



**REPORT DATE:** February 14, 2020

**FILE NO.:** Legislative File: LEG-19-00003

**APPLICANT:** City of Oregon City – Planning Division  
698 Warner Parrott Rd, Oregon City, Oregon 97045

**CONSULTANTS:** 3J Consulting  
Steve Faust, Principal

JET Planning  
Elizabeth Decker, Principal

**REVIEWERS:** Christina Robertson-Gardiner, AICP Senior Planner  
Laura Terway, AICP, Community Development Director  
Carrie Richter, Asst. City Attorney

**REQUEST:** Amend the Comprehensive Plan Map, Zoning Map, Title 16 and 17 of the Oregon City Municipal Code, Beaver Creek Road Concept Plan, Parks Master Plan, Trails Master Plan and the Transportation System Plan to Implement the Goals and Policies of the Beaver Creek Road Concept Plan.

**LOCATION:** Beaver Creek Road Concept Plan

**RECOMMENDATION:** **Adoption of the proposed amendments.** See last page for full recommendation.

*17.50.170 - Legislative hearing process.*

*A. Purpose. Legislative actions involve the adoption or amendment of the city's land-use regulations, comprehensive plan, maps, inventories and other policy documents that affect the entire city or large portions of it. Legislative actions which affect land use must begin with a public hearing before the planning commission.*

*B. Planning Commission Review.*

*1. Hearing Required. The planning commission shall hold at least one public hearing before recommending action on a legislative proposal. Any interested person may appear and provide written or oral testimony on the proposal at or prior to the hearing. The community development director shall*

*notify the Oregon Department of Land Conservation and Development (DLCD) as required by the post-acknowledgment procedures of ORS 197.610 to 197.625, as applicable.*

*2. The community development director's Report. Once the planning commission hearing has been scheduled and noticed in accordance with Section 17.50.090(C) and any other applicable laws, the community development director shall prepare and make available a report on the legislative proposal at least seven days prior to the hearing.*

*3. Planning Commission Recommendation. At the conclusion of the hearing, the planning commission shall adopt a recommendation on the proposal to the city commission. The planning commission shall make a report and recommendation to the city commission on all legislative proposals. If the planning commission recommends adoption of some form of the proposal, the planning commission shall prepare and forward to the city commission a report and recommendation to that effect.*

*C. City Commission Review.*

*1. City Commission Action. Upon a recommendation from the planning commission on a legislative action, the city commission shall hold at least one public hearing on the proposal. Any interested person may provide written or oral testimony on the proposal at or prior to the hearing. At the conclusion of the hearing, the city commission may adopt, modify or reject the legislative proposal, or it may remand the matter to the planning commission for further consideration. If the decision is to adopt at least some form of the proposal, and thereby amend the city's land-use regulations, comprehensive plan, official zoning maps or some component of any of these documents, the city commission decision shall be enacted as an ordinance.*

*2. Notice of Final Decision. Not later than five days following the city commission final decision, the community development director shall mail notice of the decision to DLCD in accordance with ORS 197.615(2).*

IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT (503) 722-3789.

## **EXECUTIVE SUMMARY:**

The Beaver Creek Road Concept Plan (BRCP) was initially adopted in 2008 and re-adopted in 2016. While approximately half of the district has been annexed to the City, mapping and zoning regulations need to be developed and applied for the annexed areas and the remainder of the district to fully implement the BRCP.

Public outreach in the spring of 2019, nine Planning Commission Hearings and two City Commission work sessions provided guidance on the recommended implementation items. This file proposes amendments to the Comprehensive Plan Map, Zoning Map, Title 16 and 17 of the Oregon City Municipal Code, Beaver Creek Road Concept Plan, Parks Master Plan, Trails Master Plan and the Transportation System Plan to Implement the Goals and Policies of the Beaver Creek Road Concept Plan.

## **I. INTRODUCTION**

## PROPOSAL

The Beavercreek Road Concept Plan (BRCP) establishes the goal of creating a complete and sustainable community in southeast Oregon City within a 453-acre district along Beavercreek Road. The district is intended to provide for a mix of uses including an employment campus north of Loder Road, mixed-use districts along Beavercreek Road, and two mixed-use neighborhoods woven together by open space, trails, a network of green streets, and sustainable development practices. District development is anticipated to provide 1,100 housing options and to realize the City's economic development goals, including creation of up to 5,000 family-wage jobs. The five subdistricts that support these development goals include:

- **North Employment Campus:** The largest subdistrict, located north of Loder Road and is intended for tech flex and campus industrial uses.
- **Mixed Employment Village:** Located along Beavercreek Road between Meyers Road and Glen Oak Road, and intended for mixed-use, 3-5 story building scale, active street life.
- **Main Street:** A node located Beavercreek Road and Glen Oak Road, intended for mixed-use, local shops and services.
- **West Mixed-Use Neighborhood:** Located along Beavercreek Road south of Glen Oak Road and the Main Street subdistrict and intended for medium to high-density housing and limited community uses.
- **East Mixed-Use Neighborhood:** Located in the southeast end of concept plan area and is intended for medium density residential and green space throughout.
- **Parks, Open Spaces and Resource Areas:** Includes a connected system of parks, open spaces and natural areas that link together and link to the environmentally sensitive areas throughout the district, including the undevelopable portion of the powerline overlay.

The Beavercreek Road Concept Plan was initially adopted in 2008 and re-adopted in 2016, following legal and legislative findings that affirmed the plan's consistency with Metro regional employment goals. (See File No. LE-15-0003.) While approximately half of the district has been annexed to the City, mapping and zoning regulations need to be developed and applied for the annexed areas and the remainder of the district to fully implement the BRCP.

*Note: the Beavercreek Road Concept Plan will be renamed Thimble Creek Concept Plan as part of the Zoning and Code Amendments process. The previously adopted name was geographically confusing, given the length of Beavercreek Road and the nearby location of the Hamlet of Beavercreek. Thimble Creek is located to the east of the Concept Plan area and flows north before it empties into Abernethy Creek. City documents that refer to the Beavercreek Road Concept Plan should now refer to the revised name: Thimble Creek Concept Plan when opportunities arise to update each document. For the sake of consistency, for the remainder of the staff report, the subject area will be referenced by the current adopted name: Beavercreek Road Concept Plan. Once the code amendments are approved, the Concept Plan will be referenced by with its new name: Thimble Creek Concept Plan.*

### **I.b. IMPLEMENTATION PROJECT SUMMARY**

Oregon City aims to further implementation of the Beaver Creek Road Concept Plan (BRCP) through comprehensive plan designation and zone mapping, and development code amendments. The specific tasks for this project will be to develop comprehensive plan map and zoning map designations to implement the Beaver Creek Road Concept Plan map and supporting development code regulations for each implementing zone. The existing Concept Plan map was the guide for mapping implementation. Existing city zoning, bolstered by recent Equitable Housing code amendments, generally lines up with the desired land use concepts within the plan and will facilitate implementation with minor amendments. Additional plan goals beyond land-use implementation are outside the scope of this project, including infrastructure, transportation and economic development measures that have already been completed or planned for the concept plan area. Additional items will be pursued separately from this land-use implementation project.

The implementation project includes map and text amendments consistent with BRCP including:

1. *Comprehensive plan map amendments:* Proposed amendments to the comprehensive plan map implement the five subdistricts identified in the BRCP consistent with the concept plan maps throughout the concept plan area.
2. *Zoning map amendments:* Proposed amendments to the zoning map implement the five subdistricts consistent with the concept plan and comprehensive plan designations for properties within the concept plan area that have been annexed into the city limits. Zoning for remaining properties will be applied at the time of annexation, consistent with the adopted comprehensive plan map.
3. *Zoning text amendments:* Code amendments to the Oregon City Municipal Code include geographically specific provisions to supplement the base zoning district provisions to fully implement the concept plan goals for each subdistrict. Limited amendments to subdivision and site plan review standards are also proposed to ensure concept plan standards are implemented at the time of development.
4. *Ancillary documents to the Comprehensive Plan:* Ancillary documents that need to be amended to implement the vision of the adopted Concept Plan based on direction from the Planning and City Commissions.

#### **Beaver Creek Road Concept Plan**

- Amend text to no longer require implementation through the Master Plan process
- Place a note on the front page of the concept plan to refer to its new name: Thimble Creek Concept Plan
- General support for speed reduction efforts on non-arterial streets in the plan area
- Revise Beaver Creek Road cross-section per City Commission direction
- Allow wider/safer bike lanes on Collector Streets
- Evaluate specific Collector Street segments at time of development review to verify if development will create sufficient traffic volumes for the designation and design, especially when abutting single-family residential development.

#### **Parks Master Plan**

- Include the South-Central Open Space and East Ridge- Thimble Creek Conservation Areas

**Trails Master Plan**

- Include all trails and shared-use paths identified in concept plan and Transportation System Plan

**Transportation System Plan**

- Revise Beavercreek Road cross-section and budget, as needed
- Revise any future street names not meeting current street naming policy

The BRCP subdistricts are proposed to be implemented with existing city comprehensive plan designations and zoning districts for proposed maps, with proposed code amendments building on existing district standards.

<i>Subdistrict</i>	<i>Comprehensive plan designation</i>	<i>Zone</i>
North Employment Campus	Industrial (I)	Campus Industrial (CI)
Mixed Employment Village	Mixed-Use Corridor (MUC)	Mixed-Use Corridor (MUC-2)
Main Street	Mixed-Use Corridor (MUC)	Neighborhood Commercial (NC)
West Mixed-Use Neighborhood	High-Density Residential (HDR)	High-Density Residential (R-2)
East Mixed-Use Neighborhood	Medium-Density Residential (MDR)	Medium-Density Residential (R-5)
Environmentally Sensitive Restoration Area		Natural Resources Overlay District (NROD) Geological Hazard Overlay District (GHOD)

**II.b. SUMMARY OF ZONING TEXT AMENDMENTS**

The proposed code amendments specific to each subdistrict are described below, and supplement rather than supplant the base zone standards. The proposed redline code can be found as an exhibit to this staff report.

**OCMC 16.08, Land Divisions – Process and Standards**

- Proposed code amendments include additional public park requirements or fee-in-lieu option to ensure land for the South-Central Open Space Network and East Ridge Thimble Creek Conservation Area are reserved and dedicated to the city at the time of residential subdivisions. This is expected to largely apply to development in the R-5 district.

**OCMC 17.04, Definitions**

- Cross-reference definition for Beavercreek Road Concept Plan and Thimble Creek Concept Plan

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

- No changes are proposed to the mix of uses or dimensional standards in the zone beyond those proposed in the Equitable Housing code amendments.
- Standards for the Low-Impact Conservation Area implement the plan goals for the area upslope of Thimble Creek, on the eastern edge of the Beaver Creek Road district. The proposed standards limit development to two units per acre, require open space preservation and restoration, and require view corridors to preserve views.
- A 40-foot perimeter buffer is proposed along the southern edge of the district including landscaping, setbacks and fencing, to manage the transition to lower-density residential development outside City limits along Old Acres Lane to the south.

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

- Allows additional uses consistent with the Concept Plan include live/work dwellings and limited commercial/mixed-use spaces.
- Provides up to a 20% density bonus for development incorporating sustainability features.
- Additional changes in 17.62 add requirement for additional public park dedication or fee-in-lieu, consistent with requirement for new subdivisions.

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

- Limits uses to a 10,000 SF building footprint to encourage pedestrian-scale, main street businesses. Limits residential uses to 50% of the project floor area and prohibits ground-floor residential uses within 150 feet of Glen Oak Road (which will be the “main street.”) Adds a new use category for artisan and specialty goods production to allow limited manufacturing type uses.
- Increase dimensional standards to match scale proposed in the Concept Plan, including a five-story height limit and 0.5 FAR minimum.
- Improves building presence and interaction along the street by requiring parking to be located behind building facades.

**OCMC 17.29, MUC Mixed-Use Corridor District (Mixed Employment Village subdistrict)**

- Light industrial uses are permitted to implement the employment aspect of the vision for this subdistrict. Retail and service uses, including food service, are limited to 20% of a site to maintain the focus on employment uses generating family-wage jobs. Residential uses are limited to upper stories only.
- One parcel with an in-progress residential development is permitted outright, to avoid creating a nonconforming use.
- An additional dimensional standard implements a minimum 0.35 FAR for new development to ensure efficient use of land.

**OCMC 17.31, CI Campus Industrial District (North Employment Campus subdistrict)**

- Retail and professional service uses are limited consistent with Metro Title 4 requirements to preserve land for industrial uses. Offices are permitted consistent with uses outlined in the

Concept Plan, whereas distribution and warehouse uses are prohibited because they create relatively few jobs per acre inconsistent with the plan goals.

- Several parcels with existing single-family residential development are permitted outright, to avoid creating nonconforming uses. (These parcels are outside of Title 4 lands, so there is no conflict with employment requirements.)
- Additional standards require landscaping, berms and fences within the required 25-foot transition area between industrial and residential uses.
- Outdoor storage is limited to a maximum of 25% of the developable area to avoid inefficient use of land that does not support employment plan goals.
- A minimum 30-foot open space and trail corridor is required along the powerline corridor. Additional parks, trails, urban agriculture and community garden uses are permitted consistent with the plan goals for uses within the powerline easement.
- Sustainable development features are required for all development to implement the plan's sustainability goals.

#### **OCMC 17.44, US – Geologic Hazards and OCMC 17.49 – Natural Resources Overlay District**

- No changes are proposed to the geologic hazard or NROD standards for this district; resource areas within the concept plan area will be protected consistent with existing standards.

#### **OCMC 17.54.120 -Home Occupations/Cottage Industry- Thimble Creek Concept Plan Area**

- Home occupations and Cottage Industries within the Concept Plan Area are encouraged and allowed an expanded level of uses to support job creation in Oregon City.

#### **OCMC 17.62, Site Plan and Design Review**

Proposed code amendments include additional public park requirements or fee-in-lieu option to ensure land for the South-Central Open Space Network and East Ridge Thimble Creek Conservation Area is reserved and dedicated to the city at the time of residential subdivisions. This is intended to apply to any residential development in the R-2, employment or the mixed-use districts that does not get developed through subdivision.

#### **Planning Commission Hearings**

The Planning Commission reviewed the zoning and code amendments for the Beaver Creek Road Concept Plan (BRCP) over multiple meetings during fall and winter of 2019/2020. Each meeting was broken into 2-3 topics to allow the Planning Commission, staff, and the public time to focus their energies. Planning Commission comments and direction, as well as public comments, were tracked throughout the hearings, and topics were added to future meetings if new items were identified or had not been resolved.

#### Project Schedule

##### **Hearings**

August 12, 2019 PC Meeting Background on Project, Open Record

August 26, 2019 PC Meeting: Introduce Tracking Matrices, An Overview Of 8.13.19 City Commission Work Session, Identify Future Topics /Calendar  
September 9, 2019PC Meeting: Beaver creek Zones & Maps, Home Occupation  
September 23, 2019 PC Meeting: Master Planning Requirement, Upland Habitat, Geologic Hazards  
October 14, 2019 PC Meeting: Parks, Renaming Concept Plan, Home Occupation/Cottage Industry  
November 18, 2019 PC Meeting: Parks Home Occupation/Cottage Industry  
November 25, 2019 PC Meeting: Transportation Roadway Width, Roundabout, Holly Lane, Local Street Speed)  
January 13, 2020 PC Meeting: Tentative Planning Commission Recommendation (Parks, Upland Habitat, Home Occupation/Cottage Industry)  
February 10, 2020 PC Meeting: Collector Street Width

### ***Other Meetings***

August 29, 2019 Parks and Recreation Advisory Committee (PRAC): Initial Presentation  
October 9, 2019 Natural Resource Committee: Upland Habitat  
November 12, 2019 City Commission Beaver creek Road Design Work Session  
November 13, 2019 Natural Resource Committee: Upland Habitat  
January 21, 2020- Transportation Advisory Committee (TAC): Protected and Buffered Bike Lanes  
January 23, 2020 Parks and Recreation Advisory Committee (PRAC): Recommendation to The Planning Commission

### ***Public Surveys (Project Eblast, City Social Media)***

October 2019 Enhanced Home Occupation: Cottage Industry Standards  
October 2019 Additional Public Outreach on Transportation Questions  
February 2020 Collector Street Width

## **Summary of Planning Commission Direction on Items Discussed During the Hearings Process.**

### **Bike Lanes on Collector Streets**

#### *February 10, 2020 Planning Commission Hearing*

At the January 13, 2020 Planning Commission meeting, the Planning Commission directed staff to review the adopted street sections in the Beaver creek Road Concept Plan to see if the proposed bike infrastructure meets the goals of a green bikeable neighborhood.

The three main ways that people will travel through the neighborhood on bikes are:

1. Local Streets: Typical neighborhood streets where bikes share the travel lanes with cars. In the concept plan area, the recommendation is to reduce the speed limit to 20 mph.
2. Shared Use Path: A wide path, separated from traffic, is proposed along the linear park on the east side of Center Parkway. The path would be wide to allow comfortable bike travel.
3. Collector Streets: There are a few higher traffic volume streets in the concept plan boundary which include bike lanes.

The adopted bike lane width for collector streets in the Concept Plan (below) area appears to include a 5-foot wide bike lane. This was a standard dimension in 2006 when the plan was designed, but best practices today recommend a wider bike lane for more comfortable and safer experience. This would

require the need for additional land to be devoted to the street or a reduction in something else planned within the street (like landscaping or sidewalk) to maintain the adopted street width.

The adopted collector street in the concept plan includes:

- 5-foot sidewalk (both sides of the street)
- 7.5-foot wide planter strip (both sides of the street)
- On-street parking (both sides of the street)
- 5-foot wide bike lane (both sides of the street)
- vehicle travel lane (one in each direction)
- 10-foot-wide landscaped center median

The center medium and the planter strip between the sidewalk and the street are the areas which could potentially be reduced in order to allow for more space to be dedicated to safer bike travel. Best practices call for protected or buffered bike lanes. Protected Bike Lanes are defined as a bike lane with vertical elements that separate the bicyclist from the vehicular travel lane (this could be a planter, a curb or parked car). Buffered Bikes Lanes provide more of a painted buffer between the bike lane and the travel lane/parked cars.

Either option has maintenance and construction considerations, and both can be installed over time in the concept plan area. Protected bike lanes generally need a minimum of 8 feet (5-foot travel lane and 3-foot buffer/vertical element ) and buffered bike lanes need 9.5 feet (5-foot bike lane and a 3 foot and 1.5-foot buffer area to account for open doors of parked cars).The exact design does not need to be decided now, both approaches can move forward as bike lane options. What does need to be decided now is if the street needs to be wider or if we should fit the solution within the previously adopted street width.

Wider roads can be more expensive to build and maintain, can be more challenging to cross, and can reduce the neighborhood feel of a place. Conversely, tree canopy both in wider planter strips and planted mediums provides shade and cools the streets for stormwater that flow into streams. Bigger trees over time also improve property values and help create a sense of community. A survey was sent out to eblast contact list and shared on Oregon city's social media. The survey closes Monday, February 10, 2020 and the final results were shared with the Planning Commission Hearing that evening.

**Planning Commission:** The need for increased bike safety, green infrastructure and neighborhood identity should be a balanced approach in the final street design of the area. Therefore, in lieu of adding additional Right of Way to collector streets to account for the need for wider protected or buffered bike lanes and potentially impact the neighborhood feel of the area, other elements should be reduced or removed to accommodate wider bike lanes within the adopted ROW.

### **Home Occupation/Cottage Manufacturing**

*September 9<sup>th</sup>, September 23<sup>rd</sup>, November 18<sup>th</sup> Planning Commission Hearings*

As part of the 2016 re-adoption of the plan, the City Commission recommended that as during the process to create implementing code and zoning for the BRCP, staff should further analyze the issue of allowing expanded home occupation uses, also known as cottage manufacturing/industry within the mixed-use and residential areas. This item was discussed during the two open houses at Oregon City High School and through an online survey in the fall of 2019. The Planning Commission provided staff

clear direction that they supported expanded opportunities for home-based businesses within the concept plan area. Staff worked with the Planning Commission on options creating new opportunities for home-based business in Oregon City. At the November 18, 2019 Meeting, staff received direction on commercial vehicles and hours of operation for employees and sales and type of sales onsite at the November 18, 2019 Planning Commission Meeting. Those changes are reflected in the revised code attached to the January 13, 2020 agenda packet.

**Planning Commission:** Planning Commission directed staff to create specific cottage industry home occupation business license criteria to implement the Beaver Creek Road Concept Plan vision to encourage job creation in the concept plan area.

### **Upland Habitat regulation under OCMC 17.49 Natural Resource Overlay District (NROD).**

*September 23, 2019 Planning Commission Hearing*

Staff has reviewed the 2008 Beaver Creek Road Site Inventory Map and has identified some small areas that are not currently regulated under OCMC 17.49- Natural Resources Overlay District or OCMC 17.44 Geologic Hazards. Staff has determined that a sufficient amount of land identified as habitat is being protected through the city's existing code to show substantial compliance with the goals and policies of the Beaver Creek Road Concept Plan. Additional regulation could be adopted to address these areas but, staff believes, would not be required.

Staff presented this analysis to the Natural Resource Committee on October 9, 2019 and November 13, 2019. The Natural Resource Committee submitted a letter with a keyed map into the record requesting the Planning Commission create code to regulate and protect upland habitat areas 3 and 4 as they are of specific interest to the committee and are contiguous to large habitat areas. They support additional protection in Area 2 in locations that abut the identified and protected stream. Area 1 merits additional protection if analysis can show enough tree area located outside of the Natural Resource Overlay District exists. Staff looked for further direction from the Planning Commission on this issue. If the Planning Commission supported additional regulation, staff recommended adding code to either OCMC Chapter 17.49 Natural Resource Overlay District or OCMC 17.41 Tree Protection, Preservation, Removal and Replanting Standards and return at a future meeting with proposed code.

**Planning Commission recommendation:** Planning Commission did not recommend any revisions to the proposed code amendments at the September 23, 2019 Planning Commission Meeting and discussed the NRC's recommendation at the January 13, 2019 Planning Commission Meeting. After further deliberation, the Planning Commission retained their initial direction to staff to not pursue additional code amendments for Upland Habitat.

### **Parks Acquisition Code Amendments**

*October 14, 2019, November 18, 2019, January 13, 2020 Planning Commission Hearings*

The BRCP prioritizes an open space network that preserves identified environmental resource areas, parks, trails, and viewpoints, including the South-Central Open Space Network and the Low Impact Conservation Area upslope areas of Thimble Creek on the eastern edge of the district. The proposed code amendments will create the South-Central Open Space Network and Low Impact Conservation Area through required parkland dedication at the time of development and protect trail corridors throughout the district's open space system by also requiring the dedication of easements at the time of development. This code is not for the construction of these elements, only for the dedication of land and potentially some interim surface preparation and use. System Development Fees would be used for the substantial construction of parkland acquired by this code.

Staff met with the Parks and Rec Advisory Committee (PRAC) on August 29, 2019 and September 26, 2019 to discuss the two park concepts. PRAC was supportive of the approach and requested that staff return at a later date with draft park details for the committee to review and make their formal recommendation to the Planning Commission. Staff is working with Don Robertson, Interim Community Services Manager, to get on the next PRAC agenda. In the interim period, staff worked with previous Community Services Manager Phil Lewis on creating minimum and maximum park dimensions, which will be available for Planning Commission review at the January 213, 2020 Planning Commission Meeting.

Planning staff also reviewed the South-Central Open Space-Neighborhood Park dedication formula for residential development created this summer and found that the formula was not correctly or proportionately allocating dedication based on the number of dwelling units. The original formula was  $2.6 \text{ persons per dwelling units} \times (\text{total number of dwelling units proposed in the development}) \times (8 \text{ acres}) / (1,000 \text{ persons})$ . This would require a 10.4-acre dedication for a 400 lot/dwelling unit development application. If the goal is a formula that requires all development to contribute proportionally to the proposed impacts of their development, the original calculation would not be considered proportional.

The Beaver Creek Road Concept Plan anticipates 1100 new dwelling units. This means that the first large development application would be required to site and dedicate the full South-Central Open Space-Neighborhood Park. Based on the proposed minimum park size of 10 acres and the projected residential zoning for 1100 dwelling units, staff recommends a more proportional formula of  $2.6 \text{ persons per dwelling units} \times (\text{total number of dwelling units proposed in the development}) \times (4 \text{ acres}) / (1,000 \text{ persons})$ . This would require the same 400 dwelling unit development proposal to dedicate 4.2 acres.

Finally, staff heard from the Planning Commission that nonresidential development should also contribute to the acquisition and interim development of parks spaces above and beyond the required Parks SDCs. Staff recommends that this fee should be set for 1,000 dollars per each new 5,000 square feet of non-residential development. A new 50,000 square foot Industrial building would be required to pay \$10,000.

Planning staff presented these proposed changes to the Parks and Rec Advisory Committee on January 23, 2020. PRAC supported the amendments with three suggested minor revisions 1. Remove the minimum number of park pearls. 2. Require the first platted park pearl to be a minimum of 3 acres 3. Ensure at least one of the viewpoints of the conservation area to be viewable from a vehicle. These changes have been incorporated into the final revised code attached to the February 10, 2020 agenda. **Planning Commission recommendation:** Approve proposed revised parks acquisition language and recommends that both parks be added to the Parks Master Plan and the proposed Trail System be added to the Transportation System Plan (TSP) and Trails Master Plan as needed. Planning Commission supported the proposed code approved the PRAC.

### **Setbacks Differentiation Between the Northern Concept Plan Boundary and the Southern Concept Plan Boundary.**

*September 9, 2019 Planning Commission Hearing*

The northern boundary is zoned CI and has buffering requirements for residential properties. The purpose of the zoning language is to provide a visual buffer for residential uses while maximizing the

development area for campus industrial properties. The additional buffer requirements found in the Beaver Creek CI zone allow for a smaller setback than the residential buffer to the south. The exchange for quality of the buffer over quantity is often applied in non-residential zones as the landscaping installation and maintenance are easier to enforce than with a single-family residence. Moreover, the Campus Industrial Zone is envisioned to attract businesses that contain their uses inside buildings. The off-hour impact would also be substantially less compared to a single-family residence. The southern concept plan boundary along Old Acres Lane is will be zoned R-5 and has the following proposed code language. The purpose of the increased setback of 40 feet is to protect the existing grove of trees at the southern property line. Staff identified two additional revisions for clarification purposes.

**Planning Commission Recommendation:** Revise 17.37.040 -Dimensional standards to account for the following items in the southern buffering requirements.

- Timbersky/Beaver Creek intersection. There may be a connection to Beaver Creek Road at the Timbersky intersection that could be a right in/right out approach; therefore, a road may need to be allowed within the 20 feet of the southern boundary
- The addition of the clarification for the 40-foot setback at the southern boundary to primary structures indicates that accessory structures would be allowed in the 40-foot setback.

The Planning Commission did not provide any additional code amendment for the northern buffering requirements.

### **Definition of Warehousing**

*September 9, 2019 Planning Commission Hearing*

Distribution/warehousing is prohibited in the Beaver Creek Road Concept Plan CI zone. There was some concern that ancillary warehousing and distribution would not be allowed. Oregon City views the storage and distribution of materials that are constructed or assembled onsite to be part of the permitted use. No changes to the code are recommended.

**Planning Commission recommendation:** Planning Commission did not recommend any revisions to the proposed code amendments.

### **Map Change Request**

*September 9, 2019 Planning Commission Hearing*

At the August 12, 2019 Planning Commission Hearing, Paul Edgar requested that the Planning Commission work with Metro to revise the Title 4 Industrial maps to remove a CI zoned parcel owned by Terry Emmert (identified by a red star on the map below) to allow construction of housing for homeless veterans onsite. Portions of the CI area in the BRCP are identified as Title 4 Industrial areas. Any change to the title 4 Map must be adopted by Metro and would need to be completed before the Code amendments are adopted by the City to remain consistent with Title 4.

**Planning Commission Recommendation:** Planning Commission did not recommend any revisions to the proposed zoning map.

### **Geologic Hazards**

*September 23, 2019 Planning Commission Hearing*

At the request of the Planning Commission, Josh Wheeler, Assistant City Engineer, provided a presentation on the Geologic Hazards Overlay District. Northwest Clackamas County is more susceptible to landslides than many other locations in the Portland-Metro area. Slides are commonly triggered by heavy rain, rapid snowmelt, earthquakes, grading/removing material from the bottom of the slope or

adding loads to the top of the slope, or concentrating water onto a slope (for example, from landscape irrigation, roof downspouts, or broken water/sewer lines). Slides generally occur on moderate to steep slopes, especially in weak soil.

The City of Oregon City has a digital mapping program; once there, you can access the City's GIS mapping program, OCWebMaps, which includes Oregon City and outlying areas. Oregon City regulates and limits tree removal, grading, and development in areas with steep slopes or historic landslides; more information can be found in Chapter 17.44 of the Oregon City Municipal Code.

**Planning Commission recommendation:** Planning Commission did not recommend any revisions to the proposed code amendments.

### **Master Planning Requirement- Clear and Objective Standards for Housing**

*September 23, 2019 Planning Commission Hearing*

Senate Bill 1051, passed in 2017, requires jurisdictions to provide clear and objective standards for housing. Clear and objective standards are metric based and rely on analysis using measurable standards such as height, setback, material selection, window transparency, and other architectural features that can be measured. The 2008 Beavercreek Concept Plan looked at implementation through a more subjective Master Plan process that requires applicants to show how their proposed development is consistent with the adopted plan. This would occur through a Type III Master Plan application reviewed by the Planning Commission at a public hearing. The proposed Beavercreek Road Concept Plan code amendment package was written to be clear and objective to show consistency and compliance with SP 1051. The other way to address compliance with SB 1051 will be to amend the Beavercreek Road Concept Plan and remove the master planning requirement from the text

**Planning Commission recommendation:** Planning Commission recommends amending the Beavercreek Road Concept Plan text to no longer require implementation through the Master Plan process.

### **Concept Plan Renaming**

*October 14, 2019 Planning Commission Hearing*

One issue that came up over and over again in public outreach conversations and public comments in 2019 was a concern that the name of the concept plan area was geographically confusing and was being confused with the Hamlet of Beavercreek. One way to lessen this concern is to potentially begin referring to the area with a new name as part of the code amendment project. Ideally, the new name should not be geographically confusing. Additional names provided during the public outreach during the spring of 2019 were: Thimble Creek, East Caufield, Loder Road, SE Industrial (Oregon City), Two Creeks, and Thayer Greens. Most of the property is on the Andrew Hood Donation Land Claim. Until the golf course was built, the area was mainly farm fields for people who lived at Maple Lane or lived in the city and kept farms nearby. When the golf course was established, the newspaper reported it going in at "Maple Lane." A survey map for "Skypark" which was the airfield was identified west of the golf course. Google maps show it today as Fairways Airfield. None of the references above create a unique geographic name. As Thimble Creek runs through the site, is not very long and empties into Abernethy Creek soon after it leaves the site, staff found it to be the best alternative name option.

**Planning Commission Recommendation:** The Planning Commission felt that a renaming of the plan name was warranted and directed staff to ensure that the needed text revisions to rename the plan as the Thimble Creek concept Plan are included in the final Legislative package adopted by the City Commission.

## **Beavercreek Road Concept Plan- Transportation Analysis**

*November 25, 2019 Planning Commission Hearing*

The Beavercreek Road Zone and Code Amendments project will also rezone properties located within the city limits and Concept Plan boundary. An approval criterion for rezoning property is a facilities analysis. For the transportation system, this is usually done by completing a Transportation Analysis (TA). It was reviewed by John Replinger, the city's contract Transportation Engineer. Once properties are rezoned, additional project-specific analysis will occur during any future development review onsite and specific and proportional conditions of approval for transportation system upgrades, such as abutting street improvements or signal installations will be required as part of a development's approval.

The focus of the analysis was to demonstrate that the requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), are met for the Beavercreek Road Concept Plan. Mr. Replinger found that the proposal provides an adequate basis upon which the impacts of the development can be assessed. The TA provides documentation that the key intersections will meet adopted mobility standards and that the proposed changes comply with the TPR. He also concurs with DKS's findings that all study area intersections meet operational standards regardless of whether Holly Lane was included or excluded in the system and that Beavercreek Road would meet mobility standards with the 3-lane configuration specified in the TSP. Additionally, the mobility standards would also be met if Beavercreek Road were to widened to five lanes in sections where three lanes had been specified.

**Planning Commission Recommendation:** The Planning Commission did not request any additional information on the transportation analysis and concurred with staff's transportation analysis findings.

## **Speed Zones within the Concept Plan**

*November 25, 2019 Planning Commission Hearing*

At the request of the Planning Commission, staff presented information on new legislation that allows the city to set lower speed limits on local roads. Senate Bill 558-Allows all cities and counties the authority to establish, by ordinance, a designated speed for a right of ways under their jurisdiction. The measure specifies that the designated speed must be five miles per hour slower than the statutory speed, the road is located in a residential district and not an arterial street, and that the city provides appropriate signage of the designated speed. Senate Bill 558 passed the Legislature and was signed by the Governor on June 27, 2019. It goes into effect on January 1, 2020. If the Planning Commission wishes to pursue 20 miles per hour signage on local residential streets in the Beavercreek Road Concept Plan boundary and the Glen Oak Commercial Main Street, they should include it in the formal recommendation to the City Commission. Implementation would occur at the time of road construction. The City Commission could adopt the support for reduced speeds in the implementing Ordinance or adopt a separate resolution at the time of code adoption.

**Planning Commission Recommendation:** The Planning Commission found that the Concept Plan envisions strong pedestrian and bike connections to adjacent jobs centers and Clackamas Community College/Oregon City High School; and as the area will be built as a brand new neighborhood, this area would benefit as a test case for reduced vehicular speeds limits on local streets.

## **Beavercreek Road Design**

*November 25, 2019 Planning Commission Hearing*

At the November 12, 2019 City Commission Work session, staff presented additional information on potential design options for Beavercreek Road and looked for broad direction from the City Commission. Staff also shared the results of the Public Survey. The purpose for holding the City Commission work session during the Planning Commission Hearings process is to provide the City Commission the ability to provide their initial direction on the design of Beavercreek Road, which allows the Planning Commission an opportunity to review the recommendation and provide comments to the City Commission on this topic as the full code amendment package moves forward to City Commission Hearings. If the Planning Commission has a different recommendation than the City Commission on the following questions, its c be included in the formal recommendation to the City Commission. The City Commission provided direction on the following questions:

***How many lanes should Beavercreek Road be within the Concept Plan corridor?*** A transitional section extending the existing 5-lane section near Maple Lane and transitioning to a 3-lane section after the Meyers Road intersection.

***What type of intersections should Beavercreek Road have within the Concept Plan corridor?*** Traffic signals

***Should the City renegotiate with ODOT to revise the Alternate Mobility Standard by removing Holly Lane connection projects from the Transportation System Plan (TSP)?*** No

***Should Beavercreek Road along the Concept Plan corridor be constructed by developers incrementally as development is built or pursued as a capital improvement project all at once?*** The city should investigate if a city-lead capital improvement project is feasible. Staff should return to a future meeting to review funding opportunities.

**Planning Commission Recommendation:** The Planning Commission concurred with City Commission's direction on the design for Beavercreek Road.

## ***II.E. SUMMARY OF PUBLIC OUTREACH***

The BRCP implementation project engaged a range of stakeholders in multiple venues and formats over eight months prior to the commencement of Planning Commission Hearing, with each successive round of engagement used to inform project refinements in subsequent phases.

An introductory letter was sent in December 2018 to all property owners located in or within 300 feet of the Concept Plan boundary.

The first round of engagement consisted of four stakeholder interviews with property owners, economic development representatives, and local educational institutions to understand current conditions and priorities for the implementation project. This initial round also included three presentations to the following community groups to update them on the status of the BRCP concept plan and hear their priorities for the implementation process:

- Caulfield Neighborhood Association- January 22, 2019
- The Hamlet of Beavercreek- January 23, 2019
- Beavercreek Blue Ribbon Committee- January 17, 2019

Three public meetings were held at the Oregon City High School, near the concept plan area, and at City Hall during the project to provide information and discussion opportunities on the evolving maps and code amendments:

- Tuesday, January 29, 2019- Oregon City High School Library- 7:00-8:30 PM
- Tuesday, April 9, 2019- Oregon City High School Library- 7:00-8:30 PM
- Monday, June 10, 2019- City Hall Commission Chambers - 5:00-7:00 PM

For all meetings, materials were also available online including comment forms to allow community members to participate virtually if they were not able to attend the meetings in person.

Additional presentations were held at the following City meetings to detail the implementation project elements:

- Citizen Involvement Committee- January 7, 2019
- Transportation Advisory Committee- March 19, 2019
- Parks and Recreation Advisory Committee- April 25, 2019
- Beavercreek Blue Ribbon Committee- July 17, 2019

The proposed map and code amendments were discussed at the two work sessions this spring:

- Planning Commission Work Session- May 13, 2019
- City Commission Work Session- June 11, 2019

Throughout the project, ongoing methods used to engage citizens in the process have included:

- Project website with regular updates (<https://www.orcity.org/Beavercreekconceptplan>)
- Email updates announcing upcoming meetings and events
- Email List (more than 180 contacts)
- Public comment tracker, compiling feedback from all engagements with responses from staff, updated throughout the project-
- Online comment forms
- Naming survey for renaming the concept plan area
- Notice board posted within the concept plan area

The Legislative fill (LEG 19-0003) was formally noticed to all property owners located in or within 300 feet of the Concept Plan boundary in July 2019 and the project was added to the Development Projects page of the city website. <https://www.orcity.org/planning/project/leg-19-0003>

A new Public Comment Tracker Matrix was utilized for the public hearings portion of the project and will track comments/ issues, staff recommendation and Planning/City Commission direction. It is attached as an exhibit to the staff report.

### **III. DECISION-MAKING CRITERIA:**

The remainder of this report details compliance of the proposed code amendments with the applicable state, regional and local requirements.

#### **Oregon City Comprehensive Plan**

Comprehensive Plan

Beavercreek Road Concept Plan- Ancillary Document to Comprehensive Plan – Adopted 2008/2016

Parks Master Plan

Trail Master Plan

Transportation System Plan

#### **Considerations**

Section 2 – Land Use of the 2004 Oregon City Comprehensive Plan indicates that the regular review and updated of the Comprehensive Plan should consider the following:

- 1. Plan implementation process.*
- 2. Adequacy of the Plan to guide land use actions, including an examination of trends.*
- 3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.*
- 4. Addition of updated factual information including that made available to the City by regional, state and federal governmental agencies.*

Most of the 453-acre site along Beavercreek Road was added to the regional urban growth boundary by Metro in 2002 and 2004, and the city adopted the Beavercreek Road Concept Plan in 2008. The City's approval was appealed to the Land Use Board of Appeals (LUBA), which remanded the decision back to the City to address an issue associated with industrial land designations which included a separate process by Metro. After resolution, the City Commission voted unanimously to re-adopt the Concept Plan in March 2016. The readoption decision was again appealed to LUBA and subsequently to the Court of Appeals whom both upheld the City's approval of the Beavercreek Road Concept Plan. As of March 2017, the city was able to move forward with plan implementation.

While the plan was formally adopted, it does not include all the tools necessary to implement the vision of the plan such as the assignment of Comprehensive Plan map or zoning designations to properties or changes to uses or design standards in the Oregon City Municipal Code (OCMC) to implement the requirements of the plan.

The purpose of this project is to update the Comprehensive Plan and Oregon City Municipal Code (OCMC) to allow planned housing and mixed-use development to occur, including applying mapping and

zoning designations for properties within the Concept Plan Area. Additional plan goals beyond land-use implementation are outside the scope of this project, including infrastructure, transportation and economic development measures that have already been completed or planned for the concept plan area. Additional items will be pursued separately from this land-use implementation project.

### III.A DECISION-MAKING CRITERIA - CONTINUED:

#### **CHAPTER 17.68 ZONING CHANGES AND AMENDMENTS**

##### **17.68.010 Initiation of the amendment.**

*A text amendment to this title or the comprehensive plan, or an amendment to the zoning map or the comprehensive plan map, may be initiated by:*

*A. A resolution by the commission;*

*B. An official proposal by the planning commission;*

*C. An application to the planning division presented on forms and accompanied by information prescribed by the planning commission.*

*All requests for amendment or change in this title shall be referred to the planning commission.*

**Response:** This request is for amendments to the zoning map, amendments to the comprehensive plan map, and text amendments to the Oregon City Municipal Code and was initiated by the Planning Division.

##### **17.68.020 Criteria.**

*The criteria for a zone change are set forth as follows:*

*A. The proposal shall be consistent with the goals and policies of the comprehensive plan.*

**Response:** Consistency with the Oregon City Comprehensive Plan (OCCP) Goals and Policies follow starting on page 11.

*B. That public facilities and services (water, sewer, storm drainage, transportation, schools, police and fire protection) are presently capable of supporting the uses allowed by the zone or can be made available prior to issuing a certificate of occupancy. Service shall be sufficient to support the range of uses and development allowed by the zone.*

**Response:** The capacity of the respective public facilities and services to support the proposal is addressed below.

##### *Water and Sewer Capacity*

Please refer to the attached memorandum from 3J Consulting. The memorandum provides an assessment of the water and sanitary sewer system implications of the map and code amendments proposed with the BRCP implementation project. Wastewater treatment is provided by the Tri-City Sewer District, which has provided separate comments.

The 3J memorandum concludes that development of 1,105 dwelling units and 5,734 jobs within the BRCP area have been adequately planned for in infrastructure master plans and sufficient capacity will

be available to serve development. The Sanitary Sewer (2014) and Water Distribution (2012) Master Plans were all created subsequent to initial adoption of the Beaver Creek Road Concept Plan (2008). Each master plan incorporated the BRCP area into future capital improvement projections and will ensure adequate water and sewer capacity is developed.

South Fork Water Board (SFWB), Oregon City's water provider, has indicated that SFWB will be able to provide water service to the planned development within the BRCP area.

#### *Schools*

The proposal was sent to the Oregon City School District (OCSD) for comment. OCSD responded that.

#### *Police and Fire Protection*

Oregon City Police Department and Clackamas Fire District capacity would not be affected by the proposal, since the proposal does not change existing service areas.

#### *Wastewater Treatment*

Tri-City Sewer District indicates that the proposal does not conflict with their interests.

#### *Storm Drainage*

This proposal does not change the city's adopted policies and technical documents related to stormwater management and erosion control. The Draft 2019 Oregon City Stormwater Master Plan includes the BRCP area, which is part of the Newell Creek Basin, but does not identify any capital improvement projects specifically needed to serve the BRCP district. The Plan states that the eventual layout of the stormwater conveyance systems and management facilities will be crafted through the preliminary and final design process for development projects within the BRCP district.

#### *Transportation*

Impacts to the transportation system are addressed under (C) below.

#### *Economic, Social, Environmental and Energy (ESEE) Analysis*

As part of a Zone Change analysis, the city requires substantial evidence that the possibility of land use development activities allowed under the new zoning (MUC, NC, CI, R-5 and R-2 ) will not result in a greater impact on the Goal 5 resources mapped on the site over the existing Future Urban (FU-10) land use development activities.

The ESEE analysis involves evaluating the potential tradeoffs associated with different levels of natural resource protection that could be established by the City. As required by the Goal 5 rule (OAR 660-015-0000(5)), the evaluation process involves identifying the consequences of allowing, limiting or prohibiting conflicting uses in areas containing significant natural resources. The rule requires that this analysis be completed before actions are taken to protect or not protect natural resources that are identified in inventory and determined to be significant. Specifically, the rule requires the following steps:

1. Identify conflicting uses – A conflicting use is a land use or activity that may negatively impact natural resources.

2. Determine impact area – The impact area represents the extent to which land uses or activities in areas adjacent to natural resources could negatively impact those resources. The impact area identifies the geographic limits within which to conduct the ESEE analysis.
3. Analyze the ESEE consequences – The ESEE analysis considers the consequences of a decision to either fully protect natural resources; fully allow conflicting uses; or limit the conflicting uses. The analysis looks at the consequences of these options for both development and natural resources.
4. Develop a program – The results of the ESEE analysis are used to generate recommendations or an “ESEE decision.” The ESEE decision sets the direction for how and under what circumstances the local program will protect significant natural resources.

Based on information provided in the Economic, Social, Environmental and Energy (ESEE) Phase 1 Analysis of Metro’s April 2005 UGB Growth Management Functional Plan ordinance, the section below describes the potential conflicting uses associated with the proposed zone designations could have the greater potential to have an adverse effect on the functions and values of the Goal 5 resource mapped on properties located within the Beaver Creek Road Concept Plan area which include Thimble Creek and an unnamed tributary to Thimble Creek. Note the zoning themselves are not conflicting uses.

It is the development activities and other disturbances permitted under the zoning that potentially conflicts with the functions and values associated with the Goal 5 resource. The City of Oregon City developed their Chapter 17.49 Title 13 regulations based on Metro’s UGB Management Function Plan. Therefore, the ESEE analysis provided below is consistent with Oregon City’s Goal 5 ordinance.

### **Economic Consequences**

FU-10 – May provide increased adjacent property value. Large Lots associated with FU 10 zoning will retain more vegetation and tree cover than the new zones associated with the Beaver Creek Road Concept Plan activities; however, does not provide an overall economic value to the community.

R-5 & R-2- These medium densities and high-density zones can provide a response to the known regional problem of limited housing supply and skyrocketing housing prices affecting the Portland Metro Area and Oregon City. There is a mismatch between supply and demand of housing that is leading to limited availability and affordability challenges for many households. Looking at the latest census data, in Oregon City, 71% of residential units are single-family detached homes, dominating the housing market. All other housing types make up 29% of the housing options, combined, ranging from manufactured homes and floating homes to 20-unit apartment complexes.

Housing prices are increasingly unaffordable, which is typically defined as spending more than 35% of household income on housing. Almost 24% of homeowners with a mortgage have unaffordable costs, and over 40% of renters can’t afford housing costs. Overall, one in four households are struggling to pay for housing. Single-family detached homes, a traditional free-standing house with a yard and space for 3.2 children, dominate the supply but comes at a high cost that is increasingly out of reach, leading to homelessness in some cases. With smaller households more and more common, the city’s needs don’t match the homes available. Additional housing choices that include duplexes, tri-plexes, townhomes, apartments and cluster housing can provide alternatives to the predominate single family housing model found in Oregon City.

MUC, NC and CI – Enhances the potential for local economic development. The zone change supports Metro’s Growth Concept Plan underlying goals to provide employment, income, and related tax benefits to local community.

Summary: While FU-10 may result in less vegetation removal, the MUC, ND, CI, R-2 and R-5 land uses provides a greater economic benefit to the community through increased housing options, employment and educational opportunities and reduced transportation facilities and utilities. These zones promote more efficient use of land, minimizing urban sprawl.

Therefore, the conflicting uses associated with MUC, NC, CI, R-5 and R-2 development activities provides a greater economic benefit, outweighing the FU-10 conflicting uses.

### **Social Consequences**

FU-10 —Goal 5 resource provides natural stress relief to employment occupants. The R-2, R-5, ND, CI and MUC-2 land uses may also provide potential public educational and recreational benefit through passive open space viewing and the ability to dedicate future park space as development occurs within the Beavercreek Concept Plan Area.; however, there is a potential to reduce the scenic value.

Summary- Change in conflicting use zoning from FU-10 may provide an increased social benefit to Oregon City.

### **Environmental Consequences**

FU-10—Impacts to Goal 5 resources and associated Impact Area (buffer) for FU-10 development may require: removal of native vegetation; non-native landscaping; pesticide and fertilizer use; and pets which tend to degrade habitat and water quality.

MUC, NC, CI, R-5 and R-2 can create larger building footprints than FU-10 which may result in increased vegetation removal; however, MUC, NC and CI offers decreased VMT (vehicle miles traveled) which reduces overall water quality impacts in the local watershed. Minimal light and glare into Goal 5 resource and buffer. Provides overall moderate to high imperviousness, low infrastructure requirements, and low to moderate overall natural landcover.

Summary: Due to smaller development footprints, disturbance activities associated with FU-10 conflicting uses may provide a lesser degree of impact to the Goal 5 resource and associated buffer than MUC, NC, CI, R-5 and R-2 conflicting use development activities. However, MUC, NC, CI, R-5 and R-2 stricter water quality standards, providing potential for overall lesser amounts of impact to the local watershed.

### **Energy Consequences**

FU-10- Tends to retain more trees than other zoning, reducing air quality and temperature impacts. However, tends to create more infrastructure (utilities and roads) and greater travel distances which can have a negative energy consequence.

MUC, NC, CI, R-5 and R-2 - Energy efficient zoning because it decreases VMT (vehicle miles traveled) and overall infrastructure requirements. Potential to reduces the amount of overall development through

shared parking. Shared parking areas have vegetated islands reducing imperviousness and negative energy consequences associated with temperature regulation.

Summary: MUC, NC, CI, R-5 and R-2 conflicting use development activities for energy consequences may result in lesser impact on the Goal 5 resource and associated buffer over FU-10 development activities.

### **Overall Summary Conclusion**

In summary, the ESEE consequences that can occur within the proposed MUC, NC, CI, R-5 and R-2 zoning will not result in a greater conflict to the Goal 5 resource mapped on the site over the current FU-10 zoning. The change in zoning from FU-10 to MUC, NC, CI, R-5 and R-2 may result in lesser amounts of environmental and energy consequences; however, MUC, NC, CI, R-5 and R-2 has opportunity to provide increased economic and social benefits. Mixed use centers allow City residents to live near their work, which tends to reduce vehicle use, which minimizes potential air, water and energy quality impacts.

The Goal 5 resources mapped on the site is protected under Chapter 17.49 Natural Resource Overlay District of the City's code of ordinances, regardless of site zoning. Chapter 17.49 of Oregon City code is compliant with Metro's Title 3 and 13 lands and the Statewide Planning Goal 5. Therefore, the potential for increased levels of impervious surfaces and vegetation loss associated with MUC, NC, CI, R-5 and R-2 development activities will be protected and if necessary mitigated through local permitting compliant with Chapter 17.49.

Based on the various analyses provided, public facilities and services are presently capable of supporting the uses allowed by the proposal or can be made available prior to issuing a certificate of occupancy.

**This criterion is met.**

*C. The land uses authorized by the proposal are consistent with the existing or planned function, capacity and level of service of the transportation system serving the proposed zoning district.*

**Response:** The impacts of the proposal on the transportation system were reviewed by a transportation consultant, DKS. Please refer to the DLS analysis and memorandum which is attached to this narrative. The memorandum provides an assessment of the transportation implications of the project proposal. The memorandum assesses whether the proposed amendments trigger a finding of significant effect that would require further analysis to determine transportation impacts under OAR 660-12-0060 (Transportation Planning Rule or "TPR").

The memo concludes that the proposed map and code amendments do not result in a significant change in the number of trips resulting from the dwelling units and jobs anticipated within the BRCP district compared to the traffic anticipated and planned for in Oregon City's Transportation System Plan (TSP) adopted in 2013.

In his November 18, 2019 Letter, John Replinger, the City's consulting Transportation Engineer, reviewed the Transportation Analysis (TA) submitted in support of the Beaver Creek Concept Plan and proposed legislative amendments. The TA, dated June 21, 2019, was prepared under the direction of Kevin Chewuk and Amanda Deering of DKS Associates.

He found the Transportation Analysis addresses the city’s requirements and provides an adequate basis to demonstrate compliance with the TPR.

He concurs with the authors’ conclusion that the proposal is consistent with the TPR. The proposed plan designation changes and rezoning do not change the functional classification of any existing or planned transportation facility; do not degrade the performance of existing or planned facilities such that mobility standards are not met; and do not cause a significant effect as defined under the Transportation Planning Rule.

Therefore, the proposed amendments do not have a significant effect on the transportation system and that the city may adopt findings to that effect when adopting the proposed amendments. **This criterion is met.**

*D. Statewide planning goals shall be addressed if the comprehensive plan does not contain specific policies or provisions which control the amendment.*

**Response:** The acknowledged Oregon City Comprehensive Plan (OCCP) addresses all the applicable Statewide Planning goals unless the Statewide Goal is inapplicable. The relevant sections of the OCCP implemented by this proposal, and the applicable Statewide Goals, is indicated below.

<b>Statewide Planning Goal</b>	<b>OCCP Section / Goal(s) Implemented by this Proposal</b>
1: Citizen Involvement	1. Citizen Involvement / Goals 1.2, 1.4
2: Land Use Planning	2. Land Use Planning / Goals 2.1, 2.3, 2.4, 2.5, 2.6, 2.7
3: Agricultural Lands	3. Not applicable within UGB
4: Forest Lands	4. Not applicable within UGB
5: Natural Resources, Scenic and Historic Areas, and Open Spaces	5. Open Spaces, Scenic and Historic Areas, and Natural Resources / Goals 5.1, 5.4
6: Air, Water and Land Resources Quality	6. Quality of Air, Water, and Land Resources / Goals 6.1, 6.2
7: Areas Subject to Natural Hazards	7. Natural Hazards
8: Recreation Needs	8. Parks and Recreation / Goal 8.1,
9: Economic Development	9. Economic Development / Goals 9.1, 9.3, 9.5, 9.7, 9.8
10: Housing	10. Housing / Goals 10.1, 10.2
11: Public Facilities and Services.	11. Public Facilities and Services Goals 10.1
12: Transportation	12: Transportation Goal 12.1
13: Energy Conservation	12 Energy Conservation Goals 12.01, 12.02, 12.03, 12.04
14: Urbanization	14. Urbanization / Goal 14.3
15: Willamette River Greenway	Not affected by this proposal.
16: Estuarine Resources	Not applicable.
17: Coastal Shorelands	Not applicable.
18: Beaches and Dunes	Not applicable.
19: Ocean Resources	Not applicable.

Detailed responses to the OCCP goals and policies are provided in Section III.b below.

### **III.b. OREGON CITY COMPREHENSIVE PLAN GOALS AND POLICIES**

#### **Goal 1.2 Community and Comprehensive Planning**

*Ensure that citizens, neighborhood groups, and affected property owners are involved in all phases of the comprehensive planning program.*

##### *Policy 1.2.1*

*Encourage citizens to participate in appropriate government functions and land-use planning.*

#### **Goal 1.4 Community Involvement**

*Provide complete information for individuals, groups, and communities to participate in public policy planning and implementation of policies.*

##### *Policy 1.4.1*

*Notify citizens about community involvement opportunities when they occur.*

**Response: The proposal is consistent with these Goals and Policies.** The project provided numerous opportunities for citizen involvement, including engagement with the Citizen Involvement Committee, the East Caufield Neighborhood Association, property owners, and other stakeholders through multiple avenues throughout the eight-month project planning process with multiple notification and participation options provided. See Section I.c for full summary of citizen involvement efforts.

### **2.1 Efficient Use of Land**

*Ensure that property planned for residential, commercial, office, and industrial uses is used efficiently, and that land is developed following principles of sustainable development.*

**Response:** The proposal maps and supplements existing zoning district standards for the R-5, R-2, NC, MUC-II, and CI zones that have been found to support efficient and sustainable development. The BRCP envisions the area developed with vibrant, walkable, amenity-rich neighborhoods with active community centers, as mapped and implemented by this proposal. The proposed code amendments further support efficient land use by providing residential density bonuses, FAR minimums for mixed-use development, and requiring sustainable design features for industrial development. **The proposal is consistent with this Goal.**

##### *Policy 2.1.1*

*Create incentives for new development to use land more efficiently, such as by having minimum floor area ratios and maximums for parking and setbacks.*

**Response:** The proposed code amendments create additional incentives for efficient land use in the BRCP district beyond the existing code standards, including higher minimum FARs for development in the two mixed-use zones and reduced setbacks and landscaping area for the NC zone applied to the

Main Street subdistrict. The OCMC already includes parking maximums in OCMC 17.52.020. **The proposal is consistent with this Policy.**

*Policy 2.1.2*

*Encourage the vertical and horizontal mixing of different land-use types in selected areas of the city where compatible uses can be designed to reduce the overall need for parking, create vibrant urban areas, reduce reliance on private automobiles, create more business opportunities and achieve better places to live.*

**Response:** The proposed map amendments apply two existing mixed-use zones with the BRCP area, the MUC-II and NC zones. In addition to the mix of office, commercial and residential uses allowed in the base zones, the proposed code amendments expand the mix of uses including allowing light manufacturing uses in the MUC-II zone. The proposed code amendments limit the scale and percentages of different categories of uses, including limiting residential uses to upper stories or ground-floor uses set back a minimum distance from the main roadways, to provide for a greater mix of uses. The proposed code amendments also introduce opportunities for small-scale commercial uses in the R-2 zone for additional opportunities for mixed-use development. **The proposal is consistent with this Policy.**

**Goal 2.3 Corridors**

*Focus transit-oriented, higher intensity, mixed-use development along selected transit corridors.*

**Response:** The proposed map amendments apply two existing mixed-use zones with the BRCP area, the MUC-II and NC zones, along Beaver Creek Road, which has potential to be a future transit corridor as development increases potential ridership numbers. The higher-intensity residential development zoned R-2 is also located along Beaver Creek Road, compared to medium-density residential areas zoned R-5 located further east away from major roads. **The proposal is consistent with this Goal.**

*Policy 2.4.2*

*Strive to establish facilities and land uses in every neighborhood that help give vibrancy, a sense of place, and a feeling of uniqueness; such as activity centers and points of interest.*

**Response:** The essence of the BRCP is to establish a district with interconnected, vibrant neighborhoods. The proposed map amendments support a mix of uses throughout the district, included a district focal point in the Main Street subdistrict zoned NC that will serve as the hub for the district's neighborhoods. The proposed code amendments also support development of smaller-scale activity centers throughout the district, such as permitting small-scale commercial uses with the East Mixed-Use Neighborhood Zoned R-2 and supporting creation of the South-Central Open Space Network through required parkland dedications. **The proposal is consistent with this Policy.**

*Policy 2.4.3*

*Promote connectivity between neighborhoods and neighborhood commercial centers through a variety of transportation modes.*

**Response:** The BRCP plans for multimodal transportation networks throughout the district, as supported by the proposed map and code amendments. The proposed code amendments support creation of the

South-Central Open Space Network through required parkland dedications, which will form a linear park and multimodal trail connecting multiple subdistricts. **The proposal is consistent with this Policy.**

### ***Goal 2.5 Retail and Neighborhood Commercial***

*Encourage the provision of appropriately scaled services to neighborhoods.*

**Response:** The map amendments, consistent with the BRCP map, provide for a Main Street subdistrict zoned NC near the residential East and West Mixed-Use Neighborhoods. In addition, the proposed code amendments add opportunities to integrate small-scale commercial uses in the West Mixed-Use Neighborhood Zoned R-2. **The proposal is consistent with this Goal.**

#### *Policy 2.5.4*

*Encourage the development of successful commercial areas organized as centers surrounded by higher-density housing and office uses, rather than as commercial strips adjacent to medium density housing.*

**Response:** The map amendments, consistent with the BRCP map, provide for a Main Street subdistrict zoned NC near the higher-density West Mixed-Use Neighborhood Zoned R-2 and the Mixed Employment Village subdistrict zoned MUC-II that will support office uses. There are no commercial strips proposed adjacent to lower-density housing in the East Mixed-Use Neighborhood Zoned R-5. **The proposal is consistent with this Policy.**

#### *Policy 2.5.5*

*Encourage commercial and industrial development that enhances livability of neighborhoods through the design of attractive LEEDTM-certified buildings and environmentally responsible landscaping that uses native vegetation wherever possible, and by ensuring that development is screened and buffered from adjoining residential neighborhoods and access is provided by a variety of transportation modes.*

**Response:** The proposed code amendments include requirements for sustainable design features for industrial development within the North Employment Campus zoned CI; the menu of features includes LEEDTM-certified buildings and use of native vegetation. The proposed code amendments also provide for an enhanced landscaping buffer incorporating berms and fencing between the industrial subdistrict and adjacent residential development in the East Mixed-Use Neighborhood. The BRCP includes plans for a multimodal transportation network that will be built out as development occurs. **The proposal is consistent with this Policy.**

### ***Goal 2.6 Industrial Land Development***

*Ensure an adequate supply of land for major industrial employers with family-wage jobs.*

**Response:** The map amendments designate 153.9 gross acres, estimated at 135.1 net acres for Industrial designation and Campus Industrial zoning; the North Employment Campus is the largest of all the BRCP subdistricts. All Metro Title 4 land protected for employment use has been designated and zoned CI. The existing CI zone allows a range of uses that support family-wage jobs, such as light manufacturing; the proposed code amendments further protect job generation potential by limiting the amount of site area that can be used for outdoor storage areas and prohibiting distribution and warehouse uses, which typically do not generate significant job opportunities. **The proposal is consistent with this Goal.**

#### *Policy 2.6.2*

*Ensure that land zoned or planned for industrial use is used for industrial purposes, and that exceptions are allowed only where some other use supports industrial development. New non-industrial uses should especially be restricted in already developed, active industrial sites.*

**Response:** The map amendments ensure that land planned for industrial use is protected for industrial purposes by zoning it CI. The CI zoning code standards limit non-industrial uses, and the proposed code amendments further limit the size of any supporting retail or office to 5,000 SF per establishment or 20,000 per development. Existing residential uses on a handful parcels within the North Employment Campus are permitted outright, rather than rendered nonconforming uses, but no new residential uses are permitted. **The proposal is consistent with this Policy.**

#### *Policy 2.6.3*

*Protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses by limiting non-industrial community uses, such as schools, parks, and churches on such properties and by limiting larger commercial uses within those areas.*

**Response:** The CI zoning code standards already prohibit schools and churches; parks, trails and urban agriculture uses are proposed as permitted uses in the code amendments for the North Employment Campus subdistrict, intended to apply within the powerline easement areas that would otherwise be undevelopable for industrial use. The proposed code amendments limit the size of any supporting commercial use to 5,000 SF per establishment or 20,000 per development. **The proposal is consistent with this Policy.**

#### *Policy 2.6.4*

*Protect existing and planned undeveloped and underdeveloped industrial lands from incompatible land uses and minimize deterrents to desired industrial development.*

**Response:** Much of the North Employment Campus industrial lands are currently undeveloped. The map amendments applying the CI zone will protect these lands from incompatible development through existing CI use standards. The CI zoning code standards limit non-industrial uses, and the proposed code amendments further limit the size of any supporting retail or office to 5,000 SF per establishment or 20,000 per development. Existing residential uses on a handful parcels within the North Employment Campus are permitted outright, rather than rendered nonconforming uses, but no new residential uses are permitted. The CI zoning code standards also prohibit schools and churches; parks, trails and urban agriculture uses are proposed as permitted uses in the code amendments for the North Employment Campus subdistrict, intended to apply within the powerline easement areas that would otherwise be undevelopable for industrial use. **The proposal is consistent with this Policy.**

#### *Policy 2.6.5*

*Ensure that land-use patterns create opportunities for citizens to live closer to their workplace.*

**Response:** A central feature of the BRCP is the integration of residential and employment opportunities to create possibilities to live, work and play in the district. The proposed map amendments will create residential and employment districts in proximity, including two mixed-use districts with both residential and employment opportunities. **The proposal is consistent with this Policy.**

*Policy 2.6.6*

*Identify industrial uses that could partner with Clackamas Community College as training centers and future employers of students graduating from CCC.*

**Response:** CCC was identified as a stakeholder in the implementation project and was engaged in the map and code development. The proximity of the North Employment Campus and the CCC campus create an exciting opportunity for future industrial developments in the BRCP area that partner with CCC as training centers and future employers. The existing CI use standards permit a wide range of industrial uses, including light manufacturing and research and development, that could accommodate future industrial uses within the BRCP district. **The proposal is consistent with this Policy.**

*Policy 2.6.7*

*Establish priorities to ensure that adequate public facilities are available to support the desired industrial development.*

**Response:** Public facility master planning has been completed for the district, and planned water, sewer, stormwater, and transportation facilities have been shown to support the full 5,734 jobs projected with this implementation project. See response to approval criteria 17.68.020.B and C in Section III.a. All proposed industrial development will be reviewed through the Site Plan and Design Review process in OCMC 17.62 that includes a criterion for approval for any new development that public facilities are adequate to support the proposal. **The proposal is consistent with this Policy.**

*Policy 2.6.8*

*Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which if approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the city's employment goals.*

**Response:** The lands east of CCC have been incorporated into the BRCP and envisioned for industrial development that encourages family-wage jobs. The proposed map amendments, guided by the approved concept plan, designate this area for Industrial designation and Campus Industrial zoning. The existing CI zone allows a range of uses that support family-wage jobs, such as light manufacturing; the proposed code amendments further protect job generation potential by limiting the amount of site area that can be used for outdoor storage areas and prohibiting distribution and warehouse uses, which typically do not generate significant job opportunities. **The proposal is consistent with this Policy.**

**Goal 2.7 Oregon City Comprehensive Plan Land-Use Map**

*Maintain the Oregon City Comprehensive Plan Land-Use Map as the official long-range planning guide for land-use development of the city by type, density and location.*

**Response:** The proposal includes amendments to the official Comprehensive Plan Land-Use Map as part of on-going maintenance to update designations for the BRCP area. **The proposal is consistent with this Goal.**

*Policy 2.7.2*

Use the following 11 land-use classifications on the Oregon City Comprehensive Plan Land-Use Map to determine the zoning classifications that may be applied to parcels:

- *Medium density Residential (LR)*
- *Medium Density Residential (MR)*
- *High-Density Residential (HR)*
- *Commercial (C)*
- *Mixed-Use Corridor (MUC)*
- *Mixed-Use Employment (MUE)*
- *Mixed-Use Downtown (MUD)*
- *Industrial (I)*
- *Public and Quasi-Public (QP)*
- *Parks (P)*
- *Future Urban Holding (FUH)*

**Response:** The proposed comprehensive plan map amendments apply the Medium Density Residential, High-Density Residential, Mixed-Use Corridor, and Industrial designations to the BRCP area, with zoning classifications that are consistent with these designations. **The proposal is consistent with this Policy.**

#### ***Goal 5.1 Open Space***

*Establish an open space system that conserves fish and wildlife habitat and provides recreational opportunities, scenic vistas, access to nature and other community benefits.*

**Response:** The BRCP prioritizes an open space network that preserves identified environmental resource areas, parks, trails, and viewpoints, including the South-Central Open Space Network and the Low Impact Conservation Area upslope of Thimble Creek on the eastern edge of the district. The map amendments will include mapping and applying the Natural Resources Overlay District (NROD)—OCMC 17.49 and Geologic Hazards—OCMC 17.44 to habitat areas. The proposed code amendments will create the South-Central Open Space Network through required parkland dedication at the time of development, protect trail corridors throughout the district’s open space system by requiring dedication of easements at the time of development, and protect the Low Impact Conservation Area by limiting development to two units per acre and protecting view corridors. **The proposal is consistent with this Goal.**

##### *Policy 5.1.1*

*Conserve open space along creeks, urban drainage ways, steep hillsides, and throughout Newell Creek Canyon.*

**Response:** The existing Natural Resources Overlay District (NROD) will be applied to all riparian corridors and the Geologic Hazards standards will be applied to all steep hillsides to conserve those areas. **The proposal is consistent with this Policy.**

##### *Policy 5.1.2*

*Manage open space areas for their value in linking citizens and visitors with the natural environment, providing solace, exercise, scenic views and outdoor education. Built features in open space sites should harmonize with natural surroundings.*

**Response:** Open space areas will be managed consistent with the City's adopted Parks Master Plan; land acquisition supported by the proposed code amendments will ensure that areas with significant views are preserved and trail corridors acquired for future exercise opportunities. Any built features within the NROD or Geologic Hazards will be reviewed consistent with standards for those overlays that limit development scale and visual impacts for harmony with natural surroundings. **The proposal is consistent with this Policy.**

#### **Goal 5.4 Natural Resources**

*Identify and seek strategies to conserve and restore Oregon City's natural resources, including air, surface and subsurface water, geologic features, soils, vegetation, and fish and wildlife, in order to sustain quality of life for current and future citizens and visitors, and the long-term viability of the ecological systems.*

**Response:** The proposed amendments do not include any changes to OCMC 17.44, Natural Resources Overlay District, or to OCMC 17.49 – Geologic Hazards. These acknowledged codes are intended to conserve, protect and restore inventoried natural resources within the City's Urban Growth Boundary. **The proposal is consistent with this policy.**

#### *Policy 5.4.16*

*Protect surface water quality by:*

- *providing a vegetated corridor to separate protected water features from development*
- *maintaining or reducing stream temperatures with vegetative shading*
- *minimizing erosion and nutrient and pollutant loading into water*
- *providing infiltration and natural water purification by percolation through soil and vegetation*

**Response:** The proposed amendments do not include any changes to OCMC 17.44, Natural Resources Overlay District, which provides for a vegetated corridor and shading along street corridors, or to the City's recently adopted stormwater and erosion control standards, design manuals or review processes. **The proposal is consistent with this policy.**

#### **Goal 6.1 Air Quality**

*Promote the conservation, protection and improvement of the quality of the air in Oregon City.*

**Response:** The proposed amendments will not affect any codes or policies that implement Goal 6. The City's overlay districts, such as the Natural Resource Overlay District, Flood Management Overlay, and Geologic Hazards Overlay will apply regardless of the proposed changes. All engineering standards and building code standards for storm drainage, grading, erosion control, water quality facilities will continue to apply to development. Oregon Dept. of Environmental Quality (DEQ) air and water quality permits are required separately for new development. **The proposal is consistent with this Goal.**

#### *Policy 6.1.2*

*Ensure that development practices comply with or exceed regional, state, and federal standards for air quality.*

**Response:** Oregon Dept. of Environmental Quality (DEQ) air and water quality permits are required separately for new development. Oregon City planning and engineering staff are included in the coordination of these permits prior to issuance by DEQ. **The proposal is consistent with this Policy.**

#### **Goal 6.2 Water Quality**

*Control erosion and sedimentation associated with construction and development activities to protect water quality.*

**Response:** Oregon Dept. of Environmental Quality (DEQ) air and water quality permits are required separately for new development. Oregon City planning and engineering staff are included in the coordination of these permits prior to issuance by DEQ. **The proposal is consistent with this Policy.**

#### *Policy 6.2.1*

*Prevent erosion and restrict the discharge of sediments into surface- and groundwater by requiring erosion prevention measures and sediment control practices.*

**Response:** All engineering standards and building code standards for storm drainage, grading, erosion control, and water quality facilities will continue to apply to development. **The proposal is consistent with this Policy.**

#### *Policy 6.2.2*

*Where feasible, use open, naturally vegetated drainage ways to reduce stormwater and improve water quality.*

**Response:** All engineering standards and building code standards for storm drainage, grading, erosion control, and water quality facilities will continue to apply to development. **The proposal is consistent with this policy.**

#### **Goal 7.1 Natural Hazards**

*Protect life and reduce property loss from the destruction associated with natural hazards.*

**Response:** Development located within the Geologic Hazards Overlay District will be reviewed for compliance with OCMC 17.44 Geologic Hazards, which can restrict or condition the location and size of development in or near identified geologic hazard areas. **The proposal is consistent with this Policy.**

#### *Policy 7.1.1*

*Limit loss of life and damage to property from natural hazards by regulating or prohibiting development in areas of known or potential hazards.*

**Response:** Development located within the Geologic Hazards Overlay District will be reviewed for compliance with OCMC 17.44 Geologic Hazards, which can restrict or condition the location and size of development in or near identified geologic hazard areas. **The proposal is consistent with this Policy.**

#### Policy 7.1.8

Provide standards in City Codes for planning, reviewing, and approving development in areas of potential landslides that will prevent or minimize potential landslides while allowing appropriate development.

**Response:** Development located within the Geologic Hazards Overlay District will be reviewed for compliance with OCMC 17.44 Geologic Hazards, which can restrict or condition the location and size of development in or near identified geologic hazard areas. **The proposal is consistent with this Policy.**

### ***8.1 Developing Oregon City's Park and Recreation System***

*Maintain and enhance the existing park and recreation system while planning for future expansion to meet residential growth.*

**Response:** The BRCP prioritizes a network of parks, trails, and open spaces, including the South-Central Open Space Network and the East ridge Conservation Open Space. The proposed code amendments will support creation of the South-Central Open Space Network through required parkland dedication at the time of development and protect trail corridors throughout the district's open space system by requiring dedication of easements at the time of development. **The proposal is consistent with this Goal.**

#### *Policy 8.1.1*

*Provide an active neighborhood park-type facility and community park-type facility within a reasonable distance from residences, as defined by the Oregon City Park and Recreation Master Plan, to residents of Oregon City.*

**Response:** The South-Central Open Space Network will create park facilities within proposed neighborhoods; all residences will be within approximately 1/4 mile of the network, which will include multiple elements including features similar to a neighborhood park-type facility and a multipurpose trail. The proposed code amendments will create the South-Central Open Space Network through required parkland dedication at the time of development. **The proposal is consistent with this Policy.**

#### *Policy 8.1.2*

*When property adjacent to an existing neighborhood or community park becomes available, consider adding property to the park and developing it to meet the current needs of existing neighborhoods.*

**Response:** There are no existing parks in the BRCP area, however, future park facilities in the South-Central Open Space Network and the East Ridge-Thimble Creek Conservation Area will be expanded over time as the properties in the district are developed. The proposed code amendments will create parks through required parkland dedication at the time of development and include provisions for dedication of land within the mapped South-Central Open Space Network to allow the facility to expand over time and maintain connectivity throughout the district. **The proposal is consistent with this Policy.**

#### *Policy 8.1.5*

*Identify and construct a network of off-street trails throughout the city for walking and jogging.*

**Response:** The BRCP identifies a network of off-street trails including regional trails throughout the district. The proposed code amendments will protect identified trail corridors by requiring dedication of easements at the time of development. **The proposal is consistent with this Goal.**

*Policy 8.1.9*

*Emphasize retaining natural conditions and the natural environment in proposed passive recreation areas.*

**Response:** Passive recreation areas will include open space areas and environmental resource areas. The Natural Resources Overlay District (NROD)—OCMC 17.49 and Geologic Hazards—OCMC 17.44 will be applied to habitat areas which promote retention of natural conditions. In addition, the proposed code amendments include provisions for acquiring portions of the East Ridge-Thimble Creek Conservation Area that require environmental restoration as a condition of any adjacent development. **The proposal is consistent with this Policy.**

*Policy 8.1.12*

*Identify and protect land for parks and recreation within the Urban Growth Boundary.*

**Response:** The BRCP identifies and prioritizes a network of parks, trails, and open spaces, including the South-Central Open Space Network. The proposed code amendments will support creation of the South-Central Open Space Network and the East Ridge-Thimble Creek Conservation Area through required parkland dedication at the time of development and protect trail corridors throughout the district's open space system by requiring dedication of easements at the time of development. **The proposal is consistent with this Policy.**

*Policy 8.1.14*

*Require or encourage developers to dedicate park sites as part of the subdivision review process. When possible, require or encourage developers to build parks to City standards and give them to the City to operate and maintain.*

**Response:** The proposed code amendments will require parkland dedication to create the South-Central Open Space Network and the East Ridge-Thimble Creek Conservation Area as part of subdivision review process. **The proposal is consistent with this Policy.**

**Goal 9.1 Improve Oregon City's Economic Health**

*Provide a vital, diversified, innovative economy including an adequate supply of goods and services and employment opportunities to work toward an economically reasonable, ecologically sound and socially equitable economy.*

**Response:** A core aspect of the BRCP is to create economic opportunities, and the proposed map and code amendments implement three distinct subdistricts focused on employment opportunities. The North Employment Campus, proposed for CI zoning, will provide family-wage employment opportunities. The two mixed-use subdistricts in the Mixed Employment Village and Main Street will provide goods and services, and additional jobs in those sectors. In total, the proposal is estimated to support up to 5,734 jobs, exceeding the BRCP goal of 5,000 jobs. The proposed code amendments include provisions such as sustainable design elements for industrial development and the inherent

efficiencies of mixing uses within the district and individual subdistricts to reduce distances traveled to live, work, shop and eat, which will support ecologically sound economic growth. **The proposal is consistent with this Goal.**

*Policy 9.1.1*

*Attract high-quality commercial and industrial development that provides stable, high-paying jobs in safe and healthy work environments, that contributes to a broad and sufficient tax base, and that does not compromise the quality of the environment.*

**Response:** Three of the BRCP subdistricts, proposed to be implemented through map and code amendments, will support commercial and industrial development. The North Employment Campus, proposed for CI zoning, will support primarily industrial development with family-wage employment opportunities. The Mixed Employment Village subdistrict will provide support high-quality commercial and office employment, with similar opportunities in the Main Street subdistrict. In total, the proposal is estimated to support up to 5,734 jobs, exceeding the BRCP goal of 5,000 jobs. The proposed code amendments include provisions such as sustainable design elements for industrial development and the inherent efficiencies of mixing uses within the district and individual subdistricts to reduce distances traveled to live, work, shop and eat, which will support ecologically sound economic growth. Natural resources will be protected through the Natural Resources Overlay District (NROD)—OCMC 17.49 and Geologic Hazards—OCMC 17.44 to habitat areas to ensure development does not compromise the quality of the environment. As discussed in response to Goals 6.1 and 6.2 above, compliance with existing state and local air and water standards will ensure protection of those resources at the time of future development. **The proposal is consistent with this Policy.**

*Policy 9.1.2*

*Contribute to the health of the regional and state economy by supporting efforts to attract “traded sector industries” such as high technology and production of metals, machinery, and transportation equipment. (Traded sector industries compete in multi-state, national, and international markets and bolster the state’s economy by bringing money in from sales of goods and services outside of the state.)*

**Response:** The BRCP prioritizes recruitment of sustainable industries, which could include traded sector industries. The proposed map and code amendments support this goal by creating development opportunities for such industries within the proposed North Employment Campus and Mixed Employment Village subdistrict. Additional recruitment efforts will be led by the City’s Economic Development Department. **The proposal is consistent with this Policy.**

**Goal 9.3 Retention of Existing Employers**

*Retain existing employers, both public and private, and encourage them to expand their operations within the City.*

**Response:** The proposed map and code amendments will create significant new acreage for industrial and employment growth, which could be acquired and developed by existing employers looking to expand their operations. **The proposal is consistent with this Policy.**

*Policy 9.3.1*

*Protect existing industries from encroachment by incompatible land uses and ensure that expansion options are available to them wherever possible.*

**Response:** The proposed map amendments will not create any incompatible land uses near existing industries. The proposed map and code amendments will create significant new acreage for industrial and employment growth, which could be acquired and developed by existing employers looking to expand their operations. **The proposal is consistent with this Policy.**

### **Goal 9.5 Retail Service**

*Allow a variety of retail outlets and shopping areas to meet the needs of the community and nearby rural areas.*

**Response:** The proposed map and code amendments will support the creation of the Main Street subdistrict along Glen Oak Road providing retail and shopping opportunities for the immediate BRCP district and nearby areas. The code amendments specifically support retail development by limiting residential uses to upper stories and the rear portion of sites, to ensure commercial development remains the priority. Limited retail outlets are also permitted under the proposed code amendments for the Mixed Employment Village to support those who work and live in the subdistrict. **The proposal is consistent with this Goal.**

#### *Policy 9.5.1*

*Develop local neighborhood or specific plans, when appropriate, to blend infill development along linear commercial areas into existing neighborhoods.*

**Response:** The BRCP district is undeveloped and as such, does not have existing commercial or existing neighborhoods; the plan as implemented by the proposed map and code amendments proactively creates opportunities to blend commercial development within neighborhoods. The proposed map and code amendments create opportunities for retail and commercial development primarily within the Main Street subdistrict, which is located along Glen Oak Road interior to the district, rather than strung out as a linear commercial development along Beavercreek Road. The proposed code amendments also allow small-scale retail and commercial development within the West Mixed-Use Neighborhood to the south of the Main Street subdistrict. **The proposal is consistent with this Policy.**

#### *Policy 9.5.2*

*Develop plans to provide necessary public services to surrounding rural industrial lands for future development.*

**Response:** No changes are proposed to adopted infrastructure master plans for water, sewer and stormwater and the Transportation System Plan (TSP) which will ensure provision of necessary services to industrial lands within and outside of the BRCP district. **The proposal is consistent with this Policy.**

### **Goal 9.7 Home-Based Businesses**

*Provide a supportive climate for home-based businesses.*

**Response:** As part of the 2016 re-adoption of the plan, the City Commission recommended that as during the process to create implementing code and zoning for the BRCP, staff should further analyze the issue of allowing expanded home occupation uses, also known as cottage manufacturing/industry within the mixed-use and residential areas. This item was discussed during the two open houses at Oregon City High School and through an online survey in the fall of 2019. The Planning Commission provided staff clear direction that they supported expanded opportunities for home-based businesses

within the concept plan area such as allowing employees and limited retail onsite. Staff worked with the Planning Commission on options creating new opportunities for home-based business in Oregon City. Amendments to the home occupation license code in OCMC 17.54 have been created for additional option with this concept plan area. **The proposal is consistent with this Goal.**

#### *Policy 9.7.1*

*Encourage home-based businesses that are low impact and do not disrupt the residential character of the neighborhoods in which they are located.*

**Response:** As part of the 2016 re-adoption of the plan, the City Commission recommended that as during the process to create implementing code and zoning for the BRCP, staff should further analyze the issue of allowing expanded home occupation uses, also known as cottage manufacturing/industry within the mixed-use and residential areas. This item was discussed during the two open houses at Oregon City High School and through an online survey in the fall of 2019. The Planning Commission provided staff clear direction that they supported expanded opportunities for home-based businesses within the concept plan area such as allowing employees and limited retail onsite. Staff worked with the Planning Commission on options creating new opportunities for home-based business in Oregon City. Amendments to the home occupation license code in OCMC 17.54 have been created for additional option with this concept plan area. **The proposal is consistent with this Goal.**

#### *Policy 9.7.2*

*Encourage the support services that home-based businesses need.*

**Response:** As part of the 2016 re-adoption of the plan, the City Commission recommended that as during the process to create implementing code and zoning for the BRCP, staff should further analyze the issue of allowing expanded home occupation uses, also known as cottage manufacturing/industry within the mixed-use and residential areas. This item was discussed during the two open houses at Oregon City High School and through an online survey in the fall of 2019. The Planning Commission provided staff clear direction that they supported expanded opportunities for home-based businesses within the concept plan area such as allowing employees and limited retail onsite. Staff worked with the Planning Commission on options creating new opportunities for home-based business in Oregon City. Amendments to the home occupation license code in OCMC 17.54 have been created for additional option with this concept plan area. **The proposal is consistent with this Goal.**

### **Goal 9.8 Transportation System**

*Recognize the importance of the land use-transportation link and encourage businesses to locate in areas already served by the type of transportation system they need.*

**Response:** The adopted BRCP transportation strategy includes elements such as planning a mixed-use community that will increase options for internal trip making, developing a framework of collector streets, improving Beaver Creek Road itself to accommodate trips within and through the district, and developing off-site transportation connections guided by the Transportation System Plan; the transportation strategy was developed to serve the intended industrial and commercial development in each subdistrict. The proposed map and code amendments provide for the intended types of

development in each subdistrict, that will be served by existing and planned transportation elements.  
**The proposal is consistent with this Goal.**

*Policy 9.8.1*

*Through coordination with TriMet and local employers, encourage and promote the use of mass transit to travel between residential areas and employment areas.*

**Response:** The adopted BRCP sets the stage for future transit by providing transit-attractive destinations, such as high-density employment and residential nodes, and a logical network of roadways that would support future transit routes. The proposed map and code amendments support future transit improvements by implementing the plan subdistricts that concentrate job and housing densities near Beaver Creek Road. **The proposal is consistent with this Policy.**

*Policy 9.8.4*

*Promote “shared parking” and transportation demand management techniques such as transit vouchers, car or vanpooling, and flexible schedules and telecommuting options to reduce peak hour trips.*

**Response:** The adopted parking standards permit shared parking facilities per OCMC 17.52.020.B.2 and will apply to development within the BRCP area. Additional transportation demand management techniques are more appropriate for individual businesses to develop and can be implemented at the time of development. **The proposal is consistent with this Policy.**

*Policy 9.8.6*

*Encourage the provision of multi-modal transportation to support major existing employers.*

**Response:** There are no existing employers within the BRCP area that will be affected by the proposed map and code amendments. However, the amendments will support development of a multimodal transportation system throughout the BRCP area consistent with adopted transportation strategies, including transit, sidewalks, bike routes, and off-street trail network that will serve future employers in the North Employment Campus and throughout the district. **The proposal is consistent with this Policy.**

*Policy 9.8.7*

*Assess methods to integrate the pedestrian, bicycle and elevator transportation modes into the mass transit system.*

**Response:** The adopted transportation strategies in the BRCP include development of on and off-street pedestrian and bicycle facilities throughout the district; an elevator mode is not proposed because it is not suitable for the district’s topography. The proposed map and code amendments support future development of these facilities by requiring facilities to be constructed at the time of site development. **The proposal is consistent with this Policy.**

**Goal 10.1 Diverse Housing Opportunities**

*Provide for the planning, development and preservation of a variety of housing types and lot sizes.*

**Response:** The BRCP prioritizes a variety of housing types for a range of income levels across the different subdistricts. The proposed map and code amendments support these goals by implementing

the West and East Mixed-Use Neighborhoods, with additional residential opportunities in the mixed-use Main Street and Mixed Employment Village subdistricts. The proposed zoning districts for the West and East Mixed-Use Neighborhoods are R-2 and R-5, respectively; these districts were significantly revised as part of the Equitable Housing Code Amendments earlier in 2019 to better meet this goal. The recent housing code amendments allow for a broad range of housing options collectively referred to as “missing middle housing,” defined as a range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for housing choices at a variety of scales across a variety of neighborhoods, encouraging a more diverse housing stock in residential zones that are currently dominated by single-family residential homes. The proposed map and code changes with this proposal implement these zones and will guide planning and development of a variety of housing types and lot sizes. **The proposal is consistent with this Goal.**

*Policy 10.1.1*

*Maintain the existing residential housing stock in established older neighborhoods by maintaining existing Comprehensive Plan and zoning designations where appropriate.*

**Response:** There are no established older neighborhoods in the BRCP area, however, there are a handful of existing residences. The proposed code amendments will permit existing homes with proposed CI zoning to remain permitted uses rather than making them nonconforming uses. **The proposal is consistent with this Policy.**

*Policy 10.1.2*

*Ensure active enforcement of the City of Oregon City Municipal Code regulations to ensure maintenance of housing stock in good condition and to protect neighborhood character and livability.*

**Response:** No changes are proposed to the code enforcement standards or policies with this proposal. As neighborhoods are developed in the BRCP area, code enforcement will ensure housing and neighborhoods are maintained in good condition. **The proposal is consistent with this Policy.**

*Policy 10.1.3*

*Designate residential land for a balanced variety of densities and types of housing, such as single-family attached and detached, and a range of multi-family densities and types, including mixed-use development.*

**Response:** The proposed map amendments designate land for a variety of densities and types of housing as follows: 13.3 gross acres of High-Density Residential with R-2 zoning, 86.5 gross acres of Medium Density Residential with R-5 zoning, and 7.2 gross acres of Mixed-Use Corridor with NC zoning for mixed-use residential development. The existing zoning standards for these districts permit a range of densities for different housing types ranging from a minimum of 7.0 units per net acre for single-family detached homes in the R-5 zone to a maximum of 21.8 units per net acre for townhouse and multifamily development in the R-2 zone, or up to 26.2 units per net acre for projects that incorporate sustainability features in the proposed code amendments. **The proposal is consistent with this Policy.**

*Policy 10.1.4*

*Aim to reduce the isolation of income groups within communities by encouraging diversity in housing types within neighborhoods consistent with the Clackamas County Consolidated Plan, while ensuring that needed affordable housing is provided.*

**Response:** The proposed map and code amendments apply the revised R-5 and R-2 zoning district standards that were developed as part of the Equitable Housing Project specifically to provide greater variety of affordable housing options, both regulated, income-restricted housing options and market-rate housing options that are lower priced and thus affordable to housing with lower household incomes. The variety of housing types allowed in both zones will provide opportunities to integrate affordable housing into the BRCP neighborhoods as they are developed. **The proposal is consistent with this Policy.**

*Policy 10.1.5*

*Allow Accessory Dwelling Units under specified conditions in single-family residential designations with the purpose of adding affordable units to the housing inventory and providing flexibility for homeowners to supplement income and obtain companionship and security.*

**Response:** Accessory Dwelling Units (ADUs) are permitted in both the R-5 and R-2 zoning districts proposed for the BRCP neighborhoods with this proposal; no further changes to the ADU regulations are included with this proposal. Code revisions adopted with the recent Equitable Housing Code Amendments included a provision in OCMC 16.08.095 that restricts new subdivisions from applying code, covenants, and restrictions (CC&Rs) that prohibit ADUs, which will ensure that new developments within the BRCP are not restricted by public zoning code or private CC&Rs from developing ADUs. **The proposal is consistent with this Policy.**

*Policy 10.1.6*

*Allow site-built manufactured housing on individual lots in single-family residential zones to meet the requirements of state and federal law. (Pursuant to state law, this policy does not apply to land within designated historic districts or residential land immediately adjacent to a historic landmark.)*

**Response:** The Oregon City Municipal Code does not differentiate between manufactured housing and other housing types on individual lots and the proposed code amendments do not propose to change this; an individual manufactured house is permitted on any lot where a single-family detached, site-built house would be permitted in the BRCP neighborhoods under the proposed R-5 and R-2 zoning. **The proposal is consistent with this Policy.**

*Policy 10.1.7*

*Use a combination of incentives and development standards to promote and encourage well-designed single-family subdivisions and multi-family developments that result in neighborhood livability and stability.*

**Response:** The proposed map amendments apply the R-2 and R-5 zoning districts within the BRCP, which already incorporate numerous incentives and development standards to support livability and stability. The proposed code amendments further support livable neighborhoods by requiring parkland dedication or fee-in-lieu for all new subdivisions and multifamily developments, to create the South-Central Open Space Network and East ridge Thimble Creek Conservation Area with park and trail facilities serving the BRCP neighborhoods. The proposed amendments also include a density bonus option as an incentive for multifamily development to incorporate sustainability features. **The proposal is consistent with this Policy.**

## **Goal 10.2 Supply of Affordable Housing**

*Provide and maintain an adequate supply of affordable housing.*

**Response:** The proposed map amendments add significant buildable residential land to the City's inventory, including 12.1 net acres of buildable land zoned R-2 in the West Mixed Use Neighborhood and 64.5 net acres of buildable land plus 15.9 acres of constrained land zoned R-5 in the East Mixed Use Neighborhood and additional opportunities in the two mixed-use subdistricts with a combined estimated potential for 1,105 new housing units. Maintaining an adequate supply of buildable land will help keep housing prices affordable by reducing land scarcity. These areas will be developed under the R-5 and R-2 zoning district standards recently amended with the recent Equitable Housing Code Amendments project that expand the range of housing types permitted, decrease minimum lot sizes for many types, and increase density for some missing middle housing types. Together, these standards create opportunities to build market-rate housing that is more affordable than traditional single-family detached, large-lot subdivisions. **The proposal is consistent with this Policy.**

### *Policy 10.2.1*

*Retain affordable housing potential by evaluating and restricting the loss of land reserved or committed to residential use. When considering amendments to the Comprehensive Plan Land-Use Map, ensure that potential loss of affordable housing is replaced.*

**Response:** The proposed map amendments commit a total of 99.8 gross acres of land for residential use, consistent with the BRCP map; no existing residential land or affordable housing will be lost with this proposal. **The proposal is consistent with this Policy.**

### *Policy 10.2.2*

*Allow increases in residential density (density bonuses) for housing development that would be affordable to Oregon City residents earning less than 50 percent of the median income for Oregon City.*

**Response:** The proposed map amendments apply the R-2 zone to the West Mixed-Use Neighborhood, and existing R-2 code standards provide up to a 20% density bonus for affordable units at 80% AMI for a minimum term of 30 years for apartment projects. No further changes to the affordable housing density bonus are proposed with this project. **The proposal is therefore consistent with this policy.**

### *Policy 10.2.3*

*Support the provision of Metro's Title 7 Voluntary Affordable Housing Production Goals.*

**Response:** (From Comprehensive Plan, P. 77):

*In 2001, Metro adopted amendments to Title 7 of the Urban Growth Management Functional Plan to implement the Regional Affordable Housing Strategy (2000), which identifies measures to provide adequate affordable housing in the Metro region. The amendments require local jurisdictions to consider adopting a number of tools and strategies for promoting the creation and retention of affordable housing. Metro defines an affordable housing unit as one that requires no more than 30 percent of household income for people earning 50 percent of the median household income in their jurisdiction. By that definition, an affordable housing unit in Oregon City in 2000 would cost \$570 per month or less. The 2002 housing inventory and analysis showed that the number of lower-cost units in Oregon City was inadequate to meet both the*

*current (2002) and projected housing needs of the city's lower-income residents. Title 7 tools and strategies have been adopted as Goal 10.2 and Policies 10.2.1 through 10.2.4.*

The proposed map and code amendments support affordable housing creation consistent with Title 7 through compliance with Goal 10.2 and Policies 10.2.1 through 10.2.4, as demonstrated in this section.

**The proposal is consistent with this Policy.**

*Policy 10.2.4*

*Provide incentives that encourage the location of affordable housing developments near public transportation routes. Incentives could include reduction of development-related fees and/or increases in residential density (density bonuses).*

**Response:** As mentioned in Policy 10.1.4, the West Mixed-Use Neighborhood will be zoned R-2 under the proposed map amendments and the R-2 standards include a 20% density bonus for affordable units at 80% AMI for a minimum term of 30 years. The West Mixed-Use Neighborhood is located along Beaver Creek Road and the future Center Parkway which have been identified as potential future public transportation routes. **The proposal is consistent with this Policy.**

**Goal 11.1 Provision of Public Facilities**

*Serve the health, safety, education, welfare, and recreational needs of all Oregon City residents through the planning and provision of adequate public facilities.*

*Policy 11.1.1*

*Ensure adequate public funding for the following public facilities and services, if feasible:*

- *Transportation infrastructure*
- *Wastewater collection*
- *Stormwater management*
- *Water distribution*

**Response:** The proposed uses and density planned for in the concept plan area are consistent with the protected loads identified in the city's various utilities master plans. Moreover, the expanded capacity achieved through the redesign of Beaver Creek Road from a 3-lane section to a partial 5-lane section exceeds the requirements of the Transportation System Plan. **The proposal is consistent with this Policy.**

*Goal 11.6*

*Transportation Infrastructure*

*Optimize the City's investment in transportation infrastructure. Policy 11.6.1 Make investments to accommodate multi-modal traffic as much as possible to include bike lanes, bus turnouts and shelters, sidewalks, etc., especially on major and minor arterial roads, and in regional and employment centers.*

**Response:** Build out for the concept plan area will provide the community with increased options for bike lanes, sidewalks and a concentration of residential and employment near each other, which increases the likelihood of better transit services in the area. **The proposal is consistent with this Policy.**

### **Goal 12.1 Land Use-Transportation Connection**

*Ensure that the mutually supportive nature of land use and transportation is recognized in planning for the future of Oregon City.*

**Response:** The adopted BRCP includes interconnected land use and transportation elements that ensure appropriately scaled multimodal facilities will serve future development. The plan establishes a variety of interconnected subdistricts with a mix of uses that increase opportunities for local trips while decreasing total trips utilizing the broader transportation network. The proposed map and code amendments implement this vision to balance land use and transportation goals; the proposal is supported by a transportation memo prepared by DKS that concludes that development associated with the proposal can be served by the planned City-wide transportation system. Moreover, the expanded capacity achieved through the redesign of Beaver Creek Road from a 3-lane section to a partial 5-lane section Beaver Creek Road exceeds the requirements of the Transportation System Plan. **The proposal is consistent with this Goal.**

#### *Policy 12.1.1*

*Maintain and enhance citywide transportation functionality by emphasizing multi-modal travel options for all types of land uses.*

**Response:** The adopted BRCP includes multimodal transportation provisions. As development occurs, on-street and off-street pedestrian and bicycle facilities will be required to be constructed as outlined in the plan. The proposed map and code amendments are consistent with the BRCP and will support expanded multimodal facilities throughout the district serving all the different land uses from industrial to residential. **The proposal is consistent with this Policy.**

#### *Policy 12.1.3*

*Support mixed uses with higher residential densities in transportation corridors and include a consideration of financial and regulatory incentives to upgrade existing buildings and transportation systems.*

**Response:** The proposed map and code amendments create mixed-use subdistricts including the NC-zoned Main Street and MUC-II-zoned Mixed Employment Village that permit high-density residential development, as well as a mix of uses within the district across the five subdistricts. The map and code amendments will facilitate a mix of uses at higher residential densities along Beaver Creek Road, including the two aforementioned mixed-use districts and the R-2-zoned West Mixed-Use Neighborhood. There are no significant existing buildings within the BRCP area affected by this policy. **The proposal is consistent with this Policy.**

#### *Policy 12.1.4*

*Provide walkable neighborhoods. They are desirable places to live, work, learn and play, and therefore a key component of smart growth.*

**Response:** Walkability is a central goal of all the BRCP neighborhoods and is supported by the proposed map and code amendments. Neighborhoods will be built around blocks with a maximum block length of 530 feet, except for the industrial areas in the North Employment Campus, consistent with zoning standards in OCMC 16.12.030 for implementing districts that create easily walkable neighborhoods that minimize out-of-direction travel by pedestrians. On-street pedestrian facilities will be required

consistent with green street cross-sections which create a desirable walking environment, in addition to an off-street trail network. The proposed code amendments support a compelling, walkable Main Street subdistrict along Glen Oak road by requiring building presence along a minimum percentage of the site and limiting parking areas to the rear of the site. **The proposal is consistent with this Policy.**

### **Goal 13.1 Energy Sources**

*Conserve energy in all forms through efficient land-use patterns, public transportation, building siting and construction standards, and city programs, facilities, and activities.*

**Response:** The Beaver Creek Road Concept Plan (BRCP) establishes the goal of creating a complete and sustainable community in southeast Oregon City within a 453-acre district along Beaver Creek Road. The district is intended to provide for a mix of uses including an employment campus north of Loder Road, mixed-use districts along Beaver Creek Road, and two mixed-use neighborhoods woven together by open space, trails, a network of green streets, and sustainable development practices. District development will help to provide a minimum of 1,100 housing options and to realize the City's economic development goals, including creation of up to 5,000 family-wage jobs. This efficient land use pattern provides residential density of more than 10 units per net developable acre adjacent to employment areas which aims to reduce single-occupancy vehicle trips and encourage transit, biking and walking. **The proposal is consistent with this Policy.**

#### *Policy 13.1.2*

*Encourage siting and construction of new development to take advantage of solar energy, minimize energy usage, and maximize opportunities for public transit.*

**Response:** The block layouts for the Beaver Creek Road Concept Plan do affect the roof pitch and orientation of individual houses to better orientate for passive and active solar uses. Additionally, the collocation of employment and housing provides the best opportunity for the extension of transit access.

#### *Policy 13.1.3*

*Enable development to use alternative energy sources such as solar through appropriate design standards and incentives*

**Response:** As part of the proposed code amendments, industrial development in the NEC subdistrict will be required to incorporate sustainable design features; one option is to propose a LEED-certified building. (See proposed OCMC 17.37.060.G.8.) Similarly, WMU development may elect to build to LEED standards as one option to qualify for a density bonus. (See proposed OCMC 17.12.060.D.12.) The existing site development standards in OCMC 17.62 that apply to all new development except medium density residential already include green building standards and guidelines that supports sustainability. For example, 15% site landscaping is required along with conservation of natural resource areas which, along with adopted LID stormwater standards, minimizes impervious surface and treats stormwater runoff. Mandatory green building standards for all development, beyond the sustainable features for industrial and high-density residential, are not recommended. Requiring compliance with a third-party set of standards, such as LEED, is inherently problematic because it outsources City decision-making to a third party, with standards that are updated more frequently than City code is updated. **The proposal is consistent with this Policy.**

## **Goal 13.2 Energy Conservation**

*Plan public and private development to conserve energy.*

*Policy 13.2.1 Promote mixed-use development, increased densities near activity centers, and home-based occupations (where appropriate).*

**Response:** The greatest strength of the BRCP, as implemented by the proposed map and code changes, is the mix of uses that will support a vibrant, interconnected district. The proposed code amendments include site-specific sustainable design features required in the NEC subdistrict through the implementing CI standards and incentivized in the WMU subdistrict through the implementing R-2 standards in the form of a density bonus. Future implementation efforts will continue building partnerships with private and institutional stakeholders to further support sustainable development and economic development. **The proposal is consistent with this Policy.**

*Policy 13.2.2*

*Create commercial nodes in neighborhoods that are underserved to reduce vehicle miles traveled.*

**Response:** The MC subdistrict will be implemented with the Mixed-Use Corridor comprehensive plan designation and the Neighborhood Commercial (NC) zoning district. The permitted uses in OCMC 17.24.020, with refinements in proposed OCMC 17.24.050.C, include a range of retail, service and residential uses, capped at 10,000 square feet per establishment to create a small-scale character for the subdistrict. Proposed dimensional standards include a minimum height of two stories, maximum five-foot front setbacks to ensure that development engages with the street, minimum FAR of 0.5 to create more intensive development, requirement for parking areas to be located behind buildings, standards for planter boxes and urban plazas as part of required landscaping, and prohibition on ground floor residential uses to support active ground floor uses. (See existing OCMC 17.24 and proposed 17.24.050.) Additional building and site development standards in OCMC 17.62.050 will apply at the time of development. **The proposal is consistent with this Policy.**

*Policy 13.2.3*

*Plan for complementary mixed uses when considering annexation of new, under- or undeveloped areas so that new urban residential areas have closer access to jobs and services.*

**Response:** The greatest strength of the BRCP, as implemented by the proposed map and code changes, is the mix of uses that will support a vibrant, interconnected district. The proposed code amendments include site-specific sustainable design features required in the NEC subdistrict through the implementing CI standards and incentivized in the WMU subdistrict through the implementing R-2 standards in the form of a density bonus. Future implementation efforts will continue building partnerships with private and institutional stakeholders to further support sustainable development and economic development. **The proposal is consistent with this Policy.**

*Policy 13.2.4*

*Encourage use of carpools and transit in cooperation with TriMet and other state and regional transportation agencies.*

**Response:** The adopted BRCP sets the stage for future transit by providing transit-attractive destinations, such as high-density employment and residential nodes, and a logical network of roadways that would support future transit routes. The proposed map and code amendments support future transit improvements by implementing the plan subdistricts that concentrate job and housing densities near Beaver Creek Road. **The proposal is consistent with this Policy.**

*Policy 13.2.5*

*Construct bikeways and sidewalks and require connectivity of these facilities to reduce the use of petroleum-fueled transportation.*

**Response:** All new development will be required to construct or improve all identified streets abutting the development proposal, which include sidewalks and bike lanes, where identified in the plan. **The proposal is consistent with this Policy.**

*Policy 13.2.6*

*Support the concept of sustainability over the long term by:*

- encouraging education efforts such as developing and/or distributing educational materials to the public about energy efficiency and sustainability encouraging designs that achieve a minimum Leadership in Energy and Environmental Design (LEED) certification implementing sustainable concepts within the Oregon City government facilities that receive a minimum “Platinum” LEED rating implementing design guidelines that address sustainability for private sector development taking advantage of up-to-date technology to reduce energy use developing incentive programs to apply to private sector development, where feasible

**Response:** As part of the proposed code amendments, industrial development in the NEC subdistrict will be required to incorporate sustainable design features; one option is to propose a LEED-certified building. (See proposed OCMC 17.37.060.G.8.) Similarly, WMU development may elect to build to LEED standards as one option to qualify for a density bonus. (See proposed OCMC 17.12.060.D.12.) The existing site development standards in OCMC 17.62 that apply to all new development except medium density residential already include green building standards and guidelines that supports sustainability. For example, 15% site landscaping is required along with conservation of natural resource areas which, along with adopted LID stormwater standards, minimizes impervious surface and treats stormwater runoff. Mandatory green building standards for all development, beyond the sustainable features for industrial and high-density residential, are not recommended. Requiring compliance with a third-party set of standards, such as LEED, is inherently problematic because it outsources City decision-making to a third party, with standards that are updated more frequently than City code is updated. **The proposal is consistent with this Policy.**

**Goal 14.3 Orderly Provision of Services to Growth Areas**

*Plan for public services to lands within the Urban Growth Boundary through adoption of a concept plan and related Capital Improvement Program, as amendments to the Comprehensive Plan.*

**Response:** The proposed map and code amendments implement an adopted concept plan for Beaver Creek Road. The Sanitary Sewer Master Plan (2014), Water Distribution Master Plan (2012), Stormwater Master Plan (2019 Draft), and Transportation System Plan (2013) were all created subsequent to initial adoption of the BRCP in 2008 and plan for public services to serve residential and employment growth forecasted for the concept plan area. The proposed map and code amendments are estimated to support 1,105 dwellings and 5,734 jobs, consistent with demand forecasted and planned for in adopted capital improvements plans. **The proposal is consistent with this Goal.**

*Policy 14.3.1*

*Maximize new public facilities and services by encouraging new development within the Urban Growth Boundary at maximum densities allowed by the Comprehensive Plan.*

**Response:** The proposed map and code amendments provide for higher densities in the BRCP area to maximize utility of new public facilities developed to serve the area. Residential development will be subject to high and medium-density residential standards in the R-2 and R-5 districts respectively. Both zones have minimum density standards equal to 80% of the maximum allowed density, to ensure higher density development, as well as opportunities for types like cluster housing, duplexes, and 3-4 plexes in the R-5 zone that allow higher densities than would otherwise be permitted for single-family detached residential uses. Employment development in the two mixed-use districts will be subject to FAR minimums under the proposed code amendments to ensure efficient use of land and public facilities. **The proposal is consistent with this Policy.**

*Policy 14.3.2*

*Ensure that the extension of new services does not diminish the delivery of those same services to existing areas and residents in the city.*

**Response:** The adopted Sanitary Sewer Master Plan (2014), Water Distribution Master Plan (2012), Stormwater Master Plan (2019 Draft), and Transportation System Plan (2013) ensure that public facilities are extended to new areas, including the BRCP area and development anticipated through the proposed map and code amendments, without compromising the ability to provide services to existing areas and residents of the city that meet adopted service standards. **The proposal is consistent with this Policy.**

*Policy 14.3.3*

*Oppose the formation of new urban services districts and oppose the formation of new utility districts that may conflict with efficient delivery of city utilities within the Urban Growth Boundary.*

**Response:** The BRCP area is within the future service area of city utility providers and no new urban service districts or utility districts are proposed. **The proposal is consistent with this Policy.**

*Policy 14.3.4*

*Ensure the cost of providing new public services and improvements to existing public services resulting from new development are borne by the entity responsible for the new development to the maximum extent possible.*

**Response:** All development proposed with the BRCP area under the proposed map and code amendments will be subject to development review, which requires that new development provide for

on-site and off-site public services needed to serve the development. The City has also adopted System Development Charges (SDCs) that are assessed at the time of development to pay for the costs of expanding public services. **The proposal is consistent with this Policy.**

### **III.c. BEAVERCREEK ROAD CONCEPT PLAN GOALS AND POLICIES**

#### **Goal 1 Complete and Sustainable Community**

Create a complete and sustainable community, in conjunction with the adjacent land uses, that integrates a diverse mix of uses, including housing, services, and public spaces that are necessary to support a thriving employment center.

**Response:** The proposal implements the plan vision for a mix of uses within the district and within individual subdistricts, notably the Mixed Employment Village and the Main Street subdistricts. Housing is provided for in all subdistricts except the North Employment Campus. Services are permitted through proposed zoning standards in all subdistricts except the East Mixed-Use Neighborhood. Public spaces are provided for consistency with the BRCP, including the South-Central Open Space Network, powerline corridor and trail network. Many of the zoning standards, particularly the expanded residential zones, support compact development, coupled with resource protection standards for sensitive environmental areas. Much of the sustainable infrastructure planning, including LID stormwater and green street designs, was done with the BRCP and can be implemented at the time of site development. **The proposal is consistent with this Goal.**

#### *Policy 1.1*

Adopt new comprehensive plan and zone designations, and development code, that implement the Beaver Creek Concept Plan. Require all development to be consistent with the Concept Plan and implementing code.

**Response:** The proposal applies comprehensive plan and zone designations to implement the BRCP, with development code amendments that supplement existing zoning district standards for each subdistrict to fully implement the BRCP vision for those subdistricts. Development will be reviewed for conformity with the implementing code through the development review process; discretionary development applications, such as master plans, will be required to comply with the Concept Plan as well. **The proposal is consistent with this Policy.**

#### *Policy 1.2*

Establish sub-districts to implement the Concept Plan. The sub-districts are:

#### *North Employment Campus – NEC*

The purpose of the North Employment Campus is to provide for the location of family-wage employment that strengthens and diversifies the economy. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of sites for employment by limiting incompatible uses. The sub-district is intended to comply with Metro's Title 4 regulations. Site and building design will create pedestrian-friendly areas and utilize cost-effective green development

practices. Business<sup>[1]</sup> and program connections to Clackamas Community College (CCC) are encouraged to help establish a positive identity for the area and support synergistic activity between CCC and NEC properties. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beaver Creek Road area.

**Response:** The NEC subdistrict will be implemented with the Industrial comprehensive plan designation and the Campus Industrial (CI) zoning district. The permitted uses in OCMC 17.37.020 include a range of industrial, light manufacturing, research and development, and corporate headquarters uses that support family-wage employment. The proposed additional code standards for the NEC include limitations on retail and service uses to 5,000 SF per use or 20,000 SF total per site to limit incompatible uses. The proposed code standards and subdistrict boundaries have been reviewed against Metro Title 4 maps and code requirements. Site and building design for development in the subdistrict will be required to implement green design features from a menu proposed in OCMC 17.37.060.G. Outside of the code and map implementation projects, supporting efforts to build relationships with CCC and to recruit businesses with sustainable practices will be led by the City's Economic Development department. **The proposal is consistent with this Policy.**

#### *Mixed Employment Village – MEV*

The purpose of the Mixed Employment Village is to provide employment opportunities in an urban, pedestrian-friendly, and mixed-use setting.<sup>[1]</sup> The MEV is intended to be transit supportive in its use mix, density, and design so that transit remains an attractive and feasible option. The MEV allows a mix of retail, office, civic and residential uses that make up an active urban district and serve the daily needs of adjacent neighborhoods and Beaver Creek Road sub-districts. Site and building design will create pedestrian-friendly areas and utilize cost-effective green development practices. Business and program connections to Clackamas Community College and Oregon City High School are encouraged. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beaver Creek Road area.

**Response:** The MEV subdistrict will be implemented with the Mixed-Use Corridor comprehensive plan designation and the Mixed-Use Corridor-2 (MUC-2) zoning district. The permitted uses in OCMC 17.29.020, with refinements in proposed OCMC 17.29.080.C, include a range of retail, office, civic and residential uses. Proposed use standards also limit the percentage of building area that can be used for retail, service, and residential uses, to ensure that employment uses are also integrated into site development. Minimum FAR standards will support higher intensity development that will support future transit service. Site and building design for development in the subdistrict will be support an urban, pedestrian-friendly setting through a height limit of 60 feet to permit multistory construction, maximum setbacks to bring development up to the street, and prohibition on ground floor residential uses to support active ground floor uses. (See existing OCMC 17.29 and proposed 17.29.080.) Additional building and site development standards in OCMC 17.62.050 will apply at the time of development. Outside of the code and map implementation projects, supporting efforts to build relationships with CCC and to recruit businesses with sustainable practices will be led by the City's Economic Development department. **The proposal is consistent with this Policy.**

#### *Main Street – MS*

The purpose of this small mixed-use center is to provide a focal point of pedestrian activity. The MS

allows small scale commercial, mixed-use and services that serve the daily needs of the surrounding area. “Main Street” design will include buildings oriented to the street, and minimum of 2 story building scale, attractive streetscape, active ground floor uses and other elements that reinforce pedestrian-oriented character and vitality of the area.

**Response:** The MC subdistrict will be implemented with the Mixed-Use Corridor comprehensive plan designation and the Neighborhood Commercial (NC) zoning district. The permitted uses in OCMC 17.24.020, with refinements in proposed OCMC 17.24.050.C, include a range of retail, service and residential uses, capped at 10,000 square feet per establishment to create a small-scale character for the subdistrict. Proposed dimensional standards include a minimum height of two stories, maximum five-foot front setbacks to ensure that development engages with the street, minimum FAR of 0.5 to create more intensive development, requirement for parking areas to be located behind buildings, standards for planter boxes and urban plazas as part of required landscaping, and prohibition on ground floor residential uses to support active ground floor uses. (See existing OCMC 17.24 and proposed 17.24.050.) Additional building and site development standards in OCMC 17.62.050 will apply at the time of development. **The proposal is consistent with this Policy.**

#### *West Mixed-Use Neighborhood – WMU*

The West Mixed-Use Neighborhood will be a walkable, transit-oriented neighborhood. This area allows a transit-supportive mix of housing, live/ work units, mixed-use buildings and limited commercial uses. A variety<sup>[SEP]</sup> of housing and building forms is required, with the overall average of residential uses not exceeding 22 dwelling units per acre. The WMU area’s uses, density and design will support the multi-modal transportation system and provide good access for pedestrians, bicycles, transit and vehicles. Site and building design will create a walkable area and utilize cost-effective green development practices.

**Response:** The WMU subdistrict will be implemented with the High-Density Residential comprehensive plan designation and the R-2 High-Density Residential (R-2) zoning district. Permitted residential uses, as recently expanded in the Equitable Housing Code Amendments, provide for a variety of multifamily residential, single-family attached, cluster housing, duplexes, triplexes and quadplexes. (See OCMC 17.12.020.) The proposed code amendments add live/work units as conditional uses and permit small-scale commercial and mixed-use development as part of a master plan. (See proposed OCMC 17.12.060.C.) The minimum and maximum density permitted in the R-2 district is 17.4 to 21.8 units per acre. (See OCMC 17.12.050) Up to a 20% density bonus can be earned for affordable housing or, in the WMU, for projects incorporating sustainable design features. (See proposed OCMC 17.12.D.) The base density and density bonuses together will not exceed an overall average of 22 units per acre. The density of development will support transit use, and site design will integrate pedestrian and bicycle facilities at the time of development. **The proposal is consistent with this Policy.**

#### *East Mixed-Use Neighborhood – EMU*

The East Mixed-Use Neighborhood will be a walkable and tree-lined neighborhood with a variety of housing types. The EMU allows for a variety of housing types while maintaining a medium density residential average not exceeding the densities permitted in the R-5 zone. Limited non- residential uses are permitted to encourage a unique identity, sustainable community, and in-home work options. The neighborhood’s design will celebrate open space, trees, and relationships to public open spaces. The central open space, ridge open space scenic viewpoints, and a linked system of open spaces and trails are key features of the EMU. Residential developments will provide housing for a range of income levels,

sustainable building design, and green development practices.

**Response:** The EMU subdistrict will be implemented with the Medium-Density Residential comprehensive plan designation and the R-5 Medium-Density Residential (R-5) zoning district. Streets will be developed with sidewalks and street trees per adopted street standards and may not exceed a maximum block length of 530 feet to ensure a robust, connected street network supporting walkability. (See OCMC 12.08, Street Trees; OCMC Table 16.12.016 for sidewalk widths; OCMC 16.12.030 for block spacing.) Permitted residential uses, as recently expanded in the Equitable Housing Code Amendments, provide for a variety of single-family detached, single-family attached, accessory dwelling units, cluster housing, duplexes, triplexes and quadplexes. (See OCMC 17.10.020.) The R-5 density standards will apply in the EMU zone. (See OCMC 17.10.050.) The variety of residential uses, including smaller lot sizes for selected types, will support housing for a wider range of income levels. The smaller lot sizes and home sizes will inherently increase the efficiency and sustainability of residential development, for example, reducing heating and cooling needs, and the mix of uses in the BRCP district will support green living by reducing the need for vehicle trips. Home occupations will be permitted to provide in-home work options; see response to OCCP Policy 9.7.1 for further discussion. New development will be required to dedicate parkland for the South-Central Open Space, and viewpoints will be created along the ridgeline through view corridor standards. (See proposed OCMC 16.12.042 and 17.10.070.C, respectively.) Trail corridors will be identified and reserved through the subdivision review process. (See OCMC 16.08.025.E.) **The proposal is consistent with this Policy.**

#### *Policy 1.3*

Within the Northern Employment Campus sub-district, support the attraction of family-wage jobs and connections with Clackamas Community College.

**Response:** Under the proposed code amendments, the NEC subdistrict permits a range of industrial, light manufacturing, research and development, and corporate headquarters uses that support family-wage employment. Outside of the code and map implementation projects, supporting efforts to build relationships with CCC and to recruit businesses with family-wage jobs will be led by the City's Economic Development department. **The proposal is consistent with this Policy.**

#### *Policy 1.4*

Within the Mixed Employment Village and Main Street sub-districts, promote job creation, mixed-use and transit-oriented development. Adopt minimum densities, limitations on stand-alone residential developments, and other standards that implement this policy.

**Response:** Under the proposed code amendments, the MEV and MS subdistricts permit a range of employment opportunities including light manufacturing (MEV only), office, retail and service uses. Proposed code standards require that residential uses be proposed as part of a mixed-use project, rather than stand-alone residential developments, and limit residential uses to upper stories in both the MS and MEV subdistricts. (See proposed OCMC 17.24.050.E and 17.29.080.E.) In the MS subdistrict, ground-floor residential uses may also be permitted on the rear of sites, set back a minimum of 150 feet from the front property line and not to exceed 50% of the total building site area, with a minimum density of 17.4 units per acre. (See proposed OCMC 17.24.050.E.) **The proposal is consistent with this Policy.**

#### *Policy 1.5*

The Main Street sub-district may be located along the extension of Glen Oak Road and not exceed 10 gross acres. The specific configuration of the MS sub-district may be established as part of a master plan.

**Response:** The proposed map amendments designate the MS subdistrict along Glen Oak Road, totaling 7.2 gross acres or 6.6 net acres. **The proposal is consistent with this Policy.**

#### *Policy 1.6*

Within the West and East Mixed-Use Neighborhoods, require a variety<sup>SEP</sup> of housing types. Allow lot size averaging and other techniques that help create housing variety while maintaining overall average density.

**Response:** Permitted residential uses in R-5 and R-2 zoning districts, proposed to implement the EMU and WMU subdistricts, provide for a variety of single-family detached, single-family attached, accessory dwelling units, multifamily, cluster housing, duplexes, triplexes and quadplexes. (See OCMC 17.10.020 and 17.12.020.) Lot size averaging is permitted per OCMC 16.08.065. **The proposal is consistent with this Policy.**

#### *Policy 1.7*

Within the MEV, MS, WMU and EMU sub-districts, require master plans to ensure coordinated planning and excellent design for relatively large areas (e.g. 40 acres per master plan). Master plans are optional in the NEC due to the larger lot and campus industrial nature of the area.

**Response:** Master planning is permitted in all subdistricts as a discretionary review alternative. (OCMC 17.65.) Mandatory master planning is not proposed considering state standards requiring clear and objective residential development standards and revisions to the Concept plan to address this issue are included in the adopted package. Since 2008 when the BRCP was developed, state law has been strengthened to require a clear and objective review option for all residential and mixed-use development to provide greater certainty for housing development. (ORS 197.303, 197.307.) Master planning provisions are generally discretionary, and so should not be made mandatory for residential or mixed-use areas. Many of the concept plan provisions, such as green streets and LID stormwater development, can be implemented by existing or proposed code standards and thereby meet the master planning intent. Master planning can provide an alternative review path, with incentives such as higher densities or modifications to base zone standards like minimum lot sizes. **The proposal is consistent with this Policy.**

### ***Goal 2 Model of Sustainable Design***

Be a model of sustainable design, development practices, planning, and innovative thinking.

**Response:** The greatest strength of the BRCP, as implemented by the proposed map and code changes, is the mix of uses that will support a vibrant, interconnected district. Much of the sustainable infrastructure planning, including LID stormwater and green street designs, was done with the BRCP and subsequent utility master planning, will can be implemented at the time of site development. Many of the zoning standards, particularly the expanded uses in the residential zones, support compact development, coupled with resource protection standards for sensitive environmental areas. The proposed code amendments include site-specific sustainable design features required in the NEC subdistrict through the implementing CI standards and incentivized in the WMU subdistrict through the

implementing R-2 standards in the form of a density bonus. Future implementation efforts will continue building partnerships with private and institutional stakeholders to further support sustainable development and economic development. **The proposal is consistent with this Goal.**

#### *Policy 2.1*

Implement the Sustainable Storm Water plan recommended in the Concept Plan. During site-specific design, encourage innovative system design and require low impact development practices that manage water at the site, street and neighborhood scales.

**Response:** Since the BRCP was initially written in 2008, the City has adopted the Stormwater and Grading Design Standards (2015), emphasize low-impact development (LID) practices, source controls for higher pollutant generating activities, erosion prevention and sediment controls, and operation and maintenance practices designed to properly manage stormwater runoff and protect our water resources. Some of the LID techniques permitted include porous pavement, green roofs, filtration planters, infiltration planters, swales, and rain gardens. (See <https://www.orcity.org/publicworks/stormwater-and-grading-design-standards>) **The proposal is consistent with this Policy.**

#### *Policy 2.2*

Stormwater facilities will be designed so they are amenities and integrated into the overall community design.

**Response:** LID techniques such as green roofs, filtration planters, infiltration planters, swales, and rain gardens, consistent with the 2015 Stormwater and Grading Design Standards, will serve as amenities integrated into the community. **The proposal is consistent with this Policy.**

#### *Policy 2.3*

Support public and private sector initiatives to promote sustainable design, development practices and programs, including but not limited to:

- Energy efficiency
  - Water conservation
  - Compact development
  - Solar orientation
  - Green streets/infrastructure
  - Adaptive reuse of existing buildings/infrastructure
  - Alternative transportation
  - Pedestrian/Cyclist friendly developments
  - Natural drainage systems
  - Tree preservation and planting to “re-establish” a tree canopy
  - Minimizing impervious surfaces
- Sustainability education (builder, residents, businesses and visitors)

- Collaboration with “local” institutional and economic partners, particularly Clackamas Community College and Oregon City High School
- Community based sustainable programs and activities

**Response:** Many of these initiatives are ongoing and involve multiple stakeholders, which the City will continue to support. The proposed map and code amendments will directly and indirectly support a number of them. The proposed residential standards in particular support compact development by allowing a variety of residential units at higher density than permitted density for single-family detached residential uses. The City has adopted green street standards with the 2013 Transportation System Plan and the low impact development stormwater and grading design standards that will be applied to all new development. Sidewalks and bicycle lanes will be built with new roadways at the time of development to provide alternative transportation infrastructure, as well as off-street trails. Bicycle parking will be required in new developments per OCMC 17.52.040. Tree protection, preservation, removal and replanting is regulated per OCMC 17.41 to support tree preservation. Impervious surfaces can be minimized through application of the low impact development stormwater standards and supported by recent reductions to off-street parking required for residential uses in OCMC 17.52 with the Equitable Housing Code Amendments. **The proposal is consistent with this Policy.**

#### *Policy 2.4*

Work with stakeholders and the community to develop LEED or equivalent green building standards and guidelines to apply in the Concept Plan area.

**Response:** As part of the proposed code amendments, industrial development in the NEC subdistrict will be required to incorporate sustainable design features; one option is to propose a LEED-certified building. (See proposed OCMC 17.37.060.G.8.) Similarly, WMU development may elect to build to LEED standards as one option to qualify for a density bonus. (See proposed OCMC 17.12.060.D.12.) The existing site development standards in OCMC 17.62 that apply to all new development except medium density residential already include green building standards and guidelines that supports sustainability. For example, 15% site landscaping is required along with conservation of natural resource areas which, along with adopted LID stormwater standards, minimizes impervious surface and treats stormwater runoff. Mandatory green building standards for all development, beyond the sustainable features for industrial and high-density residential, are not recommended. Requiring compliance with a third-party set of standards, such as LEED, is inherently problematic because it outsources City decision-making to a third party, with standards that are updated more frequently than City code is updated. **The proposal is consistent with this Policy.**

#### **Goal 3 Green Jobs**

Attract “green” jobs that pay a living wage.

**Response:** The proposed map and code amendments lay the foundation for future “green” job and green industry recruitment by designating 135.1 net acres for industrial development under the CI standards, and permitting a wide range of industrial, research and development, and corporate headquarters uses. Further business recruitment efforts will be led by the City’s Economic Development

department and community partners to promote the BRCP area, building off the existing Beaver Creek Employment Area efforts that already include a portion of the BRCP area. (See <https://www.orcity.org/economicdevelopment/beavercreek-employment-area>) **The proposal is consistent with this Goal.**

#### *Policy 3.1*

Coordinate with county, regional and state economic development representatives to recruit green industry to the Concept Plan area.

**Response:** The proposed map and code amendments will support business recruitment efforts for the BRCP area that will be led by the City's Economic Development department and county, regional and state economic development representatives. The City can expand current partnerships such as the Beaver Creek Employment Area Blue Ribbon Committee that include city, county and regional representatives. (See [https://www.orcity.org/sites/default/files/fileattachments/economic\\_development/page/11230/beavercreek\\_employment\\_area\\_-\\_marketing\\_and\\_recruitment\\_strategy.pdf](https://www.orcity.org/sites/default/files/fileattachments/economic_development/page/11230/beavercreek_employment_area_-_marketing_and_recruitment_strategy.pdf)) The Committee was identified as a stakeholder in this implementation project and provided their input at a meeting held January 17, 2019. **The proposal is consistent with this Policy.**

#### *Policy 3.2*

Promote the Concept Plan area as a place for green industry.

**Response:** The proposed map and code amendments will support business promotion efforts for the BRCP area that will be led by the City's Economic Development department. The City can promote the BRCP area, building off the existing Beaver Creek Employment Area efforts that already include a portion of the BRCP area. (See <https://www.orcity.org/economicdevelopment/beavercreek-employment-area>) **The proposal is consistent with this Policy.**

#### *Policy 3.3*

Work with Clackamas Community College to establish programs and education that will promote green development within the Concept Plan area.

**Response:** Clackamas Community College was identified as a stakeholder in this implementation project and interviewed early in the process to incorporate their ideas into the map and code amendments. The College has participated in the Beaver Creek Employment Area efforts to date as a member of the Blue-Ribbon Committee and the City will continue working with the College. **The proposal is consistent with this Policy.**

### ***Goal 4 Sustainable Industries***

Maximize opportunities for sustainable industries that serve markets beyond the Portland region and are compatible with the site's unique characteristics.

**Response:** The proposed map and code amendments lay the foundation for sustainable industries by designating 135.1 net acres for industrial development under the CI standards, and permitting a wide

range of industrial, research and development, and corporate headquarters uses. Further business recruitment efforts will be led by the City's Economic Development department and community partners to promote the BRCP area, building off the existing Beaver Creek Employment Area efforts that already include a portion of the BRCP area. (See

<https://www.orcity.org/economicdevelopment/beavercreek-employment-area>) **The proposal is consistent with this Goal.**

#### *Policy 4.1*

As master plans are approved, ensure there is no net loss of land designated North Employment Campus.

**Response:** The proposed map amendments designate 153.9 gross acres with an estimated 135.1 net acres with the Industrial comprehensive plan designation and CI zoning district. Any rezoning proposal will have to show compliance with the BRCP, including this policy, which will prevent any net loss of NEC land. Much of the NEC land is designated Industrial land consistent with Metro Title 4 regulations and is further protected from conversion to non-industrial uses by Metro standards. (See [https://www.orcity.org/sites/default/files/fileattachments/planning/page/12700/title\\_4\\_map\\_-\\_employment\\_and\\_industrial\\_land.pdf](https://www.orcity.org/sites/default/files/fileattachments/planning/page/12700/title_4_map_-_employment_and_industrial_land.pdf)) **The proposal is consistent with this Policy.**

#### *Policy 4.2*

Coordinate with County, regional and state economic development representatives to recruit sustainable industries that serve markets beyond the Portland region.

**Response:** The proposed map and code amendments will support business recruitment efforts for the BRCP area that will be led by the City's Economic Development department and county, regional and state economic development representatives. The City can expand current partnerships such as the Beaver Creek Employment Area Blue Ribbon Committee that include city, county and regional representatives. (See [https://www.orcity.org/sites/default/files/fileattachments/economic\\_development/page/11230/beavercreek\\_employment\\_area\\_-\\_marketing\\_and\\_recruitment\\_strategy.pdf](https://www.orcity.org/sites/default/files/fileattachments/economic_development/page/11230/beavercreek_employment_area_-_marketing_and_recruitment_strategy.pdf)) The Committee was identified as a stakeholder in this implementation project and provided their input at a meeting held January 17, 2019. **The proposal is consistent with this Policy.**

### **Goal 5 Natural Beauty**

Incorporate the area's natural beauty into an ecologically compatible built environment.

**Response:** The proposed map and code amendments will protect natural resources within the future built environment of the district by requiring dedication of parkland to create the South-Central Open Space Network, requiring dedication of trail corridors identified in the BRCP, protecting trees per OCMC 17.41, and protecting riparian habitat and geologic hazard areas from development through application of the Natural Resources Overlay District in OCMC 17.49 and the Geologic Hazards Overlay Zone in OCMC 17.44. **The proposal is consistent with this Goal.**

#### *Policy 5.1*

Incorporate significant trees into master plans and site-specific designs. Plant new trees to establish an

extensive tree canopy as part of the creation of an urban community.

**Response:** All future development in the areas affected by this proposal will be required to comply with tree protection standards in OCMC 17.41, which include replanting standards. **The proposal is consistent with this Policy.**

#### *Policy 5.2*

Provide scenic viewpoints and public access along the east ridge.

**Response:** Per the revised Site Plan and Design Review and Subdivision code, the East Ridge- Thimble Creek Conservation Area will be dedicated as a public park with requirements for two viewpoints, one of which is to be viewable from the road. **The proposal is consistent with this Policy.**

#### *Policy 5.3*

Protect views of Mt Hood and locate trails and public areas so Mt Hood can be viewed within the community.

**Response:** Under the proposed map and code amendment, trails and public areas identified in the BRCP will be acquired by the City and protected from development, which will protect views of Mt Hood from those facilities. Parkland within the South-Central Open Space Network East Ridge- Thimble Creek Conservation Area will be required to be dedicated at the time of residential development. (See proposed OCMC 16.12.042 and 17.62.058.) Trail corridors as identified in the Trails Master Plan will be identified and reserved through the development review process, including a 30-foot corridor through the powerline easement area identified in the BRCP as providing Mt Hood views. (See OCMC 16.08.025.E and proposed 17.37.060.F.) **The proposal is consistent with this Policy.**

#### *Policy 5.4*

Establish open space throughout the community consistent with the Open Space Framework Plan. Allow flexibility in site-specific design of open space, with no net loss of total open space area.

**Response:** Under the proposed map and code amendment, open spaces identified in the BRCP will be protected from development and/or acquired by the City. Parkland within the South-Central Open Space Network East Ridge- Thimble Creek Conservation Area will be required to be dedicated at the time of residential development. (See proposed OCMC 16.12.042 and 17.62.058.) Trail corridors as identified in the Trails Master Plan will be identified and reserved through the development review process. (See OCMC 16.08.025.E.) Additional natural, undeveloped open space will be protected through application of the Natural Resources Overlay District in OCMC 17.49 and the Geologic Hazards Overlay Zone in OCMC 17.44 which restrict development in sensitive areas. **The proposal is consistent with this Policy.**

#### *Policy 5.5*

Protect steeply sloped and geologically sensitive areas along the east ridge from development.

**Response:** Through the proposed code amendments, the steeply sloped areas along the east ridge will be protected through the application of the Geologic Hazards Overlay Zone in OCMC 17.44, which limits development on slopes 25 to 35% and prohibits all development on slopes over 35% and the dedication of the East Ridge- Thimble Creek Conservation Area to the city. **The proposal is consistent with this Policy.**

### ***Goal 6 Multi-modal Transportation***

Provide multi-modal transportation links (such as bus routes, trails, bikeways, etc.) that are connected within the site as well as to the surrounding areas.

**Response:** The proposed map and code amendments will support the provision of multi-modal transportation links within the site and to surrounding areas at the time of development. The transportation network of major arterials and collectors within the BRCP area have been adopted in the City's Transportation System Plan (2013); the projects must be complete or completed by the developer at the time of development. Improvement of these major rights-of-way will meet green street standards with multimodal elements. The trails network, as part of the Trails Master Plan, will be required to be built prior to or as a condition of development as well. Bus routes will be planned with Tri-Met as part of ongoing coordination efforts. **The proposal is consistent with this Goal.**

#### *Policy 6.1*

Work with Tri-Met and stakeholders to provide bus service and other alternatives to the Concept Plan area.

**Response:** Bus service will be planned with Tri-Met as part of ongoing coordination efforts outside of the proposed map and code amendments. **The proposal is consistent with this Policy.**

#### *Policy 6.2*

As land use reviews and development occur prior to extension of bus service, ensure that the mix of land uses, density and design help retain transit as an attractive and feasible option in the future.

**Response:** The proposed map and code amendments support development of a mix of uses both across the district and within individual subdistricts that include employment, commercial and residential uses that can support future transit service. Minimum densities will be applied to residential development in the EMU and WMU subdistricts, at 7.0 units per acre and 17.4 units per acre respectively; any ground-floor residential uses in the MS subdistrict will also be required to meet a minimum density of 17.4 units per acre. Minimum FARs are also proposed for the MEV and MS subdistricts to guide intensive design supportive of future transit options. **The proposal is consistent with this Policy.**

#### *Policy 6.3*

Ensure that local street connectivity and off-street pedestrian routes link together into a highly connected pedestrian system that is safe, direct, convenient, and attractive to walking.

**Response:** The proposed map and code amendments will require local street connectivity and off-street pedestrian routes to be developed with all new development. OCMC 16.12, which applies to new subdivisions and site plan reviews, requires a maximum block length of 530 feet to maintain connectivity except in the CI zone, discourages cul-de-sacs and dead ends, and requires public off-street pedestrian and bicycle accessways when through streets cannot be provided; together these provisions provide for a highly connected pedestrian system. (See OCMC 16.12.025, 16.12.030, 16.12.032.) Additionally, development under the proposed map and code amendments will be required to reserve trail corridors supporting completion of the off-street trails network established in the Trails Master Plan. **The proposal is consistent with this Policy.**

#### *Policy 6.4*

The “walkability” of the Concept Plan area will be one of its distinctive qualities. The density of walking routes and connectivity should mirror the urban form – the higher the density and larger the building form, the “finer” the network of pedestrian connections.

**Response:** The proposed map and code amendments will require pedestrian connectivity that mirrors the urban form. A maximum block length of 530 feet applies in all proposed zones except the CI-zoned NEC subdistrict, where greater spacing between streets is appropriate for industrial campus development. (See OCMC 16.12.030.) Within the “finer” grained residential and mixed-use subdistricts, code standards to be applied through these proposed map amendments will also require a well-marked, continuous and protected on-site pedestrian circulation system within development sites per OCMC 17.62.050.C. **The proposal is consistent with this Policy.**

#### *Policy 6.5*

Require trails to be provided consistent with the Concept Plan Circulation Framework.

**Response:** Development under the proposed map and code amendments will be required to reserve trail corridors supporting completion of the off-street trails network established in the Trails Master Plan. **The proposal is consistent with this Policy.**

#### *Policy 6.6*

Provide bike lanes on Beaver Creek Road and all collector streets, except for Main Street. The City may consider off-street multi-use paths and similar measures in meeting this policy. Bike routes will be coordinated with the trails shown on the Circulation Framework.

**Response:** Streets, including Beaver Creek Road, will be built prior to or as a condition of development, and will be required to be constructed to the City’s adopted green street standards that include bike lanes except on Glen Oak Road which will serve as the Main Street. Off-street multiuse paths may be developed along Center Parkway within an expanded right-of-way as part of the South-Central Open Space Network. An amendment to the Concept Plan will be added to emphasize the need for safer and wider bike lanes and direction that other street elements could be reduced to accommodate the needs for bike lanes wide than the initial 5-foot sections adopted in 2008. **The proposal is consistent with this Policy.**

#### ***Goal 7 Safety Along Beaver Creek Road***

Implement design solutions along Beaver Creek Road that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand.

**Response:** The Planning and City Commission reviewed the existing cross-section and intersection control for the section of Beaver Creek Road that abuts the Concept Plan boundary to see if additional capacity could be added to this section that did not adversely impact pedestrian and bike use along the corridor. The Planning and City Commission directed staff to revise the Transportation System Plan by utilizing signals at all major intersections and transitioning from a 5-lane road section to a 3-lane road section south of Meyers Road **The proposal is consistent with this Goal.**

#### *Policy 7.1*

Design Beaver Creek Road to be a green street boulevard that maximizes pedestrian safety.

**Response:** The Planning and City Commission reviewed the existing cross-section and intersection control for the section of Beaver Creek Road that abuts the Concept Plan boundary to see if additional capacity could be added to this section that did not adversely impact pedestrian and bike use along the corridor. The Planning and City Commission directed staff to revise the Transportation System Plan by utilizing signals at all major intersections and transitioning from a 5-lane road section to a 3-lane road section south of Meyers Road. The road revisions will rely on a crown street approach to stormwater rather than the initial inverted crown center medium approach. Low-impact stormwater facilities will be added the planter strips on the outside of the street rather than the internal medium. **The proposal is consistent with this Policy.**

#### *Policy 7.2*

Work with the County and State to establish posted speeds that are safe for pedestrians and reinforce the pedestrian-oriented character of the area.

**Response:** Future coordination with the County and the State about the posted speeds is outside of the scope of the proposed map and code amendments. **The proposal is consistent with this Policy.**

#### *Policy 7.3*

Control access along the east side of Beaver Creek Road so that full access points are limited to the intersections shown on the Circulation Framework. Right in-Right-out access points may be considered as part of development review.

**Response:** The proposed map and code amendments will support limited access along the east side of Beaver Creek Road. At the time of development, driveway spacing and access limitations will be applied to individual lots including standards that require a minimum of 175 feet per driveway along an arterial like Beaver Creek Road, that limit access to one driveway per frontage, and that require access to be provided from the lowest classification street. (See OCMC 16.12.035.) The City may adopt additional access limitations specific to Beaver Creek Road. **The proposal is consistent with this Policy.**

### ***Goal 8 Oregon City High School and Clackamas Community College***

Promote connections and relationships with Oregon City High School and Clackamas Community College.

**Response:** Both OCHS and CCC were identified as stakeholders in this implementation project and engaged through initial interviews and invitations to all public meetings throughout the project; OCHS hosted two public open houses on January 29 and April 9, 2019. Future implementation efforts will continue to engage OCHS and CCC. **The proposal is consistent with this Goal.**

#### *Policy 8.1*

Coordinate with OCHS and CCC when recruiting businesses and promoting sustainability. Within one year of adoption of the Concept Plan, the City will convene dialogue with OCHS, CCC and other relevant partners to identify target industries and economic development strategies that are compatible with the vision for the Concept Plan. Encourage curricula that are synergistic with employment and sustainability in the Concept Plan area.

**Response:** Both OCHS and CCC are members of the Beaver Creek Employment Area Blue Ribbon Committee that includes city, county and regional representatives to discuss economic development strategies for the area incorporating the two institutions and portions of the BRCP area. (See [https://www.orcity.org/sites/default/files/fileattachments/economic\\_development/page/11230/beavercreek\\_employment\\_area\\_-\\_marketing\\_and\\_recruitment\\_strategy.pdf](https://www.orcity.org/sites/default/files/fileattachments/economic_development/page/11230/beavercreek_employment_area_-_marketing_and_recruitment_strategy.pdf)) Future implementation efforts will continue to engage OCHS and CCC. **The proposal is consistent with this Policy.**

#### *Policy 8.2*

Prior to application submittal, require applicants to contact OCHS and CCC to inform them and obtain early comment for master plans and design review applications.

**Response:** The City will develop internal policies to ensure that OCHS and CCC are engaged at the time of pre-application conferences required before all subdivision, master plan, and site plan review applications are submitted, to inform OCHS and CCC and provide opportunity for early comment. **The proposal is consistent with this Policy.**

#### *Policy 8.3*

Improving the level-of-service and investing in the Highway 213 corridor improves the freight mobility along Highway 213, which provides access<sup>[1]</sup> to Beaver Creek Road and the Concept Plan area. Protecting the corridor and intersections for freight furthers the City goal of providing living-wage employment opportunities in the educational, and research opportunities to be created with CCC and OCHS.

**Response:** Alternative Mobility Targets were adopted for Highway 213 in 2018, including the Highway 213 and Beaver Creek Road intersection, which will support freight mobility along Highway 213 to support employment opportunities in the BRCP area in partnership with CCC and OCHS. **The proposal is consistent with this Policy.**

### ***Goal 9 Unique Sense of Place***

Have a unique sense of place created by the mix of uses, human-scale design, and commitment to sustainability.

**Response:** The essence of the BRCP area is the mix of uses both across the district as a whole and within individual subdistricts, which will be fully implemented by the proposed map and code amendments to create the five subdistricts including mixed-use zoning for the MEV and MS subdistricts. Design elements implemented through the proposed code amendments include maximum square footages for individual business establishments, minimum FARs, and maximum setbacks in the MS and MEV subdistricts; pedestrian connectivity within sites, subdistricts, the district and beyond; and building design standards, as discussed elsewhere in this narrative. Sustainability will be integrated into the fabric of the district as discussed in response to Goal 2 and related policies, including sustainable infrastructure, mix of uses, natural resources protection, and sustainable building and site design elements for industrial development and multifamily development in the R-2 zoned WMU zone. **The proposal is consistent with this Goal.**

#### *Policy 9.1*

Utilize master plans and design review to ensure detailed and coordinated design. Allow flexibility in development standards and the configuration of land uses when they are consistent with the comprehensive plan, development code, and vision to create a complete and sustainable community.

**Response:** Under the proposed map and code amendments, new development will be reviewed through site plan design review, subdivision, and/or master plans. Development standards can be modified through minor and major variances if they are consistent with the comprehensive plan including the BRCP vision. (See OCMC 17.60.) The configuration of land uses will be established by the proposed map amendments and can be modified through future map amendments consistent with OCMC 17.68, though the range of uses allowed in each subdistrict through the proposed code amendments is intended to be flexible and potentially reduce the need for map amendments, such as the R-2 standards for small-scale commercial and mixed-use in the primarily residential EMU subdistrict. **The proposal is consistent with this Policy.**

#### *Policy 9.2*

Implement human-scale design through building orientation, attractive streetscapes, building form/architecture that is matched to the purpose of the sub-district, location of parking, and other techniques. The design qualities of the community should mirror the urban form – the higher the density and larger the buildings, the higher the expectation for urban amenities and architectural details.

**Response:** Design elements implemented through the proposed code amendments that support human-scale design include maximum square footages for individual business establishments, minimum FARs, and maximum setbacks in the MS and MEV subdistricts; pedestrian connectivity within sites, subdistricts, the district and beyond; and requirements for parking to be located at the rear of sites. The proposed code amendments also apply the building design standards in OCMC 17.62.055 for all development, except industrial development, requiring quality building materials, siting of structures along the front property line, buildings oriented towards the street, entryways, façade modulation and articulation, and fenestration. The proposed code amendments will support attractive streetscapes through both design standards for private development along the street, such as maximum setbacks and provisions for pedestrian plazas and outdoor café seating within the setbacks, and the green street standards for the public right-of-way development. **The proposal is consistent with this Policy.**

#### *Policy 9.3*

Density should generally transition from highest on the west to lowest in the eastern part of the site.

**Response:** Generally, the proposed map and code amendments support graduated density across the district from west to east. Density transitions from highest in the west along Beaver Creek Road, with the R-2 zoning for the WMU subdistrict that allows development up to 21.8 units an acre, transitioning to medium density at a maximum density of 8.7 units per acre for single-family detached homes in the east with the R-5 zoning for the EMU subdistrict. **The proposal is consistent with this Policy.**

#### *Policy 9.4*

Promote compatibility with existing residential areas at the north and south end of the Concept Plan area. Transition to lower densities, setbacks, buffers and other techniques shall be used.

**Response:** The proposed code amendments support compatibility with existing residential areas to the north and south of the BRCP area by requiring buffers and setbacks. Under the proposed map and code amendments, the northern edge of the district is zoned CI and industrial development within the zone that is adjacent to residential is required to provide a 25-foot-wide buffer including landscaping, trees, berms, and fencing. (See proposed OCMC 17.37.060.D.) At the southern edge of the district, the proposed code requires a perimeter transition requiring larger 6,000 square foot lots restricted to single-family detached uses, a 40-foot setback from the edge of the district, and a combination of landscaping, trees and fencing. (See proposed OCMC 17.10.070.D.) **The proposal is consistent with this Policy.**

### ***Goal 10 Ecological Health***

Manage water resources on-site to eliminate pollution to watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.

**Response:** The City has adopted the Stormwater and Grading Design Standards (2015) that emphasize low-impact development (LID) practices, which will be applied to new development within the BRCP area under the proposed map and code amendments. The Natural Resources Overlay District (NROD) in OCMC 17.49 will also be applied to stream corridors and riparian habitat through the proposed map and code amendments to protect water resources on site. **The proposal is consistent with this Goal.**

#### ***Policy 10.1***

Utilize low impact development practices and stormwater system designs that mimic natural hydrologic processes, minimize impacts to natural resources and eliminate pollution to watersheds.

**Response:** Since the BRCP was initially written in 2008, the City has adopted the Stormwater and Grading Design Standards (2015), emphasize low-impact development (LID) practices, source controls for higher pollutant generating activities, erosion prevention and sediment controls, and operation and maintenance practices designed to properly manage stormwater runoff and protect our water resources. Some of the permitted LID techniques, some of which mimic natural hydrologic processes, include porous pavement, green roofs, filtration planters, infiltration planters, swales, and rain gardens. (See <https://www.orcity.org/publicworks/stormwater-and-grading-design-standards>) **The proposal is consistent with this Policy.**

#### ***Policy 10.2***

Prepare the Environmentally Sensitive Resource Area overlay to protect, conserve and enhance natural areas identified on the Concept Plan. Apply medium density base zoning that allows property owners to cluster density outside the ESRA and transfer to other sites.

**Response:** Areas identified within the Environmentally Sensitive Resource Area will be protected by a variety of strategies through the proposed map and code amendments. Most importantly, the Natural Resources Overlay District (NROD) in OCMC 17.49 will be applied to stream corridors and riparian habitat, including Thimble Creek on the eastern edge of the site. The Geologic Hazards Overlay District will be applied to steep slopes per OCMC 17.44, limiting development on slopes 25 to 35% to two units per acre and prohibiting development on slopes above 35%. The key ESRAs identified on page 1 of the

BRCP are generally protected through the combination of these two overlays, however, there are minor discrepancies in the extent of individual nodes. In 2008 when the BRCP was being drafted, there was discussion that upland habitat areas could be protected through the NROD as well, however, subsequent development of the NROD standards elected to exclude upland habitat areas because there is no mechanism for such in Metro's Title 13. The exclusion of the upland habitat areas slightly reduces the extent of some of the identified ESRA nodes, but the NROD and geologic hazard overlays together protect the core of each resource area. The NROD includes density transfer provisions in OCMC 17.49.240. **The proposal is consistent with this Policy.**

## **CHAPTER 17.50 ADMINISTRATION AND PROCEDURES**

### *17.50.030 Summary of the City's Decision-Making Processes.*

**Finding: Complies as Proposed.** The proposed Legislative application is being reviewed pursuant to the Type IV process. Notice was posted online and posted in the paper.

### *17.50.055 Neighborhood Association Meeting*

**Finding: Complies as Proposed.** This is a citywide application; no specific neighborhood association was identified and is not required with the code that is in effect as of July 2019. However, the project was presented to the CIC as well as the Caufield Neighborhood Association.

### *17.50.060 Application Requirements.*

**Finding: Complies as Proposed.** All application materials required are submitted with this narrative.

### *17.50.070 Completeness Review and 120-day Rule.*

**Finding: Complies as Proposed.** This is a Legislative Decision, there is no 120-day deadline for making a final city decision.

### *17.50.080 Complete Application--Required Information.*

**Finding: Complies as Proposed.** This land-use application was submitted on

### *17.50.090 Public Notices.*

**Finding: Complies as Proposed.** A Measure 56 Notice was sent to all property owners within the concept plan boundary and general Land Use Notice was sent to all property owners within 300 feet of the Concept Plan boundary. The Land Use Notice was posted on the Oregon City website and in a general circulation newspaper. Staff provided an email transmittal of the application and notice to affected agencies, and to all Neighborhood Associations requesting comment.

### *17.50.100 Notice Posting Requirements.*

**Finding: Complies as Proposed.** No signs were posted as there was not a limited number of affected properties for this proposed Legislative amendment.

### III. STAFF RECOMMENDATION:

Based on the findings identified above, the proposal to amend the Comprehensive Plan Map, Zoning Map, Title 16 and 17 of the Oregon City Municipal Code, Beaver Creek Road Concept Plan, Parks Master Plan, Trails Master Plan and the Transportation System Plan to implement the Goals and Policies of the Beaver Creek Road Concept Plan is consistent with the Oregon City Comprehensive Plan and State Land Use Goals. Staff recommends approval of Planning file LEG 19-00003

#### Exhibits

1. Vicinity Map
2. Proposed amendments to the Comprehensive Plan Map
3. Proposed amendments to the Oregon City Zoning Map
4. Proposed amendments to Title 16 and 17 of the Oregon City Municipal Code
5. Proposed amendments to the Beaver Creek Road Concept Plan
6. Proposed amendments Parks Master Plan
7. Proposed amendments to the Trails Master Plan
8. Proposed amendments to the Transportation System Plan
9. Beaver Creek Road Concept Plan Adopted 2008 (readopted 2016)
10. Planning Commission Hearings Public Comment Matrix -Revised February 3, 2020
11. Applicant's Submittal
12. June 7, 2019 Draft Zoning Code Amendments
13. June 7, 2019 Revised Draft Zoning Map (with and without major streets)
14. June 7, 2019 Zoning Code Memo
15. June 7, 2019 Zoning Map Memo
16. Beaver Creek Road Concept Plan Implementation Acreage Estimate
17. Economic/Jobs Analysis Memo
18. Infrastructure Memo
19. Transportation Memo (TPR)
20. Transportation Memo- Beaver Creek Road Design
21. Transportation Memo- Beaver Creek Road Design- Appendix
22. Public Comment Tracker January 2019-June 2019
23. Planning Commission Memo -February 10, 2020 Hearing
  - a. Staff Presentation
  - b. Collector Width Survey Results
  - c. Email from Mike Mitchell
24. Planning Commission Memo January 13, 2020 Hearing
  - a. Staff Presentation
  - b. Natural Resource Committee- Letter to Planning Commission- Upland Habitat
  - c. Home Occupations Cottage Industry- Revised Code

- d. Public Park and Open Space Requirements in Beaver Creek Road Concept Plan - Revised Code
- e. Todd Mobley Email- Collector Streets
- f. Todd Mobley Memo- Collector Streets
- g. Upland Habitat vs GEO-NROD Overlay Map
- 25. Planning Commission Memo- November 25, 2019 Hearing
  - a. Staff Presentation
  - b. FAQ- Transportation Planning Rule (TPR)
  - c. John Replinger Comment
  - d. November 18, 2019 ODOT Comment
  - e. Staff Memo- November 12, 2019 City Commission Work Session
  - f. Staff Presentation - November 12, 2019 City Commission Work session
  - g. Roundabout Conceptual Study- November 12, 2019 City Commission Work Session
  - h. November 4, 2019 ODOT Comments
  - i. Survey Results- Transportation Options
- 26. Planning Commission Memo- November 18, 2019 Hearing
  - a. Staff Presentation
- 27. Planning Commission Memo- October 14, 2019 Hearing
  - a. Staff Presentation
  - b. Beaver Creek Road Concept Plan- Cottage Industry- Expanded Home Occupation Options Survey Results
- 28. Planning Commission Memo- September 23, 2019 Hearing
  - a. Staff Presentation
  - b. Development Services Presentation
  - c. OCMC 17.44 Geologic Hazards
  - d. Metro Title 13 Compliance Letter
- 29. Planning Commission Memo- September 9, 2019 Hearing
  - a. Staff Presentation
  - b. City Wide Home Occupation License Worksheet
- 30. Staff Presentation- August 26, 2019
- 31. Staff Presentation- August 12, 2019
- 32. Draft Minutes, Agendas and Video the Following City Meetings (on file)
  - a. August 13, 2020 City Commission Work Session -Beaver Creek Road Design
  - b. August 29, 2019 Parks and Recreation Advisory Committee (PRAC)- Initial Presentation
  - c. October 9, 2019 Natural Resource Committee- Upland Habitat
  - d. November 12, 2019 - City Commission Work Session- Beaver Creek Road Design
  - e. November 13, 2019 Natural Resource Committee- Upland Habitat
  - f. January 21, 2020- Transportation Advisory Committee (TAC)- Protected and Buffered Bike Lanes
  - g. January 23, 2020 Parks and Recreation Advisory Committee (PRAC) Recommendation to The Planning Commission