

Date	Issue / Comment / Concern	PAT / Staff Response / Recommendation	Planning Commission Recommendation	Code / Policy	Has this been Addressed? How?
12/5/2018	Preliminary subdivision plat—Don't require Surveyor prepare initial site plan	Staff supports. Final plat must be prepared by Surveyor but site plan can be prepared by other suitable professional.	n/a	16.08.025	City Commission direction requested
12/5/2018	Lot size reduction allowance should be 20%	See comment on Page 7 from 9/10/18	See packet	16.08.065	City Commission direction requested
12/5/2018	Reduce or remove the 20-year age requirement for internal conversions	Recommended 20 years.	Recommended 20 years.	17.20.030.B	City Commission direction requested
12/5/2018	Remove Owner Occupancy for ADUS	Remove Owner Occupancy for ADUS	Some concerns but supportive of removal	17.20.010.D.5	City Commission direction requested
12/5/2018	Adopt a Rental Tenant Bill of Rights	n/a	n/a	n/a	City Commission direction requested
11/29/2018	Allowing Mobile Food Carts in "I" zone, Clackamas Community College	Staff recommends it be a permitted use.	Limited discussion on this issue.	17.39	11/29/2018
11/7/2018	Allowable projections into setbacks	Clarify that projections may not touch the ground.	n/a	17.54.020	Yes. See code section.
10/22/2018	Fences in right-of-way	City Engineer recommended language and standards.	Add that Fences, hedges and walls in ROW should be discouraged.	17.54.100.B.	Yes. See code section
10/22/2018	Fences in Natural Resource Overlay District	Exempt fences from Type II review provided they meet proposed standards. NRC approved.	Discuss in later process	17.49.080	Yes. See code section.
10/22/2018	Allowing Housing in "C" General Commercial District	Continue to allow housing uses in "C" General Commercial District	Continue to allow housing uses in "C" General Commercial District	17.32	Yes. See code section.

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10/22/2018	CC&Rs to include language “shall not prohibit” ADUs and internal conversions.	Include phrase “shall expressly permit” as opposed to “shall not prohibit”.	Change to “shall not prohibit”.	16.08.095	Yes. See code section.
10/22/2018	Clairmont Manufactured Home Park redevelopment	Staff not aware that site will be re-developed, but could be expanded under new code.	Recommendation to address MHPs as their own zone district	17.10 17.20	Yes. See also policy advisement letter from Planning Commission.
10/22/2018	R2 zone question on Tax Lots	R2 zone allows more uses and would allow attached housing.	n/a	17.16 17.18	Yes. See code sections.
10/22/2018	Comment about industrial use provision in 17.18.035	No changes proposed, item was renumbered in code.	none	17.18.035	Yes. See code section.
10/22/2018	Topics outside scope of code amendments.	Draft Policy Advisement Letter from PC to CC.	See attached letter dated November 24, 2018.	Various.	See attached.
10/22/2018	Off-Street Parking for ADUs	Don’t require.	1 space	17.20.010.D.8	Yes. See code section.
10/22/2018	Off-Street Parking for 3-4 plexes	Don’t require.	2 spaces	17.16.060.B	Yes. See code section.
10/22/2018	Off-Street Parking for Internal Conversions	Don’t require.	1 space / 2 units 2 space / 3-4 units	17.20.030.G.	Yes. See code section.
10/22/2018	Owner Occupancy requirement for ADUs	Remove requirement.	Keep requirement.	17.20.010.D.5	Yes. See code section

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10/22/2018	Shelters	Conditional Use for 11 or more beds in MUC, MUD and R-3.5. Allow up to 10 beds as accessory use to religious institution use.	Conditional Use for 11 or more beds in MUC, MUD (outside of design district) and up to ten beds in Residential Zones. Prohibit elsewhere.	17.29.030.L 17.34.030.P 17.08.025.K 17.10.025.L 17.12.025.K	Yes. See code section
10/22/2018	Transitory mobile food carts (less than 5 hours)	N/A	Allow in employments zones CI, GI, MUE	17.31.020.R 17.36.020.P 17.37.020.Q	Yes. See code section
10/8/2018	HBA testimony regarding Lot Size Averaging	PC has provided direction.	PC has provided direction.	16.08.065	Yes. See code section.
10/8/2018	Comments regarding VRBOs	Requested PC Direction	See PC Policy Advisement Letter	N/A	See PC Policy Advisement Letter, address in later review if CC directs.
10/8/2018	Boise Court Case Various Zoning Comments Clack. Co. Housing Bond	Comments lack specificity to address.	No direction given.	N/A	N/A
9/20/18	Email in support of changes for Manufactured Home Parks	N/A	N/A	OCMC 17.20	Yes. See Code.
9/17/2018	Memo from HSCCC with recommended code language for Overnight Warming Shelters	Allow up to 10 beds with CU in residential zones Conditional use in MUC, MUD for more than 10 beds.	Residential Zones - As recommended MUC – Permitted MUD – Conditional except in Downtown Design District	See uses by zone.	PC has provided direction.

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9/10/18	ADUs: Require minimum parking	Don't require off-street parking	Retain existing standard to require 1 space for ADU, on or off-street	OCMC 17.20.010.D.7	Planning Commission's recommended changes reflected in 10/1/18 draft code amendments.
9/10/2018	Public vs. Private Streets	Accept private streets provided they are built to city standard in TSP and there is public access.		OCMC 16.12 / 12.04	The code allows flexibility to allow both public and private streets without distinguishing a difference in design and requiring public access in both cases.
9/10/18	Internal Conversion parking	Don't require off-street parking	Possibly no parking or possibly one space per two units, rounded up, of off-street parking.	OCMC 17.20.030	Asking for final direction by the Planning Commission at the 9/24/18 meeting.
9/10/18	3-4 Plex parking	Don't require off-street parking	Require one space per two units, rounded up, off-street parking.	OCMC 17.16.060.B	Planning Commission's recommended changes reflected in 10/1/18 draft code amendments.
9/10/18	Cluster Development parking	1 space per unit	1 space per unit	OCMC 17.20.20.J.1	Yes. See code amendments with new parking standard.
9/10/18	Master Plan / PUD Applicability	Require for residential development of 200+ units Remove requirement for institutional use over 10 acres	Remove requirement for residential over a certain size Keep 10 acres min. for institutional Allow minor site plan and design reviews on institutional land w/o a master plan.	OCMC 17.65.030	Yes. See code amendments with revised applicability section.

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9/10/18	Clairmont MHP Possible sale of Manufactured Home Park raised by residents	Permitted use in R-3.5 zone. New MHPS remain a Conditional Use	Recommended reviewing Chapter 15.52	OCMC 17.20.050 and 15.52	Yes. <ul style="list-style-type: none"> Residents have met with CD Director and discussed requirements. No closure has been discussed at this time, only transfer of park ownership. Yes. See latest code amendments. Proposal to make existing MHPs a permitted use will relieve re-development pressure by allowing parks to continue and expand through a Type II review process. Rent increases are beyond the scope of this project. Manufactured Home Park Closure requirements in Chapter 15.52 are in place. Redevelopment of existing parks has not happened, even under the more restrictive code provisions currently in place.
9/10/2018	45' MUD Building Height for Properties between Main Street and McLoughlin Boulevard and 11th and 16th streets; and Property within one hundred feet of single- family detached or detached units.	Remove height restriction.	Retain height restriction, except change limitation "within 100 feet of" to "Adjacent to".	17.34.060.D	Planning Commission's recommended changes reflected in 10/1/18 draft code amendments.

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9/10/2018	PC Comment Size of additions for Internal Conversions	800 sf PAT recommended 800 SF as that is the maximum size of an ADU.	<ul style="list-style-type: none"> Discuss options Reduce allowable addition size to between 300 – 500 sf to retain scale of existing building 	OCMC 17.20.030.D	Asking for final direction by the Planning Commission at the 9/24/18 meeting.
9/10/18	Owner Occupancy for ADUs	Don't Require	Maintain owner occupancy requirement	17.20.010.D.6	Planning Commission's recommended changes reflected in 10/1/18 draft code amendments.
9/10/18	Tree Mitigation Fee should allow for 150% inflation to cover time lag between the fee payment and the planting date.	n/a	Increase tree mitigation fee.	Fee Sheet	Staff will include a 150% increase to the tree mitigation fee in a proposed fee schedule.

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9/10/18	<p>Lot Size Averaging (PC Comment)</p> <ul style="list-style-type: none"> Restrict lot averaging to a maximum 10% reduction for a maximum of 25% of lots. Don't allow land in alleys to count towards the averaging. (Since we took out the mandatory alley requirements, I think this will be less of a practical concern going forward.) Add language to prohibit any lots below the minimum lot size around the perimeter of the site abutting residential property, to reduce potential impacts to neighbors. 	<ul style="list-style-type: none"> Allow up to 20% smaller lots but restrict to lots for Single Family Detached 	<ul style="list-style-type: none"> Restrict lot averaging to a maximum 10% reduction for a maximum of 25% of lots. 	16.08.070	Planning Commission's recommended changes reflected in 10/1/18 draft code amendments.

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9/10/2018	Manufactured Home Parks – Concern: Redevelopment Pressure Rent Increase Closure	See proposed code.	See proposed code	OCMC 17.10/17.20	Yes. See latest code amendments. <ul style="list-style-type: none"> Proposal to make existing MHPs a permitted use will relieve re-development pressure by allowing parks to continue and expand through a Type II review process. Rent increases are beyond city's regulatory authority Manufactured Home Park Closure requirements in Chapter 15.52 are in place. Redevelopment of existing parks has not happened, even under the more restrictive code provisions currently in place.
9/10/2018	PC Comment Size of additions for Internal Conversions	800 sf PAT recommended 800 SF as that is the maximum size of an ADU.	<ul style="list-style-type: none"> Discuss options Reduce allowable addition size to between 300 – 500 sf to retain scale of existing building 	OCMC 17.20.030.D	Asking for final direction by the Planning Commission at the 9/24/18 meeting.
9/10/2018	Public Comment on Shelters - Encourage as permitted use in MUC and MUD zone. Challenges include obtaining permission to operate. Would be helpful not to have to ask permission year after year.	Staff recommendation to allow Shelters as permitted use in the MUC, MUD zones and Conditional Use for up to 10 beds in residential zones.	Conditional Use in MUC, MUD and for up to 10 beds in residential zones.	OCMC 17.29, 17.34	Yes, Planning Commission recommendation will be reflected in the 10/1/18 draft.

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9/10/2018 7/23/2018	PC Comment: Additional Policies and incentives are needed beyond the zoning code to truly create Equitable Housing options, however the scope of this review is limited to the zoning code.	PAT scope of work limited to zoning code, however, PC may send forward specific recommendation to deal with these components Adopt zoning code amendments now, continue to work on these items in the future.	Commissioner Espe comments: Charge SDCs for Demolition of older homes Preserve older housing Supporting existing housing through other means, including: Financing: SDC waivers / deferral Property Tax Exemptions Urban renewal capital project funds City housing bond measures.	Various code and policies would be affected.	Asking for final direction by the Planning Commission at the 9/24/18 meeting. Suggestion to provide policy direction to City Commission. See letter from Commissioner Espe for topics.
9/10/2018	Public Comment: Allow residential use in Campus Industrial zone	No change recommended from staff. Allowing residential uses in CI would conflict with the purpose of this zone, which is for regional employment, light industrial and institutional development. Concern may conflict with other requirements to retain industrial land.	No change recommended.	17.37.020	Retain existing uses which do not include residential in the CI district.

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8/27/2018	<p>PGE Comments on Tree Cutting.</p> <p>PGE would like to remove hazardous and volunteer trees without a permit.</p> <p>PGE would like to coordinate review of proposed street tree plans during the development review process.</p> <p>Request that PGE dam be included in the utilities section of permitted uses for the Willamette Falls Downtown District in Chapter 17.35.</p>	<p>Staff does recommend waiving any street tree permitting requirements for Franchise Utilities operating within easements or in the Public Right-of-way.</p> <p>Staff agrees that coordinated review of street tree plans would be beneficial.</p>		<p>12.08</p> <p>17.35</p>	<p>Staff is reviewing request in more detail.</p> <p>Street Tree permits are free and help the city maintain tree canopy.</p> <p>Planning and Public Works staff will coordinate with PGE on review of street tree plans.</p> <p>PGE dam is zoned GI and the dam is already a permitted use.</p>
8/27/2018	Public Comment: Potential conflict with the historic districts	No recommendation to change existing historic review process.		OCMC 17.40	Yes. Existing guidelines for new construction under OCMC 17.40 preempt other regulations and regulate design. The historic overlay district regulates the exterior look of development and will continue to do so.
8/27/2018	Public Comment: Should not allow fences in Natural Resource Overlay District	Staff recommended allowing fences which comply with certain requirements as identified by the NRC in the vegetated corridor.		OCMC 17.49	See latest NROD code changes regarding fences.

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8/27/2018	Concern for Type I process for approval of 3-4 plexes	Type I review for new structures. New lots are subject to Type II land division.		Proposed OCMC 17.16	Yes. The proposed language includes clear and objective standards and thus a Type I approval process.
8/27/2018	Public Comment: General support for all amendment proposed including multi-family design standards, and no parking requirements. Market will provide parking. Recommendation for further measures to address SDCs, tax abatement.				Yes. Recommendation for further measures to be considered in policy advisory letter to the City Commission.
8/22/2018	PC Comment: Tri-City Sewer Plant. Does additional demand take away from other cities capacity?	Wallace Engineering analyzed additional demand and found would not exceed projections in in the existing Public Utility master plans.			<ul style="list-style-type: none"> • See Wallace Engineering Memo. • See also Email from TCSD confirming that this will not reduce capacity for other cities.
8/17/2018	Public Comment: Allow manufactured homes and parks as option for cluster housing			OCMC 17.10, 17.20	Yes. Cluster Housing standards do not preclude manufactured homes.
8/17/2018	Support for year-round Shelter provisions.	Staff recommendation to allow Shelters as permitted use in the MUC, MUD zones and Conditional Use for up to 10 beds in residential zones.	Conditional Use in MUC, MUD and for up to 10 beds in residential zones.	OCMC 17.29, 17.34	Yes, Planning Commission recommendation will be reflected in the 10/1/18 draft.

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8/17/2018	Support for code amendments.				
8/17/2018	Public Comment: Support for year-round Shelter provisions.	Staff recommendation to allow Shelters as permitted use in the MUC, MUD zones and Conditional Use for up to 10 beds in residential zones.	Conditional Use in MUC, MUD and for up to 10 beds in residential zones.	OCMC 17.29, 17.34	Yes, Planning Commission recommendation will be reflected in the 10/1/18 draft.
8/13/2018	Public Comment In support of Master Plan PUDs	PAT recommends adding residential components for greater design flexibility and improved standards.	PC suggested additional applicability for		Yes. The Master Plan language has been amended to replicate PUD standards and the title of the chapter has been changed to reflect the shared review standards and process.
8/13/2018	Public Comment Overlay codes in effect for homes on the local historic inventory			OCMC 17.40 and Guidelines for New Construction in Historic Districts (Existing)	Yes. No changes proposed to OCMC 17.40. See latest code amendments.
8/13/2018	Public Comment Codes should be applied citywide				Yes. See latest code amendments. The missing middle strategies are implemented across the zoning designations.
8/27/2018	Public Comment Protection of neighborhoods in Metro 3.07				Yes. City is not required by Metro to add density to single family neighborhoods. Additional findings for the protection of neighborhoods and the retention of the character and people within the neighborhood are provided in the staff report.

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8/13/2018	PC Comment: What is the impetus for project, Comprehensive Plan Goals and Policies?				Yes. See proposed legislative findings and latest code amendments.
8/13/2018	Public Comment: South End Road Traffic, Maintenance, Jurisdiction.	Staff: County road maintenance is not a topic of consideration with these amendments. SECP and TSP govern transportation.	Review Urban Growth Management Agreement (UGMA) for guidance on acceptance of roads.		Yes. The scope of this project does not include a review of the UGMA nor the process of transferring roads. Planning Commission may provide policy direction to the City Commission on this topic. South End Concept Plan and Transportation System Plan are adopted.
8/13/20118	PC Comment: Underutilized property behind OC Shopping Center, Berry Hill Shopping Center. Use of Commercial properties for affordable housing.	n/a			Yes. The project does not include development of any property by the city. The code amendments allow clear guidance to property owners.
7/23/2018	Public Comment: Concern about Cottage Home approval by Historic Review Board	Cluster Housing recommendations		17.20	Yes. This project amends cottage home standards as identified in OCMC 17.20.
7/23/2018	PC Comment: Street Tree Mitigation Fee is too low and should be a last resort, the priority should be on planting. Mitigation Fee should reflect true cost of planting.	Staff: The proposed language includes tree mitigation fund if mitigation trees cannot be located onsite.		17.41. Fee schedule.	Yes. See latest code amendments. Staff will include a 150% increase to the tree mitigation fee in a proposed fee schedule.
7/23/2018	Public Comment: HOA restrictions on ADUs				Staff will add language to next round of amendments that prohibits CC&R's from limiting housing options.

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7/23/2018	Public Comment Allow Single Family detached smaller homes in R2			Proposed OCMC 17.12 / 17.20	Yes. Smaller detached units could be proposed as part of a cluster development in R2, or as an ADU to a pre-existing SFD.
7/23/2018	Public / PC Comment Fire code On street parking	N/A. Code amendments do not conflicts with the fire code.			Yes. See Fire Code attachments from CFD#1.
7/23/2018	Public Comment: Concern about Roosevelt Street nuisance issues as well as not allowing group facilities in residential neighborhoods.	The scope of the project does not include revisions to the nuisance code. The regulations for group facilities are subject to state and fair-housing laws which pre-empt local zoning. The zoning code may not regulate what constitutes a family.			Yes. No changes are proposed for the nuisance code.
7/23/2018 and later.	Public Comment: Fort Kennedy Vision Statement on Tiny Houses	Currently tiny houses would need to meet code standards for either an ADU, single-family dwelling or cottage cluster and all building code and public facilities hook up requirements. PAT recommendation is to address tiny houses when State building code is updated to address them.			Yes. The proposed amendments include a variety of opportunities to construct tiny homes with foundations. The proposal does not address recreational vehicles and their associated standards.
7/23/2018	Public Comment Are there industry standards for unit types?	Building code requirements govern occupancy and life safety standards.			Yes.

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7/23/2018	Does this amendment allow cargo containers to be used as living units / ADUs?	Cargo Containers as Accessory Structures not a permitted use. Cargo containers as a principal dwelling that are modified to meet residential design standards would be OK.			Yes.
7/23/2018	Concern for Minimum off-street parking for Multi-family housing and ADUs.	Require one space per unit.			Yes.
7/23/2018	Is there a cited source for the PSU ADU Survey?	Yes, there is. Click here			Yes.
7/23/2018	Public comment: Request to postpone code adoption until after City Commission elections in November	No recommendation	N/A	N/A	The Planning Commission has had multiple hearings on the proposed amendments. Though a tentative schedule is provided, the amendments will go before the City Commission once the Planning Commission has completed their review.
7/23/2018	Short term rentals in ADUs. Don't want to see ADUs used as a commercial use.	Bed and Breakfasts remain a conditional use Short Term rental defined under Bed and Breakfast or Boardinghouse.	Same as PAT.	OCMC 17.04.145 See all R zones.	Yes. No change is proposed to this standard.
7/23/2018	Short Term Rental (aka. "Vacation Rental") policy	No PAT recommendation. Staff: Rentals less than 30 days in a residential zone require a conditional use.			Yes. No change is proposed to this standard.

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7/23/2018	PC Comment: Number of ADUs per dwelling	1 per dwelling			Yes. The proposed amendments retain 1 ADU per detached single-family home.
7/18/2018	Public Comment: Better cell phone coverage is need if additional housing is being added.	A full review of the standards was not completed associated with this project.		OCMC 17.80	Yes. City does not have a role in reviewing communication facilities, though no changes to the standards are proposed.
7/9/2018	Public Comment: Signs for home occupations do not allow freestanding signs.	A full review of the standards was not completed associated with this project.		OCMC 15.28.	No changes to the standards are proposed.
7/9/2018	PC Comment: Mobile Vending Food Carts	Permit in WFDD Other employment zones (CI, MUE, and GI) up to 5 hours with special use permit.		OCMC 17.35	Yes. Separated definitions for food carts and other mobile vendors. Asking for final direction about allowing in other zones the 9/24/18 meeting.
7/9/2018	3-4 plexes in medium density zones / Design and Parking	See code – Type I review			See later comments.
7/9/2018 and 9/10/2018	PC Comment Size of additions for Internal Conversions	800 sf PAT recommended 800 SF as that is the maximum size of an ADU.	<ul style="list-style-type: none"> Discuss options Reduce allowable addition size to between 300 – 500 sf to retain scale of existing building	OCMC 17.20.030.D	Asking for final direction by the Planning Commission at the 9/24/18 meeting.
7/9/2018	PC Comment: Code should not be adopted citywide but should be applied selectively by neighborhood	PAT and staff recommendation was to apply city-wide. Development shall still be required to comply with applicable overlay districts.			Yes, the proposed amendments apply city-wide.

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7/9/2018	PC Comment: Housing Needs Analysis (HNA) timing, HNA should be done first	The project reviews the housing tools available to property owners with no guarantee of if or how much they will be employed. HNA is not necessary in order to adopt code, since it does not involve zoning map amendments and is applicable citywide.			Yes. The City is working with Clackamas County on a county-wide (including some cities) project to assess the housing needs and buildable land.
7/9/2018	Public Comment: Fences blocking sightlines in Canemah	Staff recommendation: Proposed amendments to the fence requirements are proposed. No changes to the sight distance requirements in 10.32 are proposed.		17.54.100 OCMC 10.32	Yes. Public Works Dept. is monitoring conditions.

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7/9/2018	<p>Public Comment Tree Removal in Annexation Areas:</p> <ul style="list-style-type: none"> Retain current policies which do not penalize or regulate tree cutting in annexation areas until zoning is applied, (unless otherwise regulated by County Zoning). Recommend to CC adoption of policies that discourage tree cutting prior to annexation and require mitigation if it occurs prior to annexation. Annexation is at discretion of City Commission. County code allows tree cutting under their zoning Strengthen / Update UGMA with Clackamas County 	<p>Staff Recommendation: Consider tree removal standards though a separate process to include all instances in which trees are regulated, beyond annexation. City cannot regulate outside of our jurisdiction.</p> <ul style="list-style-type: none"> A stated policy adopted by resolution of the City Commission similar to Lake Oswego is one possibility, which has a three-year waiting period for annexation if trees are cut. 		<p>OCMC 17.41 17.20 17.49 17.44</p>	<p>Asking for final direction about allowing in other zones the 9/24/18 meeting.</p>