



## Oregon City Municipal Code Beavercreek Road Concept Plan Implementing Code June 7, 2019 Draft

### Chapter 16.08, Land Divisions - Process and Standards

#### 16.08.025 - Preliminary plat—Required information.

- A. Site Plan. A detailed site development plan drawn to scale by a licensed professional based on an existing conditions plan drawn by a licensed surveyor. The site plan shall include the location and dimensions of lots, streets, existing and proposed street names, pedestrian ways, transit stops, common areas, parks, trails and open space, building envelopes and setbacks, all existing and proposed utilities and improvements including sanitary sewer, stormwater and water facilities, total impervious surface created (including streets, sidewalks, etc.), all areas designated as being within an overlay district and an indication of existing and proposed land uses for the site. (...)

#### 16.08.040 – Park and open space requirements.

Where a proposed park, open space, playground, public facility, or other public use shown in a plan adopted by the city is located in whole or in part in a land division, the City may require the dedication or reservation of this area on the final plat for the partition or subdivision.

#### 16.08.042 - Additional Public Park Requirements in Beavercreek Road Concept Plan area.

- A. Each development within the Beavercreek Road Concept Plan area that includes residential development must provide for land for neighborhood parks which meets the requirements of this section.
- B. The minimum amount of land in acres dedicated for a park shall be calculated according to the following calculation: (2.6 persons per dwelling units) x (total number of dwelling units proposed in the development) x (8.0 acres) / (1,000 persons).
- C. The entire acreage must be dedicated prior to approval or as part of the final plat or site plan development approval for the first phase of development.
- D. If a larger area for a neighborhood park is proposed than is required based on the per-unit calculation described in subsection (A), the City must reimburse the applicant for the value of the amount of land that exceeds the required dedication based on the fee-in-lieu formula expressed in subsection (E)(1).

- E. The City may accept a fee-in-lieu as an alternative to this dedication at its discretion or may require a fee-in-lieu if a suitable site meeting the criteria described in subsection (F) of these provisions is not available with the development site. The calculation of the fee-in-lieu or other monetary contribution must meet the following standards.
  - 1. The amount of the fee in lieu or other monetary contribution is set in dollars per acre of required dedication and is equivalent to the appraised cost of land within the development, as provided by a certified appraiser chosen by the City and with the assumption that zoning and other land use entitlement are in place.
  - 2. The fee-in-lieu or other monetary contribution must be paid prior to approval of the final plat or development approval for each phase of development.
- F. Neighborhood park sites proposed for dedication must meet the following criteria.
  - 1. Located within the South Central Open Space Network as shown in Figure 16.08.042-1. *Figure 16.08.042-1 (To be provided, will show the South Central Open Space Network as mapped on the Development Constraints Map.)*
  - 2. Met either of the following standards:
    - a. Pearl standard. *(To be developed with Parks input.)*
    - b. String standard. *(To be developed with Parks input.)*

## **Chapter 17.10, R-5 Medium Density Residential District (East Mixed-Use Neighborhood subdistrict)**

### 17.10.070 – Additional Standards for Beaver Creek Road Concept Plan Area

- A. Applicability. This section applies to all development in the R-5 district within the Beaver Creek Road Concept Plan area.
- B. Relationship of Standards. These standards apply in addition to and supersede the standards of the R-5 zone within the Beaver Creek Road Concept Plan area. In the event of a conflict, the standards of this section control.
- C. Low-Impact Conservation Area. Between the west edge of the designated Natural Resources Overlay District extent required along Thimble Creek extending east to the 490-foot elevation (MSL), additional standards apply to create a low-impact conservation area as depicted in Figure 17.10.070-1 and preserve views to adjacent natural areas.

*Figure 17.10.070-1 Extent of Low-Impact Conservation Area (To be provided based on Concept Plan.)*

- 1. The standards of this section apply in addition to the requirements of OCMC 17.44, US—Geologic Hazards, if applicable. In the event of a conflict, the more restrictive shall apply.
- 2. Development intensity shall be limited as follows:
  - a. The maximum residential density shall be limited to two dwelling units per acre;



1. For all lots adjacent to the southern boundary and within 20 feet of the southern boundary, uses shall be limited to single-family detached residential and parks, trails and open space.
2. For all lots adjacent to the southern boundary and within 20 feet of the southern boundary, minimum lot size for residential uses shall be 6,000 square feet.
3. All structures shall be set back a minimum of 40 feet from the southern boundary for all lots adjacent to the southern boundary and within 20 feet of the southern boundary.
4. Within the 40-foot wide setback, a combination of landscaping and screening shall be provided to buffer the perimeter. The landscaping and screening shall meet one of the two standards:
  - a. Utilize existing vegetation in compliance with OCMC 17.41 resulting in preservation or replanting of a minimum of 12 inches of tree diameter inches per lot with trees spaced an average of one tree for every 30 linear feet along the southern property line. These trees may be located on the residential lots or an abutting tract created for tree preservation consistent with OCMC 17.41.050.B or other similar landscaping or open space purpose.
  - b. Provide a combination of landscaping and screening to include:
    - (i) A minimum of 12 inches of tree diameter inches per lot, or a minimum of an average of one tree with minimum caliper of two inches DBH for every 30 linear feet along the southern property line, whichever is greater; and
    - (ii) A minimum six-foot tall, decorative, sight-obscuring fence or wall running parallel to the southern boundary. The fence or wall shall be constructed of wood, stone, rock, or brick. Other durable materials may be substituted with Planning Director's approval. Chainlink fencing with slats shall be not allowed to satisfy this standard.
5. An alternative southern perimeter transition may be proposed as part of a Master Plan per OCMC 17.65, provided it is consistent with the goals of the adopted Beaver Creek Road Concept Plan.

## **Chapter 17.12, R-2 High Density Residential District (West Mixed-Use Neighborhood subdistrict)**

### 17.12.060 – Additional Standards for Beaver Creek Road Concept Plan Area

- A. Applicability. This section applies to all development in the R-2 district within the Beaver Creek Road Concept Plan area.
- B. Relationship of Standards. These standards apply in addition to and supersede the standards of the R-2 zone within the Beaver Creek Road Concept Plan area. In the event of a conflict, the standards of this section control.
- C. Uses.
  1. Live/work dwellings are a permitted use.
  2. As part of a master plan when authorized by and in accordance with the standards contained in OCMC 17.65, up to five thousand square feet of commercial space as a stand-alone building or part of a larger mixed-use building, to be used for:
    - a. Restaurants, eating and drinking establishments without a drive through;

- b. Services, including personal, professional, educational and financial services; laundry and dry-cleaning; or
  - c. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores, and similar.
- D. Sustainability density bonus. The maximum net density allowed in 17.12.050.B may be increased by up to twenty percent, or a maximum net density of 26.2 du/acre, for projects incorporating the following sustainability features. For every feature provided below, net density may be increased by up to five percent, with a maximum twenty percent bonus available.
  - 1. A vegetated ecoroof for a minimum of thirty percent of the total roof surface.
  - 2. For a minimum of seventy-five percent of the total roof surface, a white roof with a Solar Reflectance Index (SRI) of 78 or higher if the roof has a 3/12 roof pitch or less, or SRI of 29 or higher if the roof has a roof pitch greater than 3/12.
  - 3. A system that collects rainwater for reuse on-site (e.g., site irrigation) designed to capture an amount of rainwater equivalent to the amount of stormwater anticipated to be generated by 50% of the total roof surface.
  - 4. An integrated solar panel system for a minimum of thirty percent of the total roof or building surface.
  - 5. Orientation of the long axis of the building within thirty degrees of the true east-west axis, with unobstructed solar access to the south wall and roof.
  - 6. Windows located to take advantage of passive solar collection and include architectural shading devices (such as window overhangs) that reduce summer heat gain while encouraging passive solar heating in the winter.
  - 7. Fifty percent or more of landscaped area covered by native plant species selected from the Oregon City Native Plant List.
  - 8. Provision of pedestal or wall-mounted Level 2, two hundred forty-volt electric vehicle chargers, or similar alternative fueling stations as approved by the planning director, at a minimum ratio of one station per fifty vehicle parking spaces up to a maximum of five such stations.
  - 9. Building energy efficiency measures that will reduce energy consumption by thirty percent based on HERS rating for building, including efficient lighting and appliances, efficient hot water systems, solar orientation or solar water heating, solar photovoltaic panels, geothermal, and offsetting energy consumption with alternative energy.
  - 10. Use of Forest Stewardship Council certified wood Reclaimed Wood for a minimum of thirty percent of wood products used in the site development.
  - 11. Permeable paving, which may include porous concrete, permeable pavers, or other pervious materials as approved by the city engineer, for a minimum of thirty percent of all paved surfaces.
  - 12. Buildings LEED-certified by the U.S. Green Building Council at any level shall be allowed to increase net density by the full twenty percent.
  - 13. Or an alternative the meets or exceeds the intent of the above code as approved by the Community Development Director through a Type II review.

## **Chapter 17.24, NC Neighborhood Commercial District (Main Street subdistrict)**

### 17.24.050 – Additional Standards for Beaver Creek Road Concept Plan Area

- A. Applicability. This section applies to all development in the NC district within the Beaver Creek Road Concept Plan area.
- B. Relationship of Standards. These standards apply in addition to and supersede the standards of the NC zone within the Beaver Creek Road Concept Plan area. In the event of a conflict, the standards of this section control.
- C. Uses.
  - 1. All uses permitted per OCMC 17.24.020.A and B, including grocery stores, are limited to a maximum footprint for a stand alone building with a single store or multiple buildings with the same business not to exceed ten thousand square feet, unless otherwise restricted in this chapter.
  - 2. Residential uses are permitted subject to limitations in OCMC 17.24.050.E, and are not subject to OCMC 17.29.020.M, OCMC 17.29.020.N, and OCMC 17.24.020.D.
  - 3. Artisan and specialty goods production is permitted, constituting small-scale businesses that manufacture artisan goods or specialty foods and makes them available for purchase and/or consumption onsite, with an emphasis on direct sales rather than the wholesale market. Examples include: candy, fruit and vegetable preserving and specialty foods, bakeries and tortilla manufacturing; artisan leather, glass, cutlery, hand tools, wood, paper, ceramic, textile and yarn products; microbreweries, microdistilleries, and wineries. All uses shall provide either:
    - a. A public viewing area that includes windows or glass doors covering at least twenty-five percent of the front of the building face abutting the street or indoor wall, allowing direct views of manufacturing; or
    - b. A customer service space that includes a showroom, tasting room, restaurant, or retail space.
  - 4. Drive-throughs are prohibited.
  - 5. Gas stations are prohibited.
- D. Dimensional standards.
  - 1. Maximum building height shall be sixty feet or five stories, whichever is less.
  - 2. Minimum building height shall be twenty-five feet or two stories, whichever is less, except for accessory structures or buildings under one thousand square feet.
  - 3. Maximum corner side yard setback abutting a street shall be five feet.
  - 4. Minimum floor area ratio (FAR) shall be 0.5.
    - a. Required minimum FARs shall be calculated on a project-by-project basis and may include multiple contiguous blocks. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FAR.



1. Light industrial uses limited to the design, light manufacturing, processing, assembly, packaging, fabrication and treatment of products made from previously prepared or semi-finished materials are permitted.
  2. The following permitted uses, alone or in combination, shall not exceed twenty percent of the total gross floor area of all of the other permitted and conditional uses within the development site. The total gross floor area of two or more buildings may be used, even if the buildings are not all on the same parcel or owned by the same property owner, as long as they are part of the same development site, as determined by the community development director.
    - a. Restaurants, eating and drinking establishments;
    - b. Services, including personal, professional, educational and financial services; laundry and dry-cleaning;
    - c. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores, marijuana, and similar, provided the maximum footprint for a stand-alone building with a single store does not exceed twenty thousand square feet; and
    - d. Grocery stores provided the maximum footprint for a stand-alone building does not exceed forty thousand square feet.
  3. Drive-throughs are prohibited.
  4. Gas stations are prohibited.
  5. Bed and breakfast and other lodging facilities for up to ten guests per night are a conditional use.
  6. Tax Lot 00800, located on Clackamas County Map #32E10C has a special provision to allow the multifamily residential use permitted as of (Ordinance effective date) as a permitted use. This property may only maintain and expand the current use.
- D. Dimensional standards.
1. Minimum floor area ratio (FAR) shall be 0.35.
  2. Maximum allowed setback for corner side yard abutting street shall be five feet.
- E. Residential uses. All residential uses, except live/work units, are limited to upper stories only, and may only be proposed as part of a single development application incorporating nonresidential uses allowed in the MUC-2 district on the ground floor.

## **Chapter 17.37, CI Campus Institutional District (North Employment Campus subdistrict)**

### 17.37.060 – Additional Standards for Beaver Creek Road Concept Plan Area

- A. Applicability. This section applies to all development in the CI district within the Beaver Creek Road Concept Plan area.
- B. Relationship of Standards. These standards apply in addition to and supersede the standards of the CI zone within the Beaver Creek Road Concept Plan area. In the event of a conflict, the standards of this section control.



C. Uses.

1. The following permitted use supersedes the use allowed in OCMC 17.37.020.L. Retail sales and services, including but not limited to eating establishments for employees (i.e. a cafe or sandwich shop) or retail sales of marijuana pursuant to OCMC 17.54.110, located in a single building or in multiple buildings that are part of the same development shall be limited to a maximum of five thousand square feet in a single outlet or twenty thousand square feet in multiple outlets that are part of the same development project.
2. The following permitted use supersedes the use allowed in OCMC 17.37.020.M. Retail and professional services including but not limited to financial, insurance, real estate and legal offices limited to a maximum of five thousand square feet in a single outlet or twenty thousand square feet in multiple outlets that are part of the same development project. Financial institutions shall primarily serve the needs of businesses and employees within the development, and drive-throughs are prohibited.
3. Offices as an accessory to a permitted use are permitted.
4. Parks, trails, urban agriculture and community garden uses are permitted.
5. Distribution and warehousing are prohibited.
6. Tax Lots 00300, 00301, 00302, 00303, 00400 and 00401, located on Clackamas County Map #32E10C have a special provision to allow single-family detached residential use as a permitted use. This property may only maintain and expand the current use.

D. Buffer zone treatment required in OCMC 17.37.040.D shall include:

1. Landscaping shall be installed to provide screening of views of parking, loading and vehicle maneuvering areas, refuse/recycling collection areas, outdoor storage, and building façades. Buffer zone treatment may substitute for perimeter parking lot landscaping required per OCMC 17.52.060.C. Landscaping shall include:
  - a Trees a minimum of two caliper inches dbh planted on average 30 feet on center. Existing mature vegetation may be used to meet this standard if it achieves a similar level of screening as determined by the Planning Director.
  - b An evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than 4 four feet apart on average.
  - c Ground cover plants, which includes grasses covering all landscaping areas. Mulch (as a ground cover) shall only be allowed underneath plants at full growth and within two feet of the base of a tree and is not a substitute for ground cover.
2. Buffer shall incorporate a berm no less than three feet in height above the existing grade, constructed with a slope no steeper than 3:1 on all sides. The berm shall be planted with plant materials to prevent erosion.
3. A minimum six-foot tall, decorative, sight-obscuring fence or wall. The fence or wall shall be constructed of materials commonly used in the construction of fences and walls, such as wood, stone, rock, brick, or other durable materials. Chainlink fencing with slats shall be not allowed to satisfy this standard.

E. Outdoor storage permitted per OCMC 17.37.050.D shall be limited to a maximum of twenty-five percent of the net developable area.

F. Power line corridors. A distinct feature of this district is the power line corridors north of Loder Road that define open corridors.

1. Within the power line corridors, a minimum 30-foot wide open space and public access easement shall be granted to the City. The easement shall run parallel to the power line corridor and align with easements on abutting properties to create a continuous corridor.
  2. The easement may be shown on the final plat or recorded as a separate easement document. In either case, the easement must be recorded prior to issuance of a certificate of occupancy.
  3. Open spaces within the power line corridors, including the open space easements, may be counted as landscaping satisfying the requirements of OCMC 17.62.050.A.
  4. Additional uses encouraged in the power line corridors include community gardens, urban agriculture, stormwater and water quality features, plant nurseries, and solar farms.
- G. Sustainability features. Each development must incorporate six of the following sustainability features.
1. A vegetated ecoroof for stormwater management. An ecoroof covering twenty to forty percent of the total roof area shall count as one feature, and a roof covering more than forty percent of the total roof area shall count as two features.
  2. A white roof with a Solar Reflectance Index (SRI) of 78 or higher if the roof has a 3/12 roof pitch or less, or SRI of 29 or higher if the roof has a roof pitch greater than 3/12 covering a minimum of seventy-five percent of the total roof area.
  3. A system that collects rainwater for reuse on-site (e.g., site irrigation) designed to capture an amount of rainwater equivalent to the amount of stormwater anticipated to be generated by 50% of the total roof surface.
  4. An integrated solar panel system mounted on the roof or anywhere on site. A solar system with surface area equivalent to a minimum of twenty to forty percent of the total roof area shall count as one feature, and a solar system with surface area equivalent to forty percent or more of the total roof area shall count as two features.
  5. Use of native plant species selected from the Oregon City Native Plant List. Native plantings that cover twenty to thirty percent of the total landscaped area shall count as one feature, and plantings that cover thirty percent or more of the total landscaped area shall count as two features.
  6. Provision of pedestal or wall-mounted Level 2, two hundred forty-volt electric vehicle chargers, or similar alternative fueling stations as approved by the planning director, at a minimum ratio of one station per fifty vehicle parking spaces up to a maximum of five such stations.
  7. Permeable paving, which may include porous concrete, permeable pavers, or other pervious materials as approved by the city engineer. Permeable paving totaling twenty to forty percent of all paved surfaces shall count as one feature, and permeable paving of forty percent or more of all paved surfaces shall count as two features.
  8. Buildings LEED-certified by the U.S. Green Building Council at any level shall be counted as three features.
  9. Or an alternative the meets or exceeds the intent of the above code as approved by the Community Development Director through a Type II review.

## Chapter 17.62 Site Plan and Design Review

### 17.62.058 - Additional Public Park Requirements in Beavercreek Road Concept Plan area.

- A. Each development within the Beavercreek Road Concept Plan area that includes residential development must provide for land for neighborhood parks which meets the requirements of this section.
- B. The amount of land in acres dedicated for a park shall equal at least the following calculation: (2.6 persons per dwelling units) x (total number of dwelling units proposed in the development) x (8.0 acres) / (1,000 persons).
- C. The entire acreage must be dedicated prior to approval or as part of the site plan development approval for the first phase of development.
- D. If a larger area for a neighborhood park is proposed than is required based on the per-unit calculation described in subsection (A), the City must reimburse the applicant for the value of the amount of land that exceeds the required dedication based on the fee-in-lieu formula expressed in subsection (E)(1).
- E. The Planning Director may accept a fee-in-lieu as an alternative to this dedication at its discretion or may require a fee-in-lieu if a suitable site meeting the criteria described in subsection (F) of these provisions is not available with the development site. The calculation of the fee-in-lieu or other monetary contribution must meet the following standards.
  - 1. The amount of the fee in lieu or other monetary contribution is set in dollars per acre of required dedication and is equivalent to the appraised cost of land within the development site, as provided by a certified appraiser chosen by the City and with the assumption that zoning and other land use entitlement are in place.
  - 2. The fee-in-lieu or other monetary contribution must be paid prior to approval of the final development approval for each phase of development.
- F. Neighborhood park sites proposed for dedication must meet the following criteria.
  - 1. Located within the South Central Open Space Network as shown in Figure 16.08.042-1. Figure 17.62.058-1 (Same as proposed in OCMC 16.08.042.)
  - 2. Met either of the following standards:
    - a. Pearl standard. (To be developed.)
    - b. String standard. (To be developed.)