

Summary of City Commission Direction on Significant Code Amendments to Date

May 24, 2019

This worksheet is intended to be summarize specific items identified for further direction during the April 3, April 17, May 1, and May 15 City Commission public hearings. The intent of the hearings is to provide final direction to staff on the outstanding issues from the November 26, 2018 draft amendments. The most recent final draft code dated 05.05.2019 is intended to reflect these decisions. As the City Commission reviewed the amendments, issues of larger debate before the Planning Commission or those which required additional discussion were pulled aside to determine if the draft language should be amended further. Any notes should be submitted to staff to be entered into the record. Please reference the current version of the applicable sections of the Oregon City Municipal Code (identified in *italics*), "Items for City Commission Direction", and public comments.

	Code Amendments in the Planning Commission Recommendation	Retain?	Amend?	CC Direction
April 3rd Review				
	Require a 2-acre minimum lot size for manufactured housing parks. <i>17.20.050.C.1</i>		X	Change minimum size to 1 acre. Follows state statutes.
	Retain an owner occupancy requirement for accessory dwelling units (ADUs). <i>17.20.10.D.6</i>		X	CC sent back to PC PC Discussed April 22, recommended removal CC voted to remove Owner Occupancy
	Require homes be 20 years old to qualify for internal conversions of up to four units. <i>17.20.030.B</i>	X		City Commission voted to support Planning Commission recommendation and retain 20-year requirement
	Increase flag lot pole widths for flag lots from 8 feet to 10 feet. <i>17.20.20.D.13 & 16.08.050.E</i>	X		City Commission voted to support Planning Commission recommendation and increase to 10 feet
	Prohibit CC&R restrictions for homeowners who wish to pursue an ADU or internal conversion. <i>16.08.095</i>		X	Approved with minor amendments suggested by Assistant City Attorney.
	Prohibit 3-4 plexes in Historic Commercial District (In Canemah along McLoughlin Blvd) <i>17.26.020</i>		X	CC approved PC Recommendation to prohibit 3-4 Plexes and Multi-Family in HC following further discussion by PC April 22 Send to Planning Commission for more discussion.
	Add requirement that preliminary plats be prepared by a surveyor. <i>16.08.025</i>		X	Existing conditions prepared by a surveyor and a preliminary plat prepared by a licensed professional.

	Planning Commission Recommendation	Retain?	Amend?	CC Direction
	Combine the standards for multi-family and commercial/industrial/office/retail/etc. <i>17.62.055 & 17.62.057</i>	X		
	Limit the currently unlimited Type II modifications to: landscaping, vehicular connections to adjoining properties, on-site pedestrian circulation, utility undergrounding, building location, building details, windows, and parking lot landscaping. <i>17.62.015</i>	X		
	Amend height limit in the Mixed Use Downtown District for properties located outside of the Downtown Design District. The maximum height is 75', except for the following which is limited to 45': <ul style="list-style-type: none"> • Properties between Main Street and McLoughlin Boulevard and 11th and 16th streets • Property within five hundred feet of the End of the Oregon Trail Center property • Property within 100' of abutting a single-family detached or attached units <i>17.34.060.D</i>			Send to Planning Commission for more discussion. PC to hold a separate work session June 10, prior to A joint work session between the City Commission and Planning Commission. PC Response: Discussion continues regarding height in MUD.
	Add allowance for some fences to be constructed in the Natural Resource Overlay District if certain standards are met. <i>17.49.080.O</i>	X		
	Retain the mailed notice requirement to neighboring property owners within 300' of Type II-IV development. <i>17.50.030.B-D</i>	X		City Commission voted to support Planning Commission recommendation after send the issue back to PC for further discussion. PC: Recommendation following remand: Retain 300' mailed notice.

	Planning Commission Recommendation	Retain?	Amend?	CC Direction
	<p>Change the expiration of an application from:</p> <ul style="list-style-type: none"> Commercial- Issue a building permit within 2 years (with a 1-year extension) and no end date to complete the project. Land Division- public improvements and conditions of approval met (with 1-year extension) <p>to 3 years to submit to plans to the Building Division or County Surveyor and 5 years to complete all portions of the project.</p> <p style="text-align: right;"><i>17.50.200 & 17.50.210</i></p>		X	City Commission voted to approve staff recommendation. Note that the code amendment was proposed by staff after Planning Commission review.

April 17th Review

April 17th Review				
Planning Commission Recommendation	Retain?	Amend?	Comments	
Retain the residential design standards for Park Place and South End Concept Plan areas. <i>17.20, 17.21, & 17.22</i>	X		City Commission voted to support Planning Commission recommendation	
Restrict alley access requirements in high and medium density residential, mixed-use districts from citywide to concept plan areas only. <i>16.12.026</i>	X		City Commission voted to support Planning Commission recommendation	
Establishment of standards for transitory and non-transitory mobile food carts and allowance of transitory mobile food carts in some zones. <ul style="list-style-type: none"> • Allow in the Mixed Use Employment, General Industrial and Campus Industrial as a permitted use for less than 5 hours in a 24-hour period. • Prohibit in Mixed Use Corridor 1 & 2, Mixed Use Downtown, General Commercial, and Institutional zones without a special use permit. • Definition and establishment of a Type I Review process. <i>17.04.481, 17.54.115, & 17.62.035</i>		X	Support Planning Commission recommendation with the following changes: <ul style="list-style-type: none"> • Allow non-transitory food carts in “I” Institutional • Allow transitory food carts in “I” Institutional and “MUD” Mixed Use Downtown District (outside of the downtown design district) 	
Add definition and standards for day and/or night shelters. <ul style="list-style-type: none"> • Allow day and/or night shelters as a Conditional Use in the MUC, MUD zones (except within the Downtown Design District) • Conditional Use for ≤10 beds in residential districts • Prohibit shelters in NC, HC, C, Downtown Design District of MUD, WFDD, GI, CI, I <i>17.04.1117, 17.56.040.H, 17.52.020.A, 17.52.040.B, 17.29.030.L, 17.34.030.P, 17.08.025.K, 17.10.025.K, 17.12.025.K, 17.56.050.K, 17.24.035.K, 17.26.035.C, 17.32.040.F, 17.34.040.J, 17.34.040.J, 17.36.035, 17.37.035.A, & 17.39.045.D</i>			Discussion on this topic did not conclude. See next page for conclusion.	

May 15, 2019 Review

	Planning Commission Recommendation	Retain?	Amend?	Comments
	<p>Add definition and standards for day and/or night shelters.</p> <ul style="list-style-type: none"> • Allow day and/or night shelters as a Conditional Use in the MUC, MUD zones (except within the Downtown Design District) • Conditional Use for ≤10 beds in residential districts • Prohibit shelters in NC, HC, C, Downtown Design District of MUD, WFDD, GI, CI, I <p><i>17.04.1117, 17.56.040.H, 17.52.020.A, 17.52.040.B, 17.29.030.L, 17.34.030.P, 17.08.025.K, 17.10.025.K, 17.12.025.K, 17.56.050.K, 17.24.035.K, 17.26.035.C, 17.32.040.F, 17.34.040.J, 17.34.040.J, 17.36.035, 17.37.035.A, & 17.39.045.D</i></p>		X	<p>City Commission Direction: Support Planning Commission Recommendation, and also:</p> <p>Break out Warming/Cooling, Day Shelters, Transitional Shelters as separate definition.</p> <p>Make Conditional Use in all zones where permitted</p> <p>Prohibit shelters in all Low Density Residential Zones Allow shelters up to 10 beds in Medium Density Residential Zones Allow shelters with 11+ beds in High Density Residential Zones Specify number or beds (staff seeking clarification)</p> <p>TBD June 5</p>
	<p>Amend the 20% lot size reduction (lot averaging) standard to 10% and limit the application of the reduction to 25% of the lots in a subdivision which are single-family detached homes.</p> <p><i>16.08.065</i></p>	X		<p>City Commission voted to support Planning Commission recommendation</p>
	<p>Amend minimum off-street parking in low and medium density residential areas for:</p> <ul style="list-style-type: none"> • Accessory dwelling units = 1 stall (currently 1 stall) • Internal conversions = 2 units = 1 stall 3 or 4 units = 2 stalls (currently not allowed use) • 3-4 plexes = 2 stalls (currently based on bedrooms) <p><i>17.20.010.D.8, 17.20.030.G, & 17.16.060.B</i></p>	X		<p>City Commission voted to support Planning Commission recommendation</p>
	<p>Add a new annexation factor which allows the Commissions to consider if significant site grading or tree removal (>50 percent of the forest canopy excluding farm or forest practices) has occurred on the property since the date when the annexation application was filed.</p> <p><i>14.04.060.A.8</i></p>	X		<p>City Commission voted to support Planning Commission recommendation</p>

	Amend the Neighborhood Association meeting requirements (New item in response to public comment on May 15)		X	<p>City Commission directed Staff to amend this code section to require:</p> <ul style="list-style-type: none"> • Applicants shall meet with the Neighborhood Association no earlier than one year prior to land use application • Applicants shall include the Neighborhood Association meeting Sign-In Sheet in their application.
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