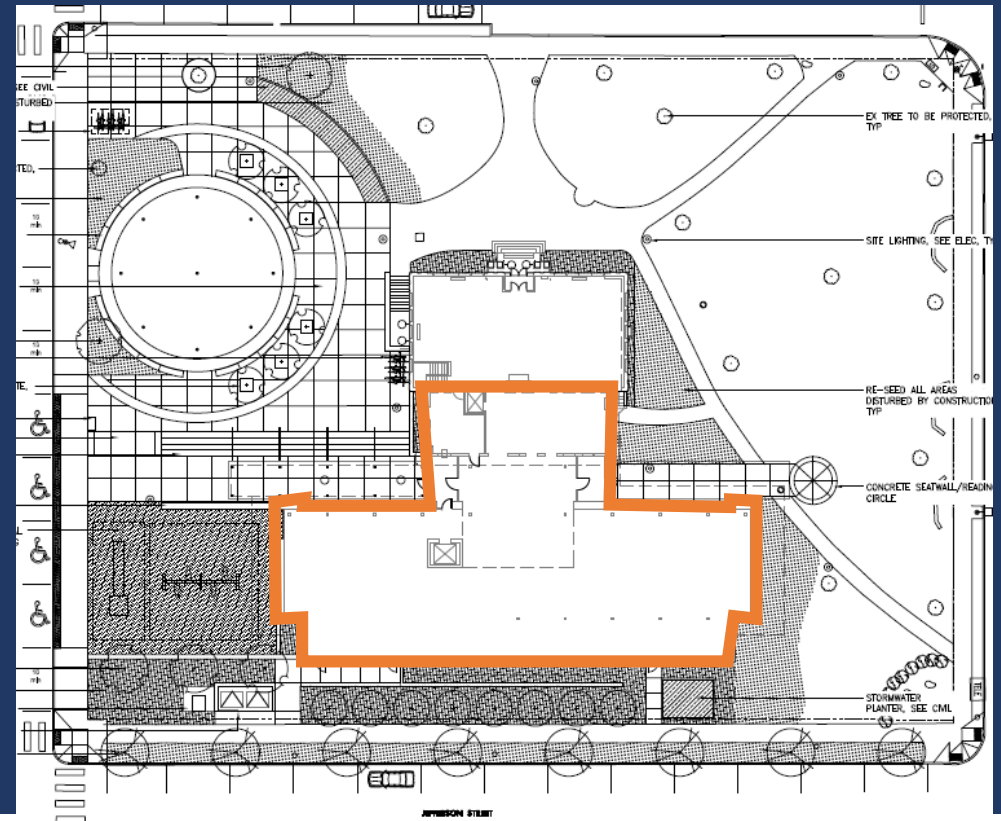
LR	Low Density Residential
MR	Medium Density Residential
HR	High Density Residential
MUC	Mixed Use-Corridor
MUD	Mixed Use-Downtown
C	Commercial
MUE	Mixed Use-Employment
I	Industrial
QP	Public/Quasi Public
P	Parks
FUT URBAN	Future Urban

Unimproved Streets	City Limits
Historic Districts	UGB
Parks	Streams
Rivers	Schools



# Example Code Criteria

- Traffic Impacts
- Building Height
- Setback
- Building Orientation
- Environmental and Historic Protections
- Parking
- Windows
- Building Material
- Building Scale
- Size, Location & Type of Landscaping



# Example Finding

## *17.62.050.A.21. Building Materials.*

*a. Preferred building materials. Building exteriors shall be constructed from high quality, durable materials. Preferred exterior building materials that reflect the city's desired traditional character are as follows:*

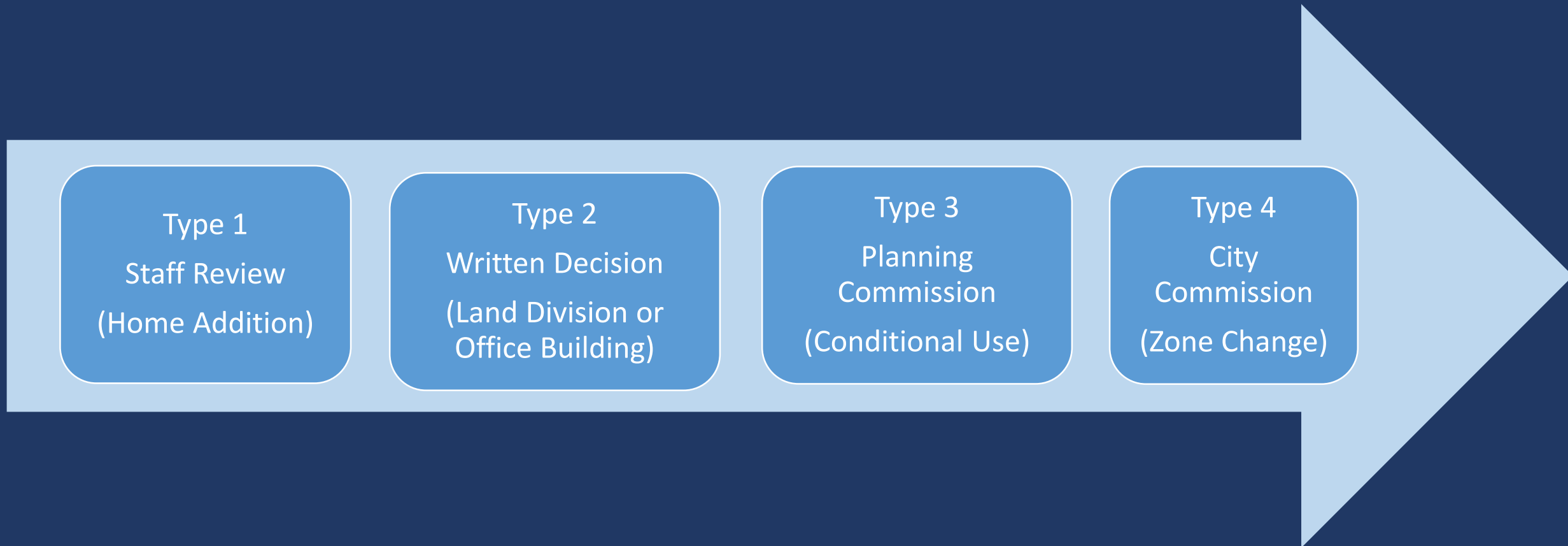
- i. Brick.*
- ii. Basalt stone or basalt veneer.*
- iii. Narrow horizontal wood or composite siding (generally five inches wide or less); wider siding will be considered where there is a historic precedent.*
- iv. Board and baton siding.*
- v. Other materials subject to approval by the community development director.*
- vi. Plywood with battens or fiber/composite panels with concealed fasteners and contiguous aluminum sections at each joint that are either horizontally or vertically aligned.*
- vii. Stucco shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.*

**Finding:** Complies as proposed. The development application included a material board and architectural plans in Exhibit 2. The primary exterior building material proposed is hardiplank lap siding with a mixture of 5" and 8" exposures. Hardishingle shingle siding and cultured stone are used as accent materials throughout the site.

# Levels of Land Use Review

Not Discretionary

Highly Discretionary

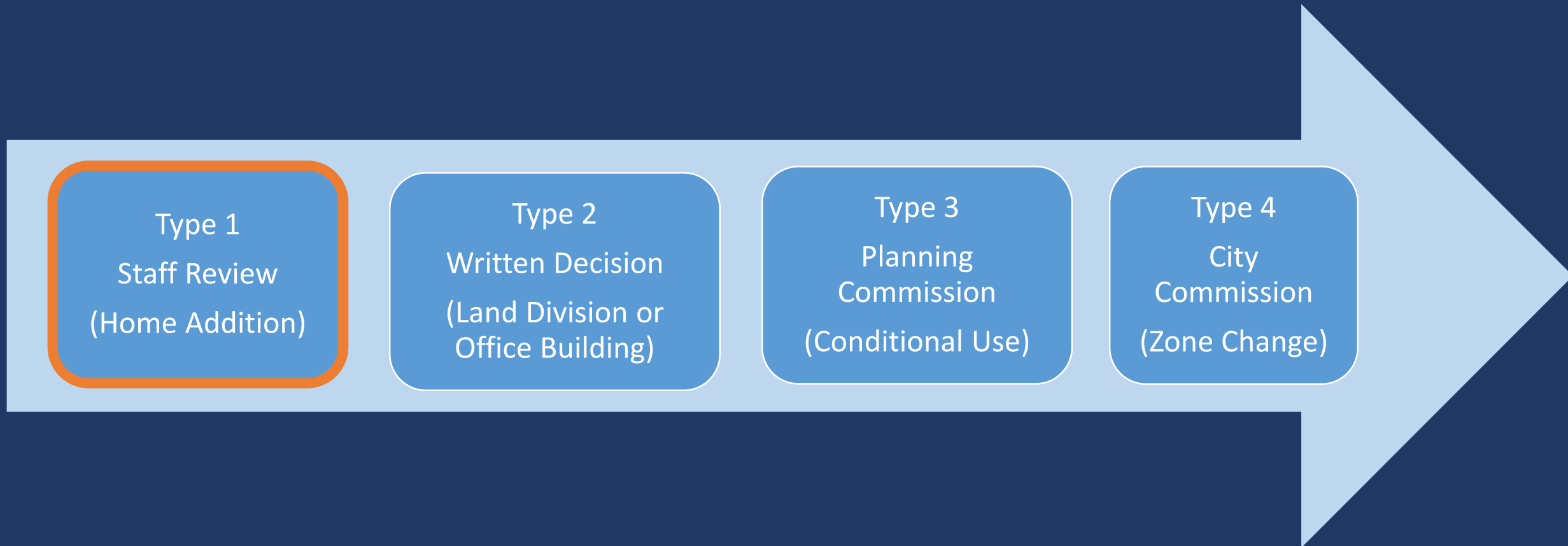




# Levels of Land Use Review

Not Discretionary

Highly Discretionary



# Examples of Type I Applications

*Not Discretionary*



Home Additions



Decks



Sheds



# Review of a Rear Deck

## Example Criteria

- Setbacks
- Building Height
- Easements





# Type I Review Process

*Not Discretionary*

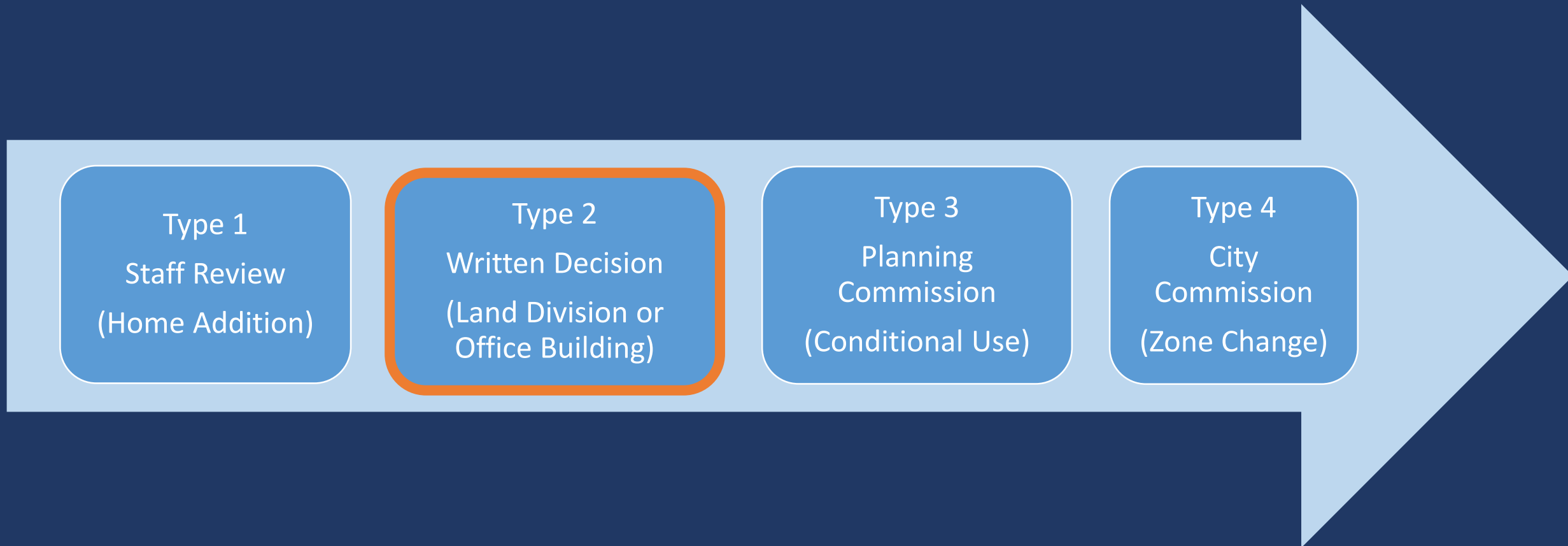


Review Time: 10 Minutes – 1 Week

# Levels of Land Use Review

Not Discretionary

Highly Discretionary



# Examples of Type II Applications

*Minimal Discretion*



New Commercial Building



New Condos



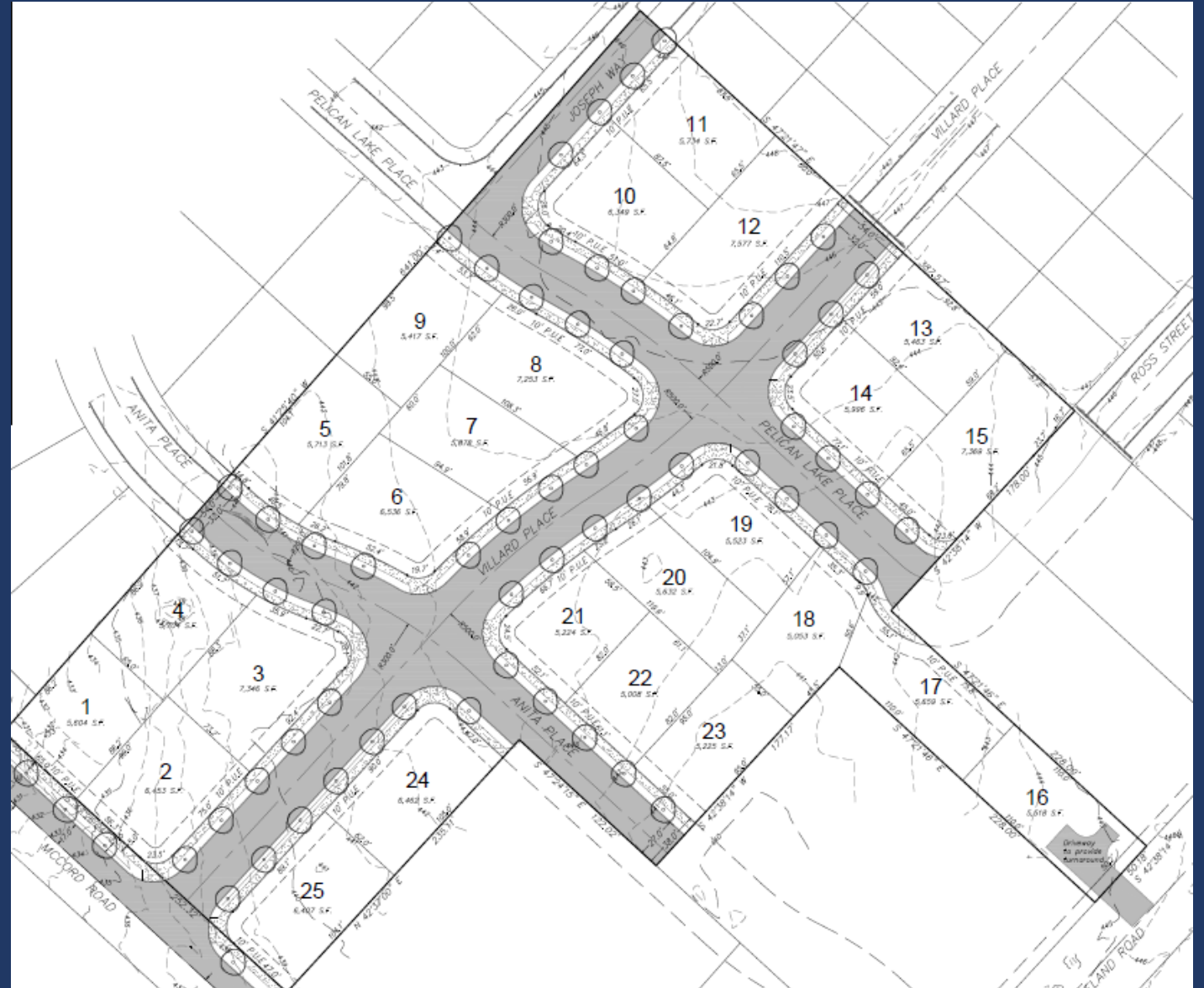
Subdivision



# Review of a Land Division

## Example Criteria

- Lot Size
- Lot Depth and Width
- Maximum Block Length
- Stormwater
- Traffic Impacts



# Type II Review Process

*Minimal Discretion*



Pre-Application Conference (3 Weeks)

Completeness Review (30 Days)

Staff Level Review (up to 4 Months Including Appeal)

- Public Notification - Website, Mailed, Emailed, Onsite
- Staff Report and Decision

Appeal to the City Commission

# Public Notification

- Posted on Website
- Mailed to Property Owners within 300 feet
- Sign Posted on Property
- Emailed to approx. 60 Agencies/Departments/Neighborhood Associations
- Post in Paper and Transmit Agendas for Type III and IV Notices



**OREGON  
CITY**

Community Development – Planning

221 Molalla Ave. Suite 200 | Oregon City OR 97045  
Ph (503) 722-3789 | Fax (503) 722-3880

## NOTICE OF TYPE II LIMITED LAND USE APPLICATION - SUBDIVISION

COMMENT DEADLINE:	Written comments on this application must be received by the Oregon City Planning Division (at the address above) no later than 3:30 pm, April 8, 2015.
FILE NUMBER:	TP 15-01: Subdivision (32 Lots)
APPLICANT:	Venture Properties, Inc., 4230 Galewood St, Lake Oswego, OR 97035
OWNER:	Vern Johnson, 19882 White Ln, Oregon City, OR 97045
REPRESENTATIVE:	AKS Engineering & Forestry, Attn: Mimi Doukas, AICP, RLA 12965 SW Herman Rd, Ste. 100, Tualatin, OR 97062
REQUEST:	Approval of 32-Lot Subdivision in R-8 zone (next to Central Point Crossing), w/ Geologic Review for high-ground water & downstream analysis.
PROJECT WEBSITE:	<a href="http://www.oregocity.org/planning/landusecase/tp-15-01-us-15-01">http://www.oregocity.org/planning/landusecase/tp-15-01-us-15-01</a>
LOCATION:	Clackamas County Map 3-1E-12D -01593 Clackamas County Map 3-1E-12D -01503 19882 WHITE LN, Clackamas County Map 3-1E-12D -01600
CONTACT PERSON:	Pete Walter, AICP, Associate Planner (503) 496-1568 Email: <a href="mailto:pwalter@oregocity.org">pwalter@oregocity.org</a>
NEIGHBORHOOD ASSOC.:	Hazel Grove / Westling Farms Neighborhood Association
CRITERIA:	R-8 Single Family Dwelling District in Chapter 17.10; Stormwater Management in Chapter 13.12; Streets, Sidewalks and Public Places in Chapter 12.04; Public and Street Trees in Chapter 12.08; Administration of Land Divisions in Chapter 16.04; Subdivisions in Chapter 16.08; Minimum Improvements and Design Standards for Land Divisions in Chapter 16.12; Administration and Procedures in Chapter 17.50; Grading, Filling and Excavating in Chapter 15.48; and Tree Protection in Chapter 17.41 of the Oregon City Municipal Code. The city code is available on-line at <a href="http://www.oregocity.org">www.oregocity.org</a> .

The application and all supporting documents submitted by or on behalf of the applicant are available for inspection at no cost at the Oregon City Planning Division, 221 Molalla Ave., Ste. 200, during regular business days (Monday – Friday, 8:30 am- 3:30 pm). Copies of these materials may be obtained for a reasonable cost.

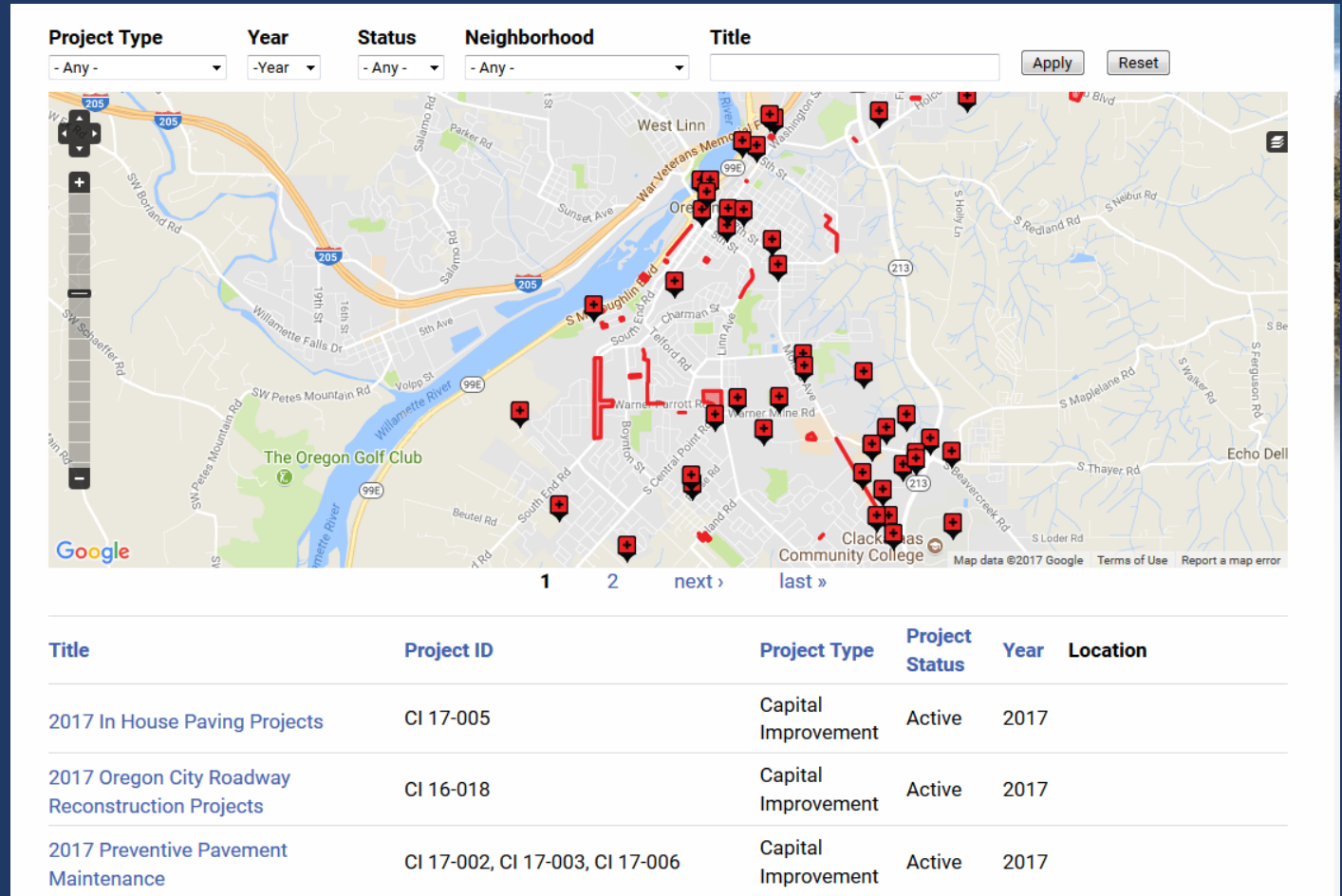
As noted in OCMC 17.50.030(E), this application will be reviewed pursuant to the procedure set forth in ORS 197.360 – 197.380. Any interested party may submit written comments prior to the issuance of the Community Development Director's decision. Written comments must be received at the Planning Department no later than the close of business on the date referenced above to be considered by the Community Development Director. The Community Development Director's decision will be based on the applicant's submittal, departmental and agency comments, letters from the public, and information received that is applicable to the criteria. Notice of the decision shall be sent to the applicant, those people entitled to receipt of this notice under ORS 197.365(4), and to persons submitting comments and providing a return address.

Please be advised that any issue that is intended to provide a basis for appeal must be raised in writing during the 14-day comment period with sufficient specificity to afford the City and the parties an opportunity to respond to the issue. Failure to raise an issue on the record with sufficient specificity and accompanied by statements or evidence sufficient to afford the City to respond to the issue, will preclude any appeal on that issue. The Community Development Director's decision may be appealed pursuant to the requirements set forth in ORS 197.375 by parties with standing.



# Public Notification

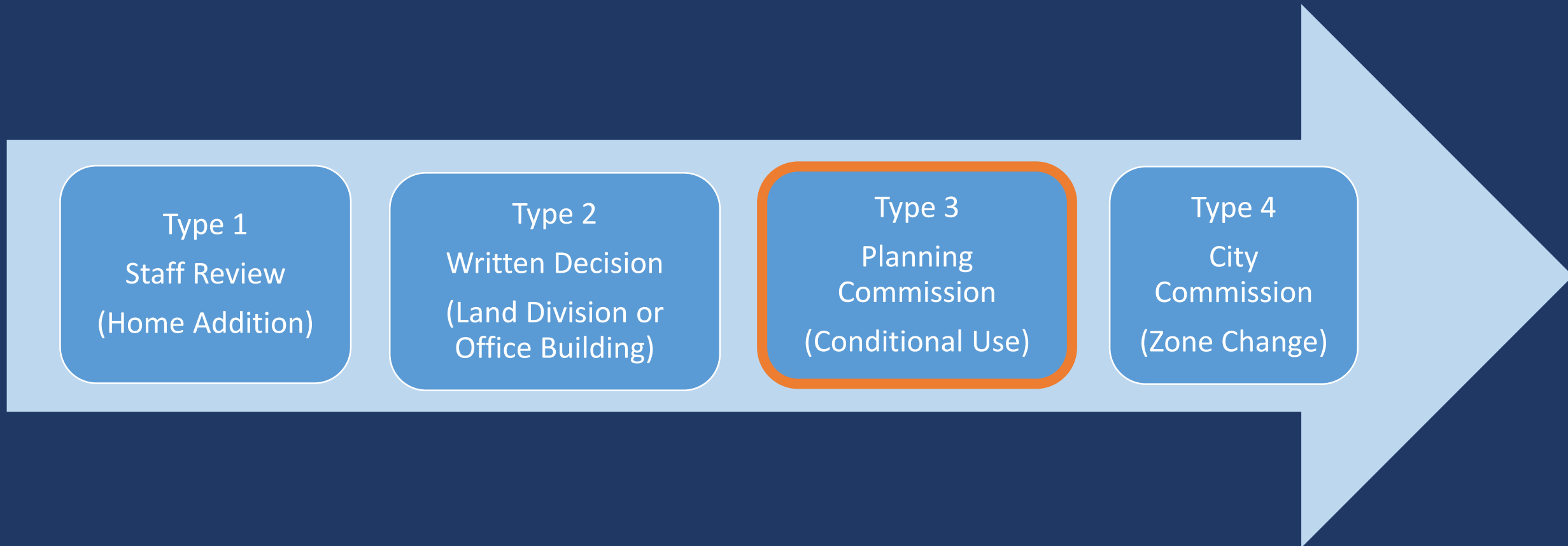
- Anyone may comment
- All Comments must be Received within the Comment Period
- Address Applicable Criteria
- Staff integrates comments into findings and decision/recommendation



# Levels of Land Use Review

Not Discretionary

Highly Discretionary



# Examples of Type III Applications

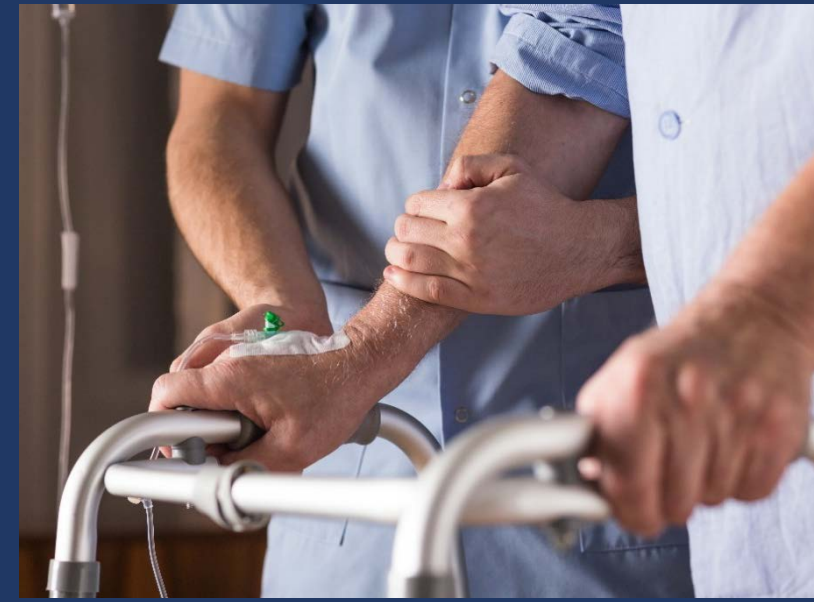
*Discretionary*



School



Church



Nursing Home



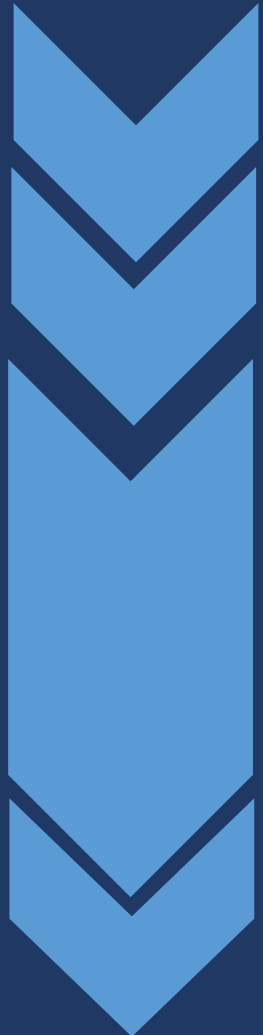
# Review of a New School

## Example Criteria

- The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;
- The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district;
- The proposal satisfies the goals and policies of the city comprehensive plan which apply to the proposed use.

# Type III Review Process

*Discretionary*



Pre-Application Conference (3 Weeks)

Completeness Review (up to 30 Days)

Planning Commission Review (up to 4 Months Including Appeal)

- Public Notification - Paper, Website, Mailed, Emailed, Onsite
- Staff Report with Findings to the Planning Commission
- Planning Commission Decision

Appeal to the City Commission

# Public Notification

- Posted on Website
- Mailed to Property Owners within 300 feet
- Sign Posted on Property
- Emailed to approx. 60 Agencies/Departments/Neighborhood Associations

For Type III and IV

- Post in Paper
- Transmit Agendas



**OREGON  
CITY**

Community Development – Planning

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

## NOTICE OF LAND USE APPLICATION

<b>COMMENT DEADLINE:</b>	<p>Planning Commission Work Session: November 23, 2015 at 7p.m. at City Hall, 625 Center St., Oregon City This work session provides an opportunity for the public to hear an in-depth explanation of the application prior to a public hearing. No public testimony will be heard.</p> <p>Planning Commission Hearing: December 14, 2015 at 7p.m. at City Hall, 625 Center St., Oregon City The hearing will be conducted on the following Type III Land Use Applications. Any interested party may testify at the public hearing or submit written testimony at or prior to the close of the Planning Commission hearing. Written comments on these Type III Land Use Applications must be received by the Oregon City Planning Division, no later than Monday, November 30<sup>th</sup>, 2015 to be included in the Staff Report. Comments received after this date will be provided to the Planning Commission at the hearing. The public record will remain open until the Planning Commission closes the public hearing.</p>
<b>APPLICATIONS:</b>	<p>CP 15-01: Concept (Master) Plan Amendment DP 15-01: Detailed Development Plan NR 15-05: Natural Resources Overlay District Review US 15-06: Geologic Hazards Overlay District Review</p>
<b>APPLICANT:</b>	<p>Grand Cove, LLC, c/o Paul Herskowitz 4582 S Ulster Street, Suite 1200, Denver, Colorado 80237</p>
<b>OWNERS:</b>	<p>Woodley Properties, Inc, c/o Todd Woodley, 24800 SW Quarryview Drive, Wilsonville, Oregon 97070 Urban Renewal Agency of Oregon City, c/o Eric Underwood, PO Box 3040, Oregon City, Oregon 97045 Tri-City Services District, c/o Gregory Geist, 150 Beaver Creek Road, Oregon City, Oregon 97045</p>
<b>REPRESENTATIVE:</b>	<p>Cardno, c/o Read Stapleton 5415 SW Westgate Drive, Suite 100, Portland, Oregon 97221</p>
<b>REQUEST:</b>	<p>The applicant submitted a Concept (Master) Plan Amendment, Detailed Development Plan, Natural Resource Overlay District Review and a Geologic Hazards Overlay District Review request for construction of Phase 1 of the Cove development. In addition to amending the previously approved Concept (Master) Plan, Phase 1 generally includes construction of 244 multi-family units as well grading along the water.</p>
<b>LOCATION:</b>	<p>16400 Main Street and No Address, Oregon City, Oregon 97045 Clackamas County Map 2-2E-29 TL 1509, 2800, 2900, 3000, 3100, 3200, 3300, 3400, 3500, 3600 and 3700 and Clackamas County Map 2-2E-20 TL 1100.</p>
<b>CONTACT:</b>	<p>Laura Terway, Planner (503) 496-1553, lterway@orc.org</p>
<b>NEIGHBORHOOD ASSOCIATION:</b>	<p>Two Rivers Neighborhood Association</p>
<b>CRITERIA:</b>	<p>Administration and Procedures are set forth in Chapter 17.50, Off-Street Parking and Loading in Chapter 17.52, Supplemental Zoning Regulations and Exceptions in Chapter 17.54, Site Plan and Design Review in Chapter 17.62, Tree Protection Standards in Chapter 17.41, Streets, Sidewalks and Public Places in Chapter 12.04, Public and Street Trees in Chapter 12.08, Stormwater Management in Chapter 13.12, Grading, Filling and Excavating in Chapter 15.48, Master Plans in Chapter 17.65, Natural Resource Overlay District in Chapter 17.49, "MUD" Mixed Use Downtown District in Chapter 17.34, Geologic Hazards Overlay District in Chapter 17.44 and Flood Management Overlay District in Chapter 17.42 of the Oregon City Municipal Code. The City Code Book is available on-line at <a href="http://www.orcity.org">www.orcity.org</a>.</p>

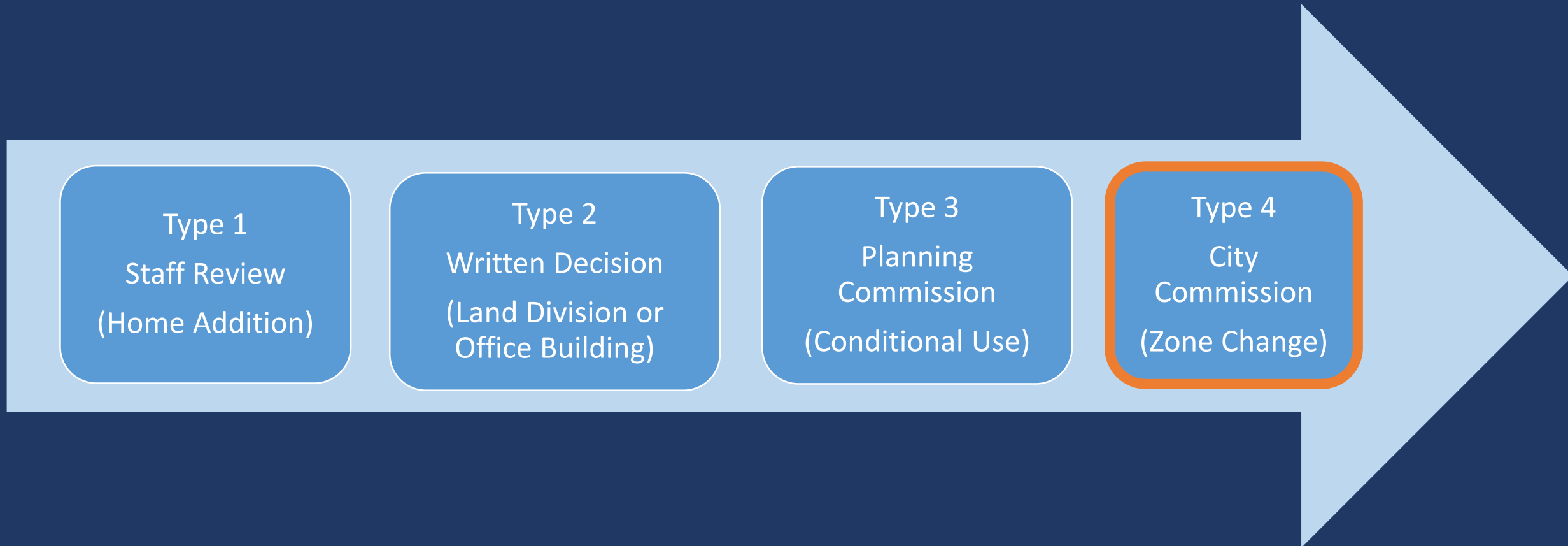
The application and all documents submitted by or on behalf of the applicant are available for inspection at no cost and copies will be provided at reasonable cost at the Oregon City Planning Division, 221 Molalla Avenue, Oregon City, Oregon 97045, from 8:30 a.m. to 3:30 p.m. Monday through Friday. The staff report, with all the applicable approval criteria, will also be available for inspection seven days prior to the hearing. 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 Planning Commission hearing, in person or by letter, with sufficient specificity to afford the Planning 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 decision of the Planning Commission may be appealed to the City Commission by parties with standing within fourteen (14) calendar days of the notice of decision. Any appeal will be based on the record. The procedures that govern the hearing will be posted at the hearing and are found in OCMC Chapter 17.50 and ORS 197.763.

A city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290(C) must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal.

# Levels of Land Use Review

Not Discretionary

Highly Discretionary

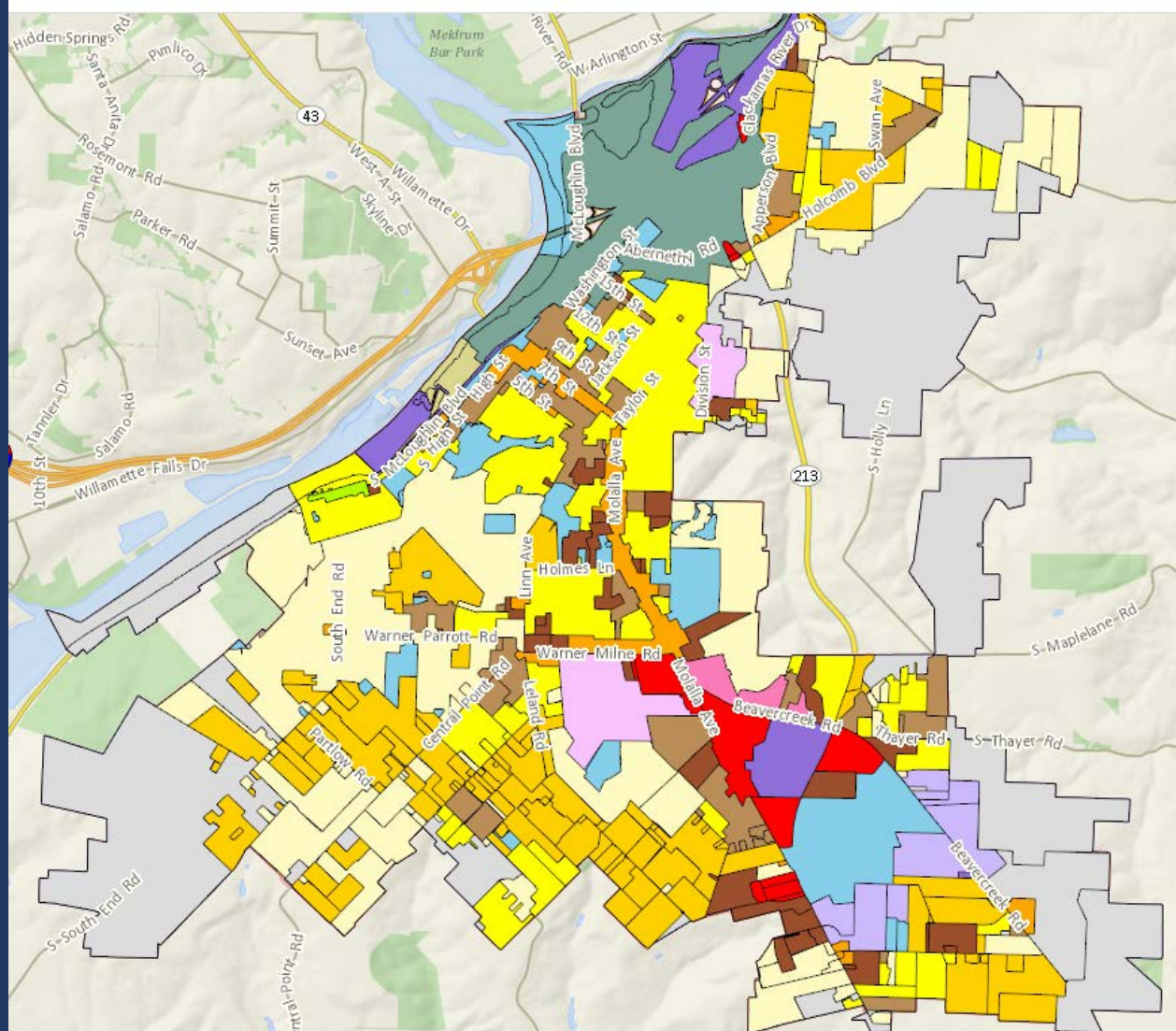




# Examples of Type IV Applications

*Highly Discretionary*

Zone Change



Comprehensive Plan Amendment


# Review of a Zone Change

## Example Criteria

- Compliance with the Comprehensive Plan
- Water, sewer, storm drainage, transportation, schools, police and fire protection can be made available to support the range of uses and development allowed by the zone.
- Consistent with the existing or planned function, capacity and level of service of the transportation system serving the proposed zoning district.

# Type IV Review Process

*Highly Discretionary*



Pre-Application Conference (3 Weeks)

Completeness Review (up to 30 Days)

Planning Commission Hearing(s) (up to 4 Months w/Appeal)

- Public Notification - Paper, Website, Mailed, Emailed, Onsite
- Staff Report with Findings
- Recommend Approval to CC or Denial (w/Appeal to CC)

City Commission Hearing(s)

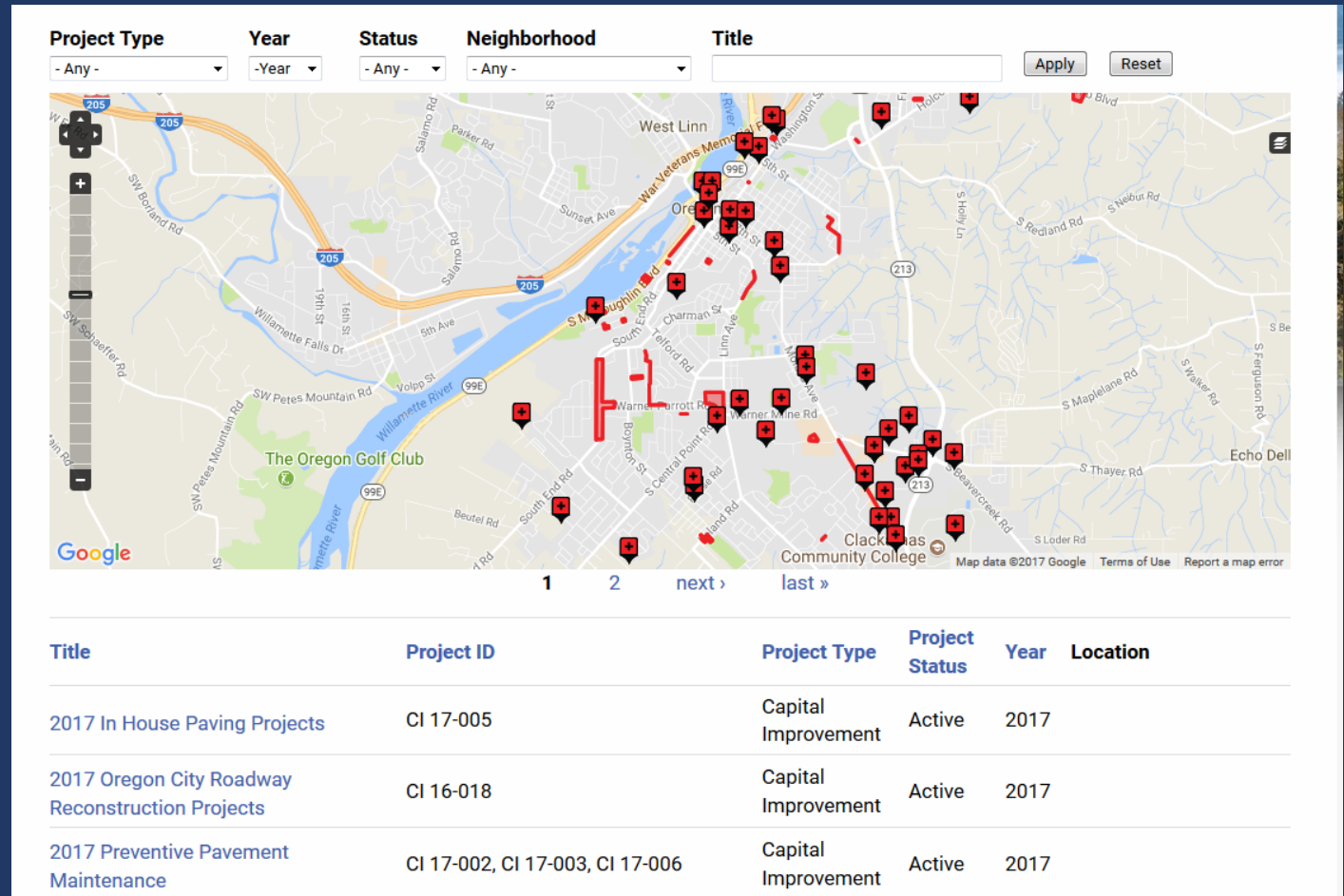
- Staff Report with Findings
- Decision

Appeal to the City Commission



# Opportunities for Public Notification

- RSS Feed
- Go to City Website: City Projects page
- Call the Planning Division



Questions?

# Steps in Determining Traffic Impacts

- Trip generation
  - Primary trips
  - Pass-by trips
  - Diverted link trips
  - Internal trips
- Trip distribution
- Mode split
- Traffic assignment



# Performance Standards

- Level of service – based on delay, different for signalized and unsignalized intersections
- Volume-to-capacity ratio ( $v/c$ ) – proportion of capacity
- Primary focus is on intersections, but may be used for freeways, ramps, other highways

# Development Review

- Different requirements depending on size of development
- Different requirements for zone changes requires addressing Oregon's Transportation Planning Rule (TPR)
- Different requirements for master plans

# Conditions of Approval

- Frontage improvements
- Off-site mitigation, e.g. signal installation, turn lanes, proportionate share



# Transportation Systems Development Charges (SDCs)

- Allowable under state law
- Ordinance with methodology adopted by Oregon City
- Based on PM peak hour trip generation in Oregon City
- SDC's may be used only for capacity improvements, may not be used to solve existing conditions