



**GLADSTONE CITY COUNCIL MEETING
CIVIC CENTER COUNCIL CHAMBERS
December 13, 2022 – 6:30 PM**

6:30 p.m. - CALL TO ORDER
ROLL CALL
FLAG SALUTE

The City of Gladstone is abiding by guidelines set forth in House Bill 2560, which requires the governing body of the public body, to extent reasonably possible, to make all meetings accessible remotely through technological means and provide opportunity for members of general public to remotely submit oral and written testimony during meetings to extent in-person oral and written testimony is allowed. Therefore, this meeting will be open to the public both in person and virtually using the Zoom platform.

Please click the link below to join the webinar:
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If members of the public would like to comment on an agenda item (either virtually or in person) please email your comments to bannick@ci.gladstone.or.us prior to 12:00 p.m. (noon) on December 13, 2022.

The City Council will also have *Business from the Audience* at the end of the meeting. To speak during this time, (either virtually or in person) please email bannick@ci.gladstone.or.us prior to 12:00 p.m. (noon) on December 13, 2022 with your name, topic of discussion and city of residence.

(Zoom participant speaking instructions will be emailed to persons who request to speak and posted on the city's website)

AGENDA ADDITIONS OR CORRECTIONS

CONSENT AGENDA:

1. Approval of November 8, 2022 Regular Minutes; November 17, 2022 and November 22, 2022 Special Meeting Minutes
2. Approval of October Bank Balances
3. Budget Report for Period ending 10-31-2022
4. Approval of October Check Register
5. Legal Costs on Projects
6. Department Head Monthly Reports for November 2022
7. Certified November 8, 2022 Election Results
8. Resolution 1213 - Budget Amendment to Accept Grant Funds for the Senior Center and Police Dept.

CORRESPONDENCE: None

- 9. REPORT – CLACKAMAS FIRE DISTRICT #1 UPDATE** – Fire Chief Nick Browne / Asst. Fire Chief Brian Stewart

REGULAR AGENDA:

10. RESOLUTION 1214 – ADOPTING A REVISED MASTER FEE SCHEDULE FOR RATE CHANGES AND SENIOR CENTER FEE FOR RENTALS, LAND USE FEES AND UTILITY RATES

Consider approving Resolution 1214 – adopting a revised master fee schedule and repealing Resolution 1210, for rate changes and Senior Center fee for rentals, land use planning fees and utility rates.

11. PUBLIC HEARING - ORDINANCE 1518 – AMENDING GLADSTONE MUNICIPAL CODE (GMC) CHAPTER 17, APPROVING GLADSTONE ZONING CODE AMENDMENTS PERTAINING TO MIDDLE HOUSING LAND DIVISIONS AND REMOVAL OF DESIGN STANDARDS SPECIFIC TO MANUFACTURED HOMES, FILE TXT-2022-03

Consider approval of Ordinance 1518 – amending GMC Chapter 17, approving Gladstone Zoning Code amendments pertaining to middle housing land divisions and removal of design standards specific to manufactured homes.

12. PUBLIC HEARING - ORDINANCE 1517, FILE TXT-2022-02, AMENDMENTS TO GLADSTONE MUNICIPAL CODE (GMC) CHAPTER 17.18, C-2 ZONING DISTRICT AND ADDING NEW DOWNTOWN OVERLAY ZONE, FILE TXT-2022-02

Consider approval of Ordinance 1517, an Ordinance approving file TXT-2022-2, including amendments to GMC Chapter 17.18, C-2 Zoning District and adding new Downtown Overlay Zone

13. ORDINANCES 1519, 1520 & 1521 – AMENDING GLADSTONE MUNICIPAL CODE (GMC) CHAPTER 10.16 - ABANDONED AND HAZARDOUS VEHICLES, CHAPTER 10.04 - PARKING AMENDMENTS AND CHAPTERS 9.60 - CAMPING PROHIBITED IN CERTAIN PLACES

Consider approving Ordinances 1519, 1520 & 1521 amending GMC Chapter 9.60 – Camping Prohibited in Certain Places, Chapter 10.16 – Abandoned and Hazardous Vehicles and Chapter 10.04 – Parking Amendments.

BUSINESS FROM THE AUDIENCE

Visitors: This is an opportunity for members of the audience to bring to the Council’s attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person. Speakers may not yield their time to others and must fill out a speaker card available in the back of the room prior to making a comment.

BUSINESS CARRIED FORWARD

BUSINESS FROM THE COUNCIL

ADJOURN

Upcoming Meeting Dates:

- January 10, 2023 – City Council Regular Meeting – 6:30 p.m.
- January 13-14, 2023 – City Council Goal Setting Sessions
- January 25, 2023- City Council Work Session- 5:30 p.m.

MEETING ACCESSIBILITY SERVICES AND AMERICANS WITH DISABILITIES ACT (ADA) NOTICE

The Civic Center is ADA accessible. Hearing devices may be requested from the City Recorder at least 48 hours prior to the meeting. Individuals requiring other assistance must make their request know 48 hours preceding the meeting by contacting the City Recorder at bannick@ci.gladstone.or.us. Staff will do their best to respond in a timely manner and to accommodate requests.

December

CONSENT AGENDA

GLADSTONE CITY COUNCIL MEETING MINUTES OF NOVEMBER 8, 2022

Meeting was called to order at 6:30 P.M. – (Via Zoom and In Person)

ROLL CALL:

Mayor Tammy Stempel, Councilor Ripley, Councilor Tracy, Councilor Todd, Councilor Hartman, Councilor Garlington

ABSENT:

Councilor Alexander

STAFF:

Jacque Betz, City Administrator; Cathy Brucker, Finance Consultant; Chad Jacobs, City Attorney; Hayley Kratz, Office Assistant;

Mayor Stempel called the meeting to order and explained that the City is abiding by guidelines set forth in House Bill 2560, which requires that they make all meetings accessible remotely, through technologic means and provide the opportunity for the public to participate to the best of their ability. This meeting will be open to the public, both in person and virtually, using the Zoom platform. The Council members and staff will be in person, as well as those citizens who wish to attend in person. She went over the procedures that will be followed for the meeting and the meeting agenda.

AGENDA ADDITIONS OR CORRECTIONS:

Councilor Todd made a motion to remove the Executive Session from the agenda. Motion was seconded by Councilor Hartman. Ms. Kratz took a roll call vote: Councilor Ripley – yes. Councilor Tracy – yes. Councilor Hartman – yes. Councilor Todd – yes. Councilor Garlington – no. Mayor Stempel – yes. Motion passed (5-1).

CONSENT AGENDA:

1. Approval of October 11, 2022 Regular Meeting Minutes
2. Approval of September Bank Balances
3. Budget Report for Period ending 9-30-2022
4. Approval of September Check Register
5. Legal Costs on Projects
6. Department Head Monthly Reports for October 2022
7. Approval of an Agreement for City Prosecutor Services between the Cities of Gladstone and Molalla

Councilor Hartman made a motion to approve the Consent Agenda. Motion was seconded by Councilor Tracy. Ms. Kratz took a roll call vote: Councilor Ripley – yes. Councilor Tracy – yes. Councilor Hartman – yes. Councilor Todd – yes. Councilor Garlington – yes. Mayor Stempel – yes. Motion approved with a unanimous vote.

CORRESPONDENCE:

None.

Mayor Stempel said for those members of the public who wished to speak the deadline for accepting comments was noon today. They allow three minutes for public comment unless there are special circumstances and additional time has been approved beforehand by staff.

She said a few words about the role of the City Council. She feels it is important for everyone to understand their limitations: they represent the citizens of Gladstone and not their own personal agendas and beliefs. There have been many times when a decision being made doesn't align with what they would like personally but have made a decision based on what is based on the City as a whole. That doesn't mean that their personal beliefs have changed; just that they listened and acted accordingly. There are laws and rules they have to use as the basis of their decisions. They do not have the luxury of randomly making decisions, but instead they have to be consistent and take the path that is defensible. They appreciate everyone's time in participating in this process. Her goal is to keep the meeting respectful and engaging and she hopes everyone will help her do that.

8. REPORT FROM CLACKAMAS FIRE DISTRICT #1:

Lt. Matt Graham, from Engine 322, said for the month of October they ran approximately 206 calls, 102 of those being inside the City of Gladstone. They also assisted with several building fires. They may be moving into the remodeled station by the end of the week. They had a very successful Halloween event – there was a very good turn-out and lots of kids. They had to leave in the middle of things to respond to a commercial fire.

Assistant Fire Chief Brian Stewart said that last month they conducted 35 public education outreach activities, 22 of which were school focused. This month, on November 17th and 18th their public educator will be at Rex Putnam conducting CPR training. The District is in the process of conducting a feasibility study with the City of Sandy to see what their services have been and how they can be more effective. Clackamas Fire is having a conversation with the community about their service levels and what the community wants to fund. There will be three Town Hall meetings and some on-line contributions. There is additional information on their website.

REGULAR AGENDA

9. BANKING SERVICES CONTRACT FOR THE CITY OF GLADSTONE:

Ms. Betz said government banking is a lot different than personal banking. For the past year the Finance Consultant has worked tediously to put together a proposal that has gone out to the market. Ms. Brucker went over the staff report. The City has been with U.S. Bank since 1978. A request for proposal was sent out on August 24th. The City did not receive any inquiries prior to the due date of September 19th. U.S. Bank was the only response. They provided a thorough response and included some strong improvements to the existing services (increase in earnings rate, \$3,500 loyalty bonus for implementation of services/equipment or to offset fees, \$1,500 new service bonus, etc.). The City will have a dedicated government banker to provide assistance in some of the more complicated treasury management needs, along with a full-service branch located within three miles of City Hall. U.S. Bank is on the list of approved depositories within the State of Oregon, as is required for businesses with local government. Staff recommends approving the renewal of the U.S. Bank contract for an initial period of five years with an optional renewal of two additional terms (first for five years and second for two years) to commence on January 1, 2023.

Councilor Hartman asked why U.S. Bank was the only one to respond. Ms. Brucker said she was not sure why - but with an RFP they can't approach banks prior to receiving their responses. Councilor Garlington asked how many other cities use U.S. Bank – Ms. Brucker said “many, many”.

Councilor Garlington made a motion to approve the U.S. Bank contract for General Banking Services for a period of five years with the option of renewal of two additional terms (first for five years and the second for two years) to commence as of January 1, 2023. Motion was seconded

by Councilor Todd. Ms. Kratz took a roll call vote: Councilor Ripley – yes. Councilor Tracy – yes. Councilor Hartman – yes. Councilor Todd – yes. Councilor Garlington – yes. Mayor Stempel – yes. Motion passed with a unanimous vote.

10. ORDINANCE 1516 – AMENDING GLADSTONE MUNICIPAL CODE (GMC)

CHAPTER 5.04, BUSINESS LICENSES:

Ms. Betz said they discussed this topic at a recent work session. Mr. Jacobs went over the staff report. Historically the City’s business license ordinance was used for revenue generating purposes and information gathering purposes. One of the issues that staff has realized is that having a regulatory purpose behind the business license ordinance would also be extremely helpful. The primary change this ordinance does is adding more teeth to the ordinance and providing additional tools for staff to be able to enforce City codes. It also provides clarification regarding long-term and short-term rental units, which are considered businesses subject to the business license ordinance. It also has some housekeeping clean up provisions. They amended the language related to various areas such as non-profits and businesses for individuals who are 18 years old or younger.

Ms. Betz wanted to acknowledge Tami Bannick, Hayley Kratz, and Sean Boyle for the work they put in to amending this and bringing it to the Council tonight.

First Reading:

Councilor Garlington made a motion to approve Ordinance 1516, an Ordinance amending Gladstone Municipal Code Chapter 5.04, Business Licenses. Motion was seconded by Councilor Hartman.

Discussion: Councilor Todd said she had a potential conflict of interest, but she doesn’t feel it will affect her at all. She has a short-term rental in Gladstone and three businesses in Gladstone.

Ms. Kratz took a roll call vote: Councilor Ripley – yes. Councilor Tracy – yes. Councilor Hartman – yes. Councilor Todd – yes. Councilor Garlington – yes. Mayor Stempel – yes. Motion passed with a unanimous vote.

Second Reading:

Councilor Hartman made a motion to approve Ordinance 1516, an Ordinance amending Gladstone Municipal Code Chapter 5.04, Business Licenses. Motion was seconded by Councilor Garlington. Ms. Kratz took a roll call vote: Councilor Ripley – yes. Councilor Tracy – yes. Councilor Hartman – yes. Councilor Todd – yes. Councilor Garlington – yes. Mayor Stempel – yes. Motion passed with a unanimous vote.

BUSINESS FROM THE AUDIENCE:

Matt Sanchez, a certified arborist, said he wanted to plant street trees in front of his house. He approached the Public Works Department to see what needed to be done to obtain a street tree planting permit. He was told there is a \$235 fee, including setting up a traffic control plan. He felt that was outrageous. He was also told the City doesn’t outwardly discourage planting, but wanted to let him know that trees ultimately damage streets/sidewalks that cost money. He confirmed with neighboring cities that there is no charge to install a street tree. He said this fee is discouraging to anyone interested in improving their neighborhood. He said that trees provide enormous benefits to communities, including storm water capturing, traffic softening, wildlife habitat, shade, and increasing property values. He said there are opportunities to partner with groups such as Friends of Trees. He has designed a neighborhood tree stewardship guide and he would be happy to volunteer his time to increase the urban forestry canopy in Gladstone and build a healthier future.

Lisa Halcom gave a recap of recent Council meetings/events in Gladstone. On August 24th Happy Rock had a drag queen bingo event – they were surrounded by and verbally assaulted by Proud Boys. One week later her van was vandalized. In September the police log came out and omitted the bias incident. On September 13th she spoke in front of the Council regarding the events. On September 19th an article about the Proud Boys in Gladstone and the Mayor’s sister was published in the Oregonian. On September 20th the Gladstone Police log was amended to include that it was, in fact, a bias incident. At last month’s City Council meeting Councilor Alexander was introduced as a liaison to the Police Department and said he had to read a statement from the Police Chief and staff, then declared there was no bias incident a full three weeks after the police log had already been amended. The next day she did a records request and asked to get an official copy of the police statement. She asked: Who wrote the statement that Councilor Alexander read last week? Does the statement reflect the actual views of the Police Department? Did Councilor Alexander have permission to make this statement on behalf of the Police Department? And has the Police Department issued a clarification that this was not, in fact, their statement?

Nicole Ausmus wanted to address the presence of and continued harassment by a hate group in Gladstone – one that has infiltrated its government at the highest level where there are officials making excuses for the behavior and intimidation tactics of said group. She said Mayor Stempel told the Oregonian that Gladstone citizens being harassed by members of a hate group does not concern her. She asked why this doesn’t concern her. She said it should concern everyone, especially the Mayor, with the responsibility to all the citizens of Gladstone, not just the ones she likes, the ones whose politics she agrees with, and not the ones she has business entanglements with. She said not speaking out about this is a dereliction of the Mayor’s duties. Last month Councilor Alexander mentioned that both sides have been causing problems. There is no “both sides” – there is a hate group and then there is everyone else. Perhaps he fears being marginalized in the same way that he has attempted to marginalize others. We clearly see the excuses being made for hate speech, bias incidents, harassment, and the presence of a hate group in the City. More and more people are learning what’s happening here every day. History does not and will not reflect kindly on corruption, bias, and white supremacy. Perhaps consider leaving a legacy of inclusive leadership instead of cartoon villain style immorality and hostility.

BUSINESS FROM THE COUNCIL

Councilor Ripley:

He said to keep leaves away from the curbs.

Councilor Tracy:

He would like the Council to come up with some clarifications for Ms. Halcom. He doesn’t believe there was an authorization to read a statement from the Police Department by Councilor Alexander. He said that shoving this aside and deflection is not going to do us any good. He asked to clear the air on this topic because the citizens deserve it, and the police officers deserve it as well. If this is not the attitude or ethos of the Department we need to be clear about that. He feels that Ms. Halcom deserves to have this cleared up and the City needs to show transparency. He wants the citizens to trust our Police Department.

Councilor Todd:

She thanked everyone for coming. This is her last regular City Council meeting. She said it has been a pleasure serving you for four years.

Councilor Garlington:

She said the high school play, Winter Break, begins November 10th and ends November 11th.

The Nature Park will not be doing clean up days in November or December. The Webster Road replant at the Nature Park on October 30th was a huge success. They welcomed eight high school Key Club members and fifteen other volunteers.

She urged everyone to take canned goods out of their cupboards, discard expired ones, and donate all they can to a local food bank. There are a lot of people in need in this community.

November 11th is Veterans Day – her family is thankful to those who have served and their families, including her daughter, who has been active duty since 2001.

She thanked Councilors Tracy and Alexander for their service.

Mayor Stempel:

She said the Food Pantry is open from 3-5:30 on Thursdays at the Hillside Christian Fellowship Church off Glen Echo – located in the back portable buildings. The number of families and homebound seniors they are serving is growing every week and growing in leaps and bounds. They are always looking for volunteers and donations (especially pasta, spaghetti sauce, cereal, and snacks). They are also providing food to a lot of the residents at Tukwila Springs as well. If anyone wants to drop off food she is there with the prep crew on Wednesdays from 2 – 3:30 P.M. She wanted to thank the people at Hillside Christian Fellowship Church – they don’t charge them anything. Last Thursday they served 144 families.

The Parks and Recreation Board meeting was canceled this month.

The Clackamas County Coordinating Committee (C4) is tackling the I-205 tolling issue as well as the land swap Metro is suggesting. They want Clackamas County to give up some developable land so that Tigard can expand their Urban Growth Boundary.

Mayor Stempel asked for a motion to adjourn the meeting.

Councilor Garlington asked if they are moving the executive session that was removed tonight to another executive session – Mayor Stempel said they will have to add it to a future agenda. Mr. Jacobs said the motion was to not hold the executive session at all – not to just remove it from tonight’s meeting. Mayor Stempel said they have to have a discussion. Mr. Jacobs said they won’t hold an executive session to discuss it, but they will bring a contract forward to the Council at the next regular meeting. Councilor Garlington said she understood they were going to have a discussion about it. Mayor Stempel said they can discuss it at the December meeting, and it will be a public meeting.

ADJOURN:

Councilor Garlington made a motion to adjourn the meeting. Motion was seconded by Councilor Hartman. Ms. Kratz took a roll call vote: Councilor Ripley – yes. Councilor Tracy – yes. Councilor Hartman – yes. Councilor Todd – yes. Councilor Garlington – yes. Mayor Stempel – yes. Motion passed unanimously.

Meeting was adjourned at 7:05 P.M.

Approved by the Mayor this _____ day of _____, 2022.

ATTEST:

Tamara Stempel, Mayor

Tami Bannick, City Recorder

GLADSTONE CITY COUNCIL SPECIAL MEETING MINUTES OF NOVEMBER 17, 2022

Meeting was called to order at 5:30 P.M. – (Via Zoom and In Person)

ROLL CALL:

Mayor Tammy Stempel, Councilor Ripley, Councilor Alexander, Councilor Tracy, Councilor Todd, Councilor Hartman, Councilor Garlington

ABSENT:

None

STAFF:

Jacque Betz, City Administrator; Cathy Brucker, Finance Consultant; Ashley Driscoll, City Attorney; Tami Bannick, City Recorder;

Mayor Stempel called the meeting to order and explained that the City is abiding by guidelines set forth in House Bill 2560, which requires that they make all meetings accessible remotely, through technologic means and provide the opportunity for the public to participate to the best of their ability. This meeting will be open to the public, both in person and virtually, using the Zoom platform. She went over the procedures that will be followed for the meeting and the meeting agenda.

ADJOURN TO EXECUTIVE SESSION:

Executive Session per ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

Councilor Hartman made a motion to adjourn into Executive Session. Motion was seconded by Councilor Garlington. Ms. Bannick took a roll call vote: Councilor Ripley – yes. Councilor Alexander – yes. Councilor Tracy – yes. Councilor Hartman – yes. Councilor Todd – yes. Councilor Garlington – yes. Mayor Stempel – yes. Motion passed with a unanimous vote.

SPECIAL MEETING:

Meeting was called to order at 5:56 P.M.

ADDITIONS OR CORRECTIONS:

None.

1. CONTRACT WITH GLADSTONE POLICE ASSOCIATION:

This is to consider approval of the 2022-2025 Collective Bargaining Agreement with the Gladstone Police Association (GPA) and the City of Gladstone.

Ms. Betz went over the members of the negotiation teams. Ms. Driscoll went over the process that was involved in the negotiations. The parties met in good faith over 150 days, negotiating approximately ten different articles in the collective bargaining agreement. They had two mediation sessions and reached an agreement on all open items on October 31, 2022. The changes were legal updates (laws related to police officer arbitration process, new laws regarding union access to employees, doing business on City time, etc.). They also made significant updates to operations (aligning the City's current practice with the collective bargaining agreement language, discussing aspects that needed updating, operations that needed to work more efficiently, etc.). The majority of the conversation was related to economic issues, and they reached an agreement that everyone was comfortable with (longevity pay, \$2,500 recognition award for all employees in the unit, COLA of 2% retroactive to July 1st, 2022, a 2% COLA in January of 2023, a 3% COLA adjustment in July of 2023, a 2% COLA in January of 2024, and a range between 3%-5% based on

the CPI for the final COLA increase of the collective bargaining agreement). She thanked the Gladstone Police Association for working with them through this contract. She said they all worked well together.

Ms. Betz said the GPA called a special meeting and they have already ratified this agreement on November 8th, which is the reason they asked for a special Council meeting to consider this.

Councilor Garlington made a motion to approve the 2022-2025 Collective Bargaining Agreement with Gladstone Police Association and the City of Gladstone. Motion was seconded by Councilor Alexander. Ms. Bannick took a roll call vote: Councilor Ripley – yes. Councilor Alexander – yes. Councilor Tracy – yes. Councilor Hartman – yes. Councilor Todd – yes. Councilor Garlington – yes. Mayor Stempel – yes. Motion passed with a unanimous vote.

Mayor Stempel asked for a motion to adjourn the meeting.

ADJOURN:

Councilor Todd made a motion to adjourn the meeting. Motion was seconded by Councilor Garlington. Ms. Bannick took a roll call vote: Councilor Garlington – yes. Councilor Todd – yes. Councilor Hartman – yes. Councilor Tracy – yes. Councilor Alexander – yes. Councilor Ripley – yes. Mayor Stempel – yes. Motion passed unanimously.

Meeting was adjourned at 6:04 P.M.

Approved by the Mayor this _____ day of _____, 2022.

ATTEST:

Tamara Stempel, Mayor

Tami Bannick, City Recorder

GLADSTONE CITY COUNCIL WORK SESSION/SPECIAL MEETING MINUTES OF NOVEMBER 22, 2022

Meeting was called to order at 5:33 P.M. – (Via Zoom and In Person)

ROLL CALL:

Mayor Tammy Stempel, Councilor Ripley, Councilor Alexander, Councilor Tracy, Councilor Todd, Councilor Hartman, Councilor Garlington

ABSENT:

None

STAFF:

Jacque Betz, City Administrator; John Schmerber, Police Chief; Darren Caniparoli, Public Works Director; Tiffany Kirkpatrick, Community Services Manager; Nancy McDonald, Human Resources Manager; Chad Jacobs, City Attorney; Tami Bannick, City Recorder

Mayor Stempel called the meeting to order and explained that the City is abiding by guidelines set forth in House Bill 2560, which requires that they make all meetings accessible remotely, through technological means and provide the opportunity for the public to participate to the best of their ability. This meeting will be open to the public, both in person and virtually, using the Zoom platform. She went over the procedures that will be followed for the meeting and the meeting agenda. Public comment will not be part of the agenda and is not allowed during the Work Session, however, the Special Meeting portion will allow public comment.

REGULAR WORK SESSION:

1. REPORT – PRESENTATION FROM TUKWILIA SPRINGS:

Mayor Stempel introduced Vahid Brown, Clackamas County Housing Services Manager, Elise Anderson, Director of Property Management with Home Forward, Tanika Cutsforth, Asset Manager with Clackamas County Housing Authority, Biljana Jesic, Resident Services with Home Forward, and Jessica Karam, Program Manager with Community Services. (The presentation is included in the packet)

Ms. Anderson went over what property management involves. Ms. Jesic went over what services they provide to residents. They see this as a team approach. Ms. Karam oversees the services. They are working on getting additional case managers.

All applicants are referred through the County's Coordinated Housing Access. Waitlist preferences are giving to those who are chronically homeless and living in the Gladstone area and Native Americans. All apartments are subsidized through the Housing Authority of Clackamas County. The median age of residents is 59, with an average annual income of \$5,900. Ms. Karam explained what Permanent Supportive Housing (PSH) is and is not. Mr. Brown said they have a system to assess and keep track of everyone in the community who reaches out to them. They assess them to come up with the most appropriate intervention to respond to their needs (type, duration, and intensiveness).

They went over current staffing levels on-site. There is a half-time property manager and a half-time assistant property manager that oversee the site. There is a maintenance mechanic one day per week. They also have one Resident Service Coordinator and three Resident Specialists, and three Case Managers. There is overnight security available as of 10/24/22.

If anyone has concerns they can contact them at TukwilaSprings@homeforward.org. They went over the various partnerships and what they provide: Native American Rehabilitation Association (NARA), Gladstone School Food Pantry, Gladstone Senior Center, Friends of Gladstone Nature Park, Clackamas Community College Nursing Program, and Transportation Reaching People.

They are in the process of planning future events involving residents and neighbors. The County is committed to making homelessness rare, brief, and not recurring – that requires a community response.

Chief Schmerber has been meeting with this team to discuss how to mitigate/reduce the number of calls for service that the Police Department has been receiving. The majority of recent calls were related to behavioral health issues. They will continue to discuss the situation.

Councilor Garlington asked if any of tonight’s speakers work there full time – none do. She asked how many staff members were hired to work at the facility originally – they are now fully staffed but will hire two additional case managers in the near future. She wants to make sure that the next facility like this that goes up in a neighborhood is staffed from the get-go based on the number of residents and their needs.

Councilor Alexander asked if there was overnight security there in the beginning – no - they were not sure they were going to need it in the beginning but it was in the budget, so they added it last month after meeting with Chief Schmerber.

Councilor Todd asked how leases are broken if the resident is not a good match – there is a progressive lease enforcement structure in place (they went over the process). She asked if there were plans for having medical services on-site and maybe Social Security services – there is a medical room on-site where residents can access telehealth programs. They are looking at bringing services on-site (wound care, etc.).

Councilor Hartman said it is important to educate the community/schools about what to look for/who to call because this is a community effort. She asked Chief Schmerber if the majority of the calls are coming from the community or the property – he said they are coming from the property. They are now tracking anyone who is a resident and is contacted in the City. There have been 106 calls for law enforcement and 21 responses for fire/EMS since they opened the facility. Mayor Stempel asked if the case managers assist all the residents – they have 12 units that are funded through OHCS (one case manager with preference for Native Americans). NARA is hiring two additional case managers who will provide case management to the rest of the 36 units. Councilor Tracy is not sure why they wouldn’t have staff from the beginning to deal with security/behavioral type issues. He wants to be supportive of the program. There was discussion regarding the types of calls/issues and the appropriate responses. They are working on educating everyone on who to call for various circumstances. Councilor Tracy asked if they had any veterans as residents – they don’t track that.

Councilor Garlington asked Chief Schmerber if the P.D. had anticipated the number of calls they would receive. He said they did, but they did not know what the volume would be. She asked if the police officers were well versed in the needs of this community – he said they are all trained in Crisis Intervention. They work well with County Behavior Health. Councilor Todd asked what the plan is for the future – they will meet monthly for check-ins or sooner if necessary.

Ms. Betz asked how many of the 48 residents are from Gladstone and how many are on the wait list – there were approximately 12 referrals in the beginning but none of them ended up moving in. There are two or three new applicants from Gladstone now.

2. **CITY BOARDS, COMMITTEES, AND COMMISSION WORK PLANS FOR 2023 AND 2024:**

Ms. Betz said the information presented tonight will be incorporated into the Department Head retreat, which will be on December 2nd.

Traffic Safety Advisory Board:

Chief Schmerber went over the 2022 goals. A lot of it had to do with pedestrian safety and messaging. They have done a good job on those. The Webster Road/Cason Road enhanced pedestrian crossing is scheduled for completion in spring of 2023.

Chair Labonte said they appreciate the City’s efforts with prioritizing traffic safety. He went through the list of new goals (available in the packet) from bottom to top. He said the Transportation Safety Plan needs to be updated and they are asking for guidance on what to do with that. Ms. Betz said there needs to be an assessment done every seven years, so they listed that as “prep” for 2025. Chair Labonte went over the ways they could get young people more involved/educated, how to involve the community through events, affordable pedestrian safety efforts, speed reductions, etc.

Mayor Stempel asked them not to discount the high dollar projects because there are regional/state funds available to pay for them. She said to make sure that the cost for traffic studies is included in any proposal for speed reduction.

Councilor Garlington would like to see “Safe Routes To School” on the list of goals so they could push forward the completion of sidewalks, especially on Webster Road. Ms. Betz is looking into grants for this. There was discussion regarding reducing the speed on Oatfield Road.

Parks and Recreation Advisory Board:

Chair Eichsteadt went over the accomplishments of 2022 – they approved the Meldrum Bar site plan and forwarded it to the City Council for approval, they got input from neighbors near Robin Hood Park regarding possible improvements to the park there, prioritized the survey, and they will be moving forward on that project, and they standardized park amenities (trash receptacles, benches, and tables) so the City can stock spare parts. There was a community clean-up at Robin Hood Park as well.

He went over the new list of goals for 2023-2024 (available in the packet).

Mr. Caniparoli said they have already started on some of the improvements at Robin Hood Park – they have repainted the lines on the basketball court, and they will be replacing the backboard/hoop soon. They will choose projects at Meldrum Bar Park as funds become available. Mayor Stempel said she has been the liaison to this board, and it has been a pleasure to work with them and it is a great group of people.

Planning Commission:

Chair Smith said they have accomplished a lot and gotten a lot of projects approved and moving forward. She thanked the City Council for their approval of the Commission’s recommendations. She went over the list of goals for 2023-2024 (available in the packet). There was discussion regarding Certified Local Government status, historic homes, etc.

Gladstone Senior Center Advisory Board:

Ms. Kirkpatrick introduced Chair Nancy Turner. She said it has been an amazing year and there is an amazing staff at the Senior Center. They are constantly trying new ideas to meet the needs of the community. There are a lot of opportunities for volunteerism (delivering/assembling meals, food boxes, answering phones, working in the garden, etc).

She went over the list of goals for 2023-2024 (available in the packet). They would like to rename the Center to have it be more community-based. A strong partnership between the Foundation, the Advisory Board, Center employees, and the City will yield some very solid benefits for the facility. Councilor Garlington thanked them for the updates on the calendar.

Councilor Hartman said it has been a pleasure serving as the liaison and how welcoming they have been. They should be very proud of what they have accomplished. She said the Center deserves to be paid attention to by the City.

Councilor Alexander asked what their plan is for capacity space/usage. They said the redesign/site plan is the next step – they need someone to come in and re-envision what they have and see if the space they are using will work for what they want to do. They want to advocate for seeing the Senior Center as more than a Senior Center – that it’s a community center. They would like to be a priority with the City.

ADJOURN TO SPECIAL MEETING

Councilor Hartman made a motion to adjourn into the Special Meeting. Motion was seconded by Councilor Tracy. Ms. Bannick took a roll call vote: Councilor Garlington – yes. Councilor Todd – yes. Councilor Hartman – yes. Councilor Tracy – yes. Councilor Alexander – yes. Councilor Ripley – yes. Mayor Stempel – yes. Motion passed with a unanimous vote.

SPECIAL MEETING:

Meeting was called to order at 7:43 P.M.

3. **CITY ADMINISTRATOR EMPLOYMENT AGREEMENT:**

This is to consider approval of the January 2023 – July 2024 Employment Agreement between City Administrator Betz and the City of Gladstone. Mr. Jacobs went over the staff report/proposal (available in the packet).

Councilor Garlington wanted to address the dollar figure – she feels that it gives us a baseline for what everyone else in the City should be earning. She doesn’t disagree that our City Administrator deserves to be paid a fair wage, but what concerns her is if our City Administrator decides to leave, is that a figure that we can afford going forward? They have increased the pay for that position by over \$60,000 over the last six years. She feels they should hold where they are currently. She does support the \$2,500 bonus for going through the Covid experience that all the other employees got. She pointed out that the City Administrator no longer oversees a Fire Department or Library.

Mr. Jacobs said the \$185,000 in the contract is a 5% increase on the current salary. It doesn’t include benefits or the monthly car stipend. In the following years under the contract she will get whatever COLA City employees receive, plus 5% on January 1st, 2024.

Councilor Garlington said the City Administrator started with a salary of \$120,000 in 2017. It then went to \$131,000 in 2018. In 2019 the new contract salary was \$145,000. There was a 7% raise, plus the 3% COLA in 2022. She has to be fiscally responsible to the City of Gladstone, knowing

the size of our City and what other administrators across the State of Oregon make – we are above and beyond that. West Linn and Happy Valley are paying \$180,000 and Wilsonville is at \$192,000. Cities that are closer to Gladstone’s size are paying \$125,00 - \$150,000. She said they all appreciate the work that Ms. Betz does, and they all know the City is a much better place because of the work she has put in, but they have to be financially responsible.

Ms. McDonald said the contract is a document that evolved beginning in January of 2019 when the seated Council approved the implementation of a Class and Comp Study for the entire City. Almost every salary range was under market. They did comparisons with Sandy, Fairview, Happy Valley, Milwaukie, Oregon City, and West Linn. At that time the City Council accepted all the recommendations that were proposed, with the exception of the City Administrator. She did receive an increase, but it was substantially less than 50% of what was recommended. Over the years she has been receiving the same COLA increases as the other employees. She has also received merit increases. What makes her contract different from others used as a reference point is that Ms. Betz has no additional compensation (deferred compensation, 401K, etc.). The COLA for this current year is 2%, and she is eligible for a merit increase of 5% in January of 2023. Mr. Jacobs said in order to do a true “apples to apples” comparison you need to find out the total compensation for other jurisdictions – you can’t just compare salaries. The salaries for a lot of larger jurisdictions are approaching \$300,000 for total compensation.

Ms. McDonald said the total salary, including the COLA and merit increase, will keep the Administrator less than 10% above the highest paid Department Head (it’s usually a 15% gap). There was further discussion/clarification regarding the salary numbers.

Councilor Ripley asked how the meeting that he and Councilor Tracy volunteered for to work on this went from a performance review to a contract negotiation. Mr. Jacobs said it was his understanding that they were supposed to talk with Ms. Betz to see if she wanted to renew the contract because the Council decided that they didn’t want to provide her notice that they weren’t going to renew it and then to bring a contract back to them. The decision to have a performance evaluation has to be made between the City Council and the City Administrator. The language they inserted into the agreement basically says that that does not occur on an annual basis but occurs when they mutually agree upon it. They agreed to set a date for a performance evaluation, so that’s how they addressed that issue. Mayor Stempel said that during the meeting on August 9th five of the seven Councilors had requested a review, so if that was dismissed the Council should have been told. Mr. Jacobs said the Council is responsible for administering this contract – it’s not his job. He has given them all the information and legal advice about what they needed to do in an email. If they want someone else to administer the contract they need to delegate that authority to someone else.

Councilor Tracy recalled that they had basically silence when they started talking about a performance review. They’ve had plenty of time to execute a review, get the agreement with the City Administrator to go forward to do so, but no one on the Council decided to carry that torch. He felt like this task was shoveled off on him. He can’t do a performance review on his own per the contract/rules. When the emails were going back and forth everyone had ample opportunity to respond to the discussion to construct a contract that they could bring back to the Council. No one said anything. He didn’t get any indication from anyone that he should change his course/tact in this conversation about the contract. He felt like they hammered out some details, talked about what the City Administrator would like to see to be able to feel secure and continue to operate as the City Administrator – that language was then passed onto the City Attorney. The City Attorney communicated with him and the rest of the Council and he did not see any responses. He figured

if there were questions that Councilors would email the City Attorney or City Administrator, but that didn't seem to happen.

Councilor Alexander understood that they were going to do a performance review. Councilor Garlington said she is not questioning the review – but she would like to have it sooner than February of 2024.

There was further discussion regarding how other employers handle performance reviews. Mr. Jacobs said when the Council amended the contract several years ago the idea was not to require a formal performance evaluation, but to have them informally raise issues/concerns with the City Administrator throughout the year. To his knowledge none of them have done that throughout this last year. He read the language in the contract. The Council agreed to this language/process. He feels they should abide by that language and not try to change it retroactively. If they want a different process they should propose that to the City Administrator.

Councilor Alexander said people are concerned about the “limited budget” and that the salary is a lot of money.

Councilor Todd feels that Ms. Betz is reviewed constantly and it's uncomfortable talking about her while she's sitting with them. She feels they need to take their legal counsel's advice, which is to move this forward. If this contract runs out at the end of the year the City Administrator can leave and they will owe her 120 days of severance pay. She knows it's a lot of money, but she would like to move forward with this.

Councilor Hartman said her recollection is similar to Councilor Tracy's. She wanted to read an email into the record that they received from Mr. Jacobs: “She recently completed her Masters of Public Policy Administration on her own time and expense. She is an ICMA credentialed City Manager, which are professional local government managers qualified by a combination of high standards of integrity and assessed commitment to lifelong learning and professional development. These elements are critical in small communities where decisions made at City Hall have a lasting influence. She did not receive the Covid bonus as other employees because it was unclear if Council intended it to be given to the City Administrator. She did not receive 1% career recognition pay as other employees at the five-year employment mark. She has been employed six and a half years. There will be salary compression issues between the City Administrator position and Police Chief if the City Administrator does not receive step increases as proposed.”

Mr. Jacobs explained that if you don't continue to increase the City Administrator's salary in the same context that you are for other City employees, then the amount of difference between the highest paid employee and your City Administrator gets smaller and smaller, and eventually the employee's salary will overtake the City Administrator's salary.

Councilor Tracy asked what the cost of recruitment would be. Ms. McDonald estimated it would cost at least \$20,000 - \$25,000 to hire a “headhunter” and it usually takes at least three months to hire someone. Councilor Tracy cautioned the Council if they are going to make a decision that doesn't work in favor of the contract they are going to have to do a “hard pencil” on those costs. Councilor Garlington said the point of her conversation was to be open and honest. In her opinion, losing our Administrator would be horrific. She said she does a great job and is worth every penny they pay her. She feels that Ms. McDonald clarified how other people are paid and gave her the reasons why we pay our Administrator the way we do. She would like to see Ms. Betz receive the same \$2,500 that every other employee got for doing the jobs they did and going through the Covid pandemic – it's the fair thing to do.

Councilor Todd made a motion to move ahead with the City Attorney's Office and Councilor Tracy's recommendation to approve the proposed contract for the City Administrator. Motion was seconded by Councilor Garlington.

Discussion: Councilor Tracy said that Councilor Garlington could make a friendly amendment to that motion by adding the \$2,500 if she feels the need to do so. Mayor Stempel wants it to be a separate issue. Councilor Tracy withdrew his comment.

Ms. Bannick took a roll call vote: Councilor Todd – yes. Councilor Hartman – yes. Councilor Tracy – yes. Councilor Alexander – yes. Councilor Ripley – no. Councilor Garlington – yes. Mayor Stempel – yes. Motion passed (6-1).

Councilor Garlington made a motion that City Administrator Betz receive the same ARPA fund amount that the rest of the City employees got (\$2,500). Motion was seconded by Councilor Tracy.

Ms. Bannick took a roll call vote: Councilor Alexander – yes. Councilor Tracy – yes. Councilor Hartman – yes. Councilor Todd – yes. Councilor Garlington – yes. Councilor Ripley – no. Mayor Stempel – yes. Motion passed (6-1).

Mayor Stempel asked for a motion to adjourn the meeting.

ADJOURN:

Councilor Garlington made a motion to adjourn the meeting. Motion was seconded by Councilor Hartman. Ms. Bannick took a roll call vote: Councilor Garlington – yes. Councilor Todd – yes. Councilor Hartman – yes. Councilor Tracy – yes. Councilor Alexander – yes. Councilor Ripley – yes. Mayor Stempel – yes. Motion passed with a unanimous vote.

Meeting was adjourned at 8:31 P.M.

Approved by the Mayor this _____ day of _____, 2022.

ATTEST:

Tamara Stempel, Mayor

Tami Bannick, City Recorder

BANK BALANCES						
Month Ending Balance						
Bank	July 2022	August 2022	September 2022	October 2022	November 2022	December 2022
LGIP -City Of Gladstone #4472	\$ 22,697,073.96	\$ 24,578,837.64	\$ 23,532,324.71	\$ 22,765,219.76		
LGIP - Urban Renewal Agency #4650	2,293,904.57	2,088,277.26	2,063,083.14	2,071,859.92		
Checking Accounts:						
General Fund	529,506.05	244,390.81	239,693.07	226,284.00		
Urban Renewal	530,928.01	22,279.25	22,279.35	22,279.44		
Municipal Court	42,419.76	41,658.48	36,498.39	31,607.63		
Totals	\$ 26,093,832.35	\$ 26,975,443.44	\$ 25,893,878.66	\$ 25,117,250.75	\$ -	\$ -
Bank	January 2023	February 2023	March 2023	April 2023	May 2023	June 2023
LGIP -City Of Gladstone #4472						
LGIP - Urban Renewal Agency #4650						
Checking Accounts:						
General Fund						
Urban Renewal						
Municipal Court						
Totals	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



City of Gladstone

Budget Report Account Summary

For Fiscal: 2022-2023 Period Ending: 10/31/2022

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 100 - GENERAL FUND								
Revenue								
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL								
RptType: 3000 - BEG FUND BAL.								
100-000-309999 BEGINNING FUND BALANCE	4,850,000.00	4,850,000.00	0.00	0.00	0.00	0.00	-4,850,000.00	0.00 %
RptType: 3000 - BEG FUND BAL. Total:	4,850,000.00	4,850,000.00	0.00	0.00	0.00	0.00	-4,850,000.00	0.00 %
RptType: 3100 - LOCAL TAXES								
100-000-310010 CURRENT YEAR TAXES	9,300,726.00	9,300,726.00	4,583,300.53	0.00	0.00	4,583,300.53	-4,717,425.47	49.28 %
100-000-310050 PRIOR YEAR TAXES	90,000.00	90,000.00	38,392.58	22,438.25	22,438.25	60,830.83	-29,169.17	67.59 %
100-000-314045 TRANSIENT LODGING TAX	250,000.00	250,000.00	161,568.24	46,804.85	52,666.28	214,234.52	-35,765.48	85.69 %
RptType: 3100 - LOCAL TAXES Total:	9,640,726.00	9,640,726.00	4,783,261.35	69,243.10	75,104.53	4,858,365.88	-4,782,360.12	50.39 %
RptType: 3110 - STATE SHARED TAXES								
100-000-310170 STATE REVENUE SHARING	260,000.00	260,000.00	145,537.67	0.00	0.00	145,537.67	-114,462.33	55.98 %
100-000-311010 ALCOHOL TAX REVENUE	451,282.00	451,282.00	225,061.16	21,878.64	42,173.18	267,234.34	-184,047.66	59.22 %
100-000-311015 MARIJUANA TAX	55,221.00	55,221.00	43,376.05	0.00	4,546.06	47,922.11	-7,298.89	86.78 %
100-000-311020 CIGARETTE TAX REVENUE	17,800.00	17,800.00	9,896.18	890.28	2,564.09	12,460.27	-5,339.73	70.00 %
RptType: 3110 - STATE SHARED TAXES Total:	784,303.00	784,303.00	423,871.06	22,768.92	49,283.33	473,154.39	-311,148.61	60.33 %
RptType: 3120 - RIGHT OF WAY FEES								
100-000-312010 GLADSTONE DISPOSAL FRANCHISE FEE	250,000.00	250,000.00	121,293.22	36,972.17	36,972.17	158,265.39	-91,734.61	63.31 %
100-000-312025 PGE FRANCHISE FEES	800,000.00	800,000.00	434,901.64	0.00	0.00	434,901.64	-365,098.36	54.36 %
100-000-312030 NW NATURAL GAS FRANCHISE FEE	227,000.00	227,000.00	129,677.43	0.00	0.00	129,677.43	-97,322.57	57.13 %
100-000-312040 COMCAST CABLE TV FRANCHISE FE	276,000.00	276,000.00	145,973.30	0.00	0.00	145,973.30	-130,026.70	52.89 %
RptType: 3120 - RIGHT OF WAY FEES Total:	1,553,000.00	1,553,000.00	831,845.59	36,972.17	36,972.17	868,817.76	-684,182.24	55.94 %
RptType: 3130 - LICENSES AND PERMITS								
100-000-313010 BUSINESS LICENSE FEES	135,000.00	135,000.00	80,280.00	315.00	2,180.00	82,465.00	-52,540.00	61.08 %
100-000-313015 LIQUOR LICENSE RENEWALS	1,500.00	1,500.00	805.00	0.00	0.00	805.00	-695.00	53.67 %
100-000-313020 ALARM PERMITS	13,000.00	13,000.00	9,515.00	1,100.00	2,825.00	12,340.00	-660.00	94.92 %
100-000-313025 PARKING PERMITS	500,000.00	500,000.00	115,012.00	4,963.00	43,618.00	158,630.00	-341,370.00	31.73 %
RptType: 3130 - LICENSES AND PERMITS Total:	649,500.00	649,500.00	205,612.00	6,378.00	48,623.00	254,235.00	-395,265.00	39.14 %
RptType: 3140 - CHARGES FOR SERVICES								
100-000-314010 RECREATION FEES	4,000.00	4,000.00	7,127.28	0.00	-235.21	6,892.07	2,892.07	172.30 %
100-000-314015 SENIOR CENTER BUILDING RENTAL FEES	7,500.00	7,500.00	2,295.00	240.00	1,806.25	4,101.25	-3,398.75	54.68 %
100-000-314020 PLANNING APPLICATION FEES	35,000.00	35,000.00	32,757.20	3,835.00	5,605.00	38,362.20	3,362.20	109.61 %
100-000-314025 SOCIAL SERVICES CONTRACT	80,000.00	80,000.00	46,613.46	9,840.89	9,840.89	56,454.35	-23,545.65	70.57 %

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
<u>100-000-314030</u> LIEN SEARCH FEES	8,000.00	8,000.00	6,560.55	540.00	1,440.00	8,000.55	0.55	100.01 %
RptType: 3140 - CHARGES FOR SERVICES Total:	134,500.00	134,500.00	95,353.49	14,455.89	18,456.93	113,810.42	-20,689.58	84.62 %
<u>100-000-314110</u> PARK SDC FEES	0.00	0.00	0.00	0.00	3,669.38	3,669.38	3,669.38	0.00 %
<u>100-000-314111</u> SDC REIMBURSEMENT FEE	0.00	0.00	0.00	0.00	392.67	392.67	392.67	0.00 %
RptType: 3141 - SDC Total:	0.00	0.00	0.00	0.00	4,062.05	4,062.05	4,062.05	0.00 %
RptType: 3150 - GRANTS								
<u>100-000-315030</u> POLICE GRANTS	0.00	0.00	53,030.01	0.00	910.00	53,940.01	53,940.01	0.00 %
<u>100-000-315040</u> FIRE GRANTS	50,000.00	50,000.00	200.00	0.00	0.00	200.00	-49,800.00	0.40 %
<u>100-000-315055</u> MARINE BOARD MAINTENANCE GRANT	10,800.00	10,800.00	0.00	0.00	0.00	0.00	-10,800.00	0.00 %
<u>100-000-315065</u> WES/GOOD NEIGHBOR GRANT	100,000.00	100,000.00	52,500.00	0.00	0.00	52,500.00	-47,500.00	52.50 %
<u>100-000-315080</u> OTHER GRANTS	62,685.00	62,685.00	167,240.72	0.00	62,500.00	229,740.72	167,055.72	366.50 %
RptType: 3150 - GRANTS Total:	223,485.00	223,485.00	272,970.73	0.00	63,410.00	336,380.73	112,895.73	150.52 %
RptType: 3160 - DEBT SERVICE PROCEEDS								
<u>100-000-381000</u> OFS-DEBT PROCEEDS	5,000,000.00	5,000,000.00	5,000,000.00	0.00	0.00	5,000,000.00	0.00	100.00 %
RptType: 3160 - DEBT SERVICE PROCEEDS Total:	5,000,000.00	5,000,000.00	5,000,000.00	0.00	0.00	5,000,000.00	0.00	100.00 %
RptType: 3260 - FINES AND FORFEITURES								
<u>100-000-326010</u> COURT FINES & FORFEITURES	705,000.00	705,000.00	334,115.89	22,458.43	117,726.88	451,842.77	-253,157.23	64.09 %
RptType: 3260 - FINES AND FORFEITURES Total:	705,000.00	705,000.00	334,115.89	22,458.43	117,726.88	451,842.77	-253,157.23	64.09 %
RptType: 3301 - INTEREST								
<u>100-000-330100</u> INTEREST	195,000.00	195,000.00	116,621.80	41,683.11	132,785.43	249,407.23	54,407.23	127.90 %
RptType: 3301 - INTEREST Total:	195,000.00	195,000.00	116,621.80	41,683.11	132,785.43	249,407.23	54,407.23	127.90 %
RptType: 3600 - MISCELLANEOUS								
<u>100-000-360000</u> ALL OTHER GF RECEIPTS	71,813.00	71,813.00	-3,665.78	263.75	12,317.96	8,652.18	-63,160.82	12.05 %
<u>100-000-361016</u> FIRST RESPONDER SUPPLIES REIMB	10,000.00	10,000.00	10,221.25	0.00	0.00	10,221.25	221.25	102.21 %
<u>100-000-362115</u> SENIOR CENTER MISC. INCOME	0.00	0.00	0.00	1,052.88	2,145.08	2,145.08	2,145.08	0.00 %
<u>100-000-362212</u> TRAM TRIPS	10,000.00	10,000.00	5,133.55	868.00	3,467.00	8,600.55	-1,399.45	86.01 %
<u>100-000-362213</u> MEAL DONATIONS	19,000.00	19,000.00	18,518.38	1,303.00	5,716.80	24,235.18	5,235.18	127.55 %
RptType: 3600 - MISCELLANEOUS Total:	110,813.00	110,813.00	30,207.40	3,487.63	23,646.84	53,854.24	-56,958.76	48.60 %
RptType: 3700 - OTHER								
<u>100-000-371000</u> SALE OF SURPLUS EQUIP/PROPERTY	30,000.00	30,000.00	21,902.15	0.00	24,200.00	46,102.15	16,102.15	153.67 %
RptType: 3700 - OTHER Total:	30,000.00	30,000.00	21,902.15	0.00	24,200.00	46,102.15	16,102.15	153.67 %
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	23,876,327.00	23,876,327.00	12,115,761.46	217,447.25	594,271.16	12,710,032.62	-11,166,294.38	53.23 %
Department: 910 - TRANSFER IN								
RptType: 3990 - TRANSFERS IN								
<u>100-910-399205</u> TRANSFER IN FROM STREET FUND	458,255.00	458,255.00	176,444.00	0.00	0.00	176,444.00	-281,811.00	38.50 %
<u>100-910-399228</u> TRANSFER IN FROM POLICE LEVY	133,842.00	133,842.00	53,052.00	0.00	0.00	53,052.00	-80,790.00	39.64 %
<u>100-910-399229</u> TRANSFER IN FROM FIRE LEVY	71,611.00	71,611.00	25,843.00	0.00	0.00	25,843.00	-45,768.00	36.09 %
<u>100-910-399390</u> TRANSFER IN FROM URBAN RENEWAL	490,814.00	490,814.00	245,403.57	0.00	210,278.45	455,682.02	-35,131.98	92.84 %

Budget Report

For Fiscal: 2022-2023 Period Ending: 10/31/2022

Expense	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance		
							Favorable (Unfavorable)	Percent Used	
100-910-399730	288,604.00	288,604.00	94,264.00	0.00	0.00	94,264.00	-194,340.00	32.66 %	
100-910-399740	388,096.00	388,096.00	142,686.00	0.00	0.00	142,686.00	-245,410.00	36.77 %	
100-910-399750	231,094.00	231,094.00	67,286.00	0.00	0.00	67,286.00	-163,808.00	29.12 %	
RptType: 3990 - TRANSFERS IN Total:	2,062,316.00	2,062,316.00	804,978.57	0.00	210,278.45	1,015,257.02	-1,047,058.98	49.23 %	
Department: 910 - TRANSFER IN Total:	2,062,316.00	2,062,316.00	804,978.57	0.00	210,278.45	1,015,257.02	-1,047,058.98	49.23 %	
Revenue Total:	25,938,643.00	25,938,643.00	12,920,740.03	217,447.25	804,549.61	13,725,289.64	-12,213,353.36	52.91 %	
Department: 121 - ADMIN									
RptCategory: 40 - PERSONNEL SERVICES									
100-121-431010	366,948.00	366,948.00	177,666.38	17,158.09	64,655.25	242,321.63	124,626.37	66.04 %	
100-121-431020	278,663.00	278,663.00	91,596.00	8,178.00	32,712.00	124,308.00	154,355.00	44.61 %	
100-121-431030	110,412.00	110,412.00	0.00	0.00	0.00	0.00	110,412.00	0.00 %	
100-121-431070	134,971.00	134,971.00	68,436.00	6,109.00	24,436.00	92,872.00	42,099.00	68.81 %	
100-121-431500	166,217.00	166,217.00	83,456.28	7,066.40	28,501.05	111,957.33	54,259.67	67.36 %	
100-121-450500	9,942.00	9,942.00	4,544.28	708.67	2,737.70	7,281.98	2,660.02	73.24 %	
100-121-470000	619,601.00	619,601.00	229,363.10	19,480.31	78,738.82	308,101.92	311,499.08	49.73 %	
RptCategory: 40 - PERSONNEL SERVICES Total:	1,686,754.00	1,686,754.00	655,062.04	58,700.47	231,780.82	886,842.86	799,911.14	52.58 %	
RptCategory: 50 - MATERIAL AND SERVICES									
100-121-500110	293,507.00	293,507.00	262,317.62	11,796.25	52,025.00	314,342.62	-20,835.62	107.10 %	
100-121-500120	82,000.00	82,000.00	39,315.00	15,500.00	15,500.00	54,815.00	27,185.00	66.85 %	
100-121-500130	200,000.00	200,000.00	103,300.80	9,569.26	26,824.95	130,125.75	69,874.25	65.06 %	
100-121-500490	25,000.00	25,000.00	1,489.72	2,545.87	6,076.78	7,566.50	17,433.50	30.27 %	
100-121-500491	47,000.00	47,000.00	2,000.00	0.00	0.00	2,000.00	45,000.00	4.26 %	
100-121-500492	160,000.00	160,000.00	54,288.86	0.00	14,561.36	68,850.22	91,149.78	43.03 %	
100-121-510020	292,294.00	292,294.00	60,805.30	0.00	3,525.00	64,330.30	227,963.70	22.01 %	
100-121-510021	78,086.00	78,086.00	25,629.38	4,776.89	14,926.89	40,556.27	37,529.73	51.94 %	
100-121-520120	8,250.00	8,250.00	4,678.50	415.28	1,707.87	6,386.37	1,863.63	77.41 %	
100-121-520320	500.00	500.00	63.86	0.00	7.99	71.85	428.15	14.37 %	
100-121-520400	37,000.00	37,000.00	9,384.81	1,243.20	3,476.98	12,861.79	24,138.21	34.76 %	
100-121-520450	80,000.00	80,000.00	40,277.76	3,191.50	11,600.50	51,878.26	28,121.74	64.85 %	
100-121-530000	395,000.00	395,000.00	209,636.02	0.00	173,060.31	382,696.33	12,303.67	96.89 %	
100-121-530200	5,000.00	5,000.00	502.23	42.75	171.00	673.23	4,326.77	13.46 %	
100-121-540110	5,000.00	5,000.00	2,473.96	0.00	101.47	2,575.43	2,424.57	51.51 %	
100-121-540120	26,000.00	26,000.00	6,710.32	888.75	1,649.72	8,360.04	17,639.96	32.15 %	
100-121-540200	60,000.00	60,000.00	12,098.12	0.00	10,048.36	22,146.48	37,853.52	36.91 %	
100-121-540220	45,000.00	45,000.00	3,199.65	567.36	6,508.71	9,708.36	35,291.64	21.57 %	
100-121-540230	2,000.00	2,000.00	0.00	0.00	0.00	0.00	2,000.00	0.00 %	
100-121-542000	15,000.00	15,000.00	3,239.72	580.00	1,139.38	4,379.10	10,620.90	29.19 %	
100-121-560100	28,000.00	28,000.00	0.00	0.00	0.00	0.00	28,000.00	0.00 %	

Budget Report

For Fiscal: 2022-2023 Period Ending: 10/31/2022

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
<u>100-121-560120</u> TELEPHONES	0.00	0.00	8,006.83	666.60	2,676.78	10,683.61	-10,683.61	0.00 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	1,884,637.00	1,884,637.00	849,418.46	51,783.71	345,589.05	1,195,007.51	689,629.49	63.41 %
Department: 121 - ADMIN Total:								
Department: 122 - INFORMATION TECHNOLOGY								
RptCategory: 40 - PERSONNEL SERVICES								
<u>100-122-432010</u> IT MANAGER	219,612.00	219,612.00	110,894.00	9,467.00	37,868.00	148,762.00	70,850.00	67.74 %
<u>100-122-470000</u> ASSOCIATED PAYROLL COSTS	110,882.00	110,882.00	54,741.28	4,633.66	18,533.88	73,275.16	37,606.84	66.08 %
RptCategory: 40 - PERSONNEL SERVICES Total:	330,494.00	330,494.00	165,635.28	14,100.66	56,401.88	222,037.16	108,456.84	67.18 %
RptCategory: 50 - MATERIAL AND SERVICES								
<u>100-122-500110</u> CONTRACTUAL & PROFESSIONAL	10,000.00	10,000.00	4,990.00	1,065.08	3,954.08	8,944.08	1,055.92	89.44 %
<u>100-122-500210</u> COMPUTER/TECHNOLOGY SERVICE	212,811.00	212,811.00	88,845.29	4,310.96	38,759.32	127,604.61	85,206.39	59.96 %
<u>100-122-520400</u> OFFICE SUPPLIES & EQUIPMENT	40,260.00	40,260.00	15,650.82	1,251.80	4,986.43	20,637.25	19,622.75	51.26 %
<u>100-122-540220</u> TRAVEL, CONFERENCES & TRAINING	800.00	800.00	0.00	0.00	0.00	0.00	800.00	0.00 %
<u>100-122-540300</u> SMALL TOOLS, EQUIPMENT & SAFETY	600.00	600.00	15.99	9.99	261.04	277.03	322.97	46.17 %
<u>100-122-560110</u> CELL PHONES, PAGERS & RADIOS	65,330.00	65,330.00	36,816.83	2,701.57	10,802.37	47,619.20	17,710.80	72.89 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	329,801.00	329,801.00	146,318.93	9,339.40	58,763.24	205,082.17	124,718.83	62.18 %
RptCategory: 60 - CAPITAL OUTLAY								
<u>100-122-661018</u> COMPUTER & EQUIPMENT RESERVE	96,635.00	96,635.00	4,376.97	449.47	929.43	5,306.40	91,328.60	5.49 %
RptCategory: 60 - CAPITAL OUTLAY Total:	96,635.00	96,635.00	4,376.97	449.47	929.43	5,306.40	91,328.60	5.49 %
Department: 122 - INFORMATION TECHNOLOGY Total:								
Department: 124 - FACILITIES								
RptCategory: 40 - PERSONNEL SERVICES								
<u>100-124-437050</u> PUBLIC WORKS SUPERVISOR	18,065.00	18,065.00	8,288.34	727.59	2,910.36	11,198.70	6,866.30	61.99 %
<u>100-124-437070</u> UTILITY WORKER II	86,171.00	86,171.00	27,310.25	2,512.92	9,556.59	36,866.84	49,304.16	42.78 %
<u>100-124-439011</u> SEASONAL HELP	20,000.00	20,000.00	0.00	0.00	0.00	0.00	20,000.00	0.00 %
<u>100-124-450100</u> OVERTIME	3,200.00	3,200.00	158.38	0.00	0.00	158.38	3,041.62	4.95 %
<u>100-124-470000</u> ASSOCIATED PAYROLL COSTS	62,791.00	62,791.00	21,079.74	1,728.30	6,749.32	27,829.06	34,961.94	44.32 %
RptCategory: 40 - PERSONNEL SERVICES Total:	190,227.00	190,227.00	56,836.71	4,968.81	19,216.27	76,052.98	114,174.02	39.98 %
RptCategory: 50 - MATERIAL AND SERVICES								
<u>100-124-500110</u> CONTRACTUAL & PROFESSIONAL SERVICES	140,000.00	140,000.00	67,962.88	3,730.15	18,448.57	86,411.45	53,588.55	61.72 %
<u>100-124-520130</u> OPERATIONS, MAINTENANCE & REPAIRS	120,000.00	120,000.00	22,137.86	5,504.43	11,408.47	33,546.33	86,453.67	27.96 %
<u>100-124-540220</u> TRAVEL, CONFERENCES & TRAINING	4,000.00	4,000.00	90.00	0.00	0.00	90.00	3,910.00	2.25 %
<u>100-124-540300</u> SMALL TOOLS, EQUIPMENT & SAFETY SUPPL...	7,000.00	7,000.00	1,055.81	49.77	908.11	1,963.92	5,036.08	28.06 %
<u>100-124-560100</u> UTILITIES	185,000.00	185,000.00	97,210.73	7,317.28	28,947.76	126,158.49	58,841.51	68.19 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	456,000.00	456,000.00	188,457.28	16,601.63	59,712.91	248,170.19	207,829.81	54.42 %
RptCategory: 60 - CAPITAL OUTLAY								
<u>100-124-641000</u> FACILITY IMPROVEMENTS	320,000.00	320,000.00	44,947.21	0.00	0.00	44,947.21	275,052.79	14.05 %
<u>100-124-641005</u> PUBLIC WORKS FACILITY CONSTRUCTION	4,949,000.00	4,949,000.00	51,101.39	4,400.00	16,254.05	67,355.44	4,881,644.56	1.36 %

Budget Report

For Fiscal: 2022-2023 Period Ending: 10/31/2022

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
<u>100-124-641010</u>	20,000.00	20,000.00	0.00	0.00	0.00	0.00	20,000.00	0.00 %
	5,289,000.00	5,289,000.00	96,048.60	4,400.00	16,254.05	112,302.65	5,176,697.35	2.12 %
RptCategory: 60 - CAPITAL OUTLAY Total:								
	5,935,227.00	5,935,227.00	341,342.59	25,970.44	95,183.23	436,525.82	5,498,701.18	7.35 %
Department: 124 - FACILITIES Total:								
Department: 220 - COURT								
RptCategory: 40 - PERSONNEL SERVICES								
<u>100-220-432020</u>	135,602.00	135,602.00	67,127.16	5,707.23	22,828.92	89,956.08	45,645.92	66.34 %
<u>100-220-432035</u>	172,124.00	172,124.00	84,464.00	7,417.00	29,668.00	114,132.00	57,992.00	66.31 %
<u>100-220-450100</u>	4,302.00	4,302.00	0.00	0.00	0.00	0.00	4,302.00	0.00 %
<u>100-220-450500</u>	0.00	0.00	2,111.64	222.51	890.04	3,001.68	-3,001.68	0.00 %
<u>100-220-470000</u>	170,667.00	170,667.00	82,846.44	7,091.82	28,366.04	111,212.48	59,454.52	65.16 %
	482,695.00	482,695.00	236,549.24	20,438.56	81,753.00	318,302.24	164,392.76	65.94 %
RptCategory: 40 - PERSONNEL SERVICES Total:								
RptCategory: 50 - MATERIAL AND SERVICES								
<u>100-220-500110</u>	1,000.00	1,000.00	288.00	0.00	22.75	310.75	689.25	31.08 %
<u>100-220-500132</u>	72,000.00	72,000.00	39,540.00	3,500.00	14,000.00	53,540.00	18,460.00	74.36 %
<u>100-220-500134</u>	67,000.00	67,000.00	15,100.00	0.00	3,400.00	18,500.00	48,500.00	27.61 %
<u>100-220-500136</u>	72,000.00	72,000.00	36,000.00	6,000.00	12,000.00	48,000.00	24,000.00	66.67 %
<u>100-220-500137</u>	3,000.00	3,000.00	0.00	253.50	253.50	253.50	2,746.50	8.45 %
<u>100-220-500138</u>	2,000.00	2,000.00	51.95	0.00	0.00	51.95	1,948.05	2.60 %
<u>100-220-500282</u>	16,000.00	16,000.00	12,672.40	676.00	2,028.00	14,700.40	1,299.60	91.88 %
<u>100-220-520120</u>	8,000.00	8,000.00	5,109.74	0.00	1,569.26	6,679.00	1,321.00	83.49 %
<u>100-220-520400</u>	24,740.00	24,740.00	4,207.21	299.47	1,075.31	5,282.52	19,457.48	21.35 %
<u>100-220-540220</u>	3,000.00	3,000.00	336.25	0.00	0.00	336.25	2,663.75	11.21 %
	268,740.00	268,740.00	113,305.55	10,728.97	34,348.82	147,654.37	121,085.63	54.94 %
RptCategory: 50 - MATERIAL AND SERVICES Total:								
	751,435.00	751,435.00	349,854.79	31,167.53	116,101.82	465,956.61	285,478.39	62.01 %
Department: 220 - COURT Total:								
Department: 240 - POLICE								
RptCategory: 40 - PERSONNEL SERVICES								
<u>100-240-432110</u>	296,076.00	296,076.00	142,904.52	12,686.00	50,744.00	193,648.52	102,427.48	65.41 %
<u>100-240-432130</u>	243,912.00	243,912.00	115,713.49	10,574.76	40,394.76	156,108.25	87,803.75	64.00 %
<u>100-240-432140</u>	335,616.00	335,616.00	178,659.63	14,611.50	55,595.07	234,254.70	101,361.30	69.80 %
<u>100-240-432160</u>	1,213,547.00	1,213,547.00	566,934.69	37,781.95	186,559.99	753,494.68	460,052.32	62.09 %
<u>100-240-432170</u>	574,524.00	574,524.00	277,280.75	16,540.47	81,188.75	358,469.50	216,054.50	62.39 %
<u>100-240-432182</u>	62,616.00	62,616.00	33,305.80	2,004.47	8,152.70	41,458.50	21,157.50	66.21 %
<u>100-240-432185</u>	119,256.00	119,256.00	59,028.00	4,919.00	19,676.00	78,704.00	40,552.00	66.00 %
<u>100-240-450100</u>	267,000.00	267,000.00	244,764.85	14,496.60	64,170.32	308,935.17	-41,935.17	115.71 %
<u>100-240-450200</u>	25,000.00	25,000.00	15,769.89	913.49	6,898.64	22,668.53	2,331.47	90.67 %
<u>100-240-450300</u>	123,530.00	123,530.00	57,225.94	3,140.95	16,160.37	73,386.31	50,143.69	59.41 %
<u>100-240-450500</u>	5,656.00	5,656.00	3,947.42	573.03	2,176.44	6,123.86	-467.86	108.27 %
<u>100-240-470000</u>	1,927,794.00	1,927,794.00	896,652.75	61,042.88	269,289.64	1,165,942.39	761,851.61	60.48 %
	5,194,527.00	5,194,527.00	2,592,187.73	179,285.10	801,006.68	3,393,194.41	1,801,332.59	65.32 %
RptCategory: 40 - PERSONNEL SERVICES Total:								

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
RptCategory: 50 - MATERIAL AND SERVICES								
<u>100-240-500110</u>	145,000.00	145,000.00	37,254.20	162.67	24,242.25	61,496.45	83,503.55	42.41 %
<u>100-240-500284</u>	14,600.00	14,600.00	5,691.50	0.00	7,010.00	12,701.50	1,898.50	87.00 %
<u>100-240-500498</u>	145,000.00	145,000.00	12,064.08	12,592.50	42,889.00	54,953.08	90,046.92	37.90 %
<u>100-240-510044</u>	9,500.00	9,500.00	0.00	0.00	0.00	0.00	9,500.00	0.00 %
<u>100-240-520100</u>	87,328.00	87,328.00	17,363.66	1,503.82	6,725.30	24,088.96	63,239.04	27.58 %
<u>100-240-520112</u>	68,000.00	68,000.00	35,104.03	2,095.43	2,693.43	37,797.46	30,202.54	55.58 %
<u>100-240-520320</u>	158,000.00	158,000.00	93,479.27	4,683.48	28,474.67	121,953.94	36,046.06	77.19 %
<u>100-240-520340</u>	0.00	0.00	15.15	0.00	0.00	15.15	-15.15	0.00 %
<u>100-240-520345</u>	4,000.00	4,000.00	2,293.14	0.00	685.68	2,978.82	1,021.18	74.47 %
<u>100-240-520400</u>	36,400.00	36,400.00	14,463.17	1,251.50	3,877.87	18,341.04	18,058.96	50.39 %
<u>100-240-540110</u>	12,000.00	12,000.00	2,593.51	0.00	2,787.61	5,381.12	6,618.88	44.84 %
<u>100-240-540200</u>	18,550.00	18,550.00	1,040.35	205.00	994.00	2,034.35	16,515.65	10.97 %
<u>100-240-540220</u>	74,200.00	74,200.00	24,554.76	1,350.99	1,979.31	26,534.07	47,665.93	35.76 %
<u>100-240-540301</u>	39,600.00	39,600.00	14,473.44	2,505.36	6,756.50	21,229.94	18,370.06	53.61 %
<u>100-240-542000</u>	5,000.00	5,000.00	2,723.65	0.00	167.00	2,890.65	2,109.35	57.81 %
<u>100-240-560120</u>	20,200.00	20,200.00	9,811.99	816.85	3,280.09	13,092.08	7,107.92	64.81 %
	837,378.00	837,378.00	272,925.90	27,168.60	132,562.71	405,488.61	431,889.39	48.42 %
	RptCategory: 50 - MATERIAL AND SERVICES Total:							
RptCategory: 60 - CAPITAL OUTLAY								
<u>100-240-651000</u>	172,500.00	172,500.00	61,861.31	0.00	725.00	62,586.31	109,913.69	36.28 %
	172,500.00	172,500.00	61,861.31	0.00	725.00	62,586.31	109,913.69	36.28 %
	RptCategory: 60 - CAPITAL OUTLAY Total:							
	6,204,405.00	6,204,405.00	2,926,974.94	206,453.70	934,294.39	3,861,269.33	2,343,135.67	62.23 %
	Department: 240 - POLICE Total:							
Department: 250 - FIRE								
RptCategory: 40 - PERSONNEL SERVICES								
<u>100-250-432210</u>	268,716.00	268,716.00	121,988.54	0.00	0.00	121,988.54	146,727.46	45.40 %
<u>100-250-432220</u>	136,620.00	136,620.00	0.00	0.00	0.00	0.00	136,620.00	0.00 %
<u>100-250-432240</u>	569,088.00	569,088.00	219,683.39	0.00	0.00	219,683.39	349,404.61	38.60 %
<u>100-250-432290</u>	635,264.00	635,264.00	273,496.72	0.00	0.00	273,496.72	361,767.28	43.05 %
<u>100-250-450100</u>	64,070.00	64,070.00	147,682.03	0.00	0.00	147,682.03	-83,612.03	230.50 %
<u>100-250-470000</u>	935,446.00	935,446.00	342,697.29	0.00	0.00	342,697.29	592,748.71	36.63 %
<u>100-250-470040</u>	0.00	0.00	1,364.10	0.00	0.00	1,364.10	-1,364.10	0.00 %
	2,609,204.00	2,609,204.00	1,106,912.07	0.00	0.00	1,106,912.07	1,502,291.93	42.42 %
	RptCategory: 40 - PERSONNEL SERVICES Total:							
RptCategory: 50 - MATERIAL AND SERVICES								
<u>100-250-500110</u>	82,000.00	82,000.00	342,082.15	537,005.00	1,074,010.00	1,416,092.15	-1,334,092.15	1,726.94 %
<u>100-250-500150</u>	29,000.00	29,000.00	11,310.00	0.00	0.00	11,310.00	17,690.00	39.00 %
<u>100-250-500498</u>	192,500.00	192,500.00	86,648.42	0.00	0.00	86,648.42	105,851.58	45.01 %
<u>100-250-510022</u>	50,000.00	50,000.00	0.00	0.00	0.00	0.00	50,000.00	0.00 %
<u>100-250-520122</u>	5,000.00	5,000.00	270.00	0.00	0.00	270.00	4,730.00	5.40 %
<u>100-250-520124</u>	55,650.00	55,650.00	21,287.19	0.00	0.00	21,287.19	34,362.81	38.25 %
<u>100-250-520200</u>	86,300.00	86,300.00	44,844.88	1,050.00	15,250.00	60,094.88	26,205.12	69.63 %

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
100-250-520320	134,200.00	134,200.00	39,460.32	0.00	0.00	39,460.32	94,739.68	29.40 %
100-250-520400	0.00	0.00	104.37	0.00	0.00	104.37	-104.37	0.00 %
100-250-540130	26,000.00	26,000.00	3,684.45	0.00	0.00	3,684.45	22,315.55	14.17 %
100-250-540200	5,000.00	5,000.00	1,922.92	0.00	0.00	1,922.92	3,077.08	38.46 %
100-250-540224	15,000.00	15,000.00	1,536.50	0.00	0.00	1,536.50	13,463.50	10.24 %
100-250-540225	65,000.00	65,000.00	9,269.18	0.00	0.00	9,269.18	55,730.82	14.26 %
100-250-540301	25,000.00	25,000.00	3,782.49	0.00	0.00	3,782.49	21,217.51	15.13 %
100-250-560110	36,000.00	36,000.00	19,680.00	0.00	0.00	19,680.00	16,320.00	54.67 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	806,650.00	806,650.00	585,882.87	538,055.00	1,089,260.00	1,675,142.87	-868,492.87	207.67 %
RptCategory: 60 - CAPITAL OUTLAY								
100-250-641000	350,000.00	350,000.00	19,788.93	104,988.99	183,566.62	203,355.55	146,644.45	58.10 %
100-250-661018	0.00	0.00	29,117.14	0.00	0.00	29,117.14	-29,117.14	0.00 %
RptCategory: 60 - CAPITAL OUTLAY Total:	350,000.00	350,000.00	48,906.07	104,988.99	183,566.62	232,472.69	117,527.31	66.42 %
Department: 250 - FIRE Total:								
	3,765,854.00	3,765,854.00	1,741,701.01	643,043.99	1,272,826.62	3,014,527.63	751,326.37	80.05 %
Department: 526 - PARKS								
RptCategory: 40 - PERSONNEL SERVICES								
100-526-437049	46,111.00	46,111.00	22,960.78	2,087.40	8,349.60	31,310.38	14,800.62	67.90 %
100-526-437050	81,292.00	81,292.00	37,297.60	3,274.16	13,096.64	50,394.24	30,897.76	61.99 %
100-526-437051	19,919.00	19,919.00	0.00	0.00	0.00	0.00	19,919.00	0.00 %
100-526-437055	20,695.00	20,695.00	11,725.60	1,608.10	6,439.14	18,164.74	2,530.26	87.77 %
100-526-437070	144,436.00	144,436.00	27,794.92	2,512.90	9,556.54	37,351.46	107,084.54	25.86 %
100-526-437071	86,171.00	86,171.00	59,544.00	4,392.00	17,611.35	77,155.35	9,015.65	89.54 %
100-526-439011	100,000.00	100,000.00	23,423.05	3,980.31	20,148.79	43,571.84	56,428.16	43.57 %
100-526-450100	11,000.00	11,000.00	1,165.19	0.00	124.77	1,289.96	9,710.04	11.73 %
100-526-470000	285,143.00	285,143.00	84,035.55	7,726.39	31,081.21	115,116.76	170,026.24	40.37 %
RptCategory: 40 - PERSONNEL SERVICES Total:	794,767.00	794,767.00	267,946.69	25,581.26	106,408.04	374,354.73	420,412.27	47.10 %
RptCategory: 50 - MATERIAL AND SERVICES								
100-526-500110	20,400.00	20,400.00	34,149.93	1,619.36	8,278.74	42,428.67	-22,028.67	207.98 %
100-526-520120	0.00	0.00	4,998.08	275.94	2,232.44	7,230.52	-7,230.52	0.00 %
100-526-520130	145,000.00	145,000.00	82,771.60	3,931.03	16,338.76	99,110.36	45,889.64	68.35 %
100-526-520132	70,000.00	70,000.00	1,300.00	0.00	0.00	1,300.00	68,700.00	1.86 %
100-526-520220	0.00	0.00	225.06	0.00	0.00	225.06	-225.06	0.00 %
100-526-520320	45,000.00	45,000.00	17,524.34	1,225.15	9,663.20	27,182.46	17,812.46	60.42 %
100-526-520400	5,000.00	5,000.00	2,132.09	569.38	817.41	2,949.50	2,050.50	58.99 %
100-526-540220	3,500.00	3,500.00	419.15	0.00	0.00	419.15	3,080.85	11.98 %
100-526-540300	20,000.00	20,000.00	3,974.32	130.32	1,323.26	5,297.58	14,702.42	26.49 %
100-526-540400	3,000.00	3,000.00	0.00	0.00	0.00	0.00	3,000.00	0.00 %
100-526-560100	70,000.00	70,000.00	38,418.98	3,337.49	19,659.20	58,078.18	11,921.82	82.97 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	381,900.00	381,900.00	185,913.55	11,088.67	58,313.01	244,226.56	137,673.44	63.95 %

Budget Report

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	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
RptCategory: 60 - CAPITAL OUTLAY								
100-526-660100	87,344.00	87,344.00	0.00	0.00	0.00	0.00	87,344.00	0.00 %
100-526-676050	758,853.00	758,853.00	55,150.00	8,595.00	21,955.00	77,105.00	681,748.00	10.16 %
	846,197.00	846,197.00	55,150.00	8,595.00	21,955.00	77,105.00	769,092.00	9.11 %
	Department: 526 - PARKS Total: 2,022,864.00 509,010.24 45,264.93 186,676.05 695,686.29 1,327,177.71 34.39 %							
Department: 527 - RECREATION								
RptCategory: 40 - PERSONNEL SERVICES								
100-527-435110	32,000.00	32,000.00	0.00	0.00	0.00	0.00	32,000.00	0.00 %
100-527-435120	28,000.00	28,000.00	229.32	0.00	3,570.55	3,799.87	24,200.13	13.57 %
100-527-470000	6,000.00	6,000.00	415.44	0.00	1,296.42	1,711.86	4,288.14	28.53 %
	66,000.00	66,000.00	644.76	0.00	4,866.97	5,511.73	60,488.27	8.35 %
	Department: 527 - RECREATION Total: 3,000.00 980.91 702.47 1,683.38 1,316.62 56.11 %							
RptCategory: 50 - MATERIAL AND SERVICES								
100-527-510062	5,000.00	5,000.00	1,616.99	0.00	0.00	1,616.99	3,383.01	32.34 %
100-527-520136	2,200.00	2,200.00	0.00	0.00	14.58	14.58	2,185.42	0.66 %
	10,200.00	10,200.00	2,597.90	0.00	717.05	3,314.95	6,885.05	32.50 %
	Department: 527 - RECREATION Total: 76,200.00 3,242.66 8,236.68 67,373.32 11.58 %							
Department: 528 - SENIOR CENTER								
RptCategory: 40 - PERSONNEL SERVICES								
100-528-435210	209,121.00	209,121.00	65,643.89	8,022.00	31,386.00	97,029.89	112,091.11	46.40 %
100-528-435240	61,903.00	61,903.00	30,527.48	2,320.89	9,477.10	40,004.58	21,898.42	64.62 %
100-528-435250	49,406.00	49,406.00	38,659.83	4,185.00	18,294.99	56,954.82	-7,548.82	115.28 %
100-528-435280	113,713.00	113,713.00	58,659.39	5,541.00	23,744.47	82,403.86	31,309.14	72.47 %
100-528-435295	10,000.00	10,000.00	371.00	0.00	252.75	623.75	9,376.25	6.24 %
100-528-450500	1,857.00	1,857.00	516.25	55.41	237.44	753.69	1,103.31	40.59 %
100-528-470000	199,770.00	199,770.00	84,767.75	9,963.06	41,937.82	126,705.57	73,064.43	63.43 %
	645,770.00	645,770.00	279,145.59	30,087.36	125,330.57	404,476.16	241,293.84	62.63 %
	Department: 528 - SENIOR CENTER Total: 200.00 200.00 0.00 200.00 0.00 %							
RptCategory: 50 - MATERIAL AND SERVICES								
100-528-500110	0.00	0.00	584.32	0.00	0.00	584.32	-584.32	0.00 %
100-528-510075	40,000.00	40,000.00	5,763.02	1,445.17	5,032.24	10,795.26	29,204.74	26.99 %
100-528-520140	14,500.00	14,500.00	4,518.59	508.98	2,096.50	6,615.09	7,884.91	45.62 %
100-528-520190	8,250.00	8,250.00	3,986.87	0.00	1,680.47	5,667.34	2,582.66	68.70 %
100-528-520200	9,360.00	9,360.00	2,471.25	0.00	134.31	2,605.56	6,754.44	27.84 %
100-528-520320	2,750.00	2,750.00	823.73	286.41	420.32	1,244.05	1,505.95	45.24 %
100-528-520400	13,000.00	13,000.00	3,296.84	573.82	1,414.63	4,711.47	8,288.53	36.24 %
100-528-540200	3,200.00	3,200.00	219.00	0.00	0.00	219.00	2,981.00	6.84 %
100-528-540220	0.00	0.00	20.34	0.00	0.00	20.34	-20.34	0.00 %
100-528-540230	200.00	200.00	0.00	0.00	0.00	0.00	200.00	0.00 %

Budget Report

For Fiscal: 2022-2023 Period Ending: 10/31/2022

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
<u>100-528-560120</u> TELEPHONES	7,000.00	7,000.00	1,540.81	127.95	513.78	2,054.59	4,945.41	29.35 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	98,260.00	98,260.00	23,224.77	2,942.33	11,292.25	34,517.02	63,742.98	35.13 %
Department: 528 - SENIOR CENTER Total:	744,030.00	744,030.00	302,370.36	33,029.69	136,622.82	438,993.18	305,036.82	59.00 %
Department: 529 - LIBRARY								
RptCategory: 50 - MATERIAL AND SERVICES								
CONTRACTUAL & PROFESSIONAL SERVICES	418,180.00	418,180.00	206,338.00	0.00	0.00	206,338.00	211,842.00	49.34 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	418,180.00	418,180.00	206,338.00	0.00	0.00	206,338.00	211,842.00	49.34 %
Department: 529 - LIBRARY Total:	418,180.00	418,180.00	206,338.00	0.00	0.00	206,338.00	211,842.00	49.34 %
Department: 600 - DEBT SERVICE								
RptCategory: 70 - DEBT SERVICE								
<u>100-600-720040</u> DEBT PRINCIPAL	604,398.00	604,398.00	207,889.00	0.00	172,598.00	380,487.00	223,911.00	62.95 %
<u>100-600-730040</u> DEBT SERVICE - INTEREST	290,732.00	290,732.00	91,943.68	0.00	37,680.45	129,624.13	161,107.87	44.59 %
<u>100-600-740040</u> OFU - ISSUANCE COSTS	51,000.00	51,000.00	50,076.83	0.00	0.00	50,076.83	923.17	98.19 %
RptCategory: 70 - DEBT SERVICE Total:	946,130.00	946,130.00	349,909.51	0.00	210,278.45	560,187.96	385,942.04	59.21 %
Department: 600 - DEBT SERVICE Total:	946,130.00	946,130.00	349,909.51	0.00	210,278.45	560,187.96	385,942.04	59.21 %
Department: 990 - CONTINGENCY								
RptCategory: 90 - OTHER								
<u>100-990-910000</u> CONTINGENCY FUNDS	745,997.00	745,997.00	0.00	0.00	0.00	0.00	745,997.00	0.00 %
RptCategory: 90 - OTHER Total:	745,997.00	745,997.00	0.00	0.00	0.00	0.00	745,997.00	0.00 %
Department: 990 - CONTINGENCY Total:	745,997.00	745,997.00	0.00	0.00	0.00	0.00	745,997.00	0.00 %
Fund: 100 - GENERAL FUND Surplus (Deficit):	25,938,643.00	25,938,643.00	8,551,555.78	1,119,303.99	3,651,031.82	12,202,587.60	13,736,055.40	47.04 %
Expense Total:	0.00	0.00	4,369,184.25	-901,856.74	-2,846,482.21	1,522,702.04	1,522,702.04	0.00 %
Fund: 105 - AMERICAN RESCUE PLAN RESERVE FUND								
Revenue								
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL								
RptType: 3150 - GRANTS								
<u>105-000-315080</u> OTHER GRANTS (ARPA)	0.00	2,737,344.00	30,000.00	0.00	130,995.81	160,995.81	-2,576,348.19	5.88 %
RptType: 3150 - GRANTS Total:	0.00	2,737,344.00	30,000.00	0.00	130,995.81	160,995.81	-2,576,348.19	5.88 %
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	0.00	2,737,344.00	30,000.00	0.00	130,995.81	160,995.81	-2,576,348.19	5.88 %
Revenue Total:	0.00	2,737,344.00	30,000.00	0.00	130,995.81	160,995.81	-2,576,348.19	5.88 %
Expense								
Department: 150 - ARPA GRANT								
RptCategory: 40 - PERSONNEL SERVICES								
<u>105-150-450900</u> RECOGNITION AWARD	0.00	0.00	0.00	2,500.00	105,000.00	105,000.00	-105,000.00	0.00 %
<u>105-150-470000</u> ASSOCIATED PAYROLL COSTS	0.00	0.00	0.00	932.09	29,427.90	29,427.90	-29,427.90	0.00 %
RptCategory: 40 - PERSONNEL SERVICES Total:	0.00	0.00	0.00	3,432.09	134,427.90	134,427.90	-134,427.90	0.00 %

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
RptCategory: 50 - MATERIAL AND SERVICES								
105-150-500110	0.00	200,000.00	30,000.00	26,037.82	40,867.82	70,867.82	129,132.18	35.43 %
105-150-530200	0.00	50,000.00	0.00	2,218.00	2,218.00	2,218.00	47,782.00	4.44 %
105-150-530210	0.00	1,277,344.00	0.00	0.00	0.00	0.00	1,277,344.00	0.00 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	0.00	1,527,344.00	30,000.00	28,255.82	43,085.82	73,085.82	1,454,258.18	4.79 %
Department: 150 - ARPA GRANT Total:								
	0.00	1,527,344.00	30,000.00	31,687.91	177,513.72	207,513.72	1,319,830.28	13.59 %
Department: 920 - TRANSFER OUT								
RptCategory: 89 - TRANSFERS OUT								
105-920-899730	0.00	1,210,000.00	0.00	0.00	0.00	0.00	1,210,000.00	0.00 %
RptCategory: 89 - TRANSFERS OUT Total:	0.00	1,210,000.00	0.00	0.00	0.00	0.00	1,210,000.00	0.00 %
Department: 920 - TRANSFER OUT Total:								
	0.00	1,210,000.00	0.00	0.00	0.00	0.00	1,210,000.00	0.00 %
Expense Total:								
	0.00	2,737,344.00	30,000.00	31,687.91	177,513.72	207,513.72	2,529,830.28	7.58 %
Fund: 105 - AMERICAN RESCUE PLAN RESERVE FUND Surplus (Deficit):								
	0.00	0.00	0.00	-31,687.91	-46,517.91	-46,517.91	-46,517.91	0.00 %
Fund: 205 - ROAD AND STREET FUND								
Revenue								
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL								
RptType: 3000 - BEG FUND BAL.								
205-000-309999	2,900,000.00	2,900,000.00	0.00	0.00	0.00	0.00	-2,900,000.00	0.00 %
RptType: 3000 - BEG FUND BAL Total:	2,900,000.00	2,900,000.00	0.00	0.00	0.00	0.00	-2,900,000.00	0.00 %
RptType: 3100 - LOCAL TAXES								
205-000-310060	370,000.00	370,000.00	250,270.30	39,477.95	59,126.25	309,396.55	-60,603.45	83.62 %
RptType: 3100 - LOCAL TAXES Total:	370,000.00	370,000.00	250,270.30	39,477.95	59,126.25	309,396.55	-60,603.45	83.62 %
RptType: 3110 - STATE SHARED TAXES								
205-000-310140	1,817,551.00	1,817,551.00	1,040,013.74	90,556.96	233,333.40	1,273,347.14	-544,203.86	70.06 %
RptType: 3110 - STATE SHARED TAXES Total:	1,817,551.00	1,817,551.00	1,040,013.74	90,556.96	233,333.40	1,273,347.14	-544,203.86	70.06 %
RptType: 3120 - RIGHT OF WAY FEES								
205-000-312050	375,000.00	375,000.00	115,420.19	6,471.28	6,565.40	121,985.59	-253,014.41	32.53 %
205-000-312055	200,000.00	200,000.00	104,089.96	76.50	6,094.31	110,184.27	-89,815.73	55.09 %
205-000-312060	1,500.00	1,500.00	285.00	0.00	0.00	285.00	-1,215.00	19.00 %
RptType: 3120 - RIGHT OF WAY FEES Total:	576,500.00	576,500.00	219,795.15	6,547.78	12,659.71	232,454.86	-344,045.14	40.32 %
RptType: 3141 - SDC								
205-000-314075	20,000.00	20,000.00	0.00	0.00	1,459.99	1,459.99	-18,540.01	7.30 %
205-000-314076	0.00	0.00	0.00	0.00	178.52	178.52	178.52	0.00 %
RptType: 3141 - SDC Total:	20,000.00	20,000.00	0.00	0.00	1,638.51	1,638.51	-18,361.49	8.19 %

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	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
RptType: 3600 - MISCELLANEOUS								
ALL OTHER ROAD/STREET RECEIPTS	60,000.00	60,000.00	25,220.00	7,050.00	13,160.00	38,380.00	-21,620.00	63.97 %
RptType: 3600 - MISCELLANEOUS Total:	60,000.00	60,000.00	25,220.00	7,050.00	13,160.00	38,380.00	-21,620.00	63.97 %
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	5,744,051.00	5,744,051.00	1,535,299.19	143,632.69	319,917.87	1,855,217.06	-3,888,833.94	32.30 %
Department: 910 - TRANSFER IN								
RptType: 3990 - TRANSFERS IN								
TRANSFER IN FROM SEWER FUND	430,925.00	430,925.00	192,866.00	0.00	0.00	192,866.00	-238,059.00	44.76 %
TRANSFER IN FROM WATER FUND	282,000.00	282,000.00	129,408.00	0.00	0.00	129,408.00	-152,592.00	45.89 %
TRANSFER IN FROM STORM WATER	104,100.00	104,100.00	46,248.00	0.00	0.00	46,248.00	-57,852.00	44.43 %
RptType: 3990 - TRANSFERS IN Total:	817,025.00	817,025.00	368,522.00	0.00	0.00	368,522.00	-448,503.00	45.11 %
Department: 910 - TRANSFER IN Total:	817,025.00	817,025.00	368,522.00	0.00	0.00	368,522.00	-448,503.00	45.11 %
Revenue Total:	6,561,076.00	6,561,076.00	1,903,821.19	143,632.69	319,917.87	2,223,739.06	-4,337,336.94	33.89 %
Expense								
Department: 305 - ROAD AND STREET								
RptCategory: 40 - PERSONNEL SERVICES								
PUBLIC WORKS DIRECTOR	46,112.00	46,112.00	22,960.78	2,087.40	8,349.60	31,310.38	14,801.62	67.90 %
PUBLIC WORKS SUPERVISOR	81,292.00	81,292.00	37,297.59	3,274.17	13,096.68	50,394.27	30,897.73	61.99 %
PW UTILITIES MANAGER	44,817.00	44,817.00	0.00	0.00	0.00	0.00	44,817.00	0.00 %
PW ADMIN ASSISTANT	46,564.00	46,564.00	22,819.96	2,421.48	9,717.42	32,537.38	14,026.62	69.88 %
UTILITY WORKER, JOURNEY	378,527.00	378,527.00	143,267.52	11,135.00	45,118.63	188,386.15	190,140.85	49.77 %
SEASONAL HELP	50,000.00	50,000.00	19,707.28	0.00	0.00	19,707.28	30,292.72	39.41 %
OVERTIME	8,000.00	8,000.00	3,217.95	0.00	430.00	3,647.95	4,352.05	45.60 %
CAREER RECOGNITION PAY	0.00	0.00	3,633.73	456.23	1,849.22	5,482.95	-5,482.95	0.00 %
ASSOCIATED PAYROLL COSTS	374,085.00	374,085.00	165,852.61	13,463.45	54,075.25	219,927.86	154,157.14	58.79 %
RptCategory: 40 - PERSONNEL SERVICES Total:	1,029,397.00	1,029,397.00	418,757.42	32,837.73	132,636.80	551,394.22	478,002.78	53.56 %
RptCategory: 50 - MATERIAL AND SERVICES								
CONTRACTUAL & PROFESSIONAL SERVICES	46,000.00	46,000.00	8,084.32	63.36	2,592.17	10,676.49	35,323.51	23.21 %
OPERATIONS, MAINTENANCE & REPAIRS	600,000.00	600,000.00	253,365.19	18,407.38	147,429.31	400,794.50	199,205.50	66.80 %
STREET LIGHT MAINTENANCE	200,000.00	200,000.00	79,349.76	7,041.24	28,529.93	107,879.69	92,120.31	53.94 %
TRAFFIC SIGNAL MAINTENANCE	16,000.00	16,000.00	5,999.63	1,214.71	1,958.32	7,957.95	8,042.05	49.74 %
STREET SIGN MAINTENANCE	100,000.00	100,000.00	30,250.70	22,241.80	23,041.15	53,291.85	46,708.15	53.29 %
FLEET FUEL, MAINTENANCE & REPAIR	65,000.00	65,000.00	16,649.72	521.04	5,926.91	22,576.63	42,423.37	34.73 %
OFFICE SUPPLIES & EQUIPMENT	5,000.00	5,000.00	1,214.38	111.11	359.14	1,573.52	3,426.48	31.47 %
TRAVEL, CONFERENCES & TRAINING	5,000.00	5,000.00	0.00	0.00	0.00	0.00	5,000.00	0.00 %
SMALL TOOLS, EQUIPMENT & SAFETY SUPPL...	40,000.00	40,000.00	2,617.61	87.14	1,447.03	4,064.64	35,935.36	10.16 %
DUMPING, HAULING, GARBAGE	5,000.00	5,000.00	4,972.00	0.00	674.93	5,646.93	-646.93	112.94 %
UTILITIES	2,500.00	2,500.00	644.56	54.10	217.24	861.80	1,638.20	34.47 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	1,084,500.00	1,084,500.00	403,147.87	49,741.88	212,176.13	615,324.00	469,176.00	56.74 %

Budget Report

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
RptCategory: 60 - CAPITAL OUTLAY								
205-305-660100	622,000.00	622,000.00	85,725.60	0.00	0.00	85,725.60	536,274.40	13.78 %
205-305-675056	90,175.00	90,175.00	0.00	0.00	0.00	0.00	90,175.00	0.00 %
205-305-676050	1,490,964.00	1,490,964.00	128,063.60	0.00	866,210.89	994,274.49	496,689.51	66.69 %
205-305-678090	550,570.00	550,570.00	0.00	0.00	0.00	0.00	550,570.00	0.00 %
RptCategory: 60 - CAPITAL OUTLAY Total:	2,753,709.00	2,753,709.00	213,789.20	0.00	866,210.89	1,080,000.09	1,673,708.91	39.22 %
Department: 305 - ROAD AND STREET								
Department: 305 - ROAD AND STREET Total:	4,867,606.00	4,867,606.00	1,035,694.49	82,579.61	1,211,023.82	2,246,718.31	2,620,887.69	46.16 %
Department: 920 - TRANSFER OUT								
RptCategory: 89 - TRANSFERS OUT								
205-920-899100	458,255.00	458,255.00	176,444.00	0.00	0.00	176,444.00	281,811.00	38.50 %
205-920-899730	278,405.00	278,405.00	117,663.00	0.00	0.00	117,663.00	160,742.00	42.26 %
205-920-899740	278,405.00	278,405.00	117,663.00	0.00	0.00	117,663.00	160,742.00	42.26 %
205-920-899750	278,405.00	278,405.00	117,663.00	0.00	0.00	117,663.00	160,742.00	42.26 %
RptCategory: 89 - TRANSFERS OUT Total:	1,293,470.00	1,293,470.00	529,433.00	0.00	0.00	529,433.00	764,037.00	40.93 %
Department: 920 - TRANSFER OUT Total:	1,293,470.00	1,293,470.00	529,433.00	0.00	0.00	529,433.00	764,037.00	40.93 %
Department: 990 - CONTINGENCY								
RptCategory: 90 - OTHER								
205-990-910000	400,000.00	400,000.00	0.00	0.00	0.00	0.00	400,000.00	0.00 %
RptCategory: 90 - OTHER Total:	400,000.00	400,000.00	0.00	0.00	0.00	0.00	400,000.00	0.00 %
Department: 990 - CONTINGENCY Total:	400,000.00	400,000.00	0.00	0.00	0.00	0.00	400,000.00	0.00 %
Expense Total:								
	6,561,076.00	6,561,076.00	1,565,127.49	82,579.61	1,211,023.82	2,776,151.31	3,784,924.69	42.31 %
Fund: 205 - ROAD AND STREET FUND Surplus (Deficit):								
	0.00	0.00	338,693.70	61,053.08	-891,105.95	-552,412.25	-552,412.25	0.00 %
Fund: 228 - POLICE LEVY FUND								
Revenue								
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL								
RptType: 3000 - BEG FUND BAL								
228-000-309999	140,000.00	140,000.00	0.00	0.00	0.00	0.00	-140,000.00	0.00 %
RptType: 3000 - BEG FUND BAL Total:	140,000.00	140,000.00	0.00	0.00	0.00	0.00	-140,000.00	0.00 %
RptType: 3100 - LOCAL TAXES								
228-000-310020	1,416,016.00	1,416,016.00	698,273.38	0.00	0.00	698,273.38	-717,742.62	49.31 %
228-000-310050	16,000.00	16,000.00	5,849.18	3,418.51	3,418.51	9,267.69	-6,732.31	57.92 %
RptType: 3100 - LOCAL TAXES Total:	1,432,016.00	1,432,016.00	704,122.56	3,418.51	3,418.51	707,541.07	-724,474.93	49.41 %
RptType: 3301 - INTEREST								
228-000-330100	2,000.00	2,000.00	1,740.79	-280.72	-681.39	1,059.40	-940.60	52.97 %
RptType: 3301 - INTEREST Total:	2,000.00	2,000.00	1,740.79	-280.72	-681.39	1,059.40	-940.60	52.97 %
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	1,574,016.00	1,574,016.00	705,863.35	3,137.79	2,737.12	708,600.47	-865,415.53	45.02 %
Revenue Total:	1,574,016.00	1,574,016.00	705,863.35	3,137.79	2,737.12	708,600.47	-865,415.53	45.02 %

Budget Report

Expense	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance	
							Favorable	Percent Used
Department: 245 - POLICE LEVY								
RptCategory: 40 - PERSONNEL SERVICES								
228-245-432160 POLICE OFFICER	167,808.00	167,808.00	95,466.49	7,743.33	32,934.41	128,400.90	39,407.10	76.52 %
228-245-432165 SCHOOL RESOURCE OFFICER	167,808.00	167,808.00	90,896.38	7,532.17	22,604.43	113,500.81	54,307.19	67.64 %
228-245-432180 MUNICIPAL ORDINANCE SPECIALIST	138,070.00	138,070.00	68,340.00	5,695.00	22,780.00	91,120.00	46,950.00	66.00 %
228-245-432195 EXECUTIVE ASSISTANT	148,644.00	148,644.00	71,979.60	6,407.00	25,637.24	97,616.84	51,027.16	65.67 %
228-245-450100 OVERTIME	40,000.00	40,000.00	14,755.93	1,840.88	8,037.23	22,793.16	17,206.84	56.98 %
228-245-450200 HOLIDAY PAY	8,000.00	8,000.00	958.45	319.48	638.96	1,597.41	6,402.59	19.97 %
228-245-450300 PROFICIENCY PAY	52,860.00	52,860.00	20,507.98	1,823.31	6,350.48	26,858.46	26,001.54	50.81 %
228-245-450500 CAREER RECOGNITION PAY	3,428.00	3,428.00	2,752.58	142.38	676.56	3,429.14	-1.14	100.03 %
228-245-470000 ASSOCIATED PAYROLL COSTS	471,308.00	471,308.00	261,569.55	21,415.79	81,500.56	343,070.11	128,237.89	72.79 %
RptCategory: 40 - PERSONNEL SERVICES Total:	1,197,926.00	1,197,926.00	627,226.96	52,919.34	201,159.87	828,386.83	369,539.17	69.15 %
RptCategory: 50 - MATERIAL AND SERVICES								
228-245-500498 SHARE COST COM DISPATCH	152,250.00	152,250.00	132,704.92	0.00	7,481.00	140,185.92	12,064.08	92.08 %
228-245-510032 SRO EXPENSES	4,000.00	4,000.00	1,560.62	133.96	730.76	2,291.38	1,708.62	57.28 %
228-245-510040 K-9 EXPENSES	14,000.00	14,000.00	3,568.70	0.00	776.20	4,344.90	9,655.10	31.04 %
228-245-510041 SWAT PROGRAM	8,200.00	8,200.00	0.00	3,959.96	3,959.96	3,959.96	4,240.04	48.29 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	178,450.00	178,450.00	137,834.24	4,093.92	12,947.92	150,782.16	27,667.84	84.50 %
Department: 245 - POLICE LEVY Total:								
	1,376,376.00	1,376,376.00	765,061.20	57,013.26	214,107.79	979,168.99	397,207.01	71.14 %
Department: 920 - TRANSFER OUT								
RptCategory: 89 - TRANSFERS OUT								
228-920-899100 TRANSFER OUT TO GENERAL FUND	133,842.00	133,842.00	53,052.00	0.00	0.00	53,052.00	80,790.00	39.64 %
RptCategory: 89 - TRANSFERS OUT Total:	133,842.00	133,842.00	53,052.00	0.00	0.00	53,052.00	80,790.00	39.64 %
Department: 920 - TRANSFER OUT Total:								
	133,842.00	133,842.00	53,052.00	0.00	0.00	53,052.00	80,790.00	39.64 %
Department: 990 - CONTINGENCY								
RptCategory: 90 - OTHER								
228-990-910000 CONTINGENCY FUNDS	63,798.00	63,798.00	0.00	0.00	0.00	0.00	63,798.00	0.00 %
RptCategory: 90 - OTHER Total:	63,798.00	63,798.00	0.00	0.00	0.00	0.00	63,798.00	0.00 %
Department: 990 - CONTINGENCY Total:								
	63,798.00	63,798.00	0.00	0.00	0.00	0.00	63,798.00	0.00 %
Expense Total:	1,574,016.00	1,574,016.00	818,113.20	57,013.26	214,107.79	1,032,220.99	541,795.01	65.58 %
Fund: 228 - POLICE LEVY FUND Surplus (Deficit):	0.00	0.00	-112,249.85	-53,875.47	-211,370.67	-323,620.52	-323,620.52	0.00 %
Fund: 229 - FIRE LEVY FUND								
Revenue								
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL								
RptType: 3000 - BEG FUND BAL.								
229-000-309999 BEGINNING FUND BALANCE	255,000.00	255,000.00	0.00	0.00	0.00	0.00	-255,000.00	0.00 %
RptType: 3000 - BEG FUND BAL. Total:	255,000.00	255,000.00	0.00	0.00	0.00	0.00	-255,000.00	0.00 %

Budget Report

For Fiscal: 2022-2023 Period Ending: 10/31/2022

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
RptType: 3100 - LOCAL TAXES								
229-000-310020	645,536.00	645,536.00	318,059.71	0.00	0.00	318,059.71	-327,476.29	49.27 %
229-000-310050	8,000.00	8,000.00	2,664.27	1,557.11	1,557.11	4,221.38	-3,778.62	52.77 %
RptType: 3100 - LOCAL TAXES Total:	653,536.00	653,536.00	320,723.98	1,557.11	1,557.11	322,281.09	-331,254.91	49.31 %
RptType: 3301 - INTEREST								
229-000-330100	5,000.00	5,000.00	2,419.02	752.91	2,292.68	4,711.70	-288.30	94.23 %
RptType: 3301 - INTEREST Total:	5,000.00	5,000.00	2,419.02	752.91	2,292.68	4,711.70	-288.30	94.23 %
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:								
	913,536.00	913,536.00	323,143.00	2,310.02	3,849.79	326,992.79	-586,543.21	35.79 %
Revenue Total:								
	913,536.00	913,536.00	323,143.00	2,310.02	3,849.79	326,992.79	-586,543.21	35.79 %
Expense								
Department: 255 - FIRE LEVY								
RptCategory: 40 - PERSONNEL SERVICES								
229-255-432230	208,666.00	208,666.00	78,981.62	0.00	0.00	78,981.62	129,684.38	37.85 %
229-255-439010	49,508.00	49,508.00	0.00	0.00	0.00	0.00	49,508.00	0.00 %
229-255-470000	155,388.00	155,388.00	63,558.29	0.00	0.00	63,558.29	91,829.71	40.90 %
RptCategory: 40 - PERSONNEL SERVICES Total:	413,562.00	413,562.00	142,539.91	0.00	0.00	142,539.91	271,022.09	34.47 %
RptCategory: 50 - MATERIAL AND SERVICES								
229-255-500110	20,000.00	20,000.00	0.00	0.00	0.00	0.00	20,000.00	0.00 %
229-255-520126	20,000.00	20,000.00	4,428.65	0.00	0.00	4,428.65	15,571.35	22.14 %
229-255-520365	20,000.00	20,000.00	5,262.10	0.00	0.00	5,262.10	14,737.90	26.31 %
229-255-520400	6,000.00	6,000.00	5,082.87	0.00	0.00	5,082.87	917.13	84.71 %
229-255-560110	6,000.00	6,000.00	0.00	0.00	0.00	0.00	6,000.00	0.00 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	72,000.00	72,000.00	14,773.62	0.00	0.00	14,773.62	57,226.38	20.52 %
RptCategory: 60 - CAPITAL OUTLAY								
229-255-660116	100,000.00	100,000.00	0.00	0.00	0.00	0.00	100,000.00	0.00 %
229-255-660120	102,000.00	102,000.00	5,377.30	0.00	0.00	5,377.30	96,622.70	5.27 %
229-255-661012	105,000.00	105,000.00	0.00	0.00	0.00	0.00	105,000.00	0.00 %
RptCategory: 60 - CAPITAL OUTLAY Total:	307,000.00	307,000.00	5,377.30	0.00	0.00	5,377.30	301,622.70	1.75 %
Department: 255 - FIRE LEVY Total:								
	792,562.00	792,562.00	162,690.83	0.00	0.00	162,690.83	629,871.17	20.53 %
Department: 920 - TRANSFER OUT								
RptCategory: 89 - TRANSFERS OUT								
229-920-899100	71,611.00	71,611.00	25,843.00	0.00	0.00	25,843.00	45,768.00	36.09 %
RptCategory: 89 - TRANSFERS OUT Total:	71,611.00	71,611.00	25,843.00	0.00	0.00	25,843.00	45,768.00	36.09 %
Department: 920 - TRANSFER OUT Total:								
	71,611.00	71,611.00	25,843.00	0.00	0.00	25,843.00	45,768.00	36.09 %

Budget Report

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
Department: 990 - CONTINGENCY								
RptCategory: 90 - OTHER								
CONTINGENCY FUNDS	49,363.00	49,363.00	0.00	0.00	0.00	0.00	49,363.00	0.00 %
RptCategory: 90 - OTHER Total:	49,363.00	49,363.00	0.00	0.00	0.00	0.00	49,363.00	0.00 %
Department: 990 - CONTINGENCY Total:	49,363.00	49,363.00	0.00	0.00	0.00	0.00	49,363.00	0.00 %
Expense Total:	913,536.00	913,536.00	188,533.83	0.00	0.00	188,533.83	725,002.17	20.64 %
Fund: 229 - FIRE LEVY FUND Surplus (Deficit):	0.00	0.00	134,609.17	2,310.02	3,849.79	138,458.96	138,458.96	0.00 %
Fund: 390 - URBAN RENEWAL FUND								
Revenue								
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL								
RptType: 3000 - BEG FUND BAL.								
BEGINNING FUND BALANCE	2,240,000.00	2,240,000.00	0.00	0.00	0.00	0.00	-2,240,000.00	0.00 %
RptType: 3000 - BEG FUND BAL. Total:	2,240,000.00	2,240,000.00	0.00	0.00	0.00	0.00	-2,240,000.00	0.00 %
RptType: 3100 - LOCAL TAXES								
CURRENT YEAR TAXES	2,074,839.00	2,074,839.00	1,000,746.17	0.00	0.00	1,000,746.17	-1,074,092.83	48.23 %
PRIOR YEAR TAXES	30,000.00	30,000.00	9,300.59	4,984.21	4,984.21	14,284.80	-15,715.20	47.62 %
RptType: 3100 - LOCAL TAXES Total:	2,104,839.00	2,104,839.00	1,010,046.76	4,984.21	4,984.21	1,015,030.97	-1,089,808.03	48.22 %
RptType: 3150 - GRANTS								
OTHER GRANTS	26,000.00	26,000.00	0.00	0.00	0.00	0.00	-26,000.00	0.00 %
RptType: 3150 - GRANTS Total:	26,000.00	26,000.00	0.00	0.00	0.00	0.00	-26,000.00	0.00 %
RptType: 3301 - INTEREST								
INTEREST	0.00	0.00	16,089.98	3,792.66	12,729.68	28,819.66	28,819.66	0.00 %
RptType: 3301 - INTEREST Total:	0.00	0.00	16,089.98	3,792.66	12,729.68	28,819.66	28,819.66	0.00 %
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	4,370,839.00	4,370,839.00	1,026,136.74	8,776.87	17,713.89	1,043,850.63	-3,326,988.37	23.88 %
Revenue Total:	4,370,839.00	4,370,839.00	1,026,136.74	8,776.87	17,713.89	1,043,850.63	-3,326,988.37	23.88 %
Expense								
Department: 410 - URBAN RENEWAL								
RptCategory: 50 - MATERIAL AND SERVICES								
CONTRACTUAL & PROFESSIONAL SERVICES	154,000.00	154,000.00	1,832.63	0.00	0.00	1,832.63	152,167.37	1.19 %
MUNICIPAL AUDIT CONTRACT	15,000.00	15,000.00	7,650.00	0.00	0.00	7,650.00	7,350.00	51.00 %
FIRE & LIABILITY INSURANCE	30,000.00	30,000.00	0.00	0.00	30,000.00	30,000.00	0.00	100.00 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	199,000.00	199,000.00	9,482.63	0.00	30,000.00	39,482.63	159,517.37	19.84 %
RptCategory: 70 - DEBT SERVICE								
DEBT SERVICE PRINCIPAL	929,881.00	929,881.00	458,092.00	0.00	471,789.00	929,881.00	0.00	100.00 %
DEBT SERVICE - INTEREST	147,235.00	147,235.00	80,454.04	0.00	36,859.85	117,313.89	29,921.11	79.68 %
RptCategory: 70 - DEBT SERVICE Total:	1,077,116.00	1,077,116.00	538,546.04	0.00	508,648.85	1,047,194.89	29,921.11	97.22 %

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
RptCategory: 89 - TRANSFERS OUT								
390-410-899100 TRANSFER OUT TO GENERAL FUND	490,814.00	490,814.00	245,403.57	0.00	210,278.45	455,682.02	35,131.98	92.84 %
RptCategory: 89 - TRANSFERS OUT Total:	490,814.00	490,814.00	245,403.57	0.00	210,278.45	455,682.02	35,131.98	92.84 %
Department: 410 - URBAN RENEWAL Total:	1,766,930.00	1,766,930.00	793,432.24	0.00	748,927.30	1,542,359.54	224,570.46	87.29 %
Department: 990 - CONTINGENCY								
RptCategory: 90 - OTHER	2,603,909.00	2,603,909.00	0.00	0.00	0.00	0.00	2,603,909.00	0.00 %
CONTINGENCY FUNDS	2,603,909.00	2,603,909.00	0.00	0.00	0.00	0.00	2,603,909.00	0.00 %
RptCategory: 90 - OTHER Total:	2,603,909.00	2,603,909.00	0.00	0.00	0.00	0.00	2,603,909.00	0.00 %
Department: 990 - CONTINGENCY Total:	2,603,909.00	2,603,909.00	0.00	0.00	0.00	0.00	2,603,909.00	0.00 %
Expense Total:	4,370,839.00	4,370,839.00	793,432.24	0.00	748,927.30	1,542,359.54	2,828,479.46	35.29 %
Fund: 390 - URBAN RENEWAL FUND Surplus (Deficit):	0.00	0.00	232,704.50	8,776.87	-731,213.41	-498,508.91	-498,508.91	0.00 %
Fund: 730 - SEWER FUND								
Revenue								
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL								
RptType: 3000 - BEG FUND BAL	2,320,000.00	2,320,000.00	0.00	0.00	0.00	0.00	-2,320,000.00	0.00 %
RptType: 3000 - BEG FUND BAL Total:	2,320,000.00	2,320,000.00	0.00	0.00	0.00	0.00	-2,320,000.00	0.00 %
RptType: 3140 - CHARGES FOR SERVICES								
730-000-314050 OAK LODGE SANITARY	1,785,000.00	1,785,000.00	851,417.88	74,345.24	297,534.78	1,148,952.66	-636,047.34	64.37 %
730-000-314055 TRI-CITY SERVICE DISTRICT	6,050,000.00	6,050,000.00	3,005,894.90	266,551.17	1,068,020.33	4,073,915.23	-1,976,084.77	67.34 %
730-000-314080 CONNECTION FEES	10,000.00	10,000.00	0.00	0.00	0.00	0.00	-10,000.00	0.00 %
RptType: 3140 - CHARGES FOR SERVICES Total:	7,845,000.00	7,845,000.00	3,857,312.78	340,896.41	1,365,555.11	5,222,867.89	-2,622,132.11	66.58 %
RptType: 3141 - SDC								
730-000-314110 SEWER SDCS	20,000.00	20,000.00	5,849.28	6,235.20	10,963.67	16,812.95	-3,187.05	84.06 %
730-000-314111 SDC Reimbursement Fee	0.00	0.00	243.72	259.80	727.45	971.17	971.17	0.00 %
RptType: 3141 - SDC Total:	20,000.00	20,000.00	6,093.00	6,495.00	11,691.12	17,784.12	-2,215.88	88.92 %
RptType: 3600 - MISCELLANEOUS								
730-000-360000 ALL OTHER SEWER RECEIPTS	4,000.00	4,000.00	2,385.00	100.00	900.00	3,285.00	-715.00	82.13 %
RptType: 3600 - MISCELLANEOUS Total:	4,000.00	4,000.00	2,385.00	100.00	900.00	3,285.00	-715.00	82.13 %
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	10,189,000.00	10,189,000.00	3,865,790.78	347,491.41	1,378,146.23	5,243,937.01	-4,945,062.99	51.47 %
Department: 910 - TRANSFER IN								
RptType: 3990 - TRANSFERS IN								
730-910-399105 OPERATING TRANSFERS IN-ARPA RES, FUND	1,210,000.00	1,210,000.00	0.00	0.00	0.00	0.00	-1,210,000.00	0.00 %
730-910-399205 TRANSFER IN FROM ROAD & STREET FUND	278,405.00	278,405.00	117,663.00	0.00	0.00	117,663.00	-160,742.00	42.26 %
RptType: 3990 - TRANSFERS IN Total:	1,488,405.00	1,488,405.00	117,663.00	0.00	0.00	117,663.00	-1,370,742.00	7.91 %
Department: 910 - TRANSFER IN Total:	1,488,405.00	1,488,405.00	117,663.00	0.00	0.00	117,663.00	-1,370,742.00	7.91 %
Revenue Total:	11,677,405.00	11,677,405.00	3,983,453.78	347,491.41	1,378,146.23	5,361,600.01	-6,315,804.99	45.91 %

Budget Report

For Fiscal: 2022-2023 Period Ending: 10/31/2022

Expense	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance		Percent Used
							Favorable	(Unfavorable)	
Department: 703 - SEWER									
RptCategory: 40 - PERSONNEL SERVICES									
730-703-431500	30,606.00	30,606.00	14,500.35	1,196.75	5,081.32	19,581.67	11,024.33	63.98 %	
730-703-437049	46,111.00	46,111.00	22,960.78	2,087.40	8,349.60	31,310.38	14,800.62	67.90 %	
730-703-437050	70,147.00	70,147.00	35,677.70	3,051.51	12,014.48	47,692.18	22,454.82	67.99 %	
730-703-437051	44,817.00	44,817.00	0.00	0.00	0.00	0.00	44,817.00	0.00 %	
730-703-437055	46,564.00	46,564.00	22,819.96	2,421.48	9,717.42	32,537.38	14,026.62	69.88 %	
730-703-437070	129,372.00	129,372.00	72,784.22	6,561.45	25,334.25	98,118.47	31,253.53	75.84 %	
730-703-437071	117,444.00	117,444.00	51,660.65	8,085.05	28,997.66	80,658.31	36,785.69	68.68 %	
730-703-439011	40,000.00	40,000.00	15,160.21	0.00	0.00	15,160.21	24,839.79	37.90 %	
730-703-450100	10,000.00	10,000.00	2,088.02	311.38	663.90	2,751.92	7,248.08	27.52 %	
730-703-450500	0.00	0.00	2,441.51	327.00	1,244.42	3,685.93	-3,685.93	0.00 %	
730-703-470000	287,061.00	287,061.00	135,230.30	13,766.97	53,504.76	188,735.06	98,325.94	65.75 %	
RptCategory: 40 - PERSONNEL SERVICES Total:		822,122.00	375,323.70	37,808.99	144,907.81	520,231.51	301,890.49	63.28 %	
RptCategory: 50 - MATERIAL AND SERVICES									
730-703-500110	61,000.00	61,000.00	18,526.97	140.72	4,260.53	22,787.50	38,212.50	37.36 %	
730-703-500452	10,000.00	10,000.00	0.00	0.00	0.00	0.00	10,000.00	0.00 %	
730-703-500456	1,128,937.00	1,128,937.00	531,782.22	95,529.92	191,059.84	722,842.06	406,094.94	64.03 %	
730-703-500458	2,738,092.00	2,738,092.00	1,327,826.80	119,224.37	480,001.03	1,807,827.83	930,264.17	66.03 %	
730-703-520120	36,000.00	36,000.00	33,013.18	2,666.61	11,672.97	44,686.15	-8,686.15	124.13 %	
730-703-520130	115,000.00	115,000.00	23,054.57	364.15	2,646.88	25,701.45	89,298.55	22.35 %	
730-703-520320	55,000.00	55,000.00	24,925.73	1,432.92	10,441.36	35,367.09	19,632.91	64.30 %	
730-703-520400	8,000.00	8,000.00	1,983.93	234.16	574.60	2,558.53	5,441.47	31.98 %	
730-703-520430	16,000.00	16,000.00	8,042.14	650.48	2,608.12	10,650.26	5,349.74	66.56 %	
730-703-540200	0.00	0.00	0.00	433.29	433.29	433.29	-433.29	0.00 %	
730-703-540220	5,000.00	5,000.00	970.26	334.96	334.96	1,305.22	3,694.78	26.10 %	
730-703-540300	20,000.00	20,000.00	9,206.76	1,957.38	2,329.02	11,535.78	8,464.22	57.68 %	
730-703-540400	5,500.00	5,500.00	4,777.90	0.00	675.14	5,453.04	46.96	99.15 %	
730-703-560100	6,500.00	6,500.00	1,334.49	105.97	438.24	1,772.73	4,727.27	27.27 %	
RptCategory: 50 - MATERIAL AND SERVICES Total:		4,205,029.00	1,985,444.95	223,074.93	707,475.98	2,692,920.93	1,512,108.07	64.04 %	
RptCategory: 60 - CAPITAL OUTLAY									
730-703-660100	665,000.00	665,000.00	0.00	0.00	0.00	0.00	665,000.00	0.00 %	
730-703-676050	4,471,761.00	4,471,761.00	318,404.54	18,498.80	99,904.49	418,309.03	4,053,451.97	9.35 %	
730-703-678090	393,964.00	393,964.00	0.00	0.00	0.00	0.00	393,964.00	0.00 %	
RptCategory: 60 - CAPITAL OUTLAY Total:		5,530,725.00	318,404.54	18,498.80	99,904.49	418,309.03	5,112,415.97	7.56 %	
Department: 703 - SEWER Total:		10,557,876.00	2,679,173.19	279,382.72	952,288.28	3,631,461.47	6,926,414.53	34.40 %	
Department: 920 - TRANSFER OUT									
RptCategory: 89 - TRANSFERS OUT									
730-920-899100	288,604.00	288,604.00	94,264.00	0.00	0.00	94,264.00	194,340.00	32.66 %	
RptCategory: 89 - TRANSFERS OUT Total:		288,604.00	94,264.00	0.00	0.00	94,264.00	194,340.00	32.66 %	

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
<u>730-920-899205</u> TRANSFER OUT TO ROAD & STREET FUND (R...	430,925.00	430,925.00	192,866.00	0.00	0.00	192,866.00	238,059.00	44.76 %
RptCategory: 89 - TRANSFERS OUT Total:	719,529.00	719,529.00	287,130.00	0.00	0.00	287,130.00	432,399.00	39.91 %
Department: 920 - TRANSFER OUT Total:	719,529.00	719,529.00	287,130.00	0.00	0.00	287,130.00	432,399.00	39.91 %
Department: 990 - CONTINGENCY								
RptCategory: 90 - OTHER								
<u>730-990-910000</u> CONTINGENCY FUNDS	400,000.00	400,000.00	0.00	0.00	0.00	0.00	400,000.00	0.00 %
RptCategory: 90 - OTHER Total:	400,000.00	400,000.00	0.00	0.00	0.00	0.00	400,000.00	0.00 %
Department: 990 - CONTINGENCY Total:	400,000.00	400,000.00	0.00	0.00	0.00	0.00	400,000.00	0.00 %
Expense Total:	11,677,405.00	11,677,405.00	2,966,303.19	279,382.72	952,288.28	3,918,591.47	7,758,813.53	33.56 %
Fund: 730 - SEWER FUND Surplus (Deficit):	0.00	0.00	1,017,150.59	68,108.69	425,857.95	1,443,008.54	1,443,008.54	0.00 %
Fund: 740 - WATER FUND								
Revenue								
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL								
RptType: 3000 - BEG FUND BAL								
<u>740-000-309999</u> BEGINNING FUND BALANCE	3,868,000.00	3,868,000.00	0.00	0.00	0.00	0.00	-3,868,000.00	0.00 %
RptType: 3000 - BEG FUND BAL Total:	3,868,000.00	3,868,000.00	0.00	0.00	0.00	0.00	-3,868,000.00	0.00 %
RptType: 3140 - CHARGES FOR SERVICES								
<u>740-000-314060</u> WATER SERVICE REVENUE	5,200,000.00	5,200,000.00	2,587,611.93	257,932.65	1,101,881.14	3,689,493.07	-1,510,506.93	70.95 %
<u>740-000-314080</u> WATER SERVICE CONNECTIONS	10,000.00	10,000.00	548.02	0.00	0.00	548.02	-9,451.98	5.48 %
RptType: 3140 - CHARGES FOR SERVICES Total:	5,210,000.00	5,210,000.00	2,588,159.95	257,932.65	1,101,881.14	3,690,041.09	-1,519,958.91	70.83 %
RptType: 3141 - SDC								
<u>740-000-314110</u> WATER SDC'S	50,000.00	50,000.00	0.00	0.00	0.00	0.00	-50,000.00	0.00 %
RptType: 3141 - SDC Total:	50,000.00	50,000.00	0.00	0.00	0.00	0.00	-50,000.00	0.00 %
RptType: 3600 - MISCELLANEOUS								
<u>740-000-360000</u> ALL OTHER WATER RECEIPTS	0.00	0.00	0.00	0.00	1,050.00	1,050.00	1,050.00	0.00 %
RptType: 3600 - MISCELLANEOUS Total:	0.00	0.00	0.00	0.00	1,050.00	1,050.00	1,050.00	0.00 %
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	9,128,000.00	9,128,000.00	2,588,159.95	257,932.65	1,102,931.14	3,691,091.09	-5,436,908.91	40.44 %
Department: 910 - TRANSFER IN								
RptType: 3990 - TRANSFERS IN								
<u>740-910-399205</u> TRANSFER IN FROM ROAD & STREET FUND	278,405.00	278,405.00	117,663.00	0.00	0.00	117,663.00	-160,742.00	42.26 %
RptType: 3990 - TRANSFERS IN Total:	278,405.00	278,405.00	117,663.00	0.00	0.00	117,663.00	-160,742.00	42.26 %
Department: 910 - TRANSFER IN Total:	278,405.00	278,405.00	117,663.00	0.00	0.00	117,663.00	-160,742.00	42.26 %
Revenue Total:	9,406,405.00	9,406,405.00	2,705,822.95	257,932.65	1,102,931.14	3,808,754.09	-5,597,650.91	40.49 %
Department: 704 - WATER								
RptCategory: 40 - PERSONNEL SERVICES								
<u>740-704-431500</u> ACCOUNTING CLERK	36,727.00	36,727.00	17,400.42	1,436.10	6,097.60	23,498.02	13,228.98	63.98 %

Budget Report

For Fiscal: 2022-2023 Period Ending: 10/31/2022

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
<u>740-704-437049</u>	46,111.00	46,111.00	22,960.78	2,087.40	8,349.60	31,310.38	14,800.62	67.90 %
<u>740-704-437050</u>	72,273.00	72,273.00	36,612.81	3,118.48	12,276.56	48,889.37	23,383.63	67.65 %
<u>740-704-437051</u>	44,817.00	44,817.00	0.00	0.00	0.00	0.00	44,817.00	0.00 %
<u>740-704-437055</u>	46,564.00	46,564.00	22,819.96	2,421.48	9,717.42	32,537.38	14,026.62	69.88 %
<u>740-704-437070</u>	145,818.00	145,818.00	57,655.71	6,201.70	23,839.14	81,494.85	64,323.15	55.89 %
<u>740-704-437071</u>	238,650.00	238,650.00	45,761.69	6,998.96	28,097.81	73,859.50	164,790.50	30.95 %
<u>740-704-439011</u>	40,000.00	40,000.00	5,119.76	0.00	0.00	5,119.76	34,880.24	12.80 %
<u>740-704-450100</u>	10,000.00	10,000.00	1,349.11	34.36	362.57	1,711.68	8,288.32	17.12 %
<u>740-704-450500</u>	0.00	0.00	345.30	59.18	233.49	578.79	-578.79	0.00 %
<u>740-704-470000</u>	434,079.00	434,079.00	103,820.26	24,851.31	60,954.78	164,775.04	269,303.96	37.96 %
RptCategory: 40 - PERSONNEL SERVICES Total:	1,115,039.00	1,115,039.00	313,845.80	47,208.97	149,928.97	463,774.77	651,264.23	41.59 %
RptCategory: 50 - MATERIAL AND SERVICES								
<u>740-704-500110</u>	71,000.00	71,000.00	40,523.92	160.71	10,870.86	51,394.78	19,605.22	72.39 %
<u>740-704-500240</u>	65,000.00	65,000.00	27,507.41	2,379.81	7,139.43	34,646.84	30,353.16	53.30 %
<u>740-704-500425</u>	1,300,000.00	1,300,000.00	530,318.62	48,636.56	232,704.64	763,023.26	536,976.74	58.69 %
<u>740-704-520120</u>	36,000.00	36,000.00	32,313.38	2,561.63	11,148.03	43,461.41	-7,461.41	120.73 %
<u>740-704-520130</u>	300,000.00	300,000.00	96,836.92	11,085.99	30,539.56	127,376.48	172,623.52	42.46 %
<u>740-704-520162</u>	40,000.00	40,000.00	12,581.00	38.11	2,812.11	15,393.11	24,606.89	38.48 %
<u>740-704-520165</u>	40,000.00	40,000.00	0.00	559.42	918.50	918.50	39,081.50	2.30 %
<u>740-704-520310</u>	0.00	0.00	-158.12	0.00	0.00	-158.12	158.12	0.00 %
<u>740-704-520320</u>	45,000.00	45,000.00	18,994.30	1,614.81	10,082.89	29,077.19	15,922.81	64.62 %
<u>740-704-520400</u>	6,000.00	6,000.00	2,015.64	259.65	617.09	2,632.73	3,367.27	43.88 %
<u>740-704-520430</u>	16,000.00	16,000.00	8,042.14	650.48	2,608.12	10,650.26	5,349.74	66.56 %
<u>740-704-540200</u>	0.00	0.00	0.00	433.42	433.42	433.42	-433.42	0.00 %
<u>740-704-540220</u>	10,000.00	10,000.00	1,822.26	770.00	770.00	2,592.26	7,407.74	25.92 %
<u>740-704-540300</u>	20,000.00	20,000.00	10,264.78	203.29	1,386.32	11,651.10	8,348.90	58.26 %
<u>740-704-540400</u>	10,000.00	10,000.00	8,170.29	0.00	0.00	8,170.29	1,829.71	81.70 %
<u>740-704-560100</u>	55,000.00	55,000.00	20,758.29	1,593.36	6,761.34	27,519.63	27,480.37	50.04 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	2,014,000.00	2,014,000.00	809,990.83	70,947.24	318,792.31	1,128,783.14	885,216.86	56.05 %
RptCategory: 60 - CAPITAL OUTLAY								
<u>740-704-660100</u>	279,000.00	279,000.00	0.00	0.00	0.00	0.00	279,000.00	0.00 %
<u>740-704-676050</u>	3,960,425.00	3,960,425.00	78,226.55	0.00	0.00	78,226.55	3,882,198.45	1.98 %
<u>740-704-678090</u>	609,610.00	609,610.00	0.00	0.00	0.00	0.00	609,610.00	0.00 %
RptCategory: 60 - CAPITAL OUTLAY Total:	4,849,035.00	4,849,035.00	78,226.55	0.00	0.00	78,226.55	4,770,808.45	1.61 %
RptCategory: 70 - DEBT SERVICE								
<u>740-704-720040</u>	331,000.00	331,000.00	165,000.00	0.00	166,000.00	331,000.00	0.00	100.00 %
<u>740-704-730040</u>	27,235.00	27,235.00	13,621.90	0.00	6,811.20	20,433.10	6,801.90	75.03 %
RptCategory: 70 - DEBT SERVICE Total:	358,235.00	358,235.00	178,621.90	0.00	172,811.20	351,433.10	6,801.90	98.10 %
Department: 704 - WATER Total:	8,336,309.00	8,336,309.00	1,380,685.08	118,156.21	641,532.48	2,022,217.56	6,314,091.44	24.26 %

Budget Report

For Fiscal: 2022-2023 Period Ending: 10/31/2022

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
Department: 920 - TRANSFER OUT								
RptCategory: 89 - TRANSFERS OUT								
<u>740-920-899100</u>	388,096.00	388,096.00	142,686.00	0.00	0.00	142,686.00	245,410.00	36.77 %
<u>740-920-899205</u>	282,000.00	282,000.00	129,408.00	0.00	0.00	129,408.00	152,592.00	45.89 %
RptCategory: 89 - TRANSFERS OUT Total:	670,096.00	670,096.00	272,094.00	0.00	0.00	272,094.00	398,002.00	40.61 %
Department: 920 - TRANSFER OUT Total:								
	670,096.00	670,096.00	272,094.00	0.00	0.00	272,094.00	398,002.00	40.61 %
Department: 990 - CONTINGENCY								
RptCategory: 90 - OTHER								
<u>740-990-910000</u>	400,000.00	400,000.00	0.00	0.00	0.00	0.00	400,000.00	0.00 %
RptCategory: 90 - OTHER Total:	400,000.00	400,000.00	0.00	0.00	0.00	0.00	400,000.00	0.00 %
Department: 990 - CONTINGENCY Total:								
	400,000.00	400,000.00	0.00	0.00	0.00	0.00	400,000.00	0.00 %
Expense Total:								
	9,406,405.00	9,406,405.00	1,652,779.08	118,156.21	641,532.48	2,294,311.56	7,112,093.44	24.39 %
Fund: 740 - WATER FUND Surplus (Deficit):								
	0.00	0.00	1,053,043.87	139,776.44	461,398.66	1,514,442.53	1,514,442.53	0.00 %
Fund: 750 - STORM WATER FUND								
Revenue								
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL								
RptType: 3000 - BEG FUND BAL.								
<u>750-000-309999</u>	1,040,000.00	1,040,000.00	0.00	0.00	0.00	0.00	-1,040,000.00	0.00 %
RptType: 3000 - BEG FUND BAL. Total:	1,040,000.00	1,040,000.00	0.00	0.00	0.00	0.00	-1,040,000.00	0.00 %
RptType: 3140 - CHARGES FOR SERVICES								
<u>750-000-314060</u>	1,898,000.00	1,898,000.00	924,970.21	78,562.44	314,313.09	1,239,283.30	-658,716.70	65.29 %
RptType: 3140 - CHARGES FOR SERVICES Total:	1,898,000.00	1,898,000.00	924,970.21	78,562.44	314,313.09	1,239,283.30	-658,716.70	65.29 %
RptType: 3141 - SDC								
<u>750-000-314110</u>	11,000.00	11,000.00	0.00	0.00	0.00	0.00	-11,000.00	0.00 %
RptType: 3141 - SDC Total:	11,000.00	11,000.00	0.00	0.00	0.00	0.00	-11,000.00	0.00 %
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:								
	2,949,000.00	2,949,000.00	924,970.21	78,562.44	314,313.09	1,239,283.30	-1,709,716.70	42.02 %
Department: 910 - TRANSFER IN								
RptType: 3990 - TRANSFERS IN								
<u>750-910-399205</u>	278,405.00	278,405.00	117,663.00	0.00	0.00	117,663.00	-160,742.00	42.26 %
RptType: 3990 - TRANSFERS IN Total:	278,405.00	278,405.00	117,663.00	0.00	0.00	117,663.00	-160,742.00	42.26 %
Department: 910 - TRANSFER IN Total:								
	278,405.00	278,405.00	117,663.00	0.00	0.00	117,663.00	-160,742.00	42.26 %
Revenue Total:								
	3,227,405.00	3,227,405.00	1,042,633.21	78,562.44	314,313.09	1,356,946.30	-1,870,458.70	42.04 %
Expense								
Department: 705 - PUBLIC WORKS DIRECTOR								
RptCategory: 40 - PERSONNEL SERVICES								
<u>750-705-431500</u>	30,606.00	30,606.00	14,500.34	1,196.75	5,081.32	19,581.66	11,024.34	63.98 %
<u>750-705-437049</u>	46,111.00	46,111.00	22,960.76	2,087.40	8,349.60	31,310.36	14,800.64	67.90 %

Budget Report

For Fiscal: 2022-2023 Period Ending: 10/31/2022

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
750-705-437050	70,147.00	70,147.00	35,517.64	3,051.50	12,014.50	47,532.14	22,614.86	67.76 %
750-705-437051	44,817.00	44,817.00	0.00	0.00	0.00	0.00	44,817.00	0.00 %
750-705-437055	46,564.00	46,564.00	22,819.79	2,421.46	9,717.28	32,537.07	14,026.93	69.88 %
750-705-437070	0.00	0.00	55,192.77	0.00	35.00	55,227.77	-55,227.77	0.00 %
750-705-437071	103,980.00	103,980.00	0.00	0.00	11,261.29	11,261.29	92,718.71	10.83 %
750-705-439011	40,000.00	40,000.00	14,508.00	0.00	0.00	14,508.00	25,492.00	36.27 %
750-705-450100	5,000.00	5,000.00	1,394.19	17.51	343.56	1,737.75	3,262.25	34.76 %
750-705-450500	0.00	0.00	335.17	57.44	226.64	561.81	-561.81	0.00 %
750-705-470000	180,486.00	180,486.00	79,144.74	5,639.56	26,937.86	106,082.60	74,403.40	58.78 %
RptCategory: 40 - PERSONNEL SERVICES Total:	567,711.00	567,711.00	246,373.40	14,471.62	73,967.05	320,340.45	247,370.55	56.43 %
RptCategory: 50 - MATERIAL AND SERVICES								
750-705-500010	41,000.00	41,000.00	25,566.47	1,389.68	8,297.19	33,863.66	7,136.34	82.59 %
750-705-520010	36,000.00	36,000.00	33,015.52	2,666.60	11,673.58	44,689.10	-8,689.10	124.14 %
750-705-520130	65,000.00	65,000.00	30,140.13	2,147.18	5,703.12	35,843.25	29,156.75	55.14 %
750-705-520320	20,000.00	20,000.00	21,079.98	1,633.68	3,764.59	24,844.57	-4,844.57	124.22 %
750-705-520400	5,000.00	5,000.00	1,983.66	234.17	574.59	2,558.25	2,441.75	51.17 %
750-705-520430	16,000.00	16,000.00	8,044.57	650.68	2,608.92	10,653.49	5,346.51	66.58 %
750-705-540220	4,000.00	4,000.00	96.34	368.37	368.37	464.71	3,535.29	11.62 %
750-705-540300	11,000.00	11,000.00	7,557.24	1,920.03	2,395.77	9,953.01	1,046.99	90.48 %
750-705-540400	5,000.00	5,000.00	2,197.81	0.00	674.93	2,872.74	2,127.26	57.45 %
750-705-560100	3,000.00	3,000.00	644.59	54.11	217.28	861.87	2,138.13	28.73 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	206,000.00	206,000.00	130,326.31	11,064.50	36,278.34	166,604.65	39,395.35	80.88 %
RptCategory: 60 - CAPITAL OUTLAY								
750-705-660100	115,000.00	115,000.00	0.00	0.00	0.00	0.00	115,000.00	0.00 %
750-705-676050	1,803,500.00	1,803,500.00	186,939.76	18,498.79	120,747.22	307,686.98	1,495,813.02	17.06 %
RptCategory: 60 - CAPITAL OUTLAY Total:	1,918,500.00	1,918,500.00	186,939.76	18,498.79	120,747.22	307,686.98	1,610,813.02	16.04 %
Department: 705 - PUBLIC WORKS DIRECTOR Total:	2,692,211.00	2,692,211.00	563,639.47	44,034.91	230,992.61	794,632.08	1,897,578.92	29.52 %
Department: 920 - TRANSFER OUT								
RptCategory: 89 - TRANSFERS OUT								
750-920-899100	231,094.00	231,094.00	67,286.00	0.00	0.00	67,286.00	163,808.00	29.12 %
750-920-899205	104,100.00	104,100.00	46,248.00	0.00	0.00	46,248.00	57,852.00	44.43 %
RptCategory: 89 - TRANSFERS OUT Total:	335,194.00	335,194.00	113,534.00	0.00	0.00	113,534.00	221,660.00	33.87 %
Department: 920 - TRANSFER OUT Total:	335,194.00	335,194.00	113,534.00	0.00	0.00	113,534.00	221,660.00	33.87 %

	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
Department: 990 - CONTINGENCY								
RptCategory: 90 - OTHER								
750-990-910000 CONTINGENCY FUNDS								
	200,000.00	200,000.00	0.00	0.00	0.00	0.00	200,000.00	0.00 %
RptCategory: 90 - OTHER Total:								
	200,000.00	200,000.00	0.00	0.00	0.00	0.00	200,000.00	0.00 %
Department: 990 - CONTINGENCY Total:								
	200,000.00	200,000.00	0.00	0.00	0.00	0.00	200,000.00	0.00 %
Expense Total:								
	3,227,405.00	3,227,405.00	677,173.47	44,034.91	230,992.61	908,166.08	2,319,238.92	28.14 %
Fund: 750 - STORM WATER FUND Surplus (Deficit):								
	0.00	0.00	365,459.74	34,527.53	83,320.48	448,780.22	448,780.22	0.00 %
Fund: 801 - MUNICIPAL COURT TRUST FUND								
Revenue								
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL								
RptType: 3000 - BEG FUND BAL.								
801-000-309999 BEGINNING FUND BALANCE								
	40,000.00	40,000.00	0.00	0.00	0.00	0.00	-40,000.00	0.00 %
RptType: 3000 - BEG FUND BAL. Total:								
	40,000.00	40,000.00	0.00	0.00	0.00	0.00	-40,000.00	0.00 %
RptType: 3260 - FINES AND FORFEITURES								
801-000-326020 CITY OF GLADSTONE FINES/FEES								
	735,000.00	735,000.00	350,730.31	23,965.96	91,525.95	442,256.26	-292,743.74	60.17 %
801-000-326030 CLACKAMAS COUNTY FINES/FEES								
	22,000.00	22,000.00	14,867.79	891.75	4,103.76	18,971.55	-3,028.45	86.23 %
801-000-326040 STATE OF OREGON FINES/FEES								
	85,000.00	85,000.00	56,534.36	2,930.33	14,331.07	70,865.43	-14,134.57	83.37 %
801-000-326050 RESTITUTION								
	3,000.00	3,000.00	0.00	100.00	100.00	100.00	-2,900.00	3.33 %
801-000-326060 BOND								
	5,000.00	5,000.00	-5,234.94	-8,127.23	-9,717.09	-14,952.03	-19,952.03	299.04 %
RptType: 3260 - FINES AND FORFEITURES Total:								
	850,000.00	850,000.00	416,897.52	19,760.81	100,343.69	517,241.21	-332,758.79	60.85 %
RptType: 3600 - MISCELLANEOUS								
801-000-360000 ALL OTHER COURT FEES								
	0.00	0.00	140.00	0.00	188.00	328.00	328.00	0.00 %
RptType: 3600 - MISCELLANEOUS Total:								
	0.00	0.00	140.00	0.00	188.00	328.00	328.00	0.00 %
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:								
	890,000.00	890,000.00	417,037.52	19,760.81	100,531.69	517,569.21	-372,430.79	58.15 %
Revenue Total:								
	890,000.00	890,000.00	417,037.52	19,760.81	100,531.69	517,569.21	-372,430.79	58.15 %
Expense								
Department: 220 - COURT								
RptCategory: 50 - MATERIAL AND SERVICES								
801-220-500500 CITY OF GLADSTONE FINES & FEES								
	735,000.00	735,000.00	291,037.69	22,593.43	117,567.38	408,605.07	326,394.93	55.59 %
801-220-500510 CLACKAMAS COUNTY FINES & FEES								
	22,000.00	22,000.00	14,314.84	753.58	4,889.70	19,204.54	2,795.46	87.29 %
801-220-500520 STATE OF OREGON FINES & FEES								
	85,000.00	85,000.00	88,200.89	2,489.70	17,752.24	105,953.13	-20,953.13	124.65 %
801-220-500530 RESTITUTION								
	3,000.00	3,000.00	0.00	0.00	0.00	0.00	3,000.00	0.00 %
801-220-500540 BOND - COURT								
	5,000.00	5,000.00	0.00	0.00	0.00	0.00	5,000.00	0.00 %
801-220-500550 ALL OTHER FEES & FINES								
	0.00	0.00	140.00	-135.00	53.00	193.00	-193.00	0.00 %
RptCategory: 50 - MATERIAL AND SERVICES Total:								
	850,000.00	850,000.00	393,693.42	25,701.71	140,262.32	533,955.74	316,044.26	62.82 %
Department: 220 - COURT Total:								
	850,000.00	850,000.00	393,693.42	25,701.71	140,262.32	533,955.74	316,044.26	62.82 %

Budget Report

For Fiscal: 2022-2023 Period Ending: 10/31/2022

Department: 990 - CONTINGENCY
 RptCategory: 90 - OTHER

801-990-910000 CONTINGENCY FUNDS		Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)	Percent Used
RptCategory: 90 - OTHER Total:		40,000.00	40,000.00	0.00	0.00	0.00	0.00	40,000.00	0.00 %
Department: 990 - CONTINGENCY Total:		40,000.00	40,000.00	0.00	0.00	0.00	0.00	40,000.00	0.00 %
Expense Total:		890,000.00	890,000.00	393,693.42	25,701.71	140,262.32	533,955.74	356,044.26	60.00 %
Fund: 801 - MUNICIPAL COURT TRUST FUND Surplus (Deficit):		0.00	0.00	23,344.10	-5,940.90	-39,730.63	-16,386.53	-16,386.53	0.00 %
Report Surplus (Deficit):		0.00	0.00	7,421,940.07	-678,808.39	-3,791,993.90	3,629,946.17	3,629,946.17	0.00 %

Fund Summary

Fund	Original Total Budget	Current Total Budget	2021-2022 Activity	October Activity	2022-2023 Activity	Total Activity	Variance Favorable (Unfavorable)
100 - GENERAL FUND	0.00	0.00	4,369,184.25	-901,856.74	-2,846,482.21	1,522,702.04	1,522,702.04
105 - AMERICAN RESCUE PLAN RES	0.00	0.00	0.00	-31,687.91	-46,517.91	-46,517.91	-46,517.91
205 - ROAD AND STREET FUND	0.00	0.00	338,693.70	61,053.08	-891,105.95	-552,412.25	-552,412.25
228 - POLICE LEVY FUND	0.00	0.00	-112,249.85	-53,875.47	-211,370.67	-323,620.52	-323,620.52
229 - FIRE LEVY FUND	0.00	0.00	134,609.17	2,310.02	3,849.79	138,458.96	138,458.96
390 - URBAN RENEWAL FUND	0.00	0.00	232,704.50	8,776.87	-731,213.41	-498,508.91	-498,508.91
730 - SEWER FUND	0.00	0.00	1,017,150.59	68,108.69	425,857.95	1,443,008.54	1,443,008.54
740 - WATER FUND	0.00	0.00	1,053,043.87	139,776.44	461,398.66	1,514,442.53	1,514,442.53
750 - STORM WATER FUND	0.00	0.00	365,459.74	34,527.53	83,320.48	448,780.22	448,780.22
801 - MUNICIPAL COURT TRUST FL	0.00	0.00	23,344.10	-5,940.90	-39,730.63	-16,386.53	-16,386.53
Report Surplus (Deficit):	0.00	0.00	7,421,940.07	-678,808.39	-3,791,993.90	3,629,946.17	3,629,946.17

CHECK REGISTER FOR OCTOBER 2022

Check Date	Check No.	Vendor	Amount	Line Item Description
10/04/2022	92595 - 92598	UB Refund Checks	384.73	UB Refund Checks - PW
10/04/2022	92599	Portland General Electric	13,731.99	Electric Usage - All Depts/Street Lights
10/07/2022	240	Amy Lindgren Law, LLC	3,000.00	Prosecutor Services - CT
10/07/2022	241	CivicPlus, LLC	2,889.00	Municode Website Service - IT
10/07/2022	242	Satcom Global Ltd.	42.75	Satellite Phone Access - PD
10/07/2022	92600	Canon Financial Services, Inc.	1,150.75	Copier Lease/Usage - IT
10/07/2022	92601	Erskine Law Practice LLC	253.50	Pro Tem Judge Services - CT
10/07/2022	92602	General Tree Service	2,113.00	Landscape Maintenance - PW
10/07/2022	92603	GeoPacific Engineering	1,169.75	Professional Fees/Barclay - PW
10/07/2022	92604	Jill Tate	240.00	Transcription Service - Admin
10/07/2022	92605	John Southgate LLC	3,525.00	Professional Fees - Admin
10/07/2022	92606	Lexipol LLC	1,420.00	PoliceOne Academy Annual Fee - PD
10/07/2022	92607	Northwest Natural Gas	253.47	Natural Gas Usage - All Depts.
10/07/2022	92608	Pamplin Media Group	2,026.00	Newsletter Printing - Admin
10/07/2022	92609	Pitney Bowes	1,572.80	Postage - All Depts.
10/07/2022	92610	Radar Shop	685.68	Radar Unit Repairs - PD
10/07/2022	92611	John Schmerber	348.50	Per Diem - OACP Conference - PD
10/07/2022	92612	Stericycle	634.58	Shredding Service - PD
10/07/2022	92613	Verizon Wireless	2,592.61	Cell Phones/Data Lines - IT
10/07/2022	92614	WorkSAFE Service Inc	57.00	Drug Testing
10/07/2022	92615	Payroll Check	235.03	Payroll Check
10/13/2022	243	BridgePay Network Solutions, LLC	184.60	Online UB Payment Fees - PW
10/13/2022	244	Clackamas Fire District #1	537,005.00	Q3 IGA Contract Billing - Admin
10/13/2022	245	Gladstone Municipal Court	1,569.26	Reimburse Bank Fees - Admin
10/13/2022	92616	Advanced Locking Solutions, Inc.	1,058.88	Cross Park RR Repairs - PW
10/13/2022	92617	Aramark	81.66	Mat/Coverall Rental - PW
10/13/2022	92618	Backflow Management Inc	2,746.00	Backflow Letters/Water Tests - PW
10/13/2022	92619	BMS Technologies	1,951.64	UB Printing/Mailing - PW
10/13/2022	92620	Brown & Caldwell	2,493.00	Professional Fees - PW
10/13/2022	92621	Clackamas Community College	500.00	Watershed/Stormater Ed. - PW
10/13/2022	92622	Comcast	52.50	Digital TV Receivers - IT
10/13/2022	92623	Environment Science Associates	2,825.00	MB Site Plan - PW
10/13/2022	92624	Industrial Tire Service	7,859.04	Vehicle Maintenance - PW
10/13/2022	92625	Iselin Architects, PC	745.00	Professional Fees - FD Remodel - PW
10/13/2022	92626	LancePacific LLC	135.00	Alarm Monitoring - PW
10/13/2022	92627	Moen Machinery Company	56.19	Vehicle Maintenance - PW
10/13/2022	92628	Northwest Success, Inc.	2,253.31	Monthly Janitorial Svc. - PW
10/13/2022	92629	Office Depot	123.36	Office Supplies - Admin
10/13/2022	92630	Owen Equipment Company	329.79	Vactor Truck Maintenance - PW
10/13/2022	92631	Pacific Office Automation Inc	391.01	Copier Lease/Usage - IT
10/13/2022	92632	Platt Electric Supply	15.97	Tools - PW
10/13/2022	92633	Portland General Electric	6,418.11	Street Light Electricity - PW
10/13/2022	92634	Referral Refrigeration Inc.	175.00	SC Refrigerator Repair - PW
10/13/2022	92635	SiteOne Landscape Supply	143.48	Landscape Supplies - PW
10/13/2022	92636	Stein Oil Co. Inc.	5,118.90	Gasoline - PW/PD/SC
10/13/2022	92637	SymbolArts, LLC	170.00	Awards - PD
10/13/2022	92638	TransUnion Risk and Alternative	75.00	Data Research - PD
10/13/2022	246	US Bank	21,104.84	P-Card Purchases - All Depts.
10/17/2022	92639 -92640	Multiple PW Employees	557.91	Pant/Boot Reimbursements - PW
10/20/2022	247	8x8, Inc.	1,827.81	Monthly Phone Service - All Depts.
10/20/2022	248	Amazon Capital Services	192.04	Office Supplies - Admin

CHECK REGISTER FOR OCTOBER 2022

Check Date	Check No.	Vendor	Amount	Line Item Description
10/20/2022	92641	Allstream	139.18	Land Lines - PW
10/20/2022	92642	American Medical Response	800.00	Blood Draws - PD
10/20/2022	92643	AutoZone, Inc	12.99	Vehicle Maintenance - PD
10/20/2022	92644	Blackline, Inc.	114,928.55	Slurry Seal/Striping - PW
10/20/2022	92645	Bravo Land Care & Maintenance	945.00	Landscape Maintenance - PW
10/20/2022	92646	Cintas First Aid Lockbox	90.00	Drinking Water Filtering - PD/Admin
10/20/2022	92647	City of Oregon City	106.50	GIS Services - PW
10/20/2022	92648	Clackamas County Finance Department	13,036.50	Dispatch/Ammo - PD
10/20/2022	92649	Comcast	58.00	Internet/Cable - IT
10/20/2022	92650	Ferguson Waterworks #3011	131.45	Hydrant Repair Kit - PW
10/20/2022	92651	Galls, LLC	681.13	Uniforms - PD
10/20/2022	92652	Jim Smith Excavating Inc	292,215.99	Barclay Ave Construction - PD
10/20/2022	92653	Lori Bell	3,600.00	Professional Fees -Tourism - Admin
10/20/2022	92654	North Clackamas County	123,896.97	Water Usage (2 Months) - PW
10/20/2022	92655	Oak Lodge Water Services	1,280.78	Water Usage - PW
10/20/2022	92656	Occupational Safety, Health & Wellness LLC	273.00	Exposure Advice - PW
10/20/2022	92657	Office Depot	486.71	Office Supplies - Admin/Court
10/20/2022	92658	One Call Concepts Inc	90.00	Utility Notifications - PW
10/20/2022	92659	Oregon DMV	6.00	Driving Records - Admin
10/20/2022	92660	Oregon Patrol Service	828.00	Court/Meeting Security - CT/Admin
10/20/2022	92661	Oregon State Treasury	98.31	Unclaimed Property - Admin
10/20/2022	92662	Providence Health Services Oregon	220.00	Pre-employment Physical - Admin
10/20/2022	92663	S & T Truck Repair, Inc.	230.02	Vehicle Repairs - PW
10/20/2022	92664	SAIF Corporation	3,611.34	Claims Reimbursements - Admin
10/20/2022	92665	Secure Pacific Corporation	210.00	Monitoring - PW
10/20/2022	92666	Sisul Engineering	2,392.50	Professional Fees - PW
10/20/2022	92667	Smith-Wagar Brucker Consulting Inc.	8,308.75	Financial Consulting - Admin
10/20/2022	92668	Tyler Technologies, Inc.	6,367.50	Online UB Payment Fees - PW
10/20/2022	92669	Washington County Consolidated 911	125.00	Pager Replacement - PW
10/20/2022	92670	Water Environment Services	119,196.79	Monthly Sewer Billing - PW
10/24/2022	92671	Payroll Check	682.17	Payroll Check
10/27/2022	249	MSPEN Consulting, LLC	1,960.00	Grant Writing Services - Admin
10/27/2022	92672	Aramark	81.66	Mat/Coverall Rental - PW
10/27/2022	92673	Buel's Impressions Printing	189.00	Business Card/Bumper Stickers - PD
10/27/2022	92674	CAL Painting and Construction	900.00	Basketball Court Painting - PW
10/27/2022	92675	Gold Wrench	2,895.05	Vehicle Maintenance - PD
10/27/2022	92676	League of Oregon Cities	20.00	Job Posting - Admin
10/27/2022	92677	Maxwell Rentals	1,050.00	Apartmenet Rental - FD
10/27/2022	92678	Merina and Company LLP	15,500.00	Annual Audit Services - Admin
10/27/2022	92679	Northwest Spray and Compressor	1,575.66	Sprayer Repair - PW
10/27/2022	92680	One Diversified LLC	14,077.82	Cameras/Wireless Mics - Admin
10/27/2022	92681	Oregon Association of Water Utilities	355.00	Conference Registration - PW
10/27/2022	92682	Pacific Mobile Structures, Inc.	498.00	Office Rental - PW
10/27/2022	92683	Pacific Office Automation Inc	183.52	Copier Lease/Usage - IT
10/27/2022	92684	Paramount Pest Control Inc	156.00	Pest Control - PW
10/27/2022	92685	Precision Fiber, Inc.	1,065.08	Fiber Restoration - IT
10/27/2022	92686	Shiels Obletz Johnsen	4,400.00	Professional Fees - PW Bldg - Admin
10/27/2022	92687	Sign Guy	150.00	Vehicle Maintenance - PD
10/27/2022	92688	SiteOne Landscape Supply	137.84	Landscape Supplies - PW
10/27/2022	92689	Society of St. Vincent de Paul	10,000.00	ARPA Covid Assistance - Admin
10/27/2022	92690	Stein Oil Co. Inc.	5,917.04	Gasoline - PW/PD/SC

CHECK REGISTER FOR OCTOBER 2022

Check Date	Check No.	Vendor	Amount	Line Item Description
10/27/2022	92691	Titan Concrete Construction	6,050.00	Water Meter Box Repairs - PW
10/27/2022	92692	Trio Community Meals	824.85	Nutrition Program Supplies - SC
10/27/2022	92693	United States Postal Service	1,165.50	Newsletter Postage - Admin
10/27/2022	92694	Walter E. Nelson Co.	2,525.36	Janitorial Supplies - PW
10/27/2022	92695	Wire Works LLC	760.00	Vehicle Maintenance - PD
10/28/2022	250	HRA VEBA Plan	3,291.78	Employer VEBA contribution
10/28/2022	251	ICMA-Rc	7,416.38	Voluntary Payroll Deferred Comp
10/28/2022	92696	Axa Equi-Vest	7,374.16	Voluntary Payroll Deferred Comp
10/28/2022	92697	CIS Trust	60,981.55	Monthly Health Insurance
10/28/2022	92698	Clackamas Community Federal Credit Union	1,143.24	GPA Union Dues
10/28/2022	92699	Equitable	1,403.83	Non-PERS Retirement Pmt
10/28/2022	92700	Equitable Financial Life Insurance Co.	86.00	Non-PERS Retirement Pmt
10/28/2022	92701	Oregon AFSCME Council #75	1,122.43	AFSCME Union Dues
10/28/2022	92702	Oregon Department of Justice/Child Support	343.20	Child Support
Total General Fund Checks:			<u>\$ 1,487,134.52</u>	
<u>Urban Renewal Fund Checks:</u>			-	
Total October 2022 Checks:			<u><u>\$ 1,487,134.52</u></u>	

ATTORNEY CHARGES

Attorneys:	July, 2022	Aug, 2022	Sept, 2022	Oct, 2022	Nov, 2022	Dec, 2022	Totals
City Charter	\$ -	\$ -	\$ -	\$ -			\$ -
Elections	-	725.06	427.50	-			1,152.56
Finance	-	-	-	-			-
General	570.00	285.00	484.50	1,657.80			2,997.30
Meeting Attendance	-	-	-	-			-
Governance/City Council	399.00	484.50	57.00	714.60			1,655.10
Meeting Attendance	399.00	959.50	541.50	1,045.00			2,945.00
Intergovernmental	85.50	-	85.50	142.50			313.50
Meeting Attendance	-	228.00	-	-			228.00
Land Use/ Community Development	-	798.00	2,793.00	4,122.25			7,713.25
Meeting Attendance	-	-	-	-			-
Parks & Recreation	-	-	-	-			-
Personnel/Labor	-	-	-	-			-
GPA	57.00	1,813.00	2,014.50	2,808.25			6,692.75
City Administration	513.00	802.10	494.76	646.00			2,455.86
Personnel Handbook	-	-	-	-			-
Meeting Attendance	-	2,356.00	-	-			2,356.00
Public Records & Meetings	142.50	284.00	-	-			426.50
Public Safety	57.00	2,481.04	28.50	1,415.90			3,982.44
Public Works	997.50	57.00	790.00	861.66			2,706.16
Public Works Facility Project	973.49	1,503.50	1,681.50	-			4,158.49
Real Property Transactions	-	-	171.00				171.00
Risk Management/Litigation	-	285.00	-				285.00
Rights of Way-Telecommunications	-	-	-				-
Urban Renewal	-	-	-				-
Total	\$ 4,193.99	\$ 13,061.70	\$ 9,569.26	\$ 13,413.96	\$ -	\$ -	\$ 40,238.91

Attorneys:	Jan, 2023	Feb, 2023	Mar, 2023	Apr, 2023	May, 2023	June, 2023	Totals for Year
City Charter							\$ -
Elections							1,152.56
Finance							-
General							2,997.30
Meeting Attendance							-
Governance/City Council							1,655.10
Meeting Attendance							2,945.00
Intergovernmental							313.50
Meeting Attendance							228.00
Land Use/ Community Development							7,713.25
Meeting Attendance							-
Parks & Recreation							-
Personnel/Labor							-
GPA							6,692.75
City Administration							2,455.86
Personnel Handbook							-
Meeting Attendance							2,356.00
Public Records & Meetings							426.50
Public Safety							3,982.44
Public Works							2,706.16
Public Works Facility Project							4,158.49
Real Property Transactions							171.00
Risk Management/Litigation							285.00
Rights of Way-Telecommunications							-
Urban Renewal							-
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 40,238.91



Public Works

Staff Report for November 2022

Report Date : November 30, 2022
To : Jacque M. Betz, City Administrator
Copy : Mayor and City Council
From : Darren Caniparoli, Public Works Director

PARKS:

Fall maintenance continues in the parks, including trash pick-up, restroom repairs and cleaning, graffiti clean-up, debris clean-up, leaf blowing, mulching, and mowing. Shrubs and brush clearing is being performed at multiple parks in key areas. Fall is one of the busiest times in the parks preparing for winter and the upcoming spring

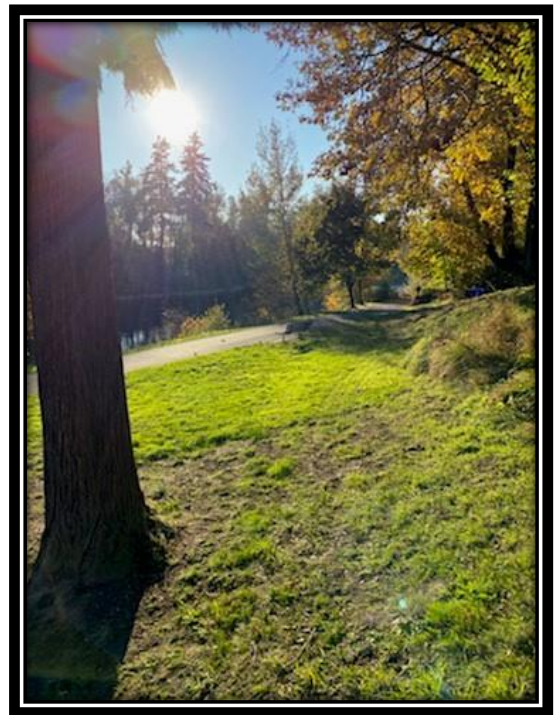
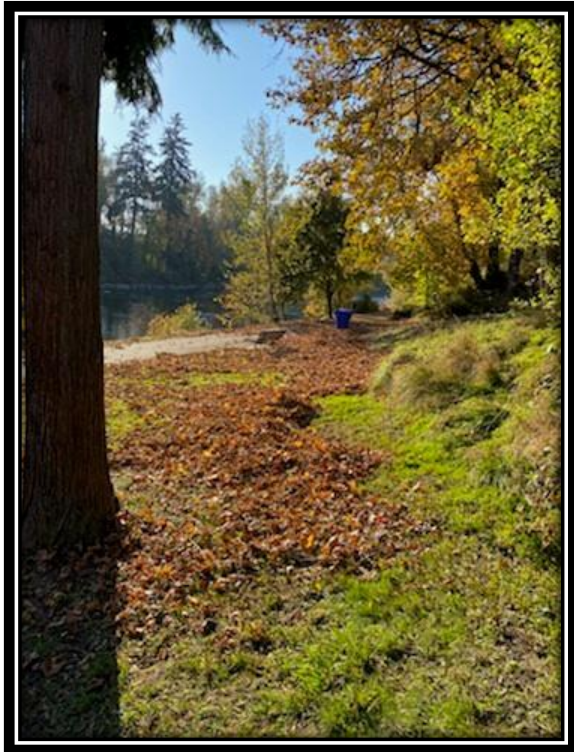


Before (above) and after (below) – Dierickx Field





Removing leaves within the parks is a high priority this time of year, not only as a safety measure but as a preventative measure. It is a crucial part in keeping our parks green and healthy when spring and summer come again.



Crews work year round filling potholes within the parks, in addition to filling potholes year round on our roadways!

STREETS:

Crews working on “asphalt separating” when large sections of asphalt are removed it is brought back to the Public Works Yard where it is then broken and screened into smaller pieces which can then be hauled off to a recycler and reused.

Asphalt is a heavy petroleum based material that does not biodegrade, recycling it is not only responsible but mixing reclaimed asphalt with virgin asphalt is shown to make a stronger product!



The Holiday's Come to Town

Crews worked with PGE to install the snowflakes along Portland Avenue for the holiday season! Lights were installed on the street trees which line the Gladstone Civic Center.



FACILITIES:



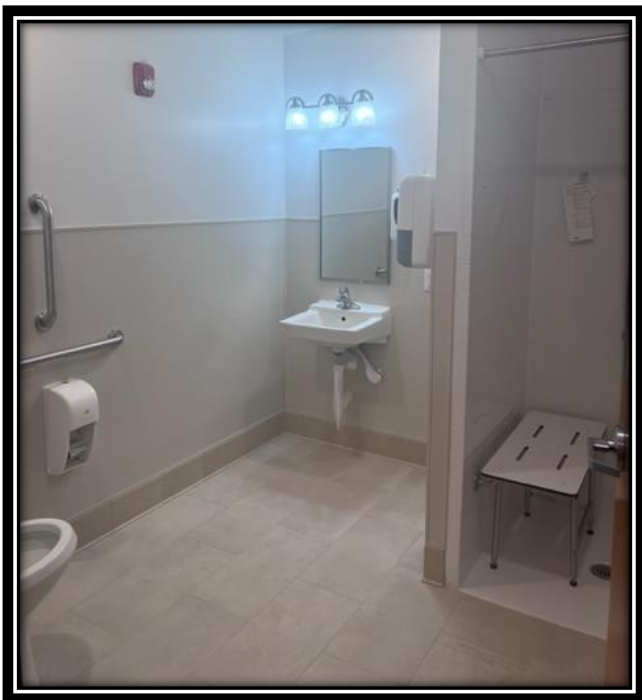
The Public Works Department has been working along with Senior Center Staff over the last several months to complete an ongoing beautification project, that included projects both inside and outside of the center. The latest project is the installation of a washer and drier and installing shelving units to help with organization.



To wrap up this month's projects at the Senior Center, Public Works Staff assisted with the new tree that was planted in front of the Senior Center.



The Public Works Department has been managing the Gladstone Fire Station Remodel project and we are very pleased with the results. The project got off to a bumpy start during the Request for Proposal (RFP) process, but the 3rd time was the charm. The remodel is not only functional but aesthetically pleasing, we hope the fire fighters enjoy this updated space!



The project included a complete remodel to the existing kitchen, including new cabinets, countertops/backsplash, lighting, appliances and new LVT flooring throughout the kitchen and open concept living area. A new “dormitory” sleeping area which provides three sleeping areas for crew. A remodeled and ADA compliant bathroom as well as a freshen up on the other existing bathroom. Finally, the captain’s office was freshened up with paint and new carpet.

WATER:

- Utility billing service orders.
- Utility locates, GIS map updates ongoing.
- Routine coliform sampling and chlorine residual monitoring
- Routine pumpstation/reservoir inspections
- Utility billing door hangers and shut-offs for nonpayment.
- Programed Kirkwood pumpstation to 1 pump running during normal operations for low demand season.

Crews replaced and relocated a leaking 1" black poly material water service at 6641 Park Way. The leaking service was located under the sidewalk. Crews relocated the service line into the street for maintenance convenience and consistency with current PW standards.



Crews repaired a leaking 3/4" black poly material water service at 510 E Clarendon. Utilizing the vector truck to assist in water removal for easier access to the leaking service line.



SEWER:

- Locates/GIS map updates ongoing.
- Routine monitoring of Smartcover/flowmeter telemetry.
- Routine sanitary sewer line cleaning. **13,910 total footage has been cleaned since November 1st.** Our maintenance standards are to complete a total of 46,200 ft. of sanitary line cleaning per year
- Installed and monitored Portland Ave sanitary sewer bypasses in manholes to divert flows to the Barton trunk line to help prevent SSO's.

STORM:

- Locates/GIS map updates ongoing.
- Catch basin/headwall cleaning to mitigate flooding.
- Completed Citywide street sweeping.
- Leaf pickup to date we've picked up **1032 cubic yards** of leaves.
- Cross Park Volunteer Cleanup 11/12/22.

Leaf season is in full swing; we have experienced a late leaf drop this year, with several trees still holding on to their fall foliage. Crews continue to work five days a week to maintain the leaf pick up schedule, this includes circling back through the most recent area once the current week's schedule is complete. Public Works held a leaf drop on November 12th in an effort to provide additional options for residents that are not able to get leaves on the street prior to pick up. We will hold another leaf drop on December 17th and leaf pick up ends on December 16th. Crews will take the street sweeper out and sweep the entire city prior to Christmas Day!



SAFETY TRAINING and CERTIFICATION TRAINING:

- All Public Works Crew members completed chainsaw safety.
- Justin attended the OAWU Sewer and Water Operators conference; to maintain his operator's certification for the City's water system.

ADMINISTRATION:

- Completed and submitted the Annual NPDES report to DEQ.
- Drafted MS4 Stormwater Management Plan and posted on City website for public review to meet new MS4 Permit requirements.
- Working on 2021-2022 Stormwater MS4 and TMDL annual reports.
- Working with Kittelson & Associates to finalize drawings for the Webster & Cason crossing project, 100% drawings have been received and are being reviewed and construction is scheduled to begin Spring of 2023.
- Working with DEQ and Clackamas County Co-permittees to revise NPDES stormwater permit mercury TMDL (Total Maximum Daily Load) implementation plan to address updated EPA/DEQ standards.
- Working with Oak Lodge Water Services to update and clarify our IGA (intergovernmental agreement)
- Working on OHA (OR Health Authority) state drinking water program and 2019 water system survey deficiencies corrective actions.
- Working with Clackamas County Co-Permittees to meet new DEQ MS4 Permit Requirements, modifications to the pesticide monitoring.
- Evergreen Ln Storm Line project: Pending document approval for the required easement from Clackamas County.
- Working with Regional Water Providers Consortium partners on emergency preparedness.
- ROW Permit audits continue with our local utility companies and Franchise holders. Quarterly billings being processed for ROW Permits with NWN and PGE.
- ROW management: Tracking 3rd quarter payments and preparing renewal letters for expiring licenses. Notices of expiration mailed out and receiving renewals.
- Researching ROW users which are not licensed and in compliance with current requirements for ROW Licensing standards. Will be providing them with avenues to obtain and maintain compliance.
- North Clackamas Watershed Project planning.
- Reviewing 30% design drawings for the I & I Project, phase 1 & 2.
- Final stages of the CBDG ADA Ramp Project with Clackamas County. Construction is complete, processing grant paperwork.
- Submission of grant documents for consideration of the Nature Park Loop Trail Paving Project with the assistance of Morgan Spencer the City Grant Writer.
- Completed the Gladstone Fire Station Remodel Project, final inspections, occupancy certificates and processing of final billing with contractor.



~ From the Public Works Department

Gladstone Police Department
Monthly Report
November 2022





Gladstone Police Department
CHIEF'S REPORT TO
CITY ADMINISTRATOR AND COUNCIL



CHIEF'S REPORT

November 2022

Greetings,

The Gladstone Police Department started the month with a good driving campaign. When officers noticed individuals good driving or even minor equipment violations with good driving they contacted the driver and let them know that their driving was appreciated, at the same time they were given a coupon to be redeemed at the police department for a free turkey. Those coupons could be passed onto others that may be in greater need but all in all the campaign was a success. The Gladstone Police Department would like to thank the Gladstone Safeway for donating all the Turkeys which supported twenty-five Gladstone families, a great way to start the holiday season.

Finally, I want to remind everyone that the "Santa Squad" has been activated and ready to accept packages. During the month of December, Gladstone residents can prevent the Grinch from stealing Christmas. We are offering to have your packages delivered to the Police Department if a family member or neighbor is unable to collect the package for you. Please email Santa's elf, Cathy at ckerrigan@gladstoneoregon.us with your name and phone number of where you can be reached once your package arrives. Packages may be delivered to:

18505 Portland Ave, Gladstone OR 97027

Address it to "Santa's Squad-GPD", C/O (your name) so we know who to call for pickup. If you have special circumstances let us know and we will deliver your package to your home after it is delivered.

The Gladstone Police Department would like to wish everyone a happy holiday season and remind everyone to be kind and look out for one another. Your Police Department is grateful for the opportunity to serve such a great community.

Sincerely

John Schmerber, Chief of Police



GLADSTONE POLICE DEPARTMENT
MONTHLY ACTIVITY REPORT

NOVEMBER 2022



"Respect ~Service ~Character ~Passion"

GENERAL STATISTICS/TYPE	THIS MONTH	YTD THIS YEAR	YTD LAST YEAR	% +/-	TOP 5 TRAFFIC CITE CHARGES	
Dispatched Incidents	546	6,089	6,088	0.02%	Speeding	26
Officer Initiated Incidents	369	4,433	5,732	-22.66%	Driving Uninsured	19
Total Number of Incidents	915	10,522	11,820	-10.98%	Driving While Suspended	17
Police Reports Filed	250	3,349	3,551	-5.69%	Improper Display of License	12
Traffic Contacts	227	2,401	2,906	-17.38%	Failure to Use Seat Belt	8
Citations Issued (Charges)	137	1,437	2,038	-29.49%	ALARM ADMINISTRATION REPORT	
Parking Citations	0	128	177	-27.68%	Renewals Billed	50
DUII	4	39	31	25.81%	Renewal Fees Collected	\$450.00
Community Policing Contacts	11	214	236	-9.32%	New Permits Issued	5
Murders	0	0	0	0.00%	False Alarms w/No Permit	6
K9 Deployments	3	43	25	72.00%	1st False Alarm Events	4
Tow Releases	1	16	37	-56.76%	2nd False Alarm Events	0
					6th False Alarm Events	1
					False alarm fees collected	\$50.00
					False alarm fees billed	\$150.00



**GLADSTONE POLICE DEPARTMENT
MONTHLY ACTIVITY REPORT**

NOVEMBER 2022

"Respect ~Service ~Character ~Passion"



SELECTED CALLS FOR SERVICE**	THIS MONTH	YTD THIS YEAR	YTD LAST YEAR	% +/-	SPECIFIC OVERTIME CATAGORIES	HOURS
Abuse/Neglect	1	35	26	34.62%	Cover Short Shift	218.75
Accident/Injury or Fatal	1	18	18	0.00%	Court	0.00
Accident/Property Damage	11	77	77	0.00%	Tarining	34.50
Assault	3	40	28	42.86%	Presentations/Meetings	2.50
Burglary	1	24	32	-25.00%	Other	3.50
Domestic Disputes	21	199	162	22.84%	Grant	26.00
Drugs/Narcotics	2	20	35	-42.86%	K9	39.25
Disturbance-Fights-Noise	14	163	180	-9.44%	SRO	0.00
Forgery/Fraud	4	78	93	-16.13%		
Hit and Run	2	40	66	-39.39%		
Ordinance Violations	7	127	161	-21.12%		
Runaway/Missing Person	10	63	61	3.28%		
Sex Offense	0	41	37	10.81%		
Suicide	7	59	88	-32.95%		
Suspicious Person or Circumstance	44	716	650	10.15%		
Thefts	13	258	217	18.89%		
Trespass/Prowler	9	151	151	0.00%		
Vandalism	5	105	117	-10.26%		
Vehicles Recovered	6	42	33	27.27%		
Vehicles Stolen	6	82	53	54.72%		
Death(Not Suicide/Murder)	1	15	17	-11.76%		

**Coded at time of dispatch, not final disposition



GLADSTONE POLICE DEPARTMENT
BIAS MONTHLY REPORT TO
CITY ADMINISTRATOR AND COUNCIL



BIAS MONTHLY REPORT

REPORTED BY: Lieutenant Tim Gerkman

November 2022

Bias crimes and incidents. The definition of a Bias Crime and Bias Incident can be found in the Oregon Revised Statutes at:

166.155 (Bias Crime in the second degree)

166.165 (Bias Crime in the first degree)

147.380 (b) (Bias Incident)

No Bias Crimes were reported.

No Bias Incidents were reported.

Bias Incident defined: a person's hostile expression of animus toward another person, relating to the other person's perceived race, color, religion, gender identity, sexual orientation, disability or national origin, of which criminal investigation or prosecution is impossible or inappropriate. "Bias incident" does not include any incident in which probable cause of the commission of a crime is established by the investigating law enforcement officer.



GLADSTONE POLICE DEPARTMENT CODE ENFORCEMENT MONTHLY REPORT TO CHIEF AND COUNCIL



CODE ENFORCEMENT OFFICER MONTHLY REPORT

Prepared by Sean Boyle

November 2022

2	Animal Complaints
18	Community Contacts
11	Details
9	Follow Ups
1	Hazard
10	Ordinance
5	Parking Complaints
7	Premise Checks
1	Property

64 Total Calls

The first week of November continued to be busy with complaints related to political signs. A steady stream of complaints and questions related to temporary signs were received through election day. The approach for handling these complaints was to contact and educate signs that were in violation and request compliance. Everyone that was contacted with sign violations complied.

A few years ago the leaf pickup program was restructured and the changes resulted in an increase of complaints related to leaves in the street. The leaf pickup program has reverted back to the old system resulting in eliminating complaints about leaves in the street. There have only been two complaints about leaves this year compared to the over 50 complaints from 2020.

November and December tend to be slow months for complaints and therefore no updates of new cases to report. Several cases are coming up for review and are expected to be closed out next month with updates to follow in the next report.



GLADSTONE POLICE DEPARTMENT DETECTIVES MONTHLY REPORT TO CHIEF AND COUNCIL



DETECTIVES MONTHLY REPORT

Prepared by Detective Fich

November 2022

New Cases Assigned:

1. 1987-0703 Cold Case Missing Person
2. 22-026150 Sexual Abuse (Historic) First reported on 11/1/22
3. 22-026151 Criminal Mistreatment/Child Abuse. Referral from CCSO on 11/17/22
4. 22-026181 Prostitution/Purchasing Sex with a Minor. Assigned 11/20/22

Current Caseload:

1. 22-011974 Rape. GPD Detective call-out on 05/27/22. Crime lab results pending
2. 22-012327 Robbery I. Assigned 05/31/22. Crime lab results pending
3. 22-021043 Rape. Assigned 09/17/22
4. 22-026151 Criminal Mistreatment/Child Abuse. Referral from CCSO on 11/17/22
5. 22-026181 Prostitution/Purchasing Sex with a Minor. Assigned 11/20/22

Cases Cleared:

1. 1987-0703 Cold Case Missing Person, missing since 1987, was located in California on 11/01/22
2. 21-026160 Sexual Abuse. Case forwarded to the Clackamas County District Attorney's Office for prosecution on 11/02/22
3. 22-023650 Sexual Abuse. Case suspended due to lack of victim disclosure on 11/10/22
4. 22-023651 Sexual Abuse. Case closed by exception on 11/12/22
5. 22-026150 Sexual Abuse (Historic) Case closed on 11/21/22 due to Statute of Limitations
6. 22-023628 Assist Outside Law Enforcement Agency, Herriman Police Department (Utah), Sexual Abuse Investigation. Requested tasks complete. GPD investigation forwarded back to Herriman Police Department on 11/28/22

Highlights/Noteworthy:

1. On November 1, 2022, Brent Allen Bissett was convicted by jury in Clackamas County Circuit Court of Rape in the First Degree, Sodomy in the First Degree, Sexual Abuse in the First Degree, Strangulation, Assault in the Fourth Degree, and Menacing. On November 28, 2022, he was sentenced to serve 100 months in the custody of the Oregon Department of Corrections and 20 years of Post-Prison Supervision (GPD Case 19-030900)



GLADSTONE POLICE DEPARTMENT
K9 MONTHLY REPORT
TO CHIEF AND COUNCIL



K9 MONTHLY REPORT

Prepared by: Officer Olson

November 2022

K9 Nanuk is a six year-old German Shepherd born in Slovakia. At seven weeks old K9 Nanuk was sold to a man in Germany who started training K9 Nanuk. In Germany in order to breed a dog they must achieve a sport title. In Germany the primary sport is schutzhund. schutzhund training is comprised of three separate parts, they are obedience, tracking, and protection work. You can accomplish three levels of titles from this training. K9 Nanuk was imprinted with the beginning knowledge in schutzhund training however he was sold at a young age and he had not achieved a title. Most working dogs are sold to kennels where police agencies purchase them with some sport dog training up to titled dogs in sport training. The training is then adapted to police work.

Officer	K9 Deployments GPD	K9 Deployments Other Agencies	K9 Training Hours
Olson	1	2	20

This month K9 Nanuk and I responded to three calls for service where he was deployed.

We assisted Clackamas County Sheriff’s Office on a burglary in progress at a restaurant just outside of Gladstone. We located the suspect along the side of the building and he eventually surrendered to us after being challenged several times with K9 Nanuk.

We assisted Clackamas County Sheriff’s Office on a dog track after a burglary at Buster’s BBQ however no one was located.

Milwaukie Police had a vehicle elude them and eventually ended up in Clackamas County where it eluded police until it stopped at a red light. The vehicle was surrounded, K9 Nanuk and I assisted with a high risk traffic stop. The driver surrendered and was taken into custody without incident.

OPERATIONS MONTHLY REPORT

Prepared by Sgt. Okerman

November 2022

11/3 A subject who had previously been trespassed from a parking lot of a convenience store returned. They were cited for trespass when officers arrived. The subject moved on again but has remained in the area for several weeks but has not violated the trespass again.

11/4 A burglary happened at the Chevron on E Berkeley St in the early morning hours. This was very similar to several other incidents in the Metro area where a truck/SUV is used to break into the building and rip out the safe. Luckily the strap the criminals were using broke and they left without taking anything, but there was over \$1k in damage. No suspects were identified.

11/9 GPD, with the assistance of Gladstone Safeway, was able to give back to the community before the holidays with our Turkey for Tickets program. Officers handed out coupons for a free turkey rather than issuing tickets for low level violations. Officer Orr handed out a Turkey Ticket to a citizen.



11/11 Just after midnight officers were called to an apartment complex on Risley Ave for a disturbance with a weapon call. Several people called 911 and reported hearing gun shots. GPD responded and with the assistance of OCPD and CCSO they were able to isolate the suspect while evacuating nearby apartment units. The suspect was eventually surrendered peacefully. Officers recovered the gun used in the incident. No one was hurt.

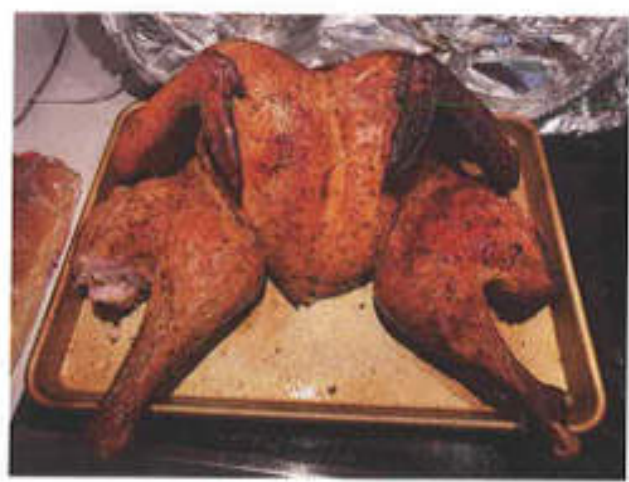
For Veteran's Day, officers dropped off cards and cookies for all the Veterans living at the Somerset Assisted Living community.

OPERATIONS MONTHLY REPORT
Continued....

Officers responded to a large house fire on 82nd Drive. Officers were needed to close 82nd Drive and direct traffic due to fire hoses being across all lanes.



11/18 A newly licensed driver ran into the back of a parked van on Portland Ave near Glen Echo Ave. No injuries were reported, except for some pride.



11/24 Happy Thanksgiving! An Officer smoked a turkey to bring in with potatoes, gravy, rolls, and pies for the shift meal.



GLADSTONE POLICE DEPARTMENT OPERATIONS MONTHLY REPORT TO CHIEF AND COUNCIL



OPERATIONS MONTHLY REPORT

Prepared by **Sgt. Graves**

November 2022

11/02/22- Theft in progress from a min-mart on Webster Rd. Suspect was identified as a juvenile and was located at their friend's home. Suspect went to JIAC where she was lodged for the theft and MIP.

11/13/22- Officers responded to a rollover crash on Stonehill St. The driver was later transported to the hospital for observation. There was no indication of impairment from the driver. It is unknown why she struck the parked vehicle causing the rollover.

11/21/22- A male juvenile was reported as a runaway from the 17000 block of Kirkwood. The reporting party said her son ran away after being disciplined for not coming home and possible intoxication. The reporting party has given GPD several possible locations which all have been followed up on. As of this report the juvenile is still missing.

11/22/22- A suicidal person was reported missing from the 100 block of Alli Ct. The investigation determined that the male sent suicidal text messages to his ex-girlfriend and left the home without his phone. Later in the week his vehicle was discovered in Estacada by CCSO. Search and Rescue conducted an area check, but were unable to locate him. All legitimate leads have been followed up on.

11/28/22- Milwaukie PD and CCSO were in pursuit of a vehicle that was south on 99E. GPD units were able to get into the area near Glen Echo and 99E and set spike strips in the roadway. The vehicle slowed down and was able to be pinned in by CCSO and a GPD unit. No damage was sustained to any vehicle.



GLADSTONE POLICE DEPARTMENT OPERATIONS MONTHLY REPORT TO CHIEF AND COUNCIL



OPERATIONS MONTHLY REPORT

Prepared by **Sgt. Hutchinson**

November 2022

11/01/22 – Tuesday – Officers took a report of vandalism at the Webster Ridge Apartments. The caller claimed to be a victim multiple times and says the problem of vehicle vandalism in the area has increased. We increased patrols in that apartment complex along with the Tukwila Transitional Housing facility in an attempt to minimize crime in the area.

11/02/22 – Wednesday – A victim of theft came to the Police Department to report her debit card was stolen by her online date and her account emptied. The victim is a county employee and the suspect lives in Portland. The victim did not continue to cooperate with the investigation and the case was suspended.

11/07/22 – Monday – Gladstone responded to a domestic assault between a male and female at the Gladstone Forrest Apartments. The male was assaulted by the female, but the female would not answer the door and wouldn't respond to attempts for contact. The male was transported to a local restaurant and provided financial assistance in getting food until a ride for him arrived. The Female later claimed to be a victim of assault from the male. Neither half wanted to be a victim the next day and no arrests were made.

11/10/22 – Thursday – Officers responded to an assault that occurred at Kraxberger Middle School. The Principal and other staff had located a juvenile that was inside the school who was not a student there. While the juvenile was being questioned, staff attempted to take her cell phone which prompted her to strike the principal in the face with a closed fist. The principal was later taken to the hospital with injuries to her face. The juvenile was taken to JRC and her parents were notified.

11/14/22 - Monday – Officers received a notification from the Suicide Hotline regarding a female who claimed to be suicidal and had overdosed on medication. With limited information on her whereabouts and several separate locations she was related to, Officers were able to locate her on W Gloucester and were able to assist in getting her to the Hospital at her parent's request. The medication was not lethal and she received medical attention.

OPERATIONS MONTHLY REPORT

Continued....

11/15/22 – Tuesday – Officers and Fire were sent to an auto vs Motorcycle crash on River Rd and Gloucester Ave. Both drivers remained on scene and were cooperative. The driver of the motorcycle was transported to the hospital with minor injuries and the driver of the car was cited.



11/21/22 – Monday – Gladstone Officers took a report of a runaway juvenile. He is still listed as missing as of 12/04/22. His information has been posted on social media and on local news in hopes that he will be located. All avenues have been attempted in trying to locate him.



11/23/22 – Wednesday – Gladstone Officers and Clackamas County Fire responded to a single vehicle crash at the intersection of Oatfield Rd and W Dartmouth. The 2022 Dodge Challenger drove eastbound through the intersection at a high rate of speed and crashed through the steel fence of the Seventh Day Adventists Property. The vehicle narrowly missed crossing traffic, and the driver was transported with non-life threatening injuries. He was cited in lieu of arrest for DUII and Reckless Driving.

11/27/22 – Sunday – Officers Took a stolen vehicle report from a local dealership where the suspect took the vehicle in less than a minute and drove towards Oregon City.



GLADSTONE POLICE DEPARTMENT RECORDS UNIT MONTHLY REPORT TO CHIEF AND COUNCIL



RECORDS UNIT MONTHLY REPORT

Reported by: Executive Assistant Kristi Walls

November 2022



Don't forget to watch our website and our Face Book page for our Monthly "Where is K9 Nanuk" photo contest. The first person to guess where K9 Nanuk is and contact me at kwalls@gladstoneoregon.us will win a prize. Last month's winner was Mari Conlin. The correct guess was Stocker Park.

Don't forget to stop by the police department to get your free bicycle helmet. We have all sizes ranging from toddlers to adults. We are here to help you Monday through Friday from 9:00am – 4:00pm.



On Veterans Day we honored Veterans at Somerset Retirement Center in Gladstone! Officers arrived with specialty cookies and thank you cards signed by officers and staff at the Gladstone Police Department.





GLADSTONE POLICE DEPARTMENT RECORDS UNIT MONTHLY REPORT TO CHIEF AND COUNCIL



RECORDS UNIT MONTHLY REPORT Continued.....

This year "Turkeys for Tickets" campaign was a huge hit. We would like to thank Gladstone Safeway for their generous donation.



Where is K9 Nanuk? November 2022

Join us every month to identify where is K9 Nanuk.



Each month we will post of a picture of K9 Nanuk somewhere in Gladstone. Be the first to identify where K9 Nanuk is, and you will get something special from us. If you think you know where K9 Nanuk is, contact us at kwalls@gladstoneoregon.us. You must email your response to win.





**GLADSTONE POLICE DEPARTMENT
TRAINING UNIT MONTHLY REPORT
TO CHIEF AND COUNCIL**



TRAINING UNIT MONTHLY REPORT

Prepared by: Sergeant Okerman

November 2022

The training unit strives to keep all Police Department members updated on legal and training issues. This is no small task considering that to maintain certification as a Police Officer in Oregon you must meet minimum requirements based on required annual or semi-annual training mandates. We also strive to send Officers to training that may not be required, but relate to a particular Officer’s field of expertise or for purposes of career development.

Officer	Training	Mandatory State/Federal	Hours
All sworn	Firearms	Yes	3 each
All Sworn	Less Lethal	No	1 Each
Olson	K9	Yes	24
Total			69

Officer Oliver began his field training this month. His vast experience has shown through in how he handles calls and is already proving to be a valuable new member for GPD.

Officer Olson and K9 Nanuk attended a three-day intensive workshop hosted by their training group. An outside trainer was brought in to provide a different perspective to how they work. Both performed well.

This month all officers recertified on our less lethal launchers, giving us an extended option to de-escalate situations and take suspects safely into custody.

Also this month all officer participated in firearms training. This training focused on patrol rifle deployment with officers completing the qualification course and some precision shooting.





City of Gladstone Monthly Planning Report November 2022

PUBLIC CONTACTS/PLANNING ACTIONS

CUSTOMER CONTACT/ Planning Actions	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YEAR TOTALS
Customer Service Counter Contacts	1	2	1	1	0	3	2	1	1	3	4		19
Customer phone/email Contacts	47	67	52	68	64	70	38	75	39	45	66		631
Building Permits with Land Use Review	4	4	6	11	1	4	6	2	2	2	3		42
Pre-application Conferences	1	0	0	0	0	0	0	1	1	1	0		4
Administrative Decisions	0	1	1	1	0	1	0	1	1	0	0		6

PLANNING COMMISSION ACTIONS/DECISIONS

- Recommended City Council consider and approve the Downtown Overlay and C-2 amendments in TXT-2022-02

CITY COUNCIL LAND USE ACTIONS/DECISIONS

- None

PRE-APPLICATION CONFERENCES

- None

ADMINISTRATIVE PERMITS

- None

BUILDING PERMITS WITH LAND USE REVIEW

NOVEMBER			
Date	Address	Building Permit #	Description
11/01/22	430 E FAIRFIELD ST	B0655022	Patio Cover Replacement
11/01/22	7170 MONTE VERDE DR	B0660222	Fire Damage Repair
11/18/22	17380 LUNDGREN WAY	B0694622	Interior Remodel

FUTURE ITEMS/PROPERTY UPDATES

Date	Topic
TBD	Two lot partition with a flag lot

GLADSTONE MUNICIPAL COURT FROM NOVEMBER 2022

General Court Information from November 2022

- 67 traffic citations filed
- 64 violations disposed
- 4 misdemeanors filed
- 9 misdemeanors disposed
- 78 charges were placed on a payment plan
- 24 warrants were issued
- 33 payment reminders were mailed to defendants
- 6 driver's licenses were requested suspended
- 15 driver's licenses were released
- 34 cases were sent to collections
- 6 cases were sent to the Department of Revenue
- 0 Jury trial was held
- \$17,975.00 in violation fees assessed
- \$20,958.48 in violation fees paid
- \$8,535.00 in misdemeanor fees assessed
- \$3,654.71 in misdemeanor fees paid
- \$561.50 collection with Department of Revenue
- \$17,667.29 collected with The Western Agency

	Traffic Cites Issued 2020	Traffic Cites Issued 2021	Traffic Cites Issued 2022	Traffic Viol Disp 2020	Traffic Viol Disp 2021	Traffic Viol Disp 2022	Misd. Issued 2020	Misd. Issued 2021	Misd. Issued 2022	Misd. Disp. 2020	Misd. Disp. 2021	Misd. Disp. 2022	Parking 2020	Parking 2021	Parking 2022
Jan	66	96	78	63	197	97	14	6	2	10	14	3	4	3	0
Feb	74	49	86	52	117	115	8	5	13	3	8	8	1	2	0
Mar	41	157	62	40	87	122	3	6	3	0	10	8	6	3	1
Apr	15	107	118	2	137	93	6	6	13	0	6	2	1	8	3
May	96	92	76	6	173	189	9	5	4	0	6	9	1	9	40
Jun	56	177	118	99	93	150	12	5	13	6	7	8	1	49	13
Jul	31	146	42	79	254	160	17	21	2	12	4	9	42	45	61
Aug	45	101	37	79	199	111	4	7	16	16	10	12	15	19	21
Sep	40	127	35	75	144	76	4	7	5	7	7	8	4	12	5
Oct	87	55	37	70	199	32	18	2	4	4	10	3	4	4	5
Nov	75	70	67	42	87	64	8	8	4	5	3	9	2	8	2
Dec	138	55		116	85		4	0		6	7		3	1	
Total	764	1232	756	723	1772	1209	107	78	79	69	92	79	84	163	151

GLADSTONE MUNICIPAL COURT FROM NOVEMBER 2022

TRAFFIC FINE & FEES ASSESSED AND PAID BY YEAR

	Traffic Fees Assessed 2020	Traffic Fees Assessed 2021	Traffic Fees Assessed 2022	Traffic Fees Paid 2020	Traffic Fees Paid 2021	Traffic Fees Paid 2022
Jan	15,262.31	51,046.00	35,192.50	12,033.23	16,230.42	18,573.88
Feb	12,164.00	31,940.00	30,750.00	13,100.56	32,689.75	25,724.67
Mar	10,352.00	22,844.00	33,126.10	13,679.23	16,401.78	36,100.00
Apr	140.00	39,964.84	28,805.00	31,774.84	40,979.85	26,349.01
May	1,215.00	50,745.00	57,275.00	14,868.25	22,791.29	27,039.72
Jun	26,875.00	28,460.00	38,788.00	22,791.29	23,934.76	42,927.32
July	22,818.60	22,818.60	51,636.25	27,548.18	43,103.86	24,562.98
Aug	15,771.00	53,950.00	28,160.00	19,930.32	26,648.20	25,312.14
Sept	18,286.00	44,225.00	31,143.00	22,475.85	25,539.13	23,137.49
Oct	16,418.00	47,026.00	24,148.77	15,460.94	28,491.79	9,505.00
Nov	11,270.00	26,505.00	17,975.00	26,560.94	21,086.93	20,958.48
Dec	27,703.00	30,290.00		34,966.66	17,573.05	
Total	\$178,274.91	\$449,814.44	\$376,999.62	\$255,190.29	\$315,470.81	259,232.21

MISDEAMNOR FINE & FEES ASSESSED AND PAID BY YEAR

	Misdemeanor Fees Assessed 2020	Misdemeanor Fees Assessed 2021	Misdemeanor Fees Assessed 2022	Misdemeanor Fees Paid 2020	Misdemeanor Fees Paid 2021	Misdemeanor Fees Paid 2022
Jan	8,068.00	13,698.48	2,136.00	9,339.58	7,346.08	3,771.92
Feb	1,752.43	5,511.00	6,511.00	4,835.81	5,267.95	10,412.41
Mar	0.00	4,308.00	5,831.62	4,128.28	10,012.54	6,955.75
Apr	0.00	4,128.28	963.00	8,813.88	14,939.91	6,962.43
May	0.00	4,737.00	7,062.00	8,813.88	5,646.16	1,841.15
Jun	1,992.00	9,960.01	7,183.00	12,771.61	5,179.63	9,152.68
July	12,876.95	4,381.00	7,921.38	5,587.53	6,741.67	3,411.36
Aug	9,304.00	14,716.00	8,991.00	5,567.12	10,463.60	2,149.64
Sept	3,123.09	30,584.00	6,868.00	8,472.56	6,507.01	2,668.68
Oct	2,223.80	5,546.00	4,155.73	6,807.68	9,914.75	6,588.00
Nov	3,536.00	5,463.00	8,535.00	4,474.00	5,557.93	3,654.71
Dec	2,919.00	3,786.00		8,249.10	1,834.12	
Total	\$45,795.27	\$106,818.77	\$66,157.73	\$70,233.27	\$89,411.35	57,568.73

Monthly Report for November 2022

To: City Administrator, Jacque Betz

From: Community Services Manager, Tiffany Kirkpatrick, MA

This month, the center staff and volunteers worked diligently on multiple events and opportunities- via new wellness offerings, and programs with school partners (for in-house dining participants and a pen pal connection with our homebound seniors. We organized and cooked a homemade Friendsgiving celebration to Gladstone at the center in November, and had a beautiful turnout in attendance of over 90 community members. Our “Thanksgiving” budget was funded by the Gladstone Senior Foundation.

We entered into a partnership with John Wetten Elem. And the entire 5th grade class—adding a beautiful Lunch and Learn activity/program every other Tuesday in the center. We added Gary Schmidt, Tai Chi Instructor, to the wellness program—he leads a beginner and advance class (at capacity), at the center, 2x/week for free. We also added six outside rentals this month, the most since last year.

Current Staffing: 1. Manager 2. Office/Program Assistant II.- 1.0fte 3. Nutrition Coordinator - temp 1.0fte

4. Tram Driver is part-time 5. On-call site monitor

Food Program/Home Deliveries and Volunteers)

1. The center continues to have a highly active volunteer staff who delivered a total of **1206 hot meals in November** to our homebound/or food insecure participants. We sent out **351** food boxes to persons in the community that are 60+ and in need of additional food staples; We do have **47** HBM currently.
2. We served **278 in-dining service meals** this month.
3. We reported **97** volunteers with **460 volunteer hours** over the month, and **2 new volunteers** for the center.

Services

- 1) The center captured **96 Info and Assistance calls** coming in about a number of inquiries regarding program/service needs, transportation, follow-up etc.
- 2) The center handled **250 reassurance calls** out into the community to assist participants, gather resource info to assist, follow-up with other organizations/businesses that provide services. As well as **2 case management** calls to direct plan, support and assist our senior participants navigate the system.

Other stats:

Total number of participants/guests into the center in November 2022 was **787**

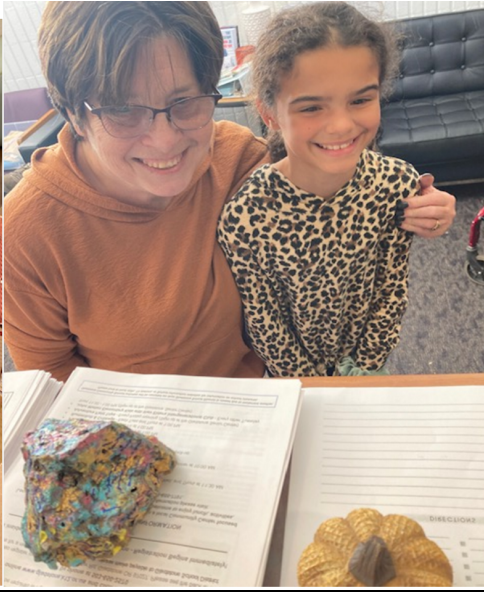
Holiday events – Highlights of November in the center; Friendsgiving Annual Luncheon, New Tree, Intergenerational partnership

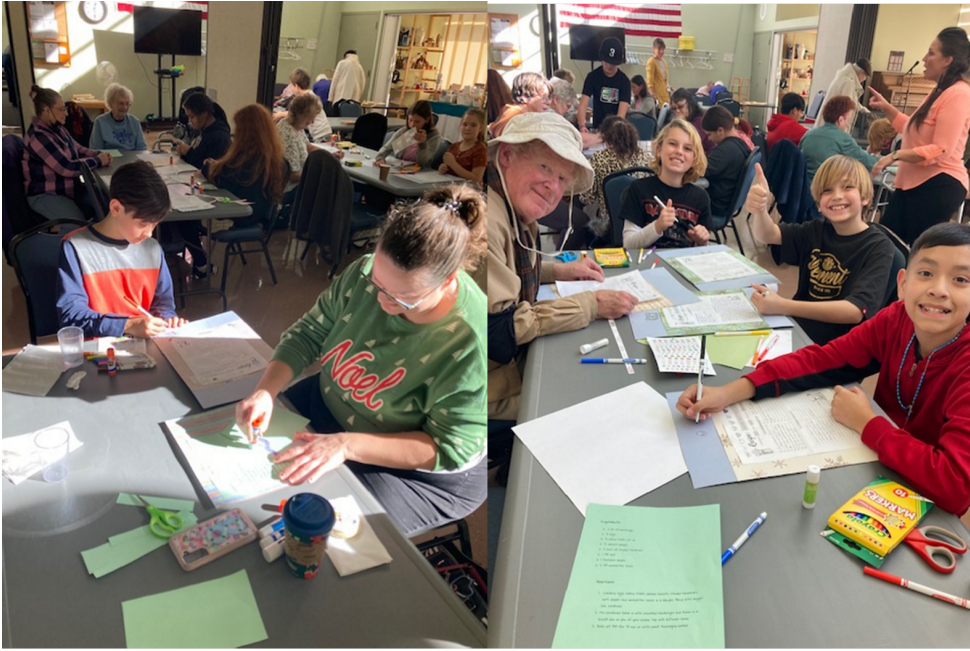


- Some photos of our Friendsgiving, Donated Blue Spruce for the City of Gladstone was delivered in November, by Seventh-day Adventist Conference, John Wetten partnership at the center: photos attached event and process

Areas of Focus initiated/activated by Community Services Manager:

- ✓ Build/foster new relationships with Gladstone school district to improve center/program collaborations and offerings in the future.
- ✓ Working closer with PW to get washer/dryer and food pantry updated, serviced and organized – completed.
- ✓ Worked with Kiwanis Club, Senior Advisory Board (on mission and vision and identified areas of concern with Janitorial and restrooms at best practices for center population- see minutes)
- ✓ Updated Center work goals and leadership, staff and Senior Advisory Board
- ✓ Continuing to work through GEMS to provide monthly education on preparedness and info from the Emergency Resource Center on resources in the community in general
- ✓ Weekly check-ins with staff to assess tasks (highlights and intentions)
- ✓ Work with staff to ready center for Holiday events, vacations, new in-coming volunteers and updating our reports for Clackamas County









Canvass Results

Official

Run Time 11:42 AM
Run Date 12/05/2022

Clackamas County

November 8, 2022 General Election

11/8/2022

Page 80

Official Results

Registered Voters 216733 of 319675 = 68.05%
Precincts Reporting 85 of 86 = 100.00%

City of Gladstone, Mayor - Vote for one

Precinct	Michael Milch	Tammy Stempel	Steve Johnson	Write-in (W)	Cast Votes	Undervotes	Overvotes	Miscellaneous Write-Ins	Vote by Mail Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
614	585	597	571	12	1,765	243	1	0	2,009	2,009	3,293	61.01%
616	1,105	918	794	23	2,840	448	1	0	3,289	3,289	4,938	66.61%
618	172	108	131	3	414	73	0	0	487	487	733	66.44%
Totals	1,862	1,623	1,496	38	5,019	764	2	0	5,785	5,785	8,964	64.54%



CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK

BY:

Sherry Hall

Convass Results

Official

Run Time

Run Date

11:42 AM

12/05/2022

Clackamas County

November 8, 2022 General Election

11/8/2022

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Official Results

Registered Voters

216713 of 213075 = 69.06%

Precincts Reporting

85 of 86 = 100.00%

City of Gladstone, Councilor, Position 1 - Vote for one

Precinct	Mindy Garlington	Vanessa Huckaby	Write-In (W)	Cast Votes	Undervotes	Overvotes	Miscellaneous Write-ins	Vote by Mail Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
614	747	873	11	1,631	378	0	0	2,009	2,009	3,293	61.01%
616	1,113	1,434	14	2,561	728	0	0	3,289	3,289	4,938	66.61%
618	157	226	3	386	101	0	0	487	487	733	66.44%
Totals	2,017	2,533	28	4,578	1,207	0	0	5,785	5,785	8,964	64.54%



CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK

BY:

Sherry Hall

Official Results
 Registered Voters
 216733 of 313173 = 69.05%
 Precincts Reporting
 86 of 86 = 100.00%

Canvass Results
 Official
 Run Time 11:42 AM
 Run Date 12/05/2022

City of Gladstone, Councilor, Position 3 - Vote for one

Precinct	Veronica Reichle	Neal Reisner	Write-In (W)	Cast Votes	Undervotes	Overvotes	Miscellaneous Write-Ins	Vote by Mail Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
614	831	790	8	1,629	380	0	0	2,009	2,009	3,293	61.01%
616	1,339	1,191	12	2,542	747	0	0	3,289	3,289	4,938	66.61%
618	219	164	3	386	101	0	0	487	487	733	66.44%
Totals	2,389	2,145	23	4,557	1,228	0	0	5,785	5,785	8,964	64.54%



**CERTIFIED COPY OF THE ORIGINAL
 SHERRY HALL, COUNTY CLERK**

BY: Sherry Hall

Canvass Results

Official

Run Time 11:42 AM
Run Date 12/05/2022

Clackamas County

November 8, 2022 General Election

11/8/2022

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Official Results

Registered Voters
216733 of 213675 = 69.65%
Precincts Reporting
86 of 86 = 100.00%

City of Gladstone, Councilor, Position 5 - Vote for one

Precinct	Bill Osburn	Luke Roberts	Bart Starr (W)	Write-in (W)	Cast Votes	Undervotes	Overvotes	Miscellaneous Write-ins	Vote by Mail Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
614	751	883	1	9	1,644	364	1	0	2,009	2,009	3,293	61.01%
616	1,085	1,500	0	16	2,601	688	0	0	3,289	3,289	4,938	66.61%
618	149	235	0	2	386	101	0	0	487	487	733	66.44%
Totals	1,985	2,618	1	27	4,631	1,153	1	0	5,785	5,785	8,964	64.54%



CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK

BY:

Sherry Hall

City of Gladstone Staff Report

Report Date: December 6, 2022
Meeting Date: December 13, 2022
To: City Council
From: Cathy Brucker, Finance Consultant

Agenda Item

Adoption of Resolution No. 1213 – a Budget Adjustment Specific Purpose Grant funds received for the Police and Senior Center Departments.

History/Background

The City Council adopted the 2021-2023 Biennium Budget on June 22, 2021 in the amount of \$56,063,917, along with two additional adjustments totaling \$6,861,913, for a total of \$62,925,830 to date. Under specific circumstances within Oregon Budget Law, changes to appropriations are allowed either through a supplemental budget process or by resolution transfer. The following developments allow the City to utilize a budget resolution transfer approach to increase resources and appropriations to allow for the proper use of funds:

- The Police department applied for, and received Oregon Department of Transportation High Visibility grants in the amount of \$91,000 to offset the overtime costs of traffic enforcement;
- The Senior Center applied for, and received a total of \$75,000 in grants from Oregon Department of Human Services for congregate meal enhancement and transportation needs.

As permitted by Oregon Budget Law, unbudgeted proceeds from specific purpose grants may be spent within the current fiscal year with the passage of a budget resolution.

Proposal

Staff is requesting adoption of Resolution No. 1213 to:

- Recognize the specific purpose grant funds received, and
- Recognize the appropriation of the proceeds the Police Department Overtime budget and the Senior Center Nutritional Supplies and Vehicle Reserve.

Options

No other options have been considered. These actions are necessary to utilize the funding and remain in compliance with Oregon Budget Law ORS 294.305 to 294.565.

Cost Impact

All cost impact is offset by or new resources.

Recommended Staff Action

Staff recommends adoption of Resolution No. 1213 to increase the 2021-2023 Biennium Budget by \$166,000 to a total of \$63,091,830 as permitted by ORS 294.338(2).

Cathy Brucker 12-7-22 Jaquie M. Betz 12-7-22
Department Head City Administrator
Signature Signature Date

**RESOLUTION NO. 1213
CITY OF GLADSTONE, OREGON**

A Resolution Adopting an Adjustment to the Budget for the Biennium Years 2021-2023

WHEREAS, the Council of the City of Gladstone adopted Resolution No. 1197 for the 2021-2023 Biennium Budget on June 22, 2021, in the amount of \$56,063,917, and

WHEREAS, the Council of the City of Gladstone adopted supplemental budget Resolution No. 1205 for necessary adjustments due to the American Rescue Plan Act funding on February 8, 2022, in the amount of \$1,498,029, and

WHEREAS, the Council of the City of Gladstone adopted Resolution No. 1209 on May 10, 2022 for necessary adjustments due to the Full Faith and Credit Financing and construction of the Public Works Facility, in the amount of \$5,363,884 and

WHEREAS, per ORS 294.338(2), the City may recognize funds available from specific purpose grant and gifts by budget resolution; and

WHEREAS, the Senior Center received a \$75,000 grant from Oregon Department of Human Services to improve congregate meal infrastructure and enhance transportation needs for the senior center population, and

WHEREAS, the Police Department applied for and received a total of \$91,000 in High Visibility Traffic funding from the Oregon Department of Transportation for overtime wages related to traffic enforcement, and

WHEREAS, the City has determined to increase resources and appropriations in the following funds and organizational unit categories for the 2021-2023 Biennium Budget as illustrated below:

Resources:

Appropriations:

General Fund

Adopted Resources	\$ 25,938,643	Adopted Appropriations	\$ 25,938,643
Other Grants (ODHS)	75,000	Police Overtime	91,000
Police Grants	91,000	Senior Center - Congregate Meal Imp.	25,000
		Senior Center - Vehicles - Transportation	50,000
Revised Resources	<u>\$ 26,104,643</u>		<u>\$ 26,104,643</u>

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Gladstone, a municipal corporation of the State of Oregon, the following:

Section 1. The 2021-2023 Biennium Budget be increased by \$166,000 to a total of \$63,091,830 as permitted by ORS 294.338(2).

This Resolution is effective December 13, 2022.

This Resolution adopted by the Gladstone City Council and approved by the Mayor this _____ day of _____, 2022.

ATTEST:

Tamara Stempel, Mayor

Tami Bannick, City Recorder

**CLACKAMAS
FIRE DISTRICT
#1
REPORT**



Here for you

FIRE CHIEF'S REPORT

November 2022

November finally saw a shift in the weather. Throughout the month, Clackamas Fire District provided messaging about incidents, warming centers, risk reduction efforts, health and safety, recruitment, and holiday toy and food drives.

Clackamas Fire District is considering a local option levy to increase staffing and improve emergency and wildfire response. (This would not affect Gladstone's contract for services). The district held two community forums and distributed a survey via social media to engage the public in November. The district continues to engage the public and seek input from community members.

There were two fires inside structures in Gladstone in November – one in an apartment and the other in a mobile home. Engine 322 was first on scene to both incidents. Both were contained to the room of origin and there were no injuries. The third was a grass fire on Clackamas Blvd.

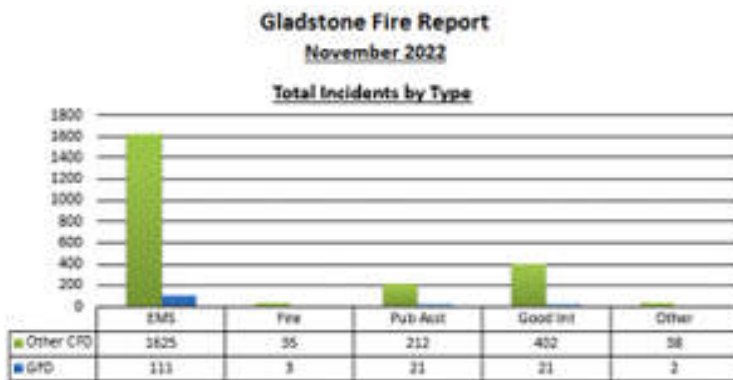
Clackamas Fire (@clackamasfire) · Nov 18
 Gladstone School District Toy Drive - Help make the holidays brighter for Gladstone families by donating toys, games, or sports equipment for kids. Donate by Dec. 8 at these locations:
 - Adventist Book Center - 10700 Carlfield Rd.
 - Clackamas Fire Station 22 - 999 Portland Ave.



11/18 – Tweeting out in support of Gladstone School District toy drive



11/9: Community Forum in Beaver Creek



*Note: Data is preliminary and is subject to revision as data is validated.



11/8: Crew 30 brushing roads and campgrounds affected by 2020

December

REGULAR AGENDA

City of Gladstone Staff Report

Report Date : December 6, 2022
Meeting Date: December 13, 2022
To : City Council
From : Cathy Brucker, Finance Consultant,
Darren Caniparoli, Public Works Director,
Tiffany Kirkpatrick, Community Services Manager, and
Tami Bannick, City Recorder

Agenda Item

Approval of Resolution No. 1214, a Resolution repealing Resolution No. 1210 and adopting a revised Master Fee Schedule (attached) effective January 1, 2023.

History/Background

The City of Gladstone Master Fee Schedule is historically updated when rates are added, revised or deleted to reflect the current rates, and provide the public with accurate and timely information.

Utility Rate Increases - After two years of significant utility rate increases, as of January 2022 the City has been able to forecast increases to approximate the cost of living adjustment as of the current period. The budgeted increase for January 2023 is 4.0 percent for Water, Sewer and Storm Water utilities base rates, along with the block rates for Water consumption.

Right of Way Minimum Charges - Included is the standard 3.0 percent annual increase for the Right of Way Minimum Charges as detailed in the Master Fees and Charges Schedule.

Street Opening Permit Fee - One Time Extension - Public Works administration staff is requesting to establish a 90-day renewal process for ROW Permits issued to utility companies (PGE, NWN, Comcast, MCI). Currently ROW Permits are issued with a one-year expiration date, however, utility companies' often pre-permit work which may be delayed. While Public Works staff works to manage work status, permits are close to expiring and or have expired when work is beginning, causing the applicant to re-submit duplicate paperwork and secondary permit.

Offering this one-time renewal option will significantly benefit Public Works Administrative staff as well as utility companies, reducing redundancies for both. The suggested fee for this one-time extension would be \$100.00.

Technical Plan Review/Development Engineering Fee Increase - In October 2016 City Council approved a Technical Plan Review – Development Engineering fee of 5.0 percent based on the total construction cost for public improvements and work completed within the City ROW. Of this fee, 2.5 percent is allocated to offset the cost of plan submittals/reviews while the remaining 2.5 percent help offset inspection costs.

The Public Works Dept. inspects regulatory requirements, and provides development oversight on all private development projects. Unfortunately, the current fee structure does not provide a mechanism for the City to recover cost for exorbitant plan submittals/reviews, which can cost the city upward of \$500.00 per review.

Public Works is proposing the following changes to the current Technical Plan Review – Developmental Engineering Fee:

- Technical Plan Review – Developmental Engineering fee of 5.0 percent of total construction cost based on a Certified Engineers Estimate, including up to 2 plan submittals/reviews per project.
- Additional plan submittals/reviews (3 or more) will incur an additional charge of 3.0 percent per submittal/review of the total construction cost based on a Certified Engineers Estimate.

Originally, the Technical Plan Review – Development Engineering fee was not intended to cover all the costs for plan reviews necessary to meet the regulatory requirements and development oversight. It has become clear that we need to manage the growing cost of private development, and the addition of these proposed limits and fees will defray the costs for the city and residents of Gladstone.

Senior Center Rental Rates and Fee - The Senior Center has not increased rental rates in a number of years. This year, there has been an over-abundance of participation since reopening in December 2021. After consideration with the Senior Advisory Board, and reviewing rental inquiries, staff requests to increase the residential and nonprofit rate, as well as the commercial and for-profit rental rate to match the needs of the center. Consideration also included possible need to increase janitorial services for an additional day, as well as relief staff or site monitor hours during rental events on the weekend. The rate increase reflects all of these adjustments.

Planning Fees – For years the City contracted with Clackamas County for planning and zoning services, fees for those applications and services were set by Clackamas County. In October 2022 the Council approved the City entering into a personal services contract with 3J Consulting for planning and zoning Services. Due to the discontinuation of contracting for planning services with Clackamas County and transferring to City provided administration and fee collection, a slate of Planning Fees will need to be adopted in the Master Fees and Charges Schedule. The City is proposing to use the fee schedule adopted by Clackamas County.

Proposal

Staff requests revising the Master Fee Schedule to reflect the updated and new rates listed above, along with deletion of the obsolete rates associated with the Fire Department, to become effective January 1, 2023.

Options

- Council could choose not to approve any or all of the updates to the Master Fee Schedule
- Council could choose to adopt any or all of the updates to the Master Fee Schedule.

Recommended Staff Action

Staff recommends City Council approve Resolution No. 1214 adopting the amended Master Fee Schedule with the following motion:

“I make a motion to approve Resolution No. 1214, repealing Resolution No. 1210 and adopting a new Master Fee Schedule”.

			
Department Head Signature	Date	City Administrator Signature	Date

RESOLUTION NO. 1214
CITY OF GLADSTONE, OREGON

A Resolution Adopting a Revised Master Fee Schedule

WHEREAS, The Gladstone City Council is authorized by the Gladstone Municipal Code to adopt certain fees; and

WHEREAS, The City Council desires to adopt an updated Master Fee Schedule reflecting periodic updates; and

WHEREAS, The City adopted a Right-of-Way Ordinance in 2016, the Master Fee Schedule stipulates the minimum annual Right-of-Way fee will increase 3.0 percent every year; and

WHEREAS, In November 2019 the City Council approved a new utility rate structure, including block rates and annual increases. As of January 2023, the monthly increase to a typical single family home is determined to be 4.0 percent to the base and block rates to correlate to the increase in the cost of goods and services, effective January 1, 2023, and,

WHEREAS, The City desires to update the Technical Plan Review fee to 5.0 percent of construction costs for the first two reviews, and 3.0 percent of construction costs for three or more plan reviews, plus add a One Time Extension fee for Street Opening Permits of \$100 (90 day period); and

WHEREAS, The City has reviewed the rental rates at the Gladstone Senior Center and desires to increase rental rates in both the Planton and Bloye Halls, add a two hour minimum time limit, add a cleaning fee and refundable deposit fee due at time of scheduling; and

WHEREAS, The City has discontinued the contract with Clackamas County for Planning Services, and desires to adopt a slate of planning fees for in-house administration and collection as listed on Exhibit A; and

WHEREAS, The City entered into an Intergovernmental Agreement with Clackamas Fire District #1 for fire protection services as of July 1, 2022, resulting in the elimination of the Fire report fees listed on previous Master Fee Schedules;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Gladstone, a municipal corporation of the State of Oregon, the following:

The City of Gladstone repeals the Master Fee Schedule adopted under Resolution 1210 and replaces it by adopting the Revised Master Fee Schedule, as set forth in the attached Exhibit A. Changes/additions are noted in **highlight** and deletions are noted in **strikethrough**.

This Resolution is effective January 1, 2023.

This Resolution adopted by the Gladstone City Council and approved by the Mayor this _____ day of _____, 2022.

ATTEST:

Tamara Stempel, Mayor

Tami Bannick

	A	B	C
1	Resolution 1214 - Exhibit "A"		
2	City of Gladstone Master Fee Schedule Effective January 1, 2023		
3			
4	ADMINISTRATION		
5	Adopted Budget	\$45.00	
6	Blasting Permit Fee	\$5,000.00	
7	Blasting Permit Inspections each (after first two inspections)	\$2,000.00	
8	Business License Base Fee	\$100.00	
9	Business License Commencing July-December	\$50.00	
10	Business License fee per employee over 3 FTE's	\$5.00	
11	Business License for Rental Property in Gladstone - base fee plus tiered approach below	\$100.00	
12	1 rental unit	\$25.00	
13	2 - 5 rental units	\$50.00	
14	6 - 12 rental units	\$75.00	
15	13+ rental units	\$100.00	
16	Business License Past Due Fee per month	\$10.00	
17	Home Occupation - Initial Application Fee	\$50.00	
18	Declaration of Candidacy Filing Fee	\$50.00	
19	Electronic Copy of a Recorded Meeting	\$20.00	
20	Liquor License Review		
21	Original Application	\$100.00	
22	Change in ownership, location, or privilege	\$75.00	
23	Renewal or temporary application	\$35.00	
24	Lien Search	\$30.00	
25	Notary Fee (Non-Resident)	\$10.00	
26	Notary Fee (Resident)	\$5.00	
27	NSF Check Charge	\$35.00	
28	Parking Permits	\$25.00	
29	Penalty for work commencing before application approval	Investigation fee equal to permit fee	
30	Photocopies B&W up to 8 x 14	\$0.25	
31	Postage and Handling Flat Fee + actual cost of postage	\$1.00	
32	Public Records Administrative Research per hour (quarter hour increment charge)	Based on hourly rate	

	A	B	C
33	Public Records Clerical Research per hour (quarter hour increment charge)	Based on hourly rate	
34	Public Records Legal Research per hour (quarter hour increment charge)	Based on hourly rate	
35	Public Records Request Deposit (large) toward hourly rate	\$100.00	
36	Public Records Request Deposit (small) toward hourly rate	\$25.00	
37	Returned Check Charge/processing	\$35.00	
38	Road Re-naming	\$150.00	
39	Special Event Application (plus actual staff costs for employees specifically needed to work the event and barricade fees if needed)	\$100.00	
40			
41			
42			
43	Fire and EMS Incident Report	\$20.00	
44	Fire Investigation Report	\$20.00	
45	Fire Investigation Photos	\$40.00	
46			
47			
PARKS AND RECREATION			
48	Meldrum Bar Parking Fee:		
49	Non-Resident	\$3.00/day	
50	Non-Resident	\$40.00/year	
51	Non-Resident Visiting Sports Teams	Free (in designated area)	
52	Resident	Free (limit two per household)	
53	Card Replacement fee	\$5.00 per card	
54			
55			
56			
<u>GLADSTONE USER GROUP FEES FOR RESERVED PLAY</u>			
57	Baseball/Softball User Groups:		
58	Gladstone Junior Baseball Association	\$20.00 per registered player/year	
59	Gladstone Girls Softball Association	\$20.00 per registered player/year	
60	Soccer User Group:		
61	Gladstone Youth Soccer Association (2 rosters a year for per player charge)	\$15.00 per registered player/year	
62	Tournament Fees: Baseball/Softball Soccer:		
63	Meldrum Bar Park Fields - all fields/3-day cap	\$500.00	
64	Dierickx Fields - all fields/3-day cap	\$200.00	
65	Banners: Sponsor banners allowed during tournament play only. Banners must be		

	A	B	C
66	removed at the end of play		
67	Pickleball User Group:		
68	Gladstone Pickleball Club (2 rosters a year for per player charge)	\$15.00 per registered player/year	
69	Tournament Fees: Pickleball/Tennis		
70	Max Patterson Courts - All Courts all day/3-day cap	\$200.00	
71	Banners: Sponsor banners allowed during tournament play only. Banners must be removed at the end of play		
72			
73			
74	<u>NON-GLADSTONE USER GROUP FEES FOR RESERVED PLAY</u>		
75	Baseball/Softball Ballfields Use (per field/per hour)		
76	Resident Team*	\$10.00 per hour/per field	
77	Non-Resident Team	\$15.00 per hour/per field	
78	Soccer Field (per field/per hour) Does not include goals		
79	Resident Team*	\$5.00/per hour/per field	
80	Non-Resident Team	\$10.00 per hour/per field	
81	Tournament Fees: Baseball/Softball/Soccer		
82	Meldrum Bar Park Fields - all fields/per day	\$500.00	
83	Dierickx Fields - all fields/per day	\$200.00	
84	Pickleball/Tennis Courts (per court/per hour)		
85	Resident**	\$5.00/hour	
86	Non-Resident	\$10.00/hour	
87	*Resident team must consist of 85% Gladstone residents		
88	**Resident must show identification		
89			
90	PLANNING AND BUILDING		
91	The City of Gladstone contracts with Clackamas County for planning and building		
92	services, fees for those applications and services are set by the County		
93			
94	Addressing (New or Change of Address/Unit/Suite)	\$66.00 + \$7.00 per lot/unit/suite	
95	Annexation	Cost of staff and consulting services (\$3,000.00 deposit)	
96	*Non-Election		

	A	B	C
97	*Election	Cost of staff and consulting services (\$3,000.00 deposit)	
98	Appeal	\$250.00	
99	Application or Appeal Withdrawn - no public notice sent, staff report issued or decision issued	Retain 25% of application fee or minimum of \$250; whichever is more	
100	Application or Appeal Withdrawn - public notice sent	Retain 50% of application fee or minimum of \$500; whichever is more	
101	Application Withdrawn - staff report issued or decision issued	No Refund	
102	Application Withdrawn - Hearings Officer Review Fee	Refund if the hearing has not occurred	
103	Building Permit Review by Planner - Multi-family, Commercial, 3-4 plex, internal conversion, cottage cluster, industrial, institutional, retail, office, duplex, non-residential, etc: New structure, addition, demolition, accessory structure, porch, modification, fence, retaining wall, development.	.1% of Building Permit Value Minimum = \$89.00 Maximum = \$4,043.00	
104	Building Permit Review by Planner - Residential Single-Household and ADU's: New Addition, Demolition, Accessory Structure, Porch, Modification, Fence, Retaining Wall, Development, etc.	\$89.00	
105	Comprehensive Plan Amendment	\$12,410.00	
106	Conditional Use	\$3,905.00	
107	Design Review	.384% of construction cost, but no less than \$1,340 & no more than \$36,835	
108	Interpretation - Comprehensive Plan or Zoning and Development Ordinance	\$1,300.00	
109	Land Use Permit - Type I, Not otherwise listed	\$1,065.00	
110	Lot Line Adjustment	\$1,354.00	
111	Mailing Labels	\$18.00	
112	Marijuana Land Use Application - Type I	\$1,000.00	
113	Marijuana Land Use Application - Type II	\$1,505.00	
114	Mobile Home Park Conversion	\$2,600.00	
115	Nonconforming Use - Alteration or Verification	\$1,405.00	
116	Open Space Review	\$1,065.00	

	A	B	C
117	Open Space Review - Conflict Resolution	\$1,065.00	
118	Partition	\$2,705.00	
119	Planned Unit Development (PUD) - see Subdivision		
120	Plat Vacation	\$845.00	
121	Property Line Adjustment - Type I	\$795.00	
122	Property Line Adjustment - Type II	\$1,050.00	
123	Replacement Dwelling	\$995.00	
124	Replat - Type II	\$2,705.00	
125	Signs - Design Review	\$530.00	
126	Street Name Change	\$105.00	
127	Street Vacation - Application	\$605.00	
128	Street Vacation - Processing of Vacation	Full cost of recovery	
129	Subdivision - Major (11 or more lots)	\$4,040.00 + \$45.00/lot	
130	Subdivision - Minor (4 - 10 lots)	\$2,705.00	
131	Temporary Dwelling for Care permit, new and renewal (14+ days)	\$835.00	
132	Temporary Dwelling while Building (14+ days)	\$500.00	
133	Temporary Use Otherwise Prohibited	\$1,065.00	
134	Temporary Structure for Emergency Shelter	\$500.00	
135	Time Extension	\$1,065.00	
136	Time Extension - Type 1	\$560.00	
137	Variance	\$1,120.00	
138	Vested Right Determination	\$5,105.00	
139	Wireless Telecommunication Facility - Type I	\$585.00	
140	Wireless Telecommunication Facility - Type II	\$950.00	
141	Wireless Telecommunication Facility - Type III (with an adjustment)	\$6,570.00	
142	Zone Change	\$3,060.00	
143	Zone Change, filed concurrently with another land use application for the same property	\$2,510.00	
144	Zone Change - PC Review, filed concurrently with Comprehensive Plan Amendment	\$2,510.00	
145	Zoning Verification/Confirmation Letter	\$141.00	
146			
147			
POLICE			
148	A-Frame Sign Permit (initial application fee)	\$100.00	
149	Address Record Print (per address)	\$5.00	

	A	B	C
150	Alarm Permit		
151	Initial Permit or Renewal	\$25.00	
152	Late Fee (after 30 days expiration or installation)	\$25.00	
153	Second False Alarm (within permit year)	\$50.00	
154	Third False Alarm (within permit year)	\$100.00	
155	Fourth and Each Subsequent Alarm (within permit year)	\$150.00	
156	Failure to obtain Alarm Permit	\$90.00	
157	Animal Permit Application (per year)	\$25.00	
158	Block Party	\$35.00	
159	CD's including photos/videos	\$25.00	
160	ID Theft	Victim Free	
161	Local History Printout (per record)	\$5.00	
162	Noise variance	\$75.00	
163	Nuisance Property Abatement	Actual Cost	
164	Police Report - No Charge for Victims	\$0.00	
165	Police Report (first 2 pages)	\$15.00	
166	Police Report (page 3 and over) each page	\$1.00	
167	Temporary/Portable Storage Container	\$50.00	
168	Vehicle Impound (after business hours)	\$125.00	
169	Vehicle Impound (during regular business hours)	\$100.00	
170			
171			
PUBLIC WORKS			
172	Technical Plan Review-Development Engineering Fee		
173	Review (up to two plan submittals)	2.5% of the construction cost	5% of const. cost
174	Review (three or more plan submittals)		3% of const. new cost
175	Inspection	2.5% of the construction cost	
176	Barricade Delivery and Pickup Fee	\$50.00	
177		\$100.00	
178	Erosion Control Violation	\$300.00	
179	Hydrant Hook-Up Permit Fee (plus water usagae cost)	\$50.00	
180	Registration Fee	\$50.00	

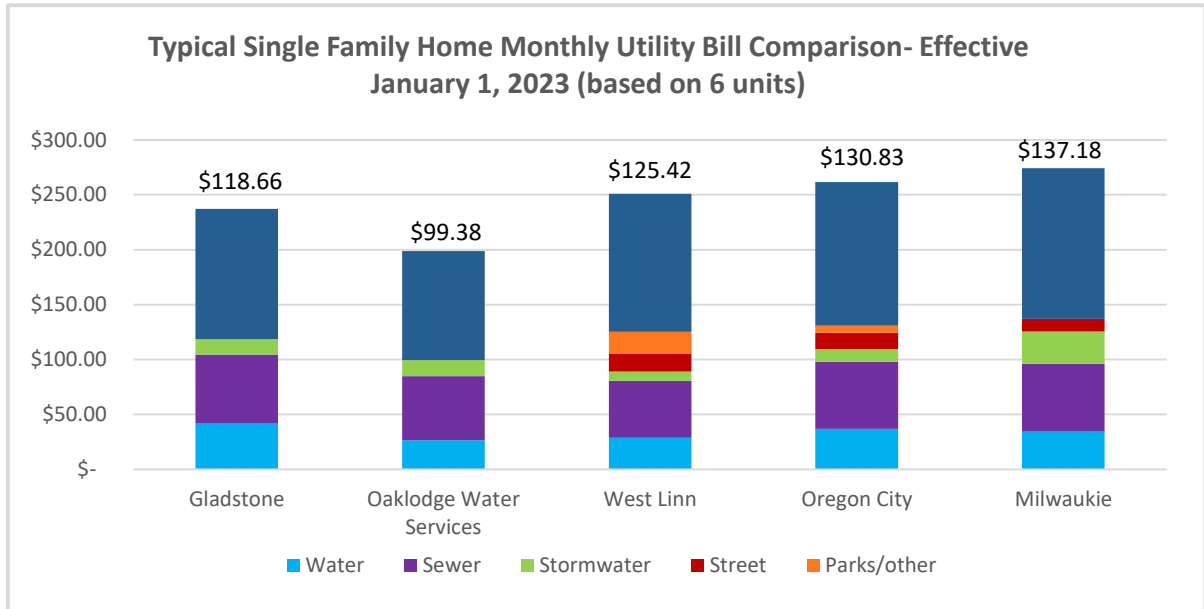
	A	B	C
181	Street Opening Inspection Fee	\$85.00	
182	Street Opening Permit Fee	\$150.00	
183	Street Opening Permit Fee - One Time Extension	new \$100.00	
184	Street Opening Re-Inspection Fee (if necessary)	\$85.00	
185	System Development Charges (SDC's)		
186	* Transportation	\$4,269 per (EDU)	
187	* Water:	3/4" meter - \$9,040	
188		1" meter - \$14,982	
189		1 1/2" meter - \$30,105	
190		2" meter - \$48,186	
191		3" meter - \$96,462	
192		4" meter - \$150,707	
193		6" meter - \$301,323	
194	* Sewer Collection (City System)	495 per (EDU) equivalent dwelling unit	
195	* Sewer Treatment provided by others (pass-through) to Oak Lodge Water Services or Tri-City (WES) based on the individual district rates that the property is served by.	\$9,027 per (RPE) residential population equivalent	
196	* Parks		
197	* Stormwater	,477 per (EDU) equivalent dwelling unit	
198			
199			
200	SENIOR CENTER		
201	Building Rental (per hour) Group 1: City of Gladstone Residents, private parties, individuals, groups, and non-profits. (2 hour minimum rental)	Planton \$55 Bloye \$65 ten- Room-\$40.00 and Bloye-Hall-\$45.00	
202	Building Rental (per hour) Group 2: Commercial, for-profit professional groups. (2 hour minimum rental)	Planton \$70 Bloye \$85 Planton-Reem-\$50.00 and Bloye-Hall-\$75.00	
203	Kitchen Fee	\$50.00	\$60.00
204	Cleaning Fee	new	\$60.00
205	Deposit - Refundable; due at time of scheduling	new	\$200.00
206	Meal under 60 years	\$4.00	
207	Meal (suggested donation) over 60 years	\$3.00	
208	Fax (per page - staff only)	\$1.00	

	A	B	C
209	Photocopy (per page)	\$0.25	
210	Van Donation (suggested donation) each way	\$1.00	
211	Friday Excursions (\$7-\$25)	varies	
212	Billiards Room (suggested donation of per game played)	\$0.25	
213	Notary Fee- Clackamas County resident age 60 or older	Free	
214	Notary Fee- Gladstone Resident	\$5.00	
215	Notary Fee- Non Resident- Clackamas County	\$10.00	
216			
217	UTILITY BILLING RATES & UTILITY RIGHT OF WAY RATES		
218			
219	RIGHT-OF-WAY (ROW) RATES		
220	Franchise Administrative Review	\$5,000.00	
221	ROW License Application Fee (Excluding Small Cell Wireless Facilities *****)	\$50.00	
222	ROW License Fee (five year term), (Excluding Small Cell Wireless Facilities)	\$250.00	
223	ROW Use Fee (Excluding Small Cell Wireless Facilities)	5% of gross revenues** or Minimum	
224	Minimum Annual Right-of-Way Use Fee ***	Annual Right-of-Way Use Fee,	
225	TOTAL LINEAR FEET OF UTILITY FACILITIES IN RIGHT-OF-WAY		
226	Up to 5,000	\$5,971.00	\$6,150.00
227	5,001 to 10,000	\$8,956.00	\$9,225.00
228	10,001 to 20,000	\$11,941.00	\$12,299.00
229	More than 20,000	\$17,911.00	\$18,448.00
230	ROW Attachment Fee (Excluding Small Cell Wireless Facilities)	\$5,150	
231			
232	ROW Application fee for Small Cell Wireless Facilities (1-5 sites)	\$500.00	
233	Each additional Site	\$100.00	
234			
235	Small Cell Wireless Facility Attachment Fee	\$270.00	
236			
237	SEWER RATES		
238	Sewer Inspection Fee, except mobile homes, motor homes and travel trailers	\$100.00	
239	Sewer Insepection Fee for mobile homes, motor homes, and travel trailers	\$50.00	
240	Oak Lodge Water Services Sewer Charge (Pass-through)****	\$58.36 per month per EDU*	

	A	B	C
241	Water Environment Services (WES) Sewer Treatment Charge (Pass-through)*****	\$27.90- per month per EDU*	
242	City of Gladstone Sanitary Sewer Collection Charge	\$33.55- per month per EDU*	\$34.89
243	Low Income Rate Reduction - adjusted annually based on HUD Very Low Income Limits for Portland-Vancouver-Hillsboro, OR-WA MSA	50%) reduction of base rates listed above	
244	STORMWATER RATES		
245	Residential Stormwater Fee per EDU* each month (Class 001 accounts)	\$13.73	\$14.28
246	Low Income Rate Reduction - adjusted annually based on HUD Very Low Income Limits for Portland-Vancouver-Hillsboro, OR-WA MSA	50%) reduction of base rates listed above	
247	Non-Single Family Residential Stormwater Fee (Per 3,000 square feet of impervious area each month)		
248	(Class 002 and 003 accounts)	\$13.73	\$14.28
249	(Impervious area is calculated based on the city's GIS system data)		
250			
251	WATER RATES (monthly)		
252		Base Meter Charge	
253		(no water included)	
254	Meter Size		
255	3/4"	\$30.01	\$31.21
256	1.0"	\$47.74	\$49.65
257	1.5"	\$74.47	\$77.45
258	2.0"	\$133.17	\$138.50
259	3.0"	\$165.89	\$172.53
260	4.0"	\$198.63	\$206.58
261	6.0"	\$220.74	\$229.57
262	8.0"	\$275.94	\$286.98
263	Low Income Rate Reduction - adjusted annually based on HUD Very Low Income Limits for Portland-Vancouver-Hillsboro, OR-WA MSA	50%) reduction of base rates listed above	
264	Water Rate Unit Cost Per Hundred Cubic Feet Of Water (CCF) 748 gallons	Usage Bracket	Rate
265	Block Rate 1	1 - 6 Units	\$1.66/unit
266	Block Rate 2	7 - 10 Units	\$2.64/unit
267	Block Rate 3	11 Units and Up	\$3.62/unit
268	Water rates for properties outside the city limits	Add 33% to above rates	
269	WATER UTILITY CHARGES		
270	Low Income Rate Violation Fee	As set forth in ORS 164.125	

RESOLUTION #1214

Exhibit B



	Gladstone		Oaklodge Water Services		West Linn		Oregon City		Milwaukie	
Water	\$	41.59	\$	26.54	\$	28.76	\$	36.79	\$	34.31
Sewer	\$	62.79	\$	58.36	\$	51.78	\$	61.19	\$	61.80
Stormwater	\$	14.28	\$	14.48	\$	8.65	\$	11.72	\$	29.47
Street	\$	-	\$	-	\$	16.01	\$	14.63	\$	11.60
Parks/other	\$	-	\$	-	\$	20.22	\$	6.50	\$	-
	\$	118.66	\$	99.38	\$	125.42	\$	130.83	\$	137.18

City of Gladstone Staff Report

Report Date: November 22, 2022
Meeting Date: December 13, 2022
To: City Council
From: City Planning Staff

AGENDA ITEM

Consider approval of Ordinance 1518 - proposed text amendments for the Gladstone Municipal Code to comply with HB 4064 [2022] Manufactured Dwellings And SB 458 [2021] Middle Housing Land Divisions TXT-2022-03.

History/Background

In the spring of 2022, the state legislators passed HB 4064 [2022] prohibiting cities from regulating manufactured dwellings in a manner that is inconsistent with detached site-built single household dwellings. Additionally, SB 458 was passed as a companion bill to HB 2001 to allow middle housing to be divided for homeownership through an expedited review process. Therefore, Chapters 17.06, 17.10, 17.12, 17.30, 17.32, 17.34, 17.64, 17.92, and 17.94 have to be updated to accommodate and comply with current state law. In addition to the proposed amendments considered and recommended by the Gladstone Planning Commission during their October 18, 2022 meeting, comments received from DLCD on November 4, 2022 regarding TXT-2022-03 highlighted an additional change in 17.10 and 17.12 that needs to be considered to be consistent with OAR 660-046-0225(1).

Proposal

In the spring of 2022, HB 4064 [2022] was passed by the Oregon state legislators and the resulting law became effective immediately. HB 4064 prohibits cities from regulating manufactured dwellings in a manner that is inconsistent with detached site-built single household dwellings. “A local government may not subject manufactured homes or prefabricated structures within an urban growth boundary, or the land upon which the homes or structures are sited, to any applicable standard that would not apply to a detached, site-built single-family dwelling on the same land, except: (a) As necessary to comply with a protective measure adopted pursuant to a statewide land use planning goal; or (b) To require that the manufacturer certify that the manufactured home or prefabricated structure has an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.” The Planning Commission considered and recommended the proposed amendments that are designed to modify design standards that apply to all single household homes to address HB4064 requirements and create a uniform standards for dwellings in Gladstone. The proposed amendments in TXT-2022-03 related to manufactured dwellings include amendments to the following Chapters of the Gladstone Municipal Code: 17.06 – Definitions; 17.10 and 17.12 – the R-5 & R-7.2—Single-Family Residential Districts.

Senate Bill 458 (2021) requires local governments, including Gladstone, to allow middle housing land divisions with an expedited land use review process. In addition to procedural rules, the state law provided review criteria for each application and provided a few optional items that the city can elect to follow. The Planning Commission considered and recommended the proposed amendments that are designed to modify the City Administrator’s or designee review process to address SB458 requirements and create a uniform implementation period for land divisions in Gladstone. The proposed amendments in TXT-2022-03 related to land divisions include amendments to the following Chapters of the Gladstone Municipal Code: 17.06 – Definitions; 17.30 General Standards for Land Divisions; 17.32 – Subdivision; 17.34 – Partitions; 17.64 – Design Standards for Land Divisions and Property Line Adjustments; 17.92 – Appeals; and 17.94 – Hearings.

Additionally, OAR 660-046-0225(1) requires that design features scale by form and not by unit number. Therefore, in addition to the proposed amendments reviewed and recommended for approval by the Planning Commission, staff have added the following text amendment to 17.10 and 17.12 to address DLCD comments received after the initial public hearing:

(4) Design Features. Detached single-household dwellings, duplexes, triplexes, quadplexes, townhomes, and cottage clusters shall include at least two-four of the following design features on each street-facing façade ~~each dwelling unit.~~

Options

1. Leave the Gladstone Municipal Code as is with no amendments. Leaving the Gladstone Municipal Code as it currently is, would mean that staff would be unable to enforce any provisions of the code that are in conflict with the requirements of HB 4064, SB458, and/or OAR 660-046-0225(1).
2. Approve the proposed amendments included in TXT-2022-03 that were recommended by the Planning Commission, and modified by staff to address OAR 660-046-0225(1).
3. Approve the proposed amendments included in TXT-2022-03 that were recommended by the Planning Commission, and direct staff to go back to the Planning Commission to consider text amendments that could address OAR 660-046-0225(1).
4. Approve the proposed amendments related to HB 4064 that are included in TXT-2022-03 that the Planning Commission recommended approving, leave the amendments related to Middle Housing Land Divisions out of the amendments. Direct staff to review middle housing land divisions without the optional items, and without those items related to having uniform review and implementation procedures for land divisions in Gladstone.
5. Approve the proposed amendments related to SB458 and uniformity in land division processes that are included in TXT-2022-03 that the Planning Commission recommended approving, and leave the amendments related to Manufactured homes out of the approved amendments. The Gladstone Municipal Code could be modified to simply remove 17.12.060(4), and 17.10.060(4) from the code and there would be no design standards for manufactured homes that are placed in Gladstone on lots zoned for single family residential development.

Cost Impact

There are no differences in staff time, or costs between Options 1, 2, or 5 identified above. Options 3, & 4 would require additional staff time to work with the Planning Commission on future text amendments, and would increase building permit and land use review time as staff would have to consult with the OARs and ORS every time a manufactured home, or middle housing land division was proposed in Gladstone.

Recommended Staff Action

Staff would recommend moving forward with Option 2. The Planning Commission held a work session and Public Hearing on these proposed amendments and there were no comments received by the Planning Staff in opposition to the amendments. The benefit of accepting the recommendation will be a Municipal Code that is both compliant with SB 458, HB 4064 and OAR 660-046-0225(1), while also facilitating uniform review and implementation of the code by staff.

Department Head
Signature

Date: 11/22/22


City Administrator
Signature

12-7-22
Date

ORDINANCE 1518

AN ORDINANCE APPROVING TEXT AMENDMENTS FOR THE GLADSTONE MUNICIPAL CODE CHAPTER 17, TO COMPLY WITH HOUSE BILL (HB) 4064 (2022) MANUFACTURED DWELLINGS AND SENATE BILL (SB) 458 (2021) MIDDLE HOUSING LAND DIVISIONS, FILE TXT-2022-03

WHEREAS, in 2021, Senate Bill (SB) 458 was passed as a companion bill with House Bill (HB) 2001 to allow middle housing land divisions and expiration of partition and subdivision approvals for homeownership through an expedited land use review process; and

WHEREAS, in the spring of 2022, Housing Bill (HB) 4064 was passed by the Oregon State Legislators prohibiting cities from regulating manufactured dwellings in a manner that is inconsistent with detached site-built single household dwellings; and

WHEREAS, in October 2022 the Gladstone Planning Commission considered and recommend to the City Council adoption of the SB 458 and HB 4064 amendments as modified by the Planning Commission to Gladstone Municipal Code Chapters 17.06, 17.10, 17.12, 17.30, 17.32, 17.34, 17.64, 17.92 and 17.94;

WHEREAS, in additional to the proposed amendments reviewed and recommended by the Planning Commission, staff added text amendments to Gladstone Municipal Code Chapter 17.10 and 17.12 to address Department of Land Conservation and Development (DLCDD) comments received after the initial public hearing that address OAR 660-046-0225(1) that requires design features scale by form and not by unit number; and

WHEREAS, the City desires to amend the Gladstone Municipal Code to reflect these changes.

NOW, THEREFORE, the Common Council of the City of Gladstone ordains as follows:

Section 1. Gladstone Municipal Code Chapters 17.06, 17.10, 17.12, 17.30, 17.32, 17.34, 17.64, 17.92 and 17.94 are hereby amended to read as set forth in the attached Exhibit "A". New language is in red; repealed language is ~~struck through~~.

Section 2. This Ordinance is effective 30 days after Gladstone City Council approval.

This Ordinance is adopted by the Gladstone City Council and approved by the Mayor on this _____ day of _____, 2022.

ATTEST:

Tamara Stempel, Mayor

Tami Bannick, City Recorder

Chapter 17.06 DEFINITIONS*

Sections:

- 17.06.005 Generally.
- 17.06.010 Access.
- 17.06.013 Accessory dwelling unit.
- 17.06.015 Accessory use or accessory structure.
- 17.06.020 Alley.
- 17.06.035 Automobile service station.
- 17.06.040 Automobile storage or repair garages.
- 17.06.045 Boarding house, lodging house or rooming house.
- 17.06.050 Building.
- 17.06.055 Building height.
- 17.06.060 Building line, front.
- 17.06.065 Building official.
- 17.06.070 Carport.
- 17.06.075 Cattery.
- 17.06.080 Change of use for purposes of the greenway zone only.
- 17.06.085 Chapter.
- 17.06.090 City.
- 17.06.095 City Council.
- 17.06.100 City Administrator or designee.
- 17.06.105 Comprehensive plan.
- 17.06.115 Day care center.
- 17.06.117 Days.
- 17.06.120 Development for purposes of the greenway zone only.
- 17.06.125 Development permit.
- 17.06.130 Drinking establishment.
- 17.06.135 Durable and dustless surface.
- 17.06.141 Dwelling, multi- household.
- 17.06.142 Dwelling, single- household.
- 17.06.143 Dwelling, two- household.
- 17.06.140 Dwelling unit.
- 17.06.144 Dwelling, three-household or "Triplex".
- 17.06.145 Dwelling, four-household or "Quadplex".
- 17.06.146 Townhouse.
- 17.06.147 Townhouse Project.
- 17.06.148 Cottage Cluster.
- 17.06.149 Middle Housing.
- 17.06.160 Easement.
- 17.06.165 Eating establishment.
- 17.06.170 Exterior.
- 17.06.180 Fence or hedge, sight-obscuring.
- 17.06.195 Floor area.
- 17.06.200 Foster home.
- 17.06.205 Frontage.
- 17.06.210 Grade, ground level.
- 17.06.213 Gross leasable area (GLA).
- 17.06.214 Home for the aged
- 17.06.215 Group home.
- 17.06.220 Home occupation.
- 17.06.225 Hospitals, nursing homes and homes for the aged.
- 17.06.230 Hotel.
- 17.06.231 Household
- 17.06.233 Institutional use.

17.06.235 Intensification of use for purposes of the greenway zone.
17.06.240 Kennel.
17.06.245 Landscaping.
17.06.247 Land use decision.
17.06.250 Livestock.
17.06.255 Loading space.
17.06.260 Lot.
17.06.265 Lot area.
17.06.270 Lot, corner.
17.06.275 Lot coverage.
17.06.280 Lot depth.
17.06.282 Lot, flag.
17.06.285 Lot line.
17.06.290 Lot line, front.
17.06.295 Lot line, rear.
17.06.300 Lot line, side.
17.06.301 Lot line, street side.
17.06.305 Lot of record.
17.06.310 Lot, through.
17.06.315 Lot width.
17.06.325 Major remodeling.
17.06.328 Manufactured dwelling.
17.06.330 Middle housing land division.
17.06.336 Mini-storage.
17.06.338 Mixed use development.
17.06.340 Mobile home.
17.06.345 Mobile home court or mobile home park.
17.06.350 Model unit real estate office.
17.06.355 Motel.
17.06.358 Net acre.
17.06.360 New construction.
17.06.365 Nonaccess reservation.
17.06.370 Nonconforming use.
17.06.372 Nonconforming development.
17.06.375 Open space.
17.06.380 Owner.
17.06.385 Parcel.
17.06.390 Parking space.
17.06.395 Partition.
17.06.400 Partition land.
17.06.405 Pedestrian way.
17.06.410 Person.
17.06.415 Planning Commission.
17.06.416 Plat.
17.06.418 Porch, front.
17.06.419 Primary building wall.
17.06.420 Primary zoning district.
17.06.426 Property line adjustment.
17.06.430 Recreation vehicle park.
17.06.435 Recreation vehicle.
17.06.440 Residential home.
17.06.445 Residence.
17.06.450 Residential planned unit development
17.06.455 Residential zoning district.
17.06.460 Right-of-way.
17.06.465 Roadway.
17.06.470 Seasonal.

17.06.475 Section.
 17.06.480 School, commercial.
 17.06.485 School, primary, elementary, junior high or high.
 17.06.491 Senior housing center.
 17.06.492 Setback, front.
 17.06.493 Setback, rear.
 17.06.494 Setback, side.
 17.06.496 Setback, street side.
 17.06.497 Sidewalk.
 17.06.500 Sign.
 17.06.501 Sign, electronic message center.
 17.06.503 Sign, monument.
 17.06.504 Sign, segmented message.
 17.06.506 Sign, tri-vision.
 17.06.507 Story.
 17.06.510 Story, half.
 17.06.515 Street.
 17.06.520 Structure.
 17.06.525 Subdivide land.
 17.06.530 Subdivision.
 17.06.535 Temporary structure real estate offices.
 17.06.537 Temporary structures.
 17.06.540 Title.
 17.06.542 Transit street.
 17.06.545 Use.
 17.06.548 Utility facility.
 17.06.550 Utility substation.
 17.06.551 Vacation rental.
 17.06.553 Vacation occupancy.
 17.06.555 Vegetation.
 17.06.560 Vehicle.

* Prior history:

17.06.025 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.
 17.06.030 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.
 17.06.110 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 § 1, 2002.
 17.06.185 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1334, 2004.
 17.06.190 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1334, 2004.
 17.06.320 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1171 §1(K), 1993.
 17.06.330 **History:** Ord. 1131 §2, 1990; Ord.1179 §11(B), 1993; Repealed by Ord. 1323 §1, 2002.
 17.06.335 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1171 §1(L), 1993.
 17.06.425 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323§1, 2002.
 17.06.490 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323§1, 2002.
 17.06.495 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.
 17.06.502 **History:** Ord. 1161 §1, 1992; Renumbered to §17.06.504 by Ord. 1323 §1, 2002.

17.06.505 **History:** Ord. 1131 §2, 1990; Renumbered to §17.06.507 by Ord. 1323 §1, 2002.

17.06.565 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.

17.06.570 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.

17.06.575 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.

17.06.580 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.

17.06.585 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.

17.06.005 Generally.

The words and phrases used in Title 17 shall have the meanings set out in Chapter 17.06 (definitions) unless the context otherwise requires.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.010 Access.

“Access” means the right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.013 Accessory dwelling unit.

“Accessory dwelling unit” means an additional, smaller, subordinate dwelling unit located on the same lot as a detached or attached single-household dwelling or multi-household dwelling. An accessory dwelling may be created as a detached structure or within, or as an addition to, a detached single-household dwelling or accessory structure.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1289, 2000; Ord. 1515 §6, 2022

17.06.015 Accessory use or accessory structure.

“Accessory use” or “accessory structure” means a use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.020 Alley.

“Alley” means a street which affords only a secondary means of access to the property.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.035 Automobile service station.

“Automobile service station” means a retail place of business engaged primarily in the sale of motor fuels, but also supplying goods and services required in the operation and maintenance of automotive vehicles. These may include petroleum products, tires, batteries, automotive accessories and replacement items, washing and lubrication services, or automobile and truck maintenance and repair, and the supplying of other incidental customer services and products, but not painting, body and fender work, and storage of autos and trucks.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.040 Automobile storage or repair garages.

“Automobile storage or repair garages” means a premises used for the storage, repair, or sale of used automobile vehicles or automotive parts.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.045 Boarding house, lodging house, or rooming house.

“Boarding house,” “lodging house” or “rooming house” means a building or portion thereof without separate housekeeping facilities to be occupied, or which is occupied primarily by persons paying consideration for sleeping purposes where meals may or may not be served.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.050 Building.

“Building” means a structure built for the support, shelter or enclosure of any persons, animals, chattels, or property of any kind excepting uncovered patios or decks not exceeding thirty inches in height above the average grade of the adjoining ground.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.055 Building height.

“Building height” means the vertical distance measured from the adjoining street center line grade as established by the city to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to a mean height level between the eaves and ridge for a gable, hip or gambrel roof; provided, however, that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished grade at the front of the building.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.060 Building line, front.

“Front building line” means a line parallel and adjacent to the front of that structure which is closest to the front lot line. For purposes of this definition, the front of a structure is the side facing the front lot line. A front building line extends from one side lot line to the opposite side lot line.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.065 Building official.

“Building official” means the building official of the city.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.070 Carport.

“Carport” means a stationary structure consisting of a roof with its supports and not more than two walls, or a storage cabinet substituting for one of the walls, and used for sheltering a motor vehicle, boat or recreation vehicle.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.075 Cattery.

“Cattery” means ten or more cats owned or boarded on the premises.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.080 Change of use for purposes of the greenway zone only.

“Change of use for purposes of the greenway zone only” means a different use than that which existed on December 6, 1975. It includes a change that requires construction, alterations of the land, water or other areas outside of existing buildings or structures and which substantially alters or affects the land or water. It does not include a change of use of a building that does not substantially alter or affect the land or water upon which it is situated. Change of use shall not include the completion of a structure for which a valid permit has been issued as of December 6, 1975, and under which permanent substantial construction has been undertaken by July 1, 1976. The sale of property is not in itself considered to be a change of use. An existing open storage area shall be considered to be the same as a building.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.085 Chapter.

“Chapter” means a portion of this ordinance identified by a four digit number (for example, Chapter 17.06, Definitions.)

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.090 City.

“City” means the City of Gladstone, Oregon.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.095 City Council.

“City Council” means the governing body of the city.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.100 City Administrator or designee.

“City Administrator” or “designee” means the administrator of the city or a person designated by the City Administrator.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.105 Comprehensive plan.

“Comprehensive plan” means the official plan adopted by the city for the guidance of growth and improvement, including modifications or refinements which may be made from time to time.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.115 Day care center.

“Day care center” means any facility, institution, establishment or place not a part of a school that provides day care to thirteen or more children, including children of the provider, regardless of full or part-time status, under thirteen years of age.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.117 Days.

“Days” means calendar days without reference to business days or holidays unless specifically stated to the contrary.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.120 Development for purposes of the greenway zone only.

“Development for purposes of the greenway zone only” means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, parking lots, mining, dredging, filling, grading, paving, excavation or drilling operations, to bring about growth or availability, to construct or alter a structure, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights of access.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.125 Development permit.

“Development permit” means a building permit, subdivision approval, temporary permit, or any other permit required by the city before development can occur.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.130 Drinking establishment.

“Drinking establishment” means a place of business which requires a permit and/or license from the Oregon Liquor Control Commission for the dispensing of liquor for consumption upon the premises.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.135 Durable and dustless surface.

“Durable and dustless surface” means a surface providing a hard topping which is free from mud conditions in wet weather and dusty conditions in dry weather, specifically including concrete or asphaltic concrete or like material but specifically excluding gravel and dirt.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.141 Dwelling, multi-household.

“Multi-household dwelling” means a building, designed for occupancy by five or more households living independently of each other.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1515 §6, 2022.

17.06.142 Dwelling, detached single-household.

“Single-household dwelling unit” means a detached building containing one dwelling unit located on a single lot

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1515 §6, 2022.

17.06.143 Dwelling, two- household or “Duplex”.

“Two- household dwelling unit” means a detached or attached building containing two dwelling units on a single lot.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1515 §6, 2022.

17.06.140 Dwelling unit.

“Dwelling unit” means one or more rooms for occupancy by one household for living purposes that is identified by a single street address and has common entrances and internal access. Trailer coaches shall not be considered as dwelling units, except when located in mobile home courts or parks.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1171 §1(1), 1993; Ord. 1515 §6, 2022.

17.06.144 Dwelling, three household or “Triplex”.

“Three household dwelling unit” or “Triplex” means three attached or detached dwelling units on a single lot in any configuration.

17.06.145 Dwelling, four household or “Quadplex”.

“Four household dwelling unit” or “Quadplex” means four attached or detached dwelling units on a single lot in any configuration.

17.06.146 Townhouse.

“Townhouse” means a dwelling unit that is part of a row of two or more attached dwelling units, where each unit is located on an individual lot and shares at least one common wall with an adjacent dwelling unit.

17.06.147 Townhouse Project.

“Townhouse Project” means one or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the Townhouse property lines and any commonly owned property.

17.06.148 Cottage Cluster.

“Cottage cluster” means a grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard on a single lot or on individual lots.

17.06.149 Middle Housing.

“Middle Housing” means Duplex, Triplex, Quadplex, Cottage Cluster, or Townhouse in the R-5 or R-7.2 zone and is subject to the Oregon Administrative Rules Chapter 660, Division 46 Middle Housing in Medium and Large Cities.

History: Ord. 1515 §6, 2022.

17.06.160 Easement.

“Easement” means a grant of the right to use a strip of land for specific purposes.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.165 Eating establishment.

“Eating establishment” means a place of business which serves food but does not require a permit and/or license from the Oregon Liquor Control Commission.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.170 Exterior.

“Exterior” means any portion of the outside of a structure which can be seen from a public place.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.180 Fence or hedge, sight-obscuring.

“Sight-obscuring fence or hedge” means a fence consisting of wood, metal, masonry or similar materials, or an evergreen hedge or other evergreen planting, arranged in such a way as to obscure vision at least eighty percent (80%).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.195 Floor area.

“Floor area” means the sum of the gross horizontal area of the several floors of a building, measured from the exterior faces of the exterior walls, or from the center line of walls separating two buildings, but not including:

- (1) Attic space providing headroom of less than seven feet.
- (2) Basement or cellar.
- (3) Uncovered steps or fire escapes.
- (4) Private garages, carports or porches.
- (5) Accessory water towers or cooling towers.
- (6) Accessory off-street parking or loading spaces.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.200 Foster home.

“Foster home” means any dwelling occupied and maintained by a person or persons licensed or certified by the state or other authorized agency to provide extended or temporary care, food, and lodging in such home for not more than seven dependent individuals beyond the number defined as a household. A foster home is not a hospital, nursing home, or home for the aged as defined in Oregon Revised Statutes, nor does it include a halfway house, work release center, or any other domiciliary facility for persons released from any penal or correctional institution.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1515 §6, 2022.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.06.205 Frontage.

“Frontage” means property abutting on a street.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.210 Grade, ground level.

“Ground level grade” means the average elevation of the finished ground elevation at the centers of all walls of a building, except that if a wall is parallel to and within five feet of a sidewalk, the sidewalk elevation nearest the center of the wall shall constitute the ground elevation.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.213 Gross leasable area (GLA).

“Gross leasable area (GLA)” means the total floor area designed for tenant occupancy and exclusive use, including any basements, mezzanines, or upper floors, expressed in square feet and measured from the center line of joint partitions and from outside wall faces.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1289 §1, 2000.

17.06.214 Home for the aged.

“Home for the aged” means a supervised personal care facility where staff provide services to residents. A home for the aged is not a group home, foster home, hospital, or nursing home.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1515 §6, 2022.

17.06.215 Group home.

“Group home” means any home occupied and maintained by a person or persons licensed by the state or other appropriate agency to provide extended or temporary care, food and lodging in such home for from eight to ten dependent individuals beyond the number defined as a household. A group home is not a foster home, hospital, nursing home or home for the aged as defined in Oregon Revised Statutes, nor does it include a halfway house, work release center, or any domiciliary facility for persons released from any penal or correctional institution.

Statutory Reference: ORS Ch. 197, Ch. 227; Ord. 1515 §6, 2022.

History: Ord. 1131 §2, 1990.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.06.220 Home occupation.

“Home occupation” means an occupation, profession, or craft which is customarily incidental to or carried on in a dwelling place or premises and not one in which the use of the premises as a dwelling place is largely incidental to the occupation carried on, and which occupation is carried on by an immediate member of the household residing within the dwelling place; provided, however, there shall be no structural alteration or changes in the dwelling, or on the premises and there is no display of merchandise, storage materials, signs or articles or objects awaiting or in the process of repair, remodeling, or modification on the premises which can be seen from the exterior of the dwelling. Noise, odor, smoke, gases, fallout, vibration, heat or glare resulting from the use shall not be of the intensity as to be detected outside of the containing structure.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1515 §6, 2022.

17.06.225 Hospitals

“Hospital” means a medical facility licensed by the state of Oregon that provides health services on a primarily inpatient basis.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1515 §6, 2022.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.06.230 Hotel.

“Hotel” means a building or portion thereof designed or used for occupancy of transient individuals who are lodged with or without meals and in which no provision is made for cooking in any individual room or suite.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.231 Household.

“Household” means one person or two or more persons occupying a dwelling unit as their usual place of residence. This definition shall not apply to group homes, foster homes, or homes for the aged.

History: Ord. 1515 §6, 2022;

17.06.233 Institutional use.

“Institutional use” means a church, school, public facility, hospital, nursing home or home for the aged.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1289 §1, 2000; Ord. 1292 §1, 2000.

17.06.235 Intensification of use for purposes of the greenway zone.

“Intensification of use for purposes of the greenway zone” means any additions which increase or expand the area or amount of an existing use, or the level of activity. Remodeling of the exterior of a structure not excluded below in this section is an intensification when it will substantially alter the appearance of the structure. (Intensification shall not include the completion of a structure for which a valid permit has been issued as of December 6, 1975, and under which substantial construction has been undertaken by July 1, 1976.) Maintenance and repair usual and necessary for the continuance of an existing use is not an intensification of use. Reasonable emergency procedures necessary for the safety or protection of the greenway includes the practices and activities customarily related to the use and enjoyment of one’s home. Landscaping, construction of driveways, modification of existing structures, or construction or placement of such subsidiary structures or facilities adjacent to the residence as are usual and necessary to such use and enjoyment shall not be considered an intensification for the purposes of this district. Seasonal increases in gravel operation shall not be considered an intensification of use.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.240 Kennel.

“Kennel” means four or more dogs with permanent canine teeth owned or boarded on the premises. **Statutory Reference:** ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.245 Landscaping.

“Landscaping” means the improvement of land by means such as contouring, plantings, fencing and the placement of outdoor structures.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.247 Land use decision.

“Land use decision” includes a final decision or determination that concerns the adoption, amendment, interpretation or application of the goals, comprehensive plan provision, land use regulation, but does not include:

- (1) A decision which is made under the city’s development standards which do not require interpretation or the exercise of facts, policy, or legal judgment.
- (2) A decision which approves, approves with conditions or denies a subdivision or partition and is consistent with the city’s development standards.
- (3) Approval or denial of a building permit.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.250 Livestock.

“Livestock” means domestic animals of types customarily raised or kept on farms for profit or other purposes.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.255 Loading space.

“Loading space” means an off-street space or berth on the same lot or parcel with a building or use or contiguous to a group of buildings or uses for the temporary parking of a vehicle while loading or unloading persons, merchandise, or materials and which space or berth abuts upon a street, alley or other appropriate means of access and egress.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.260 Lot.

“Lot” means a unit of land that is created by a subdivision of land. For the purposes of this title, “lot” includes “parcel” and “lot of record” unless the context otherwise requires.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002. **17.06.265 Lot area.**

“Lot area” means the total area of a lot measured in a horizontal plane within the lot boundary lines exclusive of public streets.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.270 Lot, corner.

“Corner lot” means the total area of a lot abutting on two or more streets, other than an alley, at their intersection.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.275 Lot coverage.

“Lot coverage” means the area covered by a building or buildings on a lot, expressed as a percentage of the total lot area.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.280 Lot depth.

“Lot depth” means the average horizontal distance between the front lot line and rear lot line.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.282 Lot, flag.

“Flag lot” means a lot that has access to a street by means of a narrow deeded strip of land or easement.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1289 §1, 2000.

17.06.285 Lot line.

“Lot line” means the property line bounding a lot.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.290 Lot line, front.

“Front lot line” means a lot line separating a lot from a street other than an alley. In the case of a corner lot, either of the lot lines separating the lot from a street other than an alley may be designated by the property owner as the front lot line with the other such lot line designated as a street side lot line. Except as modified by GMC Subsection 17.76.040(5), the front lot line of a flag lot, for the purposes of determining minimum yard requirements, shall be a line within the boundaries of the lot by a distance equal to the width of the narrow deeded strip of land or easement providing access to the lot from the street. The line shall be parallel to the lot line that extends from the street to the lot line opposite and most distant from the street.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002.

17.06.295 Lot line, rear.

“Rear lot line” means the lot line that is opposite and most distant from the front lot line. In the case of an irregular or triangular shaped lot, the rear lot line is a line ten feet (10’) in length within the lot parallel to and at a maximum distance from the front lot line.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.300 Lot line, side.

“Side lot line” means any lot line not a front or rear lot line.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.301 Lot line, street side.

“Street side lot line” means a side lot line separating a lot from a street other than an alley.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.305 Lot of record.

“Lot of record” means a lot or parcel in a recorded plat. For units of land that are not lots or parcels in a recorded plat, “lot of record” means a unit of land or aggregate of contiguous units of land held in a single ownership, as recorded in the office of the Clackamas County Recorder on October 26, 1971.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.310 Lot, through.

“Through lot” means an interior lot having frontage on two streets other than alleys.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.315 Lot width.

“Lot width” means the average horizontal distance between the side lot lines.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.325 Major remodeling.

“Major remodeling” means any work that substantially alters the exterior appearance of a structure or off-street parking area.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.328 Manufactured dwelling.

“Manufactured dwelling” is a dwelling that meets either of the following:

1. A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction; or
2. A building or subassembly that has been in whole or substantial part manufactured or assembled using closed construction at an off-site location to be wholly or partially assembled on-site, and that is relocatable, more than eight and one-half feet wide and designed for use as a single-family dwelling and that was constructed after June 15, 1976.

Statutory Reference: ORS Ch. 197, Ch. 227, Ch. 446, and 455.

History: Ord. 1171 §1(A), 1993; Ord. 1179 §11(A), 1993; Ord. 1515 §6, 2022.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.06.330 Middle housing land division.

The partition or subdivision of a lot of record that is developed, or proposed to be developed, with middle housing dwelling units. The type of middle housing developed on the original lot of record is not altered by a middle housing land division. Middle housing land divisions are expedited land divisions that are subject to the process outlined in ORS 197.375.

Statutory Reference: ORS Ch. 197, Ch. 375

History: Ord. TBD 2022

17.06.336 Mini-storage.

“Mini-storage” means a storage and warehousing service within a building(s) primarily for individuals to store personal effects and by business to store materials for operation of an industrial or commercial enterprise located elsewhere. In no case may storage spaces in a mini-warehouse facility function as an independent retail, wholesale business, or service use. Spaces shall not be used for workshops, hobby shops, manufacturing, or similar uses and human occupancy of said spaces shall be limited to that required to transport, arrange, and maintain stored materials. The location of an owner or manager residence on the premises is permitted.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1256 §1, 1998.

17.06.338 Mixed use development.

“Mixed use development” means development or buildings where land uses are mixed together. This can include residential and commercial, or office and retail. Uses may be mixed in one building “vertically” where there is one use on the ground floor and a different use above in one building, or “horizontally” where a variety of uses are next to each other in one building.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1289 §1, 2000.

17.06.340 Mobile home.

“Mobile home” means a single household dwelling originally designed and constructed to be movable or portable, constructed to be transported on its own chassis and designed originally without a permanent foundation, whether or not a permanent foundation is subsequently provided, or two or more units separately transportable but designed to be joined into an integral unit, and which do not conform to all requirements of the building code for other residences and not meeting the definition of “manufactured dwelling.”

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1171 §1(B), 1993; Ord. 1515 §6, 2022.

17.06.345 Mobile home court or mobile home park.

“Mobile home court” or “mobile home park” means four mobile home units or more for rent within five hundred feet of one another on a lot, tract, or parcel.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.350 Model unit real estate office.

“Model unit real estate office” means a permanent residential structure located in a developing subdivision used for the promotion of sale of units in the subdivision, so long as the model unit real estate office is at all times available for sale, lease, lease option or exchange as a residential dwelling.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.355 Motel.

“Motel” means one or more buildings designed or used as temporary living quarters for transients.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.358 Net acre.

“Net acre” means an area measuring forty-three thousand five hundred sixty (43,560) square feet, which excludes:

- (1) Road rights-of-way and other public dedications through or on the edge of the land; and
- (2) Environmentally constrained areas, including open water areas, areas in the FM District, areas in the WQ District, natural resource areas protected under statewide planning Goal 5 in the Comprehensive Plan, slopes in excess of twenty-five percent (25%) and wetlands requiring a federal fill and removal permit under Section 404 of the Clean Water Act.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1289 §1, 2000; Ord. 1334, 2002.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.06.360 New construction.

“New construction” means a structure for which the start of construction commenced on or after the effective date of the ordinance codified in this title.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.365 Nonaccess reservation.

“Nonaccess reservation” means a street plug or a one foot right-of-way width owned by the city.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.370 Nonconforming use.

“Nonconforming use” means a lawful existing use at the time the ordinance codified in this title or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1266 §1, 1998.

17.06.372 Nonconforming development.

“Nonconforming development” means development of a site which was lawfully existing at the time the ordinance codified in this title or any amendment thereto becomes effective, which does not conform to the requirements of this title, including but not limited to minimum parking, minimum landscaping, etc.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1266 §2, 1998.

17.06.373 Nursing Home

“Nursing Home” means a facility that provides medical care, nursing, and other health services to its residents. A nursing home is not a group home, foster home, hotel, hospital, or home for the aged.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1515 §6, 2022.

17.06.375 Open space.

“Open space” means land that is undeveloped and that is planned to remain so indefinitely. “Open space” also refers to land zoned OS, Open Space District, and developed with uses identified in GMC Chapter 17.26 (OS open space district).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1334, 2002.

17.06.380 Owner.

“Owner” means the person holding fee title to the land, or where there is a recorded land sale contract, the purchaser there under.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1334, 2002.

17.06.385 Parcel.

“Parcel” means a unit of land that is created by a partitioning of land. For the purposes of this title, “parcel” includes “lot” and “lot of record” unless the context otherwise requires.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.390 Parking space.

“Parking space” means an area available for the parking of a standard or compact vehicle.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.395 Partition.

“Partition” means either an act of partitioning land or an area or tract of land partitioned as defined in GMC Section 17.06.400.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.400 Partition land.

“Partition land” means to divide a lot of record into two (2) or three (3) parcels within a calendar year, but does not include a division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots; divisions of land made pursuant to a court order, including, but not limited to, court orders and proceedings involving testate or intestate succession; or an adjustment of a property line by the relocation of a common boundary where an additional lot of record is not created and where the existing lot of record reduced in size by the adjustment complies with the provisions of this title. Any property divided by the sale or grant of property for state highway, county road, city street or other right-of-way purposes shall continue to be considered a single lot of record until such time as the property is further subdivided or partitioned.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1171 §1(M), 1993; Ord. 1323 §1, 2002.

17.06.405 Pedestrian way.

“Pedestrian way” means a right-of-way for pedestrian traffic.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.410 Person.

“Person” means an individual, firm, partnership, corporation, company, syndicate, association, social or fraternal organization or any legal entity, and including any trustee, receiver, assignee, or any group or combination acting as a unit.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.415 Planning Commission.

“Planning Commission” means the Planning Commission of the city.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.416 Plat.

“Plat” means a final map and other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision or partition.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.418 Porch, front.

“Front porch” means a front entrance to a dwelling covered by a separate roof or an extension of the dwelling roof. Enclosure walls shall extend no more than half the distance from the front porch to the porch eaves. A front porch shall be used only for recreational, outdoor living purposes and not as a carport, garage, storage room or habitable room.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1289 §1, 2000.

17.06.419 Primary building wall.

“Primary building wall” means an exterior building wall that contains a public entrance to the premises and faces either a street or a parking area.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.420 Primary zoning district.

“Primary zoning district” includes the following: R-7.2, R-5, MR, C-1, C-2, C-3, OP, LI, and OS.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.426 Property line adjustment.

“Property line adjustment” means the relocation of a common property line between two (2) abutting lots of record.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.430 Recreation vehicle park.

“Recreational vehicle park” means an area designated by the person establishing, operating, managing or maintaining the same for overnight camping in recreation vehicles or for a short duration by the general public or any segment of the public. Recreation vehicle park includes, but is not limited to, areas open to use free of charge or through payment of a tax or fee or by virtue of rental, lease, license, membership, association, or ownership. Overnight camping of mobile homes is not allowed within recreation vehicle parks. A recreation vehicle park shall not include a municipal, county, state or federal park or recreation area.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1198 §1(A), 1994.

17.06.435 Recreation vehicle.

“Recreation vehicle” means a vacation trailer or self-propelled vehicle or structure equipped with wheels for highway use which is intended for human occupancy and is being used for recreation or vacation purposes, but not for residential purposes, and is equipped with plumbing, sink or toilet, and has a floor space of less than two hundred twenty square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath and toilet rooms.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990

17.06.440 Residential home.

“Residential home” means the same as a foster home as defined in GMC Section 17.06.200.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.445 Residence.

“Residence” means a dwelling unit as defined in GMC Section 17.06.155.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.450 Residential planned unit development.

“Residential planned unit development” means a residential (R) planned unit development as allowed under GMC Chapter 17.38 (planned unit development) and is at least eighty thousand square feet in any zoning district or combination thereof. A planned unit development less than eighty thousand square feet must be approved by Planning Commission per GMC 17.38.020.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1515 §6, 2022.

17.06.455 Residential zoning district.

“Residential zoning district” means the R-7.2, R-5 and MR zones.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.460 Right-of-way.

“Right-of-way” means the area between boundary lines of a street or other easement, whether improved or unimproved.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.465 Roadway.

“Roadway” means the portion of a street right-of-way developed for vehicular traffic.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.470 Seasonal.

“Seasonal” means limited to a period of no more than six months in any twelve-month period, but related to a unique or an annually occurring event or condition.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.475 Section.

“Section” means a portion of this title identified by a seven-digit number, such as GMC Section 17.10.020 (uses allowed outright) in the R-7.2 zoning district.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.480 School, commercial.

“Commercial school” means a place where instruction is given to pupils in arts, crafts, trades or other occupational skills and operated as a commercial enterprise as distinguished from schools endowed or supported by taxation.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.485 School, primary, elementary, junior high or high.

“Primary, elementary, junior high or high schools” includes public, private or parochial but not nursery school, kindergarten or day nursery, except when operated in conjunction with a school.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.491 Senior housing center.

A “senior housing center” means a residential facility providing dwelling units without full kitchens (known as residential suites) for those aged sixty-five and older and dwelling units with full kitchens. Up to fifteen percent of the total number of dwelling units may be provided as single-household units or duplex units with full kitchens. A senior housing center is a congregate care facility which provides common services including but not limited to transportation of residents, three meals per day in a common facility and other non-medical care congregate services.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1280 §1, 1998; Ord. 1515 §6, 2022.

17.06.492 Setback, front.

“Front setback” means the horizontal distance between a front lot line and a structure.

Statutory Reference: ORS Ch. 197, Ch. 227 **History:** Ord. 1323 §1, 2002.

17.06.493 Setback, rear.

“Rear setback” means the horizontal distance between a rear lot line and a structure.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.494 Setback, side.

“Side setback” means the horizontal distance between a side lot line and a structure.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.496 Setback, street side.

“Street side setback” means the horizontal distance between a street side lot line and a structure.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.497 Sidewalk.

“Sidewalk” means a pedestrian walkway with permanent surfacing to city standards.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.500 Sign.

“Sign” means an identification, description, illustration or device which is affixed to or represented, directly or indirectly, upon a building, structure, or land and which directs attention to a product, place, activity, person, institution or business.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.501 Sign, electronic message center.

“Electronic message center sign” means a sign, display or device, or portion thereof, whose message may be changed by electronic process or remote control, and may include electronic time and/or temperature displays and the device known in the advertising industry as a commercial electronic variable message sign.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1161 §1, 1992; Ord. 1323 §1, 2002.

17.06.503 Sign, monument.

“Monument sign” means a sign that extends to the ground or that has a support that places the bottom of the sign less than two feet (2’) from the ground.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.504 Sign, segmented message.

“Segmented message sign” means any message or distinct subunit of a message presented by means of at least one display change on an electronic message center sign.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1161 §1, 1992; Renumbered from 17.06.502 by Ord. 1323 §1, 2002.

17.06.506 Sign, tri-vision.

“Tri-vision sign” means a sign where the display surface is composed of triangular louvers that rotate periodically to allow three (3) images to be displayed.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.507 Story.

“Story” means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar or unused under floor space is more than six feet (6’) above grade as defined in this section for more than fifty percent (50%) of the total perimeter or is more than twelve feet (12’) above grade as defined in this section at any point, such basement, cellar or unused under floor space shall be considered a story.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Renumbered from 17.06.505 by Ord. 1323§1, 2002.

17.06.510 Story, half.

“Half-story” means a story under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such story.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.515 Street.

(1) “Street” means a public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land, and the placement of utilities and including the terms road, highway, lane, avenue, place, court, way, circle, drive, alley or similar designation.

(2) “Alley” means a narrow street through a block primarily for vehicular service access to the back or side of properties otherwise abutting on another street.

(3) “Arterial” means a street of considerable continuity which is primarily a traffic artery for intercommunication among large areas.

(4) “Collector” means a street supplementary to the arterial street system and a means of intercommunication between this system and smaller areas; used to some extent for access to abutting properties and may be used to a limited extent for through traffic.

(5) “Cul-de-sac” (dead-end street) means a short street having one end open to traffic and terminated by a vehicle turnaround.

(6) “Marginal access street” means a minor street parallel and adjacent to a major arterial street providing access to abutting properties, but protected from through traffic.

(7) “Minor street” means a street intended primarily for access to abutting properties.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.520 Structure.

“Structure” means something constructed or built and having a fixed base on or fixed connection to the ground or another structure to include a mobile home.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.525 Subdivide land.

“Subdivide land” means to divide a lot of record into four (4) or more lots within a calendar year.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.530 Subdivision.

“Subdivision” means either an act of subdividing land or an area or a tract of land subdivided as defined in GMC Section 17.06.525.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.535 Temporary structure real estate offices

“Temporary structure real estate offices” means a temporary structure located in a subdivision used for the promotion of a sale of residential units in a developing subdivision.

Statutory Reference: ORS Ch. 197, Ch. 27

History: Ord. 1131 §2, 1990.

17.06.537 Temporary structures.

“Temporary structures” means an area covered by a plastic, tarp, fabric, or metal membrane that is either attached to a rigid framework, natural feature or some other structure that is used for storage. It does not include greenhouses or weather proofing of a vehicle, boat, or other individual item by tarp or other type of covering as long as the covering is attached directly to and covers only the particular item.

History: Ord. 1482 §1, 2018.

17.06.540 Title.

“Title” means that portion of the Gladstone Municipal Code identified by a two-digit number, such as Title 17, zoning and development.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.542 Transit street.

“Transit street” means a street on which public transit stops are located.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1289 §1, 2000.

17.06.545 Use.

“Use” means the purpose for which land or a structure is designed, arranged or intended or for which it is occupied or maintained.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.548 Utility facility.

“Utility facility” means buildings, structures or any constructed portion of a system that provides for the production, transmission, conveyance, delivery or furnishing of services including, but not limited to, heat, light, water, power, natural gas, sanitary sewer, stormwater, telephone and cable television. Utility facilities do not include stormwater pretreatment facilities.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990, Ord. 1431, 2011.

17.06.550 Utility substation.

“Utility substation” means a facility that provides for the location of utility service apparatus that includes, but is not limited to: telephone exchanges; public utility structures, without shops, garages or general administrative offices; transmission and receiving towers, and/or earth stations.

History: Ord. 1502 §1, 2020.

17.06.551 Vacation rental.

“Vacation rental” means a dwelling unit or accessory dwelling unit providing vacation occupancy.

History: Ord. 1502 §1, 2020.

17.06.553 Vacation occupancy.

“Vacation occupancy” as defined by ORS 90.100 means occupancy in a dwelling unit, not including transient occupancy in a hotel or motel, that has all of the following characteristics:

- (1) The occupant rents the unit for vacation purposes only, not as a principal residence;
- (2) The occupant has a principal residence other than at the unit; and
- (3) The period of authorized occupancy does not exceed 45 days.

History: Ord. 1502 §1, 2020.

17.06.555 Vegetation.

“Vegetation” means plantings or natural growth of trees, grass, shrubs, etc. which would permit normal percolation.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.560 Vehicle.

“Vehicle” means a device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

Chapter 17.10

R-7.2—SINGLE-HOUSEHOLD RESIDENTIAL DISTRICT

Sections:

- 17.10.010 Purpose.
- 17.10.020 Uses allowed outright.
- 17.10.030 Accessory uses allowed.
- 17.10.040 Conditional uses allowed.
- 17.10.050 Dimensional standards.
- 17.10.060 Design standards.
- 17.10.070 Exemptions to uses permitted outright.

17.10.010 Purpose.

The purpose of an R-7.2 district is to implement the comprehensive plan and to provide land for households desiring to live in an environment of single-household and middle housing dwellings .

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1499 §1 (Exh. A), 2020.

17.10.020 Uses allowed outright.

In an R-7.2 zoning district, the following uses and their accessory uses are allowed outright:

- (1) Single- household dwelling, including a manufactured dwelling.
- (2) Middle housing.
- (3) Foster home.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1188 §1, 1994; Ord. 1323 1, 2002; Ord. 1499 §1 (Exh. A), 2020.

17.10.030 Accessory uses allowed.

Accessory uses shall comply with all the requirements of this zoning district, except as this section allows to the contrary. All accessory structures shall be subject to GMC Chapter 17.54 (Clear Vision). The following accessory uses shall be allowed in an R-7.2 zoning district:

- (1) Buildings. Garages and carports, storage and other buildings, as follows:
 - (a) Either the side, except a street side, or rear setback may be reduced to five feet for structures that:
 - (A) Are detached from other buildings on the same lot by a minimum of 10 feet;
 - (B) Do not exceed a height of one story; and
 - (C) Do not exceed a floor area of 450 square feet.
 - (b) Either the side, except a street side, or rear setback may be reduced to three feet for structures that do not exceed a floor area of 120 square feet.
 - (c) A wall of rated, fire-resistive construction may be required by the Oregon Structural Specialty Code or its successor.
 - (d) A setback does not apply to portable storage containers as defined in GMC Chapter 5.22.

(2) Courtyards, Patios and Decks. The minimum side, except street side, and rear setbacks for uncovered courtyards, patios and decks in excess of 30 inches in height shall be five feet. The minimum front and street side setbacks for such courtyards, patios and decks shall be 15 feet. No setbacks shall be required for uncovered courtyards, patios or decks 30 inches or less in height. When calculating the height of a courtyard, patio or deck, railings and benches shall be excluded from the calculation.

(3) Fences and Walls. The following standards shall apply to fences and walls of all types whether open, solid, wood, metal, masonry or other material:

(a) When located between the front lot line and the front building line, fences and walls shall not exceed three feet in height.

(b) Fences and walls not subject to subsection (3)(a) of this section shall not exceed six feet in height.

(c) An exception may be granted to the maximum fence or wall height standards for conditional or nonconforming uses. Such an exception may be granted pursuant to review of an application for conditional use; alteration, expansion or change of use of a nonconforming use; or design review and when an exception is found necessary to provide adequate screening for the use.

(4) Storage. Storage of boats, trailers, pickup campers, coaches, motorhomes and similar recreation equipment. Occupancy of such equipment is subject to a temporary permit under GMC Chapter 15.28 (Temporary Dwellings).

(5) Accessory dwelling units, subject to the following standards:

(a) Only one accessory dwelling unit per lot shall be permitted

(b) The floor area of an accessory dwelling unit shall be a minimum of 220 square feet and not exceed ~~400~~ 800 square feet. Conversion of an existing basement to an ADU shall be exempt from the maximum size limit, provided that no new floor area will be added with the conversion;

(c) An accessory dwelling unit shall not contain more than two bedrooms;

(d) Only one entrance, other than a vehicular entrance to a garage, may be located on the street-facing facade of the structure containing the primary dwelling unit unless this structure had additional entrances before the accessory dwelling unit was created and the number of entrances will not be increased;

(e) The exterior finish materials—including siding, trim and roofing—of an accessory dwelling unit shall be the same or visually similar to those of the primary dwelling unit with respect to type, size, placement and color;

(f) The roof pitch of an accessory dwelling unit shall be the same as the predominant roof pitch of the primary dwelling unit;

(g) The windows of an accessory dwelling unit shall be the same or visually similar to those of the primary dwelling unit;

(h) The eaves on an accessory dwelling unit shall project from the structure walls the same distance as the eaves on the primary dwelling unit;

(i) An accessory dwelling unit shall comply with the minimum yard requirements and maximum building height established in GMC Section 17.10.050.

(j) An accessory dwelling unit used as a vacation rental shall provide:

(A) One off-street parking space in addition to the off-street parking space required by GMC Chapter 17.48 (Off-Street Parking and Loading) for the primary dwelling unit; and

(B) A deed restriction requiring owner-occupancy of one of the units recorded in the Clackamas County Clerk’s Office in a form prescribed by the city. Either the primary dwelling unit or the accessory dwelling unit shall be owner-occupied for as long as the accessory dwelling unit is being used as a vacation rental.

(6) Swimming Pools, Ponds and Hot Tubs. The minimum side, street side and rear setbacks for swimming pools, ponds and hot tubs shall be three feet. The minimum front setback for ponds no greater than five feet wide and no more than two feet deep shall be three feet.

(7) Home Occupations. Home occupations shall be subject to GMC Chapter 17.78 (Home Occupations).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1392 §3, 2007; Ord. 1499 §1 (Exh. A), 2020.

17.10.040 Conditional uses allowed.

In an R-7.2 zoning district, the following uses and their accessory uses are allowed subject to GMC Chapter 17.70 (Conditional Uses):

- (1) Multi-household dwelling, five- to eight-unit building on a collector or minor arterial.
- (2) Church and associated buildings and structures.
- (3) Fire station or similar public use necessary to provide service or preserve public safety in the area.
- (4) Community center, day care center.
- (5) Nursing homes and homes for the aged.
- (6) School and associated buildings, structures and facilities.
- (7) Utility facility; provided, that no outside storage is involved.
- (8) Group homes.
- (9) Planned unit development (PUD).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. A), 2020.

17.10.050 Dimensional standards.

Except as provided in GMC Chapters 17.38 (Planned Unit Development), 17.72 (Variances) and 17.76 (Exceptions), the following dimensional standards shall apply in an R-7.2 zoning district:

Minimum Lot Area		
Detached single household	7,200 sf	
Middle Housing	3,600 sf	
Multi-household dwellings	3,600 sf per dwelling unit	
Other uses	7,200 sf	Or as established by the Planning Commission, as provided by GMC Chapter 17.70 (Conditional Uses).
Minimum Setbacks		

Front Setback	20 ft	Except that a front porch may project a maximum of five feet into a required front setback area
Side Setback	7.5 ft or 5 ft due to irregular shaped lots	
Street Side Setback	20 ft	Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet into a required setback area
Interior side setback	5 ft	
Rear Setback	15 ft	Townhouse projects are allowed a zero-foot side setback for lot lines where Townhouse units are attached. Cottage Cluster minimum setbacks can be reduced to 5 feet, if there is more than 150 square feet per dwelling unit of common open space provided, as define in Section 17.12.065(2). Setbacks for Manufactured homes in a mobile home park are subject to the standards in Section 17.62.070 (4).
Maximum Building Height	35 ft	Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are not subject to building height limitations of this subsection.
Minimum Density		
	Subdivisions and PUDs shall provide a minimum density of 80% of the maximum density per net acre.	
	Cottage Clusters shall have a minimum density of 4 dwelling units per acre	
Maximum Density		
Detached single household dwelling	One dwelling unit per 7,200 square feet of lot area or eight units per net acre	This code does not allow for the creation of more than four (4) dwelling units on a lot, including accessory dwelling units. Cottage Clusters and townhomes are exempt.
Middle Housing	None	
Sufficient Infrastructure	Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon	

	submittal of a residential development application.	
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(1) All PUDs with residential uses must include a mix of two or more middle housing types for a minimum of 25% of the total dwelling units proposed.

(a) Exceptions in Case of Large Scale PUD. The dimensional standards of this section may be modified by the Planning Commission in the case of a plan and program for a planned unit development, providing the modifications are not detrimental to the public health, safety and welfare and provided the Planning Commission determines there is provision for adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the developed tract and its relation to adjacent areas and for such covenants or other legal provisions as will assure conformity to and achievement of the plan.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. A), 2020.

17.10.055 Cottage Cluster Standards.

The following dimensional standard apply to cottage clusters development in the R-7.2 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Dimensional Standards

(a) Minimum Lot Size and Dimensions. Cottage clusters shall meet the minimum lot area that apply to detached single family dwellings in the R-7.2 zone.

(b) Setbacks and Building Separation.

(A) Setbacks. Cottage clusters shall meet the minimum setback standards:

- Front setbacks: 10 feet
- Side setbacks: 5 feet
- Rear setbacks: 10 feet

(B) Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.

(c) Average Unit Size. The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

(d) Off-Street Parking.

(A) Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is zero (0) spaces per unit with a floor area less than 1,000 square feet and one (1) space per unit with a floor area of 1,000 square feet or more. Spaces may be provided for individual cottages or in shared parking clusters. A credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (b).

(B) On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.

- i. The space must be abutting the subject site;
- ii. The space must be in a location where on-street parking is allowed by the jurisdiction;

- iii. The space must be a minimum of 22 feet long; and
- iv. The space must not obstruct a required sight distance area.

17.10.060 Design standards.

(1) Attached Garage. The following standard shall apply to the construction of a garage attached to a single-family household dwelling. An existing garage, legally constructed prior to the adoption of this standard, that does not conform to this standard may be remodeled or expanded, provided such remodeling or expansion shall not further reduce the structure's compliance with this standard.

(a) The length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building facade. On corner lots only one street-facing garage wall must meet this standard unless there are two garages, such as in the case of a two-family dwelling.

(2) Main Entrance. The main entrance of a single-household dwelling shall:

- (a) Face the street lot line. On a corner lot, the main entrance may face either street lot line or the corner; or
- (b) The main entrance shall open onto a covered porch that has an entrance that faces the street lot line. The porch and its roof shall each be at least 40 square feet in area and neither the width nor the depth shall be less than five feet.

(3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets. Improvements installed by a developer, shall conform to the standards of this title, GMC Chapter 12.02 (street excavation requirements) and to any supplemental design and construction specifications adopted by the city for such improvements. This shall apply to new structures and Expedited Land Divisions as defined by ORS 197.360; with the following exceptions:

- (a) There is no existing sidewalks within 200 feet of the subject parcel, and no planned sidewalk network in the area as identified in the Transportation System Plan.
- (b) When sidewalks and other frontage improvements would be located on land with cross slopes greater than nine percent as shown on the site plan submitted with the building permit.

(4) Design Features. Single-household dwellings and duplexes, triplexes, quadplexes, townhomes, and cottage clusters shall include at least four of the following design features on each street-facing façade:

- (a) Dormer;
- (b) One or more windows that face the street lot line;
- (c) Cupola;
- (d) Bay or bow window;
- (e) Gable;
- (f) Covered porch entry;
- (g) Eaves (minimum twelve inches projection);
- (h) Offset on building face or roof (minimum 16 inches);
- (i) Recessed garage entrance for street-facing garage (minimum 16 inches);
- (j) Roof pitch of not less than three feet in height for each 12 feet in width; and
- (k) A garage or carport. The garage or carport can be attached (see 17.12.060(1)) or detached.

(5) Foundations shall meet the following design standards:

- (a) The dwelling shall be placed on an excavated, backfilled foundation and enclosed at the perimeter such that no more than 12 inches of the enclosing material is exposed above grade; and
- (b) Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home; and
- (c) If the dwelling sits on a basement, the 12-inch limitation shall not apply.

(6) As part of the building permit process for manufactured dwellings, the applicant shall provide a certification from the manufacturer that the manufactured dwelling has an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1188 §1, 1994; Ord. 1289 §1, 2000; Ord. 1499 §1 (Exh. A), 2020.

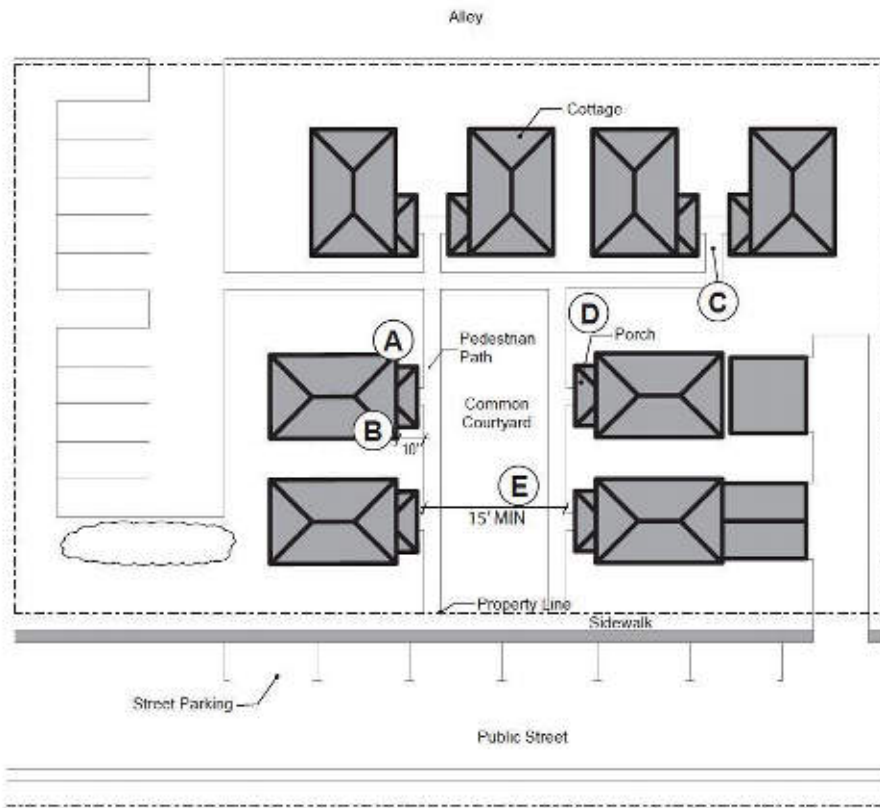
17.10.065 Cottage Cluster Design Standards

The following design standards apply to cottage clusters development in the R-7.2 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Cottage Orientation. Cottages must be clustered or abut around a common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 1):

- (a) Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path that is at least 4 ft wide.
- (b) A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:
 - (A) Have a main entrance facing the common courtyard;
 - (B) Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
 - (C) Be connected to the common courtyard by a pedestrian path.
- (c) Cottages within 20 feet of a street property line may have their entrances facing the street.
- (d) Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

Figure 1. Cottage Cluster Orientation and Common Courtyard Standards



(2) Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:

- (a) The common courtyard must be a single, contiguous piece.
- (b) The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.
- (c) The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
- (d) The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
- (e) Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

(3) Pedestrian Access.

- (a) An accessible pedestrian path that is at least 4 feet wide must be provided that connects the main entrance of each cottage to one or all the following:
 - (A) The common courtyard;
 - (B) Shared parking areas;
 - (C) Community buildings; and

- (D) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
- (b) The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.
- (4) Parking location and access.
- (a) Off-street parking spaces and vehicle maneuvering areas shall not be located:
- Within of 20 feet from any street property line, except alley property lines;
 - Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
- (b) Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- (c) Clustered parking. Off-street parking may be arranged in clusters and separated from common spaces by at least four (4) feet of landscaping.
- (5) Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
- (6) Garages and carports.
- (a) Garages and carports (whether shared or individual) must not abut common courtyards.
- (b) Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
- (c) Individual detached garages must not exceed 400 square feet in floor area.
- (d) Garage doors for attached and detached individual garages must not exceed 20 feet in width.

17.10.070 Exemptions to uses allowed outright.

Manufactured housing shall not be allowed in any area designated in an acknowledged Comprehensive Plan or land use regulation as an historic district or on residential land immediately adjacent to an historic landmark.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1188 §1, 1994; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. A), 2020.

Chapter 17.12

R-5—SINGLE-HOUSEHOLD RESIDENTIAL DISTRICT

Sections:

- 17.12.010 Purpose.
- 17.12.020 Uses allowed outright.
- 17.12.030 Accessory uses allowed.
- 17.12.040 Conditional uses allowed.
- 17.12.050 Dimensional standards.
- 17.12.060 Design standards.

17.12.010 Purpose.

The purpose of an R-5 district is to implement the Comprehensive Plan and to provide land for families and individuals desiring to live in an environment of mixed single household and middle housing dwellings.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1499 §1 (Exh. B), 2020.

17.12.020 Uses allowed outright.

In an R-5 zoning district, the following uses and their accessory uses are allowed outright:

- (1) Single- household dwelling, including a manufactured dwelling.
- (2)-Middle housing.
- (3) Mobile home park, subject to GMC Section 17.62.070 (Mobile home park).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1144 §1, 1991; Ord. 1171 §1(C), 1993; Ord.1291 §1, 2000; Ord.1323 §1, 2002; Ord. 1499 §1 (Exh. B), 2020.

17.12.030 Accessory uses allowed.

Accessory uses shall comply with all the requirements of this zoning district, except as this section allows to the contrary. All accessory structures shall be subject to GMC Chapter 17.54 (Clear Vision). The following accessory uses shall be allowed in an R-5 zoning district:

- (1) Buildings. Garages and carports, storage and other buildings, as follows:
 - (a) Either the side, except a street side, or rear setback may be reduced to zero for one accessory structure, provided such structure:
 - (A) Is detached from other buildings;
 - (B) Does not exceed a height of one story; and
 - (C) Does not exceed a floor area of 450 square feet;
 - (b) A wall of rated, fire-resistive construction may be required by the Oregon Structural Specialty Code or its successor.
 - (c) When more than one accessory structure is present including a portable storage container, as defined in GMC Chapter 5.22, a setback does not apply to the portable storage container.

(2) Courtyards, Patios and Decks. The minimum side, except street side, and rear setbacks for uncovered courtyards, patios and decks in excess of 30 inches in height shall be five feet. The minimum front and street side setbacks for such courtyards, patios and decks shall be 15 feet. No setbacks shall be required for uncovered courtyards, patios and decks 30 inches or less in height. When calculating the height of a courtyard, patio or deck, railings and benches shall be excluded from the calculation.

(3) Fences and Walls. The following standards shall apply to fences and walls of all types whether open, solid, wood, metal, masonry or other material.

(a) When located between the front lot line and the front building line, fences and walls shall not exceed three feet in height;

(b) Fences and walls not subject to subsection (3)(a) of this section shall not exceed six feet in height.

(c) An exception may be granted to the maximum fence or wall height standards for conditional or nonconforming uses. Such an exception may be granted pursuant to review of an application for conditional use; alteration, expansion or change of use of a nonconforming use; or design review and when an exception is found necessary to provide adequate screening for the use.

(4) Storage. Storage of boats, trailers, pickup campers, coaches, motorhomes and similar recreation equipment. Occupancy of such equipment is subject to a temporary permit under GMC Chapter 15.28 (Temporary Dwellings).

(5) Accessory dwelling units, subject to the following standards:

(a) Only one accessory dwelling unit per lot shall be permitted;

(b) The floor area of an accessory dwelling unit shall be a minimum of 220 square feet and not exceed ~~400~~ 800 square feet. Conversion of an existing basement to an ADU shall be exempt from the maximum size limit, provided that no new floor area will be added with the conversion;

(c) An accessory dwelling unit shall not contain more than two bedrooms;

(d) Only one entrance, other than a vehicular entrance to a garage, may be located on the street-facing facade of the structure containing the primary dwelling unit unless this structure had additional entrances before the accessory dwelling unit was created and the number of entrances will not be increased;

(e) The exterior finish materials—including siding, trim and roofing—of an accessory dwelling unit shall be the same or visually similar to those of the primary dwelling unit with respect to type, size, placement and color;

(f) The roof pitch of an accessory dwelling unit shall be the same as the predominant roof pitch of the primary dwelling unit;

(g) The windows of an accessory dwelling unit shall be the same or visually similar to those of the primary dwelling unit;

(h) The eaves on an accessory dwelling unit shall project from the structure walls the same distance as the eaves on the primary dwelling unit;

(i) An accessory dwelling unit shall comply with the minimum yard requirements and maximum building height established in GMC Section 17.12.050;

(j) An accessory dwelling unit used as a vacation rental shall provide:

(A) One off-street parking space in addition to the off-street parking space required by GMC Chapter 17.48 (Off-Street Parking and Loading) for the primary dwelling unit; and

(B) A deed restriction requiring owner-occupancy of one of the units recorded in the Clackamas County Clerk’s Office in a form prescribed by the city. Either the primary dwelling unit or the accessory dwelling unit shall be owner-occupied for as long as the accessory dwelling unit is being used as a vacation rental.

(6) Swimming Pools, Ponds and Hot Tubs. The minimum side, street side and rear setbacks for swimming pools, ponds and hot tubs shall be three feet. The minimum front setback for ponds no greater than five feet wide and no more than two feet deep shall be three feet.

(7) Home Occupations. Home occupations shall be subject to GMC Chapter 17.78 (Home Occupations).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1171 §§1(E) & 1(F), 1993; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1392, §3, 2007; Ord. 1499 §1 (Exh. B), 2020.

17.12.040 Conditional uses allowed.

In an R-5 zoning district, the following uses and their accessory uses are allowed subject to GMC Chapter 17.70 (Conditional Uses):

- (1) Multi-household dwelling, five-to-eight-unit building.
- (2) Medical/dental office at the intersection of minor arterials or collectors.
- (3) Church and associated buildings and structures.
- (4) Community center, day care center.
- (5) Fire station or similar public use necessary to provide service or preserve public safety in the area.
- (6) Planned unit development.
- (7) Nursing homes and homes for the aged.
- (8) School and associated buildings, structures and facilities.
- (9) Utility facility; provided, that no outside storage is involved.
- (10) Community commercial within 200 feet from the Portland Avenue C-2 district.
- (11) Group homes.
- (12) Boarding house, rooming house, lodging house.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. B), 2020.

17.12.050 Dimensional standards.

Except as provided in GMC Chapters 17.38 (Planned Unit Development), 17.72 (Variances) and 17.76 (Exceptions), the following dimensional standards shall apply in an R-5 zoning district:

Minimum Lot Area		
Detached single household	5,000 sf	
Duplex and Triplex	5,000 sf	
Quadplex	7,000 sf	

Cottage Cluster	7,000 sf	
Townhouse Project	5,000 sf	The average minimum lot area for a townhouse dwelling shall be 1,500 sf
Multi-household dwellings	2,500 sf per dwelling unit	
Other uses	5,000 sf	Or as established by the Planning Commission, as provided by GMC Chapter 17.70 (Conditional Uses).
Minimum Setbacks		
Front Setback	20 ft	Except that a front porch may project a maximum of five feet into a required front setback area
Side Setback	5 ft	
Street Side Setback	20 ft	Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet into a required setback area Townhouse projects are allowed a zero-foot side setback for lot lines where Townhouse units are attached. Cottage Cluster minimum setbacks can be reduced to 5 feet, if there is more than 150 square feet per dwelling unit of common open space provided, as define in Section 17.12.065(2).
Rear Setback	15 ft	
Maximum Building Height	35 ft	Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are not subject to building height limitations of this subsection.
Minimum Vegetation		
Multi-household dwelling	At least 20% of the total area of the lot	The minimum area that must be left or planted with trees, shrubs, grass, etc.
Minimum Density	Cottage Clusters shall have a minimum density of 4 dwelling units per acre.	
Sufficient Infrastructure	Applicants must demonstrate that Sufficient Infrastructure is	

	provided, or will be provided, upon submittal of a triplex or quadplex development application.	
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(1) All PUDs with residential uses must include a mix of two or more middle housing types for a minimum of 25% of the total dwelling units proposed.

(a) Exceptions in Case of Large Scale PUD. The dimensional standards of this section may be modified by the Planning Commission in the case of a plan and program for a planned unit development, providing the modifications are not detrimental to the public health, safety and welfare and providing the Planning Commission determines there is provision for adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the developed tract and its relation to adjacent areas and for such covenants or other legal provisions as will assure conformity to and achievement of the plan.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1289 §1, 2000; Ord. 1291 §1, 2000; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. B), 2020.

17.12.055 Cottage Cluster Standards.

The following dimensional standard apply to cottage clusters development in the R-5 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Dimensional Standards

(a) Minimum Lot Size and Dimensions. Cottage clusters shall meet the minimum lot area that apply to detached single family dwellings in the R-5 zone.

(b) Setbacks and Building Separation.

(A) Setbacks. Cottage clusters shall meet the minimum setback standards:

- Front setbacks: 10 feet
- Side setbacks: 5 feet
- Rear setbacks: 10 feet

(B) Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.

(c) Average Unit Size. The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

(d) Off-Street Parking.

(A) Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is zero (0) spaces per unit with a floor area less than 1,000 square feet and one (1) space per unit with a floor area of 1,000 square feet or more. Spaces may be provided for individual cottages or in shared parking clusters. A credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (b).

(B) On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.

- i. The space must be abutting the subject site;

- ii. The space must be in a location where on-street parking is allowed by the jurisdiction;
- iii. The space must be a minimum of 22 feet long; and
- iv. The space must not obstruct a required sight distance area.

17.12.060 Design standards.

(1) Attached Garage. The following standard shall apply to the construction of a garage attached to a single-household dwelling or duplex. An existing garage, legally constructed prior to the adoption of this standard, that does not conform to this standard may be remodeled or expanded, provided such remodeling or expansion shall not further reduce the structure's compliance with this standard.

(a) The length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building facade. On corner lots only one street-facing garage wall must meet this standard unless there are two garages, such as in the case of a two-family dwelling.

(2) Main Entrance. The main entrance to a dwelling of a single-family household dwelling shall:

- (a) Face the street lot line. On a corner lot, the main entrance may face either street lot line or the corner; or
- (b) The main entrance shall open onto a covered porch that has an entrance that faces the street lot line. The porch and its roof shall each be at least 40 square feet in area and neither the width nor the depth shall be less than five feet.

(3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets. Improvements installed by a developer, shall conform to the standards of this title, GMC Chapter 12.02 (street excavation requirements) and to any supplemental design and construction specifications adopted by the city for such improvements. This shall apply to new structures and Expedited Land Divisions as defined by ORS 197.360; with the following exceptions:

- (a) There is no existing sidewalks within 200 feet of the subject parcel, and no planned sidewalk network in the area as identified in the Transportation System Plan.
- (b) When sidewalks and other frontage improvements would be located on land with cross slopes greater than nine percent as shown on the site plan submitted with the building permit.

(4) Design Features. Detached single-household dwellings, duplexes, triplexes, quadplexes, townhomes, and cottage clusters shall include at least four of the following design features on each street-facing façade:

- (a) Dormer;
- (b) One or more windows that face the street lot line;
- (c) Cupola;
- (d) Bay or bow window;
- (e) Gable;
- (f) Covered porch entry;
- (g) Eaves (minimum twelve inches projection);
- (h) Offset on building face or roof (minimum 16 inches);
- (i) Recessed garage entrance for street-facing garage (minimum 16 inches);
- (j) Roof pitch of not less than three feet in height for each 12 feet in width; and

(k) A garage or carport. The garage or carport can be attached (see 17.12.060(1)) or detached.

(5) Foundations shall meet the following design standards:

(a) The dwelling shall be placed on an excavated, back-filled foundation and enclosed at the perimeter such that no more than 12 inches of the enclosing material is above grade; and

(b) Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home; and

(c) If the dwelling sits on a basement, the 12-inch limitation shall not apply.

(6) As part of the building permit process for manufactured dwellings, the applicant shall provide a certification from the manufacturer that the manufactured dwelling has an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1144 §1, 1991; Ord. 1171 §1(D), 1993; Ord. 1188 §1, 1994; Ord. 1289 §1, 2000; Ord. 1291 §1, 2000; Ord. 1499 §1 (Exh. B), 2020.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this chapter are available from the office of the City Recorder.]

17.12.065 Cottage Cluster Design Standards

The following design standards apply to cottage clusters development in the R-5 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Cottage Orientation. Cottages must be clustered or abut around a common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 1):

(a) Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path that is at least 4 ft wide.

(b) A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:

(A) Have a main entrance facing the common courtyard;

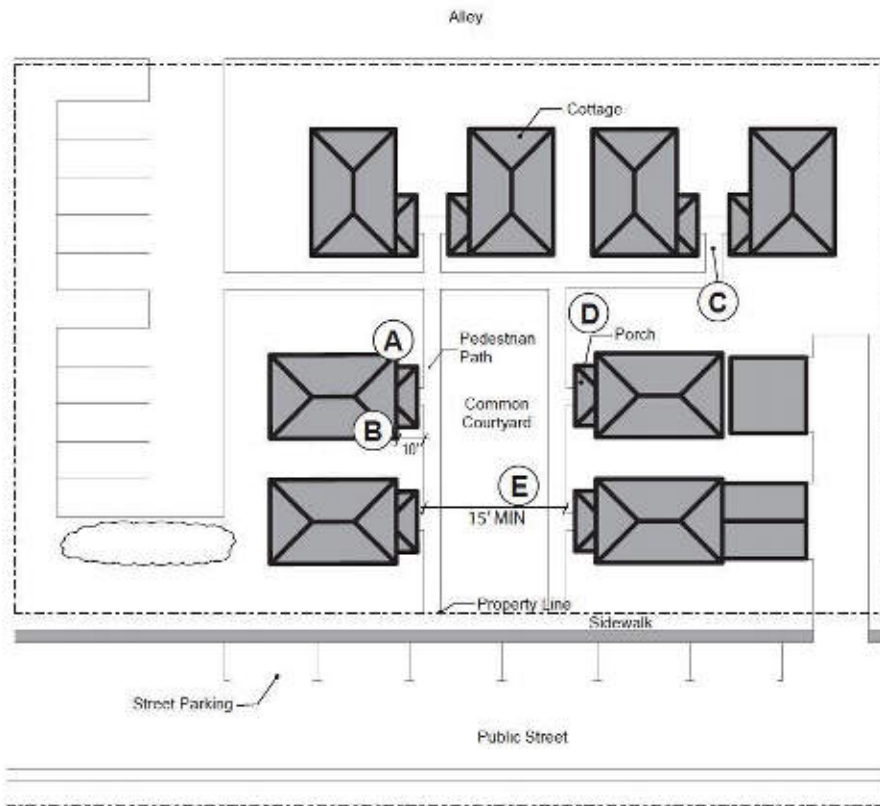
(B) Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and

(C) Be connected to the common courtyard by a pedestrian path.

(c) Cottages within 20 feet of a street property line may have their entrances facing the street.

(d) Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

Figure 1. Cottage Cluster Orientation and Common Courtyard Standards



(2) Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:

- (a) The common courtyard must be a single, contiguous piece.
- (b) The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.
- (c) The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
- (d) The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
- (e) Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

(3) Pedestrian Access.

- (a) An accessible pedestrian path that is at least 4 feet wide must be provided that connects the main entrance of each cottage to one or all the following:
 - (A) The common courtyard;
 - (B) Shared parking areas;
 - (C) Community buildings; and

- (D) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
- (b) The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.
- (4) Parking location and access.
- (a) Off-street parking spaces and vehicle maneuvering areas shall not be located:
- Within of 20 feet from any street property line, except alley property lines;
 - Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
- (b) Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- (c) Clustered parking. Off-street parking may be arranged in clusters and separated from common spaces by at least four (4) feet of landscaping.
- (5) Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
- (6) Garages and carports.
- (a) Garages and carports (whether shared or individual) must not abut common courtyards.
- (b) Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
- (c) Individual detached garages must not exceed 400 square feet in floor area.
- (d) Garage doors for attached and detached individual garages must not exceed 20 feet in width.

Chapter 17.30 GENERAL PROVISIONS*

Sections:

17.30.010 Purpose.

17.30.020 Application of these procedures.

17.30.040 Land divisions and property line adjustments—Generally.

17.30.050 Middle housing land divisions

* Prior history:

17.30.030 **History:** Ord. [1131](#) §2, 1990; Ord. [1171](#) §1 (N), 1993; Repealed by Ord. [1323](#) §1, 2002.

17.30.010 Purpose.

The purposes of the review and approval procedures set forth in Chapter [17.30](#) through [17.40](#) shall be:

(1) To guide future growth and development in accordance with the comprehensive plan and other related city ordinances.

(2) To provide for an efficient process to review development.

(3) To provide a framework by which development proposals are reviewed to insure safe, functional developments which are compatible with the natural and man-made environment.

(4) To provide a review mechanism to resolve potential conflicts between development standards and between development and open space recourses.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990.

17.30.020 Application of these procedures.

The review and approval procedures set forth in GMC Division III (land divisions and property line adjustments) shall apply to the division of property for the purpose of current or future sale or development and to the adjustment of property lines between adjoining lots of record.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

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17.30.040 Land divisions and property lines adjustments—Generally.

A land division or property line adjustment shall conform to the comprehensive plan and any plans supplementary to it, shall consider any preliminary plans and improvements made in anticipation thereof, and shall conform with state laws and this title.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1171](#) §1 (0), 1993; Ord. [1323](#) §1, 2002.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.30.050 Middle housing land divisions

A middle housing land division shall be reviewed as specified in 17.94.050(5).) An application for a middle housing land division shall be submitted as either a subdivision under 17.32 or a partition under 17.34, as applicable.

(1) Middle housing land divisions criteria. Middle housing land divisions shall be subject to the following requirements:

- (a) The property to be divided must be developed or proposed to be developed with middle housing that complies with the Oregon residential specialty code and the land use regulations applicable to the original lot or parcel.
- (b) The division must result in exactly one dwelling unit on each resulting lot or parcel, except for lots, parcels or tracts used as common areas;
- (c) Each dwelling unit shall have separate utilities.
- (d) Easements shall be provided for each dwelling unit for:
 - 1. Locating, accessing, replacing and servicing all utilities;
 - 2. Pedestrian access from each dwelling unit to a private or public road;
 - 3. Any common use areas or shared building elements;
 - 4. Any dedicated driveways or parking; and
 - 5. Any dedicated common area;
- (e) Each resulting lot shall be prohibited from further division.
- (f) Accessory dwelling units shall not be permitted on a resulting lot.
- (g) The type of middle housing developed on the original lot is not altered by a middle housing land division (e.g., a duplex remains a duplex even if it is divided along the common wall).

(2) Additional Submittal Requirements for Middle Housing Land Divisions. In addition to the submittal requirements found in 17.32.020, or 17.34.020 as applicable, an application for a middle housing land division shall include the following additional information:

- (a). Demonstration that the property to be divided is developed or proposed to be developed with middle housing that complies with the standards applicable to middle housing on or after July 1, 2022. If middle housing development is proposed, a copy of building permit applications and construction plans that have been submitted to or approved by the Building Codes Division shall be included in the application;
- (b). Locations of the easements necessary for:
 - 1. Locating, accessing, replacing, and servicing all dwelling units;
 - 2. Pedestrian access from each dwelling unit to a private or public road;
 - 3. Any common areas or shared building elements; and
 - 4. Any shared driveways or parking; and
- (c). Location of each middle housing dwelling unit, any other development on the lot or parcel, and location of all areas to be retained under common ownership.
- (d). Demonstration that there are separate utilities for each dwelling unit;

(3) Combining plats. If a middle housing land division is approved for the lots or parcels included in an approved, unexpired preliminary plat for a subdivision, partition, or replat, then the final plat for the subdivision, partition, or replat and the final plat for the middle housing land division may be combined as a single final plat.

(4) Final plats for middle housing land divisions. If the final plat is for a middle housing land division, it shall contain a notation that the lots shown on the plat were created pursuant to a middle housing land division and may not be further divided.

(5) Extended review time. After seven days' notice to the applicant, the governing body of the local government may, at a regularly scheduled public meeting, take action to extend the 63-day time period to a date certain for one or more applications for a middle housing land division prior to the expiration of the 63-day period. The decision to extend the 63-day review period shall be based on a determination that an unexpected or extraordinary increase in applications makes action within 63 days impracticable. In no

case shall an extension be to a date more than 120 days after the application was deemed complete. Upon approval of an extension, the provisions of ORS 197.360 to 197.380 and the Gladstone Municipal Code, including the appeal process, shall remain applicable to the middle housing land division, except that the extended period shall be substituted for the 63-day period wherever applicable.

Chapter 17.32 SUBDIVISIONS*

Sections:

- 17.32.010 Applicability.**
- 17.32.020 Tentative plan.**
- 17.32.030 Final plat.**
- 17.32.060 Land for public purposes.**

* Prior history:

17.32.040 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1323](#) §1, 2002.

17.32.050 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1323](#) §1, 2002.

17.32.070 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1323](#)§1, 2002.

17.32.010 Applicability.

A subdivision is the division of a lot of record into four lots or more in one calendar year and shall be governed by this chapter.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

17.32.020 Tentative plan.

(1) Submittal Requirement. An application for a subdivision shall include a minimum of twelve (12) copies of a tentative plan drawn to scale and prepared by an Oregon registered professional engineer or professional land surveyor. The following information shall be provided on the tentative plan or, where it is impractical to include an item on the tentative plan, in a separate attachment:

- (a) Subdivision name that has been approved by the Clackamas County Surveyor in accordance with Oregon Revised Statutes 92.090;
- (b) Date the tentative plan was drawn;
- (c) North arrow;
- (d) Scale of drawing;

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Draft Amendments 10/18/22

- (e) Township, Range, Section and Tax Lot numbers of the subject property and any contiguous property under the same ownership as the subject property;
- (f) Complete names, addresses and telephone numbers of the property owner(s), applicant(s), engineer(s) and land surveyor(s);
- (g) Gross acreage of the subject property;
- (h) The locations, widths, names, approximate grades and radii of curves of all proposed streets and all existing or platted streets within or adjacent to the subdivision site. Include proposed new curbs and sidewalks. Include existing curbs and sidewalks where necessary to show a connection to new curbs and sidewalks;
- (i) Contour lines at two-foot (2') intervals for ground slopes less than ten percent (10%), five-foot (5') intervals for ground slopes between ten percent (10%) and twenty percent (20%) and ten-foot (10') intervals for ground slopes exceeding twenty percent (20%). Identify the source of the contour information;
- (j) The locations and direction of flow of all watercourses and areas subject to flooding, including boundaries of areas of special flood hazard regulated by GMC Chapter [17.29](#) (FM -flood management area district);
- (k) The location of natural features, such as rock outcroppings, wetlands, wooded areas and individual large trees;
- (l) Identification of existing uses of the subject property, including the location of all existing structures. Identify whether existing structures will remain on the property or be removed. When a structure will remain, identify its setbacks from new property lines;
- (m) The location of proposed and existing utilities within the subdivision and the location of adjacent off-site utilities to which on-site utilities will connect. Include water; sanitary sewer; storm drainage with width, depth and direction of flow of any drainage channels; gas; electric, including power poles; and other utilities;
- (n) Zoning of the subject property;

- (o) The location, including width, of existing and proposed easements, to which property they are conveyed and for what purpose(s). Include easements on the subject property and off-site easements conveyed to the subject property;
 - (p) Proposed lots and tracts, including location, dimensions, area, lot numbers and, if applicable, tract letters;
 - (q) Identification of the proposed use of any designated tracts within the subdivision;
 - (r) A master plan, to include a tentative layout of possible future lots and streets, may be required when proposed lots or adjacent properties have the potential for additional land division (not applicable to middle housing land divisions);
 - (s) A vicinity map showing the location of the subdivision relative to well-known landmarks in all directions, at a scale of one inch (1") equals two thousand feet (2,000') or some other scale that better depicts the area, at least four inches (4") by four inches (4");
 - (t) The location of adjacent properties;
 - (u) Proposed deed restrictions, if any;
 - (v) Approximate centerline profiles with extensions for a reasonable distance beyond the limits of the proposed subdivision showing the finished grade of streets and the nature and extent of street construction;
 - (w) If lot areas are to be graded, a plan showing the nature of cuts and fills and information on the character of the soil;
 - (x) The location of any existing on-site sewage disposal systems and wells.
- (2) Review. An application for a subdivision shall be reviewed pursuant to GMC Division VII (administrative procedures).

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002; Ord. [1334](#), §2, 2002.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

The Gladstone Municipal Code is current through Ordinance 1513, passed November 9, 2021.
Draft Amendments 10/18/22

17.32.030 Final plat.

(1) Expiration of Approval. Approval of a tentative plan shall expire if a final plat consistent with the tentative plan is not submitted to the City Administrator or designee, approved, and recorded with the County Clerk within three years of the date of the final decision. If the City Administrator or designee's final decision is appealed, the approval period shall commence on the date of the final appellate decision. The City Administrator or designee shall extend this three-year period by one year if a written request for an extension is received by the Planning Department prior to the expiration of the three-year period. The approval period extension is not applicable to middle housing land divisions.

(2) Form and Content. The form and content of the final plat shall be consistent with relevant provisions of Oregon Revised Statutes Chapters [92](#) and [209](#).

(3) Review. Prior to recording, the final plat shall be submitted to the City Administrator, or designee, who shall review it to determine whether the subdivision as shown is substantially the same as it appeared in the approved tentative plan and whether there has been compliance with conditions of tentative plan approval.

(4) Approval. When satisfied that the final plat is consistent with the tentative plan approval and that compliance with conditions of tentative plan approval has been met, the City Administrator, or designee, shall sign the final plat.

(5) Filing. Following city approval of the final plat, the final plat shall be submitted to those Clackamas County officials who are required by state law to sign it. One copy of the recorded plat and two copies of the "as-builts" shall be submitted to the city.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1265](#) §1, 1998; Ord. [1323](#) §1, 2002.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.32.060 Land for public purposes.

If the city has an interest in acquiring a portion of a proposed subdivision for a public purpose, or if the city has been advised of such interest by a school district or other public agency, and there is reasonable assurance that steps will be taken to acquire the land, then the Planning Commission may require that those portions of the subdivision be reserved for public acquisition for a period not to exceed one year from the date of approval of the subdivision plat.

The Gladstone Municipal Code is current through Ordinance 1513, passed November 9, 2021.
Draft Amendments 10/18/22

Gladstone Municipal Code
Chapter 17.32—Subdivisions

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990.

Chapter 17.34 PARTITIONS*

Sections:

- 17.34.010 Applicability.**
- 17.34.020 Partitions—Generally.**
- 17.34.025 Final plat.**
- 17.34.030 Improvements.**

* Prior history:

17.34.040 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1171](#) §1(R), 1993.

17.34.050 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1171](#) §1(S), 1993.

17.34.010 Applicability.

(1) A partition is the division of a lot of record into three or fewer parcels in one calendar year and shall be governed by this chapter.

(2) Except as provided in GMC Chapter [17.32](#) (subdivisions), no parcel in an approved partition may be divided in the same calendar year in which the final partition plat is recorded unless the initial partition created only two parcels and the second partition will create only one additional parcel.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1171](#) §1(P) and §1(T), 1993; Ord. [1323](#) §1, 2002.

17.34.020 Partitions—Generally.

(1) Submittal Requirements. An application for a partition shall include a tentative plan drawn to scale. A minimum of five (5) copies of the tentative plan shall be provided with an application for a Type I partition. A minimum of twelve (12) copies of the tentative plan shall be provided with an application for a Type II partition. The following information shall be provided on the tentative plan or, where it is impractical to include an item on the tentative plan, in a separate attachment:

- (a) Date the tentative plan was drawn;
- (b) North arrow;
- (c) Scale of drawing;

- (d) Township, Range, Section and Tax Lot numbers of the subject property and any contiguous property under the same ownership as the subject property;
- (e) Complete names, addresses and telephone numbers of the property owner(s), applicant(s) and person(s) who prepared the tentative plan;
- (f) Gross acreage of the subject property;
- (g) A general description of the topography of the subject property;
- (h) The locations, widths and names of all proposed streets and all existing or platted streets within or adjacent to the partition-site. Include proposed new curbs and sidewalks. Include existing curbs and sidewalks where necessary to show a connection to new curbs and sidewalks;
- (i) The locations and direction of flow of all watercourses and areas subject to flooding, including boundaries of areas of special flood hazard regulated by GMC Chapter [17.29](#) (FM -flood management area district);
- (j) The location of natural features, such as rock outcroppings, wetlands, wooded areas and individual large trees;
- (k) The location of proposed and existing utilities within the partition and the location of adjacent off-site utilities to which on-site utilities will connect. Include water; sanitary sewer; storm drainage with width, depth and direction of flow of any drainage channels; gas; electric, including power poles; and other utilities;
- (l) Zoning of the subject property;
- (m) The location, including width, of existing and proposed easements, to which property they are conveyed and for what purpose(s). Include easements on the subject property and off-site easements conveyed to the subject property;
- (n) Identification of existing uses of the subject property, including the location of all existing structures. Identify whether existing structures will remain on the property or be removed. When a structure will remain, identify its setbacks from new property lines;
- (o) Proposed parcels, including location, dimensions, area and parcel numbers;

(p) A master plan, to include a tentative layout of possible future lots and streets, may be required when proposed parcels or adjacent properties have the potential for additional land division (not applicable to middle housing land divisions);

(q) The location of any existing on-site sewage disposal systems and wells.

(2) Type I and Type II Partitions. A Type I partition is any partition where the proposed parcels conform to the dimensional standards of the zoning district in which the subject property is located, creation of a flag lot is not proposed and access will be provided from a local street. Any other partition is a Type II partition. Notwithstanding the foregoing, a middle housing land division shall be processed as specified in GMC 17.94.050(5).

(3) Review. An application for a partition shall be reviewed pursuant to GMC Division VII (administrative procedures).

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1171](#) §1(Q), 1993; Ord. [1179](#) §13, 1993; Ord. [1323](#) §1, 2002; Ord. [1334](#) §6, 2002.

17.34.025 Final plat.

(1) Expiration of Approval. Approval of a tentative plan shall expire if a final plat consistent with the tentative plan is not submitted to the City Administrator or designee, approved, and recorded with the County Clerk within three years of the date of the final decision. If the City Administrator or designee's final decision is appealed, the approval period shall commence on the date of the final appellate decision. The City Administrator or designee shall extend this three-year period by one year if a written request for an extension is received by the Planning Department prior to the expiration of the three-year period. The approval period extension is not applicable to middle housing land divisions.

(2) Form and Content. The form and content of the final plat shall be consistent with relevant provisions of Oregon Revised Statutes Chapters [92](#) and [209](#).

(3) Review. Prior to recording, the final plat shall be submitted to the City Administrator, or designee, who shall review it to determine whether the partition as shown is substantially the same as it appeared in the approved tentative plan and whether there has been compliance with conditions of tentative plan approval.

(4) Approval. When satisfied that the final plat is consistent with the tentative plan approval and that compliance with conditions of tentative plan approval has been met, the City Administrator, or designee, shall sign the final plat.

(5) Filing. Following city approval of the final plat, the final plat shall be submitted to those Clackamas County officials who are required by state law to sign it. One copy of the recorded plat shall be submitted to the city.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1323](#) §1, 2002.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.34.030 Improvements.

The same improvements shall be installed to serve each building site of a partition as are required of a subdivision. However, if the Planning Commission finds that the nature of development in the vicinity of the partition makes installation of some improvements unreasonable, the Planning Commission may except those improvements. In lieu of excepting an improvement, the Planning Commission may recommend to the City Council that the improvement be installed in the area under special assessment financing or other facility extension policies of the city.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2 (Part), 1990; Ord. [1323](#) §1, 2002.

Chapter 17.64 DESIGN STANDARDS FOR LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS*

Section:

- 17.64.010 Applicability.**
- 17.64.020 Blocks.**
- 17.64.030 Building sites.**
- 17.64.040 Building lines.**
- 17.64.050 Large building sites.**
- 17.64.060 Maintenance of minimum title requirements.**

* Prior history:

17.64.070 **History:** Ord. [1131](#) §2, 1990; Repealed Ord. [1294](#)§1, 2000.

17.64.010 Applicability.

The design standards for land divisions and property line adjustments shall apply to all subdivisions, partitions, middle housing land divisions, and property line adjustments.

Statutory Reference: ORS Ch. [197](#) and [227](#)

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

17.64.020 Blocks.

(1) General. The length, width and shape of blocks shall be designed with due regard for the provision of adequate building sites for the use contemplated, consideration of the need for traffic safety, convenience, access, circulation and control, and recognition of limitations and opportunities of topography.

(2) Sizes. Full street connections shall be provided at intervals consistent with the adopted transportation system plan for the identified street classification, except as modified by GMC Sections [17.50.020](#) and [17.50.030](#)(2), or where prevented by topography, existing development, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers.

(3) Easements:

- (a) Utility lines. Easements for sewers, drainage, water mains, electric lines or other public utilities shall be dedicated wherever necessary. The easements shall be a minimum of 12 feet in width and

centered on rear or side lot lines at change of direction points of easements, except for guy wire tieback easements which shall be six feet wide by 20 feet long along lot lines.

(b) **Middle Housing Easements.** Easements shall be provided for each dwelling unit for:

1. Locating, accessing, replacing, and servicing all utilities;
2. Pedestrian access from each dwelling unit to a private or public road;
3. Any common use areas or shared building elements;
4. Any dedicated driveways or parking; and
5. Any dedicated common areas.

(c) **Watercourses.** If a tract is traversed by a watercourse such as a drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the watercourse and adequate in width for the purpose. Streets, parkways or greenways parallel to or integrated with major watercourses may be required.

(d) **Pedestrian and Bicycle Ways.** Except as modified by GMC Section [17.50.030\(2\)](#), in blocks over 800 feet in length, a pedestrian or bicycle way with a minimum width of 10 feet shall be provided through the middle of the block when desirable for public convenience. If unusual conditions require blocks longer than 1,200 feet, two pedestrian ways may be required. When desirable for public convenience, or when called for in the comprehensive plan, pedestrian ways may be required to connect cul-de-sacs, to pass through unusually shaped blocks, or to facilitate a linked system of pedestrian ways or greenways or bicycle ways.

(e) **Greenways.** When called for in the comprehensive plan, the Planning Commission may require the dedication, reservation or setting aside of greenways which will be open or accessible to the public. Except for trails or paths, such greenways will usually be left in a natural condition without improvements. Where appropriate, greenways may be combined with easements for utilities or watercourses.

Statutory Reference: ORS Ch. [197](#) and [227](#)

History: Ord. [1131](#) §2, 1990; Ord. [1294](#) §1, 2000; Ord. [1483](#) §2 (Exh. 5), 2017.

17.64.030 Building sites.

(1) **Size and Shape.** Lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The width of a lot shall be at least 50

feet except that corner lots shall have a width of at least 60 feet to permit appropriate building setback from both streets. Minimum lot depth in a residential district shall be 60 feet. In the case of irregular lots, the width shall be measured along the front building line. Except in Middle Housing Land Divisions or in a PUD development, in no case shall a lot area be less than the zoning district required. The Planning Commission may, when such a minimum in the case of multi-household dwelling subdivision development would result in a conflict with the minimum area requirements of the zoning ordinance, require larger minimum area requirement so as to conform to the zoning ordinance. These minimum standards shall apply with the following exceptions:

(a) Where property is zoned and planned for commercial or industrial use, other widths and areas may be permitted at the discretion of the Planning Commission. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

(2) Frontage. A lot shall have minimum frontage of 20 feet on a street other than an alley.

(3) Through Lots and Parcels. Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent nonresidential activities or to overcome specific disadvantages of topography and orientation. A planting screen easement at least 10 feet wide, and across which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.

(4) Lot and Parcel Side Lines. The lines of lots and parcels as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve.

(5) Middle housing land divisions. This section 17.64.030 does not apply to middle housing land divisions.

Statutory Reference: ORS Ch. 92, [197](#) and [227](#)

History: Ord. [1131](#) §2, 1990; Ord. [1294](#) §1, 2000.

17.64.040 Building lines.

If special building setback lines are to be established in a subdivision, they shall be shown on the subdivision plat or shall be included in the deed restrictions.

Statutory Reference: ORS Ch. [197](#) and [227](#)

History: Ord. [1131](#) §2, 1990.

The Gladstone Municipal Code is current through Ordinance 1513, passed November 9, 2021.
Draft Amendments 10/18/22

17.64.050 Large building sites.

In dividing tracts into large lots or parcels which at some future time are likely to be redivided, the Planning Commission may require that the blocks be of such size and shape, be so divided into building sites and contain such site restrictions as will provide for extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size.

Statutory Reference: ORS Ch. [197](#) and [227](#)

History: Ord. [1131](#) §2, 1990.

17.64.060 Maintenance of minimum title requirements.

No lot area, yard or other open space existing on or after the effective date of the ordinance codified in this title shall be reduced below the minimum required for it by this title, and no lot area, yard or other open space which is required by this title for one use shall be used as the required lot area, yard or other open space for another use.

Statutory Reference: ORS Ch. [197](#) and [227](#)

History: Ord. [1131](#) §2, 1990.

Chapter 17.92 APPEALS

Sections:

- 17.92.010 Appeal to Planning Commission.**
- 17.92.020 Appeal to City Council.**
- 17.92.030 Standing—Who may appeal.**
- 17.92.040 Applicant appeal.**
- 17.92.050 Form of notice.**

17.92.010 Appeal to Planning Commission.

An appeal from a ruling or interpretation of the City Administrator or designee regarding a requirement of this title may be made only to the Planning Commission and must be accompanied by a filing fee.

(1) The decision of the City Administrator or designee shall become final unless appealed in writing within fifteen (15) days of the notice of decision except as provided for in paragraph 2 of this subsection.

(a) If appealed, the application shall be reviewed by the Planning Commission at a public hearing.

(b) The decision of the Planning Commission shall be final unless appealed to the City Council.

(2) For middle housing land divisions and expedited land divisions are subject to the appeal process in ORS 197.375. The appeal shall be submitted within fourteen 14 days of the City Administrator's or designee's mailing of the written decision with a \$300 deposit for costs. If an appeal is not filed within the fourteen (14) day period, the decision of the City Administrator or designee shall be final.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990.

17.92.020 Appeal to City Council.

(1) A decision of the Planning Commission made pursuant to this title may be appealed to the City Council within fifteen (15) days after the mailing of the Planning Commission's written decision.

(2) Written notice of the appeal, along with a filing fee, shall be filed with the city.

(3) The notice of appeal should state in detail the nature of the decision, determination or requirements and the grounds upon which the applicant deems herself/himself aggrieved.

(4) If an appeal is not filed within the fifteen (15) day period, the decision of the Planning Commission shall be final.

(5) If a timely appeal is filed, the City Council shall receive a copy of the Planning Commission's written decision and shall hold a public hearing on the appeal.

(6) The City Administrator or designee shall summarily reject an untimely filed appeal.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

17.92.030 Standing—Who may appeal.

(1) Only parties with standing may appeal.

(2) To have standing to appeal a decision of the Planning Commission to the City Council, a party must have appeared orally or in writing before the Planning Commission.

(3) Signing a petition does not constitute an appearance.

(4) Any party given notice under GMC Subsection [17.94.050](#)(3) may appeal a decision of the City Administrator to the Planning Commission.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

17.92.040 Applicant appeal.

(1) If an applicant appeals a decision of the City Administrator or Planning Commission, he/she shall submit the same application to the hearing body, other than changes necessary to effectuate any conditions of approval.

(2) No other view or revision designs or plans will be accepted.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990.

17.92.050 Form of notice.

(1) The notice of appeal shall contain the following:

- (a) A reference to the subject property;
 - (b) The application number;
 - (c) The date of the decision appealed from;
 - (d) The date of the notice of appeal;
 - (e) A statement of the appellant's qualification as a party with standing to appeal;
 - (f) The specific grounds for the appeal.
- (2) The notice must be actually received by the City Administrator or recorder or their designee within the time provided or it will be dismissed as untimely.
- (3) An appeal stays proceedings on the matter until final determination by the city.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990.

Chapter 17.94 HEARINGS

Sections:

- 17.94.010 General provisions.**
- 17.94.020 Notice.**
- 17.94.030 Documents.**
- 17.94.040 Hearing procedure.**
- 17.94.050 City Administrator decisions.**
- 17.94.060 Planning Commission decisions.**
- 17.94.070 City Council decisions.**
- 17.94.080 Action on applications.**
- 17.94.090 Aggregate resource extraction.**
- 17.94.100 Revocation of approvals.**

17.94.010 General provisions.

Public hearings shall be held on all quasi-judicial and legislative land use applications.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990.

17.94.020 Notice.

(1) Written notice of quasi-judicial hearings and hearings where the subject is a legislative zone change shall be mailed to the applicant, the owner of the subject property and owners of record as identified on the most recent Clackamas County property tax assessment roll of property located within two hundred fifty (250) feet of the subject property. Notice shall also be provided to affected agencies, recognized neighborhood or community organizations whose boundaries include the subject property and affected Dual Interest Area Agreement parties. Notice shall be mailed a minimum of twenty (20) days in advance of the scheduled hearing.

(2) The notice shall contain the following:

(a) An explanation of the nature of the application and the proposed use or uses which could be authorized;

(b) The criteria from this title and the comprehensive plan that apply to the application at issue;

- (c) The street address or other easily understood geographical reference to the subject property;
 - (d) The date, time and location of the hearing;
 - (e) A statement that failure to raise an issue in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue;
 - (f) The name of the city representative to contact and the telephone number where additional information may be obtained;
 - (g) A statement that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;
 - (h) A statement that a copy of the staff report will be available for inspection at no cost at least seven (7) days prior to the hearing and will be provided at reasonable cost; and
 - (i) A general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.
 - (j) When a potential for advance financing of public improvements pursuant to Chapter [13.20](#) is anticipated by either the city or the applicant, the notice shall contain a statement to the effect that property adjacent to the development which might derive benefit from the developer's public improvements could be subject to advance finance reimbursement as specified in Chapter [13.20](#) of the Gladstone Municipal Code. Failure to provide this statement in a notice shall not invalidate the notice.
- (3) Failure of the property owner to receive notice shall not invalidate such proceedings if the city can demonstrate by affidavit that such notice was sent. Notice is deemed given when deposited with the U.S. Postal Service.
- (4) If the subject of the hearing is a legislative action, notice shall be given by publication in a newspaper of general circulation at least twenty (20) days prior to the hearing before the Planning Commission and ten (10) days prior to the hearing before the City Council.
- (5) Written notice as described in this section shall be provided to residents of manufactured dwelling parks of applications that would change the zone of property which includes all or part of the park in which they reside.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1141](#) §1, 1991; Ord. [1171](#) §1(J), 1993; Ord. [1175](#) §7, 1993; Ord. [1323](#) §1, 2002; Ord. [1348](#), 2004.

17.94.030 Documents.

(1) All documents or evidence relied upon by the applicant shall be submitted to the city and available for inspection twenty (20) days prior to the hearing.

(2) If additional documents or evidence is provided in support of an application less than twenty (20) days prior to the hearing, any person so requesting shall be entitled to a continuance of the hearing.

Statutory Reference: ORS Cb. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.94.040 Hearing procedure.

(1) At the start of a hearing, a statement containing the following shall be made:

(a) The applicable substantive criteria;

(b) Testimony, arguments and evidence must be directed to the criteria in Subsection (l)(a) of this Section or other criteria in the comprehensive plan or this title that the person believes to apply to the decision;

(c) Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue;

(2) Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. The request shall be granted by continuing the public hearing or leaving the record open for additional written evidence, arguments or testimony.

(a) If a continuance is granted, the hearing shall be continued to a date, time and place certain at least seven (7) days from the date of the initial evidentiary hearing. An opportunity shall be provided at the continued hearing for persons to present and rebut new evidence, arguments or testimony. If

new written evidence is submitted at the continued hearing, any person may request, prior to the conclusion of the continued hearing, that the record be left open for at least seven (7) days to submit additional written evidence, arguments or testimony for the purpose of responding to the new written evidence.

(b) If the record is left open for additional written evidence, arguments or testimony, the record shall remain open for at least seven (7) days. Any participant may file a written request for an opportunity to respond to new evidence submitted during the period the record was left open. If such a request is filed, the hearings authority shall reopen the record. If the record is reopened to admit new evidence, arguments or testimony, any person may raise new issues related to the new evidence, arguments, testimony or criteria for decision- making that apply to the matter at issue.

(c) A continuance or extension granted pursuant to this Section shall be subject to the limitations of ORS [227.178](#) and [227.179](#) unless the continuance or extension is requested or agreed to by the applicant.

(3) Unless waived by the applicant, the applicant shall be allowed at least seven (7) days after the record is closed to all other parties to submit final written arguments in support of the application. The applicant's final submittal shall be considered part of the record but shall not include any new evidence. This seven (7) day period shall not be subject to the limitations of ORS [227.178](#) and [227.179](#).

(4) The decision maker shall approve, approve with conditions or deny a land use action. Findings in support of the decision shall be adopted and a written memorandum of the decision shall be mailed to the applicant and any party requesting notice of the decision, provided the party so requested in writing specifying their address.

(5) The Council may remand any land use application to the Planning Commission for further review and recommendation.

(6) In the event of a challenge to the impartiality of any member of the Planning Commission or the City Council, the remaining members shall vote whether to excuse the person so challenged. A majority vote of the nonchallenged members who are present shall control.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

The Gladstone Municipal Code is current through Ordinance 1513, passed November 9, 2021.
DRAFT Amendment 10/18/22

17.94.050 City Administrator decisions.

(1) The following types of applications shall be reviewed by the City Administrator or designee and a decision rendered:

- (a) Lot line adjustments;
- (b) Type I partitions;
- (c) Middle housing land divisions, whether submitted pursuant to GMC Subsections 17.32 or 17.34, using the process specified in 17.94.050(5);
- (d) Home occupations;
- (e) Water quality resource area determinations pursuant to GMC Subsection [17.27.020](#)(6);
- (f) WQ District permits pursuant to GMC Subsection [17.27.030](#) (2).
- (g) Habitat Conservation Area permits pursuant to GMC Subsection 17.25.060(C)(3)
- (h) Flood Management Area pursuant to GMC Subsection 17.29.070
- (g) Billboard permits;
- (h) Adjustments, pursuant to GMC Chapter [17.73](#).

(2) An applicant may request that the application be heard directly by the Planning Commission.

(3) Written notice of the City Administrator's or designee's decision shall be mailed to the applicant, the owner of the subject property and owners of record—as identified on the most recent Clackamas County property tax assessment roll—of property located within one hundred feet (100') of the subject property. Notice shall also be provided to affected agencies, recognized neighborhood or community organizations whose boundaries include the subject property and affected Dual Interest Area Agreement parties

(4) The notice shall contain the following:

- (a) An explanation of the nature of the decision;
- (b) An explanation of the nature of the application and the proposed use or uses which could be authorized;
- (c) The criteria from this title and the comprehensive plan that apply to the application at issue;

- (d) The street address or other easily understood geographical reference to the subject property;
 - (e) The name of the city representative to contact and the telephone number where additional information may be obtained;
 - (f) A statement that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;
 - (g) A statement that any person who is adversely affected or aggrieved or who is entitled to written notice under GMC Subsection [17.94.050](#)(3) may appeal the decision by filing a written appeal pursuant to GMC Section [17.90.060](#) (forms of petitions, applications and appeals) and GMC Chapter [17.92](#) (appeals);
 - (h) A statement that the decision will not become final until the period for filing a local appeal has expired; and
 - (i) A statement that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS [197.830](#).
- (5) Unless the applicant requests to use the procedures set forth elsewhere in this code, the following procedure will be used for an expedited land division, as described in ORS 197.360, or a middle housing land division, in lieu of all other procedural requirements described in this code:
- (a) Review timeframe:
 - (1) If the application is incomplete, the city shall notify the applicant of exactly what information is missing within 21 days of receipt of the application and allow the applicant to submit the missing information. For purposes of computation of time under this section, the application shall be deemed complete on the date the applicant submits the requested information or refuses in writing to submit it.
 - (2) If the application was complete when first submitted or the applicant submits the requested additional information within 180 days of the date the application was first submitted, approval or denial of the application shall be based upon the standards and criteria that were applicable at the time the application was first submitted.
 - (b) Notice: The city shall provide written notice of the receipt of the completed application for a middle housing land division to any state agency, local government or special district responsible for providing public facilities or services to the development and to owners of property within 100 feet of the entire contiguous site for which the application is made. The notification list shall be

compiled from the most recent property tax assessment roll. Notice shall also be provided to any neighborhood or community planning organization recognized by the governing body and whose boundaries include the site. The City Administrator, or designee, shall produce an affidavit of notice.

(c) The notice required under subsection (b) of this section shall:

(1) State:

(A) The deadline for submitting written comments;

(B) That issues that may provide the basis for an appeal to the referee must be raised in writing prior to the expiration of the comment period; and

(C) That issues must be raised with sufficient specificity to enable the city to respond to the issue.

(2) Set forth, by commonly used citation, the applicable criteria for the decision.

(3) Set forth the street address or other easily understood geographical reference to the subject property.

(4) State the place, date and time that comments are due.

(5) State a time and place where copies of all evidence submitted by the applicant will be available for review.

(6) Include the name and telephone number of a city contact person.

(7) Briefly summarize the local decision-making process for the decision being made.

(d) After notice under subsections (b) and (c) of this section, the City Administrator or designee shall:

(1) Provide a 14-day period for submission of written comments prior to the decision.

(2) Make a decision to approve or deny the application within 63 days of receiving a completed application, based on whether it satisfies the substantive requirements of the city's applicable land use regulations. An approval may include conditions to ensure that the application meets the applicable land use regulations. For applications subject to this section, the city:

(A) Shall not hold a hearing on the application; and

(B) Shall issue a written determination of compliance or noncompliance with applicable land use regulations that includes a summary statement explaining the determination. The summary statement may be in any form reasonably intended to communicate the city's basis for the determination.

(3) Provide notice of the decision to the applicant and to those who received notice under subsection (b) of this section within 63 days of the date of a completed application. The notice of decision shall include:

(A) The summary statement described in paragraph (2)(B) of this subsection; and

(B) An explanation of appeal rights

(e) Appeal of a decision under this subsection shall be as described in 17.92.010(2)

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1179](#) §19(A), 1993; Ord. [1323](#) §1, 2002; Ord. [1334](#), §9, 2002, Ord. [1374](#), 2006.

17.94.060 Planning Commission decisions.

(1) A public hearing shall be held before the Planning Commission and a recommendation made by the Planning Commission to the City Council on the following types of applications:

(a) Annexations;

(b) Zone changes;

(c) Comprehensive plan amendments;

(d) Amendments to the text of this title, unless the City Council finds that an emergency exists requiring only a hearing before the City Council on the amendment.

(e) Requests for revocation, pursuant to GMC Section [17.94.100](#) (revocation of approvals), of previous application approvals granted by the city;

(f) Map amendments pursuant to GMC Section [17.27.080](#) (map administration) or GMC Section [17.29.080](#) (map administration).

(2) A public hearing shall be held before the Planning Commission on the following types of applications. The Planning Commission's decision shall be final unless appealed to the City Council.

- (a) Variances;
- (b) Alterations, expansions or changes of use of nonconforming uses;
- (c) Design review;
- (d) Interpretations of this title or the comprehensive plan;
- (e) Subdivisions;
- (f) Type II partitions;
- (g) City Administrator decisions appealed pursuant to GMC Subsection [17.94.050\(5\)](#);
- (h) Conditional uses;
- (i) Greenway conditional uses;
- (j) FM District variances and appeals pursuant to GMC Section [17.29.090](#).

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1179](#) §19(B), 1993; Ord. [1323](#) §1, 2002; Ord. [1334](#) §9, 2002; Ord. [1349](#), §1, 2004.

17.94.070 City Council decisions.

A public hearing shall be held before the City Council on the types of applications identified in GMC Subsection [17.94.060\(1\)](#) and on all Planning Commission decisions appealed to the City Council.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

17.94.080 Action on applications.

- (1) Following a hearing, the Planning Commission or City Council may:
- (a) Approve the application/recommendation;
 - (b) Deny the application/recommendation;
 - (c) Approve the application/recommendation with conditions.

(2) On appeal, the Planning Commission or City Council may modify, delete or add conditions of approval.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

17.94.090 Aggregate resource extraction.

For applications regarding aggregate resource extraction, the Oregon Department of Geology and Mineral Industries must either be notified or issued a permit for operation.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990.

17.94.100 Revocation of approvals.

The City Council may, at any time after reviewing a recommendation from the Planning Commission and conducting a hearing pursuant to this chapter, modify or revoke any prior approval or approval condition it or the Planning Commission has made, for the following reasons:

- (1) Material misrepresentation or mistake of fact made on behalf of or by the applicant, whether intentional or unintentional.
- (2) A failure to comply with conditions of approval.
- (3) A failure to use the premises in accordance with the terms of approval.
- (4) A change in state law mandating compliance.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990.

**RED LINED
VERSION
OF
PROPOSED
CHANGES**

Gladstone Municipal Code
Chapter 17.06 Definitions

Chapter 17.06 DEFINITIONS*

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- 17.06.010 Access.
- 17.06.013 Accessory dwelling unit.
- 17.06.015 Accessory use or accessory structure.
- 17.06.020 Alley.
- 17.06.035 Automobile service station.
- 17.06.040 Automobile storage or repair garages.
- 17.06.045 Boarding house, lodging house or rooming house.
- 17.06.050 Building.
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17.06.360 New construction.
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17.06.370 Nonconforming use.
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- 17.06.475 Section.
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- 17.06.485 School, primary, elementary, junior high or high.
- 17.06.491 Senior housing center.
- 17.06.492 Setback, front.
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- 17.06.494 Setback, side.
- 17.06.496 Setback, street side.
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- 17.06.500 Sign.
- 17.06.501 Sign, electronic message center.
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- 17.06.507 Story.
- 17.06.510 Story, half.
- 17.06.515 Street.
- 17.06.520 Structure.
- 17.06.525 Subdivide land.
- 17.06.530 Subdivision.
- 17.06.535 Temporary structure real estate offices.
- 17.06.537 Temporary structures.
- 17.06.540 Title.
- 17.06.542 Transit street.
- 17.06.545 Use.
- 17.06.548 Utility facility.
- 17.06.550 Utility substation.
- 17.06.551 Vacation rental.
- 17.06.553 Vacation occupancy.
- 17.06.555 Vegetation.
- 17.06.560 Vehicle.

* Prior history:

- 17.06.025 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.
- 17.06.030 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.
- 17.06.110 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 § 1, 2002.
- 17.06.185 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1334, 2004.
- 17.06.190 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1334, 2004.
- 17.06.320 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1171 §1(K), 1993.
- 17.06.330 **History:** Ord. 1131 §2, 1990; Ord.1179 §11(B), 1993; Repealed by Ord. 1323 §1, 2002.
- 17.06.335 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1171 §1(L), 1993.
- 17.06.425 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323§1, 2002.
- 17.06.490 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323§1, 2002.
- 17.06.495 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.
- 17.06.502 **History:** Ord. 1161 §1, 1992; Renumbered to §17.06.504 by Ord. 1323 §1, 2002.

17.06.505 **History:** Ord. 1131 §2, 1990; Renumbered to §17.06.507 by Ord. 1323 §1, 2002.

17.06.565 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.

17.06.570 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.

17.06.575 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.

17.06.580 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.

17.06.585 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1323 §1, 2002.

17.06.005 Generally.

The words and phrases used in Title 17 shall have the meanings set out in Chapter 17.06 (definitions) unless the context otherwise requires.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.010 Access.

“Access” means the right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.013 Accessory dwelling unit.

“Accessory dwelling unit” means an additional, smaller, subordinate dwelling unit located on the same lot as a detached or attached single-household dwelling or multi-household dwelling. An accessory dwelling may be created as a detached structure or within, or as an addition to, a detached single-household dwelling or accessory structure.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1289, 2000; Ord. 1515 §6, 2022

17.06.015 Accessory use or accessory structure.

“Accessory use” or “accessory structure” means a use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.020 Alley.

“Alley” means a street which affords only a secondary means of access to the property.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.035 Automobile service station.

“Automobile service station” means a retail place of business engaged primarily in the sale of motor fuels, but also supplying goods and services required in the operation and maintenance of automotive vehicles. These may include petroleum products, tires, batteries, automotive accessories and replacement items, washing and lubrication services, or automobile and truck maintenance and repair, and the supplying of other incidental customer services and products, but not painting, body and fender work, and storage of autos and trucks.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.040 Automobile storage or repair garages.

“Automobile storage or repair garages” means a premises used for the storage, repair, or sale of used automobile vehicles or automotive parts.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.045 Boarding house, lodging house, or rooming house.

“Boarding house,” “lodging house” or “rooming house” means a building or portion thereof without separate housekeeping facilities to be occupied, or which is occupied primarily by persons paying consideration for sleeping purposes where meals may or may not be served.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.050 Building.

“Building” means a structure built for the support, shelter or enclosure of any persons, animals, chattels, or property of any kind excepting uncovered patios or decks not exceeding thirty inches in height above the average grade of the adjoining ground.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.055 Building height.

“Building height” means the vertical distance measured from the adjoining street center line grade as established by the city to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to a mean height level between the eaves and ridge for a gable, hip or gambrel roof; provided, however, that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished grade at the front of the building.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.060 Building line, front.

“Front building line” means a line parallel and adjacent to the front of that structure which is closest to the front lot line. For purposes of this definition, the front of a structure is the side facing the front lot line. A front building line extends from one side lot line to the opposite side lot line.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.065 Building official.

“Building official” means the building official of the city.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.070 Carport.

“Carport” means a stationary structure consisting of a roof with its supports and not more than two walls, or a storage cabinet substituting for one of the walls, and used for sheltering a motor vehicle, boat or recreation vehicle.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.075 Cattery.

“Cattery” means ten or more cats owned or boarded on the premises.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.080 Change of use for purposes of the greenway zone only.

“Change of use for purposes of the greenway zone only” means a different use than that which existed on December 6, 1975. It includes a change that requires construction, alterations of the land, water or other areas outside of existing buildings or structures and which substantially alters or affects the land or water. It does not include a change of use of a building that does not substantially alter or affect the land or water upon which it is situated. Change of use shall not include the completion of a structure for which a valid permit has been issued as of December 6, 1975, and under which permanent substantial construction has been undertaken by July 1, 1976. The sale of property is not in itself considered to be a change of use. An existing open storage area shall be considered to be the same as a building.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.085 Chapter.

“Chapter” means a portion of this ordinance identified by a four digit number (for example, Chapter 17.06, Definitions.)

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.090 City.

“City” means the City of Gladstone, Oregon.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.095 City Council.

“City Council” means the governing body of the city.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.100 City Administrator or designee.

“City Administrator” or “designee” means the administrator of the city or a person designated by the City Administrator.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.105 Comprehensive plan.

“Comprehensive plan” means the official plan adopted by the city for the guidance of growth and improvement, including modifications or refinements which may be made from time to time.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.115 Day care center.

“Day care center” means any facility, institution, establishment or place not a part of a school that provides day care to thirteen or more children, including children of the provider, regardless of full or part-time status, under thirteen years of age.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.117 Days.

“Days” means calendar days without reference to business days or holidays unless specifically stated to the contrary.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.120 Development for purposes of the greenway zone only.

“Development for purposes of the greenway zone only” means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, parking lots, mining, dredging, filling, grading, paving, excavation or drilling operations, to bring about growth or availability, to construct or alter a structure, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights of access.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.125 Development permit.

“Development permit” means a building permit, subdivision approval, temporary permit, or any other permit required by the city before development can occur.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.130 Drinking establishment.

“Drinking establishment” means a place of business which requires a permit and/or license from the Oregon Liquor Control Commission for the dispensing of liquor for consumption upon the premises.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.135 Durable and dustless surface.

“Durable and dustless surface” means a surface providing a hard topping which is free from mud conditions in wet weather and dusty conditions in dry weather, specifically including concrete or asphaltic concrete or like material but specifically excluding gravel and dirt.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.141 Dwelling, multi-household.

“Multi-household dwelling” means a building, designed for occupancy by five or more households living independently of each other.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1515 §6, 2022.

17.06.142 Dwelling, detached single-household.

“Single-household dwelling unit” means a detached building containing one dwelling unit located on a single lot

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1515 §6, 2022.

17.06.143 Dwelling, two- household or “Duplex”.

“Two- household dwelling unit” means a detached or attached building containing two dwelling units on a single lot.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1515 §6, 2022.

17.06.140 Dwelling unit.

“Dwelling unit” means one or more rooms for occupancy by one household for living purposes that is identified by a single street address and has common entrances and internal access. Trailer coaches shall not be considered as dwelling units, except when located in mobile home courts or parks.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1171 §1(1), 1993; Ord. 1515 §6, 2022.

17.06.144 Dwelling, three household or “Triplex”.

“Three household dwelling unit” or “Triplex” means three attached or detached dwelling units on a single lot in any configuration.

17.06.145 Dwelling, four household or “Quadplex”.

“Four household dwelling unit” or “Quadplex” means four attached or detached dwelling units on a single lot in any configuration.

17.06.146 Townhouse.

“Townhouse” means a dwelling unit that is part of a row of two or more attached dwelling units, where each unit is located on an individual lot and shares at least one common wall with an adjacent dwelling unit.

17.06.147 Townhouse Project.

“Townhouse Project” means one or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the Townhouse property lines and any commonly owned property.

17.06.148 Cottage Cluster.

“Cottage cluster” means a grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard on a single lot or on individual lots.

17.06.149 Middle Housing.

“Middle Housing” means Duplex, Triplex, Quadplex, Cottage Cluster, or Townhouse in the R-5 or R-7.2 zone and is subject to the Oregon Administrative Rules Chapter 660, Division 46 Middle Housing in Medium and Large Cities.

History: Ord. 1515 §6, 2022.

17.06.160 Easement.

“Easement” means a grant of the right to use a strip of land for specific purposes.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.165 Eating establishment.

“Eating establishment” means a place of business which serves food but does not require a permit and/or license from the Oregon Liquor Control Commission.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.170 Exterior.

“Exterior” means any portion of the outside of a structure which can be seen from a public place.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

~~17.06.175 Family Household.~~

~~“Family”/“Household” means one person or two or more persons related by blood, marriage, legal adoption or legal guardianship, living together as one housekeeping unit using one kitchen and providing meals or lodging to not more than two additional persons, excluding servants or a group of not more than five unrelated persons living together as one housekeeping unit using one kitchen. . occupying a dwelling unit as their usual place of residence. This definition shall not apply to group homes, foster homes, or homes for the aged.~~

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.180 Fence or hedge, sight-obscuring.

“Sight-obscuring fence or hedge” means a fence consisting of wood, metal, masonry or similar materials, or an evergreen hedge or other evergreen planting, arranged in such a way as to obscure vision at least eighty percent (80%).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.195 Floor area.

“Floor area” means the sum of the gross horizontal area of the several floors of a building, measured from the exterior faces of the exterior walls, or from the center line of walls separating two buildings, but not including:

- (1) Attic space providing headroom of less than seven feet.
- (2) Basement or cellar.
- (3) Uncovered steps or fire escapes.
- (4) Private garages, carports or porches.
- (5) Accessory water towers or cooling towers.
- (6) Accessory off-street parking or loading spaces.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.200 Foster home.

“Foster home” means any dwelling occupied and maintained by a person or persons licensed or certified by the state or other authorized agency to provide extended or temporary care, food, and lodging in such home for not more than seven dependent individuals beyond the number defined as a household. A foster home is not a hospital, nursing home, or home for the aged as defined in Oregon Revised Statutes, nor does it include a halfway house, work release center, or any other domiciliary facility for persons released from any penal or correctional institution.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1515 §6, 2022.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.06.205 Frontage.

“Frontage” means property abutting on a street.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.210 Grade, ground level.

“Ground level grade” means the average elevation of the finished ground elevation at the centers of all walls of a building, except that if a wall is parallel to and within five feet of a sidewalk, the sidewalk elevation nearest the center of the wall shall constitute the ground elevation.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.213 Gross leasable area (GLA).

“Gross leasable area (GLA)” means the total floor area designed for tenant occupancy and exclusive use, including any basements, mezzanines, or upper floors, expressed in square feet and measured from the center line of joint partitions and from outside wall faces.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1289 §1, 2000.

17.06.214 Home for the aged.

“Home for the aged” means a supervised personal care facility where staff provide services to residents. A home for the aged is not a group home, foster home, hospital, or nursing home.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1515 §6, 2022.

17.06.215 Group home.

“Group home” means any home occupied and maintained by a person or persons licensed by the state or other appropriate agency to provide extended or temporary care, food and lodging in such home for from eight to ten dependent individuals beyond the number defined as a household. A group home is not a foster home, hospital, nursing home or home for the aged as defined in Oregon Revised Statutes, nor does it include a halfway house, work release center, or any domiciliary facility for persons released from any penal or correctional institution.

Statutory Reference: ORS Ch. 197, Ch. 227; Ord. 1515 §6, 2022.

History: Ord. 1131 §2, 1990.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.06.220 Home occupation.

“Home occupation” means an occupation, profession, or craft which is customarily incidental to or carried on in a dwelling place or premises and not one in which the use of the premises as a dwelling place is largely incidental to the occupation carried on, and which occupation is carried on by an immediate member of the household residing within the dwelling place; provided, however, there shall be no structural alteration or changes in the dwelling, or on the premises and there is no display of merchandise, storage materials, signs or articles or objects awaiting or in the

process of repair, remodeling, or modification on the premises which can be seen from the exterior of the dwelling. Noise, odor, smoke, gases, fallout, vibration, heat or glare resulting from the use shall not be of the intensity as to be detected outside of the containing structure.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1515 §6, 2022.

17.06.225 Hospitals

“Hospital” means a medical facility licensed by the state of Oregon that provides health services on a primarily inpatient basis.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1515 §6, 2022.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.06.230 Hotel.

“Hotel” means a building or portion thereof designed or used for occupancy of transient individuals who are lodged with or without meals and in which no provision is made for cooking in any individual room or suite.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.231 Household.

~~17.06.175 Family Household.~~

~~“Family”“Household” means one person or two or more persons related by blood, marriage, legal adoption or legal guardianship, living together as one housekeeping unit using one kitchen and providing meals or lodging to not more than two additional persons, excluding servants or a group of not more than five unrelated persons living together as one housekeeping unit using one kitchen., occupying a dwelling unit as their usual place of residence. This definition shall not apply to group homes, foster homes, or homes for the aged.~~

History: Ord. 1515 §6, 2022;

17.06.233 Institutional use.

“Institutional use” means a church, school, public facility, hospital, nursing home or home for the aged.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1289 §1, 2000; Ord. 1292 §1, 2000.

17.06.235 Intensification of use for purposes of the greenway zone.

“Intensification of use for purposes of the greenway zone” means any additions which increase or expand the area or amount of an existing use, or the level of activity. Remodeling of the exterior of a structure not excluded below in this section is an intensification when it will substantially alter the appearance of the structure. (Intensification shall not include the completion of a structure for which a valid permit has been issued as of December 6, 1975, and under which substantial construction has been undertaken by July 1, 1976.) Maintenance and repair usual and necessary for the continuance of an existing use is not an intensification of use. Reasonable emergency procedures necessary for the safety or protection of the greenway includes the practices and activities customarily related to the use and enjoyment of one’s home. Landscaping, construction of driveways, modification of existing structures, or construction or placement of such subsidiary structures or facilities adjacent to the residence as are usual and necessary to such use and enjoyment shall not be considered an intensification for the purposes of this district. Seasonal increases in gravel operation shall not be considered an intensification of use.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.240 Kennel.

“Kennel” means four or more dogs with permanent canine teeth owned or boarded on the premises. **Statutory Reference:** ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.245 Landscaping.

“Landscaping” means the improvement of land by means such as contouring, plantings, fencing and the placement of outdoor structures.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.247 Land use decision.

“Land use decision” includes a final decision or determination that concerns the adoption, amendment, interpretation or application of the goals, comprehensive plan provision, land use regulation, but does not include:

- (1) A decision which is made under the city’s development standards which do not require interpretation or the exercise of facts, policy, or legal judgment.
- (2) A decision which approves, approves with conditions or denies a subdivision or partition and is consistent with the city’s development standards.
- (3) Approval or denial of a building permit.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.250 Livestock.

“Livestock” means domestic animals of types customarily raised or kept on farms for profit or other purposes.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.255 Loading space.

“Loading space” means an off-street space or berth on the same lot or parcel with a building or use or contiguous to a group of buildings or uses for the temporary parking of a vehicle while loading or unloading persons, merchandise, or materials and which space or berth abuts upon a street, alley or other appropriate means of access and egress.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.260 Lot.

“Lot” means a unit of land that is created by a subdivision of land. For the purposes of this title, “lot” includes “parcel” and “lot of record” unless the context otherwise requires.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002. **17.06.265 Lot area.**

“Lot area” means the total area of a lot measured in a horizontal plane within the lot boundary lines exclusive of public streets.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.270 Lot, corner.

“Corner lot” means the total area of a lot abutting on two or more streets, other than an alley, at their intersection.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.275 Lot coverage.

“Lot coverage” means the area covered by a building or buildings on a lot, expressed as a percentage of the total lot area.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.280 Lot depth.

“Lot depth” means the average horizontal distance between the front lot line and rear lot line.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.282 Lot, flag.

“Flag lot” means a lot that has access to a street by means of a narrow deeded strip of land or easement. **Statutory Reference:** ORS Ch. 197, Ch. 227

History: Ord. 1289 §1, 2000.

17.06.285 Lot line.

“Lot line” means the property line bounding a lot.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.290 Lot line, front.

“Front lot line” means a lot line separating a lot from a street other than an alley. In the case of a corner lot, either of the lot lines separating the lot from a street other than an alley may be designated by the property owner as the front lot line with the other such lot line designated as a street side lot line. Except as modified by GMC Subsection 17.76.040(5), the front lot line of a flag lot, for the purposes of determining minimum yard requirements, shall be a line within the boundaries of the lot by a distance equal to the width of the narrow deeded strip of land or easement providing access to the lot from the street. The line shall be parallel to the lot line that extends from the street to the lot line opposite and most distant from the street.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002.

17.06.295 Lot line, rear.

“Rear lot line” means the lot line that is opposite and most distant from the front lot line. In the case of an irregular or triangular shaped lot, the rear lot line is a line ten feet (10’) in length within the lot parallel to and at a maximum distance from the front lot line.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.300 Lot line, side.

“Side lot line” means any lot line not a front or rear lot line.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.301 Lot line, street side.

“Street side lot line” means a side lot line separating a lot from a street other than an alley.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.305 Lot of record.

“Lot of record” means a lot or parcel in a recorded plat. For units of land that are not lots or parcels in a recorded plat, “lot of record” means a unit of land or aggregate of contiguous units of land held in a single ownership, as recorded in the office of the Clackamas County Recorder on October 26, 1971.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.310 Lot, through.

“Through lot” means an interior lot having frontage on two streets other than alleys.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.315 Lot width.

“Lot width” means the average horizontal distance between the side lot lines.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.325 Major remodeling.

“Major remodeling” means any work that substantially alters the exterior appearance of a structure or off-street parking area.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.328 Manufactured dwelling.

“Manufactured dwelling” is a dwelling that meets either of the following:

1. A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction; or
2. A building or subassembly that has been in whole or substantial part manufactured or assembled using closed construction at an off-site location to be wholly or partially assembled on-site, and that is relocatable, more than eight and one-half feet wide and designed for use as a single-family dwelling and that was constructed after June 15, 1976.

~~“Manufactured dwelling” means a single household dwelling with a Department of Housing and Urban Development (HUD) label certifying that the structure was constructed on or after June 15, 1976, and met the requirements of the Federal Manufactured Housing Construction and Safety Standards and Regulations in effect at the time of construction, consistent with 1989 Oregon Laws, Chapter 380, 1989. This definition shall not apply to structures known as “modular homes” where such modular homes are constructed in accordance with all requirements of the state building code for modular homes and bear the Seal of Approval of the State of Oregon;~~

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1171 §1(A), 1993; Ord. 1179 §11(A), 1993; Ord. 1515 §6, 2022.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.06.330 Middle housing land division.

The partition or subdivision of a lot of record that is developed, or proposed to be developed, with middle housing dwelling units. The type of middle housing developed on the original lot of record is not altered by a middle housing land division. Middle housing land divisions are expedited land divisions that are subject to the process outlined in ORS 197.375.

Statutory Reference: ORS Ch. 197, Ch. 375

History: Ord. TBD 2022

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17.06.336 Mini-storage.

“Mini-storage” means a storage and warehousing service within a building(s) primarily for individuals to store personal effects and by business to store materials for operation of an industrial or commercial enterprise located elsewhere. In no case may storage spaces in a mini-warehouse facility function as an independent retail, wholesale business, or service use. Spaces shall not be used for workshops, hobby shops, manufacturing, or similar uses and human occupancy of said spaces shall be limited to that required to transport, arrange, and maintain stored materials. The location of an owner or manager residence on the premises is permitted.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1256 §1, 1998.

17.06.338 Mixed use development.

“Mixed use development” means development or buildings where land uses are mixed together. This can include residential and commercial, or office and retail. Uses may be mixed in one building “vertically” where there is one use on the ground floor and a different use above in one building, or “horizontally” where a variety of uses are next to each other in one building.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1289 §1, 2000.

17.06.340 Mobile home.

“Mobile home” means a single household dwelling originally designed and constructed to be movable or portable, constructed to be transported on its own chassis and designed originally without a permanent foundation, whether or not a permanent foundation is subsequently provided, or two or more units separately transportable but designed to be joined into an integral unit, and which do not conform to all requirements of the building code for other residences and not meeting the definition of “manufactured dwelling.”

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1171 §1(B), 1993; Ord. 1515 §6, 2022.

17.06.345 Mobile home court or mobile home park.

“Mobile home court” or “mobile home park” means four mobile home units or more for rent within five hundred feet of one another on a lot, tract, or parcel.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.350 Model unit real estate office.

“Model unit real estate office” means a permanent residential structure located in a developing subdivision used for the promotion of sale of units in the subdivision, so long as the model unit real estate office is at all times available for sale, lease, lease option or exchange as a residential dwelling.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.355 Motel.

“Motel” means one or more buildings designed or used as temporary living quarters for transients.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.358 Net acre.

“Net acre” means an area measuring forty-three thousand five hundred sixty (43,560) square feet, which excludes:

- (1) Road rights-of-way and other public dedications through or on the edge of the land; and
- (2) Environmentally constrained areas, including open water areas, areas in the FM District, areas in the WQ District, natural resource areas protected under statewide planning Goal 5 in the Comprehensive Plan, slopes in excess of twenty-five percent (25%) and wetlands requiring a federal fill and removal permit under Section 404 of the Clean Water Act.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1289 §1, 2000; Ord. 1334, 2002.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.06.360 New construction.

“New construction” means a structure for which the start of construction commenced on or after the effective date of the ordinance codified in this title.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.365 Nonaccess reservation.

“Nonaccess reservation” means a street plug or a one foot right-of-way width owned by the city.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.370 Nonconforming use.

“Nonconforming use” means a lawful existing use at the time the ordinance codified in this title or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1266 §1, 1998.

17.06.372 Nonconforming development.

“Nonconforming development” means development of a site which was lawfully existing at the time the ordinance codified in this title or any amendment thereto becomes effective, which does not conform to the requirements of this title, including but not limited to minimum parking, minimum landscaping, etc.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1266 §2, 1998.

17.06.373 Nursing Home

“Nursing Home” means a facility that provides medical care, nursing, and other health services to its residents. A nursing home is not a group home, foster home, hotel, hospital, or home for the aged.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1515 §6, 2022.

17.06.375 Open space.

“Open space” means land that is undeveloped and that is planned to remain so indefinitely. “Open space” also refers to land zoned OS, Open Space District, and developed with uses identified in GMC Chapter 17.26 (OS open space district).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1334, 2002.

17.06.380 Owner.

“Owner” means the person holding fee title to the land, or where there is a recorded land sale contract, the purchaser there under.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1334, 2002.

17.06.385 Parcel.

“Parcel” means a unit of land that is created by a partitioning of land. For the purposes of this title, “parcel” includes “lot” and “lot of record” unless the context otherwise requires.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.390 Parking space.

“Parking space” means an area available for the parking of a standard or compact vehicle.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.395 Partition.

“Partition” means either an act of partitioning land or an area or tract of land partitioned as defined in GMC Section 17.06.400.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.400 Partition land.

“Partition land” means to divide a lot of record into two (2) or three (3) parcels within a calendar year, but does not include a division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots; divisions of land made pursuant to a court order, including, but not limited to, court orders and proceedings involving testate or intestate succession; or an adjustment of a property line by the relocation of a common boundary where an additional lot of record is not created and where the existing lot of record reduced in size by the adjustment complies with the provisions of this title. Any property divided by the sale or grant of property for state highway, county road, city street or other right-of-way purposes shall continue to be considered a single lot of record until such time as the property is further subdivided or partitioned.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1171 §1(M), 1993; Ord. 1323 §1, 2002.

17.06.405 Pedestrian way.

“Pedestrian way” means a right-of-way for pedestrian traffic.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.410 Person.

“Person” means an individual, firm, partnership, corporation, company, syndicate, association, social or fraternal organization or any legal entity, and including any trustee, receiver, assignee, or any group or combination acting as a unit.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.415 Planning Commission.

“Planning Commission” means the Planning Commission of the city.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.416 Plat.

“Plat” means a final map and other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision or partition.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.418 Porch, front.

“Front porch” means a front entrance to a dwelling covered by a separate roof or an extension of the dwelling roof. Enclosure walls shall extend no more than half the distance from the front porch to the porch eaves. A front porch shall be used only for recreational, outdoor living purposes and not as a carport, garage, storage room or habitable room.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1289 §1, 2000.

17.06.419 Primary building wall.

“Primary building wall” means an exterior building wall that contains a public entrance to the premises and faces either a street or a parking area.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.420 Primary zoning district.

“Primary zoning district” includes the following: R-7.2, R-5, MR, C-1, C-2, C-3, OP, LI, and OS.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.426 Property line adjustment.

“Property line adjustment” means the relocation of a common property line between two (2) abutting lots of record.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.430 Recreation vehicle park.

“Recreational vehicle park” means an area designated by the person establishing, operating, managing or maintaining the same for overnight camping in recreation vehicles or for a short duration by the general public or any segment of the public. Recreation vehicle park includes, but is not limited to, areas open to use free of charge or through payment of a tax or fee or by virtue of rental, lease, license, membership, association, or ownership. Overnight camping of mobile homes is not allowed within recreation vehicle parks. A recreation vehicle park shall not include a municipal, county, state or federal park or recreation area.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1198 §1(A), 1994.

17.06.435 Recreation vehicle.

“Recreation vehicle” means a vacation trailer or self-propelled vehicle or structure equipped with wheels for highway use which is intended for human occupancy and is being used for recreation or vacation purposes, but not for residential purposes, and is equipped with plumbing, sink or toilet, and has a floor space of less than two hundred twenty square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath and toilet rooms.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990

17.06.440 Residential home.

“Residential home” means the same as a foster home as defined in GMC Section 17.06.200.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.445 Residence.

“Residence” means a dwelling unit as defined in GMC Section 17.06.155.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.450 Residential planned unit development.

“Residential planned unit development” means a residential (R) planned unit development as allowed under GMC Chapter 17.38 (planned unit development) and is at least eighty thousand square feet in any zoning district

or combination thereof. A planned unit development less than eighty thousand square feet must be approved by Planning Commission per GMC 17.38.020.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1515 §6, 2022.

17.06.455 Residential zoning district.

“Residential zoning district” means the R-7.2, R-5 and MR zones.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.460 Right-of-way.

“Right-of-way” means the area between boundary lines of a street or other easement, whether improved or unimproved.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.465 Roadway.

“Roadway” means the portion of a street right-of-way developed for vehicular traffic.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.470 Seasonal.

“Seasonal” means limited to a period of no more than six months in any twelve-month period, but related to a unique or an annually occurring event or condition.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.475 Section.

“Section” means a portion of this title identified by a seven-digit number, such as GMC Section 17.10.020 (uses allowed outright) in the R-7.2 zoning district.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.480 School, commercial.

“Commercial school” means a place where instruction is given to pupils in arts, crafts, trades or other occupational skills and operated as a commercial enterprise as distinguished from schools endowed or supported by taxation.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.485 School, primary, elementary, junior high or high.

“Primary, elementary, junior high or high schools” includes public, private or parochial but not nursery school, kindergarten or day nursery, except when operated in conjunction with a school.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.491 Senior housing center.

A “senior housing center” means a residential facility providing dwelling units without full kitchens (known as residential suites) for those aged sixty-five and older and dwelling units with full kitchens. Up to fifteen percent of the total number of dwelling units may be provided as single-household units or duplex units with full kitchens. A senior housing center is a congregate care facility which provides common services including but not limited to transportation of residents, three meals per day in a common facility and other non-medical care congregate services.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1280 §1, 1998; Ord. 1515 §6, 2022.

17.06.492 Setback, front.

“Front setback” means the horizontal distance between a front lot line and a structure.

Statutory Reference: ORS Ch. 197, Ch. 227 **History:** Ord. 1323 §1, 2002.

17.06.493 Setback, rear.

“Rear setback” means the horizontal distance between a rear lot line and a structure.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.494 Setback, side.

“Side setback” means the horizontal distance between a side lot line and a structure.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.496 Setback, street side.

“Street side setback” means the horizontal distance between a street side lot line and a structure.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.497 Sidewalk.

“Sidewalk” means a pedestrian walkway with permanent surfacing to city standards.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.500 Sign.

“Sign” means an identification, description, illustration or device which is affixed to or represented, directly or indirectly, upon a building, structure, or land and which directs attention to a product, place, activity, person, institution or business.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.501 Sign, electronic message center.

“Electronic message center sign” means a sign, display or device, or portion thereof, whose message may be changed by electronic process or remote control, and may include electronic time and/or temperature displays and the device known in the advertising industry as a commercial electronic variable message sign.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1161 §1, 1992; Ord. 1323 §1, 2002.

17.06.503 Sign, monument.

“Monument sign” means a sign that extends to the ground or that has a support that places the bottom of the sign less than two feet (2’) from the ground.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.504 Sign, segmented message.

“Segmented message sign” means any message or distinct subunit of a message presented by means of at least one display change on an electronic message center sign.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1161 §1, 1992; Renumbered from 17.06.502 by Ord. 1323 §1, 2002.

17.06.506 Sign, tri-vision.

“Tri-vision sign” means a sign where the display surface is composed of triangular louvers that rotate periodically to allow three (3) images to be displayed.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1323 §1, 2002.

17.06.507 Story.

“Story” means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar or unused under floor space is more than six feet (6’) above grade as defined in this section for more than fifty percent (50%) of the total perimeter or is more than twelve feet (12’) above grade as defined in this section at any point, such basement, cellar or unused under floor space shall be considered a story.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Renumbered from 17.06.505 by Ord. 1323§1, 2002.

17.06.510 Story, half.

“Half-story” means a story under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such story.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.515 Street.

(1) “Street” means a public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land, and the placement of utilities and including the terms road, highway, lane, avenue, place, court, way, circle, drive, alley or similar designation.

(2) “Alley” means a narrow street through a block primarily for vehicular service access to the back or side of properties otherwise abutting on another street.

(3) “Arterial” means a street of considerable continuity which is primarily a traffic artery for intercommunication among large areas.

(4) “Collector” means a street supplementary to the arterial street system and a means of intercommunication between this system and smaller areas; used to some extent for access to abutting properties and may be used to a limited extent for through traffic.

(5) “Cul-de-sac” (dead-end street) means a short street having one end open to traffic and terminated by a vehicle turnaround.

(6) “Marginal access street” means a minor street parallel and adjacent to a major arterial street providing access to abutting properties, but protected from through traffic.

(7) “Minor street” means a street intended primarily for access to abutting properties.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.520 Structure.

“Structure” means something constructed or built and having a fixed base on or fixed connection to the ground or another structure to include a mobile home.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.525 Subdivide land.

“Subdivide land” means to divide a lot of record into four (4) or more lots within a calendar year.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

17.06.530 Subdivision.

“Subdivision” means either an act of subdividing land or an area or a tract of land subdivided as defined in GMC Section 17.06.525.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.535 Temporary structure real estate offices

“Temporary structure real estate offices” means a temporary structure located in a subdivision used for the promotion of a sale of residential units in a developing subdivision.

Statutory Reference: ORS Ch. 197, Ch. 27

History: Ord. 1131 §2, 1990.

17.06.537 Temporary structures.

“Temporary structures” means an area covered by a plastic, tarp, fabric, or metal membrane that is either attached to a rigid framework, natural feature or some other structure that is used for storage. It does not include greenhouses or weather proofing of a vehicle, boat, or other individual item by tarp or other type of covering as long as the covering is attached directly to and covers only the particular item.

History: Ord. 1482 §1, 2018.

17.06.540 Title.

“Title” means that portion of the Gladstone Municipal Code identified by a two-digit number, such as Title 17, zoning and development.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.542 Transit street.

“Transit street” means a street on which public transit stops are located.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1289 §1, 2000.

17.06.545 Use.

“Use” means the purpose for which land or a structure is designed, arranged or intended or for which it is occupied or maintained.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.548 Utility facility.

“Utility facility” means buildings, structures or any constructed portion of a system that provides for the production, transmission, conveyance, delivery or furnishing of services including, but not limited to, heat, light, water, power, natural gas, sanitary sewer, stormwater, telephone and cable television. Utility facilities do not include stormwater pretreatment facilities.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990, Ord. 1431, 2011.

17.06.550 Utility substation.

“Utility substation” means a facility that provides for the location of utility service apparatus that includes, but is not limited to: telephone exchanges; public utility structures, without shops, garages or general administrative offices; transmission and receiving towers, and/or earth stations.

History: Ord. 1502 §1, 2020.

17.06.551 Vacation rental.

“Vacation rental” means a dwelling unit or accessory dwelling unit providing vacation occupancy.

History: Ord. 1502 §1, 2020.

17.06.553 Vacation occupancy.

“Vacation occupancy” as defined by ORS 90.100 means occupancy in a dwelling unit, not including transient occupancy in a hotel or motel, that has all of the following characteristics:

- (1) The occupant rents the unit for vacation purposes only, not as a principal residence;
- (2) The occupant has a principal residence other than at the unit; and
- (3) The period of authorized occupancy does not exceed 45 days.

History: Ord. 1502 §1, 2020.

17.06.555 Vegetation.

“Vegetation” means plantings or natural growth of trees, grass, shrubs, etc. which would permit normal percolation.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.06.560 Vehicle.

“Vehicle” means a device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

Chapter 17.10

R-7.2—SINGLE-HOUSEHOLD RESIDENTIAL DISTRICT

Sections:

- 17.10.010 Purpose.
- 17.10.020 Uses allowed outright.
- 17.10.030 Accessory uses allowed.
- 17.10.040 Conditional uses allowed.
- 17.10.050 Dimensional standards.
- 17.10.060 Design standards.
- 17.10.070 Exemptions to uses permitted outright.

17.10.010 Purpose.

The purpose of an R-7.2 district is to implement the comprehensive plan and to provide land for households desiring to live in an environment of single-household and middle housing dwellings .

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1499 §1 (Exh. A), 2020.

17.10.020 Uses allowed outright.

In an R-7.2 zoning district, the following uses and their accessory uses are allowed outright:

- (1) Single- household dwelling, including a manufactured dwelling.
- (2) Middle housing.
- (3) Foster home.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1188 §1, 1994; Ord. 1323 1, 2002; Ord. 1499 §1 (Exh. A), 2020.

17.10.030 Accessory uses allowed.

Accessory uses shall comply with all the requirements of this zoning district, except as this section allows to the contrary. All accessory structures shall be subject to GMC Chapter 17.54 (Clear Vision). The following accessory uses shall be allowed in an R-7.2 zoning district:

- (1) Buildings. Garages and carports, storage and other buildings, as follows:
 - (a) Either the side, except a street side, or rear setback may be reduced to five feet for structures that:
 - (A) Are detached from other buildings on the same lot by a minimum of 10 feet;
 - (B) Do not exceed a height of one story; and
 - (C) Do not exceed a floor area of 450 square feet.
 - (b) Either the side, except a street side, or rear setback may be reduced to three feet for structures that do not exceed a floor area of 120 square feet.
 - (c) A wall of rated, fire-resistive construction may be required by the Oregon Structural Specialty Code or its successor.
 - (d) A setback does not apply to portable storage containers as defined in GMC Chapter 5.22.

(2) Courtyards, Patios and Decks. The minimum side, except street side, and rear setbacks for uncovered courtyards, patios and decks in excess of 30 inches in height shall be five feet. The minimum front and street side setbacks for such courtyards, patios and decks shall be 15 feet. No setbacks shall be required for uncovered courtyards, patios or decks 30 inches or less in height. When calculating the height of a courtyard, patio or deck, railings and benches shall be excluded from the calculation.

(3) Fences and Walls. The following standards shall apply to fences and walls of all types whether open, solid, wood, metal, masonry or other material:

(a) When located between the front lot line and the front building line, fences and walls shall not exceed three feet in height.

(b) Fences and walls not subject to subsection (3)(a) of this section shall not exceed six feet in height.

(c) An exception may be granted to the maximum fence or wall height standards for conditional or nonconforming uses. Such an exception may be granted pursuant to review of an application for conditional use; alteration, expansion or change of use of a nonconforming use; or design review and when an exception is found necessary to provide adequate screening for the use.

(4) Storage. Storage of boats, trailers, pickup campers, coaches, motorhomes and similar recreation equipment. Occupancy of such equipment is subject to a temporary permit under GMC Chapter 15.28 (Temporary Dwellings).

(5) Accessory dwelling units, subject to the following standards:

(a) Only one accessory dwelling unit per lot shall be permitted

(b) The floor area of an accessory dwelling unit shall be a minimum of 220 square feet and not exceed ~~400~~ 800 square feet. Conversion of an existing basement to an ADU shall be exempt from the maximum size limit, provided that no new floor area will be added with the conversion;

(c) An accessory dwelling unit shall not contain more than two bedrooms;

(d) Only one entrance, other than a vehicular entrance to a garage, may be located on the street-facing facade of the structure containing the primary dwelling unit unless this structure had additional entrances before the accessory dwelling unit was created and the number of entrances will not be increased;

(e) The exterior finish materials—including siding, trim and roofing—of an accessory dwelling unit shall be the same or visually similar to those of the primary dwelling unit with respect to type, size, placement and color;

(f) The roof pitch of an accessory dwelling unit shall be the same as the predominant roof pitch of the primary dwelling unit;

(g) The windows of an accessory dwelling unit shall be the same or visually similar to those of the primary dwelling unit;

(h) The eaves on an accessory dwelling unit shall project from the structure walls the same distance as the eaves on the primary dwelling unit;

(i) An accessory dwelling unit shall comply with the minimum yard requirements and maximum building height established in GMC Section 17.10.050.

(j) An accessory dwelling unit used as a vacation rental shall provide:

(A) One off-street parking space in addition to the off-street parking space required by GMC Chapter 17.48 (Off-Street Parking and Loading) for the primary dwelling unit; and

(B) A deed restriction requiring owner-occupancy of one of the units recorded in the Clackamas County Clerk’s Office in a form prescribed by the city. Either the primary dwelling unit or the accessory dwelling unit shall be owner-occupied for as long as the accessory dwelling unit is being used as a vacation rental.

(6) Swimming Pools, Ponds and Hot Tubs. The minimum side, street side and rear setbacks for swimming pools, ponds and hot tubs shall be three feet. The minimum front setback for ponds no greater than five feet wide and no more than two feet deep shall be three feet.

(7) Home Occupations. Home occupations shall be subject to GMC Chapter 17.78 (Home Occupations).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1392 §3, 2007; Ord. 1499 §1 (Exh. A), 2020.

17.10.040 Conditional uses allowed.

In an R-7.2 zoning district, the following uses and their accessory uses are allowed subject to GMC Chapter 17.70 (Conditional Uses):

- (1) Multi-household dwelling, five- to eight-unit building on a collector or minor arterial.
- (2) Church and associated buildings and structures.
- (3) Fire station or similar public use necessary to provide service or preserve public safety in the area.
- (4) Community center, day care center.
- (5) Nursing homes and homes for the aged.
- (6) School and associated buildings, structures and facilities.
- (7) Utility facility; provided, that no outside storage is involved.
- (8) Group homes.
- (9) Planned unit development (PUD).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. A), 2020.

17.10.050 Dimensional standards.

Except as provided in GMC Chapters 17.38 (Planned Unit Development), 17.72 (Variances) and 17.76 (Exceptions), the following dimensional standards shall apply in an R-7.2 zoning district:

Minimum Lot Area		
Detached single household	7,200 sf	
Middle Housing	3,600 sf	
Multi-household dwellings	3,600 sf per dwelling unit	
Other uses	7,200 sf	Or as established by the Planning Commission, as provided by GMC Chapter 17.70 (Conditional Uses).
Minimum Setbacks		

Front Setback	20 ft	Except that a front porch may project a maximum of five feet into a required front setback area
Side Setback	7.5 ft or 5 ft due to irregular shaped lots	
Street Side Setback	20 ft	Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet into a required setback area
Interior side setback	5 ft	
Rear Setback	15 ft	Townhouse projects are allowed a zero-foot side setback for lot lines where Townhouse units are attached. Cottage Cluster minimum setbacks can be reduced to 5 feet, if there is more than 150 square feet per dwelling unit of common open space provided, as define in Section 17.12.065(2). Setbacks for Manufactured homes in a mobile home park are subject to the standards in Section 17.62.070 (4).
Maximum Building Height	35 ft	Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are not subject to building height limitations of this subsection.
Minimum Density		
	Subdivisions and PUDs shall provide a minimum density of 80% of the maximum density per net acre.	
	Cottage Clusters shall have a minimum density of 4 dwelling units per acre	
Maximum Density		
Detached single household dwelling	One dwelling unit per 7,200 square feet of lot area or eight units per net acre	This code does not allow for the creation of more than four (4) dwelling units on a lot, including accessory dwelling units. Cottage Clusters and townhomes are exempt.
Middle Housing	None	
Sufficient Infrastructure	Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon	

	submittal of a residential development application.	
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(1) All PUDs with residential uses must include a mix of two or more middle housing types for a minimum of 25% of the total dwelling units proposed.

(a) Exceptions in Case of Large Scale PUD. The dimensional standards of this section may be modified by the Planning Commission in the case of a plan and program for a planned unit development, providing the modifications are not detrimental to the public health, safety and welfare and provided the Planning Commission determines there is provision for adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the developed tract and its relation to adjacent areas and for such covenants or other legal provisions as will assure conformity to and achievement of the plan.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. A), 2020.

17.10.055 Cottage Cluster Standards.

The following dimensional standard apply to cottage clusters development in the R-7.2 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Dimensional Standards

(a) Minimum Lot Size and Dimensions. Cottage clusters shall meet the minimum lot area that apply to detached single family dwellings in the R-7.2 zone.

(b) Setbacks and Building Separation.

(A) Setbacks. Cottage clusters shall meet the minimum setback standards:

- Front setbacks: 10 feet
- Side setbacks: 5 feet
- Rear setbacks: 10 feet

(B) Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.

(c) Average Unit Size. The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

(d) Off-Street Parking.

(A) Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is zero (0) spaces per unit with a floor area less than 1,000 square feet and one (1) space per unit with a floor area of 1,000 square feet or more. Spaces may be provided for individual cottages or in shared parking clusters. A credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (b).

(B) On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.

- i. The space must be abutting the subject site;
- ii. The space must be in a location where on-street parking is allowed by the jurisdiction;

- iii. The space must be a minimum of 22 feet long; and
- iv. The space must not obstruct a required sight distance area.

17.10.060 Design standards.

(1) Attached Garage. The following standard shall apply to the construction of a garage attached to a single-family household dwelling. An existing garage, legally constructed prior to the adoption of this standard, that does not conform to this standard may be remodeled or expanded, provided such remodeling or expansion shall not further reduce the structure's compliance with this standard.

(a) The length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building facade. On corner lots only one street-facing garage wall must meet this standard unless there are two garages, such as in the case of a two-family dwelling.

(2) Main Entrance. The main entrance of a single-household dwelling shall:

- (a) Face the street lot line. On a corner lot, the main entrance may face either street lot line or the corner; or
- (b) The main entrance shall open onto a covered porch that has an entrance that faces the street lot line. The porch and its roof shall each be at least 40 square feet in area and neither the width nor the depth shall be less than five feet.

(3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets. Improvements installed by a developer, shall conform to the standards of this title, GMC Chapter 12.02 (street excavation requirements) and to any supplemental design and construction specifications adopted by the city for such improvements. This shall apply to new structures and Expedited Land Divisions as defined by ORS 197.360; with the following exceptions:

- (a) There is no existing sidewalks within 200 feet of the subject parcel, and no planned sidewalk network in the area as identified in the Transportation System Plan.
- (b) When sidewalks and other frontage improvements would be located on land with cross slopes greater than nine percent as shown on the site plan submitted with the building permit.

(4) Design Features. Single- household dwellings and duplexes, triplexes, quadplexes, townhomes, and cottage clusters shall include at least ~~two~~ four of the following design features on each street-facing facade ~~each dwelling unit~~:

- (a) Dormer;
- (b) One or more windows that face the street lot line;
- (c) Cupola;
- (d) Bay or bow window;
- (e) Gable;
- (f) Covered porch entry;
- (g) Eaves (minimum ~~six~~ twelve inches projection); ~~and~~
- (h) Offset on building face or roof (minimum 16 inches);
- (i) Recessed garage entrance for street-facing garage (minimum 16 inches);
- (j) Roof pitch of not less than three feet in height for each 12 feet in width; and
- (k) A garage or carport. The garage or carport can be attached (see 17.12.060(1)) or detached.

(5) Foundations shall meet the following design standards:

~~(4) Manufactured Dwellings. All manufactured dwellings on individual lots in this district shall meet or exceed the following design standards:~~

~~(a) The manufactured dwelling shall be multi-sectional and enclose a space of not less than 1,000 square feet;~~

~~(a**b**) The ~~manufactured~~ dwelling shall be placed on an excavated, backfilled foundation and enclosed at the perimeter such that no more than 12 inches of the enclosing material is exposed above grade; and~~

~~(b) Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home; and.~~

~~(c) If the ~~manufactured~~ dwelling ~~is placed~~sits on a basement, the 12-inch limitation shall not apply.;~~

~~(e) The manufactured dwelling shall have a pitched roof of not less than three feet in height for each twelve feet in width;~~

~~(d) The manufactured dwelling shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material on surrounding dwellings;~~

~~(e) The manufactured dwelling shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards equivalent to the performance standards required of single-family dwellings constructed under the Oregon Residential Specialty Code. Evidence demonstrating that the manufactured home meets “Super Good Cents” energy efficiency standards is deemed to satisfy the exterior thermal envelope certification standards. Additional manufacturer’s certification shall not be required in such cases.~~

~~(f) The manufactured dwelling shall have a garage or carport constructed of like materials. An attached or detached garage may be approved in lieu of a carport where such is consistent with the predominant construction of immediately surrounding dwellings.~~

(6) As part of the building permit process for manufactured dwellings, the applicant shall provide a certification from the manufacturer that the manufactured dwelling has an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1188 §1, 1994; Ord. 1289 §1, 2000; Ord. 1499 §1 (Exh. A), 2020.

17.10.065 Cottage Cluster Design Standards

The following design standards apply to cottage clusters development in the R-7.2 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Cottage Orientation. Cottages must be clustered or abut around a common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 1):

(a) Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path that is at least 4 ft wide.

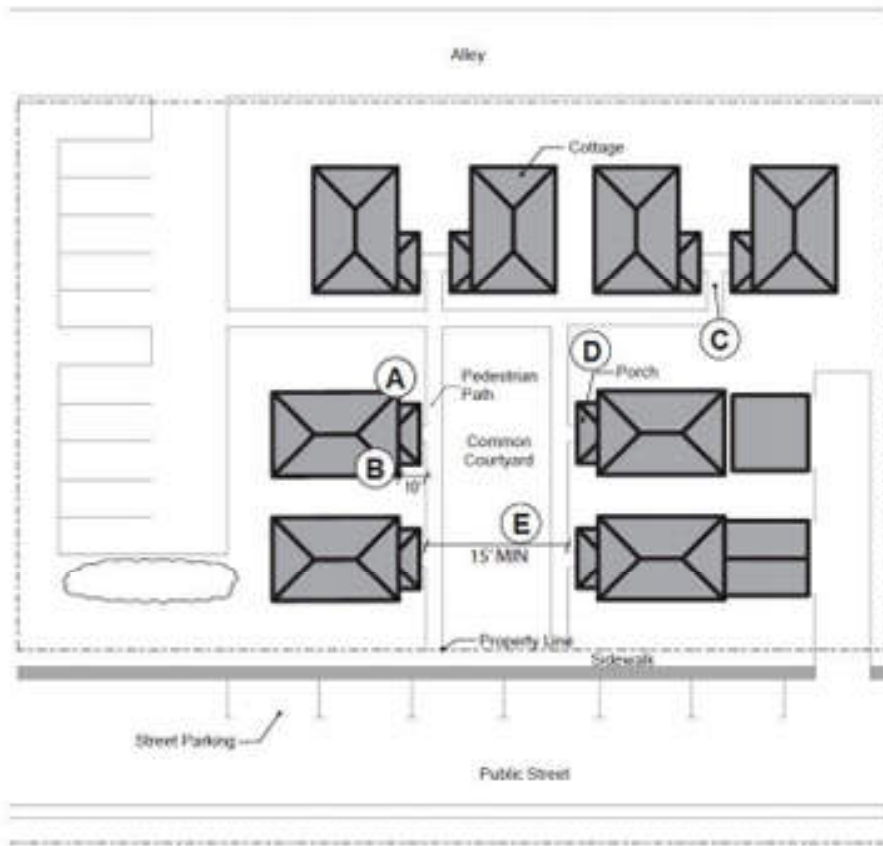
(b) A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:

(A) Have a main entrance facing the common courtyard;

(B) Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and

- (C) Be connected to the common courtyard by a pedestrian path.
- (c) Cottages within 20 feet of a street property line may have their entrances facing the street.
- (d) Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

Figure 1. Cottage Cluster Orientation and Common Courtyard Standards



(2) Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:

- (a) The common courtyard must be a single, contiguous piece.
- (b) The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.
- (c) The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
- (d) The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
- (e) Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

(3) Pedestrian Access.

- (a) An accessible pedestrian path that is at least 4 feet wide must be provided that connects the main entrance of each cottage to one or all the following:
- (A) The common courtyard;
 - (B) Shared parking areas;
 - (C) Community buildings; and
 - (D) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
- (b) The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.
- (4) Parking location and access.
- (a) Off-street parking spaces and vehicle maneuvering areas shall not be located:
- Within of 20 feet from any street property line, except alley property lines;
 - Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
- (b) Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- (c) Clustered parking. Off-street parking may be arranged in clusters and separated from common spaces by at least four (4) feet of landscaping.
- (5) Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
- (6) Garages and carports.
- (a) Garages and carports (whether shared or individual) must not abut common courtyards.
 - (b) Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
 - (c) Individual detached garages must not exceed 400 square feet in floor area.
 - (d) Garage doors for attached and detached individual garages must not exceed 20 feet in width.

17.10.070 Exemptions to uses allowed outright.

Manufactured housing shall not be allowed in any area designated in an acknowledged Comprehensive Plan or land use regulation as an historic district or on residential land immediately adjacent to an historic landmark.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1188 §1, 1994; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. A), 2020.

Chapter 17.12

R-5—SINGLE-HOUSEHOLD RESIDENTIAL DISTRICT

Sections:

- 17.12.010 Purpose.
- 17.12.020 Uses allowed outright.
- 17.12.030 Accessory uses allowed.
- 17.12.040 Conditional uses allowed.
- 17.12.050 Dimensional standards.
- 17.12.060 Design standards.

17.12.010 Purpose.

The purpose of an R-5 district is to implement the Comprehensive Plan and to provide land for families and individuals desiring to live in an environment of mixed single household and middle housing dwellings.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1499 §1 (Exh. B), 2020.

17.12.020 Uses allowed outright.

In an R-5 zoning district, the following uses and their accessory uses are allowed outright:

- (1) Single- household dwelling, including a manufactured dwelling.
- (2)-Middle housing.
- (3) Mobile home park, subject to GMC Section 17.62.070 (Mobile home park).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1144 §1, 1991; Ord. 1171 §1(C), 1993; Ord.1291 §1, 2000; Ord.1323 §1, 2002; Ord. 1499 §1 (Exh. B), 2020.

17.12.030 Accessory uses allowed.

Accessory uses shall comply with all the requirements of this zoning district, except as this section allows to the contrary. All accessory structures shall be subject to GMC Chapter 17.54 (Clear Vision). The following accessory uses shall be allowed in an R-5 zoning district:

- (1) Buildings. Garages and carports, storage and other buildings, as follows:
 - (a) Either the side, except a street side, or rear setback may be reduced to zero for one accessory structure, provided such structure:
 - (A) Is detached from other buildings;
 - (B) Does not exceed a height of one story; and
 - (C) Does not exceed a floor area of 450 square feet;
 - (b) A wall of rated, fire-resistive construction may be required by the Oregon Structural Specialty Code or its successor.
 - (c) When more than one accessory structure is present including a portable storage container, as defined in GMC Chapter 5.22, a setback does not apply to the portable storage container.

(2) Courtyards, Patios and Decks. The minimum side, except street side, and rear setbacks for uncovered courtyards, patios and decks in excess of 30 inches in height shall be five feet. The minimum front and street side setbacks for such courtyards, patios and decks shall be 15 feet. No setbacks shall be required for uncovered courtyards, patios and decks 30 inches or less in height. When calculating the height of a courtyard, patio or deck, railings and benches shall be excluded from the calculation.

(3) Fences and Walls. The following standards shall apply to fences and walls of all types whether open, solid, wood, metal, masonry or other material.

(a) When located between the front lot line and the front building line, fences and walls shall not exceed three feet in height;

(b) Fences and walls not subject to subsection (3)(a) of this section shall not exceed six feet in height.

(c) An exception may be granted to the maximum fence or wall height standards for conditional or nonconforming uses. Such an exception may be granted pursuant to review of an application for conditional use; alteration, expansion or change of use of a nonconforming use; or design review and when an exception is found necessary to provide adequate screening for the use.

(4) Storage. Storage of boats, trailers, pickup campers, coaches, motorhomes and similar recreation equipment. Occupancy of such equipment is subject to a temporary permit under GMC Chapter 15.28 (Temporary Dwellings).

(5) Accessory dwelling units, subject to the following standards:

(a) Only one accessory dwelling unit per lot shall be permitted;

(b) The floor area of an accessory dwelling unit shall be a minimum of 220 square feet and not exceed ~~400~~ 800 square feet. Conversion of an existing basement to an ADU shall be exempt from the maximum size limit, provided that no new floor area will be added with the conversion;

(c) An accessory dwelling unit shall not contain more than two bedrooms;

(d) Only one entrance, other than a vehicular entrance to a garage, may be located on the street-facing facade of the structure containing the primary dwelling unit unless this structure had additional entrances before the accessory dwelling unit was created and the number of entrances will not be increased;

(e) The exterior finish materials—including siding, trim and roofing—of an accessory dwelling unit shall be the same or visually similar to those of the primary dwelling unit with respect to type, size, placement and color;

(f) The roof pitch of an accessory dwelling unit shall be the same as the predominant roof pitch of the primary dwelling unit;

(g) The windows of an accessory dwelling unit shall be the same or visually similar to those of the primary dwelling unit;

(h) The eaves on an accessory dwelling unit shall project from the structure walls the same distance as the eaves on the primary dwelling unit;

(i) An accessory dwelling unit shall comply with the minimum yard requirements and maximum building height established in GMC Section 17.12.050;

(j) An accessory dwelling unit used as a vacation rental shall provide:

(A) One off-street parking space in addition to the off-street parking space required by GMC Chapter 17.48 (Off-Street Parking and Loading) for the primary dwelling unit; and

(B) A deed restriction requiring owner-occupancy of one of the units recorded in the Clackamas County Clerk’s Office in a form prescribed by the city. Either the primary dwelling unit or the accessory dwelling unit shall be owner-occupied for as long as the accessory dwelling unit is being used as a vacation rental.

(6) Swimming Pools, Ponds and Hot Tubs. The minimum side, street side and rear setbacks for swimming pools, ponds and hot tubs shall be three feet. The minimum front setback for ponds no greater than five feet wide and no more than two feet deep shall be three feet.

(7) Home Occupations. Home occupations shall be subject to GMC Chapter 17.78 (Home Occupations).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1171 §§1(E) & 1(F), 1993; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1392, §3, 2007; Ord. 1499 §1 (Exh. B), 2020.

17.12.040 Conditional uses allowed.

In an R-5 zoning district, the following uses and their accessory uses are allowed subject to GMC Chapter 17.70 (Conditional Uses):

- (1) Multi-household dwelling, five-to-eight-unit building.
- (2) Medical/dental office at the intersection of minor arterials or collectors.
- (3) Church and associated buildings and structures.
- (4) Community center, day care center.
- (5) Fire station or similar public use necessary to provide service or preserve public safety in the area.
- (6) Planned unit development.
- (7) Nursing homes and homes for the aged.
- (8) School and associated buildings, structures and facilities.
- (9) Utility facility; provided, that no outside storage is involved.
- (10) Community commercial within 200 feet from the Portland Avenue C-2 district.
- (11) Group homes.
- (12) Boarding house, rooming house, lodging house.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. B), 2020.

17.12.050 Dimensional standards.

Except as provided in GMC Chapters 17.38 (Planned Unit Development), 17.72 (Variances) and 17.76 (Exceptions), the following dimensional standards shall apply in an R-5 zoning district:

Minimum Lot Area		
Detached single household	5,000 sf	
Duplex and Triplex	5,000 sf	
Quadplex	7,000 sf	

Cottage Cluster	7,000 sf	
Townhouse Project	5,000 sf	The average minimum lot area for a townhouse dwelling shall be 1,500 sf
Multi-household dwellings	2,500 sf per dwelling unit	
Other uses	5,000 sf	Or as established by the Planning Commission, as provided by GMC Chapter 17.70 (Conditional Uses).
Minimum Setbacks		
Front Setback	20 ft	Except that a front porch may project a maximum of five feet into a required front setback area
Side Setback	5 ft	
Street Side Setback	20 ft	Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet into a required setback area Townhouse projects are allowed a zero-foot side setback for lot lines where Townhouse units are attached. Cottage Cluster minimum setbacks can be reduced to 5 feet, if there is more than 150 square feet per dwelling unit of common open space provided, as define in Section 17.12.065(2).
Rear Setback	15 ft	
Maximum Building Height	35 ft	Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are not subject to building height limitations of this subsection.
Minimum Vegetation		
Multi-household dwelling	At least 20% of the total area of the lot	The minimum area that must be left or planted with trees, shrubs, grass, etc.
Minimum Density	Cottage Clusters shall have a minimum density of 4 dwelling units per acre.	
Sufficient Infrastructure	Applicants must demonstrate that Sufficient Infrastructure is	

	provided, or will be provided, upon submittal of a triplex or quadplex development application.	
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(1) All PUDs with residential uses must include a mix of two or more middle housing types for a minimum of 25% of the total dwelling units proposed.

(a) Exceptions in Case of Large Scale PUD. The dimensional standards of this section may be modified by the Planning Commission in the case of a plan and program for a planned unit development, providing the modifications are not detrimental to the public health, safety and welfare and providing the Planning Commission determines there is provision for adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the developed tract and its relation to adjacent areas and for such covenants or other legal provisions as will assure conformity to and achievement of the plan.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1289 §1, 2000; Ord. 1291 §1, 2000; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. B), 2020.

17.12.055 Cottage Cluster Standards.

The following dimensional standard apply to cottage clusters development in the R-5 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Dimensional Standards

(a) Minimum Lot Size and Dimensions. Cottage clusters shall meet the minimum lot area that apply to detached single family dwellings in the R-5 zone.

(b) Setbacks and Building Separation.

(A) Setbacks. Cottage clusters shall meet the minimum setback standards:

- Front setbacks: 10 feet
- Side setbacks: 5 feet
- Rear setbacks: 10 feet

(B) Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.

(c) Average Unit Size. The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

(d) Off-Street Parking.

(A) Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is zero (0) spaces per unit with a floor area less than 1,000 square feet and one (1) space per unit with a floor area of 1,000 square feet or more. Spaces may be provided for individual cottages or in shared parking clusters. A credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (b).

(B) On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.

- i. The space must be abutting the subject site;

- ii. The space must be in a location where on-street parking is allowed by the jurisdiction;
- iii. The space must be a minimum of 22 feet long; and
- iv. The space must not obstruct a required sight distance area.

17.12.060 Design standards.

(1) Attached Garage. The following standard shall apply to the construction of a garage attached to a single-household dwelling or duplex. An existing garage, legally constructed prior to the adoption of this standard, that does not conform to this standard may be remodeled or expanded, provided such remodeling or expansion shall not further reduce the structure's compliance with this standard.

(a) The length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building facade. On corner lots only one street-facing garage wall must meet this standard unless there are two garages, such as in the case of a two-family dwelling.

(2) Main Entrance. The main entrance to a dwelling of a single-family household dwelling shall:

- (a) Face the street lot line. On a corner lot, the main entrance may face either street lot line or the corner; or
- (b) The main entrance shall open onto a covered porch that has an entrance that faces the street lot line. The porch and its roof shall each be at least 40 square feet in area and neither the width nor the depth shall be less than five feet.

(3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets. Improvements installed by a developer, shall conform to the standards of this title, GMC Chapter 12.02 (street excavation requirements) and to any supplemental design and construction specifications adopted by the city for such improvements. This shall apply to new structures and Expedited Land Divisions as defined by ORS 197.360; with the following exceptions:

- (a) There is no existing sidewalks within 200 feet of the subject parcel, and no planned sidewalk network in the area as identified in the Transportation System Plan.
- (b) When sidewalks and other frontage improvements would be located on land with cross slopes greater than nine percent as shown on the site plan submitted with the building permit.

(4) Design Features. Detached single-household dwellings, duplexes, triplexes, quadplexes, townhomes, and cottage clusters shall include at least ~~two-four~~ of the following design features on ~~each street-facing facade~~~~each dwelling-unit~~:

- (a) Dormer;
- (b) One or more windows that face the street lot line;
- (c) Cupola;
- (d) Bay or bow window;
- (e) Gable;
- (f) Covered porch entry;
- (g) Eaves (minimum ~~six-twelve~~ inches projection); ~~and~~
- (h) Offset on building face or roof (minimum 16 inches);
- (i) Recessed garage entrance for street-facing garage (minimum 16 inches);
- (j) Roof pitch of not less than three feet in height for each 12 feet in width; and

(k) A garage or carport. The garage or carport can be attached (see 17.12.060(1)) or detached.

~~(5) Manufactured Dwellings. All manufactured dwellings on individual lots in this district~~Foundations shall meet ~~or exceed~~ the following design standards:

~~(a) The manufactured dwelling shall be multi-sectional and enclose a space of not less than 1,000 square feet;~~

~~(ba) The manufactured dwelling shall be placed on an excavated, back-filled foundation and enclosed at the perimeter such that no more than 12 inches of the enclosing material is above grade; and-~~

~~(b) Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home; and-~~

~~(c) If the manufactured home is placed dwelling sits on a basement, the 12-inch limitation shall not apply.;~~

~~(e) The manufactured dwelling shall have a pitched roof of not less than three feet in height for each 12 feet in width;~~

~~(d) The manufactured dwelling shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material on surrounding dwellings;~~

~~(e) The manufactured dwelling shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards equivalent to the performance standards required of single family dwellings constructed under the Oregon Residential Specialty Code. Evidence demonstrating that the manufactured home meets "Super Good Cents" energy efficiency standards is deemed to satisfy the exterior thermal envelope certification standards. Additional manufacturer's certification shall not be required in such cases;~~

~~(f) The manufactured home shall have a garage or carport constructed of like materials. An attached or detached garage may be approved in lieu of a carport where such is consistent with the predominant construction of immediately surrounding dwellings.~~

(6) As part of the building permit process for manufactured dwellings, the applicant shall provide a certification from the manufacturer that the manufactured dwelling has an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1144 §1, 1991; Ord. 1171 §1(D), 1993; Ord. 1188 §1, 1994; Ord. 1289 §1, 2000; Ord. 1291 §1, 2000; Ord. 1499 §1 (Exh. B), 2020.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this chapter are available from the office of the City Recorder.]

17.12.065 Cottage Cluster Design Standards

The following design standards apply to cottage clusters development in the R-5 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Cottage Orientation. Cottages must be clustered or abut around a common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 1):

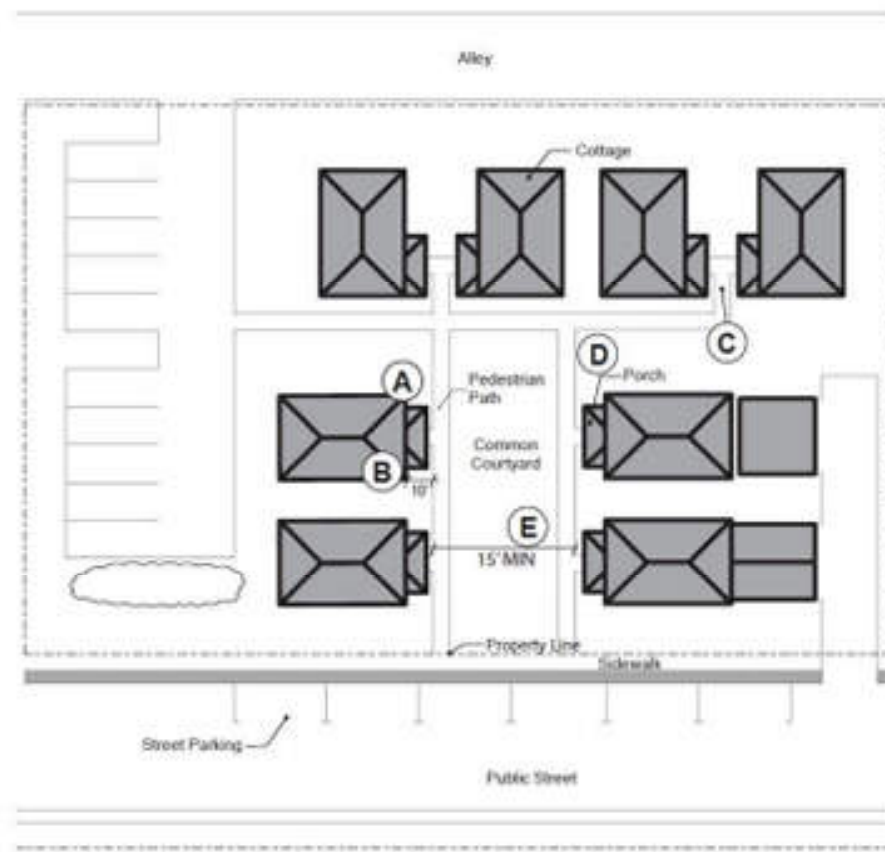
(a) Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path that is at least 4 ft wide.

(b) A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:

(A) Have a main entrance facing the common courtyard;

- (B) Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
 - (C) Be connected to the common courtyard by a pedestrian path.
- (c) Cottages within 20 feet of a street property line may have their entrances facing the street.
- (d) Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

Figure 1. Cottage Cluster Orientation and Common Courtyard Standards



(2) Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:

- (a) The common courtyard must be a single, contiguous piece.
- (b) The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.
- (c) The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.

(d) The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.

(e) Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

(3) Pedestrian Access.

(a) An accessible pedestrian path that is at least 4 feet wide must be provided that connects the main entrance of each cottage to one or all the following:

- (A) The common courtyard;
- (B) Shared parking areas;
- (C) Community buildings; and
- (D) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.

(b) The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.

(4) Parking location and access.

(a) Off-street parking spaces and vehicle maneuvering areas shall not be located:

- Within of 20 feet from any street property line, except alley property lines;
- Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.

(b) Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.

(c) Clustered parking. Off-street parking may be arranged in clusters and separated from common spaces by at least four (4) feet of landscaping.

(5) Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.

(6) Garages and carports.

(a) Garages and carports (whether shared or individual) must not abut common courtyards.

(b) Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.

(c) Individual detached garages must not exceed 400 square feet in floor area.

(d) Garage doors for attached and detached individual garages must not exceed 20 feet in width.

Chapter 17.30 GENERAL PROVISIONS*

Sections:

17.30.010 Purpose.

17.30.020 Application of these procedures.

17.30.040 Land divisions and property line adjustments—Generally.

* Prior history:

17.30.030 **History:** Ord. [1131](#) §2, 1990; Ord. [1171](#) §1 (N), 1993; Repealed by Ord. [1323](#) §1, 2002.

17.30.010 Purpose.

The purposes of the review and approval procedures set forth in Chapter [17.30](#) through [17.40](#) shall be:

- (1) To guide future growth and development in accordance with the comprehensive plan and other related city ordinances.
- (2) To provide for an efficient process to review development.
- (3) To provide a framework by which development proposals are reviewed to insure safe, functional developments which are compatible with the natural and man-made environment.
- (4) To provide a review mechanism to resolve potential conflicts between development standards and between development and open space recourses.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990.

17.30.020 Application of these procedures.

The review and approval procedures set forth in GMC Division III (land divisions and property line adjustments) shall apply to the division of property for the purpose of current or future sale or development and to the adjustment of property lines between adjoining lots of record.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

17.30.040 Land divisions and property lines adjustments—Generally.

The Gladstone Municipal Code is current through Ordinance 1513, passed November 9, 2021.
DRAFT Amendments 10/18/22

A land division or property line adjustment shall conform to the comprehensive plan and any plans supplementary to it, shall consider any preliminary plans and improvements made in anticipation thereof, and shall conform with state laws and this title.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1171](#) §1 (0), 1993; Ord. [1323](#) §1, 2002.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.30.040 Middle housing land divisions

A middle housing land division shall be reviewed as specified in 17.94.050(5).) An application for a middle housing land division shall be submitted as either a subdivision under 17.32 or a partition under 17.34, as applicable.

(1) Middle housing land divisions criteria. Middle housing land divisions shall be subject to the following requirements:

- (a) The property to be divided must be developed or proposed to be developed with middle housing that complies with the Oregon residential specialty code and the land use regulations applicable to the original lot or parcel.
- (b) The division must result in exactly one dwelling unit on each resulting lot or parcel, except for lots, parcels or tracts used as common areas;
- (c) Each dwelling unit shall have separate utilities.
- (d) Easements shall be provided for each dwelling unit for:
 - 1. Locating, accessing, replacing and servicing all utilities;
 - 2. Pedestrian access from each dwelling unit to a private or public road;
 - 3. Any common use areas or shared building elements;
 - 4. Any dedicated driveways or parking; and
 - 5. Any dedicated common area;
- (e) Each resulting lot shall be prohibited from further division.
- (f) Accessory dwelling units shall not be permitted on a resulting lot.
- (g) The type of middle housing developed on the original lot is not altered by a middle housing land division (e.g., a duplex remains a duplex even if it is divided along the common wall).

Commented [JS1]: Consider whether you would like to include specific requirements for what terms must be included in easements, such as maintenance and repair, cost-sharing, access, notice, damage, and disputes.

(2) Additional Submittal Requirements for Middle Housing Land Divisions. In addition to the submittal requirements found in 17.32.020, or 17.34.020 as applicable, an application for a middle housing land division shall include the following additional information:

(a). Demonstration that the property to be divided is developed or proposed to be developed with middle housing that complies with the standards applicable to middle housing on or after July 1, 2022. If middle housing development is proposed, a copy of building permit applications and construction plans that have been submitted to or approved by the Building Codes Division shall be included in the application;

(b). Locations of the easements necessary for:

1. Locating, accessing, replacing, and servicing all dwelling units;
2. Pedestrian access from each dwelling unit to a private or public road;
3. Any common areas or shared building elements; and
4. Any shared driveways or parking; and

(c). Location of each middle housing dwelling unit, any other development on the lot or parcel, and location of all areas to be retained under common ownership.

(d). Demonstration that there are separate utilities for each dwelling unit;

(3) Combining plats. If a middle housing land division is approved for the lots or parcels included in an approved, unexpired preliminary plat for a subdivision, partition, or replat, then the final plat for the subdivision, partition, or replat and the final plat for the middle housing land division may be combined as a single final plat.

(4) Final plats for middle housing land divisions. If the final plat is for a middle housing land division, it shall contain a notation that the lots shown on the plat were created pursuant to a middle housing land division and may not be further divided.

(5) Extended review time. After seven days' notice to the applicant, the governing body of the local government may, at a regularly scheduled public meeting, take action to extend the 63-day time period to a date certain for one or more applications for a middle housing land division prior to the expiration of the 63-day period. The decision to extend the 63-day review period shall be based on a determination that an unexpected or extraordinary increase in applications makes action within 63 days impracticable. In no

case shall an extension be to a date more than 120 days after the application was deemed complete.
Upon approval of an extension, the provisions of ORS 197.360 to 197.380 and the Gladstone Municipal Code, including the appeal process, shall remain applicable to the middle housing land division, except that the extended period shall be substituted for the 63-day period wherever applicable.

The Gladstone Municipal Code is current through Ordinance 1513, passed November 9, 2021.
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Chapter 17.32 SUBDIVISIONS*

Sections:

- 17.32.010 Applicability.**
- 17.32.020 Tentative plan.**
- 17.32.030 Final plat.**
- 17.32.060 Land for public purposes.**

* Prior history:

17.32.040 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1323](#) §1, 2002.

17.32.050 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1323](#) §1, 2002.

17.32.070 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1323](#)§1, 2002.

17.32.010 Applicability.

A subdivision is the division of a lot of record into four lots or more in one calendar year and shall be governed by this chapter.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

17.32.020 Tentative plan.

(1) Submittal Requirement. An application for a subdivision shall include a minimum of twelve (12) copies of a tentative plan drawn to scale and prepared by an Oregon registered professional engineer or professional land surveyor. The following information shall be provided on the tentative plan or, where it is impractical to include an item on the tentative plan, in a separate attachment:

- (a) Subdivision name that has been approved by the Clackamas County Surveyor in accordance with Oregon Revised Statutes 92.090;
- (b) Date the tentative plan was drawn;
- (c) North arrow;
- (d) Scale of drawing;

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- (e) Township, Range, Section and Tax Lot numbers of the subject property and any contiguous property under the same ownership as the subject property;
- (f) Complete names, addresses and telephone numbers of the property owner(s), applicant(s), engineer(s) and land surveyor(s);
- (g) Gross acreage of the subject property;
- (h) The locations, widths, names, approximate grades and radii of curves of all proposed streets and all existing or platted streets within or adjacent to the subdivision site. Include proposed new curbs and sidewalks. Include existing curbs and sidewalks where necessary to show a connection to new curbs and sidewalks;
- (i) Contour lines at two-foot (2') intervals for ground slopes less than ten percent (10%), five-foot (5') intervals for ground slopes between ten percent (10%) and twenty percent (20%) and ten-foot (10') intervals for ground slopes exceeding twenty percent (20%). Identify the source of the contour information;
- (j) The locations and direction of flow of all watercourses and areas subject to flooding, including boundaries of areas of special flood hazard regulated by GMC Chapter [17.29](#) (FM -flood management area district);
- (k) The location of natural features, such as rock outcroppings, wetlands, wooded areas and individual large trees;
- (l) Identification of existing uses of the subject property, including the location of all existing structures. Identify whether existing structures will remain on the property or be removed. When a structure will remain, identify its setbacks from new property lines;
- (m) The location of proposed and existing utilities within the subdivision and the location of adjacent off-site utilities to which on-site utilities will connect. Include water; sanitary sewer; storm drainage with width, depth and direction of flow of any drainage channels; gas; electric, including power poles; and other utilities;
- (n) Zoning of the subject property;

(o) The location, including width, of existing and proposed easements, to which property they are conveyed and for what purpose(s). Include easements on the subject property and off-site easements conveyed to the subject property;

(p) Proposed lots and tracts, including location, dimensions, area, lot numbers and, if applicable, tract letters;

(q) Identification of the proposed use of any designated tracts within the subdivision;

(r) A master plan, to include a tentative layout of possible future lots and streets, may be required when proposed lots or adjacent properties have the potential for additional land division (not applicable to middle housing land divisions);

(s) A vicinity map showing the location of the subdivision relative to well-known landmarks in all directions, at a scale of one inch (1") equals two thousand feet (2,000') or some other scale that better depicts the area, at least four inches (4") by four inches (4");

(t) The location of adjacent properties;

(u) Proposed deed restrictions, if any;

(v) Approximate centerline profiles with extensions for a reasonable distance beyond the limits of the proposed subdivision showing the finished grade of streets and the nature and extent of street construction;

(w) If lot areas are to be graded, a plan showing the nature of cuts and fills and information on the character of the soil;

(x) The location of any existing on-site sewage disposal systems and wells.

(2) Review. An application for a subdivision shall be reviewed pursuant to GMC Division VII (administrative procedures).

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002; Ord. [1334](#), §2, 2002.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

The Gladstone Municipal Code is current through Ordinance 1513, passed November 9, 2021.
Draft Amendments 10/18/22

17.32.030 Final plat.

(1) Expiration of Approval. Approval of a tentative plan shall expire if a final plat consistent with the tentative plan is not submitted to the City Administrator or designee, ~~approved, and recorded with the County Clerk~~ within ~~one~~ three years of the date of the final decision. If the City Administrator or designee's final decision is appealed, the approval period shall commence on the date of the final appellate decision. The City Administrator or designee shall extend this three-year period by one year if a written request for an extension is received by the Planning Department prior to the expiration of the three-year period. Upon request, the one-year period may be extended by the Planning Commission for not more than one year. The approval period extension is not applicable to middle housing land divisions.

(2) Form and Content. The form and content of the final plat shall be consistent with relevant provisions of Oregon Revised Statutes Chapters 92 and 209.

(3) Review. Prior to recording, the final plat shall be submitted to the City Administrator, or designee, who shall review it to determine whether the subdivision as shown is substantially the same as it appeared in the approved tentative plan and whether there has been compliance with conditions of tentative plan approval.

(4) Approval. When satisfied that the final plat is consistent with the tentative plan approval and that compliance with conditions of tentative plan approval has been met, the City Administrator, or designee, shall sign the final plat.

(5) Filing. Following city approval of the final plat, the final plat shall be submitted to those Clackamas County officials who are required by state law to sign it. One copy of the recorded plat and two copies of the “as-builts” shall be submitted to the city.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. 1131 §2, 1990; Ord. 1265 §1, 1998; Ord. 1323 §1, 2002.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.32.060 Land for public purposes.

If the city has an interest in acquiring a portion of a proposed subdivision for a public purpose, or if the city has been advised of such interest by a school district or other public agency, and there is reasonable assurance that steps will be taken to acquire the land, then the Planning Commission may require that

those portions of the subdivision be reserved for public acquisition for ,a period not to exceed one year from the date of approval of the subdivision plat.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990.

Chapter 17.34 PARTITIONS*

Sections:

- 17.34.010 Applicability.**
- 17.34.020 Partitions—Generally.**
- 17.34.025 Final plat.**
- 17.34.030 Improvements.**

* Prior history:

17.34.040 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1171](#) §1(R), 1993.

17.34.050 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1171](#) §1(S), 1993.

17.34.010 Applicability.

(1) A partition is the division of a lot of record into three or fewer parcels in one calendar year and shall be governed by this chapter.

(2) Except as provided in GMC Chapter [17.32](#) (subdivisions), no parcel in an approved partition may be divided in the same calendar year in which the final partition plat is recorded unless the initial partition created only two parcels and the second partition will create only one additional parcel.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1171](#) §1(P) and §1(T), 1993; Ord. [1323](#) §1, 2002.

17.34.020 Partitions—Generally.

(1) Submittal Requirements. An application for a partition shall include a tentative plan drawn to scale. A minimum of five (5) copies of the tentative plan shall be provided with an application for a Type I partition. A minimum of twelve (12) copies of the tentative plan shall be provided with an application for a Type II partition. The following information shall be provided on the tentative plan or, where it is impractical to include an item on the tentative plan, in a separate attachment:

- (a) Date the tentative plan was drawn;
- (b) North arrow;
- (c) Scale of drawing;

- (d) Township, Range, Section and Tax Lot numbers of the subject property and any contiguous property under the same ownership as the subject property;
- (e) Complete names, addresses and telephone numbers of the property owner(s), applicant(s) and person(s) who prepared the tentative plan;
- (f) Gross acreage of the subject property;
- (g) A general description of the topography of the subject property;
- (h) The locations, widths and names of all proposed streets and all existing or platted streets within or adjacent to the partition-site. Include proposed new curbs and sidewalks. Include existing curbs and sidewalks where necessary to show a connection to new curbs and sidewalks;
- (i) The locations and direction of flow of all watercourses and areas subject to flooding, including boundaries of areas of special flood hazard regulated by GMC Chapter [17.29](#) (FM -flood management area district);
- (j) The location of natural features, such as rock outcroppings, wetlands, wooded areas and individual large trees;
- (k) The location of proposed and existing utilities within the partition and the location of adjacent off-site utilities to which on-site utilities will connect. Include water; sanitary sewer; storm drainage with width, depth and direction of flow of any drainage channels; gas; electric, including power poles; and other utilities;
- (l) Zoning of the subject property;
- (m) The location, including width, of existing and proposed easements, to which property they are conveyed and for what purpose(s). Include easements on the subject property and off-site easements conveyed to the subject property;
- (n) Identification of existing uses of the subject property, including the location of all existing structures. Identify whether existing structures will remain on the property or be removed. When a structure will remain, identify its setbacks from new property lines;
- (o) Proposed parcels, including location, dimensions, area and parcel numbers;

(p) A master plan, to include a tentative layout of possible future lots and streets, may be required when proposed parcels or adjacent properties have the potential for additional land division (not applicable to middle housing land divisions);

(q) The location of any existing on-site sewage disposal systems and wells.

(2) Type I and Type II Partitions. A Type I partition is any partition where the proposed parcels conform to the dimensional standards of the zoning district in which the subject property is located, creation of a flag lot is not proposed and access will be provided from a local street. Any other partition is a Type II partition. Notwithstanding the foregoing, a middle housing land division shall be processed as specified in GMC 17.94.050(5).

(3) Review. An application for a partition shall be reviewed pursuant to GMC Division VII (administrative procedures).

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1171](#) §1(Q), 1993; Ord. [1179](#) §13, 1993; Ord. [1323](#) §1, 2002; Ord. [1334](#) §6, 2002.

17.34.025 Final plat.

(1) Expiration of Approval. Approval of a tentative plan shall expire if a final plat consistent with the tentative plan is not submitted to the City Administrator or designee, approved, and recorded with the County Clerk within three years of the date of the final decision. If the City Administrator or designee's final decision is appealed, the approval period shall commence on the date of the final appellate decision. The City Administrator or designee shall extend this three-year period by one year if a written request for an extension is received by the Planning Department prior to the expiration of the three-year period. The approval period extension is not applicable to middle housing land divisions.

(42) Form and Content. The form and content of the final plat shall be consistent with relevant provisions of Oregon Revised Statutes Chapters [92](#) and [209](#).

(23) Review. Prior to recording, the final plat shall be submitted to the City Administrator, or designee, who shall review it to determine whether the partition as shown is substantially the same as it appeared in the approved tentative plan and whether there has been compliance with conditions of tentative plan approval.

(34) Approval. When satisfied that the final plat is consistent with the tentative plan approval and that compliance with conditions of tentative plan approval has been met, the City Administrator, or designee, shall sign the final plat.

(45) Filing. Following city approval of the final plat, the final plat shall be submitted to those Clackamas County officials who are required by state law to sign it. One copy of the recorded plat shall be submitted to the city.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1323](#) §1, 2002.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.34.030 Improvements.

The same improvements shall be installed to serve each building site of a partition as are required of a subdivision. However, if the Planning Commission finds that the nature of development in the vicinity of the partition makes installation of some improvements unreasonable, the Planning Commission may except those improvements. In lieu of excepting an improvement, the Planning Commission may recommend to the City Council that the improvement be installed in the area under special assessment financing or other facility extension policies of the city.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. [1131](#) §2 (Part), 1990; Ord. [1323](#) §1, 2002.

Chapter 17.64 DESIGN STANDARDS FOR LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS*

Section:

- 17.64.010 Applicability.**
- 17.64.020 Blocks.**
- 17.64.030 Building sites.**
- 17.64.040 Building lines.**
- 17.64.050 Large building sites.**
- 17.64.060 Maintenance of minimum title requirements.**

* Prior history:

17.64.070 **History:** Ord. [1131](#) §2, 1990; Repealed Ord. [1294](#)§1, 2000.

17.64.010 Applicability.

The design standards for land divisions and property line adjustments shall apply to all subdivisions, partitions, [middle housing land divisions](#), and property line adjustments.

Statutory Reference: ORS Ch. [197](#) and [227](#)

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

17.64.020 Blocks.

(1) General. The length, width and shape of blocks shall be designed with due regard for the provision of adequate building sites for the use contemplated, consideration of the need for traffic safety, convenience, access, circulation and control, and recognition of limitations and opportunities of topography.

(2) Sizes. Full street connections shall be provided at intervals consistent with the adopted transportation system plan for the identified street classification, except as modified by GMC Sections [17.50.020](#) and [17.50.030](#)(2), or where prevented by topography, existing development, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers.

(3) Easements:

- (a) Utility lines. Easements for sewers, drainage, water mains, electric lines or other public utilities shall be dedicated wherever necessary. The easements shall be a minimum of 12 feet in width and

centered on rear or side lot lines at change of direction points of easements, except for guy wire tieback easements which shall be six feet wide by 20 feet long along lot lines.

(b) Middle Housing Easements. Easements shall be provided for each dwelling unit for:

1. Locating, accessing, replacing, and servicing all utilities;
2. Pedestrian access from each dwelling unit to a private or public road;
3. Any common use areas or shared building elements;
4. Any dedicated driveways or parking; and
5. Any dedicated common areas.

(bc) Watercourses. If a tract is traversed by a watercourse such as a drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the watercourse and adequate in width for the purpose. Streets, parkways or greenways parallel to or integrated with major watercourses may be required.

(ed) Pedestrian and Bicycle Ways. Except as modified by GMC Section [17.50.030\(2\)](#), in blocks over 800 feet in length, a pedestrian or bicycle way with a minimum width of 10 feet shall be provided through the middle of the block when desirable for public convenience. If unusual conditions require blocks longer than 1,200 feet, two pedestrian ways may be required. When desirable for public convenience, or when called for in the comprehensive plan, pedestrian ways may be required to connect cul-de-sacs, to pass through unusually shaped blocks, or to facilitate a linked system of pedestrian ways or greenways or bicycle ways.

(ee) Greenways. When called for in the comprehensive plan, the Planning Commission may require the dedication, reservation or setting aside of greenways which will be open or accessible to the public. Except for trails or paths, such greenways will usually be left in a natural condition without improvements. Where appropriate, greenways may be combined with easements for utilities or watercourses.

Statutory Reference: ORS Ch. [197](#) and [227](#)

History: Ord. [1131](#) §2, 1990; Ord. [1294](#) §1, 2000; Ord. [1483](#) §2 (Exh. 5), 2017.

17.64.030 Building sites.

(1) Size and Shape. Lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The width of a lot shall be at least 50

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feet except that corner lots shall have a width of at least 60 feet to permit appropriate building setback from both streets. Minimum lot depth in a residential district shall be 60 feet. In the case of irregular lots, the width shall be measured along the front building line. Except in Middle Housing Land Divisions or in a PUD development, in no case shall a lot area be less than the zoning district required. The Planning Commission may, when such a minimum in the case of multi-family household dwelling subdivision development would result in a conflict with the minimum area requirements of the zoning ordinance, require larger minimum area requirement so as to conform to the zoning ordinance. These minimum standards shall apply with the following exceptions:

(a) Where property is zoned and planned for commercial or industrial use, other widths and areas may be permitted at the discretion of the Planning Commission. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

(2) Frontage. A lot shall have minimum frontage of 20 feet on a street other than an alley.

(3) Through Lots and Parcels. Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent nonresidential activities or to overcome specific disadvantages of topography and orientation. A planting screen easement at least 10 feet wide, and across which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.

(4) Lot and Parcel Side Lines. The lines of lots and parcels as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve.

(5) Middle housing land divisions. This section 17.64.030 does not apply to middle housing land divisions.

Statutory Reference: ORS Ch. 92, 197 and 227

History: Ord. 1131 §2, 1990; Ord. 1294 §1, 2000.

17.64.040 Building lines.

If special building setback lines are to be established in a subdivision, they shall be shown on the subdivision plat or shall be included in the deed restrictions.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2, 1990.

The Gladstone Municipal Code is current through Ordinance 1513, passed November 9, 2021.
Draft Amendments 10/18/22

17.64.050 Large building sites.

In dividing tracts into large lots or parcels which at some future time are likely to be redivided, the Planning Commission may require that the blocks be of such size and shape, be so divided into building sites and contain such site restrictions as will provide for extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size.

Statutory Reference: ORS Ch. [197](#) and [227](#)

History: Ord. [1131](#) §2, 1990.

17.64.060 Maintenance of minimum title requirements.

No lot area, yard or other open space existing on or after the effective date of the ordinance codified in this title shall be reduced below the minimum required for it by this title, and no lot area, yard or other open space which is required by this title for one use shall be used as the required lot area, yard or other open space for another use.

Statutory Reference: ORS Ch. [197](#) and [227](#)

History: Ord. [1131](#) §2, 1990.

Chapter 17.92 APPEALS

Sections:

- 17.92.010 Appeal to Planning Commission.**
- 17.92.020 Appeal to City Council.**
- 17.92.030 Standing—Who may appeal.**
- 17.92.040 Applicant appeal.**
- 17.92.050 Form of notice.**

17.92.010 Appeal to Planning Commission.

An appeal from a ruling or interpretation of the City Administrator or designee regarding a requirement of this title may be made only to the Planning Commission and must be accompanied by a filing fee.

(1) The decision of the City Administrator or designee shall become final unless appealed in writing within fifteen (15) days of the notice of decision except as provided for in paragraph 2 of this subsection.

(a) If appealed, the application shall be reviewed by the Planning Commission at a public hearing.

(b) The decision of the Planning Commission shall be final unless appealed to the City Council.

(2) For middle housing land divisions and expedited land divisions are subject to the appeal process in ORS 197.375. The appeal shall be submitted within fourteen 14 days of the City Administrator's or designee's mailing of the written decision with a \$300 deposit for costs. If an appeal is not filed within the fourteen (14) day period, the decision of the City Administrator or designee shall be final.

Statutory Reference: ORS Ch. [92](#), 197 and 227

History: Ord. [1131](#) §2, 1990.

17.92.020 Appeal to City Council.

(1) A decision of the Planning Commission made pursuant to this title may be appealed to the City Council within fifteen (15) days after the mailing of the Planning Commission's written decision.

(2) Written notice of the appeal, along with a filing fee, shall be filed with the city.

(3) The notice of appeal should state in detail the nature of the decision, determination or requirements and the grounds upon which the applicant deems herself/himself aggrieved.

(4) If an appeal is not filed within the fifteen (15) day period, the decision of the Planning Commission shall be final.

(5) If a timely appeal is filed, the City Council shall receive a copy of the Planning Commission's written decision and shall hold a public hearing on the appeal.

(6) The City Administrator or designee shall summarily reject an untimely filed appeal.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

17.92.030 Standing—Who may appeal.

(1) Only parties with standing may appeal.

(2) To have standing to appeal a decision of the Planning Commission to the City Council, a party must have appeared orally or in writing before the Planning Commission.

(3) Signing a petition does not constitute an appearance.

(4) Any party given notice under GMC Subsection [17.94.050](#)(3) may appeal a decision of the City Administrator to the Planning Commission.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

17.92.040 Applicant appeal.

(1) If an applicant appeals a decision of the City Administrator or Planning Commission, he/she shall submit the same application to the hearing body, other than changes necessary to effectuate any conditions of approval.

(2) No other view or revision designs or plans will be accepted.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990.

17.92.050 Form of notice.

(1) The notice of appeal shall contain the following:

- (a) A reference to the subject property;
 - (b) The application number;
 - (c) The date of the decision appealed from;
 - (d) The date of the notice of appeal;
 - (e) A statement of the appellant's qualification as a party with standing to appeal;
 - (f) The specific grounds for the appeal.
- (2) The notice must be actually received by the City Administrator or recorder or their designee within the time provided or it will be dismissed as untimely.
- (3) An appeal stays proceedings on the matter until final determination by the city.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990.

Chapter 17.94 HEARINGS

Sections:

- 17.94.010 General provisions.**
- 17.94.020 Notice.**
- 17.94.030 Documents.**
- 17.94.040 Hearing procedure.**
- 17.94.050 City Administrator decisions.**
- 17.94.060 Planning Commission decisions.**
- 17.94.070 City Council decisions.**
- 17.94.080 Action on applications.**
- 17.94.090 Aggregate resource extraction.**
- 17.94.100 Revocation of approvals.**

17.94.010 General provisions.

Public hearings shall be held on all quasi-judicial and legislative land use applications.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990.

17.94.020 Notice.

(1) Written notice of quasi-judicial hearings and hearings where the subject is a legislative zone change shall be mailed to the applicant, the owner of the subject property and owners of record as identified on the most recent Clackamas County property tax assessment roll of property located within two hundred fifty (250) feet of the subject property. Notice shall also be provided to affected agencies, recognized neighborhood or community organizations whose boundaries include the subject property and affected Dual Interest Area Agreement parties. Notice shall be mailed a minimum of twenty (20) days in advance of the scheduled hearing.

(2) The notice shall contain the following:

(a) An explanation of the nature of the application and the proposed use or uses which could be authorized;

(b) The criteria from this title and the comprehensive plan that apply to the application at issue;

- (c) The street address or other easily understood geographical reference to the subject property;
 - (d) The date, time and location of the hearing;
 - (e) A statement that failure to raise an issue in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue;
 - (f) The name of the city representative to contact and the telephone number where additional information may be obtained;
 - (g) A statement that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;
 - (h) A statement that a copy of the staff report will be available for inspection at no cost at least seven (7) days prior to the hearing and will be provided at reasonable cost; and
 - (i) A general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.
 - (j) When a potential for advance financing of public improvements pursuant to Chapter [13.20](#) is anticipated by either the city or the applicant, the notice shall contain a statement to the effect that property adjacent to the development which might derive benefit from the developer's public improvements could be subject to advance finance reimbursement as specified in Chapter [13.20](#) of the Gladstone Municipal Code. Failure to provide this statement in a notice shall not invalidate the notice.
- (3) Failure of the property owner to receive notice shall not invalidate such proceedings if the city can demonstrate by affidavit that such notice was sent. Notice is deemed given when deposited with the U.S. Postal Service.
- (4) If the subject of the hearing is a legislative action, notice shall be given by publication in a newspaper of general circulation at least twenty (20) days prior to the hearing before the Planning Commission and ten (10) days prior to the hearing before the City Council.
- (5) Written notice as described in this section shall be provided to residents of manufactured dwelling parks of applications that would change the zone of property which includes all or part of the park in which they reside.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1141](#) §1, 1991; Ord. [1171](#) §1(J), 1993; Ord. [1175](#) §7, 1993; Ord. [1323](#) §1, 2002; Ord. [1348](#), 2004.

17.94.030 Documents.

(1) All documents or evidence relied upon by the applicant shall be submitted to the city and available for inspection twenty (20) days prior to the hearing.

(2) If additional documents or evidence is provided in support of an application less than twenty (20) days prior to the hearing, any person so requesting shall be entitled to a continuance of the hearing.

Statutory Reference: ORS Cb. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.94.040 Hearing procedure.

(1) At the start of a hearing, a statement containing the following shall be made:

(a) The applicable substantive criteria;

(b) Testimony, arguments and evidence must be directed to the criteria in Subsection (l)(a) of this Section or other criteria in the comprehensive plan or this title that the person believes to apply to the decision;

(c) Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue;

(2) Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. The request shall be granted by continuing the public hearing or leaving the record open for additional written evidence, arguments or testimony.

(a) If a continuance is granted, the hearing shall be continued to a date, time and place certain at least seven (7) days from the date of the initial evidentiary hearing. An opportunity shall be provided at the continued hearing for persons to present and rebut new evidence, arguments or testimony. If

new written evidence is submitted at the continued hearing, any person may request, prior to the conclusion of the continued hearing, that the record be left open for at least seven (7) days to submit additional written evidence, arguments or testimony for the purpose of responding to the new written evidence.

(b) If the record is left open for additional written evidence, arguments or testimony, the record shall remain open for at least seven (7) days. Any participant may file a written request for an opportunity to respond to new evidence submitted during the period the record was left open. If such a request is filed, the hearings authority shall reopen the record. If the record is reopened to admit new evidence, arguments or testimony, any person may raise new issues related to the new evidence, arguments, testimony or criteria for decision- making that apply to the matter at issue.

(c) A continuance or extension granted pursuant to this Section shall be subject to the limitations of ORS [227.178](#) and [227.179](#) unless the continuance or extension is requested or agreed to by the applicant.

(3) Unless waived by the applicant, the applicant shall be allowed at least seven (7) days after the record is closed to all other parties to submit final written arguments in support of the application. The applicant's final submittal shall be considered part of the record but shall not include any new evidence. This seven (7) day period shall not be subject to the limitations of ORS [227.178](#) and [227.179](#).

(4) The decision maker shall approve, approve with conditions or deny a land use action. Findings in support of the decision shall be adopted and a written memorandum of the decision shall be mailed to the applicant and any party requesting notice of the decision, provided the party so requested in writing specifying their address.

(5) The Council may remand any land use application to the Planning Commission for further review and recommendation.

(6) In the event of a challenge to the impartiality of any member of the Planning Commission or the City Council, the remaining members shall vote whether to excuse the person so challenged. A majority vote of the nonchallenged members who are present shall control.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

The Gladstone Municipal Code is current through Ordinance 1513, passed November 9, 2021.
[DRAFT Amendment 10/18/22](#)

17.94.050 City Administrator decisions.

(1) The following types of applications shall be reviewed by the City Administrator or designee and a decision rendered:

(a) Lot line adjustments;

(b) Type I partitions;

(c) Middle housing land divisions, whether submitted pursuant to GMC Subsections 17.32 and or 17.34, using the process specified in and 17.94.050(5);

~~(ed)~~ Home occupations;

~~(ee)~~ Water quality resource area determinations pursuant to GMC Subsection 17.27.020(6);

~~(ef)~~ WQ District permits pursuant to GMC Subsection 17.27.030 (2).

(g) Habitat Conservation Area permits pursuant to GMC Subsection 17.25.060(C)(3)

(h) Flood Management Area pursuant to GMC Subsection 17.29.070

~~(fg)~~ Billboard permits;

~~(gh)~~ Adjustments, pursuant to GMC Chapter 17.73.

(2) An applicant may request that the application be heard directly by the Planning Commission.

(3) Written notice of the City Administrator's or designee's decision shall be mailed to the applicant, the owner of the subject property and owners of record—as identified on the most recent Clackamas County property tax assessment roll—of property located within one hundred feet (100') of the subject property. Notice shall also be provided to affected agencies, recognized neighborhood or community organizations whose boundaries include the subject property and affected Dual Interest Area Agreement parties

(4) The notice shall contain the following:

(a) An explanation of the nature of the decision;

(b) An explanation of the nature of the application and the proposed use or uses which could be authorized;

(c) The criteria from this title and the comprehensive plan that apply to the application at issue;

- (d) The street address or other easily understood geographical reference to the subject property;
- (e) The name of the city representative to contact and the telephone number where additional information may be obtained;
- (f) A statement that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;
- (g) A statement that any person who is adversely affected or aggrieved or who is entitled to written notice under GMC Subsection [17.94.050](#)(3) may appeal the decision by filing a written appeal pursuant to GMC Section [17.90.060](#) (forms of petitions, applications and appeals) and GMC Chapter [17.92](#) (appeals);
- (h) A statement that the decision will not become final until the period for filing a local appeal has expired; and
- (i) A statement that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS [197.830](#).

(5) Unless the applicant requests to use the procedures set forth elsewhere in this code, the following procedure will be used for an expedited land division, as described in ORS 197.360, or a middle housing land division, in lieu of all other procedural requirements described in this code:

(a) Review timeframe:

(1) If the application is incomplete, the city shall notify the applicant of exactly what information is missing within 21 days of receipt of the application and allow the applicant to submit the missing information. For purposes of computation of time under this section, the application shall be deemed complete on the date the applicant submits the requested information or refuses in writing to submit it.

(2) If the application was complete when first submitted or the applicant submits the requested additional information within 180 days of the date the application was first submitted, approval or denial of the application shall be based upon the standards and criteria that were applicable at the time the application was first submitted.

(b) Notice: The city shall provide written notice of the receipt of the completed application for a middle housing land division to any state agency, local government or special district responsible for providing public facilities or services to the development and to owners of property within 100 feet of the entire contiguous site for which the application is made. The notification list shall be

compiled from the most recent property tax assessment roll. Notice shall also be provided to any neighborhood or community planning organization recognized by the governing body and whose boundaries include the site. The City Administrator, or designee, shall produce an affidavit of notice.

(c) The notice required under subsection (b) of this section shall:

(1) State:

(A) The deadline for submitting written comments;

(B) That issues that may provide the basis for an appeal to the referee must be raised in writing prior to the expiration of the comment period; and

(C) That issues must be raised with sufficient specificity to enable the city to respond to the issue.

(2) Set forth, by commonly used citation, the applicable criteria for the decision.

(3) Set forth the street address or other easily understood geographical reference to the subject property.

(4) State the place, date and time that comments are due.

(5) State a time and place where copies of all evidence submitted by the applicant will be available for review.

(6) Include the name and telephone number of a city contact person.

(7) Briefly summarize the local decision-making process for the decision being made.

(d) After notice under subsections (b) and (c) of this section, the City Administrator or designee shall:

(1) Provide a 14-day period for submission of written comments prior to the decision.

(2) Make a decision to approve or deny the application within 63 days of receiving a completed application, based on whether it satisfies the substantive requirements of the city's applicable land use regulations. An approval may include conditions to ensure that the application meets the applicable land use regulations. For applications subject to this section, the city:

(A) Shall not hold a hearing on the application; and

(B) Shall issue a written determination of compliance or noncompliance with applicable land use regulations that includes a summary statement explaining the determination. The summary statement may be in any form reasonably intended to communicate the city's basis for the determination.

(3) Provide notice of the decision to the applicant and to those who received notice under subsection (b) of this section within 63 days of the date of a completed application. The notice of decision shall include:

(A) The summary statement described in paragraph (2)(B) of this subsection; and

(B) An explanation of appeal rights

(e) Appeal of a decision under this subsection shall be as described in 17.92.010(2)

~~(5) The decision of the City Administrator or designee shall become final unless appealed in writing within fifteen (15) days of the notice of decision.~~

~~(a) If appealed, the application shall be reviewed by the Planning Commission at a public hearing.~~

~~(b) The decision of the Planning Commission shall be final unless appealed to the City Council.~~

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1179](#) §19(A), 1993; Ord. [1323](#) §1, 2002; Ord. [1334](#), §9, 2002, Ord. [1374](#), 2006.

17.94.060 Planning Commission decisions.

(1) A public hearing shall be held before the Planning Commission and a recommendation made by the Planning Commission to the City Council on the following types of applications:

(a) Annexations;

(b) Zone changes;

(c) Comprehensive plan amendments;

(d) Amendments to the text of this title, unless the City Council finds that an emergency exists requiring only a hearing before the City Council on the amendment.

(e) Requests for revocation, pursuant to GMC Section [17.94.100](#) (revocation of approvals), of previous application approvals granted by the city;

(f) Map amendments pursuant to GMC Section [17.27.080](#) (map administration) or GMC Section [17.29.080](#) (map administration).

(2) A public hearing shall be held before the Planning Commission on the following types of applications. The Planning Commission's decision shall be final unless appealed to the City Council.

- (a) Variances;
- (b) Alterations, expansions or changes of use of nonconforming uses;
- (c) Design review;
- (d) Interpretations of this title or the comprehensive plan;
- (e) Subdivisions;
- (f) Type II partitions;
- (g) City Administrator decisions appealed pursuant to GMC Subsection [17.94.050](#)(5);
- (h) Conditional uses;
- (i) Greenway conditional uses;
- (j) FM District variances and appeals pursuant to GMC Section [17.29.090](#).

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1179](#) §19(B), 1993; Ord. [1323](#) §1, 2002; Ord. [1334](#) §9, 2002; Ord. [1349](#), §1, 2004.

17.94.070 City Council decisions.

A public hearing shall be held before the City Council on the types of applications identified in GMC Subsection [17.94.060](#)(1) and on all Planning Commission decisions appealed to the City Council.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

17.94.080 Action on applications.

(1) Following a hearing, the Planning Commission or City Council may:

- (a) Approve the application/recommendation;

The Gladstone Municipal Code is current through Ordinance 1513, passed November 9, 2021.
DRAFT Amendment 10/18/22

(b) Deny the application/recommendation;

(c) Approve the application/recommendation with conditions.

(2) On appeal, the Planning Commission or City Council may modify, delete or add conditions of approval.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002.

17.94.090 Aggregate resource extraction.

For applications regarding aggregate resource extraction, the Oregon Department of Geology and Mineral Industries must either be notified or issued a permit for operation.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990.

17.94.100 Revocation of approvals.

The City Council may, at any time after reviewing a recommendation from the Planning Commission and conducting a hearing pursuant to this chapter, modify or revoke any prior approval or approval condition it or the Planning Commission has made, for the following reasons:

(1) Material misrepresentation or mistake of fact made on behalf of or by the applicant, whether intentional or unintentional.

(2) A failure to comply with conditions of approval.

(3) A failure to use the premises in accordance with the terms of approval.

(4) A change in state law mandating compliance.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990.



Agenda Item No. 3

PC Meeting Date: 10/18/22

STAFF REPORT: *HB 4064 [2022]* MANUFACTURED DWELLINGS AND *SB 458 [2021]* MIDDLE HOUSING LAND DIVISIONS

- File No.:** TXT-2022-03;
- Applicant or Presenter:** City of Gladstone
- Project Location:** Residential Zoning Districts Citywide including: R7.2, and R5
- Project Description:** In the spring of 2022, the state legislators passed HB 4064 [2022] prohibiting cities from regulating manufactured dwellings in a manner that is inconsistent with detached site-built single household dwellings. Additionally, SB 458 was passed as a companion bill to HB 2001 to allow middle housing to be divided for homeownership through an expedited review process. Therefore, Chapters 17.06, 17.10, 17.12, 17.30, 17.32, 17.34, 17.64, 17.92, and 17.94 have to be updated to accommodate and comply with current state law.

SUMMARY

In the spring of 2022, HB 4064 [2022] was passed by the Oregon state legislators and the resulting law became effective immediately. HB 4064 prohibits cities from regulating manufactured dwellings in a manner that is inconsistent with detached site-built single family dwellings. “A local government may not subject manufactured homes or prefabricated structures within an urban growth boundary, or the land upon which the homes or structures are sited, to any applicable standard that would not apply to a detached, site-built single-family dwelling on the same land, except: (a) As necessary to comply with a protective measure adopted pursuant to a statewide land use planning goal; or (b) To require that the manufacturer certify that the manufactured home or prefabricated structure has an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.”

The Oregon Revised Statutes and the Gladstone Municipal Code (as amended) defines Manufactured dwellings as the following:

“Manufactured dwelling” is a dwelling that meets either of the following:

1. A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction; or
2. A building or subassembly that has been in whole or substantial part manufactured or assembled using closed construction at an off-site location to be wholly or partially assembled on-site, and that is relocatable, more than eight and one-half feet wide and designed for use as a single-family dwelling.

Currently the Gladstone Municipal Code has two sections that only apply to manufactured dwellings in the R5 and R7 Zoning Districts. With the adoption of HB 4064 staff are no longer able to implement the sections of the GMC that only apply to manufactured homes. Therefore, the City must decide whether to remove all of the regulations pertaining to manufactured homes, or to keep some of the regulations that would also be applicable to single family homes, or single household dwellings regulated through Chapters 17.10 and 17.12 of the Gladstone Municipal Code.

Senate Bill 458 (2021) requires local governments, including Gladstone, to allow middle housing land divisions with an expedited land use review process. In addition to procedural rules, the state law provided review criteria for each application. The Planning Commission will consider the proposed amendments that respond to the requirements in state law and address a few optional items that the city can elect to follow. Adding the expedited land division process for middle housing land divisions to the Gladstone Municipal Code requires amendments to the following Chapters: 17.06 – Definitions; 17.30 General Standards for Land Divisions; 17.32 – Subdivision; 17.34 – Partitions; 17.64 – Design Standards for Land Divisions and Property Line Adjustments; 17.92 – Appeals; and 17.94 – Hearings. These proposed amendments are designed to modify the City Administrator’s or designee review process to address SB458 requirements and create a uniform implementation period for land divisions in Gladstone.

These proposed amendments are subject to Chapter 17.68, Amendments and Zone Changes and Chapter 17.94, Hearings, of Title 17 of the Gladstone Municipal Code. As proposed edited, planning staff find the amendments consistent with all applicable standards from Title 17 of the Gladstone Municipal Code (GMC), the Statewide Planning Goals and Metro’s Functional Plan.

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EXHIBITS

Exhibit 1. Location Map

APPENDIX: SUBSTANSIVE FILE DOCUMENTS

- A. Draft Amendments
- B. Public Notice,
- C. PAPA Notice
- D. Comments Received

I. PUBLIC NOTICE

Published In: Clackamas Review, DLCD’s post-acknowledgment plan amendment website (PAPA), and on the Gladstone Website. The Planning Commission work session in August, was also advertised on the Gladstone Website and sent out in the Gladstone Weekly Update.

Responses Received: No comments were received from the public, City Departments, or agencies.

II. CONSISTENCY WITH STATEWIDE PLANNING GOALS

1. **Goal 1 – Citizen Involvement:** To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding: Goal 1 requires the City to incorporate six key components in its public involvement program:

- Citizen Involvement: An officially recognized committee for public involvement broadly representative of geographic areas and interests related to land use and land-use decisions to provide for widespread public involvement;
- Communication: Mechanisms for effective two-way communication between the public and elected/appointed officials;
- Influence: Opportunities for the public to be involved in all phases of the planning and decision-making process including developing, evaluating, and amending plans;
- Technical Information: Access to technical information used in the decision-making process, provided in an accessible and understandable format;

- Feedback Mechanisms: Programs to ensure that members of the public receive responses from policymakers and that a written record for land-use decisions is created and made accessible; and,
- Financial Support: Adequate resources allocated for the public involvement program as an integral component of the planning budget.

The City conducted a work session and a public workshop related to the Middle Housing Amendments and potential amendments related to HB 2001 [2021]. These were open public forums held in March 2022 with the first public hearing in April. Each work session and public forum included opportunities for elected officials, appointed officials, and the public, to review draft code amendments, discuss key aspects related to middle housing. The City publicized these work sessions on their website, social media and during other public meetings. During these public meetings, comments received from DLCDC were discussed. DLCDC comments identified a need for the Gladstone Municipal Code to be updated to reflect HB 4064. Discussion also included the need to amend the code to reflect SB 458.

The amendments related to Manufactured Homes are one piece of the amendment package that has been publicized through the PAPA website and noticed to applicable agencies. The amendments related to middle housing land divisions are another piece of the amendment package that has been publicized through the PAPA website and noticed to the public.

Based on the findings above, the code amendments to implement HB 4064 and SB 458 as referenced, is consistent with Statewide Planning Goal 1.

Goal 2 – Land Use Planning: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: Statewide Planning Goal 2 requires each local government in Oregon to have and follow a comprehensive land use plan and implementing regulations. Cities and counties must build their comprehensive plans on a factual base, and follow their plan when making decisions on appropriate zoning. City and county plans must be consistent with one another. Special district and state agency plans and programs must be coordinated with comprehensive plans.

The manufactured home amendments and middle housing land division amendments are consistent with the current Comprehensive Plan. Currently the Gladstone Comprehensive Plan includes the following Goals:

Land Use Planning Goals: *“To provide and maintain a high standard for Gladstone’s quality of life.” And “To ensure a factual base for land use decisions and actions and to establish a planning process and policy framework for this purpose.”*

Housing Goal: *“To meet the housing needs of all segments of the population through optimum utilization of housing resources for the construction, rehabilitation and maintenance of the diversity of housing types at appropriate locations, price ranges and*

rent levels, while preserving and enhancing the integrity and identity of existing residential neighborhoods.”

Notice of the middle housing land division and manufactured home amendment package consideration was provided to Metro and DLCD through the Post-Acknowledgement Plan Amendment website and distribution system.

Therefore, the code amendments to implement HB 4064 and SB 458 as referenced, are consistent with Statewide Planning Goal 2.

Goals 3 -4 – Agricultural and Forest Lands:

Finding: These goals are not applicable because the manufactured home amendments and associated amendments do not change the City of Gladstone policies required to meet these goals that are directed at rural areas and counties.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources: To protect natural resources and conserve scenic and historic areas and open spaces.

Finding: Goal 5 aims to protect natural resources and conserve scenic and historic areas and open spaces. Particularly in urban areas, the emphasis of Goal 5 is on the inventory and conservation of wetlands, riparian zones, and wildlife habitats. In addition to Goal 5, the City is required to comply with Metro Title 13 for all mapped resources located within the UGB. By meeting the requirements of Title 13, the City also complies with Goal 5 for riparian areas and wildlife habitat. Metro Title 13 is addressed in the findings for the Urban Growth Management Functional Plan.

The Gladstone Municipal code contains the following zoning overlays that were adopted by the City to provide protection for Significant Natural Resources under Statewide Planning Goal 5 and to comply with the provisions of OAR 660, Division 23:

- 17.25 HCAD—Habitat Conservation Area District;
- 17.26 OS—Open Space District;
- 17.27 WQ—Water Quality Resource Area District;
- 17.28 GW—Greenway Conditional Use District; and
- 17.29 FM—Flood Management Area District.

The City of Gladstone works closely with the Gladstone Historical Society to promote the enjoyment, research, documentation, preservation and public enrichment of the history and heritage of Gladstone, Oregon and the surrounding local area. The Gladstone Municipal Code, Chapter 2.48, includes the ability for a Historic Preservation Board to review alterations to historic landmarks. A 2009 survey of historical resources in downtown Gladstone found that 19% (22 buildings) of the buildings surveyed were potentially eligible for designation on the National Register. Recently, the City worked with the Gladstone Historical Society to display the history of Gladstone in the newly constructed City Hall. The manufactured home amendments and middle housing land division amendments neither reduces, nor increases, the pressure for the redevelopment of historic resources.

The manufactured home amendments and middle housing land division amendments do not modify these natural resource zoning overlay districts or historic preservation efforts. The Comprehensive Plan supports a variety of housing types and the amendments proposed through TXT-2022-03 do not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the natural resource zoning districts in the Gladstone Municipal Code. Goal 5 does not directly apply to the manufactured home amendments because no new Goal 5 program is advanced by this amendment and no existing Goal 5 program is changed by this amendment.

Based on the findings above, the Zoning Code Update to adopt the manufactured home amendments and middle housing land division amendments into the Gladstone Municipal Code is consistent with Statewide Planning Goal 5.

Goal 6 – Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state.

Finding: Goal 6 instructs local governments to consider protection of air, water and land resources from pollution and pollutants when developing comprehensive plans. The pollutants addressed in Goal 6 include solid waste, water waste, noise and thermal pollution, air pollution, and industry-related contaminants. Comprehensive Plans must demonstrate consistency with the administrative rules related to air, water, and land quality established by the Environmental Quality Commission (EQC).

Under the oversight of the EQC, the Oregon Department of Environmental Quality (DEQ) regulates air, water, and land through its permitting actions under the federal Clean Water Act and Clean Air Act. The Department of State Lands and the Army Corps of Engineers regulate jurisdictional wetlands and waters of the state and the country, respectively. The City of Gladstone Public Works department regulates impervious surface and stormwater runoff throughout the City through design standards applied to development. The Clackamas County Water Environmental Services and Oak Lodge also provide sewer and stormwater services for City residents. The Gladstone Municipal Code (GMC) has the following overlay districts that are related to water quality, wetlands, and surface water:

- 17.25 HCAD—Habitat Conservation Area District;
- 17.27 WQ—Water Quality Resource Area District; and
- 17.29 FM—Flood Management Area District.

While air quality is largely regulated by DEQ, the City can impose conditions of approval on land use approvals that require minimizing air pollution and carbon emission impacts through actions such as vegetative plantings and conservation.

The Federal Transit Administration and Federal Highway Administration enforce noise standards for federally-funded rail and highway projects. The Oregon Noise Control Act authorizes cities and counties to adopt and enforce noise ordinances and standards of their own. Gladstone regulates noise through the GMC Chapter 8.12 Noise Control, which

designates prohibited noises and maximum permissible environmental noise and sound levels. Gladstone's Zoning Code (Chapter 17) also includes noise-related provisions in several sections of the code, often referring to the City's Noise Ordinance in Chapter 8.12 or standards of the DEQ.

The manufactured home amendments and middle housing land division amendment package does not modify existing water resource zoning overlay districts or noise ordinance. The adoption of the TXT-2022-03 amendments do not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the water resource zoning districts in the Gladstone Municipal Code. Goal 6 does not directly apply to the middle housing land division or manufactured home amendments, or comprehensive plan amendment because no new Goal 6 program is advanced by this amendment and no existing Goal 6 program is changed by this amendment.

Therefore, Goal 6 is not applicable to the amendments proposed through TXT-2022-03 does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 6.

Based on the findings above, the Zoning Code amendment to adopt the TXT-2022-03 amendments is consistent with Statewide Planning Goal 6.

Goal 7 – Areas Subject to Natural Disasters and Hazards: To protect people and property from natural hazards.

Finding: Goal 7 requires local comprehensive plans to address Oregon's natural hazards. Protecting people and property from natural hazards requires knowledge, planning, coordination, and education. Natural hazards applicable to Gladstone include floods, landslides, weak foundation soils, earthquakes, and wildfires. Goal 7 calls for local governments to respond to new hazard inventory information provided by federal and state agencies by adopting or amending plan policies and implementing measures as needed. For riverine flood hazards, local governments must adopt and implement local floodplain regulations that meet the minimum National Flood Insurance Program (NFIP) requirements. In implementing natural hazard plans and policies, the State goal urges local governments to do the following: coordinate plans with emergency preparedness and recovery programs; consider stormwater management as a means to address flood and landslide hazards; consider nonregulatory approaches to implementing hazard plans; and to require technical reports when reviewing development requests in hazard areas.

The City of Gladstone complies with Goal 7 by regulating development in hazard-prone areas through the Municipal Code, the Public Works Design Guidelines and MOU's with Clackamas County on fire response and other emergency preparedness efforts. The following Gladstone Municipal Code Chapters address flooding and landslides:

17.27 WQ—Water Quality Resource Area District.

17.29 FM—Flood Management Area District.

Additionally, the Design Review and Conditional Use land use processes address applicable natural hazards on a site specific basis.

The TXT-2022-03 amendments do not modify existing zoning overlay districts or design standards related to protecting development from hazards. The adoption of the manufactured home amendments and middle housing land division amendments does not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the overlay zoning districts in the Gladstone Municipal Code. Goal 7 does not directly apply to the TXT-2022-03 amendments because no new Goal 7 program is advanced by these amendments and no existing Goal 7 program is changed by this amendment package.

Therefore, Goal 7 is not applicable to the TXT-2022-03 zoning code amendments and because the amendment does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 7.

Based on the findings above, to adopt the TXT-2022-03 amendments is consistent with Statewide Planning Goal 7.

Goal 8 – Recreational Needs: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding: Goal 8 requires local governments to plan for the recreation needs of their residents and visitors. The goal places priority on non-motorized forms of recreation, and recreation areas that serve high-density populations with limited transportation options and limited financial resources. It also places priority on recreation areas that are free or available at a low cost to the public.

The City of Gladstone has a robust system of parks, recreation facilities and trails, including 14 neighborhood parks, community gardens, and natural areas. All of Gladstone's parks are owned and managed by the City. The City completed a Parks Master Plan in 2017. Many of the current parks are included in the Open Space District that is regulated by Chapter 17.26 of the Gladstone Municipal Code.

The manufactured home amendments and middle housing land division amendments do not modify existing open space overlay districts or the Parks Master Plan. The adoption of the TXT-2022-03 amendments does not propose any changes to the Parks Master Plan, adopted inventories, the Comprehensive Plan Map, or the overlay zoning districts in the Gladstone Municipal Code. Goal 8 does not directly apply to the TXT-2022-03 amendments because no new Goal 8 program is advanced by this amendment and no existing Goal 8 program is changed by this amendment.

Therefore, Goal 8 is not applicable to the manufactured home and middle housing land division amendments because the amendments do not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 8.

Based on the findings above, adopting the TXT-2022-03 amendments is consistent with Statewide Planning Goal 8.

Goal 9 – Economy of the State: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: Goal 9 ensures cities and counties have enough land available to realize economic growth and development opportunities. Commercial and industrial development takes a variety of shapes and leads to economic activities that are vital to the health, welfare and prosperity of Oregon's citizens. To be ready for these opportunities, local governments perform Economic Opportunity Analyses based on a 20-year forecast of population and job growth.

Goal 9 is not applicable because the TXT-2022-03 amendments do not propose to change comprehensive land use plan policies or implementing regulations related to economic development and analysis in the City.

Goal 10 – Housing: To provide for the housing needs of citizens of the state.

Finding: Goal 10 concerns urban lands designated for residential use. Goal 10 requires the City to maintain and plan for an adequate land supply to accommodate at least 20 years of future growth, providing flexibility in housing location, type, and density (specifically at an overall density of 10 or more units/acre with the opportunity for 50 percent of new units to be attached single family or multifamily) to ensure the availability and prices of housing units are commensurate with the needs and financial capabilities of Oregon households.

Comprehensive plans are required to include an analysis of community housing needs by type and affordability, the recent housing needs assessment of housing development potential, and an inventory of residential land; contain policies for residential development and supportive services based on that analysis that increase the likelihood that needed housing types will be developed; and provide for an adequate supply of a variety of housing types consistent with identified policies and meeting minimum density and housing mix requirements (established by OAR 660, Division 007).

The findings for Goal 10 Housing, based on the City's proposed 2020 Housing Needs Analysis (HNA), include findings that demonstrate that Gladstone currently has a range of housing types, including single-family detached and attached homes, duplexes, multi-family, and mixed-use developments, and has a need for additional capacity to provide for needed housing during the next 20 years. The HNA provides information about the factors that could affect housing development, including demographics, affordability trends, workforce housing availability, and development patterns.

The Housing Needs Analysis adopted in 2021 includes the City's buildable lands inventory (BLI) for housing within the UGB. The BLI is required by Goal 10 and ORS 197.296 to ensure that current use designations provide an adequate short- and long-term land supply for housing development for meeting existing needs and those of projected growth. It analyzes existing development patterns and intensity, land and development values, existing land use designations and zoning, and building constraints to determine where there is vacant land and/or land that is likely to be redeveloped and compares the existing supply of land to

emerging trends and indicators for future estimates of demand. The manufactured home code amendments do not propose to change the buildable lands inventory, or housing needs analysis.

The proposed manufactured home amendments, related to **HB 4064**, increase the ease of using manufactured homes as single household dwellings in Gladstone. The proposed amendments will also improve the understanding of the requirements related to manufactured home placement. Therefore, barriers to use this housing type would be removed by the adoption of these amendments.

The proposed middle housing land division amendments, related to **SB 458**, increase the ease of dividing land that was developed with middle housing in Gladstone. Therefore, smaller lots with a single dwelling unit will be available for homeownership. The proposed amendments will also create a uniform approval and implementation period for all land divisions. Therefore, barriers to lower cost homeownership would be removed by the adoption of these amendments.

The findings for Goal 10 also illustrate that the current policies in the Comprehensive Plan support housing affordability and housing type diversity to encourage a variety of housing options for households of all incomes. The current Comprehensive Plan housing goals includes an emphasis on the preservation of existing homes, with a policy that calls out those that are historically significant.

EXCERPTS FROM GLADSTONE COMPREHENSIVE PLAN

Land Use Planning Goals: *“To provide and maintain a high standard for Gladstone’s quality of life.” And “To ensure a factual base for land use decisions and actions and to establish a planning process and policy framework for this purpose.”*

Land Use Planning Objectives: *1) “To provide for adequate levels of housing, services, shopping, employment, transportation and recreation facilities for the city’s residents. 2) To relate land use actions to housing, open space, recreation, transportation, utilities, shopping facilities, jobs, police and fire protection, and other social needs. 3) To protect property values and livability. And 4) To direct development away from flood plains, hazard areas, stream banks, places with unique natural value, and other desirable permanent public open spaces.”*

Residential Use Policy:

5. Allow housing types ranging from low to high density units, providing for variation in the design of housing units.

Housing Goal: *“To meet the housing needs of all segments of the population through optimum utilization of housing resources for the construction, rehabilitation and maintenance of the diversity of housing types at appropriate locations, price ranges and rent levels, while preserving and enhancing the integrity and identity of existing residential neighborhoods.”*

Housing Objectives: *1) “To provide for the housing needs of a minimum population of 12,000 by the year 2000. 2) To utilize housing resources to the maximum. 3) To minimize housing costs. 4) To promote and preserve the integrity, aesthetic quality and compatibility of neighborhoods. 5) To adapt the type and density of housing to the*

nature of the neighborhood in order to provide the widest possible range of housing choice and to enhance neighborhood stability and identity. 6) To minimize adverse social, economic and environmental impacts.”

Policy 1: Provide a choice of housing type, density and price range.

Policy 2: Promote the development of high density housing around commercial and/or industrial centers served by mass transit transfer stations.

Policy 3: Promote the supply of adequate housing.

- a. Work with Clackamas County in applying for federal housing assistance funds.*
- b. Explore the feasibility of offering density bonuses to developers who provide for federally subsidized low and moderate income housing units within developments.*
- d. Solicit the participation of the building industry, lending institutions and school district in a program for supplying housing structures to meet the special needs of the physically limited and elderly.*

Policy 4: Promote the upgrading and preservation of existing housing units and neighborhoods, with special emphasis on historically significant homes.

- a. Work with Clackamas County in applying for federal funds for housing and neighborhood rehabilitation and improvements.*
- b. Work with the building industry, lending institutions and school district in rehabilitation and/or maintenance programs.*
- c. Explore ways of encouraging an on-going maintenance program of existing multi-family structures and landscaping.*

The City's proposed manufactured home amendments responds to the City's updated Housing Needs Analysis, and adds additional housing opportunities by removing barriers to using manufactured homes as housing for single family households. The middle housing land division process also responds to the housing needs of Gladstone by supporting home ownership of middle housing dwelling types.

Based on the findings above the TXT-2022-03 amendments are consistent with Statewide Planning Goal 10.

Goal 11 – Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The City conducted a Water System Master Plan and a Sanitary Sewer Master Plan in 2014. In 2017, a Sanitary Sewer Master Plan, Parks Master Plan and Transportation System Plan were completed. The Housing Code Amendments do not propose any changes to the adopted master plans, the Comprehensive Plan Map, or the Gladstone Municipal Code. The manufactured home amendments propose no new Goal 11 program and no existing Goal 11 program is changed by this amendment package. The manufactured home amendments and middle housing land division amendments do not propose to change the comprehensive land

use plan policies or implementing regulations regarding public facilities and services for compliance with Statewide Planning Goal 11.

Based on the findings above, the adoption of the TXT-2022-03 amendments is consistent with Statewide Planning Goal 11.

Goal 12 – Transportation: To provide and encourage a safe, convenient and economic transportation system.

Finding: Goal 12 is implemented by Oregon Administrative Rules (OAR) Chapter 660, Division 12. Local governments are required to adopt a transportation system plan (TSP) and land use regulations to implement the TSP. OAR 660-012-0060 requires any comprehensive plan amendment to be evaluated according to the terms outlined in that OAR to demonstrate whether they will have a significant impact on the transportation system. The City of Gladstone completed a Transportation System Plan in 2017. The manufactured home amendments and the middle housing land division amendments do not propose any changes to the adopted Transportation System Plan, the Comprehensive Plan Map, or the Gladstone Zoning Map. The TXT-2022-03 amendments propose no new Goal 12 program and no existing Goal 12 program, or standard, is changed by this amendment package. The manufactured home amendments and middle housing land division amendments do not propose to change the comprehensive land use plan policies or implementing regulations regarding transportation and compliance with Statewide Planning Goal 12. Allowing manufactured homes in the place of detached single-family homes without additional design requirement will have no impact to the traffic or the transportation system because it is not increasing the number of dwelling units allowed on a single lot.

Middle housing regulations passed to implement HB 2001 were exempt from the Transportation analysis required by OAR 660-012-0060. The amendments allowing middle housing to be on separate lots through an expedited land division process does not increase the amount of housing, or the traffic related to middle housing. Therefore, there is no anticipated impact to the Transportation System through the amendments related to the middle housing land divisions.

Based on the findings above, the manufactured home amendments and amendments to allow middle housing land divisions through an expedited review, is consistent with Statewide Planning Goal 12.

Goal 13 – Energy Conservation: To conserve energy.

Finding: Goal 13 requires that land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles. The TXT-2022-03 amendments package does not modify existing design standards or land use regulations related to energy conservation. The adoption of the proposed manufactured home amendments does not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the Gladstone Municipal Code. Goal 13 does not

directly apply to the manufactured home amendments or comprehensive plan amendment because no new Goal 13 program is advanced by this amendment and no existing Goal 13 program is changed by this amendment. Therefore, Goal 13 is not applicable to the TXT-2022-03 amendments because the amendment package does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 13.

Based on the findings above, to adopt the TXT-2022-03 amendments, is consistent with Statewide Planning Goal 13.

Goal 14 – Urbanization: To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Finding: The entirety of the city and its Urban Growth Management Area is located within the Regional Urban Growth Boundary (UGB). As such, this text amendment will not result in the transition of any land from rural to urban uses, or result in population or employment growth outside of the UGB. The manufactured home and middle housing land division amendments do not modify the Gladstone Urban Growth Management Area, the UGB, or existing zoning requirements related to urbanization. The adoption of the TXT 2022-03 amendments does not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the Gladstone Zoning Map. Goal 14 does not directly apply to the manufactured home or middle housing land division amendments because no new Goal 14 program is advanced by this amendment and no existing Goal 14 program is changed by this amendment. Therefore, Goal 14 is not applicable to the TXT-2022-03 amendments because the amendment package does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 14.

Based on the findings above, adopting the TXT-2022-03 amendments is consistent with Statewide Planning Goal 14.

Goal 15 – Willamette River Greenway: To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Finding: Gladstone is bordered on one side by the Willamette River and the Greenway. Therefore, the Gladstone Municipal Code includes Chapter 17.28 that establishes the land use regulations related to the Greenway Conditional Use District. The manufactured home and middle housing land division amendments do not modify the Greenway Conditional Use District, or existing zoning requirements related to the Willamette River Greenway. The adoption of the TXT-2022-03 amendments do not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the Gladstone Municipal Code Chapter 17.28. Goal 15 does not directly apply to the manufactured home amendments, middle housing land division amendments, because no new Goal 15 program is advanced by this amendment and no existing Goal 15 program is changed by this amendment. Therefore, Goal 15 is not applicable to the TXT-2022-03 amendments because it does not propose to change

comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 15.

Based on the findings above, to adopt the TXT-2022-03 is consistent with Statewide Planning Goal 15.

Goals 16-19 – Estuarine Resources, Coastal Shore lands, Beaches and Dunes, and Ocean Resources:

Finding: The City of Gladstone is not subject to these four Statewide Planning Goals. Therefore, they are not applicable to the manufactured home amendments, or the middle housing land division amendments found in the TXT-2022-03 amendment package.

III. FINDINGS RELATED TO GLADSTONE MUNICIPAL CODE

Once the manufactured home amendments and middle housing land division amendments are finalized and recommended by the Planning Commission and adopted by City Council, TXT-2022-03 amendments package will be consistent with Statewide Planning Goal 10.

The City of Gladstone planning staff finds:

17.68.010 AUTHORIZATION TO INITIATE AMENDMENTS.

(1) An amendment to the text of this title or the Comprehensive Plan may be initiated by the City Council, the City Planning Commission or the City Administrator or his designee.

(2) An amendment to the Zoning Map or to the Comprehensive Plan Map may be initiated by:

(a) The City Council;

(b) The City Planning Commission;

(c) The City Administrator or his designee; or

(d) By application of a property owner, contract purchaser or authorized agent of the subject property.

(3) The request by a property owner for a map amendment shall be accomplished by filing an application with the city using forms prescribed by the city and submitting the information required from the applicant under Section 17.68.050.

Finding: The request came from the City Administrator or his designee. This criterion is met.

17.68.020 Review process. *Applications under this chapter shall be reviewed pursuant to GMC Division VII (administrative procedures).*

Finding: The manufactured home amendments was originally reviewed by the Planning Commission in August at which time the middle housing land division amendments were introduced. A public hearing is being held on the draft amendments in October. Notice of these public hearings was publicized as required. The TXT-2022-03 amendments package is being reviewed according to GMC Division VII. This criterion is met.

17.68.040 Conditions.

(1) City Council may require conditions. When necessary to properly relate new developments to existing or anticipated conditions in the vicinity or to make possible a higher quality of development than would otherwise be possible, the City Council may determine that a zone change will be accompanied by the acceptance or accomplishment of certain specified conditions. Conditions and requirements invoked pursuant to a zoning map amendment shall thereafter apply to the property so zoned.

(2) Acceptance of conditions. Such conditions shall be designed to further the objectives of the comprehensive plan and the zoning ordinance codified in this title and shall clearly set forth, in written form or upon drawings, all restrictions and requirements which will be applicable to the property rezoned. Where a zone change is made subject to such conditions, it shall become effective upon written acceptance and filing of the applicable terms and conditions by the property owner and by any other person intending to have an ownership interest in or to develop the property. The signed acceptance of conditions shall be filed with the City Recorder and a certified copy shall also be filed in the county deed records at the expense of the petitioner.

(3) Type of conditions. Conditions may include special measures designed to limit use or density, screen or separate buildings or portions of the site from adjoining property; limit access from important thoroughfares or through residential areas; provide additional right-of-way for an abutting street, preserve or provide public access to greenspace, floodplains, or river frontage; improve bicycle or pedestrian safety and connectivity; or improve transit capacity and efficiency.

(4) No variance of ordinance standards. In connection with the adoption of a zoning amendment, ordinance standards may be varied only when the Planning Commission finds that the development proposed and covered by specific limiting conditions will provide benefits and safeguards equal to or better than those possible under a strict interpretation of the zoning ordinance. In no case shall a use not specifically permitted within the zoning district be allowed under this section and Section 17.68.050. When circumstances as described in GMC Section 17.72.020 (circumstances for granting) exist, the regular variance procedures shall be followed.

(5) Building permit conditions. In addition to conditions as described above in this section, the Council may also provide that a zoning amendment will become effective upon satisfactory performance by the applicant of certain conditions or actions, such as a bona fide application for a building permit within a specified period of time.

Finding: Staff are not recommending any special conditions. This criterion does not apply.

17.68.050 Evidence supplied by applicant. *The applicant seeking a zoning map change pursuant to the provisions of GMC Section 17.68.010 must show by a preponderance of the evidence all of the following, unless otherwise provided for in this title:*

(1) Granting the request fulfills a public need; the greater departure from present development policies or land use patterns, the greater the burden of the applicant.

(2) The public need is best carried out by granting the petition for the proposed action, and that need is best served by granting the petition at this time.

(3) The proposed action is consistent with the comprehensive plan and Metro's Functional Plan (Metro Code 3.07), and the Transportation Planning Rule (OAR 660-012-0060).

(4) Proof of significant change in a neighborhood or community or a mistake in the planning or zoning for the property under consideration, when relevant.

(5) The property and affected area is presently provided with, or concurrent with development can be provided with, adequate public facilities, including, but not limited to, the planned function, capacity, and performance standards of the transportation system as adopted in the transportation system plan.

(6) The transportation system is capable of safely supporting the uses allowed by the proposed designation in addition to the existing and planned uses in the area, consistent with the Transportation Planning Rule (OAR 660-012-0060). Requirements of the State Transportation Planning Rule shall apply to those land use actions that significantly affect the transportation system, as defined by OAR 660-012-0060.

Finding: This project is not seeking a zoning map change. Therefore, this criterion is not applicable.

17.70.010 Authorization to grant or deny.

2) Conditions of Approval. In addition to the specific requirements of this title, including those set forth in GMC Chapter 17.62 (special uses), and the comprehensive plan, approval of a conditional use may be granted subject to additional conditions that are found necessary to protect the best interests of the surrounding area or the city as a whole. These conditions may include, but are not limited to, the following:

- (a) Limiting the hours, days, place and manner of operation;*
- (b) Requiring design features that minimize environmental impacts such as noise, vibration, smoke, dust, fumes and glare;*
- (c) Requiring increased setbacks, lot area, lot depth and lot width;*
- (d) Limiting building height, size, lot coverage and location on the site;*
- (e) Designating the size, number, location and design of vehicle access points;*
- (f) Requiring street right-of-way to be dedicated and streets to be improved;*
- (g) Requiring landscaping, screening, drainage and surfacing of parking and loading areas;*
- (h) Limiting the number, size, location, height and lighting of signs;*
- (i) Regulating the location and intensity of outdoor lighting;*
- (j) Requiring a sight-obscuring fence or hedge to screen the conditional use from adjacent to or nearby property;*

- (k) Construction of off-site transportation improvements to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and*
- (l) Upgrade or construct public facilities to city standards.*

Finding: Currently there are no conditions recommended. This criterion is met.

IV. CONSISTENCY WITH METRO'S FUNCTIONAL PLAN (METRO CODE 3.07),

Title 1: Housing Capacity

Title 3: Water Quality And Flood Management

Title 4: Industrial and Other Employment Areas

Title 6 Centers, Corridors, Station Communities and Main Streets

Finding: The proposed manufactured home amendments related to HB4064 do not increase or decrease density. They are intended to provide the same location and design standards for manufactured homes and detached site built homes in the low density residential zoning districts. The proposed amendments also do not modify the water quality, floodplain, habitat conservation area, or zoning district areas that are addressed in Metro's Functional Plan. These criterion are met.

V. CONSISTENCY WITH TRANSPORTATION PLANNING RULE (OAR 660-012-0060).

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or
- (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection.

Finding: The proposed zoning code amendments for manufactured homes related to HB 4064 compliance does not change the functional class of any existing or planned transportation facility. The amendments for middle housing land divisions through an expedited review process related to SB 458 compliance does not increase the amount of housing developed or using the transportation system and does not change the functional class of any transportation facility. The amendments do not increase or decrease the number of households housed in Gladstone. This criterion is met.

EXHIBITS

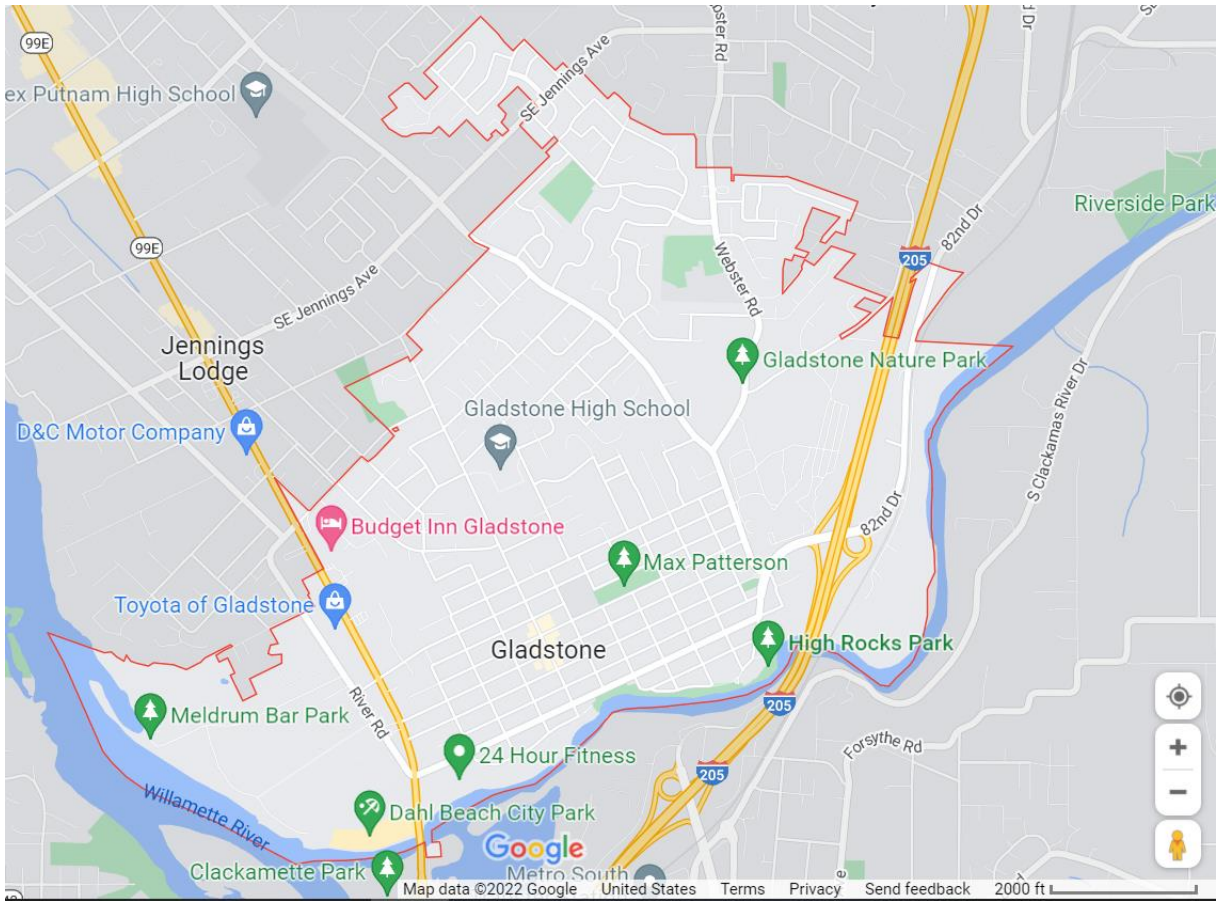


EXHIBIT 1
Location Map
Citywide

GLADSTONE PLANNING COMMISSION MEETING MINUTES OF OCTOBER 18, 2022

Meeting was called to order at 6:30 P.M. (In Person and via Zoom)

ROLL CALL:

Chair Natalie Smith, Commissioner Michael Milch, Commissioner Andrew Labonte, Commissioner Thomas Mersereau, Commissioner Andriel Langston, Commissioner Jennifer Volbeda

ABSENT:

Commissioner Pat Smith

STAFF:

Jacque Betz, City Administrator; Joy Fields, Senior Planner; Josh Soper, City Attorney; Tami Bannick, City Recorder

CONSENT AGENDA:

1. APPROVAL OF SEPTEMBER 20, 2022 MEETING MINUTES

Commissioner Langston made a motion to approve the Consent Agenda. Motion was seconded by Commissioner Mersereau. Ms. Bannick took a roll call vote: Commissioner Volbeda – yes. Commissioner Mersereau – yes. Commissioner Labonte – yes. Commissioner Milch – yes. Commissioner Langston – yes. Chair Smith – yes. Motion passed with a unanimous vote.

REGULAR AGENDA:

2. MONTHLY PLANNING REPORT – SEPTEMBER, 2022:

Ms. Fields went over the report.

In September they had one member of the public come to the customer service counter, responded to approximately 39 phone calls/emails, reviewed two building permits with land use reviews, one pre-application conference, and one administrative decision (sign permit/U.S. Bank ATM).

3. CONTINUED PUBLIC HEARING: FILE TXT-2022-2, PROPOSED AMENDMENTS TO THE C-2 ZONING DISTRICT AND NEW DOWNTOWN OVERLAY PLAN – POSTPONEMENT OF PUBLIC HEARING AND PUBLIC COMMENTS TO NOVEMBER 15, 2022:

Chair Smith opened the public hearing at approximately 6:34.

She indicated that the hearing is being postponed until November 15th, 2022.

Commissioner Milch made a motion to continue the public hearing to November 15th, 2022. Motion was seconded by Commissioner Langston. Ms. Bannick took a roll call vote: Commissioner Labonte – yes. Commissioner Milch – yes. Commissioner Langston – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

4. FINAL ORDER TO RATIFY APPEAL DECISION TO DENY HOME OCCUPATION BUSINESS LICENSE FOR ADAM BAKER TOOL COMPANY, LLC, 7470 CASON CIRCLE:

Mr. Soper went over the staff report. He said a notice was sent in error that referred to this evening's activities on this item as a hearing – the record has already been closed, the Planning Commission already voted unanimously to make a decision on this matter, so any written comments that were received will not be entered into the record nor be a basis for the decision, and no new testimony is going to be taken this evening. On September 20, 2022 the Planning Commission heard an appeal of a staff decision granting a home occupation permit to Adam Baker Tool Company, LLC. At the conclusion of that hearing the Planning Commission voted unanimously to uphold the appeal and overturn the staff decision to grant the permit. Based on that decision staff prepared an order with findings to support that decision. The options tonight are to either approve that order as drafted or to make amendments to that order prior to approving it.

Commissioner Volbeda asked if she needed to recuse herself from the vote since she did not attend the last meeting. Mr. Soper said if she has reviewed all the materials, including the recording of the meeting, she is eligible to vote this evening.

Commissioner Milch said he agreed with what the document has in it.

Commissioner Mersereau said he hasn't changed his opinion since the last meeting.

Commissioner Milch made a motion that the Planning Commission ratify the decision made at last month's meeting to deny the home occupation business license for Adam Baker Tool Company, LLC at 7470 Cason Circle, and that the Planning Commission issued a final order as drafted to ratify this decision. Motion was seconded by Commissioner Mersereau. Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous decision. (The final order will be mailed out.)

5. **PUBLIC HEARING: FILE TXT-2022-3, GLADSTONE ZONING CODE AMENDMENTS PERTAINING TO MIDDLE HOUSING LAND DIVISIONS AND REMOVAL OF DESIGN STANDARDS SPECIFIC TO MANUFACTURED HOMES IN CHAPTER 17 OF THE GLADSTONE MUNICIPAL CODE (GMC):**

Chair Smith opened the public hearing at approximately 6:41 P.M.

Ms. Fields gave a Power Point presentation and went over the proposed changes. The changes pertain to Senate Bill 458 and House Bill 4064. At the last meeting they went over what HB 4064 requires – that they treat manufactured dwellings the same as single-family dwellings. This also includes prefabricated buildings.

Commissioner Milch went over his concerns with the definition/wording of a manufactured dwelling. Ms. Fields said the language in HB 4064 specifically says they have to treat a manufactured home and a prefabricated building the same as a site-built single-family home. This definition combines the two definitions in the GMC as a manufactured dwelling. Mr. Soper added “and that was constructed after June 15, 1976” so it clearly does not include mobile homes or residential trailers. Commissioner Milch said he supports the changes.

Ms. Fields said that manufactured dwellings have to meet special design standards that site-built homes don't have to meet. In order to comply with HB 4064 we have to make sure if we want to have any of these standards in the code that they also apply to site-built single-family homes. One option is to completely remove it. The other option is to include some of the items from that section of the code up into the design features that apply to all dwellings in the R-7.2 and R-5 zoning districts. During the discussion there were additional requests – instead of requiring only two

design features, four would be included. It was requested that roof pitch and garage/carports be included as a design feature for a site-built dwellings. She went over the requirements for foundations.

Commissioner Milch had questions regarding energy efficiency. There was discussion regarding inspections of manufactured/prefabricated buildings versus site-built dwellings.

Ms. Fields would like to know if the Planning Commission would like staff to amend the amendments to include the energy efficiency certification language prior to going to the City Council. Chair Smith asked for a consensus – Commissioner Mersereau suggested adding a footnote to clarify the issues. Commissioner Labonte said it makes sense to keep it in there. Commissioner Volbeda said it would be wise to include verbiage regarding certification. She said that requiring an inspection of similar standards from the manufactured home puts it on an equal playing field and adds to the safety of the home buyer. Commissioner Milch agreed. Commissioner Langston thinks it's good idea to require certification that meets our code. Chair Smith agreed with making the amendments and the certification. Ms. Fields said they will amend Chapters 17.12 and 17.10 to include language from HB 4064 regarding certification of energy efficiency similar to what is done for single-family site-built homes.

Ms. Fields went over the next section, which is regarding Senate Bill 458 – for middle housing land divisions. It requires that we allow middle housing land divisions when the developers have building permits for middle housing or after that middle housing is built. Currently there is no definition of middle housing land division. During the amendments for HB 2001 “family” was replaced with “household” in Chapter 17.06. She went over the proposed definition. This definition means that the division of land does not change the type of middle housing that is developed. She went over more proposed amendments. Section 17.30.040 was created to identify middle housing land divisions and what they are required to provide in addition to what is submitted for a partition or a subdivision. She went over extended review time.

She went over the possibility of making a slight modification to the approval window of a subdivision – by expanding the implementation window to three years, and additionally that the applicant actually finalizes the plat and records it within that three-year process. There was discussion regarding extensions, time periods, etc. It was agreed that the three-year period may be extended by one year, approved by the City Administrator or his/her designee. Staff will work with the City Attorney on the language.

Ms. Fields went over approvals for partitions. Staff is recommending an expiration of a partition approval because there are circumstances where it may impact land use. They recommend the same language as a subdivision.

Ms. Fields said there is text in the general standards, appeal section, and the hearing section that is inconsistent with other examples in the code. She went over the staff proposals to fix the issues.

Staff recommends that the City Council considers and adopts these amendments as modified by the Planning Commission related to manufactured home and stick-built homes and middle housing land divisions. Staff also recommends adding language related to the optional items in Senate Bill 458 and the expiration of partitions and recording of final plats.

Commissioner Mersereau made a motion to close the public hearing. Motion was seconded by Commissioner Langston. (No vote was taken)

The public hearing was closed at 7:59 P.M.

Commissioner Milch went into further description/definition of a partition. He said it helps to achieve some of our long-term housing goals.

There was discussion regarding next steps.

Ms. Bannick took a roll call vote regarding closing the public hearing. Commissioner Langston – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

The public hearing was closed again at 8:05 P.M.

Commissioner Milch made a motion that the Gladstone Planning Commission recommend the City Council consider and adopt the amendments as modified by the Planning Commission tonight related to manufactured homes to be consistent with the requirements for site-built homes in response to House Bill 4064. Motion was seconded by Commissioner Volbeda. Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

Commissioner Milch made a motion that the Gladstone Planning Commission recommend the City Council consider and adopt amendments as modified by the Planning Commission tonight related to middle housing land divisions and expiration of partition and subdivision approvals, including adding language related to the optional items in Senate Bill 458 and adding language related to the expiration of partitions and recording of final plats. Motion was seconded by Commissioner Langston. Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

BUSINESS FROM THE PUBLIC:

None.

BUSINESS FROM THE PLANNING COMMISSION:

Commissioner Volbeda:

She asked if she needed to do anything on the administrative side to update her employment situation. Ms. Betz said she could send an email to Ms. Bannick, and she will take care of it.

Commissioner Labonte:

He asked for clarification regarding political signs on properties - the distance they are from the street and the number of signs allowed on a property. Ms. Fields went over the exemptions for signs. She said in Section 17.52.060 – a sign cannot obstruct the vision clearance of a driveway or intersection. It cannot be in the public right-of-way unless it's a government-owned/maintained sign. It can't be affixed to a tree or utility pole. Ms. Betz said that the Police Department/Code Enforcement are enforcing signs. She can look into the issue. Commissioner Labonte said he would like to see some leadership and integrity with folks with their sign placement.

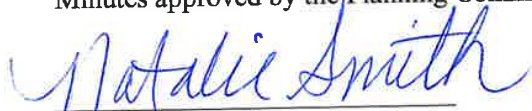
ADJOURN:

Commissioner Milch made a motion to adjourn the meeting. Motion was seconded by Commissioner Langston. Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Milch – yes.

Commissioner Labonte – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

Meeting adjourned at approximately 8:13 P.M.

Minutes approved by the Planning Commission this 15th day of November, 2022.



Natalie Smith, Chair

City of Gladstone Staff Report

Report Date: December 7, 2022
Meeting Date: December 13, 2022
To: Gladstone City Council
Via:
From: Jacque M. Betz, City Administrator
MIG Consulting
John Southgate Consulting
Heather Austin, 3J Consulting

AGENDA ITEM

Consider approval of Ordinance 1517 approving text amendments for the Gladstone Municipal Code Chapter 17.08, Zoning Districts generally, Chapter 17.78, C-2 Zoning District and adding a new Chapter 17.21, Downtown Overlay Zone, file txt-2022-02.

History/Background

In 2022, the City began a process to amend the Gladstone Revitalization Plan to allow for mixed-use development and middle housing types to be added as a permitted use in the C-2 Zoning District. Additionally the City desired to create a new zoning overlay district within Gladstone's downtown core to encourage development that is walkable, mixed-use, and higher density than the current Chapter 17.18 of the Gladstone Municipal Code allows for.

Attached to this staff report is a memo prepared by the City's consultants, which provides a summary of the process and outlines the proposed changes. The City embarked on a robust outreach process and went to the Planning Commission in a work session and a public hearing to consider the proposed changes. At the November 2022 Planning Commission the Planning Commission recommended that the City Council adopt the proposed amendments to the C-2 Zoning Code and addition of the Downtown Core Overlay Zone.

Options

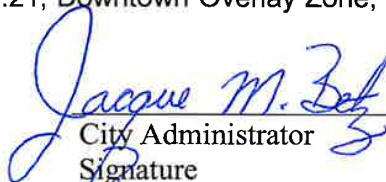
- The City could choose not to approve the proposed amendment to the C-2 Zoning Code and addition of the Downtown Core Overlay Zone.
- The City could choose to approve the proposed amendments to the C-2 Zoning Code and not the Downtown Core Overlay Zone.
- The City could choose to approve the proposed amendments to the C-2 Zoning Code and addition of the Downtown Core Overlay Zone with additional amendments.

Recommendation

Staff recommends approval of Ordinance 1517 approving text amendments for the Gladstone Municipal Code Chapter 17.08, Zoning Districts generally, Chapter 17.78, C-2 Zoning District and adding a new Chapter 17.21, Downtown Overlay Zone, file txt-2022-02.

Department Head
Signature

Date


City Administrator
Signature

12-7-22
Date



Staff Report: C-2 Zone and Downtown Core overlay code amendments

File No.: TXT-2022-02

Applicant or Presenter: City of Gladstone

Project Location: Downtown (New Overlay Zone including C-2 Zoning)

Project Description: The Downtown Gladstone Revitalization Plan contains recommendations for amendments to Title 17 of the Gladstone Municipal Code to implement the City’s vision for the Portland Avenue corridor in the downtown core. The recommended code amendments include updates to the C-2 Zone, Chapter 17.18, and a new Chapter titled “DC Downtown Core Overlay Zone”.

SUMMARY

Gladstone City Council adopted the Downtown Revitalization Plan in 2017. That plan recommended the creation of a new overlay district in Gladstone’s downtown core. The packet of proposed code amendments includes changes to the C-2 zoning district as well as standards for a new Downtown Core (DC) Overlay Zone.

The proposed DC Overlay Zone provides design standards to ensure that new development complements the creation of an attractive and walkable downtown. The proposed changes to the C-2 zoning district allow mixed-use and middle housing types, amend dimensional standards such as minimum setbacks for residential uses and allow for a reduction in the minimum number of required parking spaces. The combination of changes to the C-2 zone with the new Downtown Core Overlay Zone standards should result in development that is walkable, mixed-use, and higher density than the underlying (existing) C-2 zoning district.

These proposed amendments are subject to Chapter 17.68, Amendments and Zone Changes and Chapter 17.94, Hearings, of Title 17 of the Gladstone Municipal Code. As proposed, planning staff find the amendments consistent with all applicable standards from Title 17 of the Gladstone Municipal Code (GMC), the Statewide Planning Goals and Metro’s Functional Plan. The Gladstone Planning Commission recommended City Council approval of the proposed amendments referenced herein at a public hearing held on November 15, 2022.

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EXHIBITS

Exhibit 1. Downtown Core Overlay District Map

APPENDIX: SUBSTANTIVE FILE DOCUMENTS

- A. Draft Amendments
- B. Public Notice,
- C. PAPA Notice
- D. Comments Received

I. PUBLIC NOTICE

Published In: Clackamas Review, DLCD’s post-acknowledgment plan amendment website (PAPA), and on the Gladstone Website. The Planning Commission public hearing in November, was also advertised on the Gladstone Website and sent out in the Gladstone Weekly Update.

Responses Received: No written comments were received from the public, City Departments, or agencies.

II. CONSISTENCY WITH STATEWIDE PLANNING GOALS

1. **Goal 1 – Citizen Involvement:** To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding: Goal 1 requires the City to incorporate six key components in its public involvement program:

- Citizen Involvement: An officially recognized committee for public involvement broadly representative of geographic areas and interests related to land use and land-use decisions to provide for widespread public involvement;
- Communication: Mechanisms for effective two-way communication between the public and elected/appointed officials;
- Influence: Opportunities for the public to be involved in all phases of the planning and decision-making process including developing, evaluating, and amending plans;
- Technical Information: Access to technical information used in the decision-making process, provided in an accessible and understandable format;

- Feedback Mechanisms: Programs to ensure that members of the public receive responses from policymakers and that a written record for land-use decisions is created and made accessible; and,
- Financial Support: Adequate resources allocated for the public involvement program as an integral component of the planning budget.

The City conducted a Planning Commission Work Session and a community open house related to the proposed Downtown Core Overlay District and the proposed changes to the C-2 zoning district. These were open public forums held in June and July of 2022, respectively. The Planning Commission held a public hearing on the proposed amendments on November 15, 2022. Each work session and public forum included opportunities for elected officials, appointed officials, and the public, to review draft code amendments and discuss key aspects related to the proposed amendments. The City publicized these public meetings on their website, social media, individualized mailing to affected property owners, and during other public meetings. The amendments were publicized through the DLCD PAPA website and noticed to the interested agencies and the public.

Based on the findings above, the code amendments to implement the city’s vision from the Downtown Gladstone Revitalization Plan, as referenced, are consistent with Statewide Planning Goal 1.

Goal 2 – Land Use Planning: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: Statewide Planning Goal 2 requires each local government in Oregon to have and follow a comprehensive land use plan and implementing regulations. Cities and counties must build their comprehensive plans on a factual base, and follow their plan when making decisions on appropriate zoning. City and county plans must be consistent with one another. Special district and state agency plans and programs must be coordinated with comprehensive plans.

The proposed amendments to the C-2 zone and the new Downtown Core Overlay Zone standards are consistent with the current Comprehensive Plan. Currently the Gladstone Comprehensive Plan includes the following objectives and policy:

Economy Objectives: “To ensure that the Portland Avenue Commercial District remains a business district at the heart of the Gladstone Community.” “To improve the appearance of existing commercial areas through rehabilitation or redevelopment in order to preserve and enhance their values to the community. Similar appearance considerations should be given to all new commercial developments.”

Economy Policy: Promote the retention and development of Portland Avenue Business District as the civic center and heart of the community.”

Notice of the proposed amendment package for consideration was provided to Metro and DLCD through the Post-Acknowledgement Plan Amendment website and distribution system.

Therefore, the amendments, as proposed, are consistent with Statewide Planning Goal 2.

Goals 3 -4 – Agricultural and Forest Lands:

Finding: These goals are not applicable because the proposed amendments do not change the City of Gladstone policies required to meet these goals that are directed at rural areas and counties.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources: To protect natural resources and conserve scenic and historic areas and open spaces.

Finding: Goal 5 aims to protect natural resources and conserve scenic and historic areas and open spaces. Particularly in urban areas, the emphasis of Goal 5 is on the inventory and conservation of wetlands, riparian zones, and wildlife habitats. In addition to Goal 5, the City is required to comply with Metro Title 13 for all mapped resources located within the UGB. By meeting the requirements of Title 13, the City also complies with Goal 5 for riparian areas and wildlife habitat. Metro Title 13 is addressed in the findings for the Urban Growth Management Functional Plan.

The Gladstone Municipal code contains the following zoning overlays that were adopted by the City to provide protection for Significant Natural Resources under Statewide Planning Goal 5 and to comply with the provisions of OAR 660, Division 23:

- 17.25 HCAD—Habitat Conservation Area District;
- 17.26 OS—Open Space District;
- 17.27 WQ—Water Quality Resource Area District;
- 17.28 GW—Greenway Conditional Use District; and
- 17.29 FM—Flood Management Area District.

The City of Gladstone works closely with the Gladstone Historical Society to promote the enjoyment, research, documentation, preservation and public enrichment of the history and heritage of Gladstone, Oregon and the surrounding local area. The Gladstone Municipal Code, Chapter 2.48, includes the ability for a Historic Preservation Board to review alterations to historic landmarks. A 2009 survey of historical resources in downtown Gladstone found that 19% (22 buildings) of the buildings surveyed were potentially eligible for designation on the National Register. Recently, the City worked with the Gladstone Historical Society to display the history of Gladstone in the newly constructed City Hall. The proposed amendments to the C-2 zone and the proposed Downtown Core Overlay Zone do not include proposed changes to the way the city designates, inventories or manages the development or redevelopment of historic resources.

The proposed amendments do not modify these natural resource zoning overlay districts or historic preservation efforts. The Comprehensive Plan supports a variety of housing types and the amendments proposed through TXT-2022-02 do not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the natural resource zoning districts in the Gladstone Municipal Code. Goal 5 does not directly apply to the amendments because no new

Goal 5 program is advanced by this amendment and no existing Goal 5 program is changed by this amendment.

Based on the findings above, the Zoning Code Update to adopt the proposed amendments into the Gladstone Municipal Code is consistent with Statewide Planning Goal 5.

Goal 6 – Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state.

Finding: Goal 6 instructs local governments to consider protection of air, water and land resources from pollution and pollutants when developing comprehensive plans. The pollutants addressed in Goal 6 include solid waste, water waste, noise and thermal pollution, air pollution, and industry-related contaminants. Comprehensive Plans must demonstrate consistency with the administrative rules related to air, water, and land quality established by the Environmental Quality Commission (EQC).

Under the oversight of the EQC, the Oregon Department of Environmental Quality (DEQ) regulates air, water, and land through its permitting actions under the federal Clean Water Act and Clean Air Act. The Department of State Lands and the Army Corps of Engineers regulate jurisdictional wetlands and waters of the state and the country, respectively. The City of Gladstone Public Works department regulates impervious surface and stormwater runoff throughout the City through design standards applied to development. The Clackamas County Water Environmental Services and Oak Lodge also provide sewer and stormwater services for City residents. The Gladstone Municipal Code (GMC) has the following overlay districts that are related to water quality, wetlands, and surface water:

- 17.25 HCAD—Habitat Conservation Area District;
- 17.27 WQ—Water Quality Resource Area District; and
- 17.29 FM—Flood Management Area District.

While air quality is largely regulated by DEQ, the City can impose conditions of approval on land use approvals that require minimizing air pollution and carbon emission impacts through actions such as vegetative plantings and conservation.

The Federal Transit Administration and Federal Highway Administration enforce noise standards for federally-funded rail and highway projects. The Oregon Noise Control Act authorizes cities and counties to adopt and enforce noise ordinances and standards of their own. Gladstone regulates noise through the GMC Chapter 8.12 Noise Control, which designates prohibited noises and maximum permissible environmental noise and sound levels. Gladstone's Zoning Code (Chapter 17) also includes noise-related provisions in several sections of the code, often referring to the City's Noise Ordinance in Chapter 8.12 or standards of the DEQ.

The proposed amendment package does not modify the existing water resource zoning overlay districts or the noise ordinance. The adoption of the TXT-2022-02 amendments do not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the water

resource zoning districts in the Gladstone Municipal Code. Goal 6 does not directly apply to the proposed amendments, or comprehensive plan amendment because no new Goal 6 program is advanced by this amendment and no existing Goal 6 program is changed by this amendment.

Therefore, Goal 6 is not applicable to the amendments proposed through TXT-2022-02 as the amendments do not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 6.

Based on the findings above, the Zoning Code amendment to adopt the TXT-2022-02 amendments is consistent with Statewide Planning Goal 6.

Goal 7 – Areas Subject to Natural Disasters and Hazards: To protect people and property from natural hazards.

Finding: Goal 7 requires local comprehensive plans to address Oregon’s natural hazards. Protecting people and property from natural hazards requires knowledge, planning, coordination, and education. Natural hazards applicable to Gladstone include floods, landslides, weak foundation soils, earthquakes, and wildfires. Goal 7 calls for local governments to respond to new hazard inventory information provided by federal and state agencies by adopting or amending plan policies and implementing measures as needed. For riverine flood hazards, local governments must adopt and implement local floodplain regulations that meet the minimum National Flood Insurance Program (NFIP) requirements. In implementing natural hazard plans and policies, the State goal urges local governments to do the following: coordinate plans with emergency preparedness and recovery programs; consider stormwater management as a means to address flood and landslide hazards; consider nonregulatory approaches to implementing hazard plans; and to require technical reports when reviewing development requests in hazard areas.

The City of Gladstone complies with Goal 7 by regulating development in hazard-prone areas through the Municipal Code, the Public Works Design Guidelines and MOU’s with Clackamas County on fire response and other emergency preparedness efforts. The following Gladstone Municipal Code Chapters address flooding and landslides:

17.27 WQ—Water Quality Resource Area District.

17.29 FM—Flood Management Area District.

Additionally, the Design Review and Conditional Use land use processes address applicable natural hazards on a site specific basis.

The TXT-2022-02 amendments do not modify existing zoning overlay districts or design standards related to protecting development from hazards. The adoption of the amendments does not include any changes to the adopted inventories, the Comprehensive Plan Map, or the overlay zoning districts in the Gladstone Municipal Code. Goal 7 does not directly apply to the TXT-2022-02 amendments because no new Goal 7 program is advanced by these amendments and no existing Goal 7 program is changed by this amendment package. Therefore, Goal 7 is not applicable to the TXT-2022-02 zoning code amendments because the amendments do not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 7.

Based on the findings above, to adopt the TXT-2022-02 amendments is consistent with Statewide Planning Goal 7.

Goal 8 – Recreational Needs: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding: Goal 8 requires local governments to plan for the recreation needs of their residents and visitors. The goal places priority on non-motorized forms of recreation, and recreation areas that serve high-density populations with limited transportation options and limited financial resources. It also places priority on recreation areas that are free or available at a low cost to the public.

The City of Gladstone has a robust system of parks, recreation facilities and trails, including 14 neighborhood parks, community gardens, and natural areas. All of Gladstone’s parks are owned and managed by the City. The City completed a Parks Master Plan in 2017. Many of the current parks are included in the Open Space District that is regulated by Chapter 17.26 of the Gladstone Municipal Code.

The proposed amendments do not modify existing open space overlay districts or the Parks Master Plan. The adoption of the TXT-2022-02 amendments does not propose any changes to the Parks Master Plan, adopted inventories, the Comprehensive Plan Map, or the overlay zoning districts in the Gladstone Municipal Code. Goal 8 does not directly apply to the TXT-2022-02 amendments because no new Goal 8 program is advanced by this amendment and no existing Goal 8 program is changed by this amendment. Therefore, Goal 8 is not applicable to the proposed amendments because the amendments do not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 8.

Based on the findings above, adopting the TXT-2022-02 amendments is consistent with Statewide Planning Goal 8.

Goal 9 – Economy of the State: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: Goal 9 ensures cities and counties have enough land available to realize economic growth and development opportunities. Commercial and industrial development takes a variety of shapes and leads to economic activities that are vital to the health, welfare and prosperity of Oregon's citizens. To be ready for these opportunities, local governments perform Economic Opportunity Analyses based on a 20-year forecast of population and job growth. Currently the Gladstone Comprehensive Plan includes the following objectives and policy: **Economy Objectives:** *“To ensure that the Portland Avenue Commercial District remains a business district at the heart of the Gladstone Community.” “To improve the appearance of existing commercial areas through rehabilitation or redevelopment in order to preserve and*

enhance their values to the community. Similar appearance considerations should be given to all new commercial developments.”

Economy Policy: Promote the retention and development of Portland Avenue Business District as the civic center and heart of the community.”

The proposed amendments support the city’s continued compliance with Goal 9 because the TXT-2022-02 amendments implement regulations intended to support and enhance the economic development of the City.

Goal 10 – Housing: To provide for the housing needs of citizens of the state.

Finding: Goal 10 concerns urban lands designated for residential use. Goal 10 requires the City to maintain and plan for an adequate land supply to accommodate at least 20 years of future growth, providing flexibility in housing location, type, and density (specifically at an overall density of 10 or more units/acre with the opportunity for 50 percent of new units to be attached single family or multifamily) to ensure the availability and prices of housing units are commensurate with the needs and financial capabilities of Oregon households.

Comprehensive plans are required to include an analysis of community housing needs by type and affordability, the recent housing needs assessment of housing development potential, and an inventory of residential land; contain policies for residential development and supportive services based on that analysis that increase the likelihood that needed housing types will be developed; and provide for an adequate supply of a variety of housing types consistent with identified policies and meeting minimum density and housing mix requirements (established by OAR 660, Division 007).

The findings for Goal 10 Housing, based on the City’s Housing Needs Analysis (HNA), include findings that demonstrate that Gladstone currently has a range of housing types, including single-family detached and attached homes, duplexes, multi-family, and mixed-use developments, and has a need for additional capacity to provide for needed housing during the next 20 years. The HNA provides information about the factors that could affect housing development, including demographics, affordability trends, workforce housing availability, and development patterns.

The Housing Needs Analysis was adopted in 2021 and includes the City’s buildable lands inventory (BLI) for housing within the UGB. The BLI is required by Goal 10 and ORS 197.296 to ensure that current use designations provide an adequate short- and long-term land supply for housing development for meeting existing needs and those of projected growth. It analyzes existing development patterns and intensity, land and development values, existing land use designations and zoning, and building constraints to determine where there is vacant land and/or land that is likely to be redeveloped and compares the existing supply of land to emerging trends and indicators for future estimates of demand. The proposed amendments do not propose to change the buildable lands inventory, or housing needs analysis.

The proposed changes to the C-2 zone permit mixed-use and middle housing types outright in the zone, reducing barriers to this type of housing being provided in the downtown core and other C-2 areas of the city. Adding these residential housing types to the list of permitted uses in the C-2 zone also responds to the City's updated Housing Needs Analysis with the removal of barriers to housing production.

Based on the findings above the TXT-2022-02 amendments are consistent with Statewide Planning Goal 10.

Goal 11 – Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The City conducted a Water System Master Plan and a Sanitary Sewer Master Plan in 2014. In 2017, a Sanitary Sewer Master Plan, Parks Master Plan and Transportation System Plan were completed. The proposed amendments do not propose any changes to the adopted master plans, the Comprehensive Plan Map, or the Gladstone Municipal Code. The amendments do not propose to change the comprehensive land use plan policies or implementing regulations regarding public facilities and services for compliance with Statewide Planning Goal 11.

Based on the findings above, the adoption of the TXT-2022-02 amendments is consistent with Statewide Planning Goal 11.

Goal 12 – Transportation: To provide and encourage a safe, convenient and economic transportation system.

Finding: Goal 12 is implemented by Oregon Administrative Rules (OAR) Chapter 660, Division 12. Local governments are required to adopt a transportation system plan (TSP) and land use regulations to implement the TSP. OAR 660-012-0060 requires any comprehensive plan amendment to be evaluated according to the terms outlined in that OAR to demonstrate whether they will have a significant impact on the transportation system. The City of Gladstone completed a Transportation System Plan in 2017. The proposed amendments do not propose any changes to the adopted Transportation System Plan, the Comprehensive Plan Map, or the Gladstone Zoning Map with regard to transportation. The TXT-2022-02 amendments propose no new Goal 12 program and no existing Goal 12 program, or standard, is changed by this amendment package. The amendments do not propose to change the comprehensive land use plan policies or implementing regulations regarding transportation and compliance with Statewide Planning Goal 12.

Based on the findings above, the proposed amendments are consistent with Statewide Planning Goal 12.

Goal 13 – Energy Conservation: To conserve energy.

Finding: Goal 13 requires that land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles. The TXT-2022-02 amendments package does not modify existing design standards or land use regulations related to energy conservation. The adoption of the proposed amendments does not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the Gladstone Municipal Code. Goal 13 does not directly apply to the proposed amendments because no new Goal 13 program is advanced by this amendment and no existing Goal 13 program is changed by this amendment. Therefore, Goal 13 is not applicable to the TXT-2022-02 amendments because the amendment package does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 13.

Based on the findings above, to adopt the TXT-2022-02 amendments, is consistent with Statewide Planning Goal 13.

Goal 14 – Urbanization: To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Finding: The entirety of the city and its Urban Growth Management Area is located within the Regional Urban Growth Boundary (UGB). As such, this text amendment will not result in the transition of any land from rural to urban uses, or result in population or employment growth outside of the UGB. The proposed amendments do not modify the Gladstone Urban Growth Management Area, the UGB, or existing zoning requirements related to urbanization. The adoption of the TXT 2022-02 amendments does not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the Gladstone Zoning Map. Goal 14 does not directly apply to the amendments because no new Goal 14 program is advanced by this amendment and no existing Goal 14 program is changed by this amendment. Therefore, Goal 14 is not applicable to the TXT-2022-02 amendments because the amendment package does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 14.

Based on the findings above, adopting the TXT-2022-02 amendments is consistent with Statewide Planning Goal 14.

Goal 15 – Willamette River Greenway: To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Finding: Gladstone is bordered on one side by the Willamette River and the Greenway. Therefore, the Gladstone Municipal Code includes Chapter 17.28 that establishes the land use regulations related to the Greenway Conditional Use District. The proposed amendments do not modify the Greenway Conditional Use District, or existing zoning requirements related to the Willamette River Greenway. The adoption of the TXT-2022-02 amendments do not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the Gladstone Municipal Code Chapter 17.28. Goal 15 does not directly apply to the amendments

because no new Goal 15 program is advanced by this amendment and no existing Goal 15 program is changed by this amendment. Therefore, Goal 15 is not applicable to the TXT-2022-02 amendments because it does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 15.

Based on the findings above, to adopt the TXT-2022-02 is consistent with Statewide Planning Goal 15.

Goals 16-19 – Estuarine Resources, Coastal Shore lands, Beaches and Dunes, and Ocean Resources:

Finding: The City of Gladstone is not subject to these four Statewide Planning Goals. Therefore, they are not applicable to the proposed amendments found in the TXT-2022-02 amendment package.

III. FINDINGS RELATED TO GLADSTONE MUNICIPAL CODE

Once the proposed amendments are adopted by City Council, the TXT-2022-02 amendments package will be consistent with all of the Statewide Planning Goals.

The City of Gladstone planning staff finds:

17.68.010 AUTHORIZATION TO INITIATE AMENDMENTS.

(1) An amendment to the text of this title or the Comprehensive Plan may be initiated by the City Council, the City Planning Commission or the City Administrator or his designee.

(2) An amendment to the Zoning Map or to the Comprehensive Plan Map may be initiated by:

(a) The City Council;

(b) The City Planning Commission;

(c) The City Administrator or his designee; or

(d) By application of a property owner, contract purchaser or authorized agent of the subject property.

(3) The request by a property owner for a map amendment shall be accomplished by filing an application with the city using forms prescribed by the city and submitting the information required from the applicant under Section 17.68.050.

Finding: The request came from the City Administrator or his designee. This criterion is met.

17.68.020 Review process. *Applications under this chapter shall be reviewed pursuant to GMC Division VII (administrative procedures).*

Finding: The proposed amendments were reviewed by the Planning Commission at a public hearing on November 15, 2022, at which time the Planning Commission made a recommendation of approval to the City Council. The Council will conduct a public hearing and make a decision on the amendments at their meeting on December 13, 2022. Notice of these

public hearings was publicized as required. The TXT-2022-02 amendments package is being reviewed according to GMC Division VII. This criterion is met.

17.68.040 Conditions.

(1) City Council may require conditions. When necessary to properly relate new developments to existing or anticipated conditions in the vicinity or to make possible a higher quality of development than would otherwise be possible, the City Council may determine that a zone change will be accompanied by the acceptance or accomplishment of certain specified conditions. Conditions and requirements invoked pursuant to a zoning map amendment shall thereafter apply to the property so zoned.

(2) Acceptance of conditions. Such conditions shall be designed to further the objectives of the comprehensive plan and the zoning ordinance codified in this title and shall clearly set forth, in written form or upon drawings, all restrictions and requirements which will be applicable to the property rezoned. Where a zone change is made subject to such conditions, it shall become effective upon written acceptance and filing of the applicable terms and conditions by the property owner and by any other person intending to have an ownership interest in or to develop the property. The signed acceptance of conditions shall be filed with the City Recorder and a certified copy shall also be filed in the county deed records at the expense of the petitioner.

(3) Type of conditions. Conditions may include special measures designed to limit use or density, screen or separate buildings or portions of the site from adjoining property; limit access from important thoroughfares or through residential areas; provide additional right-of-way for an abutting street, preserve or provide public access to greenspace, floodplains, or river frontage; improve bicycle or pedestrian safety and connectivity; or improve transit capacity and efficiency.

(4) No variance of ordinance standards. In connection with the adoption of a zoning amendment, ordinance standards may be varied only when the Planning Commission finds that the development proposed and covered by specific limiting conditions will provide benefits and safeguards equal to or better than those possible under a strict interpretation of the zoning ordinance. In no case shall a use not specifically permitted within the zoning district be allowed under this section and Section 17.68.050. When circumstances as described in GMC Section 17.72.020 (circumstances for granting) exist, the regular variance procedures shall be followed.

(5) Building permit conditions. In addition to conditions as described above in this section, the Council may also provide that a zoning amendment will become effective upon satisfactory performance by the applicant of certain conditions or actions, such as a bona fide application for a building permit within a specified period of time.

Finding: Staff are not recommending any special conditions. This criterion does not apply.

17.68.050 Evidence supplied by applicant. *The applicant seeking a zoning map change pursuant to the provisions of GMC Section 17.68.010 must show by a preponderance of the evidence all of the following, unless otherwise provided for in this title:*

(1) Granting the request fulfills a public need; the greater departure from present development policies or land use patterns, the greater the burden of the applicant.

(2) The public need is best carried out by granting the petition for the proposed action, and that need is best served by granting the petition at this time.

(3) The proposed action is consistent with the comprehensive plan and Metro's Functional Plan (Metro Code 3.07), and the Transportation Planning Rule (OAR 660-012-0060).

(4) Proof of significant change in a neighborhood or community or a mistake in the planning or zoning for the property under consideration, when relevant.

(5) The property and affected area is presently provided with, or concurrent with development can be provided with, adequate public facilities, including, but not limited to, the planned function, capacity, and performance standards of the transportation system as adopted in the transportation system plan.

(6) The transportation system is capable of safely supporting the uses allowed by the proposed designation in addition to the existing and planned uses in the area, consistent with the Transportation Planning Rule (OAR 660-012-0060). Requirements of the State Transportation Planning Rule shall apply to those land use actions that significantly affect the transportation system, as defined by OAR 660-012-0060.

Finding: This project is proposing a new Downtown Core Overlay District. However, the zoning designation of the properties within the district will remain C-2 and therefore this application does not include a zoning map change that would require compliance with the provisions of 17.68.050. However, the proposed Overlay District does fulfill the recommendation of the 2017 Downtown Revitalization Plan, allowing the City to better serve the public need for a walkable, dynamic, well-planned downtown core, fulfilling a public need in a timely manner and in compliance with Metro and State planning rules. No changes are proposed that would affect the service of public utilities or transportation patterns. This standard is met.

17.70.010 Authorization to grant or deny.

2) Conditions of Approval. In addition to the specific requirements of this title, including those set forth in GMC Chapter 17.62 (special uses), and the comprehensive plan, approval of a conditional use may be granted subject to additional conditions that are found necessary to protect the best interests of the surrounding area or the city as a whole. These conditions may include, but are not limited to, the following:

(a) Limiting the hours, days, place and manner of operation;

- (b) Requiring design features that minimize environmental impacts such as noise, vibration, smoke, dust, fumes and glare;*
- (c) Requiring increased setbacks, lot area, lot depth and lot width;*
- (d) Limiting building height, size, lot coverage and location on the site;*
- (e) Designating the size, number, location and design of vehicle access points;*
- (f) Requiring street right-of-way to be dedicated and streets to be improved;*
- (g) Requiring landscaping, screening, drainage and surfacing of parking and loading areas;*
- (h) Limiting the number, size, location, height and lighting of signs;*
- (i) Regulating the location and intensity of outdoor lighting;*
- (j) Requiring a sight-obscuring fence or hedge to screen the conditional use from adjacent to or nearby property;*
- (k) Construction of off-site transportation improvements to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and*
- (l) Upgrade or construct public facilities to city standards.*

Finding: Currently there are no conditions recommended. This criterion is met.

IV. CONSISTENCY WITH METRO’S FUNCTIONAL PLAN (METRO CODE 3.07)

Title 1: Housing Capacity

Title 3: Water Quality And Flood Management

Title 4: Industrial and Other Employment Areas

Title 6 Centers, Corridors, Station Communities and Main Streets

Finding: The proposed amendments to the C-2 zoning district and addition of a Downtown Core Overlay District do not alter residential capacity as residential uses are currently permitted in the C-2 zone in addition to many types of commercial and employment uses. The proposed Downtown Core Overlay District is consistent with goals for mixed-use developments in vibrant core commercial areas. The proposed amendments also do not modify the water quality, floodplain, habitat conservation area, or zoning district areas that are addressed in Metro’s Functional Plan. These criteria are met.

V. CONSISTENCY WITH TRANSPORTATION PLANNING RULE

OAR 660-012-0060 requires: (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

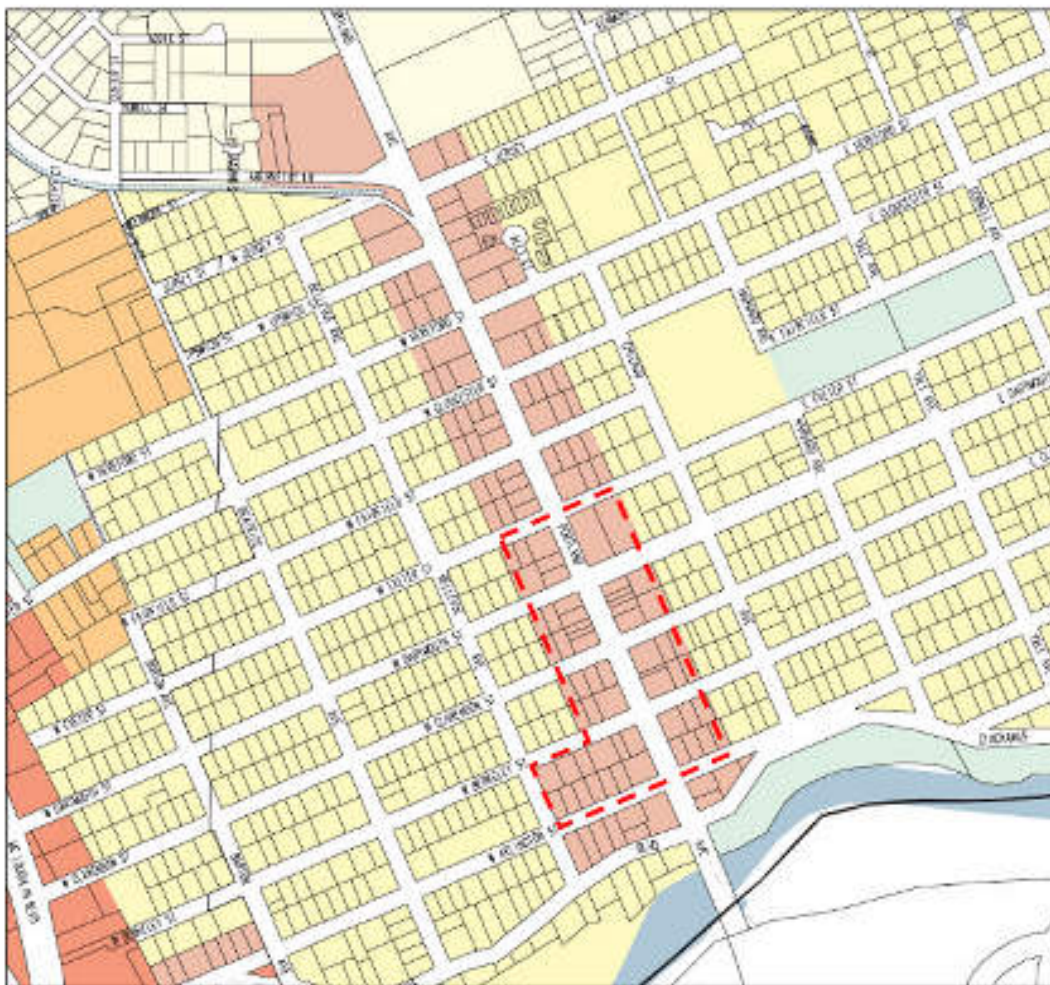
- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection.

Finding: The proposed zoning code amendments do not change the functional class of any existing or planned transportation facility or change the standards implementing a functional classification system. This criterion is met.

EXHIBIT 1: Downtown Core Overlay District

City of Gladstone Downtown Revitalization Plan Zoning Code Update
Downtown Overlay Zone



- - - = Downtown Overlay District Boundary
- = Existing Community Commercial Zoning (C2 Zone)
- = Existing Single-Family Residential Zoning (R-5 Zone)

ORDINANCE 1517

AN ORDINANCE APPROVING TEXT AMENDMENTS FOR THE GLADSTONE MUNICIPAL CODE CHAPTER 17.08, ZONING DISTRICTS GENERALLY, CHAPTER 17.78, C-2 ZONING DISTRICT AND ADDING A NEW CHAPTER 17.21, DOWNTOWN CORE OVERLAY ZONE, FILE TXT-2022-02

WHEREAS, the Gladstone Downtown Revitalization Plan was adopted by City Council in 2017 and contains recommendations for amendments to Title 17 of the Gladstone Municipal Code to implement the City’s vision for the Portland Avenue corridor in the downtown Gladstone core; and

WHEREAS, the Gladstone Downtown Revitalization Plan recommends amendments to the underlying Gladstone Municipal Code Chapter 17.18, C-2 Zoning District for mixed use development and middle housing types to be added as a permitted use in the C-2 district where these uses are currently not allowed; and

WHEREAS, the Gladstone Downtown Revitalization Plan recommends the creation of a new zoning overlay district within Gladstone’s downtown core to encourage development that is walkable, mixed-use, and higher density than the underlying Gladstone Municipal Code Chapter 17.18, C-2 Zoning District; and

WHEREAS, the proposed changes from the Downtown Plan recommendations include four general refinements to the Downtown Revitalization Plan which include: allowing broader range of uses on the ground floor; permitting a broader range of housing types in the Downtown; restricting future single-household residential development in the Downtown; and minimizing the presence of off-street parking; and

WHEREAS, in July 2022 the Planning Commission conducted a work session and considered three additional topics for consideration which included: increase maximum building height allowance to four stories, not to exceed 50 feet; eliminate minimum parking requirements in the Downtown Overlay Zone; and extend the boundaries of the Downtown Overlay Zone; and

WHEREAS, in November 2022 the Planning Commission considered and recommended to City Council adoption of the proposed amendments to the C-2 Zoning Code and addition of the Downtown Core Overlay Zone; and

WHEREAS, the City desires to amend the Gladstone Municipal Code to reflect these changes.

NOW, THEREFORE, the Common Council of the City of Gladstone ordains as follows:

Section 1. Gladstone Municipal Code Chapter 17.08 is hereby amended to read as set forth in the attached “Exhibit A”. New language is in red; repealed language is ~~struck through~~.

Section 2. Gladstone Municipal Code Chapter 17.18 is hereby amended to read as set forth in the attached Exhibit “B”. New language is in red; repealed language is ~~struck through~~.

Section 3. Adding new Gladstone Municipal Code Chapter 17.21, Downtown Core Overlay Zone, attached as Exhibit “C”.

Section 4. All remaining provisions of the Gladstone Municipal Code are reaffirmed in their entirety.

Section 5. This Ordinance is effective 30 days after Gladstone City Council approval.

This Ordinance is adopted by the Gladstone City Council and approved by the Mayor on this _____ day of _____, 2022.

ATTEST:

Tamara Stempel, Mayor

Tami Bannick, City Recorder

**ORDINANCE 1517
EXHIBIT “A”**

**Chapter 17.08
ZONING DISTRICTS GENERALLY**

Sections:

- 17.08.010 Establishment of districts.
- 17.08.020 Area of application.

17.08.010 Establishment of districts.

For the purposes of this title, the following zoning districts are established:

Zoning District	Abbreviated Designation
Single-family household residential district	R-7.2
Single-family household residential district	R-5
Multi-family household residential district	MR
Local commercial district	C-1
Community commercial district	C-2
General commercial district	C-3
Downtown core overlay district	DC
Office park district	OP
Light industrial district	LI
Open space district	OS
Water quality resource area district	WQ
Greenway conditional use district	GW
Flood Management area district	FM

Statutory Reference: ORS Ch. 197, Ch. 227
History: Ord. [1131](#) §2, 1990; Ord. [1334](#), 2002.

17.08.020 Area of application.

Each zoning district designation, with the exception of the **DC**, **WQ**, **GW** and **FM** overlay districts, corresponds to a Comprehensive Plan designation and shall be applied only to areas where the two designations are consistent. The corresponding designations are as follows:

Comprehensive Plan	Zoning District
Low density	R-7.2
Medium density	R-5

Comprehensive Plan	Zoning District
High density	MR
Commercial	C-1
Commercial	C-2
Commercial	C-3
Industrial	OP
Industrial	LI
Open Space	OS

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. [1131](#) §2, 1990; Ord. [1334](#), 2002.

ORDINANCE 1517
Exhibit “B”

CHAPTER 17.18: C-2—COMMUNITY COMMERCIAL DISTRICT

Sections:

- 17.18.010 Purpose.
- 17.18.020 Uses allowed outright.
- ~~17.18.030 Residential accessory uses.~~
- 17.18.040 Conditional uses **allowed**.
- 17.18.050 Limitations on use.
- 17.18.060 Dimensional standards.
- 17.18.070 Off-street parking standards.
- 17.18.080 Exceptions in case of large scale development.

17.18.010 Purpose.

The purpose of a C-2 district is to implement the comprehensive plan ~~by: 1) and to providing~~ for the establishment of a community shopping center serving most of the occasional retail and specialty shopping needs of area residents and thus service a much larger area and a much larger population than is served by the C-1, local commercial district, ~~and; 2) allowing a range of housing types to encourage more housing in the city’s core and promote a greater mixture of uses.~~

Statutory Reference: ORS Ch. 197, Ch. 227
History: Ord. 1131 §2, 1990.

17.18.020 Uses allowed outright.

In a C-2 zoning district, the following uses and their accessory uses are allowed outright:

- (1) Retail trade establishment, except when listed as a conditional use.
- (2) Business, governmental or professional office.
- (3) Medical clinic.
- (4) Financial institution.
- (5) Personal and business service establishments such as a barber shop, tailoring shop, printing shop, laundry or dry cleaning, sales agency, or photography studio, except as listed as a conditional use.
- (6) Eating or drinking establishment, including outdoor seating related to the primary use.

- (7) Hotel or motel.
- (8) Small appliance repair including radio, television and electronics repair.
- (9) Community service facility such as a fire station, library, community center, park, utility facility or meeting hall.
- (10) Mixed-use development.

(11) Attached residential dwellings (duplex, triplex, quadplex).

(12) Townhouses.

(13) Cottage clusters.

(14) Multi-household residential dwellings.

(15) Accessory Dwelling Units (ADUs) in connection with a permitted residential use.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990; Ord. 1289 § 1, 2000; Ord. 1323 §1, 2002.

~~17.18.030 Residential accessory uses.~~

~~Accessory uses allowed in a residential zoning district shall be allowed in connection with single-family, two-family and multi-family dwellings in this zoning district. Such accessory use shall comply with the standards applicable to accessory uses allowed in the R-5 zoning district.~~

17.18.040 Conditional uses ~~allowed.~~

In a C-2 zoning district, the following uses and their accessory uses are allowed subject to GMC Chapter 17.70 (conditional uses):

~~(1) Automobile service station.~~

~~(2) Dwelling subject to GMC Subsections 17.12.050 (1) through (5) except that the minimum lot area for a two-family dwelling shall be five thousand square feet.~~

~~(31) Funeral home.~~

~~(42) Small scale amusement or recreational facility such as a billiard or pool hall.~~

~~(53) School and associated buildings, structures and facilities.~~

~~(64) A use listed as a permitted outright use but not meeting the limitations of GMC Section 17.18.050 (limitations on use).~~

~~(57) Planned unit development (PUD).~~

~~(68) Foster homes.~~

(97) Day care center.

(108) Recreation vehicle park, subject to GMC Section 17.62.100 (recreation vehicle park).

(119) Business activities conducted in conjunction with a use allowed outright under GMC Section 17.18.020 (uses allowed outright), not conducted wholly within an enclosed building and not specifically provided for under GMC Subsections 17.18.050(1) through (3).

(1210) Uses operating between 12:00 a.m. and 5:00 a.m.

(11) Manufacturing of edible or drinkable products retailed on the same site, including the primary processing of raw materials (e.g., malt, milk, spices) that are ingredients in edible or drinkable products retailed on the same site, and also including the wholesale distribution of edible or drinkable products that are manufactured and retailed on the same site.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord.1131 §2 (Part), 1990; Ord. 1198 §1(C), 1994; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1341, 2003.

17.18.050 Limitations on use.

All business activities, including service, repair, processing, storage and merchandise display shall be conducted wholly within an enclosed building except for the following:

~~(1) Drive-through windows accessory to a use allowed outright;~~

(21) Outdoor play areas accessory to a community service facility;

(32) Display of merchandise along the outside of the walls of a building provided such display does not extend more than three feet (3') from the walls and does not obstruct required pedestrian or bicycle access, emergency access or off-street parking areas; and

~~(4) Activities approved in conjunction with a conditional use allowed under GMC Section 17.18.040 (conditional uses allowed).~~

(53) The following limitations apply to developments along Portland Avenue:

(a) All non-residential uses shall provide ground floor windows along Portland Avenue. Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances or display windows. Required windows may have a sill no more than 4 feet above grade. Where interior floor levels prohibit such placement, the sill may be raised to allow it to be no more than 2 feet above the finished floor level, up to a maximum sill height of 6 feet above grade.

(b) Ground floor residential uses shall provide ground floor windows along Portland Avenue. Required window area must cover at least 25 percent of the ground level wall area of the portion of the building with residential dwelling units on the ground floor.

(c) All buildings shall have a primary entrance face Portland Avenue. Primary entrance is defined a principal entry through which people enter the building. A building may have more than one primary entry, as defined in the Uniform Building Code.

(64) The use of Portable Storage Containers as defined in Chapter 5.22.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2 (Part), 1990; Ord. 1323 §1, 2002; Ord. 1392 §6, 2008, Ord. 1404, 2008.

17.18.060 Dimensional standards.

Except as provided in GMC Chapter 17.38 (planned unit development), Chapter 17.72 (variances), and Chapter 17.76 (exceptions), the following dimensional standards shall apply in a C-2 zoning district:

(1) Setbacks:

~~(a) Non-residential uses and mixed-use development: There shall be no~~ minimum setback requirements; a maximum setback of five feet (5') shall be maintained along Portland Avenue frontages.

~~(b) Residential uses: five feet (5') maximum front setback; 15 feet minimum rear setback.~~

(2) Off-Street Parking. The boundary of any area developed or intended for off-street surface parking shall be located a minimum of five feet (5') from all property lines. An exception to the minimum setback standard for off-street parking shall be made for existing parking when the use complies with GMC Section 17.18.070 (off-street parking standards).

(3) Building Height. The maximum building height shall be ~~thirty five feet~~ (35 feet) or three stories. ~~This restriction may be varied as follows:~~

~~(a) building height may be increased by one (1) story if the building is provided with an approved automatic sprinkler system throughout as provided in Section 506 of the Oregon Structural Specialty Code or its successor;~~

Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are exempt from the maximum building height standard;

~~(c) Maximum building height may be increased if the city fire department reports that it possesses sufficient fire fighting capability to provide emergency response to a structure of the height proposed.~~

(4) Equipment Setbacks. There shall be no minimum setback requirements for central air conditioners, heat pumps and similar equipment except when a lot line abuts a residential zoning district, in which case the minimum setback requirement from the lot line abutting the residential zoning district shall be ten feet (10').

~~(5) Minimum Lot Area. Residential density shall not exceed that allowed in the R-5 zoning district.~~

~~(a) Attached residential dwellings, townhouses, and cottage clusters uses shall comply with the minimum lot area requirements for the R-5 zoning district.~~

~~(b) Multi-household dwellings shall comply with the minimum lot area requirements for the MR zoning district.~~

~~(6) Hotels and Motels:~~

~~(a) The minimum lot area shall be five hundred (500) square feet per dwelling unit;~~

~~(b) The minimum frontage shall be one hundred feet (100').~~

(6) Fences and Walls. The following standards shall apply to fences and walls of all types whether open, solid, wood, metal, masonry or other material.

(a) When located between the front lot line and the front building line, fences and walls shall not exceed three feet (3') in height.

(b) Fences and walls not subject to Subsection (7)(a) of this Section shall not exceed six feet (6') in height.

(c) An exception may be granted to the maximum fence or wall height standards pursuant to review of an application for conditional use; alteration, expansion or change of use of a nonconforming use; or design review and when an exception is found necessary to provide adequate screening for the use.

(d) Fences and walls shall comply with GMC Chapter 17.54 (clear vision).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2 (Part), 1990; Ord.1140 §1, 1991; Ord. 1323 §1, 2002, Ord. 1404, 2008.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

17.18.070 Off-street parking standards.

(1) Where one commercial use allowed outright is substituted for another in an existing building and the building is not expanded by more than 10 percent of the floor area used for commercial purposes on January 1, 1980, no more off-street parking shall be required than was possessed by the previous commercial use. Where successive expansions of a building are proposed, the total area of all expansions shall not exceed the 10 percent standard.

(2) Off-street parking spaces shall be provided in accordance with the provisions of Chapter 17.48, except that the following standards shall apply in lieu of the corresponding standard in Chapter 17.48:

(a) Residential: The maximum shall be 1 space per dwelling unit.

(b) Office, Retail, Bank, or Eating and Drinking Establishment: The minimum shall be 1 space per 600 sq. ft.

(23) If a community service facility or civic use allowed outright is substituted for another community service facility or civic use on the same property, whether in the same building(s) or a new building(s) and the total lot coverage is not expanded by more than 10 percent of the lot coverage of the prior

building(s) on the property, no more off-street parking shall be required than was possessed by the previous facility or use.

(34) When an existing residence in the C-2 zoning district along Portland Avenue is converted to commercial or mixed-use development, additional off-street parking shall not be required, subject to the following standards:

- (a) The new commercial use shall not exceed a “B” occupancy rating as described in the Oregon Structural Specialty Code or its successor and shall be identified in GMC Section 17.18.020(2), (5) or (8);
- (b) Signs shall be on-building and indirectly illuminated;
- (c) The use shall generate low traffic volumes and require minimal off-street parking; and
- (d) Structures and landscaping shall retain a residential appearance.

(5) Required parking reduction. Multi-household development may reduce the total minimum number of required parking spaces by up to 20% if affordable housing is provided as follows:

(a) Affordable housing is defined as housing that is affordable to those earning 60% of the Area Median Income (AMI, established by the US Department of Housing and Urban Development).

(b) The development must be located within one quarter mile, measured radially in a straight line, from a public transit stop (bus or light rail).

(c) At least 30% of the total number of dwellings units meet the eligibility requirements for affordable housing in subsection (a), and this affordability is enforceable as described in ORS 456.270 to 456.295 for a period of at least 30 years.

(6) On-street parking spaces may count towards the minimum number of required parking spaces when 50% or more of the parking space adjoins the property.

(7) Off-street parking areas shall not be located between the building and street or within required setbacks.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2 (Part), 1990; Ord. 1323 §1, 2002; Ord. 1503 §1, 2020.

17.18.080 Exceptions in case of large scale development.

The standards and requirements of the regulations of this section may be modified by the Planning Commission in the case of a plan and program for a planned unit development, or a large scale shopping center, providing the modifications are not detrimental to the public health, safety and welfare and providing the Planning Commission determines there is provision for adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the developed tract and its relation to adjacent areas and for such covenants or other legal provisions as will assure conformity to and achievement of the plan.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2 (Part), 1990.

ORDINANCE 1517
Exhibit “C”

CHAPTER 17.21: DC - Downtown Core Overlay Zone

Sections:

- 17.21.010 Purpose.**
- 17.21.020 Applicability.**
- 17.21.030 Exceptions and non-conformances.**
- 17.21.040 Uses allowed outright.**
- 17.21.050 Conditional uses.**
- 17.21.060 Site design and landscaping.**
- 17.21.070 Building design.**
- 17.21.080 Off-street parking standards.**

17.21.010 Purpose.

The purpose of the Downtown Core Overlay Zone is to promote a walkable, mixed-use downtown main street along the four-block section of Portland Avenue from Exeter Street to Arlington Street. The overlay encourages higher density residential and mixed-use development where market demand is highest and where it is most compatible with existing development on properties facing Portland Avenue. The Downtown Core Overlay Zone will help ensure that new development:

- (1) Enhances and protects the city’s quality of life and community image through clearly articulated site and building design standards;
- (2) Protects and promotes the city’s economic vitality by encouraging high-quality development;
- (3) Establishes a clear relationship between streets, pedestrian spaces, and buildings; and
- (4) Enhances and protects the security and health, safety, and welfare of the public.

17.21.020 Applicability.

(1) Zoning Districts. The provisions of this chapter apply to new development along the four-block section of Portland Avenue from Exeter Street to Arlington Street within the Community Commercial (C-2) Zoning District.

(2) Conflicting Regulations. Where conflicts occur between this chapter and other municipal code regulations or ordinances, the Downtown Core Overlay Zone shall apply.

(3) The provisions of this chapter apply to the development of undeveloped sites, the redevelopment of previously developed sites, and/or new construction of any building or structure.

17.21.030 Exceptions and non-conformances.

(1) Routine Repairs and Maintenance. Routine repairs and maintenance are exempt from these standards.

(2) Additions or Expansion. Additions to or expansions of an existing building or structure are exempt from standards contained in this chapter that are specific to section 17.21.070 Building Design, provided the cumulative total of all additions or expansions is less than 800 square feet of gross floor area. If the cumulative total of all additions or expansions consists of 801 square feet or more of gross floor area, then the standards contained in this chapter that are specific to section 17.21.070 Building Design shall apply to the addition or expansion. Existing nonconforming portions of the building shall come into conformity as provided in Chapter 17.76. As part of the addition or expansion, and regardless of size, all other portions of the site (landscaping, off-street parking and loading, supplementary regulations and exceptions, and nonconformances, etc.) must comply with respective code requirements as applicable.

(3) Nonconformances. See Chapter 17.76 for application of these standards in nonconforming situations.

17.21.040 Uses allowed outright.

In the Downtown Core Overlay Zone, the following uses and their accessory uses are allowed outright:

(1) Non-residential uses: All non-residential uses permitted in the underlying Community Commercial (C-2) Zoning District unless otherwise specified by this Section.

(2) Residential uses: For parcels along Portland Avenue, permitted in upper floor stories of multi-story development only. Ground floor dwelling units are permitted along side streets.

(3) Mobile Vending Units: A vehicle that is used in selling and dispensing goods or services to the customer shall be permitted on any parcel in the Downtown Core Overlay Zone. A mobile vending unit shall be exempt from sections 17.21.060 – 17.21.080 (Site Design and Landscaping, Building Design, and Off-Street Parking) and not require Design Review. As used in this subsection, a vehicle is motorized or non-motorized transportation equipment containing an axle and intended for use on public roads, including, but not limited to, a car, van, pickup, motorcycle, recreational vehicle, bus, truck, detached trailer, or a truck tractor with no more than one trailer.

17.21.050 Conditional uses.

Conditional uses in the Downtown Core Overlay Zone are the same as those listed in the underlying Community Commercial (C-2) Zoning District.

17.21.060 Site design and landscaping.

Intent. Create a sense of enclosure and human scale by orienting buildings to streets or public spaces and prioritize pedestrian circulation and walkable development.

(1) Building Orientation. The street facing building façade must extend along at least 50 percent of the lot's street frontage(s). If the lot has more than one street frontage, this requirement shall apply to all of the lot's street frontages. This required 50 percent building frontage must be at the back of a public sidewalk, public right-of-way, or adjacent to an area dedicated to the public. See Figure 1: Site Design and Landscaping.

(2) Primary Building Entrance.

(a) Corner Building. A primary entrance is required at the corner within 10 feet of right-of-way. See Figure 1: Site Design and Landscaping.

(b) Interior Building. A primary entrance is required within 10 feet of public right-of-way and directly connected to a public sidewalk.

(3) Setbacks. Setbacks shall be provided in accordance with Chapter 17.18.

(4) Driveways. Each property is allowed a maximum of one (1) driveway regardless of the number of street frontages. Corner lots shall be prohibited from having a driveway entrance along Portland Avenue except as follows:

(a) There is an existing driveway abutting Portland Avenue and a driveway abutting a side street cannot be located at least twenty feet (20') from the intersection.

(b) The lot does not abut a side street.

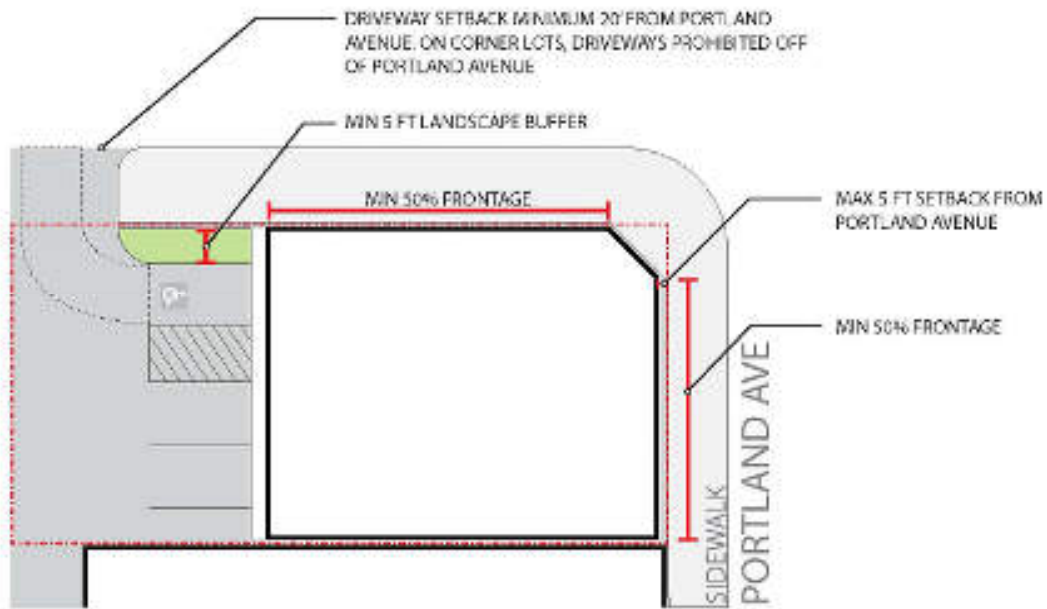
(5) Parking Areas. For parcels with a property line abutting Portland Avenue, all required off-street parking within a building must be setback at least 20' behind the street facing building façade.

(6) Landscaping. Landscaping shall be provided in accordance with Chapter 17.46 except as follows:

(a) Parcels fronting Portland Avenue. No minimum landscaping requirement along Portland Avenue, except as provided by 17.46.020(7).

(b) Surface parking areas shall have a five foot (5') wide landscape buffer between the parking area and any adjacent public street. All other provisions of 17.46.020(2) shall apply. See Figure 1: Site Design and Landscaping.

FIGURE 1: SITE DESIGN AND LANDSCAPING



17.21.070 Building design.

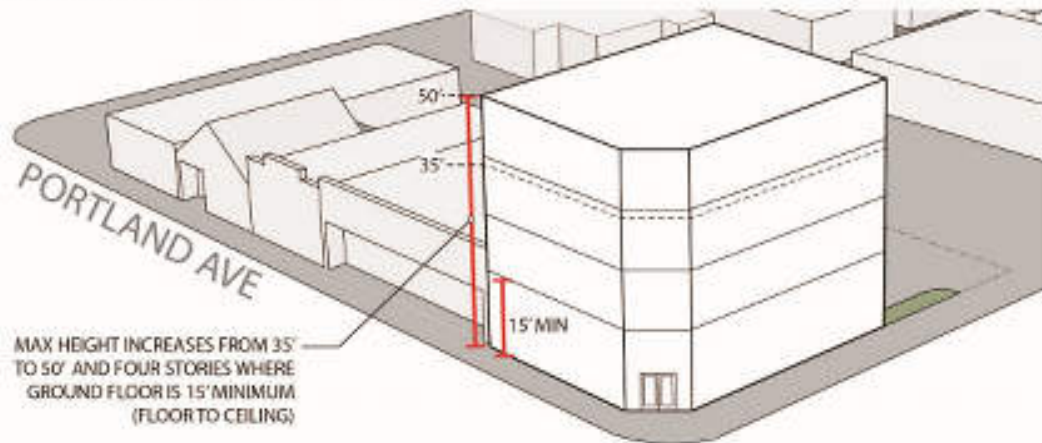
Intent. Articulate building facades to break up large volumes and promote human scale development.

(1) Building height. The maximum building height shall be three (3) stories, not to exceed 35 feet. See Figure 2: Building Design (Building Height). This restriction may be varied as follows:

(a) Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are exempt from the maximum building height standard;

(b) The maximum building height shall be increased to 4 stories, not to exceed 50 feet, if the minimum floor to ceiling height of the ground floor is 15 feet (measured from finished ground floor to bottom of joists or slab on next floor up). See Figure 2: Building Design (Building Height).

FIGURE 2: BUILDING DESIGN (BUILDING HEIGHT)



(3) Windows/Transparency.

(a) Windows are required for 60 percent of the ground floor façade along public street frontages and 40 percent on facades facing required parking areas. See Figure 3: Building Design (Transparency, Articulation & Building Form).

(b) Upper-floor window orientation must be vertical or have a width that is no greater than the width of the ground-floor window immediately below it. Upper-floor windows that are located directly above lower-level piers must be aligned within 12 inches of the vertical lines of such piers.

(c) ATMs and Service Windows. ATMs and service windows must be visible from the public right-of-way for security and have a canopy, awning, or other weather protection shelter.

(d) Prohibited Windows. Highly tinted (total light transmittance less than 50%), opaque, or mirrored glass (except stained-glass windows) do not meet the intent of this section and are prohibited.

(4) Building articulation. Each building facade adjacent to a street shall be articulated through recessing, projecting, banding, articulation of exterior materials, or change of materials, by incorporating patterns that are offset by a minimum depth (projecting or recessing) of at least 16 inches from one exterior wall surface to the other and the offset shall extend the length and height of its module. Articulation patterns shall repeat a minimum of every 20 feet for the entire length of the facade. This standard shall only apply to facades that exceed 40 feet in length.

(5) Pedestrian shelters.

(a) Pedestrian shelters such as a canopy or overhang shall be provided over all adjacent public sidewalks so that 50 percent of the length of the building frontage and adjacent sidewalk has weather protection.

(b) Pedestrian shelters must be at least the same width of storefronts or window openings and meet any and all additional building code requirements.

(c) The minimum horizontal projection (depth) is 3 feet.

(c) All portions of any pedestrian shelter shall be at least 8 but not more than 12 feet above any public walkway.

(6) Building form.

(a) Where a wall of a proposed building is 10 feet or more taller than an adjacent building, the taller building must follow the horizontal lines of the shorter building along the ground floor. This requirement is met by incorporating corncing or a similar architectural feature that projects a minimum of 2 inches from the façade between the full length of all upper story floors.

(b) Multi-story buildings must have designs that establish prominent horizontal lines and avoid blank walls by incorporating one or more of the following:

- (A) A series of storefront windows;
- (B) Awning or canopy along the ground floor;
- (C) Belt course between building stories; and/or
- (D) Cornice or parapet line.

(c) Corner building. Corner buildings must include at least two of the following on building corners facing the public right-of-way:

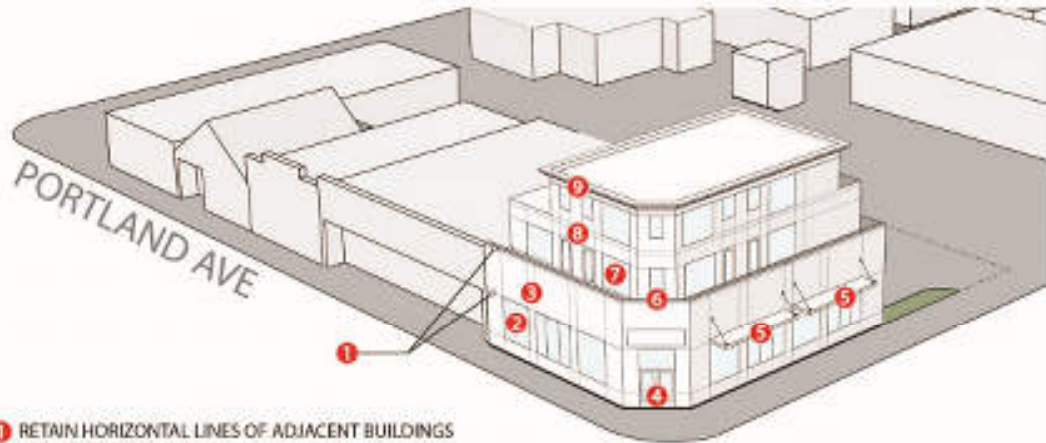
- (A) Bay windows
- (B) Roof decks or balconies on upper stories
- (C) Crowning features to a tower form such as wide cornices, projecting parapets.

(d) Buildings with flat roofs must have projecting cornices to create a prominent edge against the sky. Cornices must be made of a different material and color than the predominate siding of the building, except that brick siding may include matching brick cornices.

(e) Decks and Balconies. An upper story deck or uncovered balcony must be fully functional and integrated in the structure as follows:

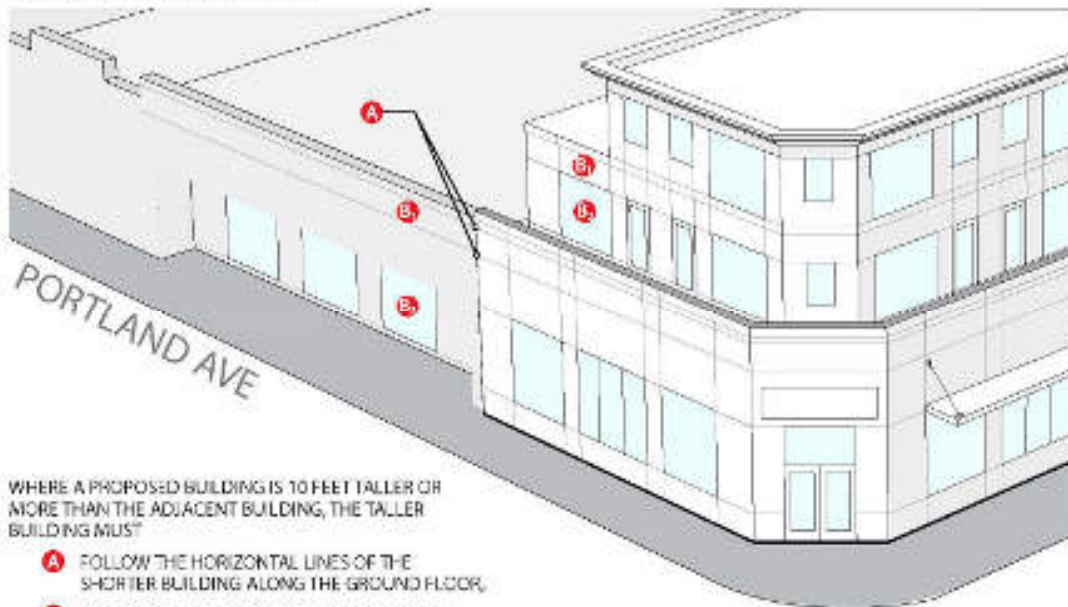
- (A) The upper story deck or balcony must be uncovered by any structure other than an awning and located no closer than 2 feet to any property line.
- (B) The overall size of each upper story deck or balcony shall be limited to a maximum of 6 feet deep and 16 feet wide, excluding railings.
- (C) The guardrails on decks and balconies shall not exceed the minimum height required by the Building Code, and the design of the guardrail shall be at least 50% transparent or see through (consisting of open spaces with bars, balusters, railings, or similar).
- (D) The cantilevered portion of the deck or balcony shall have a minimum vertical clearance of seven feet.
- (E) No new ground supports for the deck or balcony may be located in the setback or open yard.

FIGURE 3: BUILDING DESIGN (TRANSPARENCY, ARTICULATION & FORM)



- 1 RETAIN HORIZONTAL LINES OF ADJACENT BUILDINGS ALONG GROUND FLOOR
- 2 60% WINDOWS ON NON-RESIDENTIAL GROUND FLOOR
- 3 ARTICULATION (RECESSING/PROJECTING, BANDING, ARTICULATION OF MATERIALS, CHANGE OF MATERIALS)
- 4 CORNER ENTRANCE
- 5 PEDESTRIAN SHELTERS
- 6 ROOF DECK/BALCONY INTEGRATED INTO STRUCTURE
- 7 UPPER-FLOOR WINDOWS NO WIDER THAN GROUND-FLOOR WINDOW BELOW, FOLLOW VERTICAL LINES OF LOWER-LEVEL PIERS
- 8 PROMINENT HORIZONTAL LINES
- 9 PROJECTING CORNICE

FIGURE 4: BUILDING FORM



- WHERE A PROPOSED BUILDING IS 10 FEET TALLER OR MORE THAN THE ADJACENT BUILDING, THE TALLER BUILDING MUST
- A FOLLOW THE HORIZONTAL LINES OF THE SHORTER BUILDING ALONG THE GROUND FLOOR,
 - B REFERENCE ELEMENTS OR DETAILING OF THE SHORTER BUILDING(S) ON ITS UPPER STORIES.

(6) Building materials.

(a) Exterior building materials must consist predominantly of unfinished wood, painted or natural-stained wood, fiber cement lap siding, stone, rusticated concrete block, or comparable cladding approved by the Planning Commission.

(b) For buildings three stories or more, elevations must incorporate changes in material that define a building's base, middle, and top and create visual interest and relief.

(7) Color.

(a) Muted and subtle earth tones or neutral colors, that are low-reflectance shades, and natural wood finishes are encouraged as the primary colors of buildings.

(b) Coordinated Color. Color schemes must be simple and coordinated over the entire building to establish a sense of overall composition. Color schemes must tie together signs, ornamentation, awnings, canopies and entrances.

(8) Screening Mechanical Equipment.

(a) Rooftop mechanical equipment shall be screened from the view of adjacent public streets and abutting properties by an extended parapet wall or other roof forms that are integrated with the architecture of the building.

(b) Ground level mechanical equipment shall be screened using vegetation screening or structural screens that are integrated with the materials and colors of the building.

(9) Accessibility. Accessibility must be consistent with Americans with Disabilities Act (ADA) standards and applicable building codes. Wheelchair ramp design must incorporate materials and detailing similar to the base of the building.

(10) Sustainability. Where possible, use materials indigenous to the region and/or manufactured or supplied locally and that have minimal adverse impacts to the environment.

17.21.080 Off-street parking standards

Off-street parking in the Downtown Core Overlay Zone shall be provided in accordance with the underlying zoning district except for the following standards:

(1) Minimum Parking Required: New developments within the Downtown Core Overlay Zone shall be exempt from minimum parking requirements.

(2) Off-street parking screening. Surface parking must be screened from the public right-of-way by one or a combination of the following:

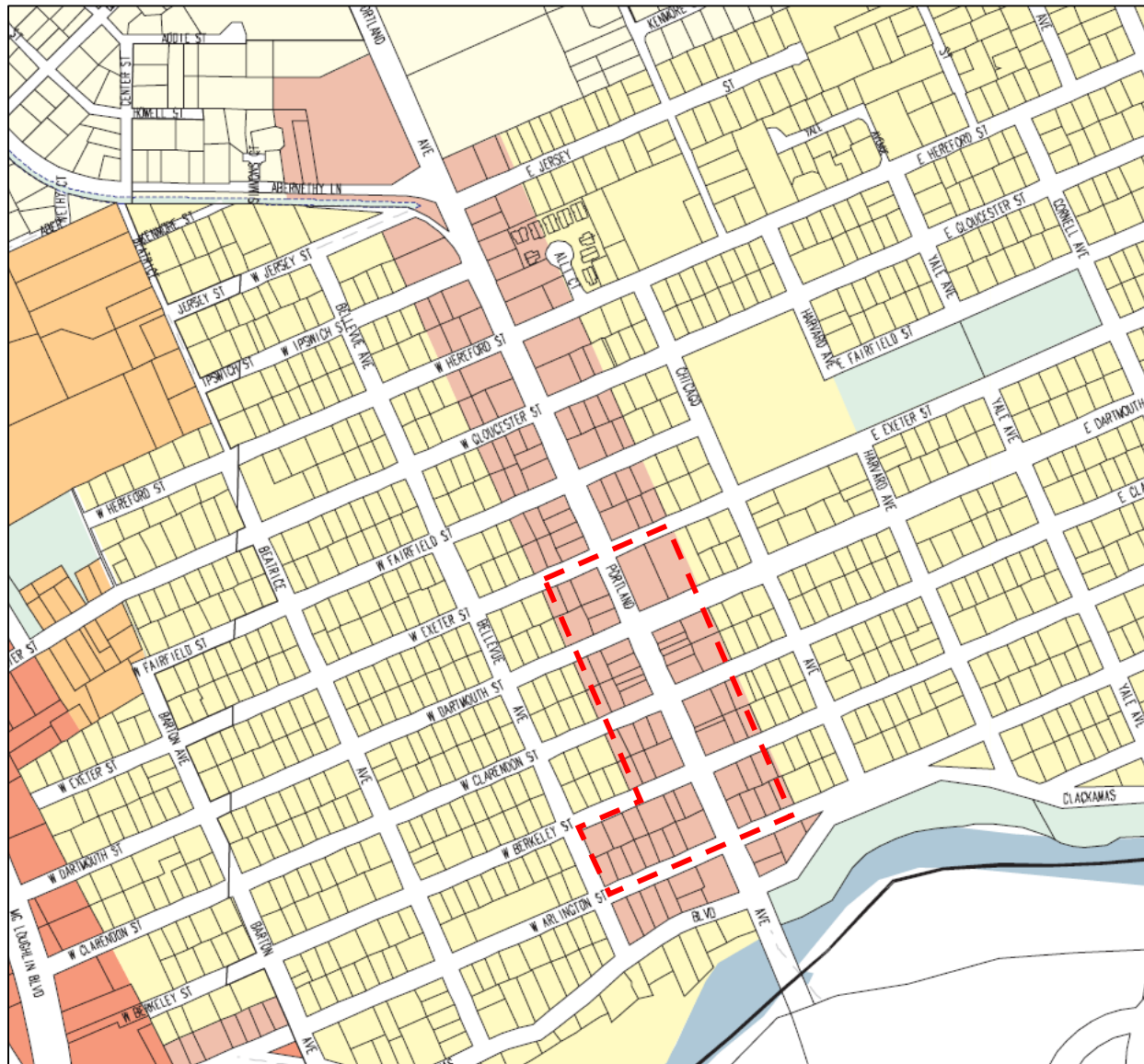
(a) Low walls made of concrete, masonry, or other similar material and not exceeding a maximum height of three feet.

(b) Raised planter walls planted with a minimum 80 percent evergreen shrubs not exceeding a total combined height of three feet.

(c) Landscape plantings consisting of trees, of which at least 80 percent are deciduous, and shrubs and groundcover materials, of which at least 80 percent are evergreen.

City of Gladstone Downtown Revitalization Plan Zoning Code Update

Downtown Overlay Zone



- - - = Downtown Overlay District Boundary
- = Existing Community Commercial Zoning (C2 Zone)
- = Existing Single-Family Residential Zoning (R-5 Zone)

City of Gladstone Staff Report

Report Date: November 16, 2022
Meeting Date: December 13, 2022
To: Gladstone City Council
From: John Schmerber, Chief of Police

AGENDA ITEM

Consider approval of ordinance 1519, amending GMC 10.16.021 (Hazardous vehicles), ordinance approval 1520, amending 10.04.230 (Prohibited – Certain vehicles and places), and ordinance approval 1521, amending 9.60.010 (Camping Prohibited in Certain places).

History/Background

As you recall, on October 25, 2022, we held a work session outlining the recommended amendments to the Gladstone Municipal Code. Below is summary of the discussion.

Last year, the City of Gladstone (City) updated Chapter 9.60 of the Gladstone Municipal Code (GMC) related to camping prohibited in response to the changing landscape and laws regarding homeless camping on public property. Since then, concerns have been raised regarding how the law is working within the City and what options exist to continue addressing emerging and evolving problems. One such problem that arose since GMC 9.60 was amended is people living in cars parked (legally and illegally) on public streets.

Homelessness is a vast and complicated combination of issues that impacts cities and communities in numerous ways. This memo focuses on the specific tools available to the city to address the specific problem of camping in cars on City streets.

With these recommended amendments, the police department recognizes the importance of maintaining our city philosophy as it is related to homelessness. That philosophy is demonstrating empathy towards individuals experiencing homelessness, relationship building and providing services to those who are accepting. This has proven to be successful.

Proposal

We are proposing three possible code amendments to address the stated problem, which the City Council may consider alone or in combination.

First, we recommend the City add a subsection to GMC 10.16.021, the code related to Hazardous vehicles, that states that a “hazardous vehicle” includes a vehicle parked illegally that has 5 parking citations, each issued on separate day, within a 30-day period. The citations would include a notice that five citations issued within a 30-day period could result in towing without further notice when parked illegally. Then, under GMC 10.18.010, a hazardous vehicle may be impounded without prior notice, but the violator has such notice based on the previous citations. The City will also provide a provision stating that if the person appeals a citation per the process in code, then that citation does not count against them during the 30-day period. In addition, the City will build into its internal policy that if the violator is using their vehicle for habitation, they have special access to it in order to obtain their personal belongings. (See Exhibit A for draft language).

The second recommended code amendment would be to implement a shorter, 24-hour parking limit for vehicles parked in commercial zones within the City. Currently, GMC 10.04.230(1) (g)

prohibits parking or storing a vehicle for longer than 72 hours on any public street in the City in any zone. The City could amend the code to provide for a shorter, 24-hour period within the City's commercial zones. Additionally, the City recommends increase the distance a person must move their vehicle to avoid violating the time limit from one block/200 feet to three blocks/600 feet, whichever is less. (See Exhibit B for draft language.)

Lastly, the City recommends amending GMC Chapter 9.60 to include public rights-of-way in the definition of city property such that camping would be prohibited on all city property including public rights-of-way between the hours of 6:30 am and 9:30 pm. (See Exhibit C for draft language.)

These recommended code amendments, would help the city better address various parking issues.

Options

Not accept the recommended GMC amendment options
Accept a combination of any three options
Accept the recommended GMC amendment options

Cost Impact

There is no cost associated with amending the GMC

Recommended Staff Action

Staff recommends the City Council approve ordinance 1519, amending GMC 10.16.021 (Hazardous vehicles), ordinance approval 1520, amending 10.04.230 (Prohibited – Certain vehicles and places), and ordinance 1521, amending 9.60.010 (Camping Prohibited in Certain places).



Department Head
Signature

Date



City Administrator
Signature

12-7-22

Date

ORDINANCE NO. 1519

***AN ORDINANCE AMENDING GLADSTONE MUNICIPAL CODE SECTION 10.16.021,
HAZARDOUS VEHICLES***

WHEREAS, persistent violation of the parking code interferes with the intended use of the public rights-of-way; and

WHEREAS, currently, GMC Section 10.16.021 defines the offense of hazardous vehicle, and pursuant to GMC 10.18.010 a hazardous vehicle may be towed without prior notice; and

WHEREAS, the City desires to amend the hazardous vehicle code to include illegally parked vehicles with five or more parking citations within the previous 30 days.

NOW, THEREFORE, THE CITY OF GLADSTONE ORDAINS AS FOLLOWS:

Section 1. The Gladstone City Council amends Section 10.16.021 of the Gladstone Municipal Code as described in Exhibit A to this ordinance, which is attached and incorporated by reference. Additions to the code are underlined and deletions are shown as ~~struck through~~.

Section 2. All remaining provisions of Section 10.16.021 of the Gladstone Municipal Code are reaffirmed.

Approved by the Gladstone City Council this ____ day of _____, 2022.

ATTEST:

Tamara Stempel, Mayor

Tami Bannick, City Recorder

ORDINANCE 1519
Exhibit "A"

Chapter 10.16

ABANDONED AND HAZARDOUS VEHICLES*

Sections:

- 10.16.011 Abandoned vehicles prohibited.
10.16.021 Hazardous vehicles.

* Prior history:

- 10.16.010 **History:** Ord. 892 §1, 1977; Repealed by Ord. 1180 §1, 1993.
10.16.020 **History:** Ord.892 §2, 1977; Ord. 968 §1, 1980; Repealed by Ord.1180 §1, 1993.
10.16.030 **History:** Ord. 892 §3, 1977; Repealed by Ord. 1180 §1, 1993.
10.16.040 **History:** Ord.892 §4, 1977; Ord. 968 §2, 1980; Repealed by Ord. 1180 §1, 1993.
10.16.050 **History:** Ord. 892 §5, 1977; Repealed by Ord. 1180 §1, 1993.
10.16.060 **History:** Ord. 892 §6, 1977; Repealed by Ord. 1180 §1, 1993.
10.16.070 **History:** Ord. 892 §7, 1977; Repealed by Ord. 1180 §1, 1993.
10.16.080 **History:** Ord. 892 §8, 1977; Repealed by Ord. 1180 §1, 1993.
10.16.090 **History:** Ord. 892 §9, 1977; Repealed by Ord. 1180 §1, 1993.
10.16.100 **History:** Ord. 892 §10, 1977; Repealed by Ord. 1180§1, 1993.
10.16.110 **History:** Ord. 892 §11, 1977; Repealed by Ord. 1180§1, 1993.

10.16.011 Abandoned vehicles prohibited.

(1) No vehicle that the Police Chief, or his designee, has reason to believe is abandoned may be parked or left standing for a period in excess of twenty-four (24) hours:

- (a) Upon the right-of-way of any city, county, or state highway, street or alley, or upon any city property.
- (b) Upon the right-of-way of any private street or alley or upon any private property used by business licensees, customers, or the public.

(2) It is no defense to any of the above prohibited acts of this section that the vehicle has been moved to a different location. When a vehicle has been tagged and notice sent to the registered owner, it is not necessary to re-tag or send subsequent notice if the same vehicle violates any of the above subsections and the registered owner has not changed since the initial parking violation.

Statutory Reference: ORS 819.100 to 819.270

History: Ord. 1180 §2, 1993.

10.16.021 Hazardous vehicles.

(1) The driver of a vehicle, or if no driver is present the registered owner of a vehicle, commits the offense of hazardous vehicle when:

(a) The vehicle blocks, impedes or interferes with the vision or normal flow of vehicular or pedestrian traffic on public or private streets;

(b) The vehicle poses an immediate danger to the public safety, such as a vehicle with a leaking fuel system;

(c) The vehicle is parked or left standing on a street, public or private parking lot, or other area where immediate access is needed by the fire department or the police department and their respective equipment;

(d) The vehicle is parked or left standing on a street where snow removal equipment will soon clear the street and removal of the vehicle is reasonably necessary in order to clear the street; ~~or~~

(e) The vehicle blocks or is within ten feet (10') of a fire hydrant; or.

(f) The vehicle is illegally parked and has, within the previous 30 days, received 5 or more parking citations for violation of GMC Chapter 10.04 or state parking laws, provided one or more of the citations gives notice that 5 parking citation(s) within a period of 30 days may result in impoundment under GMC 10.18.010(1) and explains procedures available for obtaining a hearing described in GMC Subsections 10.18.020(2)-(4). If the owner challenges a citation as allowed in Gladstone Municipal Code, the citation that is the subject of the challenge shall not be counted towards the threshold number of citations necessary to qualify the vehicle as a hazardous vehicle.

Statutory Reference: ORS 819.100 – 819.270

History: Ord. 1180 §2, 1993.

ORDINANCE NO. 1520

***AN ORDINANCE AMENDING GLADSTONE MUNICIPAL CODE SECTION 10.04.230,
PROHIBITED – CERTAIN VEHICLES AND PLACES***

WHEREAS, commercial zones in the City of Gladstone (City) attract visitors to engage with businesses, which promotes a thriving community; and

WHEREAS, long-term parking in commercial zones interferes with the ability of visitors to engage with the businesses; and

WHEREAS, Gladstone Municipal Code (GMC) Section 10.04.230 prohibits certain parking offenses within the City; and

WHEREAS, GMC Section 10.04.230 generally prohibits, in relevant part, parking a vehicle in the right-of-way in any zone for longer than 72 hours unless moved one city block or 200 feet, whichever is less; and

WHEREAS, the City desires to reduce the parking time limit in commercial zones and require that vehicles move further distances within that time limit in order to encourage visitors to businesses and promote a thriving community.

NOW, THEREFORE, THE CITY OF GLADSTONE ORDAINS AS FOLLOWS:

Section 1. The Gladstone City Council amends Section 10.04.230 of the Gladstone Municipal Code as described in Exhibit A to this ordinance, which is attached and incorporated by reference. Additions to the code are underlined and deletions are shown as ~~struck through~~.

Section 2. All remaining provisions of Section 10.04.230 of the Gladstone Municipal Code are reaffirmed.

Approved by the Gladstone City Council this ____ day of _____, 2022.

ATTEST:

Tamara Stempel, Mayor

Tami Bannick, City Recorder

ORDINANCE 1520
Exhibit “A”

10.04.230 Prohibited—Certain vehicles and places.

(1) No person shall park, store, or leave standing:

(a) A vehicle upon a bridge, viaduct, or other elevated structure used as a street or within a street tunnel unless authorized;

(b) A vehicle in an alley other than for the expeditious loading or unloading of persons or materials but in no case for a period in excess of 30 consecutive minutes;

(c) A vehicle upon a parkway or freeway, except as authorized;

(d) A vehicle in a manner which causes a traffic hazard to any normal flow of traffic;

(e) A vehicle in a manner which violates ORS 811.550, prohibiting parking on sidewalks, parkways, near fire hydrants, private drives, within intersections, crosswalks, double parking or parking in violation of posted regulatory signs;

(f) A vehicle subject to the motor carrier tax for use of highways established by ORS 767.815 on a residential street or on property adjacent to a residential street except when parking is required for deliveries to adjacent properties between 7:00 a.m. and 7:00 p.m. For purposes of this section, a “residential street” is any street which abuts property on either side of that which is zoned R-7.2, R-5 or M-R. Nothing in this section shall prohibit the parking of only the truck (or tractor) portion on private property;

(g) A vehicle upon a public street or other public property controlled by the city in excess of 24 hours in a Commercial Zone or 72 hours in any non-Commercial Zone. Failure to move a motor vehicle for 24 hours in a Commercial Zone or 72 hours in a non-Commercial Zone constitutes prima facie evidence of storage. Specific types of vehicles are subject to more stringent parking requirements as set forth in subsection (1)(h) of this section;

(h) No person shall at any time park, store, or leave standing a house or camping trailer, motor home or recreational vehicle whether attended or unattended, on any improved public highway, public street or other public way within the city limits, for a period of greater than 30 minutes, between the hours of 12:00 a.m. and 6:00 a.m.

(A) Exception. A house or camping trailer, motor home or recreational vehicle may be parked on a public street longer than the period allowed in subsection (1)(h) of this section if: (i) it is owned by the resident or guest of the resident of the property in front of which it is parked; (ii) it is parked on the public street adjacent to the lot of the resident; and (iii) it is parked on the public street no longer than 72 hours. Failure to move a motor vehicle for 72 hours constitutes prima facie evidence of violation of this section. Such vehicle must be parked in a manner which does not interfere with traffic or create a hazard by obstructing the view of drivers;

(i) Failure to move a vehicle or other personal property regulated by this section after expiration of any of the time periods set forth in subsections (g) and (h) of this section constitutes prima facie evidence of violation of this section. For purposes of subsection (g) of this section, “move” is defined as transporting the vehicle or personal property a distance of ~~one-three~~ three city blocks or 2600 feet, whichever is less. For purposes of subsection (h) of this section, “move” means transporting the house or camping trailer, motor home or recreational vehicle off the city’s public streets;

(j) No trailer shall be parked upon any roadway unless it is attached to a motor vehicle by which it may be propelled or drawn. This subsection shall not apply to trailers which are disabled to such an extent that the driver cannot avoid temporarily leaving the disabled trailer on the roadway; provided, that the trailer is parked

in a manner which does not interfere with traffic or create a hazard. A disabled trailer must be removed within 72 hours;

(k) No vehicle shall be parked or operated on a street when the vehicle registration as indicated by registration stickers or registration card is expired;

(l) No vehicle shall obstruct the driveway of any post office or postal station, or park within 10 feet of a private mailbox during the hours of delivery.

(2) No operator shall park and no owner shall allow a motorized or nonmotorized vehicle or personal property to be parked upon a street or other public property controlled by the city for the principal purpose of:

(a) Displaying the vehicle for sale;

(b) Displaying advertising from the vehicle;

(c) Repairing or servicing the vehicle, except minor repairs or repairs necessitated by an emergency, if the total lapsed time in making the repairs does not exceed eight hours' duration, or that the owner of the vehicle has the express written permission from the Chief of Police or his designee to exceed the eight-hour limitation. In no event shall a vehicle in the process of the repair on a public street be left unattended while it is placed on jacks or blocks, or otherwise elevated.

(3) No operator shall park and no owner shall allow a motorized or nonmotorized vehicle to be parked upon public property controlled by the city:

(a) In a manner that violates any posted parking restriction;

(b) Without paying any required fee; or

(c) Without displaying any required permit or receipt.

Statutory Reference: ORS 810.160, 811.550 to 811.640

History: Ord. 798 §23, 1972; Ord. 951 §1, 1980; Ord. 1005 §1, 1982; Ord. 1207 §1, 1995; Ord. 1244 §2, 1997; Ord. 1298, 2000; Ord. 1373, 2006; Ord. 1380 §1, 2006; Ord. 1491 §1, 2018; Ord. 1511 §1, 2021.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

ORDINANCE NO. 1521

***AN ORDINANCE AMENDING GLADSTONE MUNICIPAL CODE CHAPTER 9.60,
CAMPING PROHIBITED IN CERTAIN PLACES***

WHEREAS, homelessness is a vast and complicated combination of issues that impacts cities and communities, including the City of Gladstone (City), in numerous ways; and

WHEREAS, in 2021, in response to the changing landscape and laws regarding homeless camping on public property the City amended Gladstone Municipal Code (GMC) Chapter 9.60 related to camping prohibited; and

WHEREAS, the City’s philosophy while dealing with people experiencing homelessness is to demonstrate empathy, build relationships and provide services to those who are accepting; and

WHEREAS, despite state and local laws and the City’s philosophy, camping in vehicles in the public rights-of-way persists, which affects the public’s ability to use the rights-of-way as intended; and

WHEREAS, currently, GMC Chapter 9.60 regulates camping on City property but defines City property to exclude public right-of way; and

WHEREAS, the City desires to also regulate camping in the public right-of-way.

NOW, THEREFORE, THE CITY OF GLADSTONE ORDAINS AS FOLLOWS:

Section 1. The Gladstone City Council amends Section 9.60.010 of the Gladstone Municipal Code as described in Exhibit A to this ordinance, which is attached and incorporated by reference. Additions to the code are underlined and deletions are shown as ~~struck through~~.

Section 2. All remaining provisions of Section 9.60.010 of the Gladstone Municipal Code are reaffirmed.

Approved by the Gladstone City Council this ____ day of _____, 2022.

ATTEST:

Tamara Stempel, Mayor

Tami Bannick, City Recorder

ORDINANCE 1521
Exhibit “A”

Chapter 9.60

CAMPING PROHIBITED IN CERTAIN PLACES

Sections:

- 9.60.010 Definitions.
- 9.60.020 Prohibited camping.
- 9.60.030 Violation—Penalties and enforcement.

9.60.010 Definitions.

As used in this chapter:

- (1) “To camp” means to set up, or to remain in or at, a campsite.
- (2) “Campsite” means any place where any bedding, sleeping bag, or other sleeping matter, or any stove or fire, is placed, established, maintained, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.
- (3) “City property” means and includes all real property owned by the city, ~~other than~~including public right-of-way and utility easement as those are defined herein, and all property held in proprietary capacity by the city.
- (4) “To store” or “storage” means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.
- (5) “Camp paraphernalia” means, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, or non-city designated cooking facilities and similar equipment.
- (6) “Camp facilities” include, but are not limited to, tents, huts, temporary shelters, or vehicles.

Statutory Reference: ORS

History: Ord. 1226 §1, 1996; Ord. 1510 §1 (Exh. A), 2021.

9.60.020 Prohibited camping.

(1) Except as expressly authorized by the Gladstone Municipal Code, it is unlawful at all times for any persons to establish or occupy a campsite on the following city property:

- (a) All public parks;
- (b) In a manner reducing the clear, continuous sidewalk width to less than five feet;
- (c) All publicly owned or maintained parking lots; and
- (d) All public property located within an area zoned for residential use under GMC Title 17.

(2) Except as expressly authorized by the Gladstone Municipal Code, it shall be unlawful for any person to camp or maintain a campsite on any city property during the hours of 6:30 a.m. to 9:30 p.m.

(3) Except as expressly authorized by the Gladstone Municipal Code, it shall be unlawful for any individual to store more than 120 cubic feet of personal property, including camp facilities and camp paraphernalia, on city property during the hours of 6:30 a.m. to 9:30 p.m.

(4) Notwithstanding the provisions of this chapter, the City Administrator or designee may temporarily authorize camping or storage of personal property on city property by written order that specifies the period of time and location:

- (a) In the event of emergency circumstances;
- (b) In conjunction with a special event permit; or
- (c) Upon finding it to be in the public interest and consistent with council goals and policies.

(5) The City Administrator may adopt administrative rules to implement any of the provisions of this chapter.

Statutory Reference: ORS

History: Ord. 1226 §1, 1996; Ord. 1236 §1, 1997; Ord. 1510 §1 (Exh. A), 2021.

9.60.030 Violation—Penalties and enforcement.

(1) Violation of this chapter is a Class “C” violation. Each day that a violation occurs will be considered a separate offense.

(2) In addition to any other penalties that may be imposed, violation of this chapter shall constitute a public nuisance and may be abated in accordance with ORS 202.077 and 203.079.

Statutory Reference: ORS 202.077, 203.079.

History: Ord. 1226 §1, 1996; Ord. 1496 §1, 2019; Ord. 1510 §1 (Exh. A), 2021.

