



**GLADSTONE PLANNING COMMISSION REGULAR AGENDA
GLADSTONE CIVIC CENTER, 18505 PORTLAND AVENUE
Tuesday, February 20, 2024 – 6:30 p.m.**

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:

<https://us06web.zoom.us/j/81127171343?pwd=82brQuA0csr4uERNojvQOnBGP8qIpw.pfVKnzPpFhgxVDEV>

Passcode: 638097

Or One tap mobile :

+12532158782,,81127171343#,,,,*638097# US (Tacoma); +13462487799,,81127171343#,,,,*638097# US (Houston)

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

+1 253 215 8782 US (Tacoma); +1 346 248 7799 US (Houston)

Webinar ID: 811 2717 1343

Passcode: 638097

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 February 20, 2024. Individuals attending in person may submit a speaker card to the City Recorder prior to the beginning of the meeting. Comments are limited to three (3) minutes.

The Planning Commission 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 February 20, 2024 with your name, topic of discussion, and city of residence. Individuals attending in person may submit a speaker card to the City Recorder prior to the beginning of the meeting. Comments are limited to three (3) minutes.

6:30 P.M. CALL TO ORDER

ROLL CALL

FLAG SALUTE

OATH OF OFFICE: Re-appointment of Natalie Smith and Jacob Wease

1. Election of Chair and Vice-Chair – Gladstone Municipal Code Chapter 2.10.050 (6) Chairperson and Vice-Chairperson: At its first meeting in January of each year members of the committee shall elect a chair person and a vice-chairperson

CONSENT AGENDA

All items listed below are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a commission member or person in the audience requests specific items be removed from the Consent Agenda for discussion prior to the time the commission votes on the motion to adopt the Consent Agenda.

2. Approval of December 19, 2023 Meeting Minutes (January meeting cancelled)

REGULAR AGENDA

3. Monthly Planning Report – December 2023 and January 2024
4. **CONTINUED PUBLIC HEARING:** TXT-23-03. Gladstone Municipal Code Amendments for Chapter 17.78 – Home Occupation.
5. **PUBLIC HEARING:** File DR-24-02, New building and on-site improvements for eating & drinking venue, including indoor tap room, mobile food vendors and outdoor seating at 140 W Arlington, Ray Fletcher
6. Appointment of Planning Commission member to the Town Center Stakeholder Advisory Committee
7. Information Only: Letter from Greg Philo – FIRE Restoration, file DR-23-06

BUSINESS FROM THE PUBLIC - Visitors: This is an opportunity for members of the audience to bring to the Commission'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 FROM THE PLANNING COMMISSION

ADJOURN

Upcoming Meeting Dates:

- March 19, 2024 – 6:30 pm – Planning Commission Meeting

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 known 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.

February

CONSENT AGENDA



GLADSTONE PLANNING COMMISSION MEETING MINUTES OF DECEMBER 19, 2023

Meeting was called to order at 6:31 P.M. (In Person and via Zoom)

ROLL CALL:

Chair Natalie Smith, Commissioner Jacob Wease, Commissioner Andriel Langston, Commissioner Andrew Labonte, Commissioner Pat Smith, Commissioner Thomas Mersereau

ABSENT:

Commissioner Jennifer Volbeda

STAFF:

Tami Bannick, City Recorder; Heather Austin, Senior Planner; Hayley Kratz, Office Assistant

CONSENT AGENDA:

1. APPROVAL OF OCTOBER 17, 2023 MEETING MINUTES:

Commissioner Langston made a motion to approve the Consent Agenda. Motion was seconded by Commissioner Labonte. Ms. Bannick took a roll call vote: Commissioner Wease – yes. Commissioner Langston – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Chair Smith – yes. Motion passed with a unanimous vote.

REGULAR AGENDA:

2. MONTHLY PLANNING REPORT – NOVEMBER 2023:

Ms. Austin said the reports are included in the packet. She said it was a pretty average month. There were slightly fewer customer phone/email contacts. They had five building permits that were submitted/reviewed.

Chair Smith asked about the replacements of manufactured homes on River Road – if that was within the Two Rivers community. The answer was yes – they received a grant to replace some of the units and to do some upgrades.

3. CONTINUED PUBLIC HEARING: DR-23-06 – CONSTRUCTION OF A NEW 7,458 SQ. FT. WAREHOUSE STORAGE BUILDING – 6075 DUNIWAY AVENUE:

Chair Smith opened the public hearing at approximately 6:35 P.M.

She went over the procedure to be followed. She asked if there were any abstentions from the Commissioners – there were none. She asked if there were any significant ex parte/pre-hearing contacts or conflicts of interest – there were none. All the Commissioners had viewed the site. She asked if any member of the audience wished to challenge the right of any Commissioner to hear this matter – none did. She asked if any member of the audience wished to question the jurisdiction of this body to act on behalf of the City Council on this matter – none did.

Chair Smith said this is an item in which they will be receiving public testimony. Any interested person may present testimony concerning the proposed amendments. The public hearing is your opportunity to comment before the City makes a decision. She went over the procedures for testifying.

Ms. Austin briefly went over the staff report/Power Point presentation again. The public hearing was opened at the October 17th, 2023 meeting and was continued to tonight's meeting. This project is for the Fire Restoration Company. There is no proposed off-street parking or exterior storage and there is no longer a requirement to provide off-street parking. The project is zoned light industrial. This use is permitted outright in this zoning district. It is approximately .5 acres in size. It doesn't fall within the flood plain or any environmental overlays in the City. She, Mr. Caniparoli, and the City Engineer met with the applicant team and talked through the conditions that were being recommended in the previous staff report. She went over the changes that have been proposed (landscaping strips buffering the loading area, the loading area is now shown as asphalt rather than gravel, bicycle parking/pedestrian accessibility that connects to the public sidewalk, windows above the garage and man doors, etc.). There were also changes to the public improvements that are indicated in the Public Works memo in the packet. The changes that were made to the site plan resulted in the City being able to revise the conditions to just three bullet points (building materials/finishes, site photometrics, and trash/disposal/recycling collection provisions).

APPLICANT TESTIMONY:

Greg Philo, applicant, explained that in elevation 4/west elevation it is an exposed timber frame truss that is outside as a cover where bicycles are parked and will be stained wood. He shared examples of the stain color, sheet metal color, and wainscot. The entire building has a metal roof.

PUBLIC TESTIMONY:

None. There has been no correspondence received pertaining to this matter.

Commissioner Pat Smith made a motion to close the public hearing. Motion was seconded by Commissioner Langston. (There was no vote taken)

DISCUSSION:

Commissioner Langston said he appreciated the work that the applicant put in to revise the application – it is very clear and thorough now.

Ms. Austin said that staff continues to recommend approval with the conditions as provided.

Commissioner Langston made a motion to approve application DR-23-06 with special conditions 1 through 4. Motion was seconded by Commissioner Pat Smith. Ms. Bannick took a roll call vote: Commissioner Mersereau – yes. Commissioner Pat Smith – yes. Commissioner Labonte - yes. Commissioner Langston – yes. Commissioner Wease – yes. Chair Smith – yes. Motion passed with a unanimous vote.

4. PUBLIC HEARING – TXT-23-03 – GLADSTONE MUNICIPAL CODE (GMC) AMENDMENTS FOR CHAPTER 17.78 – HOME OCCUPATION LICENSES:

Chair Smith opened the public hearing at approximately 6:51 P.M. She went over the order of business to be followed.

Commissioner Pat Smith said that he is a partner in a 13-person partnership – since he does the office work the City business license is in his name. They have no financial interest in this matter. They conduct no business in the City of Gladstone other than making notes, mailings, and writing checks. He does not see this as a conflict of interest, but he will defer to the rest of the Planning Commission. The other Commissioners did not have any issues with that. Commissioner Wease said his wife runs a photography business and editing happens in their home.

He works primarily from his home office. The other Commissioners did not have any issues with that.

Chair Smith went over the procedures for testifying.

She asked if there were any abstentions from the Commissioners – there were none.

Ms. Austin went over the staff report/slide presentation. City staff has proposed these updates to the GMC in response to some issues that have come up over the past couple of years with the current home occupation process, as well as the changing environment of home-based businesses. They are trying to make sure that the language is easy for applicants and clear/objective for staff to implement and answer questions about. This language would be applicable to new home occupations. There were multiple staff members involved in this. The updates were reviewed by the City Attorney's office.

Staff is recommending approval of the proposed text amendments by the Planning Commission to the City Council for their public hearing meeting to be held on January 9, 2024.

PUBLIC TESTIMONY:

There was no correspondence received related to this matter.

Kim Sieckmann said he has held a home occupation for approximately 30 years. He watched the City Council meeting related to this issue. He said it looks like the Police Department and Code Enforcement are looking for more latitude to help them with enforcement. He agreed with the Council that clear and concise is very important. He feels that more latitude and more interpretation of the code is a problem. He said over the past thirty years there have been numerous Code Enforcement officers and they worked directly under a Police Sergeant – so you're working with multiple people's interpretation. He said since this only applies to new home occupation permits, he wants to know how they are going to keep track of that. He wants to know which set of rules he follows – the ones that were in place when he got his or the current ones. He feels they need to clarify when you need to have a business license and home occupation. 17.78.010 and 17.78.020 – he feels they need to clarify what triggers you to be required to have a home occupation permit. He thinks the removal of prohibited uses is a slippery slope/can of worms. He said it seems odd to him that they have eliminated “automotive” and “animal breeding” because if it meets the other criteria it's not a problem. He feels it is discriminatory. He feels the language is vague and unfair in 17.78.040-2. 17.78.040-8 & 9 – he said these tend to conflict with each other in regard to parking and traffic. 17.78.020-5 – the old language is simple and concise. They have taken out trip calculations and he feels that should be left in.

Ms. Austin said what triggers the home occupation is a business license, if it's in a residential zoning district. There are specific requirements/triggers related to obtaining a business license. The removal of auto repair and kennels – this is based on experience with the things that have the most impact on residential users. These businesses do impact neighbors.

Primary source of income – she was an advocate for removing this because it's hard to implement and she doesn't feel it impacts anyone.

Deliveries – this is speaking to the deliveries to the residences as opposed to commercial/industrial users. They could change it to “other residential deliveries” to make it clearer. They could define “vicinity” as “within 250 feet of the residence”.

She went over the parking/traffic section. She feels they need to strike that the parking shall be accommodated on site because they can't require that. She agreed that the term "monopolize" is a little loose.

There was discussion regarding the purpose/intent. Ms. Kratz said that in 17.78.010, #1 – it states what they were asking for. Mr. Sieckmann said it is pretty vague. There was further discussion regarding complaints, baseline, revocation, etc.

There was further discussion regarding "vicinity". It was agreed to clarify that it is "within 250 feet of the residence". There was discussion regarding truck size.

Commissioner Pat Smith complimented the City Council, City staff, and Ms. Austin on taking a deep dive into this. He agreed that they needed clarity of language. He said they need to be consistent in how they do things. If they aren't going to allow or limit pallet deliveries they need to do it for everybody, not just most people. He feels they need to be specific about what can be done as opposed to granting a wish list and hope it's okay. Ms. Austin confirmed that he would prefer to see the list on page 4-15 (159 of 170) put back in and expand it to try to accommodate all the home occupation uses. Commissioner Smith said he doesn't think it's fair for the Police Department to have to decide what's okay and what isn't okay.

Commissioner Wease would like to have more clarification regarding headquarters for craftsman or salesman. Ms. Austin said that most things can be a home occupation if they meet the design and function criteria, so that was where they focused it. They don't want to be restrictive of the types of uses that are happening, but if they can obtain a business license and meet these criteria so that they're not having the impacts on the neighbors, staff felt that was a fair way to do that. They are trying to make sure they aren't inadvertently excluding a valid use, but making sure it's clear what they will exclude, which is anything that doesn't meet the criteria. She pointed out that as long as current home occupancy permit holders continue their home occupation and continue getting their business license, their current standing stays the same. If they lapse their business license or stop their home occupation/business and want to start up again, the new standards would apply if it is after these become applicable. Chair Smith suggested that once this is approved and implemented the information should be put in the City newsletter so that everyone is aware. Ms. Austin said they discussed including the information with business license renewals as well. There was discussion regarding employees.

There was discussion regarding "grandfathered" permits and enforcement issues. Commissioner Wease asked if they should go a step further to notify current home occupancy permit holders of these changes. Ms. Kratz said they don't have email addresses for everyone, but letters containing the agenda for tonight's meeting were mailed out to the approximately 60-70 home occupation business license holders. They could do that again to provide the information regarding changes and notify the ones who have not renewed of the implications involved.

Commissioner Pat Smith asked if the recommendation was for parking of business vehicles on the street to be prohibited. Ms. Austin said the parking situation is so fluid now that they can't require people to have on-site parking in a lot of places. She said she withdrew that recommendation and it didn't carry forward to staff's recommendation.

There was further discussion regarding employees. Ms. Austin read the current language. They are changing it to require that an employee has to reside in the dwelling to be a part of the business. You can have employees, but they can't engage in your home occupation.

Commissioner Pat Smith made a motion to close the public hearing. Motion was seconded by Commissioner Wease. Ms. Bannick took a roll call vote: Commissioner Wease – yes. Commissioner Langston – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau - yes. Chair Smith – yes. Motion passed with a unanimous vote.

Chair Smith closed the public hearing at 8:00 P.M.

Discussion:

Commissioner Wease asked if there is room for verbiage in the purpose statement – to allow business permit holding residents to conduct business out of their home in these specific circumstances. Ms. Austin read that section of 17.78.010. They would change it to: Permit business license holding residents. Commissioner Wease had concerns regarding commercial vehicles – such as on-site detailing. He asked if they needed to call out commercial services to automobiles specifically because they have already said that everything must happen inside the walls of the residence, so they have already addressed the public nuisance side with that verbiage. There was discussion regarding liability insurance, hazardous materials, DEQ requirements, mobile detailing services, etc. Ms. Austin said there may be issues with vehicles waiting to be worked on.

Commissioner Pat Smith made a motion to carry this over after the changes come back to discuss at the January meeting. Motion was seconded by Commissioner Langston. Ms. Bannick took a roll call vote: Commissioner Mersereau – yes. Commissioner Pat Smith – yes. Commissioner Labonte – yes. Commissioner Langston – yes. Commissioner Wease – yes. Chair Smith – yes. Motion passed with a unanimous vote.

5. 2024 LONG-RANGE PLANNING WORK PROGRAM:

Ms. Austin wanted to provide a snapshot of what’s coming their way and add any items that she may have overlooked. She went over the current list (further information is included in the packet):

- Gladstone Town Center Project
- Climate Friendly and Equitable Communities (CFEC) Parking Reform
- Re-zoning of Meldrum Bar Park and Gladstone Nature Park
- State-Mandated Code Updates

There was discussion regarding the funding, scope, timelines, etc.

BUSINESS FROM THE PUBLIC:

None.

BUSINESS FROM THE PLANNING COMMISSION:

Commissioner Wease missed the financial disclosure at the last meeting. He said he lives in the City of Gladstone and owns his home. He works for Comcast. His wife has a photography business and operates all over the state, but the editing is done in their home. He has a 401K and some stocks.

Commissioner Mersereau said he enjoyed the meeting and wished everyone a Merry Christmas and happy New Year.

Commissioner Labonte wished everyone a happy and safe holiday. He is excited for getting the open space designation for the Nature Park and Meldrum.

Commissioner Pat Smith asked if there were any applications for the seats that are expiring at the end of the year. They decided at the last City Council meeting to reappoint Commissioner Wease and Commissioner Natalie Smith.

Chair Smith wished everyone a Merry Christmas and happy New Year. She thanked everyone for all their work, support, and efforts.

ADJOURN:

Commissioner Langston made a motion to adjourn the meeting. Motion was seconded by Commissioner Wease. Ms. Bannick took a roll call vote: Commissioner Mersereau – yes. Commissioner Pat Smith – yes. Commissioner Labonte – yes. Commissioner Langston – yes. Commissioner Wease – yes. Chair Smith – yes. Motion passed with a unanimous vote.

Meeting was adjourned at approximately 8:25 P.M.

Minutes approved by the Planning Commission this _____ day of _____, 2024.

Natalie Smith, Chair

February

REGULAR AGENDA





City of Gladstone Monthly Planning Report December 2023

PUBLIC CONTACTS/PLANNING ACTIONS

CUSTOMER CONTACT/ Planning Actions	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YEAR-TO-DATE TOTALS
Customer Service Counter Contacts	1	1	1	1	0	1	0	0	0	0	1	1	7
Customer phone/email Contacts	48	37	31	43	34	27	20	32	42	44	32	33	423
Building Permits with Land Use Review	4	6	2	4	8	4	2	6	9	8	5	9	67
Code Compliance Review	1	1	1	0	0	0	1	0	0	0	0	0	4
Pre-application Conferences	1	0	1	0	0	0	1	1	1	0	2	0	7
Administrative Decisions	2	2	0	0	0	0	2	0	1	0	0	0	7

PLANNING COMMISSION ACTIONS/DECISIONS

- DR 23-06 FIRE Restoration Warehouse Building Approved
- Home Occupation Code Update continued to January 2024 Planning Commission meeting

CITY COUNCIL LAND USE ACTIONS/DECISIONS

- No City Council Land Use Actions/Decisions in December 2023

PRE-APPLICATION CONFERENCES

- None in December

ADMINISTRATIVE PERMITS

- No Administrative Permits in December

BUILDING PERMITS WITH LAND USE REVIEW

Date	Address	Permit #	Description
12/05/23	1085 Portland Ave	B0515823	Exterior ADA upgrades and interior improvements to existing Commercial Structure for new Happy Rock Coffee Roasting Co. coffee shop and roastery. Review Cycle #3. Gladstone Zoning Standards continue to be met.
12/14/23			Review Cycle #4. Gladstone Zoning Standards continue to be met.
12/05/23	530 E Gloucester St	B0635823	
12/06/23	6635 Canterbury Dr	B0633923	Addition to existing home meeting setbacks and height requirements for zone.
12/08/23	555 Collins Crest	B0561923	Addition to existing home meeting setbacks and height requirements for zone.
12/12/23	8405 Cason Road	B0558923	Addition to existing home meeting setbacks and height requirements for zone.
12/14/23	465 Portland Ave	B9620523	The Brew- Conversion of a patio cover into a deck for access by the upstairs apartment on the rear of the building. Meets dimensional standards of C-2 zone in Downtown Core Overlay.
12/14/23	735 E Clarendon St	B0596123	Interior tenant improvement to existing office building. No proposed changes to exterior of building, building footprint, parking or site access. Business office use permitted in C-3 zoning.
12/26/23	525 Portland Ave.	B0569623	New library generator and trash enclosure approved.

FUTURE ITEMS/PROPERTY UPDATES

Date	Topic
01/09/24	City Council- Accept DLCD Grant for Town Center and CFEC Parking Project
01/16/24	Planning Commission- Home Occupation Code Update (Continued)



City of Gladstone Monthly Planning Report January 2024

PUBLIC CONTACTS/PLANNING ACTIONS

CUSTOMER CONTACT/ Planning Actions	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	D0ec	YEAR-TO-DATE TOTALS
Customer Service Counter Contacts	0												0
Customer phone/email Contacts	47												47
Building Permits with Land Use Review	15												15
Code Compliance Review	0												0
Pre-application Conferences	1												1
Administrative Decisions	0												0

PLANNING COMMISSION ACTIONS/DECISIONS

- Planning Commission canceled due to inclement weather

CITY COUNCIL LAND USE ACTIONS/DECISIONS

- No City Council Land Use Actions/Decisions in January 2024

PRE-APPLICATION CONFERENCES

- Lake Oswego Raw Water Intake Facility- Docking station for emergency generators

ADMINISTRATIVE PERMITS

- No Administrative Permits

BUILDING PERMITS WITH LAND USE REVIEW

Date	Address	Permit #	Description
01/02/24	8405 Cason Rd	B0558923	Addition to an existing home meeting all required dimensional standards. (2 nd review)
1/1/2024	6635 Canterbury DR	B0633923	Replacement of existing deck with new deck meeting all dimensional standards.
01/08/24	19405 McLoughlin Blvd	B0658023	Mazda Dealership on-building sign replacements- 4 new on-building signs all meeting code standards.
01/08/24	275 W Ipswich St	B0210923	Addition of 3 dwelling units to site with one dwelling- meets requirements for quadplex (four dwelling units on one property). (10 th review)
01/08/24	6703 Park Way	B0620923	Replacement of an existing deck on a home meeting all required dimensional standards.
01/08/24	740 82 ND Drive	B0323723	Addition of interior wall to office commercial building in the High Rocks Small Business Park. No external site or building changes. No applicable zoning regulations. (2 nd review)
01/08/24	530 E Gloucester St	B0635823	Conversion of a garage to a bedroom, bathroom and den accessible internally to the existing home. No change to existing building footprint.
01/08/24	19800 Oatfield Rd	B0560323	Gladstone Park Conference Center covered meeting area- approved by Planning Commission in 2023. Meeting all conditions of approval required for building permit issuance. (2 nd review)
01/11/24	430 Arlington St	B0674223	Addition of a 2 nd story dormer/bathroom to an existing single-household residential structure meeting all required dimensional standards.
01/16/24	320 Harvard Ave	B0023523	Demolish garage and build second dwelling to create duplex on property. Setbacks not met as shown. Requested revised site plan.
01/29/24			Reviewed again. Setbacks still not met.
1/18/24	435 W Clarendon St	B0001024	Conversion of an existing house to a duplex. Setbacks not met as shown. Building height not shown. Requested revised site plan.
01/19/24	1085 Portland Ave	B0515823	Convert existing office building into a coffee shop. All dimensional standards met.
01/19/24	19795 McLoughlin Blvd	B0014824	Sign permits for on-building signs at Taco Bell. Building frontage lengths not provided. Requested revised plans.
01/22/24	305 W Gloucester St	B0680123	Remodel and expansion of existing house to convert one single-household structure into a triplex. Setbacks not met. Requested revised plans.

FUTURE ITEMS/PROPERTY UPDATES

Date	Topic
02-20-24	Planning Commission public hearings regarding Home Occupation Code Language Update and The Arlington Tap Room Design Review

February

REGULAR AGENDA





Agenda Item No. 4

PC Meeting Date: 12/19/2023 (Original)
Continued to 01/16/2024 and then to 02/20/2024

Staff Memo: GMC 17.78 Home Occupation Code Amendments

File No.: TXT-23-03

Applicant or Presenter: City of Gladstone

Project Location: Properties Eligible for New Home Occupations

Project Description: City staff propose updates to Gladstone Municipal Code (GMC) Chapter 17.78- Home Occupations. The criteria of GMC Chapter 17.78 will apply to any new home occupation submittal in the city of Gladstone.

SUMMARY

The Planning Commission opened a public hearing to review the proposed updates to Gladstone Municipal Code (GMC) Chapter 17.78- Home Occupations on December 19, 2023. The Commission accepted the staff report and public comments and discussed the proposed changes. Several updates to the proposed language were requested by the Commission, with the public hearing left open and continued to the date certain of January 16, 2024. Inclement weather forced the cancellation of the January meeting and therefore the continued public hearing is now being held on February 20, 2024.

City staff have updated the proposed language and included it with this memo in both a “markup” version and a “clean” version.

Staff continue to recommend that the Planning Commission recommend approval of the revised updates to GMC 17.78- Home Occupations to the City Council at their meeting on March 12, 2024.

The findings of fact supporting the proposed Comprehensive Plan Text Amendment are found in the staff report prepared for the December 19, 2023 Planning Commission meeting. No changes are proposed to these findings (Pages 4-1 through 4-13 of the Packet found [here](#) and also as identified below):

https://www.ci.gladstone.or.us/sites/default/files/fileattachments/planning_commission/meeting/9986/pcpacket.12192023.pdf

**GLADSTONE
MUNICIPAL
CODE
CHAPTER
17.78
HOME OCCUPATIONS
FINAL VERSION**

Chapter 17.78 HOME OCCUPATIONS

Sections:

17.78.010 Purpose

17.78.020 Applicability and Exemptions

17.78.030 Prohibited Home Occupations

17.78.040 Approval criteria and standards.

17.78.050 Procedure to establish and maintain a home occupation.

17.78.060 Action regarding complaints and violation of standards.

17.78.070 Violations

17.78.010 Purpose

The purpose of this chapter is to:

(1) Permit business license-holding residents an opportunity to use their homes to engage in small-scale business ventures which could not be sustained if it were necessary to lease commercial quarters, or because the nature of the activity would make it impractical to expand to a full-scale enterprise; and

(2) Establish approval criteria and standards to ensure that a home occupation is conducted as a lawful use that is subordinate to the residential use of the property and is conducted in a manner that is not detrimental or disruptive in terms of appearance or operation to neighboring properties and residents.

17.78.020 Applicability and Exemptions

(1) A person shall not engage in a home occupation that does not comply with the provisions of this chapter. A person shall not permit a home occupation to occur on property that the person owns or is in lawful control of if the home occupation does not comply with the provisions of this chapter.

(2) Any business operating from a residential property must obtain a home occupation and a Gladstone business license unless specifically exempted by GMC 17.78.020(3), below.

(3) Exemptions from the provisions of this chapter are:

(a) Garage sales, yard sales, estate sales, and similar activities;

(b) Hobbies that do not result in payment to those engaged in the activity;

(c) Remote office workers who work for a business whose license is held outside of the City of Gladstone.

(4) A home occupation permit and associated fee are required for each property on which a home occupation is undertaken.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2, 1990.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1356 §1, 2004

17.78.030 Prohibited Home Occupations

The following uses are not allowed as a home occupation or a business venture in, or associated with, a dwelling unit:

(1) Any and all commercial services to automobiles, RV, Boat or the like. This may include washing and lubrication services, automobile and truck maintenance and repair, painting, body and fender work, and storage. Headquarters, office and/or administrative functions related to automobile-related businesses may be allowed as a home occupation with no automobile services conducted on the site of the home occupation.

(2) Animal breeding and kennels as defined in 17.06.240.

17.78.040 Approval criteria and standards.

All home occupations shall comply with the following:

- (1) A home occupation may be conducted only at the primary residence of the permittee. Persons, including employees, other than members of the permittee's family who also reside in the dwelling, shall not engage in the home occupation.
- (2) Deliveries to a home occupation shall be similar to other residential deliveries within 250 feet of the property. Vehicles used for delivery and pick up may not include heavy trucks (i.e. two or more axles).
- (3) Offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line resulting from the home occupation are prohibited. A home occupation is subject to the provisions of Chapter 8.04 Nuisances.
- (4) The home occupation shall be operated entirely within the dwelling unit and any conforming accessory structure. All activities must be in completely enclosed, hard-sided structures. Exterior activities, storage or display of goods, equipment or materials is prohibited. The total area that may be used in an accessory building for the home occupation, including materials and product storage, shall not exceed 800 square feet or 25 percent of the combined residence and accessory structure gross floor area, whichever is smaller. Indoor storage of materials or products shall comply with the building, fire, health, and housing codes.
- (5) A home occupation shall not require a change in the applicable building code use classification of the dwelling unit, as determined by the building official. Any accessory building that is used in the home occupation must meet the applicable building code requirements.
- (6) More than one business activity constituting two or more home occupations is allowed on one property only if the combined floor space of the business activities does not exceed 800 square feet or 25 percent of the combined gross floor area of the residence and accessory structure, whichever is smaller. Each home occupation shall apply for a separate home occupation permit, if required by this chapter, and each shall also have a separate business license.
- (7) Storage and/or distribution of toxic or flammable materials, and spray-painting or spray-finishing operations that involve toxic or flammable materials which in the judgment of the fire marshal pose a dangerous risk to the residence, its occupants, and/or surrounding properties are prohibited. The person conducting the home occupation shall make available to the fire

marshal for review the Material Safety Data Sheets which pertain to all potentially toxic and/or flammable materials associated with the use.

(8) A home occupation shall not require any on-street parking other than that normally required for the residence.

(9) Customers and clients of the home occupation shall not visit the business between the hours of 8:00 p.m. and 8:00 a.m. and shall not generate excessive traffic or on-street parking.

(10) A dwelling shall not be used as a headquarters for the assembly of employees for instructions or other purposes or to be dispatched for work at other locations.

(11) No enlargements or alterations to the dwelling or an accessory building for the sole purpose of conducting a home occupation are permitted.

(12) The premises shall at all times be maintained as residential in appearance, cleanliness and quietness.

(13) Signs advertising the home occupation or any aspect thereof shall be affixed directly to the dwelling. The total size of all combined signage not exceed a total of one square foot in area and shall be affixed directly to the dwelling.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2, 1990; Ord. 1356, 2004

17.78.050 Procedure to establish and maintain a home occupation.

(1) A person engaging in a home occupation must use the dwelling as the person's primary residence, pay the one-time home occupation fee, comply with the provisions of this chapter, and acquire an annual business license.

(a) A home occupation permit will become invalid if the permittee applicant fails to renew the annual business license fee before the expiration period or moves from the residence.

(2) Property owners/residents located within 100 feet of the home occupation will receive notice of the home occupation application 15 days before the city issues a decision on the application.

(a) A person may submit any comments or concerns regarding the application to the City in writing, including identifying the relevant requirement(s) of this chapter

(b) If the city determines that the application does not comply with the requirement(s) of this chapter, the business will be required to come into compliance with the standards before the home occupation will be approved.

(3) A permit for a home occupation may be revoked at any time if the requirements of this code are not being met.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131, 1990; Ord. 1356, 2004.

17.78.060 Action regarding complaints and violation of standards.

(1) A complaint may be filed by the City of Gladstone or the public. A complaint shall be filed with the City Administrator or designee. A complaint shall clearly state the objection to the home occupation, based on the criteria in this chapter.

(2) A complaint shall be reviewed by the Code Compliance Officer or designee. The City may approve the continuation of the home occupation use as it exists, revoke the home occupation permit, or compel measures to be taken to bring the home occupation into compliance with this chapter. The operator of the home occupation may appeal the decision in accordance with GMC 17.92.010.

(3) If it is determined, in exercise of reasonable discretion, the home occupation that is the subject of the complaint will negatively affect public health and/or safety, the City may order home occupation activities to cease pending exhaustion of all appeals. Violation of such an order shall be deemed a violation of this code.

17.78.070 Violations.

A violation of any standard of this chapter or any condition of approval for a home occupation is a Class "A" infraction. A separate violation occurs for each day that the violation continues.

**GLADSTONE
MUNICIPAL
CODE
CHAPTER 17.78 –
HOME OCCUPATIONS
RED-LINED VERSION**

Chapter 17.78 HOME OCCUPATIONS

Sections:

~~17.78.010 Uses allowed as home occupations. Purpose~~

~~17.78.020 Applicability and Exemptions~~

~~17.78.03016 Type I and Type II home occupations. Prohibited Home Occupations~~

~~17.78.040 Approval criteria and standards.~~

~~17.78.020 Limitations on home occupations.~~

~~17.78.050 Procedure to establish and maintain a home occupation.~~

~~17.78.060 Action regarding complaints and violation of standards.~~

~~17.78.070 Violations~~

~~17.78.010 Uses allowed as home occupations. Purpose~~

The purpose of this chapter is to:

(1) Permit business license-holding residents an opportunity to use their homes to engage in small-scale business ventures which could not be sustained if it were necessary to lease commercial quarters, or because the nature of the activity would make it impractical to expand to a full-scale enterprise; and

(2) Establish approval criteria and standards to ensure that a home occupation is conducted as a lawful use that is subordinate to the residential use of the property and is conducted in a manner that is not detrimental or disruptive in terms of appearance or operation to neighboring properties and residents.

~~17.78.020 Applicability and Exemptions~~

~~(1) A person shall not carry on engage in a home occupation that does not comply with the provisions of this chapter. A person shall not or permit such a home occupation use to occur on property that the person owns or is in lawful control of if the home occupation does not comply with the provisions of this chapter., contrary to the provisions of this chapter.~~

~~(2) Any business operating from a residential property must obtain a home occupation and a Gladstone business license unless specifically exempted by GMC 17.78.020(3), below.~~

~~(23) Exemptions from the provisions of this chapter are:~~

~~(a) Garage sales, yard sales, estate sales, and similar activities;~~

~~(b) Hobbies that do not result in payment to those engaged in the activity;~~

~~(c) Remote office workers who work for a business whose license is held outside of the City of Gladstone.~~

~~(43) A home occupation permit and associated fee are required for each property on which a home occupation is undertaken.~~

~~In all zones, home occupations in the same lot accessory to the principal residential uses shall be permitted only in the following categories:~~

~~(1) Office for professional, personal or business services.~~

~~(2) Studio for arts, handicrafts or tutoring.~~

~~(3) Shop for limited or customer production or minor repair service.~~

~~(4) Headquarters for a craftsman or salesman.~~

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2, 1990.

~~**17.78.016 Type I and type II home occupations.**~~

~~(1) Except for a sign pursuant to 17.78.020 (9), a Type I home occupation may generate only incidental traffic, subject to the requirements of this chapter, and otherwise shall exhibit no evidence that a business is being conducted from the premises.~~

~~(2) Type II home occupations may generate limited traffic from customers, clients and students, subject to the requirements of this chapter.~~

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1356 §1, 2004

17.78.030 Prohibited Home Occupations

The following uses are not allowed as a home occupation or a business venture in, or associated with, a dwelling unit:

(1) Any and all commercial services to automobiles, RV, Boat or the like. This may include washing and lubrication services, automobile and truck maintenance and repair, painting, body and fender work, and storage. Headquarters, office and/or administrative functions related to automobile-related businesses may be allowed as a home occupation with no automobile services conducted on the site of the home occupation.

(2) Animal breeding and kennels as defined in 17.06.240.

17.78.040 Approval criteria and standards.

All home occupations shall comply with the following:

(1) A home occupation may be conducted only at the primary residence of the permittee. Persons, including employees, other than members of the permittee's family who also reside in the dwelling, shall not engage in the home occupation.

(2) Deliveries to the home occupation shall be similar to deliveries to other residences residential deliveries within 250 feet of the property in the vicinity. Vehicles used for delivery and pick up may not include heavy trucks (i.e. two or more axles).

(3) Offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line resulting from the home occupation are prohibited. A home occupation is subject to the provisions of Chapter 8.04 Nuisances.

(4) The home occupation shall be operated entirely within the dwelling unit and any conforming accessory structure. All activities must be in completely enclosed, hard-sided structures. Exterior activities, storage or display of goods, equipment or materials is prohibited. The total area that may be used in an accessory building for the home occupation, including materials and product storage, shall not exceed 800 square feet or 25 percent of the combined residence

and accessory structure gross floor area, whichever is smaller. Indoor storage of materials or products shall comply with the building, fire, health, and housing codes.

(5) A home occupation shall not require a change in the applicable building code use classification of the dwelling unit, as determined by the building official. Any accessory building that is used in the home occupation must meet the applicable building code requirements.;

(6) More than one business activity constituting two or more home occupations is allowed on one property only if the combined floor space of the business activities does not exceed 800 square feet or 25 percent of the combined gross floor area of the residence and accessory structure, whichever is smaller. Each home occupation shall apply for a separate home occupation permit, if required by this chapter, and each shall also have a separate business license.

(7) Storage and/or distribution of toxic or flammable materials, and spray-painting or spray-finishing operations that involve toxic or flammable materials which in the judgment of the fire marshal pose a dangerous risk to the residence, its occupants, and/or surrounding properties are prohibited. The person conducting the home occupation shall make available to the fire marshal for review the Material Safety Data Sheets which pertain to all potentially toxic and/or flammable materials associated with the use.

(8) A home occupation shall not require any on-street parking other than that normally required for the residence. Any parking generated by patrons shall be able to be accommodated on-site.

(9) Customers and clients of the home occupation shall not visit the business between the hours of 8:00 p.m. and 8:00 a.m. and shall not generate excessive traffic or monopolize on-street parking.

~~17.78.020 Limitations on home occupations.~~

~~Any such home occupation shall comply with the following limitations:~~

~~(1) No servant, employee or any person other than a member or members of the family residing within the dwelling shall engage in a home occupation therein or within an accessory building.~~

~~(210) No A dwelling shall not be used as a headquarters for the assembly of employees for instructions or other purposes or to be dispatched for work at other locations.~~

~~(3) The scale of operations shall be distinctly limited in nature and conducted primarily as a supplementary, and not principal, source of family income; or as an accommodation for handicapped or retired person; or as a starter operation for a limited period only until its size or other characteristics compel relocation to the appropriate nonresidential district.~~

~~(4) All aspects of the conduct of a home occupation shall be confined, contained and conducted within the dwelling or within a completely enclosed accessory building.~~

~~(5) Any home occupation which causes abnormal automobile or pedestrian traffic or which is objectionable due to unsightliness or emission of odor, dust, smoke, noise, glare, heat, vibration or similar causes discernible on the outside of any building containing such home occupation shall be prohibited. Type I home occupations may generate no more than six (6) one-way trips per day, which shall be incidental to operation of the home occupation. Type II home occupations may generate no more than ten (10) one-way client and commercial trips per day, except home occupations relating to instructional services, where no more than twenty (20) one-way student trips may be permitted. As used in this chapter, "instructional services" are characterized by one or more persons leading another person or group of persons in a given course or subject of study. No more than four (4) student vehicles may be parked on the property and/or in the street right of way at any one time. No commercial motor vehicle that is subject to the state vehicle mile tax, such as long-haul trailers, as defined in ORS 801.208, may be allowed as part of a home occupation. In conformance with GMC 10.04.230 (1)(f), this standard does not preclude the parking of a truck (tractor) portion of such a commercial vehicle on private property.~~

~~(116) No significant enlargements or alterations to thea dwelling or an accessory building for the sole purpose of conducting a home occupation shall be are permitted.~~

~~(127) The premises shall at all times be maintained as residential in appearance, cleanliness and quietness.~~

~~(8) Dimensions, power rating or weight of such equipment and tools used in the conduct of a home occupation shall not exceed that of normal household equipment and tools.~~

~~(139) Signs advertising the home occupations or any aspect thereof shall be affixed directly to the dwelling. The total size of all combined signage not exceed a total of one square foot in area and shall be affixed directly to the dwelling.~~

~~(10) Any materials used or any item produced or repaired on the premises shall not be displayed or stored so as to be visible from the exterior of the building.~~

~~(11) Tutoring, instructional, counseling or personal services which cannot be conducted except by personal contact may be permitted as a Type II home occupation and shall be by appointment only between the hours of 7:00 a.m. and 10:00 p.m. and shall not be oriented toward or attract passers by.~~

~~(12) An office for a physician or dentist may be permitted as a Type II home occupation primarily for emergency cases and as an accommodation for retired or part-time practitioners and not as a principal office for the practice of the profession.~~

~~(13) Retail activity shall be limited to the mail-order type of business.~~

~~(14) Except as set forth in subsection (11) and (12) of this section, customer and client contact shall be primarily by telephone or mail and not on the premises.~~

~~(15) No more than twenty-five percent of the floor area as defined in GMC Section 17.06.195 (floor area) may be used for the operation of a home occupation including storage of equipment, materials, and completed products.~~

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2, 1990; Ord. 1356, 2004

17.78.0530 Procedure to establish and maintain a home occupation.

(1) A person engaging in a home occupation must use the dwelling as the person's primary residence, pay the one-time home occupation fee, comply with the provisions of this chapter, and acquire an annual business license.

(a) A home occupation permit will become invalid if the permittee applicant fails to renew the annual business license fee before the expiration period or moves from the residence.

(2) Property owners/residents located within 100 feet of the home occupation will receive notice of the home occupation application 15 days before the city issues a decision on the application.

(a) A person may submit any comments or concerns regarding the application to the City in writing, including identifying the relevant requirement(s) of this chapter

(b) If the city determines that the application does not comply with the requirement(s) of this chapter, the business will be required to come into compliance with the standards

~~before the home occupation will be approved. The establishment and maintenance of a Type I or Type II home occupation is subject GMC Division VII (administrative procedures) and the requirements below.~~

~~(2) Applicants for a Type II home occupation are subject to the following requirement. Notwithstanding subsection (a) of this section, no permit for a Type II home occupation shall be issued by the City Administrator or his designee until or unless the applicant has received favorable approval, as indicated by signatures on the authorized application form of owners or contract purchasers of not less than seventy five (75%) of all property in the area bound by lines one hundred fifty feet (150') from and parallel to the boundary of lines of the lot proposed to contain each home occupation. The area of any property owned or occupied by the applicant shall be excluded in computing required percentage of approval.~~

~~(a) An applicant for a Type II home occupation who resides in an apartment complex, mobile home park or other similar multi-family housing complex, may obtain the signed approval of a resident manager in lieu of seventy five percent (75%) of the property owners within one hundred fifty feet (150') of the proposed home occupation.~~

~~(33) A p~~Permits for a home occupation may be revoked at any time if the requirements of this code are not being met.

~~(4) If, in the opinion of the applicant, the City Administrator or his designee has acted arbitrarily and capriciously in withholding or revoking a permit for home occupation, he may request an interpretation of the code by the Planning Commission. In such cases, the dwelling or accessory building to be devoted to a home occupation shall be open for inspection to the staff of the Planning Commission on any day between eight a.m. to ten p.m.~~

~~(5) A home occupation permit shall remain valid indefinitely, subject to payment of annual business license fee, unless a substantial increase in intensity of the permitted use occurs, which shall require application for a new permit.~~

~~(6) The city shall not issue a business license until a home occupation permit is issued by the City Administrator or designee.~~

~~(7) A violation of any standard of this chapter or any condition of approval for a home occupation is a Class "A" infraction. A separate violation occurs for each day that the violation continues.~~

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131, 1990; Ord. 1356, 2004.

17.78.060 Action regarding complaints and violation of standards.

(1) A complaint may be filed by the City of Gladstone or the public. A complaint shall be filed with the City Administrator or designee. ~~Planning Department.~~ A complaint shall clearly state the objection to the home occupation, based on the criteria in this chapter.

(2) A complaint shall be reviewed by the Code Compliance Officer or designee. The City may approve the continuation of the home occupation use as it exists, revoke the home occupation permit, or compel measures to be taken to bring the home occupation into compliance with this chapter. The operator of the home occupation may appeal the decision in accordance with GMC 17.92.010.

(3) If it is determined, in exercise of reasonable discretion, the home occupation that is the subject of the complaint will negatively affect public health and/or safety, the City may order the home occupation activities to cease pending exhaustion of all appeals. Violation of such an order shall be deemed a violation of this code.

17.78.070 Violations.

A violation of any standard of this chapter or any condition of approval for a home occupation is a Class "A" infraction. A separate violation occurs for each day that the violation continues.

February

REGULAR AGENDA





Agenda Item No. 5

PC Meeting Date: 02/20/2024

STAFF REPORT: DESIGN REVIEW

Application No.:	DR-24-02
Owner/Applicant:	Owner: Lynn Fletcher and Matt Klemenn Applicant: Ray Fletcher and Jessica Iselin
Project Location:	140 W. Arlington St., Gladstone OR, 97027; Taxlot Number: 22E20CA02100
Project Description:	Development of the site with a taproom (single story with mezzanine) and space for up to six mobile vending units, outdoor seating and landscaping. Proposal includes new sidewalk, curb and street tree and does not include off-street vehicle parking.

SUMMARY OF STAFF RECOMMENDATION

The planning staff recommend approval of the Design Review application DR-24-02 and recommend the following findings and standard conditions in support of approval, as well as 3 special conditions: (1) Hours of Operation; (2) Lighting Revision and (3) Compliance with Agency Comments.

The site is located at 140 W. Arlington street, is 5,000 square feet in size and is zoned C-2 (Community Commercial). The purpose of the Design Review is to develop the site as an eating and drinking establishment. The site will include a permanent one-story building (with mezzanine) to be used as a tap room as well as outdoor space for mobile food vendors, seating and landscaping. The site will not include off-street vehicle parking or loading. The property is surrounded on all sides by properties zoned C-2 and within the Downtown Core Overlay District.

As proposed and conditioned, Planning Staff found the application consistent with all applicable standards from Title 17 of the Gladstone Municipal Code (GMC). Therefore, staff recommend that the Planning Commission approve this Design Review application with the standard conditions and 3 special conditions of approval. The standard of review for the proposed project is the City of Gladstone's Municipal Code Zoning and Development Title 17.

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REQUEST FOR COMMENTS

Sent to: Property owners and residents within two hundred fifty (250) feet of the subject property, City of Gladstone Public Works, Police and Engineering as well as ODOT, Clackamas Fire, Water Environment Services (WES), Oak Lodge, and Gladstone Disposal.

Responses Received: The proposal was reviewed by Gladstone Public Works and Engineering who provided comments dated February 6, 2024 regarding public utilities and streets. WES provided comments dated February 2, 2024 regarding erosion protection and sediment control. Clackamas Fire District #1 provided comments dated February 13, 2024 regarding compliance with the Oregon Fire Code. All of these comments have been incorporated into this report. Oak Lodge and Gladstone Police responded that they do not have concerns with this development. No comments were received from the public or ODOT.

STANDARD CONDITIONS

- 1. Expiration. This approval shall remain valid for two years following the date of approval per 17.80.100. If the approved use has not commenced by that date, this approval shall expire unless a time extension is granted pursuant to GMC 17.66.015(4).**
- 2. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the**

Planning Director for the City of Gladstone.

3. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the City Planning Department an affidavit accepting all terms and conditions of the permit.
4. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
5. **All approved on-site improvements shall be the ongoing responsibility of the property owner or occupant.**
6. **Easements.** Any backflow prevention vault shall be completely contained within a public water easement. Prior to issuance of a certificate of occupancy, an 8-foot-wide public utility easements shall be recorded along the Arlington street frontage adjacent to this site unless a reduced width is approved due to proposed or existing structures, as noted in the Public Works Comments dated 02.06.24 and in accordance with Gladstone Public Works Standards. Easements shall be prepared using an approved City of Gladstone easement form. A copy of the recorded easements shall be provided to the City of Gladstone Public Works prior to a punchlist walk by the Public Works Department.
7. **Construction Plans.** Plans detailing the installation of public and private utilities, site grading and other public and private improvements shall be submitted to the City of Gladstone Public Works Department for review and approval per GMC 17.42.030 and 17.60.010. The design, location and planned installation of all street and sidewalks, natural gas, power, street lighting, telephone, cable television, storm water, water and sanitary sewer provisions are subject to approval by the appropriate agency/utility service provider. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon. The Construction Plan submittal shall include three (3) paper sets of plans, a pdf copy, an Engineer's Estimate for the public improvements, and a drainage report. The Gladstone Public Works Department provided detailed comments regarding the Construction Plans submittal in their memo dated February 6, 2024, included with this report.
8. **Pre-Construction Conference.** Once grading/construction plans are ready to be approved by the City of Gladstone, a Pre-Construction Conference with final sign-off on the Construction Plans is required. Review fees, SDC's and performance bonding may be required of the applicant prior to scheduling the pre-construction conference.
9. **Building Permits.** The applicant shall obtain required building permits from Clackamas County. The applicant shall comply with requirements of the permits.
10. **All Mobile Food Carts/Pods shall meet the requirements of Section 319 of the Oregon Fire Code, as identified in the Clackamas Fire District #1 Comments dated February 13, 2024.**
11. **Signage.** All signs shall meet the provisions of Subsection 17.52 of the GMC. Sign designs were not included with the submittal package. If signage is proposed in the future, a sign permit shall be filed separately at the time it is needed.

12. **ADA Access.** This approval is subject to the development complying with the provisions of the Americans with Disabilities Act (ADA) per GMC 17.50.020(5) and (6)(f), including provisions for curb ramps, circulation within the site, and appropriate grades to the public entrances of the buildings.
13. **As-Built Submittals.** Prior to the approval of the Certificate of Occupancy, the applicant shall provide the City Public Works Department with copies of the as-built submittals per GMC 17.60.020(7).
14. **Stormwater Certification.** Prior to approval of the Certificate of Occupancy, the applicant shall provide the City Public Works Department with a recorded copy of the Storm Drainage Facilities Maintenance Agreement and any required easements prepared using an approved City of Gladstone form, a signed certification from the design engineer indicating that the surface water systems have been inspected and installed per the approved plans and that the systems are functioning as designed, and a maintenance bond in the amount of ten (10) percent of the cost of the public improvements.
15. **In the Downtown Core Overlay District,** highly tinted (total light transmittance less than 50 percent), opaque, or mirrored glass (except stained-glass windows) are prohibited.

SPECIAL CONDITIONS OF APPROVAL

1. The use shall not operate between the hours of 12:00am and 5:00am.
2. Prior to approval of a building permit, submit a revised lighting plan to the Planning Department that shows the light on the rear of the building deflected down or otherwise revised so as to not shine onto the neighboring (rear) residentially-developed property.
3. The development shall comply with:
 - a. The Public Works Design Review Comments dated February 6, 2024;
 - b. The Water Environment Services Comments dated February 2, 2024; and
 - c. The Clackamas Fire District #1 Comments dated February 13, 2024.

NOTES

1. **System Development Charges (SDCs).** SDCs may be required due to the increased use of the property. The project shall provide all relevant information needed to calculate the SDCs to the Public Works Director.
2. **Building Permits.** Clackamas County Building Department will provide structural, mechanical, grading, and review of Fire & Life Safety, Plumbing, and Electrical Permits for this project.
3. **Right of Way Permits.** Prior to initiating work within the right of way, a permit from the Gladstone Public Works Department and ODOT are required as applicable. It is the applicant's

responsibility to relocate mailboxes, signage and utilities that may interfere with new right-of-way improvements.

4. The development is subject to Clackamas County Water Environment Services (WES) Rules and Regulations and Standards. Erosion Control permits are issued through WES and are required for 800 sq. ft. or more of ground disturbance.

FINDINGS

Zoning Code Review & Findings

Below are applicable citations/review criteria from GMC Chapter 17 and findings in response to the criteria. Unless discussed below, the applicant has met the requirements of the applicable review criteria fully, and/or the Code's criteria are not applicable to this proposal and therefore do not warrant discussion. Where conditions are necessary for the proposal to meet the provisions of GMC Chapter 17, the provisions are included beneath the findings for the applicable section. Subsections of specific criteria not applicable to the proposal are omitted from this report and indicated with a triple asterisk (***)

Chapter 17.18 C-2 – COMMUNITY COMMERCIAL DISTRICT

17.18.020 Uses allowed outright.

In a C-2 zoning district, the following uses and their accessory uses are allowed outright:

(6) Eating or drinking establishment, including outdoor seating related to the primary use.

Finding: The proposed use includes an eating and drinking establishment, including outdoor seating related to the primary use. The proposal does not include a conditional use. In the C-2 zone, a conditional use permit is required if a use will operate between 12:00am and 5:00am. The applicant has not indicated that this use will operate between these hours and has not applied for a conditional use. The approval of this design review should include the special condition that the use does not operate between the hours of 12:00am and 5:00am. This criterion is met.

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) Outdoor play areas accessory to a community service facility;

(2) Display of merchandise along the outside of the walls of a building provided such display does not extend more than three feet from the walls and does not obstruct required pedestrian or bicycle access, emergency access or off-street parking areas; and

(3) The following limitations apply to developments along Portland Avenue:

(a) All nonresidential 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 four feet above grade. Where interior floor levels prohibit such placement, the sill may be raised to allow it to be no more than two feet above the finished floor level, up to a maximum sill height of six 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 facing Portland Avenue. "Primary entrance" is defined as 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.

(4) The use of portable storage containers as defined in GMC Chapter [5.22](#).

Finding: The proposed use does not include outdoor business activities except outdoor seating, which is specifically permitted by 17.70.020(6). This standard is met.

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) Nonresidential uses and mixed-use development: No minimum setback requirements; a maximum setback of five feet shall be maintained along Portland Avenue frontages.

(b) Residential uses: Five feet 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 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 35 feet or three stories.*

(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.

(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 10 feet.*

(5) Minimum Lot Area.

(a) Attached residential dwellings, townhouses, and cottage cluster 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) 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 (6)(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 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).

Finding: There are no maximum or minimum setbacks for this non-residential development that is not on Portland Avenue. There is no off-street parking proposed or required. The building height will be just under 27'5" in height and will be 1-story with an open mezzanine, as shown on submitted sheet A2.1,

which is below the maximum height of 35' or 3 stories. This site does not abut a residential zone and therefore the equipment setbacks do not apply. The minimum lot area provision is not applicable. The landscape plan on Sheet A1.0 indicates an existing 6' fence that will remain except where removal is necessitated by the installation of the garbage and recycling enclosure. This design review proposal includes maintaining the 6-foot fence along the side property lines which can be found necessary to provide adequate screening for the use. There are no street intersections adjacent to this site and therefore clear vision standards are not applicable. The proposal complies with the dimensional standards of the C-2 zoning district.

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 GMC Chapter [17.48](#), except that the following standards shall apply in lieu of the corresponding standard in GMC Chapter [17.48](#):

(a) Residential: The maximum shall be one space per dwelling unit.

(b) Office, retail, bank, or eating and drinking establishment: The minimum shall be one space per 600 square feet.

(3) 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.

(4) 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 percent if affordable housing is provided as follows:

(a) "Affordable housing" is defined as housing that is affordable to those earning 60 percent of the area median income (AMI, established by the U.S. Department of Housing and Urban Development).

(b) The development must be located within one-quarter mile, measured radially in a straight line, from a transit stop.

(c) At least 30 percent of the total number of dwelling units meet the eligibility requirements for affordable housing 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 percent or more of the parking spaces adjoin the property.

(7) Off-street parking areas shall not be located between the building and street or within required setbacks.

Finding: The state of Oregon recently updated Oregon Administrative Rule (OAR) 660-012-0440 “Parking Reform Near Transit Corridors” which states, “Cities and counties may not enforce parking mandates for developments on a lot or parcel that includes land within one-half mile of frequent transit corridors”. The Tri-Met bus service on McLoughlin Blvd. qualifies as a “frequent transit corridor” and is within ½ mile of this site. Therefore, there is no parking mandate for development of this site and no off-street parking proposed. This standard is met as superseded by state law.

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.

Finding: This proposal and development site do not include a large-scale shopping center and, therefore, these standards are not applicable.

Chapter 17.21 DC – DOWNTOWN CORE OVERLAY DISTRICT

17.21.040 Uses allowed outright.

In the downtown core overlay district, the following uses and their accessory uses are allowed outright:

(1) Nonresidential Uses. All nonresidential uses permitted in the underlying community commercial (C-2) zoning district unless otherwise specified by this section.

(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 district. A mobile vending unit shall be exempt from GMC Sections [17.21.060](#) through [17.21.080](#) (Site design and landscaping, Building design, and Off-street parking standards) and not require design review. As used in this subsection, a vehicle is motorized or nonmotorized 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.

Finding: This proposal contains a nonresidential use permitted in the underlying C-2 zoning district. This proposal also includes mobile vending units which would otherwise be exempt from design review; however, the construction of the permanent structure requires design review. Design review standards will not be applied directly to any of the mobile vending units, consistent with GMC 17.21.040(3). This standard is met.

17.21.060 Site design and landscaping.

(1) Intent. Create a sense of enclosure and human scale by orienting buildings to streets or public spaces and prioritize pedestrian circulation and walkable development.

Finding: This site creates a sense of enclosure and human scale by orienting the building toward the outdoor seating area that is shared with the mobile vending units. The proposed entry arch also serves to draw pedestrians into the site through the central walking path, prioritizing pedestrian circulation and walkable development. This standard is met.

(2) Building Orientation. The street-facing building facade 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.

Finding: The street-facing building façade extends at least 50% of the length of the property and is adjacent to an area dedicated to the public, an outdoor seating and eating area. When the Downtown Core Overlay District standards were in adoption hearings, this exact scenario of a building in the rear of a lot and a food cart pod/outdoor eating area at the front of the lot was discussed. The addition of the language in this standard of “or adjacent to an area dedicated to the public” was intended to permit the proposed site configuration in the Downtown Core Overlay District. This standard is met.

(3) 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.

Finding: The building configuration to the rear of the property is permitted by subsection (2), above. However, the site is provided with a detailed entry arch designating the primary entrance to the site, directly adjacent to the Arlington Street right-of-way and sidewalk. This standard is met.

(4) Setbacks. Setbacks shall be provided in accordance with GMC Chapter 17.18.

Finding: There are no minimum setbacks for this site per GMC 17.18. This standard is met.

(5) Driveways. Each property is allowed a maximum of one 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 20 feet from the intersection.

(b) The lot does not abut a side street.

Finding: This site is not abutting Portland Avenue. The site is proposed with one driveway to be utilized solely for the limited movement of mobile vending units onto and off of the site. This standard is met.

(6) Parking Areas. For parcels with a property line abutting Portland Avenue, all required off-street parking within a building must be set back at least 20 feet behind the street-facing building facade.

Finding: This standard is not applicable as the site does not abut Portland Avenue and off-street parking is not proposed.

(7) Landscaping. Landscaping shall be provided in accordance with GMC Chapter 17.46 except as follows:

(a) Parcels Fronting Portland Avenue. No minimum landscaping requirement along Portland Avenue, except as provided by GMC Section 17.46.020(7).

(b) Surface parking areas shall have a five-foot-wide landscape buffer between the parking area and any adjacent public street. All other provisions of GMC Section 17.46.020(2) shall apply. See Figure 1: Site Design and Landscaping.

Finding: Landscaping is provided in accordance with GMC 17.46, as detailed in that section. This site is not fronting Portland Avenue and does not include surface parking areas. This standard is met.

17.21.070 Building design.

(1) Intent. Articulate building facades to break up large volumes and promote human scale development.

(2) Building Height. The maximum building height shall be three 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 four stories, not to exceed 45 feet, if the minimum floor to ceiling height of the ground floor is 12 feet (measured from finished ground floor to bottom of joists or slab on next floor up). See Figure 2: Building Design (Building Height).

Finding: The building height is under 27'6", which falls below the 35' maximum. The covered patio structure will have a ridge height of approximately 19' which will help break up large building volumes and promote human scale development. This standard is met.

(3) Windows/Transparency.

(a) Windows are required for 60 percent of the ground-floor facade along public street frontages and 40 percent on facades facing required parking areas. See Figure 3: Building Design (Transparency, Articulation and 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 percent), opaque, or mirrored glass (except stained-glass windows) do not meet the intent of this section and are prohibited.

Finding: As shown on submitted sheet A2.1, ground-floor windows on the front of the building cover 65% of the façade on the public street frontage. The mezzanine windows on the front façade consist of two sets of three 2'6" wide windows on each side. The total width of each grouping, including trim, is 8'6", while the fully glazed overhead doors on the first floor immediately below them are 10' wide each. There are no ATM or service windows. The applicant's narrative states that all windows will be clear glass with a low 'e' coating. A general condition of this approval is included to prohibit highly tinted, opaque or mirrored glass. This standard is met.

(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.

Finding: This façade does not exceed 40 feet in length; however, the façade is articulated through the front covered patio, which extends the full width of the façade and includes timber columns and an open heavy timber truss at the front gable. This standard is not applicable but is met.

(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 three feet.

(d) All portions of any pedestrian shelter shall be at least eight but not more than 12 feet above any public walkway.

Finding: The front of the building includes a covered patio overhanging outdoor seating. The building is not adjacent to the sidewalk and is therefore not able to provide an overhang over an adjacent sidewalk. This standard is not applicable.

(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 cornicing or a similar architectural feature that projects a minimum of two inches from the facade 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 predominant 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 two feet to any property line.

(B) The overall size of each upper-story deck or balcony shall be limited to a maximum of six 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 percent 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.

Finding: This development proposes only one building that is not at a corner and does not have a flat roof, decks or balconies. The building is approximately equal height to the deli building on the property to the west and approximately 8' taller than the residential building to the east. This is a one-story with mezzanine building which incorporates glazed overhead door openings, fully glazed double doors and a gable truss/roof covering the outside eating areas. This standard is met.

(7) 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.

Finding: This The building will be finished with a combination of fiber-cement horizontal lap siding, fiber-cement trim and pre-finished architectural corrugated metal siding, which must be approved by the Planning Commission. The fiber-cement siding will occur at the upper level portions, where it will be most visible from adjacent streets and properties. Architectural metal siding will be utilized at the lower level to provide a more commercial/industrial look to the building. Architectural metal siding will also be used as an accent at the upper portion of the front façade behind the building signage. Examples from the submitted narrative are provided below. This standard is met.



Architectural Corrugated Metal Siding



Fiber-Cement Lap Siding

(8) 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.*

Finding: The submitted narrative and sheet A2.1 identify the primary building color as white on the lap siding with taupe-brown corrugated metal siding. Windows will include black trim and there will be natural wood accents on the covered patio posts and beams. The metal roofing will be gray. This standard is met.

(9) 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.*

(10) 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.*

(11) Sustainability. *Where possible, use materials indigenous to the region and/or manufactured or supplied locally and that have minimal adverse impacts to the environment.*

Finding: The submitted narrative states that no rooftop mechanical units will be utilized. This standard is met.

17.21.080 Off-street parking standards.***

Finding: As stated previously, parking is not proposed or required with this proposal. This standard is not applicable.

Chapter 17.80 DESIGN REVIEW

17.80.021 Applicability.

(1) *This chapter shall apply to new structures; additions to existing structures; site development, such as grading, parking lot construction or commercial/industrial use of an undeveloped property; change of use; and major remodeling, with the following exceptions:****

Finding: The proposal is to construct a new structure and develop the site and, as such, the proposal requires design review. This criterion is met.

17.80.061 Submittal requirements.

(1) *An application for design review shall include a minimum of twelve (12) copies of the following plans drawn to scale. A project summary shall accompany the application when necessary to describe special circumstances such as a request for a minor exception pursuant to GMC Section 17.80.090 (minor exceptions).*

Finding: The applicant provided the application materials, including the narrative, site plan, landscaping plan and Architectural Plan. Copies needed to thoroughly assess the criteria used for evaluation were also provided. This standard is met.

17.80.080 Maintenance.

All approved on-site improvements shall be the ongoing responsibility of the property owner or occupant.

Finding: This is a standard condition of approval.

17.80.090 Minor Exceptions.

(1) Authority. In conjunction with the design review plan approval, the Planning Commission may grant minor exceptions from the following requirements:

- (a) Dimensional standards for yards required in the primary district;**
- (b) Dimensional standards for off-street parking as required in GMC Chapter 17.48 (Off-Street Parking and Loading);**
- (c) Minimum and maximum number of off-street parking spaces required in GMC Chapter 17.48 (Off-Street Parking and Loading).**

(2) Limitations. No minor exceptions shall be greater than twenty-five percent (25%) of the requirement from which the exception is requested. Requests greater than twenty-five percent (25%) shall be subject to variance procedures.***

Finding: The applicant is not requesting an exception. This is informational only. This criterion is not applicable as proposed.

17.80.100 Compliance.

(1) Approval of design review shall expire if construction has not begun within two years of the date of the final decision. Upon request and in accordance with GMC Section 17.66.015(4)(a), the two-year period may be renewed once by the City Administrator or designee for not more than one year.

(2) Prior to issuance of a final certificate of occupancy, the development site shall be checked by the City Administrator or designee to insure compliance with the approved design review plans. Approval of a final certificate of occupancy shall not be granted until all conditions of design review approval are met.

(3) Any departure from the approved design review plans may be cause for revocation of the building permit or denial of a final certificate of occupancy. Any changes in the approved design review plans shall be submitted to the City Administrator or designee for review and approval prior to execution. Changes to the substance of an approval or the substance of conditions of approval shall require the submittal of a new design review application.

Finding: A general condition has two years to begin construction from the date of the city's approval. This is a general condition of approval.

DIVISION IV. DEVELOPMENT STANDARDS

Chapter 17.42 GENERAL PROVISIONS

17.42.020 Use of public right-of-way. Use of public right-of-way for the sale, display or storage of

goods and off-street parking is prohibited on interior side of curbs, however, this requirement may be waived upon City Council approval.

Finding: The proposal does not include sale, display or storage of goods or off-street parking in the public right-of-way. This standard is met.

17.42.030 Improvements. Improvements installed by a developer, either as a requirement or at his or her option, 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. Improvements shall be installed in accordance with the following procedure:

(1) Improvement work shall not begin until plans have been checked for adequacy and approved by the city.

(a) To the extent necessary for evaluation of the proposal, the plans may be required before land use approval is issued.

(b) Plans shall be prepared in accordance with the requirements of the city.

(2) Improvement work shall not begin until the city has been notified, and if work has been discontinued for any reason, it shall not be resumed until the city has been notified.

(3) Improvements shall be constructed under the inspection and to the satisfaction of the city.

(a) The city may require changes in typical sections and details in the public interest if unusual conditions arise during construction to warrant the change.

Finding: Improvements to the site will conform to the standards of this title. Compliance of street and utility improvements is discussed and conditioned, if necessary, in Chapters 17.50, 17.56, 17.58 and 17.60. This standard is met.

Chapter 17.44 BUILDING SITING AND DESIGN

17.44.020 General standards. Building siting and design standards are as follows:

(1) Siting. Where there are no conflicts with other design standards or requirements in this Title, site buildings to maximize solar access where practical, using such techniques as:

(a) Maximizing east-west street length so that principal building façades will face south;

(b) Orienting buildings within twenty degrees of true south as well as maximizing their south-facing dimension;

(c) Placing higher buildings on the north portion of the site, while protecting solar access for adjacent sites;

(d) Placing major yard spaces on south side of buildings.

Finding: The building location is controlled in large part by the established street grid and the size (depth and width) of the lot. There is only one building proposed which will be on the northwest portion of the site. The food cart pod and outdoor seating area is located southeast of the building. This standard is met.

(2) Energy Efficient Design. Where there are no conflicts with other design standards or requirements in this Title, design buildings that are conducive to energy efficiency and conservation, using techniques including, but not limited to, those listed below which are most appropriate to the development:

(a) Concentrate window areas on the south side (within twenty degrees of true south) of buildings

where there is good southern exposure, and provide overhangs, balconies, or other shading devices to prevent excessive summer heat gains;

(b) Use architectural features, shapes or buildings, fences, natural landforms, berms and vegetation to catch and direct summer breezes for natural cooling and minimize effects of winter winds;

(c) Provide skylights or clerestory windows to provide natural lighting and/or solar heating of interior spaces.

Finding: The primary façade is south-facing and contains a high percentage of glazing, including fully glazed overhead doors and windows. The patio roof structure will provide shading and cooling for both indoor and outdoor seating areas in warmer weather. The building contains upper floor clerestory windows to provide natural lighting and/or solar heating of indoor spaces. This standard is met.

(3) Compatibility. Arrange structures and use areas to be compatible with adjacent developments and surrounding land uses, considering the following design and siting techniques:

(a) Locate and design structures to protect scenic views or vistas from adjacent properties and public thoroughfares. Setbacks, building height and bulk should be considered;

(b) Design structures to provide visual order and avoid monotony in layout and design;

(c) Orient major service activity areas (e.g., loading and delivery areas) of the proposed project away from existing residences;

(d) Provide opaque enclosures and gates for all refuse storage areas;

(e) Screen mechanical equipment, except solar collection apparatus, from view or place such equipment in locations where it will not be viewed by the public. Screening shall be accomplished by the use of a sight-obscuring fence or hedge, a landscaped earth berm, building placement or other design techniques;

(f) Buffering and/or screening shall be used to mitigate adverse visual impacts, dust, noise and pollution, and to provide for compatibility between dissimilar adjoining uses. Special consideration will be given to the buffering, screening and siting of commercial and industrial uses to ensure that noise and odors are not detectable to normal sensory perception on adjacent residential properties. All development shall comply with GMC Chapter 8.12 (noise control).

Finding: There are no notable scenic views or vistas from adjacent properties or public thoroughfares; however, the building is relatively small and placed in the rear of the property. The building is designed to provide visual order and connect to the food cart pod via the extended porch overhang that covers a shared outdoor seating area. Sheet A1.0 identifies an opaque gate for the refuse storage areas. The submitted narrative states that exterior mechanical units will be limited to the possible use of a ground mounted heat pump or air conditioner for building cooling. This unit would be located adjacent to the building and screened from view by the building, fencing and landscaping. A solid, 6' high wood and/or vinyl fence exists between the site and the existing residential properties to the north and the east. A chain link fence with opaque slats for the majority of the length separates the property from the commercial property to the west. These fences will be retained. In addition, a 5' landscaped area will separate the building and foot cart pods from the adjacent properties. This standard is met.

(4) Building Materials. Buildings shall be constructed using high-image exterior materials and finishes such as masonry, architecturally treated tilt-up concrete, glass, wood or stucco. Buildings shall not be constructed with metal siding material, except as approved by the design review committee for

specific high-image materials, except for:

(a) Canopies, awnings, screening for roof-mounted fixtures, or other architectural features:

(b) Utility equipment cabinets:

*(c) Structures no greater than two hundred (200) square feet in floor area and ten (10) feet in height:
and,*

(d) Buildings, the portions of buildings, that are not visible from a road or adjacent property.

Finding: As stated in the narrative and shown on Sheet A2.1, the building will be finished with a combination of fiber-cement horizontal lap siding, fiber-cement trim and pre-finished architectural corrugated metal siding. The fiber-cement siding will occur at the upper-level portions, where it will be most visible from adjacent streets and neighboring properties. Architectural metal siding is proposed for approval by the Planning Commission for the lower level to provide a more commercial/industrial look to the building. Architectural metal siding will also be utilized as an accent at the upper portion of the front façade behind the building signage. This standard is met with approval from the Planning Commission of the metal siding portions.

(5) Lighting. Adequate exterior lighting shall be provided to protect public safety and shall be deflected so as not to shine on a lot in a residential district.

Finding: The submitted narrative and plans identify a new street light mounted to an existing utility pole on Arlington Street to satisfy city standards. Public Works comments dated 02.06.24 indicate that this new street light will provide adequate public street lighting along the frontage of the site and a public street lighting analysis is not required.

Condition: Submit a revised lighting plan that shows the light on the rear of the building deflected down or otherwise revised so as to not shine onto the neighboring (rear) residentially-developed property.

(6) On-site Lighting. All on-site lighting shall be designed, located, shielded, or deflected so as not to shine into off-site structures or impair the vision of the driver of any vehicle. When required, engineered site lighting plans shall be developed consistent with Illuminating Engineering Standards (IES) including, but not limited to, average maintained illumination and maximum to minimum ratios. A master plan for on-site lighting shall include the design, height, and location of all proposed exterior lights, including:

(a) Parking and loading area lighting;

(b) Pedestrian walkway lighting;

(c) Internal access road lighting;

(d) Lighting of public entrances into buildings;

(e) Flood lights illuminating buildings or significant natural features.

Finding: Per the submitted narrative, site lighting will consist of building-mounted fixtures to illuminate outdoor seating areas, the entrance and signage, two small-scale pole light fixtures to illuminate the site entrance and walkway between the carts to the building and security lighting to the rear of the building. The rear lighting will be 5-feet from the rear property line, mounted at a height of 10 feet, and it does not shine downward. It does come with a built-in photocell that will turn the light on when motion is detected. However, photocells sometime malfunction and the lights remain on for long periods of time. The photometric plan shows the light level being over 4.0 foot-candles at the rear property line. While the property behind this property is in C-2 zoning, it is developed as a residential property and may

remain as such into perpetuity. This standard may be met as conditioned below.

Condition: Submit a revised lighting plan that shows the light on the rear of the building deflected down or otherwise revised so as to not shine onto the neighboring (rear) residentially-developed property.

(7) Equipment and Facilities. All utility lines shall be placed underground. All roof-mounted fixtures and utility cabinets or similar equipment which must be installed above ground shall be visually screened from public view.

Finding: The submitted narrative states that all utilities will be placed underground, with the exception of the overhead electrical service which is utilized on both sides of Arlington Street. This standard is met.

(8) Trash Disposal and Recycling Collection. In addition to the preceding standards, new construction requiring full site plan review shall incorporate functional and adequate space for on-site storage and efficient collection of mixed solid waste and source separated recyclables prior to pick-up and removal by haulers.

(a) Minimum storage area for trash and recyclables shall be established by one of the following methods: minimum standards method or franchise hauler review method.

(A) Franchise Hauler Review Method. The applicant shall submit plans for storage and collection of solid waste and recyclables that are acceptable to the city's franchise solid waste hauler; acceptance may be indicated on the site plan and/or by separate attachment; or

(B) (B) Minimum Standards Method. The applicant shall submit plans for storage of solid waste and recyclables in accordance with the following:

(i) Multi-family complexes containing ten (10) or fewer dwelling units shall provide a minimum fifty (50) square feet; developments containing more than ten (10) residential units shall provide an additional five (5) square feet per dwelling unit above ten (10).

(ii) Nonresidential developments shall provide a minimum storage area of ten (10) square feet plus:

(aa) office – 4 square feet /1,000 square feet gross floor area (GFA)

(bb) retail – 10 square feet /1,000 square feet GFA

(cc) wholesale/warehouse/manufacturing – 6 square feet /1,000 square feet GFA

(dd) educational & institutional – 4 square feet / 1,000 square feet GFA

(ee) Other – 4 square feet /1,000 square feet GFA

Finding: The submitted narrative and Sheet A1.0 identify a 96 square foot garbage/recycling enclosure, accommodating two 2-cubic-yard dumpsters and a smaller container for glass recycling. If the entire site is considered retail, the 5,000 square foot site would require a 60 square foot enclosure (10 sf + 10 sf/1,000 sf GFA). The proposed enclosure far exceeds the minimum standards method. This standard is met.

17.44.024 Nonresidential design standards.

New nonresidential buildings, with the exception of buildings housing institutional, warehouse or manufacturing uses, shall be subject to the following design standards:

(1) Ground Floor Windows. Ground floor windows shall be required on walls fronting a public street and shall comply with the following standards:

(a) The windows shall cover at least fifty percent (50%) of the length and twenty-five percent of the

ground level wall area. Ground level wall areas include all exterior wall areas up to nine feet (9') above the finished grade. The bottom of required windows shall be no more than four feet (4') above the adjacent exterior finished grade.

(b) Required windows shall be windows that allow views into work areas or lobbies, pedestrian entrances or display windows set into the wall. Display cases attached to the outside wall shall not qualify.

(2) Distinct Ground Floor. *The ground level of primary buildings shall be visually distinct from upper floors. This separation shall be provided by one of the following mechanisms:*

(a) A cornice above ground level;

(b) An arcade;

(c) Change in material or texture or architectural design; or

(d) A row of clerestory windows on the building's street-facing elevation.

Finding: The submitted narrative and Sheet A2.1 identify windows (via glazed doors) covering 65% of the first floor façade length and 59% of the ground floor wall area. All windows provide full vision into the building. The first floor is distinct from the mezzanine level via a change in siding and trim band. This standard is met.

Chapter 17.46 LANDSCAPING

Chapter 17.46 of the GMC regulates landscaping standards applicable to all development that is subject to design review.

17.46.020 Standards. *Landscaping requirements shall be as follows:*

(1) Minimum Requirement. *A minimum of 15 percent of the lot area shall be landscaped, except when a greater percentage is required elsewhere in this title.*

Finding: The narrative and Sheet A1.0 identify approximately 23% of the site as landscaped. This standard is met.

(2) Parking and Loading Areas. *The following landscape requirements shall apply to off-street parking and loading areas:*

(a) An off-street parking and loading area providing 10 or more parking spaces shall be improved with defined landscaped areas totaling no less than ten square feet per parking space;

(b) A parking or loading area shall be separated from any lot line adjacent to a street by a landscaped strip at least 10 feet in width, and any other lot line by a landscaped strip at least five feet in width;

(c) A landscaped strip separating a parking or loading area from a street shall contain:

(A) Street trees spaced as appropriate to the species, not to exceed 25 feet apart, on the average,

(B) Low shrubs not to reach a height greater than three feet spaced no more than five feet apart, on the average, and

(C) Vegetative ground cover;

(d) If a fence or wall is required or proposed, it shall be located behind required landscaped strips where such strips are adjacent to a street;

(e) In parking areas three acres and larger intended for use by the general public, pedestrian walkways shall be raised or separated from parking, parking aisles, and travel lanes by a raised curb, concrete bumpers, bollards, landscaping, or other physical barrier. If a raised pathway is used, curb ramps shall be provided in accordance with the Americans with Disabilities Act Accessibility

Guidelines.

Finding: There are no proposed or required parking and loading areas and, as such, this standard is not applicable.

(3) Irrigation. Provision shall be made for watering planting areas where such care is required.

Finding: The narrative states that the proposed plantings have been selected for their hardy, drought tolerant nature. The property owners will assume responsibility for ongoing watering. This standard is met.

(4) Maintenance Required. Landscaping shall be continuously maintained.

Finding: The narrative states that the property owners will assume responsibility for ongoing maintenance. This standard is met.

(5) Plant Species. The general characteristics of tree species shall be considered when planting under overhead utility lines or near sidewalks or curbs to assure that damage will not result when maturity is reached.

Finding: The required street tree will be of a species approved for use adjacent to sidewalks and compatible with overhead utility lines. This standard is met.

(6) Grading. The natural form of the site shall be preserved insofar as practicable unless berming or contouring of land is required.

Finding: The narrative states that the natural form of the site will be maintained. This standard is met.

(7) Public Rights-of-Way. Land within the public road right-of-way, not developed as sidewalks or driveways, shall be landscaped and maintained by the abutting property owners. Landscaping will be of the variety that would not create a road hazard or impair sight distance.

Finding: Sheet A1.0 identifies a strip of landscaping within the public road right-of-way between the property line and the sidewalk that will be landscaped and maintained by the property owner. The proposed landscaping will not create a road hazard or impair sight distance. This standard is met.

(8) Street Trees. Street tree planting may be required of any development and, if planted, shall be according to city requirements and of a species compatible with the width of the planting strip, and nearby street tree species.

Finding: Sheet A1.0 identifies one Malus "Red Baron" flowering crabapple street tree. This standard is met.

(9) Exceptions. The following exceptions apply to properties with frontage on McLoughlin Blvd.:

(a) The use of sod along McLoughlin Blvd. shall be encouraged in landscape plans for development of McLoughlin Blvd.;

(b) The use of sod along McLoughlin Blvd. may be allowed in lieu of required street trees;

(c) The 10-foot-wide landscape strip along McLoughlin Blvd. may be allowed in the right-of-way if applicant agrees to relocate the 10-foot strip whenever the right-of-way is improved. This strip may be included in total landscape area calculations.

Finding: This site is not along McLoughlin Blvd. and therefore this exception does not apply.

(10) Nonconforming Uses and Nonconforming Development. Additions or alterations to nonconforming uses and nonconforming development on a commercial or industrial site which does not comply with the landscaping requirements of this title must provide landscaping in a scale with the modification, as follows:

(a) Major remodeling, or structural additions of less than 1,000 square feet, require at least an additional three percent landscaping, up to the minimum landscaping requirements for new development in the district.

(b) Structural additions of 1,000 to 1,999 square feet are required to landscape at least an additional five percent of the developed site area, up to the minimum landscaping requirements for new development in the district.

(c) Structural additions of 2,000 to 4,999 square feet are required to landscape at least an additional 10 percent of the developed site area, up to the minimum landscaping requirements for new development in the district.

(d) Structural additions of 5,000 square feet or more are required to meet the current minimum landscape requirements for new development.

(e) Where successive structural additions occur the landscape requirement shall accumulate until total conformance is reached.

Finding: The development is new and therefore this standard is not applicable.

Chapter 17.48 OFF-STREET PARKING AND LOADING

Chapter 17.48 of the GMC regulates off-street parking and loading for all development permits.

17.48.030 Standards for developments subject to design review.

At the time of construction, enlargement, or change of use of any structure or development subject to GMC Chapter 17.80 (Design Review), except as provided in the C-2 district, off-street parking spaces shall be provided as follows unless greater requirements are otherwise established under this title***

Finding: Oregon Administrative Rule 660-012-0440(3) states,

“(3) Cities and counties may not enforce parking mandates for developments on a lot or parcel that includes lands within one-half mile of frequent transit corridors, including:

- (a) Priority transit corridors designated under OAR 660-012-0710;
- (b) Corridors with bus service arriving with a scheduled frequency of at least four times an hour during peak service; and
- (c) Corridors with the most frequent transit route or routes in the community if the scheduled frequency is at least once per hour during peak service.

This site is within one-half mile of McLoughlin Blvd., a corridor with bus service arriving with a scheduled frequency of at least four times an hour during peak service. For this reason, the city may

not mandate parking on this site. The developer has elected not to provide vehicle parking on this site and, as such, the provisions of 17.48.030 are not applicable to this development.

17.48.040 Design requirements for permanent off-street parking and loading.

1) Parking and Loading:

(a) Parking and loading areas shall be paved with asphalt and/or concrete meeting city standards, maintained adequately for all weather use and so drained as to avoid flow of water across public sidewalks;

(b) Off-street parking and loading areas shall be screened from abutting properties located in a residential zoning district unless such abutting properties are developed with nonresidential uses. Required screening shall be accomplished by building placement, a landscaped earth berm or a sight-obscuring fence or hedge. Required screening shall be a minimum of six feet high and shall not conflict with GMC Chapter 17.54 (clear vision).

(c) Areas for standing and maneuvering vehicles, other than for the off-street parking and storage of truck tractors and/or semitrailers, shall be paved with an asphalt and/or concrete surface meeting city standards. The parking of truck tractors and/or semitrailers in off-street parking areas used exclusively for the parking and/or storage of said vehicles may be allowed utilizing a durable and dustless surface other than an asphalt and/or concrete surface. Such surface must be graded, compacted and surfaced in such a manner that it will adequately support these vehicles, including trailer standing gear, will not produce dust, will not produce tracking of mud or other materials onto adjoining streets or properties, and otherwise complies with other applicable provisions of this code.

Finding: The middle of the site will be utilized for the delivery of mobile vendors (food trucks) to the site. This portion of the site is paved per Grading Keynote 7 on submitted Sheet C1. While mobile food vendors are not the same as truck tractors and/or semitrailers, it seems reasonable to allow the parking and/or storage of these food trucks on compacted 1" aggregate gravel, as identified in Grading Keynote 8 on submitted sheet C1. The site is provided with a stormwater facility so that no water flows across public sidewalks. This standard is met.

(2) Parking***

Finding: No off-street parking is proposed or required with this development and, as such, the provisions of 17.48.040(2) are not applicable.

(3) Loading:

(a) A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading passengers shall be located on the site of any school having a capacity greater than 25 students;

(b) Buildings or structures to be built or substantially altered which receive and distribute material or merchandise by truck shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use. If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less space than is required to adequately handle the needs of the particular use;

(c) Off-street parking areas used to fulfill the requirements of this section shall not be used for loading and unloading operations except during periods of the day when not required to take care of parking needs;

(d) Loading facilities shall be located at least 20 feet from residential property. Loading spaces shall be located on the site and directly accessible to the main structure.

(e) Exceptions and Adjustments. Loading areas within a street right-of-way in areas zoned mixed-use commercial in the C-2 zoning district may be approved when all of the following conditions are met:

(A) Loading areas must be signed to limit the duration of the activity, which may not exceed one hour for each loading operation.

(B) Proposed loading areas must support a use that requires infrequent loading activity. Infrequent loading activity is defined as less than three operations that occur daily between 5:00 a.m. and 12:00 a.m., or all operations that occur between 12:00 a.m. and 5:00 a.m. at a location that is not adjacent to a residential zone.

(C) The proposed loading area:

(i) Does not unreasonably obstruct traffic;

(ii) Will be limited to one loading activity at a time;

(iii) Notwithstanding Portland Avenue, does not obstruct a primary emergency response route; and

(iv) Is acceptable to the applicable roadway authority.

Finding: The center of the site will be used for the movement of mobile vending units (food trucks) onto and off of the site. Small deliveries may occur to the tap room (primary building) or to the food trucks. It is anticipated that these will occur infrequently and will utilize the center of the site (during non-business hours). Designated loading areas within the right-of-way do not seem necessary to support this development. This standard is met.

17.48.050 Bicycle parking standards.

(1) General Provisions.

(a) Applicability. Standards for bicycle parking apply to full-site design review of new construction for multi-family residential (four units and larger) and new commercial/industrial developments. The Planning Commission may grant exemptions to bicycle parking requirements in connection with temporary uses or uses that are not likely to generate the need for bicycle parking.

(b) Types of Spaces. Bicycle parking facilities shall be provided in terms of short-term bicycle parking and long-term bicycle parking. Short-term bicycle parking is intended to encourage customers and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Long-term bicycle parking provides a weather-protected place to park bicycles for employees, students, residents, commuters, and others who generally stay at a site for at least several hours.

(c) Minimum Number of Spaces. All developments required to comply with this section shall provide a minimum five percent bicycle parking spaces based on the city's required minimum number of automobile parking spaces. In addition, the following applies:

(A) All development shall have a minimum two short-term bicycle parking spaces; and

(B) If more than seven bicycle parking spaces are required, at least 50 percent of the spaces shall be provided as long-term bicycle parking.

(C) Notwithstanding subsection (1)(a)(A) of this section, 100 percent of all bicycle parking spaces for multi-family development of four units and more shall be provided as long-term bicycle parking.

(2) Location and Design.

(a) Short-Term Bicycle Parking. Short-term bicycle parking facilities are lockers or racks that meet the standards of this section and that are located inside a building, or located outside within 30

feet of the main entrance to the building or at least as close as the nearest vehicle parking space, whichever is closer;

(b) Long-Term Bicycle Parking. Long-term bicycle parking includes:

(A) Racks, storage rooms, or lockers in areas that are secure or monitored (e.g., visible to employees or customers or monitored by security).

(B) Covered outside bicycle parking spaces that meet the requirements of subsection (2)(g) of this section and are located within 100 feet of an entrance to the building;

(c) Signs. If the bicycle parking is not visible from the street or main building entrance, then a sign conforming to the city's standards for on-site traffic control, GMC Section 17.52.060(1), shall be posted indicating the location of the parking facilities;

(d) Rack Type and Dimensions.

(A) Bicycle racks must hold bicycles securely by the frame and be securely anchored;

(B) Bicycle racks must accommodate:

(i) Locking the frame and one wheel to the rack with a high-security U-shaped shackle lock, or approved substitute; or

(ii) Locking the frame and both wheels to the rack with a chain or cable not longer than six feet;

(C) The Planning Commission may approve alternate bicycle racks provided they are convenient and secure;

(e) Bicycle parking spaces must be at least six feet long and two feet wide. An aisle five feet wide for bicycle maneuvering must be provided;

(f) Areas set aside for required bicycle parking must be clearly marked and reserved for bicycle parking only;

(g) Covered Parking (Weather Protection).

(A) When required, covered bicycle parking shall be provided in one of the following ways: inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.

(B) Where required covered bicycle parking is not proposed to be located within a building or locker, the cover must be permanent and designed to protect the bicycle from rainfall and provide seven-foot minimum overhead clearance.

(C) Where required bicycle parking is provided in lockers, the lockers shall be securely anchored.

Finding: Sheet A1.0 identifies a 6'x8' bicycle parking area, sized to provide parking for 4 bicycles. The minimum number of bicycle parking spaces required is 2. The proposed bicycle rack meets the short-term bicycle parking standard. Long-term bicycle parking is not required. These standards are met.

Chapter 17.50 VEHICULAR AND PEDESTRIAN CIRCULATION

17.50.010 Applicability. Vehicular and pedestrian circulation standards shall apply to all land divisions and to all development that is subject to design review.

Finding: The provisions of Chapter 17.50 apply to this design review application.

17.50.020 Vehicular and pedestrian circulation generally.

Vehicular and pedestrian circulation facilities, including walkways, provisions for the handicapped, interior drives and parking as provided under GMC Chapter 17.48 (off-street parking and loading),

shall be designated as follows:

(1) Impervious Surface. Provide for least amount of impervious surface necessary to adequately serve the type and intensity of proposed land uses within developments as well as providing adequate access for service vehicles.

Finding: Sheet C1 identifies impervious surface (pavement) for pedestrian walkways and beneath the covered outdoor eating area. Impervious surfaces are provided beneath the food trucks (gravel) and along the perimeter of the site (landscaping). This standard is met.

(2) Traffic Separation. Provide when feasible, a separation of motor vehicular, bicycle and pedestrian traffic.

Finding: There is no on-site vehicular traffic. Bicycle parking is provided at the front of the site so that pedestrian traffic is the only movement anticipated within the site. This standard is met.

(3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets.

Finding: The proposal includes curbs, drainage and sidewalks within the right-of-way, as discussed further in this report. This standard is met.

(4) Traffic Volume Expansion. Provision shall be made to accommodate any increased volume of traffic resulting from the development consistent with GMC Section 17.50.050. If streets adjacent to or serving the site are inadequate, widening, dedication of property for future widening, or other street improvements may be required. The development shall be designed to minimize traffic volume increases on minor streets and underdeveloped streets.

Finding: The anticipated increase in volume of traffic will not require street widening or street improvement, other than the sidewalk, curb and landscaping improvements proposed and required along Arlington Street, discussed further in this report. This standard is met.

(5) Handicapped Needs. Provide for the special needs of the handicapped such as wheelchair ramps and Braille signs.

Finding: The Public Works comments dated 02.06.24 state “new sidewalks shall be installed to conform to current City of Gladstone and ADA PROWAG standards. The new sidewalk shall measure 5 feet minimum in width and shall have a scoring pattern conforming to the City of Gladstone Public Works Standards”. All on-site ADA accessibility will be required as reviewed and approved by Clackamas County via the building permit process. This standard is met.

(6) Pedestrian Circulation Standards. An on-site pedestrian circulation system shall be provided for new nonresidential and multi-family developments and for new buildings added to existing nonresidential and multi-family developments. The system may include sidewalks as part of the public rights-of-way, walkways, and multi-use paths. (Walkways only provide for pedestrian circulation; multi-use pathways accommodate pedestrians and bicycles.) The system shall comply with the following standards:

- (a) The system shall connect all adjacent streets to the main entrances of nonresidential buildings and to unit and/or building entrances of multi-family developments;*
- (b) The system shall connect all buildings and other areas of the site, such as parking areas, bicycle parking, recreational areas, common outdoor areas and any pedestrian amenities;*
- (c) The system shall be hard-surfaced and constructed in accordance with the public works standards. For nonresidential development, the walkways shall be a minimum of six feet wide. For multi-family residential development, walkways shall be a minimum of five feet wide;*
- (d) The system and off-street parking and loading areas shall be designed to avoid, to the maximum extent possible, the system's crossing off-street parking and loading areas. Where the system crosses driveways or off-street parking and loading areas, the system shall be clearly identifiable through the use of elevation changes, speed bumps, a different paving material or other similar method. Striping shall not fulfill this requirement;*
- (e) Where the system is parallel and adjacent to an auto travel lane, the system shall be a raised path or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used, the ends of the raised portions shall be equipped with curb ramps;*
- (f) The system shall comply with the Americans with Disabilities Act (ADA);*
- (g) Walkways or multi-use paths shall be provided at or near midblock where the block length exceeds the length required by GMC Section 17.64.020. Multi-use paths shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments, as applicable. Multi-use paths used to comply with these standards shall conform to all of the following criteria:

 - (A) Multi-use paths are required to be no less than 10 feet wide and located within a 20-foot-wide right-of-way or easement that allows access for emergency vehicles.*
 - (B) The city may require landscaping within the pathway easement/right-of-way for screening and the privacy of adjoining properties.*
 - (C) The Planning Commission may determine, based upon facts in the record, that a walkway or multi-use pathway is impracticable due to: physical or topographic conditions (e.g., freeways, railroads, extremely steep slopes, sensitive lands, and similar physical constraints); buildings or other existing development on adjacent properties that physically prevent a connection now or in the future, considering the potential for redevelopment; and sites where the provisions of recorded leases, easements, covenants, restrictions, or other agreements recorded as of the effective date of this code prohibit the pathway connection.**

Finding: The proposal includes a paved pedestrian pathway through the middle of the site, connecting the building to the public sidewalk and each of the mobile vendor units along the way. The pathway will be paved and graded to meet ADA requirements. This standard is met.

- (7) Proposed new industrial, institutional, multi-family retail and office developments requiring full site design review that are adjacent to or incorporate transit streets shall provide transit improvements at any existing or planned transit stop located along the site's frontage consistent with the transit operator's adopted long-range plan.

 - (a) Transit facilities include bus stops, shelters, and related facilities. Required transit facility improvements may include the dedication of land or the provision of a public easement.*
 - (b) Development shall provide reasonably direct pedestrian connections between building entrances and adjacent transit facilities and between buildings on the site and streets with**

adjoining transit stops.

(c) Improvements at Major Bus Stops. A proposed development that is adjacent to or includes an existing or planned major bus stop will be required to plan for access to the transit stop and provide for transit improvements, in consultation with TriMet and consistent with an agency adopted or approved plan at the time of development.

(A) Major bus stops are identified as part of the regional transit system and depicted in the Gladstone transportation system plan transit plan as “major bus stops.”

(B) Requirements apply where the subject parcel(s) or portions thereof are within 200 feet of a transit stop. Development requirements and improvements may include the following:

(i) Intersection or mid-block traffic management improvements to allow for pedestrian crossings at major transit stops.

(ii) Building placement within 20 feet of the transit stop, a transit street or an intersection street, or a pedestrian plaza at the stop or at street intersections.

(iii) Transit passenger landing pads accessible to disabled persons to transit agency standards.

(iv) An easement or dedication for a passenger shelter and an underground utility connection to a major transit stop if requested by TriMet.

(v) Lighting to TriMet standards.

(d) Any land divisions where further divisions are possible and multiple-family developments, community services uses, and commercial or industrial uses located on an existing or future planned frequent bus route shall meet the TriMet transit facility requirements. Applicants shall consult with TriMet to determine necessary transit facility improvements in conjunction with the proposed development. Proposals shall be consistent with the road crossing improvements that are identified in the transportation system plan on streets with existing or planned transit service.

Finding: This site is along a transit route; however, this site is not adjacent to an existing or planned transit stop and therefore these standards are not applicable.

17.50.030 Streets and roads generally.

(1) The location, width and grade of streets shall be considered in their relation to existing and planned streets, to the topographical conditions, to public convenience and safety, and to the proposed use of land to be served by the streets. The street system shall assure an adequate traffic or circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. Where location is now shown in a development plan, the arrangement of streets shall either:

(a) Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or

(b) Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet

a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.

Finding: The location, width and grade of Arlington Street adjacent to this site is acceptable and does not require improvements. Improvements are required to the sidewalk and curb, discussed further in this report. This standard is met.

(2) For new residential and mixed-use development on vacant land of five acres or more in the R-5, R- 7.2, MR and C-2 zoning districts, street connections and access ways shall be provided as follows:***

Finding: *This site is not greater than 5 acres in size and therefore this standard is not applicable.*

17.50.040 Street and road standards.

The design and improvement of streets within a development and streets adjacent but only partially within the development shall comply with improvement specifications adopted pursuant to GMC Section 17.42.030 and with the following standards:

(1) Right-of-Way and Roadway Widths.

(a) Minimum right-of-way and roadway widths shall conform to the standards found in Table 16 of the Gladstone transportation system plan, consistent with a street's functional classification.

(b) The street cross-sections found in the Gladstone transportation system plan may be modified to accommodate alternative stormwater management methods subject to the approval of the Public Works Supervisor. The Public Works Supervisor may require modification of the typical cross section to accommodate alternative stormwater management methods when associated with development proposals. Such modifications may be applied as conditions of development approval.

(2) Alignment. All streets other than minor streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuations of the center lines thereof. The staggering of street alignments resulting in T intersections shall, wherever practical, leave a minimum distance of two hundred feet between the center lines of streets having approximately the same direction and otherwise shall not be less than 100 feet.

(3) Future Extension of Streets. Where necessary to give access to or permit a satisfactory future subdivision of adjoining land, streets shall be extended to the boundary of the subdivision. The point where the streets temporarily end shall conform to the standards below:

(a) Extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.

(b) A barricade (e.g., fence, bollards, boulders, or similar vehicle barrier) shall be constructed at the end of the street by the subdivider and shall not be removed until authorized by the city or other applicable agency with jurisdiction over the street.

(c) Temporary turnarounds (e.g., hammerhead or bulb-shaped configuration) shall be constructed for stub streets over 150 feet in length.

(d) Temporary turnarounds shall be formed as an easement and will not affect building setback lines. The removal of a temporary turnaround shall occur when the street is extended and shall be paid for

by the person extending the street. Reserve strips (street plugs) may be required to preserve the objectives of street extensions.

(e) In the case of dead-end stub streets that will connect to streets on adjacent sites in the future, notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future.

(4) Reserve Strips. Reserve strips or street plugs controlling the access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights and in these cases they may be required. The control and disposal of the land composing such strips shall be placed within the jurisdiction of the city under conditions approved by the Planning Commission.

(5) Intersection Angles. Streets shall be laid out to intersect at angles as near to right angles as practical, except where topography requires lesser angles, but in no case less than 60° unless a special intersection design is approved. Streets shall have at least 50 feet of tangent adjacent to intersections unless topography requires lesser distances. Intersections which are not at right angles shall have minimum corner radii of 15 feet along right-of-way lines which form acute angles. Right-of-way lines at intersections with arterial streets shall have minimum curb radii of not less than 35 feet. Other street intersections shall have curb radii of not less than 20 feet. All radii shall maintain a uniform width between the roadway and the right-of-way lines. Ordinarily, the intersection of more than two streets at any one time will not be allowed.

(6) Existing Streets. Whenever existing streets adjacent to or within a tract are of inadequate widths, additional right-of-way shall be provided at the time of development.

(7) Cul-de-sacs and Hammerheads. The use of cul-de-sac designs and closed-end street systems shall be limited to situations where topography, existing development, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers prevent full street extensions. If cul-de-sacs are used, they shall be as short as possible and shall have maximum lengths of 200 feet except where topography, existing development, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers prevent full street extensions. Closed-end street systems shall serve no more than 25 single-family dwellings and terminate with adequate vehicle turnaround.

(8) Street Names. No street names shall be used which will duplicate or be confused with the names of existing streets. Street names and numbers shall conform to the established pattern in or near the city and shall be subject to the approval of the Planning Commission.

(9) Grades and Curves. Grades shall not exceed 10 percent on major or minor arterials, 15 percent on connector streets, or twenty percent on any other street unless specifically approved. In fault areas, finished street grades shall have a minimum slope of 0.5 percent. Center line radii of curves shall not be less than 300 feet on major arterials, 200 feet on minor arterials, or 100 feet on other streets. On arterials there shall be a tangent of not less than 100 feet between reversed curves.

(10) Marginal Access Streets. Where a land division abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a nonaccess reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties and for separation of through and local traffic.

(11) Alleys. Alleys may be provided in commercial and industrial districts unless other permanent provisions for access to off-street parking and loading facilities are made as approved by the Planning Commission. While alley intersections and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have radii of not less than 10 feet.

(12) Private Streets. Private streets may serve development where a finding can be made that such streets are of adequate width, alignment, grade and restricted length to afford the same degree of public safety as public streets and that extension of the public street system is impractical due to lot size or shape, topography, the location of existing structures to be retained or other similar circumstances and where no more than six dwelling units will take access from the private streets. In no case shall a private street be less than 20 feet in width. Greater width may be required where necessary to provide for public safety, accommodate traffic volume, or provide for underground utilities. A street maintenance agreement, acceptable to the city and duly recorded, shall be required.

(13) Painting of Curbs and Sidewalks. Except where required for safety purposes or for the identification of house numbers, painting of curbs and sidewalks is prohibited. All such painting must be approved by the city.

Finding: Arlington Street is a developed public street. These standards are met.

(14) Curbs and Driveways. Curb cuts and driveway installations shall be installed, according to city standards.

Finding: The Public Works comments dated 02.06.24 state, “curbing along Arlington Street shall be replaced within the limits of the new driveway approach. The applicant or the applicant’s representative shall meet with the City Public Works inspector at the site during construction to determine whether any surfacing improvements will be required within Arlington Street. The new driveway curb cut shall be constructed to commercial approach standards. A maximum width of 36 feet (measured from top of wing to top of wing) is permitted. This standard is met as the approval is conditioned to comply with the Public Works Design Review Comments dated February 6, 2024.

(15) Sidewalks. Sidewalks shall be installed on both sides of a public street and at any special pedestrian way within a development. The Planning Commission may approve a development with sidewalks on one side only of a local street if special site conditions exist or if alternative pedestrian routes are available, or if the proposed sidewalk is not likely to become part of a complete pedestrian route in the foreseeable future.

Finding: Sheet C1 Grading Keynote 6 states, “Construct new sidewalk per City of Gladstone Detail XX/XX”. The Public Works comments dated 02.06.04 state that the sidewalk shall be a minimum of 5 feet in width and contain an approved scoring pattern. This standard is met as this approval is conditioned to comply with the Public Works Design Review Comments.

(16) Bicycle and Pedestrian Routes. Bicycle/pedestrian routes shall be required when consistent with Map 5 of the comprehensive plan and when necessary to provide a system of interconnecting walkways and safe, convenient access to a transit stop for a school, park, church, day care center, library, commercial center, community center or similar facility. Separate bicycle/pedestrian ways not located in a street right-of-way shall include a 10-foot wide paved surface within a 12-foot wide right-of-way, unless conditions warrant otherwise and shall be illuminated as required in GMC Section 17.44.020(6).

Finding: No additional bicycle and pedestrian routes beyond the public sidewalk have been identified as necessary for this development. This standard is not applicable.

(17) Street Signs. Street name signs shall be installed at all street intersections. Specifications for signs shall be submitted and approved prior to their erection.

Finding: This site is not adjacent to a street intersection and therefore this standard is not applicable.

(18) Street Lights. Street lights shall be installed and shall be served from an underground source of supply.

Finding: The installation of a street light has been previously discussed in this report. This standard is met.

(19) Storm Sewers. Catch basins shall be installed and connected to drainage tile leading to storm

sewers or drainage ways.

Finding: Sheet C2 identifies catch basins leading to storm sewers. This standard is met.

(20) Monuments. *Upon completion of street improvements, monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street center lines. Elevation bench marks shall be established at each street intersection monument with elevations to U.S. Geological Survey datum. All lot corners will be marked by a metal rod.*

Finding: This standard is not applicable.

17.50.050 Traffic impact analysis (TIA).***

Finding: The proposal does not meet the city's threshold for requirement of a Traffic Impact Analysis and, as such, this standard is not applicable to the proposal.

Chapter 17.52 SIGNS***

Finding: Sign designs were not included in the application. This standard is not applicable to the proposal and all future signs will be required to obtain a sign permit meeting the provisions of GMC 17.52.

Chapter 17.54 CLEAR VISION***

Finding: The clear vision provisions are only applicable on property at any corner formed by the intersection of two streets, or a street and a railroad. This property is not a corner lot and therefore the clear vision provisions are not applicable.

Chapter 17.56 DRAINAGE

17.56.020 Standards.

Adequate provisions shall be made to ensure proper drainage of surface waters, to preserve natural flow of watercourses and springs and to prevent soil erosion and flooding of neighboring properties or streets. Such provisions shall include but not be limited to the following:

(1) Generally. All development shall be planned, designed, constructed and maintained to:

(a) Protect and preserve existing drainage channels to the maximum practicable extent;

(b) Protect development from flood hazards;

(c) Provide a system by which water within the development will be controlled and managed without causing damage or harm to the natural environment, or to property or persons within the drainage basin;

(d) Assure that waters drained from new or redevelopment sites are substantially free of pollutants, including sedimentary materials, through the use of stormwater treatment facilities as referenced herein and appropriate erosion and sediment control practices;

(e) Assure that runoff drained from new and redevelopment sites is managed in accordance with criteria outlined in the City of Gladstone Stormwater Treatment and Detention Standards as to not cause erosion to any greater extent than would occur in the absence of development;

- (f) Avoid placement of surface detention or retention facilities in road rights of way.*
- (2) Watercourses. Where culverts cannot provide sufficient capacity without significant environmental degradation, the city may require the watercourse to be bridged or spanned.*
- (3) Easements. In the event that a development or any part thereof is traversed by any watercourse, channel, stream or creek, gulch or other natural drainage channel, adequate easements for storm drainage purposes shall be provided to the city. This does not imply maintenance by the city.*
- (4) Obstructions. Channel obstructions are not allowed, except as approved for the creation of a detention or retention facility. Fences with swing gates may be utilized.*
- (5) Surface Drainage and the Storm Sewer System.*
 - (a) Stormwater treatment and detention facilities shall be designed and installed in accordance with criteria outlined in the Gladstone Public Works Design Standards and the Gladstone Public Works Standard Construction Specifications.*
 - (b) The street cross-sections found in the Gladstone transportation system plan may be modified to accommodate alternative stormwater management methods subject to the approval of the Public Works Supervisor. The Public Works Supervisor may require modification of the typical cross section to accommodate alternative stormwater management methods when associated with development proposals. Such modifications may be applied as conditions of development approval.*

Finding: The subject property does not contain any known drainage ways, floodplains, or watercourses. The Public Works comments dated 02.06.24 identify the following regarding storm drainage:

The proposed development shall meet all storm drainage design requirements pursuant to the Gladstone Public Works Design Standards. The submitted plans and calculations indicate that the project will infiltrate all stormwater onsite for storm events up to the 10-year event, with an overflow to Arlington Street through a weephole. Private storm drainage improvements onsite shall be permitted through Clackamas County Building Department.

- A storm drainage analysis, stamped and sealed by an engineer licensed to practice in the State of Oregon, shall be submitted to City of Gladstone Public Works for review and approval demonstrating how the proposed storm water improvements meet the requirements of the Gladstone Public Works Design Standards.
- The applicant will be responsible for maintaining the proposed onsite stormwater infiltration system and shall complete & record a Storm Water Facilities Maintenance Agreement. The document shall be submitted to Gladstone Public Works for review, adjusted if necessary, and then recorded with Clackamas County. A copy of the recorded document shall be submitted to Gladstone Public Works prior to the Certificate of Occupancy being issued.

This standard is met as this approval is conditioned to comply with the Public Works Design Review Comments.

Chapter 17.58 GRADING AND FILL
17.58.020 General provisions.

(1) Grading of Building Sites. Grading and fill of building sites shall conform to Chapter 70 of the Uniform Building Code. The character of soil for fill and the characteristics of lots and parcels made usable by fill shall be suitable for the purpose intended. When deemed necessary, the building official may require geological studies to determine the suitability of the site.

(2) U.B.C. Requirements. The building official shall enforce Chapter 70 of the U.B.C. and shall require soils reports and/or engineering studies before issuing a building permit for fill, excavation, construction or related activities involving soils with restrictive features such as instability, wetness, flooding or other limitations.

Finding: Any applicable Building permits and grading permits are required to ensure the requirements in the Uniform Building Code, or current predecessor, will be met through the building permit review process. This criterion is met with the standard condition that a building permit must be obtained and the special condition that the project comply with the Clackamas County Water Environment Services (WES) Comments dated February 2, 2024.

Chapter 17.60 UTILITIES

17.60.020 Standards.

Utility services and facilities shall be appropriate to the scale and type of development and consideration shall include, but not be limited to the following standards:

(1) Site Disturbance. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site.

(2) Electricity. Gas. Communications. All development which has a need for electricity, gas and communications services shall install them pursuant to the requirements of the district or company servicing the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be underground.

(3) Underground Facilities. The developer shall make necessary arrangements with utility companies or other persons or corporations affected for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street lighting and cable television, shall be placed underground.

(4) Sanitary Sewers. All development which has a need for sanitary sewers shall install the facilities.

(5) Water Services. All development which has a need for water service shall install water facilities and grant necessary easements pursuant to the requirements of the utility district serving the development. In addition, requirements for development shall include the following:

(a) Water lines to serve residential developments shall be a minimum six inch (6") nominal diameter and water lines to service commercial and industrial developments shall be a minimum eight inch nominal diameter with valves and fire hydrants serving each building site in the development and connecting the development to city mains shall be installed. Prior to starting building construction, the design shall take into account provisions for extension beyond the development and to adequately grid the city system. Hydrant spacing to be based on accessible area served according to A.I.A. recommendations and as approved by the Fire Chief;

(b) If the city determines that a water line size greater than the required minimum in diameter is required to provide for future extension of the water system, the city will reimburse the developer the difference in cost of pipe and valves between that of the minimum diameter and the size stipulated by the city.

(6) Coordination with Street Surfacing. All underground utilities, sanitary sewers and storm drains installed in streets by the developer or by any utility company shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to a length minimizing the necessity for disturbing the street improvements when service connections are made.

(7) As-Built Submittals. A map showing all public improvements, as built, shall be filed with the city engineer upon completion of the improvements.

(8) Conditions for Refund to Developer.

(a) If required water mains or sewer facilities will without further construction other than individual laterals, directly serve properties outside the development, the city may enter into an agreement with the developer to require owners of the other benefiting properties to refund to the developer, a pro rata portion of the cost of the extension prior to allowing the benefiting property to connect thereto;

(b) Any such agreement shall contain a provision that the developer agrees to completely indemnify and hold harmless the city for any claim or injury or action arising from the city's administration of such agreement;

(c) The right to require such a refund shall not continue for more than 10 years after the date of installation of the extension;

(d) The amount to be refunded and the individual proration of the same shall be determined by the city and such determination shall be final.

Finding: The Public Works Comments dated 02.06.24 identify the following regarding water and sanitary sewer:

Water. The proposed development shall meet all water system requirements pursuant to the requirements of the Gladstone Public Works Design Standards. Water meter sizing calculations will be required to verify that the water meter is adequately sized to serve the proposed development. These calculations are typically based on a fixture count and shall be submitted to the City at the time of plan review. Backflow prevention devices in underground vaults will be required for the domestic water system based on the proposed use for the site.

Fire Water. If a fire sprinkler system is required by the Building Department, public fire system improvements shall be constructed pursuant to the requirements of the Gladstone Public Works Design Standards. If a fire system is required, a public water easement would be required around any portion of the back prevention vault that is on private property.

Sanitary Sewer. The proposed development shall meet all sanitary sewer requirements pursuant to the Gladstone Public Works Design Standards.

- The condition of the existing sanitary sewer lateral shall be verified by video inspection. A copy of the inspection shall be submitted to the Public Works Department for review. Following review, if the existing sewer lateral is determined by City of Gladstone Public Works to be in poor condition, the sewer lateral shall be repaired or replaced to the current standards of the City of Gladstone.
- The sanitary sewer lateral (existing or new) shall have a cleanout installed behind or centered in the sidewalk, to designate the dividing point between public and private maintenance responsibility.
- Waste pre-treatment in the form of a grease trap is required for Food Service Establishments. The grease trap shall meet Clackamas County Plumbing requirements and the requirements of Oregon Plumbing Specialty Code Chapter 10.

The Clackamas Fire District #1 Comments dated 02.13.24 identify the following regarding water supply for the new building:

1. Fire Hydrants, Commercial Buildings: Where a portion of the building is more than 400 feet from a

hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided.

Note: This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system. All new buildings shall have a firefighting water supply that meets the fire flow requirements of the Fire Code Appendix B.

2. Maximum spacing between hydrants on street frontage shall not exceed 500 feet. Additional private on-site fire hydrants may be required for larger buildings. Fire sprinklers may reduce the water supply requirements.

3. Minimum fire flow requirements shall be met according to Appendix B of the Oregon Fire Code (22).
a. Reductions are allowed when the building is provided with a full fire sprinkler system. (Table B105.2)
b. Provide fire hydrant flow testing from the closest fire hydrant. Minimum GPM is 1,500 to meet fire flow.

This standard is met as this approval is conditioned to comply with the Public Works Design Review Comments and the Clackamas Fire District #1 Comments.

As such, the Planning Staff recommend the Planning Commission APPROVE the Design Review Application DR-24-02 as conditioned.

Pursuant to Section 17.92.020 of the Gladstone Municipal Code, the decision of the Planning Commission may be appealed to the City Council within 15 days of the mailing of the Planning Commission's written decision. In order to appeal a decision of the Planning Commission, a party must have appeared orally or in writing before the Planning Commission. The filing fee for the appeal is \$250.00. If no appeal is filed within 15 days, the decision of the Planning Commission shall be final.



TO: **Heather Austin – 3J Consulting/City of Gladstone**
FROM: **Erik Bertram** / Water Environment Services (ebertram@clackamas.us, 503-936-3666)
DATE: February 2, 2024
SUBJECT: WES Conditions of Approval, DR 24-02

LOCATION: 140 W Arlington Street
TAX LOT: 22E20CA 02100
WES LOG#:

Conditions of Approval:

1. Per an IGA between the City of Gladstone and Clackamas Water Environment Services (WES), WES is the delegated erosion control authority within the City’s boundaries for all development and redevelopment applications. The proposed development shall be subject to WES Rules and Regulations, and Standards (“WES RR&S”), in accordance with the following adopted ordinances:
 - a. Water Environment Services Rules and Regulations, July 2018, Ordinance No. 03-2018
 - b. Stormwater Standards, Clackamas County Service District No. 1, July 1, 2013.
2. Per Stormwater Standards, Section 6.1, the owner or their agent, contractor, or employee shall properly install, operate and maintain both temporary and permanent Erosion Protection and Sediment Control (EPSC) practices to protect the environment during the useful life of the project. No visible or measurable erosion shall leave the property during development, construction, grading, filling, excavating, clearing, or other activity that accelerates erosion, as required by water quality standards set forth in OAR 340-41-445 thru 470.
3. An EPSC Permit shall be required for development activities that result in land disturbance of 800 sq ft or greater. Before the start of any grading or construction activities, the applicant shall submit a Permit application and erosion control site plans to WES for review and approval, and pay applicable permit fees (\$460 + \$80/acre over 1 acre). Prior to building permit sign off, EPSC measures shall be inspected by a WES erosion control inspector.

Pre-Application Comments:

To: City of Gladstone

From: Shawn Olson, Fire Marshal, Clackamas Fire District #1

Date: 2-13-24

Re: Gladstone Tap Room and Mobile Food Carts

This review is based upon the current version of the Oregon Fire Code (OFC), as adopted by the Oregon State Fire Marshal's Office. The scope of review is typically limited to fire apparatus access and water supply, although the applicant must comply with all applicable OFC requirements. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access and water supply may be modified as approved by the fire code official. The following items should be addressed by the applicant:

All Mobile Food Carts/Pods will need to meet the requirements of Section 319 of the Oregon Fire Code. Comments below are not all inclusive. Applicant is responsible for all sections pertaining to Mobile Food Carts/Pods.

1. Food carts that produce smoke or grease laden vapors when cooking must follow the requirements of Section 319 of the OFC.
2. Food carts shall not block fire department access roads, fire hydrants, or fire lanes.
3. There shall be a minimum 5' separation between combustibles, structures, vehicles, or other cooking operations.
4. Generators shall not be fueled while in operation.
5. Exits shall be kept clear at all times.
6. All electrical wiring shall be in accordance with Section 603 of the OFC.
7. Heating appliances shall be in accordance with Section 603.4, 603.9, and 605.5 through 605.7.
8. Exhaust hoods shall be provided when cooking operations produce smoke or grease laden vapors in accordance with Section 606 of the OFC.
9. Fire protection systems shall be in accordance with Section 319.2.11.1 through 319.2.11.4.
10. Cooking oil storage shall be in accordance with Section 319.2.12 through 319.2.12.5
11. Appliance connection to fuel system shall be in accordance with Section 319.2.13.
12. LP Gas Systems shall be in compliance with Section 319.2.14.
13. CNG Systems shall be in compliance with Section 319.2.15.
14. Solid Food Cooking shall comply with Section 319.2.16.
15. Provide project address numbering that is clearly visible from the street.
16. The applicant must obtain a stamp of approval from Clackamas Fire District #1 that demonstrates fire apparatus access and water supply requirements will be satisfied.

Water Supply for New Commercial Building:

1. Fire Hydrants, Commercial Buildings: Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an

approved route around the exterior of the building, on-site fire hydrants and mains shall be provided.

Note: This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system. All new buildings shall have a firefighting water supply that meets the fire flow requirements of the Fire Code Appendix B.

2. Maximum spacing between hydrants on street frontage shall not exceed 500 feet. Additional private on-site fire hydrants may be required for larger buildings. Fire sprinklers may reduce the water supply requirements.
3. Minimum fire flow requirements shall be met according to Appendix B of the Oregon Fire Code (22).
 - a. Reductions are allowed when the building is provided with a full fire sprinkler system. (Table B105.2)
 - b. Provide fire hydrant flow testing from the closest fire hydrant. Minimum GPM is 1,500 to meet fire flow.

When ready, submit all fire apparatus access and water supply plans to: [Fire Apparatus Access/Water Supply Plan Submittal](#)

If you have questions please contact Clackamas Fire District @503-742-2663 or email at shawn.olson@clackamasfire.com



Public Works Design Review Comments

02.06.2024

Project: DR-24-02 The Arlington Tap Room & Food Carts, 140 Arlington St.

1. **Street Lighting.** The submitted plans show a new street light to be installed along Arlington Street. This new street light will provide adequate public street lighting along the frontage of the site. No public street lighting analysis is required.
2. **Sidewalks and ADA.** The submitted plans show all new sidewalk along the frontage of the site. New sidewalks shall be installed to conform to current City of Gladstone and ADA PROWAG standards. The new sidewalk shall measure 5 feet minimum in width and shall have a scoring pattern conforming to City of Gladstone Public Works Standards.
3. **Water.** The proposed development shall meet all water system requirements pursuant to the requirements of the Gladstone Public Works Design Standards. Water meter sizing calculations will be required to verify that the water meter is adequately sized to serve the proposed development. These calculations are typically based on a fixture count and shall be submitted to the City at the time of plan review. Backflow prevention devices in underground vaults will be required for the domestic water system based on the proposed use for the site.
4. **Fire Water.** If a fire sprinkler system is required by the Building Department, public fire system improvements shall be constructed pursuant to the requirements of the Gladstone Public Works Design Standards. If a fire system is required, a public water easement would be required around any portion of the back prevention vault that is on private property.
5. **Sanitary Sewer.** The proposed development shall meet all sanitary sewer requirements pursuant to the Gladstone Public Works Design Standards.
 - The condition of the existing sanitary sewer lateral shall be verified by video inspection. A copy of the inspection shall be submitted to the Public Works Department for review. Following review, if the existing sewer lateral is determined by City of Gladstone Public Works to be in poor condition, the sewer lateral shall be repaired or replaced to the current standards of the City of Gladstone.
 - The sanitary sewer lateral (existing or new) shall have a cleanout installed behind or centered in the sidewalk, to designate the dividing point between public and private maintenance responsibility.
 - Waste pre-treatment in the form of a grease trap is required for Food Service Establishments. The grease trap shall meet Clackamas County Plumbing requirements and the requirements of Oregon Plumbing Specialty Code Chapter 10.
6. **Storm Drainage.** The proposed development shall meet all storm drainage design requirements pursuant to the Gladstone Public Works Design Standards. The submitted plans and calculations indicate that the project will infiltrate all stormwater onsite for storm events up to the 10-year event, with an overflow to Arlington Street through a weephole. Private storm drainage improvements onsite shall be permitted through Clackamas County Building Department.
 - A storm drainage analysis, stamped and sealed by an engineer licensed to practice in the State of Oregon, shall be submitted to City of Gladstone Public Works for review and approval demonstrating how the proposed storm water improvements meet the requirements of the Gladstone Public Works Design Standards.

- The applicant will be responsible for maintaining the proposed onsite stormwater infiltration system and shall complete & record a Storm Water Facilities Maintenance Agreement. The document shall be submitted to Gladstone Public Works for review, adjusted if necessary, and then recorded with Clackamas County. A copy of the recorded document shall be submitted to Gladstone Public Works prior to the Certificate of Occupancy being issued.
7. **Streets.** The proposed development shall address all street improvement requirements of the Gladstone Public Works Design Standards. New street improvements shall be constructed as follows:
- Curbing along Arlington Street shall be replaced within the limits of the new driveway approach.
 - The applicant or the applicant's representative shall meet with the City Public Works inspector at the site during construction to determine whether any surfacing improvements will be required within Arlington Street.
 - The new driveway curb cut shall be constructed to commercial approach standards. A maximum width of 36 feet (measured from top of wing to top of wing) is permitted.
 - One street tree shall be installed behind the sidewalk along the frontage of the site to comply with Municipal Code street tree requirements.
 - It is the applicants responsibility to relocate mailboxes, signage, and utilities that may interfere with new right-of-way improvements.
 - Prior to any work in the right-of-way, a City Right-of-Way Permit will be required from Public Works.
8. **Easements.**
- Any backflow prevention vault shall be completely contained within a public water easement.
 - A public utility easement 8 feet in width shall be granted along Arlington Street. Where existing or approved structures reduce the width available, a reduced width is acceptable.
 - Easements shall be prepared using an approved City of Gladstone easement form. A copy of the recorded easements shall be provided to City of Gladstone Public Works prior to a punchlist walk by the Public Works Department.
9. **Construction Plans Submittal.** Plans detailing the installation of public and private utilities, site grading, and other public and private improvements shall be submitted to the City of Gladstone Public Works Department for review and approval. The design, location, and planned installation of all street and sidewalks, natural gas, power, street lighting, telephone, cable television, storm water, water, and sanitary sewer provisions are subject to approval by the appropriate agency/utility service provider. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon. The Construction Plan submittal shall include (3) paper sets of plans, a pdf copy, an Engineer's Estimate for the public improvements, and a drainage report.
10. **Pre-Construction Conference.** Once grading/construction plans are ready to be approved by the City of Gladstone, a Pre-Construction Conference with final sign-off on the Construction Plans is required. Review fees, SDC's and performance bonding may be required of the applicant prior to scheduling the pre-construction conference.
11. **As-Built Submittals and Stormwater Certification.** Prior to approval of the Certificate of Occupancy, the applicant shall provide the City with the following:
- As-built plans.
 - A recorded copy of the Storm Drainage Facilities Maintenance Agreement and any required easements on approved City of Gladstone forms.
 - A signed certification from the design engineer indicating that the surface water systems have been inspected and installed per the approved plans and that the systems are functioning as designed.
 - A maintenance bond in the amount of ten (10) percent of the cost of the public improvements.



NOTICE OF PUBLIC HEARING- FEBRUARY 20, 2024
GLADSTONE PLANNING COMMISSION
DR 24-02 The Arlington Design Review

- DATE & TIME:** **02/20/24**. This item will not begin earlier than **6:30 p.m.** However, it may begin later depending on the length of preceding items.
- PLACE:** The public hearing will be conducted in person at Gladstone City Hall (18505 Portland Avenue | Gladstone, OR 97027), as well as virtually using the Zoom platform. The Zoom link to the public hearing and details on how to observe and testify online or by telephone will be available one week prior to the public hearing on our website: <https://www.ci.gladstone.or.us/bc-pc/page/planning-commission-meeting-83>
- LOCATION** 140 W. Arlington Street, Gladstone, OR 97027
Tax Lot 22E20CA 02100
- DEVELOPMENT PROPOSAL:** A new building and site improvements for an eating and drinking venue, including indoor tap room, mobile food vendors and outdoor seating.
- APPLICABLE REVIEW STANDARDS:** Gladstone Municipal Code (GMC) Chapters: 17.18 (C-2 Community Commercial Zone); 17.21 (DC- Downtown Core Overlay District); 17.42 (General Provisions); 17.44 (Building Siting & Design); 17.46 (Landscaping); 17.48 (Off-Street Parking & Loading); 17.50 (Vehicular & Pedestrian Circulation); 17.56 (Drainage); 17.60 (Utilities); 17.80 (Design Review); 17.94 (Hearings); & 17.96 (Improvement Guarantees).

All interested parties are invited to “attend” the hearing online or by in person and may testify orally, if they so choose. Written testimony may be submitted by email, or regular mail.

Please include the permit file number on all correspondence and address written testimony to the staff contact who is handling this matter. Any correspondence received in advance of the meeting will be forwarded to the Planning Commission.

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. In addition, a staff report on the application will be available for inspection at no cost at least seven days prior to the hearing. Hard copies of documents will be provided at a cost of 25 cents per page or you may view or obtain these materials:

1. By contacting Heather Austin, at 503.946.9365 x206 or heather.austin@3j-consulting.com; or
2. By requesting a copy of the application at City Hall located at 18505 Portland Avenue in Gladstone.

Please note 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.

PROCEDURE FOR PUBLIC HEARING at Gladstone Planning Commission Meetings

1. Planning Commission Chair Opens the Public Hearing
2. Recitation of Procedure
 - a. Call for Challenges (Reports of Conflicts, Bias and/or Ex Parte Contact)
 - b. Responsibilities of Applicants, Testifying Individuals and Appellants
3. Presentation of Staff Report
4. Applicant Testimony
5. PUBLIC TESTIMONY
6. Applicant Rebuttal
7. Close Public Hearing
8. Planning Commission Discussion/Deliberation
9. Planning Commission Decision or Recommendation to City Council

TIPS FOR PROVIDING PUBLIC TESTIMONY at Gladstone Planning Commission Meetings

The Gladstone Planning Commission offers the following comments to aid you in ensuring that your testimony is most helpful.

1. Written materials are encouraged. If possible, submit them to staff seven (7) days before the meeting for mailing and review by the Commission prior to their meeting.
2. Petitions are encouraged in lieu of repetitious comments.
3. Merely repeating another's comments is not helpful; new or additional information is encouraged. However, if your testimony is identical to another, you may simply state that you agree with that person's testimony and you will be considered to have standing in the hearing.
4. A spokesperson for groups is frequently the best use of time.
5. Drawings or diagrams are still worth 1,000 words.
6. Staff are available prior to the meeting to discuss the proposal and answer your questions. You are encouraged to call or email Heather Austin, Gladstone Planning Consultant, at 503-946-9365 ext. 206 or heather.austin@3j-consulting.com.
7. Remember, time limits may be placed on public testimony at the hearing.



Gladstone planning services are provided by 3J Consulting. Submit all land use applications and correspondence to:
City of Gladstone Attn: Heather Austin 18505 Portland Ave. Gladstone, OR 97027
Email: heather.austin@3j-consulting.com or permit.review@3j-consulting.com • Phone: 503-946-9365 x206

DESIGN REVIEW INFORMATION SHEET

WHAT IS DESIGN REVIEW?

Design review is required for all institutional, commercial, industrial and multifamily developments except as specifically exempted by Section 17.80.021 of the Gladstone Municipal Code (GMC). Design review provides a process for evaluating such elements as building design, landscaping, parking, street improvements and utilities.

WHAT IS NEEDED FOR APPROVAL?

All design review applications are discretionary and may be approved after evaluation according to criteria in the GMC. The city must make written findings to support the decision. The applicant is responsible for providing evidence to support a design review request, according to the following chapters of the GMC: Chapter 17.80, the chapter regulating the underlying zoning district of the subject property and the chapters of Division IV of Title 17.

WHAT ARE CHANCES FOR APPROVAL?

Staff cannot predetermine the decision on any application. A decision will only be made after the complete application is processed. This includes review of citizen and agency comments. The decision is based on criteria appropriate to the application as listed in the GMC. To address the necessary criteria, the information requested in the application form and required to be included on submitted plans should be as thorough as possible.

APPLICATION PROCESS

Design review applications are subject to the quasi judicial process and public notice. Public comments received from property owners, agencies, and other interested parties may affect the decision on the application. Special conditions may be attached to an approval. All design review applications are reviewed at a public hearing before the Gladstone Planning Commission. The Planning Commission's decision may be appealed to the City Council, where an additional public hearing will be held. The City Council's decision may be appealed to the Oregon Land Use Board of Appeals.

HOW DO I MAKE A DESIGN REVIEW APPLICATION?

- Complete a City of Gladstone Land Use Application- attached.
- Provide plans according to the requirements of Chapter 17.80.061 of the GMC.
- Submit the application form, plans, narrative, required supporting documentation and application fee of 0.384% of the construction cost (minimum fee is \$1,340 & no more than \$36,835) to the City of Gladstone. Provide a statement giving the estimated cost of construction (labor and materials). Once your application is deemed complete, **submit a minimum of twelve copies of large plans or other items that cannot easily be reproduced by the Planning Division.**
- Although not required, it is strongly suggested that you attend the Planning Commission and, if applicable, the City Council hearings to speak on behalf of your proposal.



DESIGN REVIEW LAND USE APPLICATION

Gladstone planning services are provided by 3J Consulting.
 Submit all land use applications and correspondence to: City of Gladstone
 Attn: Heather Austin 18505 Portland Ave. Gladstone, OR 97027
 Email: heather.austin@3j-consulting.com or permit.review@3j-consulting.com
 Phone: 503-946-9365 x206

• FOR STAFF USE ONLY •

File No: _____ Other Related Permit Applications: _____
 Pre-app: Staff _____ Date _____ Staff Member: _____
 Date Received _____ Fee _____ Zone: _____
 Hearing Date _____ Comp. Plan: _____

• APPLICANT INFORMATION •

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Contact Information: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Applicant <input type="checkbox"/> Consultant <input type="checkbox"/> Other
Contact/Applicant's Name: <u>Ray Fletcher / Lynn Fletcher</u>
Mailing Address: <u>14258 Cleveland St</u> City/State/Zip: <u>Oregon City, Or 97045</u>
E-Mail: <u>realtorrayf@gmail.com</u> Phone: <u>503-703-1999</u>
Contact Information: <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Applicant <input checked="" type="checkbox"/> Consultant <input type="checkbox"/> Other
Contact/Applicant's Name: <u>Jessica Iselin, Iselin Architects, PC</u>
Mailing Address: <u>1307 7th Street</u> City/State/Zip: <u>Oregon City, OR 97045</u>
E-Mail: <u>jessica@iselinarch.com</u> Phone: <u>503-656-1942</u>
Property Information
Site Address: <u>140 Arlington St</u>
Total Land Area: <u>5,000 sf</u>
Legal Description: T <u>02S</u> S, R <u>02E</u> E/W/Q, Section <u>20</u> Tax Lot(s) <u>02100</u> (For property legal description, contact Planning at 503-742-4500)
Adjacent Properties under Same Ownership: T _____ S, R _____ E/W/Q, Section _____ Tax Lot(s) _____
Project Description: <u>New building and site improvements for use as an eating and drinking venue, including mobile vending units, an indoor taproom and outdoor seating</u>
Current Zoning: <u>C2, Community Commercial</u> Existing Use of Site: <u>vacant lot</u>
Construction Cost: <u>\$ 400,000</u> Proposed Square Footage: <u>960</u>

Method of Sewage Disposal: Tie to public sewer in Arlington St

Water Supply: Tie to public water in Arlington St

Commercial/Industrial/Institutional Development:

Number of employees/students/occupants: 4-10 Days of operation: 7

Estimated hours of daily operation: 10 am - 11 pm

Is the property under enforcement action for a violation of the Gladstone Municipal Code?
 No Yes

Other Persons (If Any) To Be Mailed Notices Regarding This Application:

Matt Klemenn	4245 Se Faith Milwaukie, Or 97267		partner
Name	Address	Zip	Relationship
Name	Address	Zip	Relationship

I hereby certify the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.

<i>Ray Fletcher Lynn Fletcher</i>	<i>Jessica Iselin</i>
_____ Owner's Signature	_____ Applicant's Signature
Ray Fletcher / Lynn Fletcher	Jessica Iselin
_____ Owner's Name (Print)	_____ Applicant's Name (Print)

• SUPPLEMENTAL QUESTIONS •

Describe your proposed development. Identify the number of people associated with the use (employees, students, congregation members, clients, etc.); days and hours of operation; building materials, including type and color; and additional information about the buildings, vehicles, equipment, and square footage associated with the use:

Building a taproom and food kart facility. Open 7 days a week.

Hope to employ 4-10 full and part time employees.

Identify how your proposal meets the building siting and design standards pursuant to GMC Chapter 17.44. As delineated in the Design Review narrative, the proposed development satisfies all of the design criteria identified in Chapter 17.44 of the municipal code.

Identify how your proposal meets the landscaping requirements pursuant to GMC Chapter 17.46.

As delineated in the Design Review narrative, the proposed development satisfies all of the design criteria identified in Chapter 17.46 of the municipal code.

Identify how your proposal meets the off-street parking and loading standards pursuant to GMC Chapter 17.48

As delineated in the Design Review narrative, the proposed development satisfies all of the design criteria identified in Chapter 17.48 of the municipal code.

Identify how your proposal meets the vehicular and pedestrian circulation standards pursuant to GMC Chapter 17.50.

As delineated in the Design Review narrative, the proposed development satisfies all of the design criteria identified in Chapter 17.50 of the municipal code.

If your proposal includes the installation or modification of a sign, identify the dimensions and explain how it meets the standards pursuant to GMC Chapter 17.52.

~~No signs are proposed, so Chapter 17.52 is not applicable.~~

Explain why the use is suitable for the proposed site, considering size, shape, location, topography, existence of improvements and natural features: _____

~~Refer to the submitted Design Review narrative for complete documentation addressing the suitability of the proposed development with the site and neighborhood.~~

Explain why the use will not alter the character of the surrounding area in a manner that substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying zoning district:

~~Refer to the submitted Design Review narrative for complete documentation addressing the compatibility of the proposed development with the character and existing uses within the neighborhood.~~

Provide additional information regarding clear vision, drainage, grading, utilities, or other items relevant to new construction or site development:

~~Refer to submitted architectural and civil drawings, stormwater calculations and other materials for all relevant and required information.~~

(Use additional sheets to answer questions if necessary)

Application for
Design Review

New
Arlington Food Cart Pod & Taproom
140 W. Arlington Street
Gladstone, OR 97027

January 31, 2024

City of Gladstone
18505 Portland Ave.
Gladstone, OR 97027

iAISELIN ARCHITECTS, P.C.

1307 Seventh Street Oregon City, OR 97045 p: 503-656-1942 f: 503-656-0658

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C3 Civil Details

Project Information:

Property Owner: Cheap Ass Beer, LLC
140 Arlington Street
Gladstone, OR 97027
Contact: Matthew Klemann, cheapassbear@gmail.com
503-317-3144

Architect: Iselin Architects, P.C.
1307 Seventh Street
Oregon City, OR 97045
Contact: Jessica Iselin, jessica@iselinarch.com
503-656-1942

Civil Engineer: Symons Engineering Consultants, Inc
P.O. Box 1692
Hood River, OR 97031
Contact: Dan Symons, dans@symonsengineering.com
971-219-9111

Project Description:

The project includes construction of a new single story building with a seating mezzanine to serve as a Tap Room with a bar counter, bathrooms, indoor seating and a covered outdoor seating area. Site development includes installation of utilities to park up to six Mobile Vending Units, along with a garbage/recycling enclosure, entry arch and bike parking.

Project Summary:

Zoning: C-2, Community Commercial
DC, Downtown Core Overlay

Site Area: 5,000 sf

Building Area:

960 sf	Main Level
290 sf	Mezzanine

Vehicle Parking: No onsite parking spaces provided

Vehicle Loading: No onsite loading spaces provided

Bike Parking: 4 spaces provided

**CHAPTER 17.18:
C-2—COMMUNITY COMMERCIAL DISTRICT**

Sections:

17.18.010 Purpose.

17.18.020 Uses allowed outright.

17.18.040 Conditional uses.

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) 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.

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.*

The development is an eating and drinking establishment, including outdoor seating and is an allowed use. Mobile Vending Units are allowed outright within the Downtown Core Overlay zone.

17.18.040 Conditional uses.

In a C-2 zoning district, the following uses and their accessory uses are allowed subject to GMC Chapter 17.70 (conditional uses):

- (1) Funeral home.
- (2) Small scale amusement or recreational facility such as a billiard or pool hall.
- (3) School and associated buildings, structures and facilities.
- (4) A use listed as a permitted outright use but not meeting the limitations of GMC Section
- (5) Planned unit development (PUD).
- (6) Foster homes.
- (7) Day care center.
- (8) Recreation vehicle park, subject to GMC Section 17.62.100 (recreation vehicle park).
- (9) Business activities conducted in conjunction with a use allowed outright under GMC Section
- (10) 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.

No conditional uses are proposed.

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) Outdoor play areas accessory to a community service facility;
- (2) 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
- (3) 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.
- (4) The use of Portable Storage Containers as defined in Chapter 5.22.

Business activities, including preparation, serving and payments for food and drinks, will occur within the Tap Room or individual food carts.

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:

Non-residential uses and mixed-use development: No minimum setback requirements; a maximum setback of five feet (5') shall be maintained along Portland Avenue frontages.

Residential uses: five feet (5') maximum front setback; 15 feet minimum rear setback.

There are no minimum setback requirements for this commercial use.

(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).

As addressed in 17.21.080, there are no parking requirements within the Downtown Core Overlay zone.

(3) Building Height. The maximum building height shall be (35 feet) or three stories.

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;

The peak building height of the single story building is less than 27'-6".

(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').

The property is located adjacent to other Community Commercial properties on all sides, therefore, no equipment setbacks apply.

(5) Minimum Lot Area.

Attached residential dwellings, townhouses, and cottage clusters uses shall comply with the minimum lot area requirements for the R-5 zoning district.

Multi-household dwellings shall comply with the minimum lot area requirements for the MR zoning district.

There are no minimum lot area requirements for commercial uses.

(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).

Existing fences exist and will remain on both side and the rear property lines. No new fencing will be installed at the front property line, with the exception of a gate for the new

garbage/recycling enclosure, located 8' back of the property line. The gate will be six feet high to screen the bins and will be constructed of wood siding to match the building, over a steel frame. The side and rear walls of the garbage enclosure will be constructed of 6' tall split face CMU with a concrete cap.

The property is not located on a corner, so the clear vision requirements are not applicable.

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.

(3) 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.

(4) 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.

As addressed in 17.21.080, there are no parking requirements within the Downtown Core Overlay zone.

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.

The proposed development is not a PUD or large scale development.

**CHAPTER 17.21:
DC - Downtown Core Overlay District 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 District 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 District 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 District 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.

The property is within the Downtown Core Overlay and the provisions of this chapter apply.

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 a building or structure existing as of the effective date of this ordinance 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 which would cause that total to be exceeded and any subsequent additions or expansions. Portions of an existing building which are nonconforming prior to the effective date of this ordinance 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.

There are no applicable exceptions or non-conformances.

17.21.040 Uses allowed outright.

In the Downtown Core Overlay District, 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 streets other than Portland Avenue.

(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 District. 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.

The project includes an eating and drinking establishment, allowed outright in the C-2 zone and Mobile Vending Units, allowed outright in the Downtown Core Overlay.

17.21.050 Conditional uses.

Conditional uses in the Downtown Core Overlay District are the same as those listed in the underlying Community Commercial (C-2) Zoning District.

The proposed uses are allowed outright and no Conditional use approvals are requested.

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.

(a) *Exception.* The Building Orientation requirements in Section 17.21.060 do not apply to buildings in which the area between the building and the sidewalk is devoted to the following uses which enhance the pedestrian experience: mobile food carts, plazas, water features, and/or public art.

The Tap Room building is 40' wide and is located 59' behind the front property line. The full area between the property line and the building is utilized for food carts and public seating area.

(2) *Primary Building Entrance.*

(a) *Corner Building.* A primary entrance is required at the corner within 10 feet of public right-of-way, except in cases where the building is exempted from the Building Orientation requirements in accordance with 17.21.060.a. 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 except in cases where the building is exempted from the Building Orientation requirements in accordance with 17.21.060.a.

The building is exempted from Building Orientation requirements due to the provision of food carts and seating areas between the property line and the building.

(3) *Setbacks.* Setbacks shall be provided in accordance with Chapter 17.18.

There are no minimum setback requirements for a commercial use in the C-2 zone.

(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 property line abutting the side street does not have sufficient width to meet the minimum requirements of Chapter 17.48 (Off-Street Parking and Loading).

A single driveway will be provided to the site. The driveway will be utilized solely for limited access and placement of the food carts.

(5) *Parking Areas.* For parcels with a property line abutting Portland Avenue, all off-street parking must be setback at least 20' behind the street facing building façade.

No off-street parking is required or will be provided.

(6) *Landscaping.* Landscaping shall be provided in accordance with Chapter 17.46 except as follows:

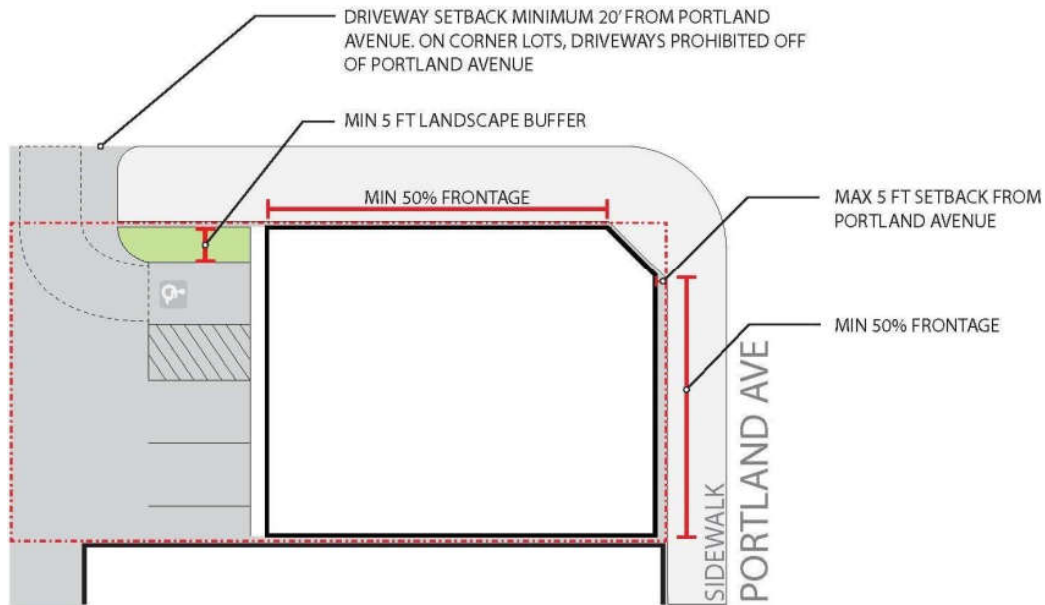
(a) *Parcels fronting Portland Avenue.* Not subject to the minimum landscaping requirement provided in Subsection 17.46.020 (1).

(b) Notwithstanding 17.46.020(2)(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.

Per 17.46, 15% landscape coverage is required. Approximately 23% of the site is landscaped as

detailed in the Landscape Plan.

FIGURE 1: SITE DESIGN AND LANDSCAPING



17.21.070 Building design.

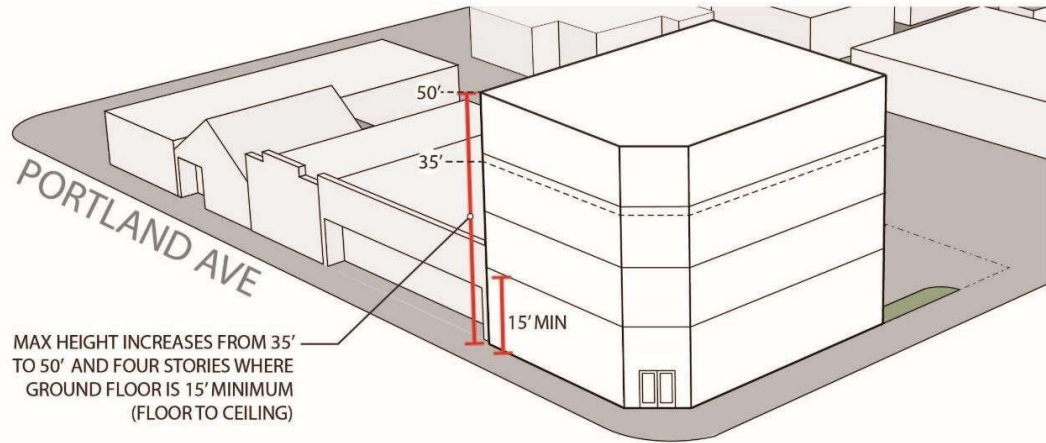
Intent. Articulate building facades to break up large volumes and promote human scale development.

(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).*

The building will be single story with a mezzanine with a maximum height less than 27'-6". The covered patio structure will have a ridge height of approximately 19' and will help to break up the overall volume of the building.

FIGURE 2: BUILDING DESIGN (BUILDING HEIGHT)



(2) *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).*

Ground level windows on the front of the building cover 65% of the façade area. There are no parking areas, therefore, the 40% requirement is not applicable.

(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.*

The mezzanine windows on the front façade consist of two sets of three 2'-6" wide windows on each side. The total width of each grouping, including trim is 8'-6", while the fully glazed overhead doors are each 10' wide.

(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.*

No ATM or service windows are proposed.

(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.*

All windows will be clear glass with a low 'e' coating.

(3) *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.*

The building façade is only 40' wide, but is articulated through the front covered patio, which extends the full width of the façade and includes timber columns and an open heavy timber truss at the front gable.

(4) 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.

(d) All portions of any pedestrian shelter shall be at least 8 but not more than 12 feet above any public walkway.

(e) The Pedestrian Shelter requirements in Section 17.21.070.4 do not apply to buildings that are exempt from the Building Orientation requirement per Section 17.21.060.1.a.

The building is exempt from Pedestrian Shelter requirements per 17.21.060.1.a because the area between the building and the sidewalk includes food carts and seating.

(5) 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 a shorter adjacent building along the top of the ground floor. This requirement is met by compliance with both of the following: (1) the height of the ground floor of the proposed building being the same as the height of the ground floor of an adjacent shorter building, and (2) incorporating cornicing or a similar architectural feature that projects a minimum of 2 inches from the façade along the full length of the top of the ground floor of the proposed building. The top of the ground floor is defined as the bottom of the joists or slab on the next floor up.

The proposed building is of approximately equal height to the deli building to the west and approximately 8' higher than the residential building to the east.

(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.

The front building wall will include a single story gable truss/roof covering the outside seating area that will break down the scale of the façade. There will also be two large, fully glazed overhead door openings and a pair of fully glazed double doors.

The side and back facades will incorporate a change in siding between the main level and upper level and a trim band separating them at the mezzanine floor level.

(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.

The building is not located on a corner.

(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.

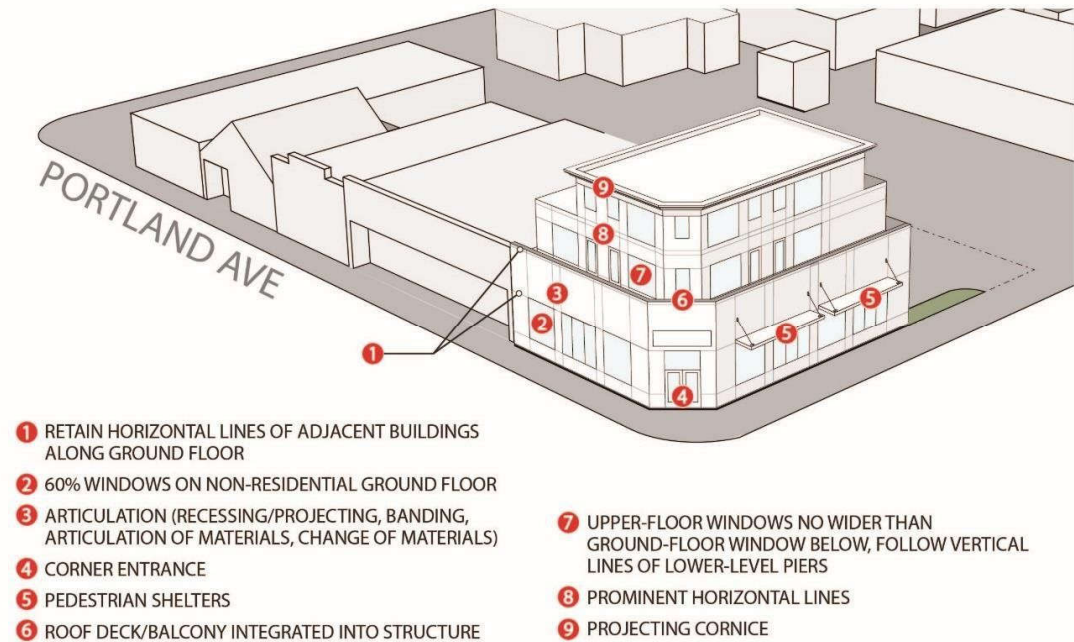
The building does not incorporate a flat roof.

(e) Decks and Balconies. An upper story deck or 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.

The building does not include any decks or balconies.

FIGURE 3: BUILDING DESIGN (TRANSPARENCY, ARTICULATION & FORM)



(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, the design of elevations are encouraged to incorporate changes in material that define a building's base, middle, and top and create visual interest and relief.

The building will be finished with a combination of fiber-cement horizontal lap siding, fiber-cement trim and pre-finished architectural corrugated metal siding. The fiber-cement siding will occur at the upper level portions, where it will be most visible from adjacent streets and properties. Architectural metal siding will be utilized at the lower level to provide a more commercial/industrial look to the building. Architectural metal siding will also be utilized as an accent at the upper portion of the front façade behind the building signage.



Architectural Corrugated Metal Siding



Fiber-Cement Lap Siding

(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 are encouraged to be simple and coordinated over the entire building to establish a sense of overall composition. Color schemes are also encouraged to tie together signs, ornamentation, awnings, canopies and entrances.

The primary building color will be white on the lap siding with taupe-brown corrugated metal siding. Window will be black and there will be natural wood accents at the covered patio posts and beams. Metal roofing will be gray.

(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 form. The design of rooftop mechanical equipment screening is encouraged to be integrated with the architecture of the building.

(b) Ground level mechanical equipment shall be screened using vegetation screening or structural screens. The design of ground level mechanical equipment screening is encouraged to be integrated with the materials and colors of the building.

No rooftop mechanical units will be utilized.

(9) Accessibility. Accessibility must be consistent with Americans with Disabilities Act (ADA) standards and applicable building codes. Wheelchair ramp design is encouraged to incorporate materials and detailing similar to the base of the building.

(10) Sustainability. Where possible, it is encouraged to use materials indigenous to the region and/or manufactured or supplied locally and that have minimal adverse impacts to the environment.

To the extent possible, sustainable materials and systems will be incorporated, which may include locally sourced and durable materials and systems, energy efficient lighting and drought resistant native plantings.

17.21.080 Off-street parking standards

Off-street parking in the Downtown Core Overlay District 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 District 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.*

This new development is exempt from minimum parking requirements and no parking is provided.

*City of Gladstone Downtown Revitalization Plan Zoning Code Update
Downtown Core Overlay District*

Chapter 17.44 BUILDING SITING AND DESIGN*

Sections:

- 17.44.010 Applicability.**
- 17.44.020 General standards.**
- 17.44.022 Multi-family design standards.**
- 17.44.024 Nonresidential design standards.**
- 17.44.040 Limitation in employment areas.**

* Prior history:

17.44.030 **History:** Ord. 1175 §2, 1993; Ord. 1289 §1, 2000; Repealed by Ord. 1323 §1, 2002.

17.44.010 Applicability.

Building siting and design standards shall apply to all development that is subject to design review.

Statutory Reference: ORS Ch. 197 and 227

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

17.44.020 General standards.

Building siting and design standards are as follows:

(1) Siting. *Where there are no conflicts with other design standards or requirements in this Title, site buildings to maximize solar access where practical, using such techniques as:*

- (a) *Maximizing east-west street length so that principal building façades will face south;*
- (b) *Orienting buildings within twenty degrees of true south as well as maximizing their south-facing dimension;*
- (c) *Placing higher buildings on the north portion of the site, while protecting solar access for adjacent sites;*
- (d) *Placing major yard spaces on south side of buildings.*

The building location is controlled in large part by the established street grid and the size of the lot. It is further dictated by the proposed use of food carts and the need for these to be placed near the street. The food carts and outdoor seating area is located on the south side of the building.

(2) Energy Efficient Design. *Where there are no conflicts with other design standards or requirements in this Title, design buildings that are conducive to energy efficiency and conservation, using techniques including, but not limited to, those listed below which are most appropriate to the development:*

- (a) *Concentrate window areas on the south side (within twenty degrees of true south) of buildings where there is good southern exposure, and provide overhangs, balconies, or other shading devices to prevent excessive summer heat gains;*
- (b) *Use architectural features, shapes or buildings, fences, natural landforms, berms and vegetation to catch and direct summer breezes for natural cooling and minimize effects of winter winds;*
- (c) *Provide skylights or clerestory windows to provide natural lighting and/or solar heating of interior spaces.*

The primary façade is south facing and contains a high percentage of glazing, including fully glazed overhead doors and windows. The patio roof structure will provide shading and cooling for both indoor and outdoor seating areas in warmer weather.

(3) Compatibility. *Arrange structures and use areas to be compatible with adjacent developments and surrounding land uses, considering the following design and siting techniques:*

- (a) *Locate and design structures to protect scenic views or vistas from adjacent properties and public thoroughfares. Setbacks, building height and bulk should be considered;*

There are no notable views from this or the adjacent properties. The new building will be placed at the rear portion of the site, approximately the same distance from the street as the deli to the west.

(b) Design structures to provide visual order and avoid monotony in layout and design;

The building is simple in design and provides a balance of form, symmetry and articulation.

(c) Orient major service activity areas (e.g., loading and delivery areas) of the proposed project away from existing residences;

No specific service area is provided on site. Deliveries will be limited in amount and occurrence based on the nature of the food cart service.

(d) Provide opaque enclosures and gates for all refuse storage areas;

The garbage/recycling area will be fully enclosed with a masonry wall and opaque gate.

(e) Screen mechanical equipment, except solar collection apparatus, from view or place such equipment in locations where it will not be viewed by the public. Screening shall be accomplished by the use of a sight-obscuring fence or hedge, a landscaped earth berm, building placement or other design techniques;

Exterior mechanical units will be limited to the possible use of a ground mounted heat pump or air conditioner for building cooling. This unit would be located adjacent to the building and screened from view by the building, fencing and landscaping.

(f) Buffering and/or screening shall be used to mitigate adverse visual impacts, dust, noise and pollution, and to provide for compatibility between dissimilar adjoining uses. Special consideration will be given to the buffering, screening and siting of commercial and industrial uses to ensure that noise and odors are not detectable to normal sensory perception on adjacent residential properties. All development shall comply with GMC Chapter 8.12 (noise control).

Solid, 6' high wood and/or vinyl fencing exists between the site and the existing residential properties to the north and east. A chain link fence with opaque slats for the majority of the length separates the property from the commercial property to the west. These fences will be retained. In addition, 5' of landscape area will separate the building and food carts from the adjacent properties.

(4) Building Materials. Buildings shall be constructed using high-image exterior materials and finishes such as masonry, architecturally treated tilt-up concrete, glass, wood or stucco. Buildings shall not be constructed with metal siding material, except as approved by the design review committee for specific high-image materials, except for:

(a) Canopies, awnings, screening for roof-mounted fixtures, or other architectural features:

(b) Utility equipment cabinets:

(c) Structures no greater than two hundred (200) square feet in floor area and ten (10) feet in height:

and,

(d) Buildings, the portions of buildings, that are not visible from a road or adjacent property.

The building will be finished with a combination of fiber-cement horizontal lap siding, fiber-cement trim and pre-finished architectural corrugated metal siding. The fiber-cement siding will occur at the upper level portions, where it will be most visible from adjacent streets and properties. Architectural metal siding will be utilized at the lower level to provide a more commercial/industrial look to the building. Architectural metal

siding will also be utilized as an accent at the upper portion of the front façade behind the building signage.

(5) Lighting. Adequate exterior lighting shall be provided to protect public safety and shall be deflected so as not to shine on a lot in a residential district.

As requested per the Pre-Application meeting and further clarified with City of Gladstone Public Works, a new street light will be mounted on an existing utility pole on Arlington Street to satisfy city standards. Refer to item (5) below for onsite lighting.

(6) On-site Lighting. All on-site lighting shall be designed, located, shielded, or deflected so as not to shine into off-site structures or impair the vision of the driver of any vehicle. When required, engineered site lighting plans shall be developed consistent with Illuminating Engineering Standards (IES) including, but not limited to, average maintained illumination and maximum to minimum ratios. A master plan for on-site lighting shall include the design, height, and location of all proposed exterior lights, including:

- (a) Parking and loading area lighting;*
- (b) Pedestrian walkway lighting;*
- (c) Internal access road lighting;*
- (d) Lighting of public entrances into buildings;*
- (e) Flood lights illuminating buildings or significant natural features.*

Site lighting will consist of building mounted fixtures to illuminate the outdoor seating area, entrance and signage, two small scale pole light fixtures to illuminate the site entrance and walkway between the food carts to the building and security lighting at the rear of the building. Building lighting will be in excess of 18' from the side property lines and will be shielded by integral top fixture shields or the roof structure. Security lighting will be low level, top shielded. No fixtures will project measurable light onto the adjacent property.

Pole light fixtures will be located no closer than 15' from the side property lines and will be top shielded. A pole mounted fixture will be located on the site entry archway to illuminate the site entry as well as the bike parking and garbage/recycling enclosure. A second pole light will be located midway back toward the building to illuminate the pedestrian walkway. Individual food cart vendors will provide lighting at each cart.

(7) Equipment and Facilities. All utility lines shall be placed underground. All roof-mounted fixtures and utility cabinets or similar equipment which must be installed above ground shall be visually screened from public view.

All utilities will be placed underground, with the exception of the overhead electrical service which is utilized on both sides of Arlington Street.

(8) Trash Disposal and Recycling Collection. In addition to the preceding standards, new construction requiring full site plan review shall incorporate functional and adequate space for on-site storage and efficient collection of mixed solid waste and source separated recyclables prior to pick-up and removal by haulers.

(a) Minimum storage area for trash and recyclables shall be established by one of the following methods: minimum standards method or franchise hauler review method.

- (A) Franchise Hauler Review Method. The applicant shall submit plans for storage and collection of solid waste and recyclables that are acceptable to the city's franchise solid waste hauler; acceptance may be indicated on the site plan and/or by separate attachment; or*
- (B) Minimum Standards Method. The applicant shall submit plans for storage of solid waste and recyclables in accordance with the following:*

(i) Multi-family complexes containing ten (10) or fewer dwelling units shall provide a minimum fifty (50) square feet; developments containing more than ten (10) residential units shall provide an additional five (5) square feet per dwelling unit above ten (10).

(ii) Nonresidential developments shall provide a minimum storage area of ten (10) square feet plus:

(aa) office – 4 square feet /1,000 square feet gross floor area (GFA)

(bb) retail – 10 square feet /1,000 square feet GFA

(cc) wholesale/warehouse/manufacturing – 6 square feet /1,000 square feet GFA

(dd) educational & institutional – 4 square feet / 1,000 square feet GFA

(ee) Other – 4 square feet /1,000 square feet GFA

(C) The storage area requirement is based on the predominate use of the building, as described above in subparagraph (a)(B)(ii) of this subsection. If a building has more than one use and that use occupies twenty percent (20%) or less of the floor area of the building, the floor area occupied by that use shall be counted toward the floor area of the predominate use. If a building has more than one of the uses listed in subparagraph (a)(B)(ii) of this subsection, and that use occupies more than twenty percent (20%) of the floor area of the building, then the storage area requirement for the whole building shall be the sum of the requirement for the area of each use.

(D) The specific requirements shall meet the Uniform Fire Code and are based on an assumed storage height of four feet (4') for solid waste/recyclables. Vertical storage higher than four feet (4') but not higher than seven feet (7') may be used to accommodate the same volume of storage in a reduced floor space.

A 96 sf (12' x 8') garbage/recycling enclosure will be provided, exceeding the minimal size requirement as determined by building (& cart) area. This enclosure will accommodate two 2 cubic yard (6'long x 3' wide x 3.5' high) dumpsters and a smaller container for glass recycling.

(9) Temporary Structures. All temporary structures:

(a) Shall be located behind the front building line of the primary structure and shall meet the setback requirements for accessory structures of the underlying zoning district. On corner lots the streetside setback can be reduced to five feet.

(b) Exceptions to these standards may be made by the Planning Department for temporary storage of materials as long as the temporary structure is removed within 15 days, is not erected for more than 30 days in one calendar year and is not seen as a nuisance to the city. Any temporary structures for current activities, such as lemonade stands, gardening, temporary mechanical repair, temporary storage, and other similar activities, would be subject to this same provision.

(c) This section shall apply to all temporary structures in place after the effective date of this section.

(d) Any temporary structure will be secured per manufacturer's instructions for proper anchoring.

No temporary structures are proposed.

17.44.022 Multi-family design standards.

New multi-family buildings, including accessory buildings, shall be subject to the following design standards:

(1) Façades. Building façades and exterior walls visible from a public street or pedestrian path or from adjacent property in an R-5 or R-7.2 zoning district shall not consist of a monotonous blank wall and shall include a minimum of two of the following:

(a) Windows;

(b) Entries;

(c) Balconies;

(d) Bays; or

(e) The use of two or more distinct materials to break up stretches longer than fifty lineal feet (50') of unbroken area.

(2) Windows.

(a) Window trim shall not be flush with exterior wall treatment.

(b) Windows shall be provided with an architectural surround at the jamb, head and sill.

(c) All windows facing the front lot line shall be double hung or casement windows.

(3) Roofs. Hipped, gambrel or gabled roofs shall be required. Flat roofs shall not be permitted except in areas where mechanical equipment is mounted.

No multi-family use is proposed.

17.44.024 Nonresidential design standards.

New nonresidential buildings, with the exception of buildings housing institutional, warehouse or manufacturing uses, shall be subject to the following design standards:

(1) Ground Floor Windows. Ground floor windows shall be required on walls fronting a public street and shall comply with the following standards:

(a) The windows shall cover at least fifty percent (50%) of the length and twenty-five percent of the ground level wall area. Ground level wall areas include all exterior wall areas up to nine feet (9') above the finished grade. The bottom of required windows shall be no more than four feet (4') above the adjacent exterior finished grade.

(b) Required windows shall be windows that allow views into work areas or lobbies, pedestrian entrances or display windows set into the wall. Display cases attached to the outside wall shall not qualify.

Ground level windows/glazed doors on the front of the building cover 65% of the façade length and 59% of the ground level wall area. The glazed doors extend to the floor/grade level. All windows provide full vision into the building.

(2) Distinct Ground Floor. The ground level of primary buildings shall be visually distinct from upper floors. This separation shall be provided by one of the following mechanisms:

(a) A cornice above ground level;

(b) An arcade;

(c) Change in material or texture or architectural design; or

(d) A row of clerestory windows on the building's street-facing elevation.

On the front façade, the ground floor is distinguished by the lower gable roof covering the outdoor seating area as well as the change in siding from the main level to the upper level.

The side and back facades will incorporate a change in siding between the main level and upper level and a trim band separating them at the mezzanine floor level.

17.44.040 Limitation in employment areas.

In Employment Areas shown on Map 14 (Employment Areas) of the Comprehensive Plan, no retail use larger than sixty thousand (60,000) square feet of gross leasable area per building or business shall be allowed unless the applicant demonstrates the following:

(1) Transportation facilities adequate to serve the retail use, consistent with Metro's functional plans for transportation, will be in place at the time the retail use begins operation; and

(2) Transportation facilities adequate to meet the transportation need for the other planned uses in the Employment Area are included in the Comprehensive Plan.

The proposed development is not a retail use above 60,000 sf.

Chapter 17.46 LANDSCAPING

Sections:

17.46.010 Applicability.

17.46.020 Standards.

17.46.010 Applicability.

Landscaping standards shall apply to all development that is subject to design review.

17.46.020 Standards.

Landscaping requirements shall be as follows:

(1) Minimum Requirement. A minimum of 15 percent of the lot area shall be landscaped, except when a greater percentage is required elsewhere in this title.

Approximately 23% of the site is landscaped as detailed in the Landscape Plan.

(2) Parking and Loading Areas. The following landscape requirements shall apply to off-street parking and loading areas:

(a) An off-street parking and loading area providing 10 or more parking spaces shall be improved with defined landscaped areas totaling no less than ten square feet per parking space;

(b) A parking or loading area shall be separated from any lot line adjacent to a street by a landscaped strip at least 10 feet in width, and any other lot line by a landscaped strip at least five feet in width;

(c) A landscaped strip separating a parking or loading area from a street shall contain:

(A) Street trees spaced as appropriate to the species, not to exceed 25 feet apart, on the average,

(B) Low shrubs not to reach a height greater than three feet spaced no more than five feet apart, on the average, and

(C) Vegetative ground cover;

(d) If a fence or wall is required or proposed, it shall be located behind required landscaped strips where such strips are adjacent to a street;

(e) In parking areas three acres and larger intended for use by the general public, pedestrian walkways shall be raised or separated from parking, parking aisles, and travel lanes by a raised curb, concrete bumpers, bollards, landscaping, or other physical barrier. If a raised pathway is used, curb ramps shall be provided in accordance with the Americans with Disabilities Act Accessibility Guidelines.

There are no parking or loading areas proposed.

(3) Irrigation. Provision shall be made for watering planting areas where such care is required.

Plantings have been selected for their hardy, drought tolerant nature. The property owners will assume responsibility for maintaining landscape areas, including watering during the initial 1-2 years after planting and ongoing watering as needed.

(4) Maintenance Required. Landscaping shall be continuously maintained.

The property owners will provide regular maintenance of the landscaped areas.

(5) Plant Species. The general characteristics of tree species shall be considered when planting under overhead utility lines or near sidewalks or curbs to assure that damage will not result when maturity is reached.

The only proposed new tree will be located at the street. Reference 17.46.020.8.

(6) Grading. The natural form of the site shall be preserved insofar as practicable unless berming or contouring of land is required.

The site is relatively flat and that grading will be maintained, including connections at adjacent properties and along the sidewalk and frontage.

(7) Public Rights-of-Way. Land within the public road right-of-way, not developed as sidewalks or driveways, shall be landscaped and maintained by the abutting property owners. Landscaping will be of the variety that would not create a road hazard or impair sight distance.

(8) Street Trees. Street tree planting may be required of any development and, if planted, shall be according to city requirements and of a species compatible with the width of the planting strip, and nearby street tree species.

The street tree selected is a flowering Crabapple and was selected from the City of Sandy approved street tree list for small trees, appropriate for below utility lines.

(9) Exceptions. The following exceptions apply to properties with frontage on McLoughlin Blvd.:

(a) The use of sod along McLoughlin Blvd. shall be encouraged in landscape plans for development of McLoughlin Blvd.;

(b) The use of sod along McLoughlin Blvd. may be allowed in lieu of required street trees;

(c) The 10-foot-wide landscape strip along McLoughlin Blvd. may be allowed in the right-of-way if applicant agrees to relocate the 10-foot strip whenever the right-of-way is improved. This strip may be included in total landscape area calculations.

No exceptions are applicable or requested.

(10) Nonconforming Uses and Nonconforming Development. Additions or alterations to nonconforming uses and nonconforming development on a commercial or industrial site which does not comply with the landscaping requirements of this title must provide landscaping in a scale with the modification, as follows:

(a) Major remodeling, or structural additions of less than 1,000 square feet, require at least an additional three percent landscaping, up to the minimum landscaping requirements for new development in the district.

(b) Structural additions of 1,000 to 1,999 square feet are required to landscape at least an additional five percent of the developed site area, up to the minimum landscaping requirements for new development in the district.

(c) Structural additions of 2,000 to 4,999 square feet are required to landscape at least an additional 10 percent of the developed site area, up to the minimum landscaping requirements for new development in the district.

(d) Structural additions of 5,000 square feet or more are required to meet the current minimum landscape requirements for new development.

(e) Where successive structural additions occur the landscape requirement shall accumulate until total conformance is reached.

The development is new and nonconforming uses and development are not applicable.

Chapter 17.48 OFF-STREET PARKING AND LOADING

Sections:

17.48.010 *Applicability.*

17.48.020 *Single-household and middle housing residential standards.*

17.48.030 *Standards for developments subject to design review.*

17.48.040 *Design requirements for permanent off-street parking and loading.*

17.48.050 *Bicycle parking standards.*

17.48.060 *Car pool and van pool parking.*

17.48.010 *Applicability.*

Off-street parking and loading standards shall apply to all development permits.

The property is within the Downtown Core Overlay and has no automobile parking requirement. Bicycle parking is provided.

17.48.050 *Bicycle parking standards.*

(1) General Provisions.

(a) Applicability. Standards for bicycle parking apply to full-site design review of new construction for multi-family residential (four units and larger) and new commercial/industrial developments. The Planning Commission may grant exemptions to bicycle parking requirements in connection with temporary uses or uses that are not likely to generate the need for bicycle parking.

Four bicycle parking spaces will be provided on site.

(b) Types of Spaces. Bicycle parking facilities shall be provided in terms of short-term bicycle parking and long-term bicycle parking. Short-term bicycle parking is intended to encourage customers and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Long-term bicycle parking provides a weather-protected place to park bicycles for employees, students, residents, commuters, and others who generally stay at a site for at least several hours.

A total of four bicycle parking spaces are provided that may be used as short or long term spaces.

(c) Minimum Number of Spaces. All developments required to comply with this section shall provide a minimum five percent bicycle parking spaces based on the city's required minimum number of automobile parking spaces. In addition, the following applies:

(A) All development shall have a minimum two short-term bicycle parking spaces; and

(B) If more than seven bicycle parking spaces are required, at least 50 percent of the spaces shall be provided as long-term bicycle parking.

(C) Notwithstanding subsection (1)(a)(A) of this section, 100 percent of all bicycle parking spaces for multi-family development of four units and more shall be provided as long-term bicycle parking.

No automobile parking spaces are required and a total of four bicycle parking spaces are provided.

(2) Location and Design.

(a) Short-Term Bicycle Parking. Short-term bicycle parking facilities are lockers or racks that meet the standards of this section and that are located inside a building, or located outside within 30 feet of the main entrance to the building or at least as close as the nearest vehicle parking space, whichever is closer;

All four bicycle parking spaces are provided at lockable racks immediately adjacent to the mobile vending units.

(b) Long-Term Bicycle Parking. Long-term bicycle parking includes:

(A) Racks, storage rooms, or lockers in areas that are secure or monitored (e.g., visible to employees or customers or monitored by security).

(B) Covered outside bicycle parking spaces that meet the requirements of subsection (2)(g) of this section and are located within 100 feet of an entrance to the building;

All four parking spaces are provided at lockable racks and are within view of the majority of the carts, providing a good level of security.

(c) Signs. If the bicycle parking is not visible from the street or main building entrance, then a sign conforming to the city's standards for on-site traffic control, GMC Section 17.52.060(1), shall be posted indicating the location of the parking facilities;

Bicycle parking is near the main site entrance and is clearly visible from the street and sidewalk.

(d) Rack Type and Dimensions.

(A) Bicycle racks must hold bicycles securely by the frame and be securely anchored;

(B) Bicycle racks must accommodate:

(i) Locking the frame and one wheel to the rack with a high-security U-shaped shackle lock, or approved substitute; or

(ii) Locking the frame and both wheels to the rack with a chain or cable not longer than six feet;

(C) The Planning Commission may approve alternate bicycle racks provided they are convenient and secure;

The bicycle racks will be securely bolted to the concrete slab. They will be standard 'U' style racks that will allow for locking the bike frame and wheel to the rack at multiple points with a cable not longer than six feet.

(e) Bicycle parking spaces must be at least six feet long and two feet wide. An aisle five feet wide for bicycle maneuvering must be provided;
6' x 2' clearance is provided for each bike, with an access aisle exceeding five feet.

(f) Areas set aside for required bicycle parking must be clearly marked and reserved for bicycle parking only;

The bicycle parking area is clearly identified by the installation of the racks and will not be utilized for any other purposes.

(g) Covered Parking (Weather Protection).

(A) When required, covered bicycle parking shall be provided in one of the following ways: inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.

(B) Where required covered bicycle parking is not proposed to be located within a building or locker, the cover must be permanent and designed to protect the bicycle from rainfall and provide seven-foot minimum overhead clearance.

(C) Where required bicycle parking is provided in lockers, the lockers shall be securely anchored.

The minimum bicycle parking spaces required for this development is two, which does not trigger the need for long-term, covered spaces.

Chapter 17.50 VEHICULAR AND PEDESTRIAN CIRCULATION

Sections:

- 17.50.010 Applicability.**
- 17.50.020 Vehicular and pedestrian circulation generally.**
- 17.50.030 Streets and roads generally.**
- 17.50.040 Street and road standards.**
- 17.50.050 Traffic impact analysis (TIA).**

17.50.010 Applicability.

(1) Vehicular and pedestrian circulation standards shall apply to all land divisions and to all development that is subject to design review.

(2) Transportation Improvements Permitted Outright. Except where otherwise specifically regulated by this chapter, the following improvements are permitted outright:

(a) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(b) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way, consistent with applicable standards.

(c) Landscaping as part of a transportation facility.

(d) Emergency measure necessary for the safety and protection of property.

(e) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the transportation system plan.

(f) Construction of a street or road as part of an approved subdivision or land partition consistent with the applicable design standards for land divisions and property line adjustments.

17.50.020 Vehicular and pedestrian circulation generally.

Vehicular and pedestrian circulation facilities, including walkways, provisions for the handicapped, interior drives and parking as provided under GMC Chapter 17.48 (off-street parking and loading), shall be designated as follows:

(1) Impervious Surface. Provide for least amount of impervious surface necessary to adequately serve the type and intensity of proposed land uses within developments as well as providing adequate access for service vehicles.

Pervious groundcover is utilized where possible, including gravel below the cart parking area and landscaping around the building and adjacent to the adjacent properties.

(2) Traffic Separation. Provide when feasible, a separation of motor vehicular, bicycle and pedestrian traffic.

No motor vehicle traffic will occur on the site, with the exception of limited placement and removal of carts as necessary. Bicycle parking is provided near the frontage, which will limit site traffic almost entirely to pedestrian.

(3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets.

The full frontage of the site will be improved per city standards. Refer to Civil drawings.

(4) Traffic Volume Expansion. Provision shall be made to accommodate any increased volume of traffic resulting from the development consistent with GMC Section 17.50.050. If streets adjacent to or serving the site are inadequate, widening, dedication of property for future widening, or other street improvements may be required. The development shall be designed to minimize traffic volume increases on minor streets and underdeveloped streets.

The development is anticipated to serve the local business area, as supported by the Downtown Core Overlay zoning. The scale of the development will not generate a significant increase in traffic volume.

(5) Handicapped Needs. Provide for the special needs of the handicapped such as wheelchair ramps and Braille signs.

The site and building will be fully ADA compliant, including curb cut to the street, grading to the carts and building and access and facilities within the building.

(6) Pedestrian Circulation Standards. An on-site pedestrian circulation system shall be provided for new nonresidential and multi-family developments and for new buildings added to existing nonresidential and multi-family developments. The system may include sidewalks as part of the public rights-of-way, walkways, and multi-use paths. (Walkways only provide for pedestrian circulation; multi-use pathways accommodate pedestrians and bicycles.) The system shall comply with the following standards:

(a) The system shall connect all adjacent streets to the main entrances of nonresidential buildings and to unit and/or building entrances of multi-family developments;

(b) The system shall connect all buildings and other areas of the site, such as parking areas, bicycle parking, recreational areas, common outdoor areas and any pedestrian amenities;

(c) The system shall be hard-surfaced and constructed in accordance with the public works standards. For nonresidential development, the walkways shall be a minimum of six feet wide. For multi-family residential development, walkways shall be a minimum of five feet wide;

(d) The system and off-street parking and loading areas shall be designed to avoid, to the maximum extent possible, the system's crossing off-street parking and loading areas. Where the system crosses driveways or off-street parking and loading areas, the system shall be clearly identifiable through the use of elevation changes, speed bumps, a different paving material or other similar method. Striping shall not fulfill this requirement;

(e) Where the system is parallel and adjacent to an auto travel lane, the system shall be a raised path or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used, the ends of the raised portions shall be equipped with curb ramps;

(f) The system shall comply with the Americans with Disabilities Act (ADA);

(g) Walkways or multi-use paths shall be provided at or near midblock where the block length exceeds the length required by GMC Section 17.64.020. Multi-use paths shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments, as applicable. Multi-use paths used to comply with these standards shall conform to all of the following criteria:

(A) Multi-use paths are required to be no less than 10 feet wide and located within a 20-foot-wide right-of-way or easement that allows access for emergency vehicles.

(B) The city may require landscaping within the pathway easement/right-of-way for screening and the privacy of adjoining properties.

(C) The Planning Commission may determine, based upon facts in the record, that a walkway or multi-use pathway is impracticable due to: physical or topographic conditions (e.g., freeways, railroads, extremely steep slopes, sensitive lands, and similar physical constraints); buildings or other existing development on adjacent properties that physically prevent a connection now or in the future, considering the potential for redevelopment; and sites where the provisions of recorded leases, easements, covenants, restrictions, or other agreements recorded as of the effective date of this code prohibit the pathway connection.

A 12' wide concrete pedestrian pathway leads from the street/public sidewalk to the bike parking area, food carts, outdoor seating area and building. Due to the nature of the food carts, the pathway will include a driveway curb cut, but will only be utilized for vehicles when placing or removing individual carts, which will occur during non-business hours. The pathway will be illuminated and will have less than a 5% slope, therefore, ADA compliant.

(7) Proposed new industrial, institutional, multi-family retail and office developments requiring full site design review that are adjacent to or incorporate transit streets shall provide transit improvements at any existing or planned transit stop located along the site's frontage consistent with the transit operator's adopted long-range plan.

(a) Transit facilities include bus stops, shelters, and related facilities. Required transit facility improvements may include the dedication of land or the provision of a public easement.

(b) Development shall provide reasonably direct pedestrian connections between building entrances and adjacent transit facilities and between buildings on the site and streets with adjoining transit stops.

(c) Improvements at Major Bus Stops. A proposed development that is adjacent to or includes an existing or planned major bus stop will be required to plan for access to the transit stop and provide for transit improvements, in consultation with TriMet and consistent with an agency adopted or approved plan at the time of development.

(A) Major bus stops are identified as part of the regional transit system and depicted in the Gladstone transportation system plan transit plan as "major bus stops."

(B) Requirements apply where the subject parcel(s) or portions thereof are within 200 feet of a transit stop. Development requirements and improvements may include the following:

(i) Intersection or mid-block traffic management improvements to allow for pedestrian crossings at major transit stops.

(ii) Building placement within 20 feet of the transit stop, a transit street or an intersection street, or a pedestrian plaza at the stop or at street intersections.

(iii) Transit passenger landing pads accessible to disabled persons to transit agency standards.

(iv) An easement or dedication for a passenger shelter and an underground utility connection to a major transit stop if requested by TriMet.

(v) Lighting to TriMet standards.

(d) Any land divisions where further divisions are possible and multiple-family developments, community services uses, and commercial or industrial uses located on an existing or future planned frequent bus route shall meet the TriMet transit facility requirements. Applicants shall consult with TriMet to determine necessary transit facility improvements in conjunction with the proposed development. Proposals shall be consistent with the road crossing improvements that are identified in the transportation system plan on streets with existing or planned transit service.

Transit stops exist to the east and west at the intersections of Portland Avenue and Bellevue Avenue. All stops are readily accessible via the public sidewalk system, which will be improved along the full frontage of this development.

17.50.030 Streets and roads generally.

(1) The location, width and grade of streets shall be considered in their relation to existing and planned streets, to the topographical conditions, to public convenience and safety, and to the proposed use of land to be served by the streets. The street system shall assure an adequate traffic or circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. Where location is now shown in a development plan, the arrangement of streets shall either:

(a) Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or

(b) Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.

(2) For new residential and mixed-use development on vacant land of five acres or more in the R-5, R-7.2, MR and C-2 zoning districts, street connections and access ways shall be provided as follows:

(a) Full street connections shall be provided at intervals that are consistent with the adopted transportation system plan for the identified street classification, except where prevented by topography, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers;

(b) Access ways for pedestrians, bicycles or emergency vehicles shall be provided on public easements or right-of-way where full street connections are not possible, with spacing between full streets or access way connections of not more than 330 feet, except where prevented by topography, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers;

(c) A variance to street spacing standards may be granted pursuant to GMC Chapter 17.72 if resources are present that are mapped on the Natural Resources Map, where street spacing can be achieved at a minimum of 800 feet and no greater than 1,200 feet. Where habitat quality or the length of the crossing required prevents a full street connection, an exception to the street spacing standards may be granted, pursuant to GMC Chapter 17.72.

Arlington Street is an existing, improved ROW. The scale of this development will not have a significant impact on the traffic volume or use of the street.

17.50.040 Street and road standards.

The design and improvement of streets within a development and streets adjacent but only partially within the development shall comply with improvement specifications adopted pursuant to GMC Section 17.42.030 and with the following standards:

(1) Right-of-Way and Roadway Widths.

(a) Minimum right-of-way and roadway widths shall conform to the standards found in Table 16 of the Gladstone transportation system plan, consistent with a street's functional classification.

(b) The street cross-sections found in the Gladstone transportation system plan may be modified to accommodate alternative stormwater management methods subject to the approval of the Public Works Supervisor. The Public Works Supervisor may require modification of the typical cross section to accommodate alternative stormwater management methods when associated with development proposals. Such modifications may be applied as conditions of development approval.

(2) Alignment. All streets other than minor streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuations of the center lines thereof. The staggering of street alignments resulting in T intersections shall, wherever practical, leave a minimum distance of two hundred feet between the center lines of streets having approximately the same direction and otherwise shall not be less than 100 feet.

(3) Future Extension of Streets. Where necessary to give access to or permit a satisfactory future subdivision of adjoining land, streets shall be extended to the boundary of the subdivision. The point where the streets temporarily end shall conform to the standards below:

(a) Extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.

- (b) A barricade (e.g., fence, bollards, boulders, or similar vehicle barrier) shall be constructed at the end of the street by the subdivider and shall not be removed until authorized by the city or other applicable agency with jurisdiction over the street.
- (c) Temporary turnarounds (e.g., hammerhead or bulb-shaped configuration) shall be constructed for stub streets over 150 feet in length.
- (d) Temporary turnarounds shall be formed as an easement and will not affect building setback lines. The removal of a temporary turnaround shall occur when the street is extended and shall be paid for by the person extending the street. Reserve strips (street plugs) may be required to preserve the objectives of street extensions.
- (e) In the case of dead-end stub streets that will connect to streets on adjacent sites in the future, notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future.
- (4) Reserve Strips. Reserve strips or street plugs controlling the access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights and in these cases they may be required. The control and disposal of the land composing such strips shall be placed within the jurisdiction of the city under conditions approved by the Planning Commission.
- (5) Intersection Angles. Streets shall be laid out to intersect at angles as near to right angles as practical, except where topography requires lesser angles, but in no case less than 60° unless a special intersection design is approved. Streets shall have at least 50 feet of tangent adjacent to intersections unless topography requires lesser distances. Intersections which are not at right angles shall have minimum corner radii of 15 feet along right-of-way lines which form acute angles. Right-of-way lines at intersections with arterial streets shall have minimum curb radii of not less than 35 feet. Other street intersections shall have curb radii of not less than 20 feet. All radii shall maintain a uniform width between the roadway and the right-of-way lines. Ordinarily, the intersection of more than two streets at any one time will not be allowed.
- (6) Existing Streets. Whenever existing streets adjacent to or within a tract are of inadequate widths, additional right-of-way shall be provided at the time of development.
- (7) Cul-de-sacs and Hammerheads. The use of cul-de-sac designs and closed-end street systems shall be limited to situations where topography, existing development, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers prevent full street extensions. If cul-de-sacs are used, they shall be as short as possible and shall have maximum lengths of 200 feet except where topography, existing development, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers prevent full street extensions. Closed-end street systems shall serve no more than 25 single-family dwellings and terminate with adequate vehicle turnaround.
- (8) Street Names. No street names shall be used which will duplicate or be confused with the names of existing streets. Street names and numbers shall conform to the established pattern in or near the city and shall be subject to the approval of the Planning Commission.
- (9) Grades and Curves. Grades shall not exceed 10 percent on major or minor arterials, 15 percent on connector streets, or twenty percent on any other street unless specifically approved. In fault areas, finished street grades shall have a minimum slope of 0.5 percent. Center line radii of curves shall not be less than 300 feet on major arterials, 200 feet on minor arterials, or 100 feet on other streets. On arterials there shall be a tangent of not less than 100 feet between reversed curves.
- (10) Marginal Access Streets. Where a land division abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a nonaccess reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties and for separation of through and local traffic.
- (11) Alleys. Alleys may be provided in commercial and industrial districts unless other permanent provisions for access to off-street parking and loading facilities are made as approved by the Planning Commission. While alley intersections and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have radii of not less than 10 feet.
- (12) Private Streets. Private streets may serve development where a finding can be made that such streets are of adequate width, alignment, grade and restricted length to afford the same degree of public safety as public streets and that extension of the public street system is impractical due to lot size or shape, topography, the location of existing structures to be retained or other similar circumstances and where no more than six dwelling units will take access from the private streets. In no case shall a private street be less than 20 feet in width. Greater width may be required where necessary to provide for public safety,

accommodate traffic volume, or provide for underground utilities. A street maintenance agreement, acceptable to the city and duly recorded, shall be required.

(13) Painting of Curbs and Sidewalks. Except where required for safety purposes or for the identification of house numbers, painting of curbs and sidewalks is prohibited. All such painting must be approved by the city.

(14) Curbs and Driveways. Curb cuts and driveway installations shall be installed, according to city standards.

(15) Sidewalks. Sidewalks shall be installed on both sides of a public street and at any special pedestrian way within a development. The Planning Commission may approve a development with sidewalks on one side only of a local street if special site conditions exist or if alternative pedestrian routes are available, or if the proposed sidewalk is not likely to become part of a complete pedestrian route in the foreseeable future.

(16) Bicycle and Pedestrian Routes. Bicycle/pedestrian routes shall be required when consistent with Map 5 of the comprehensive plan and when necessary to provide a system of interconnecting walkways and safe, convenient access to a transit stop for a school, park, church, day care center, library, commercial center, community center or similar facility. Separate bicycle/pedestrian ways not located in a street right-of-way shall include a 10-foot wide paved surface within a 12-foot wide right-of-way, unless conditions warrant otherwise and shall be illuminated as required in GMC Section 17.44.020(6).

(17) Street Signs. Street name signs shall be installed at all street intersections. Specifications for signs shall be submitted and approved prior to their erection.

(18) Street Lights. Street lights shall be installed and shall be served from an underground source of supply.

(19) Storm Sewers. Catch basins shall be installed and connected to drainage tile leading to storm sewers or drainage ways.

(20) Monuments. Upon completion of street improvements, monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street center lines. Elevation bench marks shall be established at each street intersection monument with elevations to U.S. Geological Survey datum. All lot corners will be marked by a metal rod.

No new streets are incorporated within or adjacent to the proposed development.

17.50.050 Traffic impact analysis (TIA).

(1) Purpose. The purpose of this section is to implement Sections 660-012-0045(2)(b) and 660-012-0045(2)(e) of the State Transportation Planning Rule (TPR), which require the city to adopt performance standards and a process to apply conditions to land use proposals in order to minimize impacts on and protect transportation facilities. This section establishes requirements for when a traffic impact analysis (TIA) must be prepared and submitted; the analysis methods and content involved in a TIA; criteria used to review the TIA; and authority to attach conditions of approval to minimize the impacts of the proposal on transportation facilities.

This section refers to the TSP for performance standards for transportation facilities as well as for projects that may need to be constructed as mitigation measures for a proposal's projected impacts. This section also relies on the Gladstone Public Works Design Standards and Gladstone Public Works Standard Construction Specifications to provide street design standards and construction specifications for improvements and projects that may be constructed as part of the proposal and mitigation measures approved for the proposal.

(2) Applicability.

(a) Traffic Impact Analysis (TIA). A TIA shall be submitted to the city with a land use application at the request of the city Public Works Supervisor or if the proposal is expected to involve one or more of the following:

(A) An amendment to the Gladstone comprehensive plan or zoning map.

(B) ODOT requires a TIA in conjunction with a requested approach road permit, as specified in OAR 734-051-3030(4).

(C) The proposal generates 25 p.m. peak hour trips or more on the local transportation system.

(D) The location of an existing or proposed access driveway does not meet minimum spacing or sight distance requirements.

(E) A change in internal traffic patterns that may cause safety problems, such as back up onto the highway or traffic crashes in the approach area.

(b) Traffic Assessment Letter (TAL). A TAL shall be submitted to the city with a land use application if the provisions of subsection (2)(a) of this section do not apply. The city Public Works Supervisor may waive this requirement. The applicant's traffic engineer shall submit a TAL to the city demonstrating that the proposed land use action is exempt from the TIA requirements. The letter shall outline the trip-

generating characteristics of the proposed land use and verify that the site-access driveways or roadways meet Gladstone standards and that adequate sight distance is provided.

(3) Requirements. The following are typical requirements that may be modified in coordination with Public Works staff based on the specific application:

(a) Pre-Application Conference. The applicant shall meet with the Public Works Supervisor prior to submitting an application that requires a TIA. This meeting will be coordinated with Clackamas County and ODOT when an approach road to a county road or Highway 99E serves the property, so that the TIA will meet the requirements of all relevant agencies.

(b) Preparation. The TIA shall be prepared by an Oregon registered professional engineer qualified to perform traffic engineering analysis and will be paid for by the applicant.

(c) Typical Average Daily Trips and Peak Hour Trips. The latest edition of the Trip Generation Manual, published by the Institute of Transportation Engineers (ITE), shall be used to gauge p.m. peak hour vehicle trips, unless a specific trip generation study that is approved by the city Public Works Supervisor indicates an alternative trip generation rate is appropriate.

(d) Intersection-Level Analysis. Intersection-level analysis shall be determined based on the methodologies identified in the Highway Capacity Manual (HCM).

(e) Transportation Planning Rule Compliance. The requirements of OAR 660-012-0060 shall apply to those land use actions that significantly affect the transportation system, as defined by the Transportation Planning Rule.

(4) Study Area. The following facilities shall be included in the study area for all TIAs:

(a) All site-access points and intersections (signalized and unsignalized) adjacent to the proposed development site. If the site fronts an arterial or collector street, the analysis shall address all intersections and driveways along the site frontage and within the access spacing distances extending out from the boundary of the site frontage.

(b) Roads, streets, and accessways through and adjacent to the site.

(c) All intersections where the analysis shows that 10 percent or more of an approach volume can be expected to result from the development.

(d) In addition to these requirements, the city Public Works Supervisor may require analysis of any additional intersections or roadway links that are deemed necessary to address safety or operational concerns in proximity to the site.

(5) Analysis Periods. To adequately assess the impacts of a proposed land use action, the following study periods, or horizon years, should be addressed in the transportation impact analysis where applicable:

(a) Existing year.

(b) Background Conditions in Project Completion Year. The conditions in the year in which the proposed land use action will be completed and occupied, but without the expected traffic from the proposed land use action. This analysis should account for all city-approved developments that are expected to be fully built out in the proposed land use action horizon year, as well as all planned transportation system improvements.

(c) Full Build-Out Conditions in Project Completion Year. The background condition plus traffic from the proposed land use action assuming full build-out and occupancy.

(d) Phased Years of Completion. If the project involves construction or occupancy in phases, the applicant shall assess the expected roadway and intersection conditions resulting from major development phases. Phased years of analysis will be determined in coordination with city staff.

(e) Twenty-Year or TSP Horizon Year. For comprehensive plan amendments or zoning map amendments, the applicant shall assess the expected future roadway, intersection, and land use conditions as compared to approved comprehensive planning documents.

(6) Approval Criteria. When a TIA is required, a proposal is subject to the following criteria, in addition to all criteria otherwise applicable to the underlying land use proposal:

(a) The analysis complies with the requirements of GMC Section 17.50.020(4);

(b) The analysis demonstrates that adequate transportation facilities exist to serve the proposed development or identifies mitigation measures in a manner that is satisfactory to the city Public Works Supervisor or the Planning Commission when applicable, and, when county or state highway facilities are affected, to Clackamas County and ODOT;

(c) For affected nonhighway facilities, the TIA demonstrates that applicable performance standards established in the adopted transportation system plan have been met;

(d) Proposed public improvements are designed and will be constructed to the street standards specified in transportation system plan and the Gladstone Public Works Design Standards and Gladstone Public Works Standard Construction Specifications.

(7) Conditions of Approval. The city may deny, approve, or approve a development proposal with conditions needed to ensure transportation safety and operations standards and provide the necessary right-of-way and improvements to ensure consistency with the future planned transportation system. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on transportation facilities. Findings in the development approval shall indicate how the required improvements are directly related to and are roughly proportional to the impact of development.

The property size and development scale is not sufficient to require a Traffic Impact Analysis as determined during the Pre-Application conference.

Chapter 17.56 DRAINAGE

17.56.010 Applicability.

The development standards for surface water drainage shall apply to all new or redevelopment activities in the City of Gladstone that result in the creation or disturbance of 5,000 square feet or more impervious surface except for substantial improvement or lesser remodel or reconstruction of existing single-family or two-family dwellings.

Stormwater Management Water Quality Treatment is required per City of Gladstone Public Works Design Standards for projects with new or modified impervious surface area between 1000 s.f. and 5000 s.f., this project proposes approximately 2724 s.f. of new or modified impervious area.

17.56.020 Standards.

Adequate provisions shall be made to ensure proper drainage of surface waters, to preserve natural flow of watercourses and springs and to prevent soil erosion and flooding of neighboring properties or streets. Such provisions shall include but not be limited to the following:

- (1) Generally. All development shall be planned, designed, constructed and maintained to:
 - (a) Protect and preserve existing drainage channels to the maximum practicable extent;*
 - (b) Protect development from flood hazards;*
 - (c) Provide a system by which water within the development will be controlled and managed without causing damage or harm to the natural environment, or to property or persons within the drainage basin;*
 - (d) Assure that waters drained from new or redevelopment sites are substantially free of pollutants, including sedimentary materials, through the use of stormwater treatment facilities as referenced herein and appropriate erosion and sediment control practices;*
 - (e) Assure that runoff drained from new and redevelopment sites is managed in accordance with criteria outlined in the City of Gladstone Stormwater Treatment and Detention Standards as to not cause erosion to any greater extent than would occur in the absence of development;*
 - (f) Avoid placement of surface detention or retention facilities in road rights of way.**

Proposed stormwater management consists of onsite retention through infiltration on porous surfaces, subsurface soakage trench for roof runoff, and controlled overflow release to the public drainage system via gutter flow to prevent pollution and downstream impacts.

(2) Watercourses. Where culverts cannot provide sufficient capacity without significant environmental degradation, the city may require the watercourse to be bridged or spanned.

Not applicable.

(3) Easements. In the event that a development or any part thereof is traversed by any watercourse, channel, stream or creek, gulch or other natural drainage channel, adequate easements for storm drainage purposes shall be provided to the city. This does not imply maintenance by the city.

Not applicable.

(4) Obstructions. Channel obstructions are not allowed, except as approved for the creation of a detention or retention facility. Fences with swing gates may be utilized.

Not applicable.

(5) Surface Drainage and the Storm Sewer System.

(a) Stormwater treatment and detention facilities shall be designed and installed in accordance with criteria outlined in the Gladstone Public Works Design Standards and the Gladstone Public Works Standard Construction Specifications.

Stormwater treatment was designed in accordance with Gladstone Public Works Design Standards.

(b) The street cross-sections found in the Gladstone transportation system plan may be modified to accommodate alternative stormwater management methods subject to the approval of the Public Works Supervisor. The Public Works Supervisor may require modification of the typical cross section to accommodate alternative stormwater management methods when associated with development proposals. Such modifications may be applied as conditions of development approval.

Not applicable.

Chapter 17.58 GRADING AND FILL

17.58.010 Applicability.

The development standards for grading and fill shall apply to all development permits issued by the city except for substantial improvement or lesser remodel or reconstruction of existing single-family or two-family dwellings.

17.58.020 General provisions.

(1) Grading of Building Sites. Grading and fill of building sites shall conform to Chapter 70 of the Uniform Building Code. The character of soil for fill and the characteristics of lots and parcels made usable by fill shall be suitable for the purpose intended. When deemed necessary, the building official may require geological studies to determine the suitability of the site.

(2) U.B.C. Requirements. The building official shall enforce Chapter 70 of the U.B.C. and shall require soils reports and/or engineering studies before issuing a building permit for fill, excavation, construction or related activities involving soils with restrictive features such as instability, wetness, flooding or other limitations.

Not applicable. No appreciable excavation or fill is proposed beyond baserock for building pad, gravel, and paved surfaces.

Chapter 17.60 UTILITIES

17.60.010 Applicability.

The development standards for utilities shall apply to all development permits issued by the City of Gladstone except for substantial improvement or lesser remodel or reconstruction of an existing single or two-family dwelling.

17.60.020 Standards.

Utility services and facilities shall be appropriate to the scale and type of development and consideration shall include, but not be limited to the following standards:

(1) Site Disturbance. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site.

Food cart pods by nature have many utility lines as they represent a collection of small “buildings”, joint trenches have been utilized in the utility layout to minimize disturbance of soil and site.

(2) Electricity, Gas, Communications. All development which has a need for electricity, gas and communications services shall install them pursuant to the requirements of the district or company servicing the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be underground.

New underground electrical service is proposed to come from the nearest existing pole to the point of connection and will replace the previous overhead electrical service.

(3) Underground Facilities. The developer shall make necessary arrangements with utility companies or other persons or corporations affected for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street lighting and cable television, shall be placed underground.

Per the above section, the new electrical service will be located underground, communications typically will follow in the same electrical trench. Street lights are proposed to be added to existing poles.

(4) Sanitary Sewers. All development which has a need for sanitary sewers shall install the facilities pursuant to the requirements set forth by the public works department. Installation of such facilities shall be coordinated with the extension of necessary water services and storm drainage facilities. Requirements for development shall include the following:

(a) Sanitary sewers shall be installed to city standards to serve or be available to all development. Design shall take into account the capacity and grade to allow for desirable extension beyond the development. If required, sewer facilities will, without further sewer construction, be sized to directly serve property outside the development;

(b) If the area outside the development to be directly served by the sewer line has reached a state of development to justify sewer installation at the time, the Planning Commission may recommend to the City Council construction as an assessment project with such arrangement with the developer as is desirable to assure financing his share of the construction. If it is determined by the city that a larger sized line than normally required to serve the property is desirable to provide for future extension, the city will reimburse the developer the difference in cost of pipe between that required to serve the development and that stipulated by the city;

(c) In areas that will not be served by a public sewer, the minimum lot and parcel sizes shall permit compliance with the requirements of the department of environmental quality and shall take into consideration problems of sewage disposal, particularly problems of soil structure and water table as related to sewage disposal by septic tank.

The existing lot is served by an existing sanitary service lateral that is required to be video inspected to the Public Works Department's satisfaction prior to utilization, or it shall be replaced. According to available as-built records the service lateral rises from the existing main at approximately 45 degrees for 5' before turning flatter at a 1/8 vertical bend. Project will utilize this existing connection but may need to replace some or all of the lateral based upon condition and the grade needed to serve the most remote fixture.

(5) Water Services. All development which has a need for water service shall install water facilities and grant necessary easements pursuant to the requirements of the utility district serving the development. In addition, requirements for development shall include the following:

(a) Water lines to serve residential developments shall be a minimum six inch (6") nominal diameter and water lines to service commercial and industrial developments shall be a minimum eight inch nominal diameter with valves and fire hydrants serving each building site in the development and connecting the development to city mains shall be installed. Prior to starting building construction, the design shall take into account provisions for extension beyond the development and to adequately grid the city system. Hydrant spacing to be based on accessible area served according to A.I.A. recommendations and as approved by the Fire Chief;

(b) If the city determines that a water line size greater than the required minimum in diameter is required to provide for future extension of the water system, the city will reimburse the developer the difference in cost of pipe and valves between that of the minimum diameter and the size stipulated by the city.

The site is served by an existing water main and domestic service. The project will utilize the existing water service unless fixture unit calculations dictate upsizing the existing service.

(6) Coordination with Street Surfacing. All underground utilities, sanitary sewers and storm drains installed in streets by the developer or by any utility company shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to a length minimizing the necessity for disturbing the street improvements when service connections are made.

Not applicable, no new streets are being created.

(7) As-Built Submittals. A map showing all public improvements, as built, shall be filed with the city engineer upon completion of the improvements.

Not applicable, no new public improvements are being proposed beyond replacement of public sidewalk and driveway apron.

(8) Conditions for Refund to Developer.

(a) If required water mains or sewer facilities will without further construction other than individual laterals, directly serve properties outside the development, the city may enter into an agreement with the developer to require owners of the other benefiting properties to refund to the developer, a pro rata portion of the cost of the extension prior to allowing the benefiting property to connect thereto;

(b) Any such agreement shall contain a provision that the developer agrees to completely indemnify and hold harmless the city for any claim or injury or action arising from the city's administration of such agreement;

(c) The right to require such a refund shall not continue for more than 10 years after the date of installation of the extension;

(d) The amount to be refunded and the individual proration of the same shall be determined by the city and such determination shall be final.

Not applicable, no water or sewer facilities are proposed to be extended beyond the proposed development.

Chapter 17.80 DESIGN REVIEW*

Sections:

- 17.80.011 Objectives.**
- 17.80.021 Applicability.**
- 17.80.061 Submittal requirements.**
- 17.80.080 Maintenance.**
- 17.80.090 Minor exceptions.**
- 17.80.100 Compliance.**

17.80.011 Objectives.

The following objectives of the regulations in this chapter are as follows:

(1) To preserve the natural environment and protect and enhance the visual character of the city, and to ensure compliance with the goals, objectives and policies of the Gladstone Comprehensive Plan, zoning and subdivision ordinances.

(2) To encourage orderly development and to assure that structures, signs and other improvements are appropriately related to their site, and to surrounding sites and structures. Due regard shall be given to the aesthetic qualities of the terrain and landscaping, and proper attention given to exterior appearance of structures, signs, energy conservation and other improvements.

(3) To ensure significant site development will be compatible with land use on adjacent properties.

(4) To protect neighboring owners and users by assuring that reasonable provisions have been made for such matters as surface water drainage, the preservation of views, light, air and solar access and those effects on neighboring land uses.

17.80.021 Applicability.

(1) This chapter shall apply to new structures; additions to existing structures; site development, such as grading, parking lot construction or commercial/industrial use of an undeveloped property; change of use; and major remodeling, with the following exceptions:

- (a) Single-household dwellings, middle housing, and their allowed accessory uses;*
- (b) Utility lines and equipment cabinets, not including towers or substations, provided such equipment cabinets are no greater than 120 square feet in area and 10 feet in height;*
- (c) Fences unless associated with a primary, accessory or conditional use in the Office Park District or unless design review is required to grant an exception to the maximum fence height standard of the zoning district;*
- (d) Fabric-covered awnings;*
- (e) Playground equipment;*
- (f) Grading that does not require a permit under the Clackamas County Excavation and Grading Code;*
- (g) Signs reviewed by the City Administrator or designee pursuant to GMC Chapter 17.52 (Signs);*
- (h) Vehicular or pedestrian right-of-way improvements provided such improvements are not associated with additional development that is subject to design review;*
- (i) Changes of use where:*
 - (A) The proposed change is not from a residential, commercial/industrial or institutional use to a use in a different one of these categories;*
 - (B) The new use is not required by this title to have a greater number of off-street parking spaces than the previous use or at least the minimum number of off-street parking spaces required by this title for the new use currently exists. However, where applicable parking requirements are not identified in Table 1 of GMC Section 17.48.030 (standards for developments subject to design review) or where on-street parking is proposed to fulfill a portion of the minimum off-street parking requirement, design review shall be required;*
- (j) Normal maintenance of structures and premises provided there are no significant use or structural alterations. Normal maintenance may include painting, roofing, siding, interior remodeling, electrical work, plumbing work, re-paving of access roads and parking/loading areas, replacement of landscaping elements or other similar tasks. Normal maintenance does not include increasing the number of dwelling units, constructing new structures or constructing additions to existing structures except to the extent that an addition is necessary to render a structure accessible to the disabled. Normal maintenance performed shall be consistent with previous design review approvals for the site.*

(2) If a design review application is required, no building, sign, grading or blasting permit shall be issued until design review approval has been granted.

(3) An application for design review shall be reviewed pursuant to GMC Division VII (administrative procedures) and shall be reviewed for compliance with standards of the underlying zoning district and GMC Division IV (development standards).

Design Review is applicable to the proposed development and is addressed in various sections of the narrative.

17.80.061 Submittal requirements.

(1) An application for design review shall include a minimum of twelve (12) copies of the following plans drawn to scale. A project summary shall accompany the application when necessary to describe special circumstances such as a request for a minor exception pursuant to GMC Section 17.80.090 (minor exceptions).

- (a) Vicinity Map: The vicinity map shall show the location of the subject property relative to well-known landmarks in all directions and shall be at least four inches (4") by four inches (4") in size.*
- (b) Site Plan: The site plan shall include the following:*
 - (A) The applicant's entire property and the surrounding area to a distance sufficient to determine the relationship between the applicant's property and proposed development and adjacent property and development;*
 - (B) Lot lines, dimensions and area of the subject property;*
 - (C) Complete names, addresses and telephone numbers of the property owner, applicant and project designer;*
 - (D) Natural features including, but not limited to, individual trees greater than six inches (6") in diameter at five feet (5') above the ground (identify the species), wooded areas, wildlife habitat*

areas, streams and stream corridors, marsh and wetland areas, underground springs, surface features such as earth mounds and large rock outcroppings, significant views, natural drainage on the subject property and adjacent properties, areas of special flood hazard and potential geologic hazards such as areas of mass movement and soil hazards. Identify proposed alterations to natural features;

(E) Location, dimensions and names of all proposed rights-of-way and all existing rights-of-way within or adjacent to the subject property. Include proposed new curbs and sidewalks. Include existing curbs and sidewalks where necessary to show a connection to new curbs and sidewalks;

(F) Location and dimensions 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;

(G) Identification of existing uses of the subject property, including the location and exterior dimensions of existing structures. Identify whether existing structures will remain on the property or be removed;

(H) Location of proposed and existing utilities on the subject property and the location of adjacent off-site utilities to which on-site utilities will connect. Include water, sanitary sewer, storm drainage, gas, electric (including power poles) and other utilities;

(I) Location and exterior dimensions of all proposed structures;

(J) Relation of the subject property to nearby transit stops;

(K) Location and dimensions of individual parking spaces, parking lot access aisles, driveways and pedestrian and bicycle circulation;

(L) Lighting (include type);

(M) Service areas for trash disposal, recycling, loading and delivery and bicycle parking;

(N) Location of potential noise sources in the proposed development;

(O) Information about significant climatic variables including, but not limited to, solar potential, wind direction and wind velocity.

(c) Grading Plan: The preliminary grading plan shall indicate where and to what extent grading will occur and shall include approximate proposed contour lines, slope ratios, slope stabilization proposals and natural resources protection proposals. Existing contour lines shall also be shown. Proposed and existing contour lines shall be shown at maximum intervals of two feet (2') for slopes less than ten percent (10%), five feet (5') for slopes between ten (10) and twenty percent (20%) and ten feet (10') for slopes exceeding twenty percent (20%). A slope analysis shall be provided showing portions of the site according to the following slope ranges: less than ten percent (10%), ten (10) to less than twenty percent (20%), twenty (20) to less than thirty-five percent (35%), thirty five percent (35%) to less than fifty percent (50%) and fifty percent (50%) or greater. Approximate area calculations shall be provided for each of these slope ranges.

(d) Architectural Drawings:

(A) Building elevations and sections;

(B) Building materials, including color and type;

(C) Sufficient architectural details pertaining to exterior building materials, including samples and views from roads and other properties, as determined by the City Administrator or designee, to assure compliance with 17.44.020(4);

(D) Floor plans.

(e) Landscape Plan: The landscape plan shall be at the same scale as the site plan and shall include:

(A) Lot lines and adjacent rights-of-way;

(B) Proposed structures and existing structures to remain;

(C) Parking and loading areas and driveways;

(D) Locations of proposed plants and existing plants to remain, keyed to a legend identifying botanical names, common names, sizes at planting and numbers;

(E) Description of soil conditions and plans for soil treatment such as stockpiling of topsoil. Include plant selection requirements relating to soil conditions;

(F) Erosion controls, including plant materials and soil stabilization, if any;

(G) Irrigation systems;

(H) Landscape-related structures such as fences, terraces, decks, patios, shelters, play areas, etc.;

(I) Boundaries of open space, recreation or reserved areas to remain, access to open space and any alterations proposed;

- (J) Locations of pedestrian and bikeway circulation within landscaped areas;
- (K) Method of planting and maintenance.
- (f) Signs:
 - (A) Freestanding signs:
 - (i) Location on-site plan;
 - (ii) Elevation drawing (indicate size, total height, height between bottom of sign and ground, color, materials and means of illumination).
 - (B) On-building signs:
 - (i) Building elevation with location of sign (indicate size, color, materials and means of illumination);
 - (ii) Site plan showing location of on-building sign in relation to adjoining property.
- (2) A transportation impact analysis shall be submitted if deemed necessary by the City Administrator or designee to assess the impacts of the proposed development.
- (3) The City Administrator or designee may waive any submittal requirements of this chapter if they are deemed not necessary or not applicable due to the scale or nature of the development proposal.

All required submittals are included in the application package.

17.80.080 Maintenance.

All approved on-site improvements shall be the ongoing responsibility of the property owner or occupant.

The property owners will provide ongoing maintenance and repairs for the site and building.

17.80.090 Minor Exceptions.

(1) Authority. In conjunction with the design review plan approval, the Planning Commission may grant minor exceptions from the following requirements:

- (a) Dimensional standards for yards required in the primary district;
- (b) Dimensional standards for off-street parking as required in GMC Chapter 17.48 (Off-Street Parking and Loading);
- (c) Minimum and maximum number of off-street parking spaces required in GMC Chapter 17.48 (Off-Street Parking and Loading).

(2) Limitations. No minor exceptions shall be greater than twenty-five percent (25%) of the requirement from which the exception is requested. Requests greater than twenty-five percent (25%) shall be subject to variance procedures.

(a) In the case of a minor yard exception for landscaping, the Planning Commission shall find that approval will result in:

- (i) More efficient use of the site;
- (ii) Preservation of natural features, where appropriate;
- (iii) Adequate provision of light, air and privacy to adjoining properties;
- (iv) Energy conservation; and

(v) Adequate emergency access.

(b) In the case of a minor exception to the dimensional standards for off-street parking spaces or the minimum required number of off-street parking spaces, the Planning Commission shall find that approval will provide adequate off-street parking in relation to user demands. The following factors may be considered in granting such an exception:

- (i) Special characteristics of users which indicate low demand for off-street parking (e.g. low income, elderly);
- (ii) Opportunities for joint use of nearby off-street parking facilities;
- (iii) Availability of public transit; and
- (iv) Natural features of the site (topography, vegetation and drainage) which would be adversely affected by application of required parking standards.

(c) In the case of a minor exception to the maximum allowed number of off-street parking spaces, the Planning Commission shall find that approval will not result in excessive off-street parking relative to the user demand. The following factors shall be considered in granting such an exception:

- (i) Special characteristics of users that indicate high demand for off-street parking. Characteristics generally attributable to the use classification upon which the maximum

parking ratio is based shall not be considered "special characteristics" for purposes of this provision.

(ii) Lack of sufficient available on-street parking, public off-street parking or shared parking within one-quarter (1/4) mile walking distance of the subject site.

(iii) A study of parking demand, submitted by the applicant, for a use substantially similar to the one proposed.

No exceptions are anticipated to be required for this approval.

17.80.100 Compliance.

(1) Approval of design review shall expire if construction has not begun within two years of the date of the final decision. Upon request and in accordance with GMC Section 17.66.015(4)(a), the two-year period may be renewed once by the City Administrator or designee for not more than one year.

It is the Owner's intention to move forward with construction as soon as all required approvals and permits are obtained.

(2) Prior to issuance of a final certificate of occupancy, the development site shall be checked by the City Administrator or designee to insure compliance with the approved design review plans. Approval of a final certificate of occupancy shall not be granted until all conditions of design review approval are met.

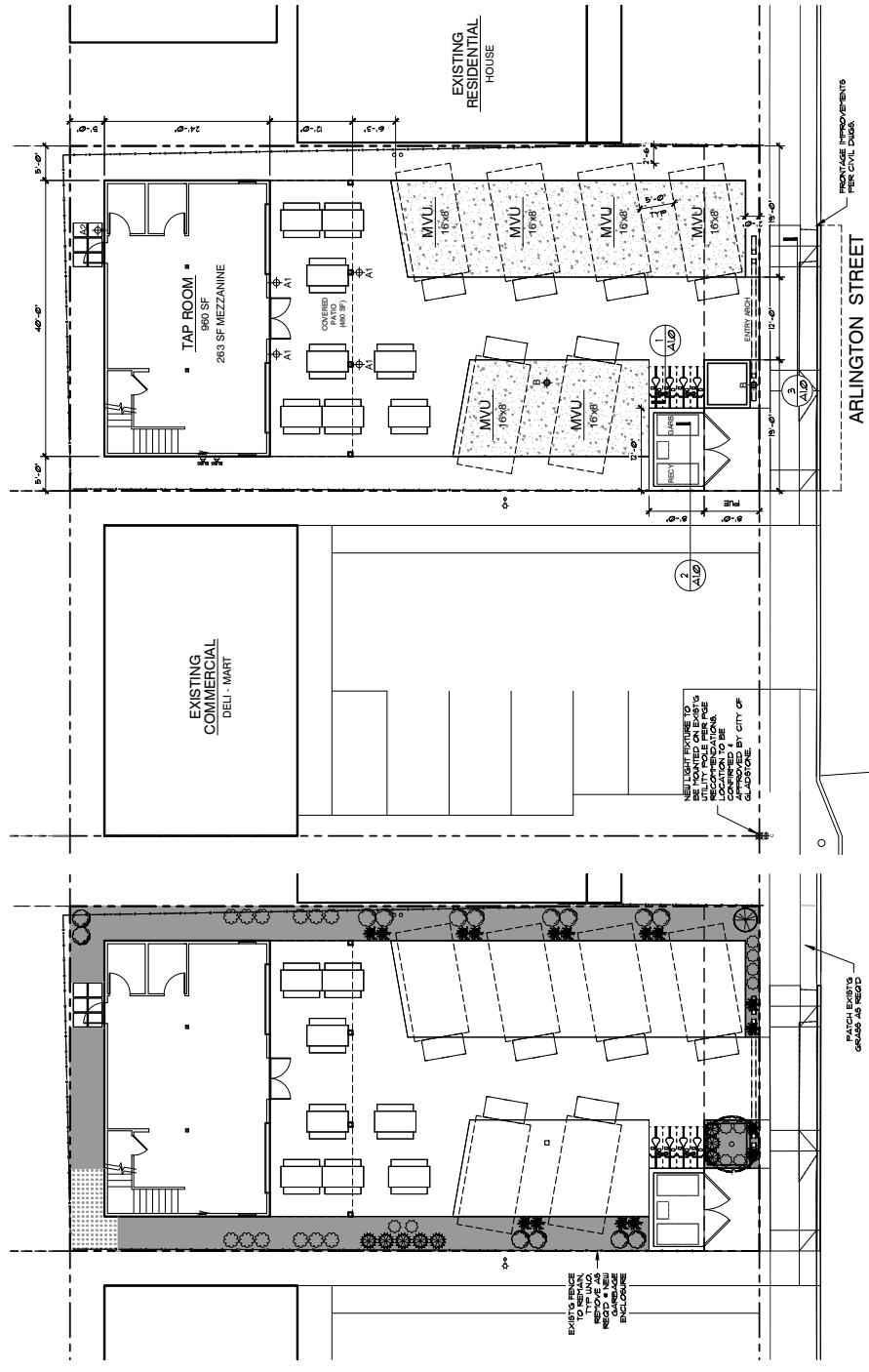
It is understood that final review and approval from the city will be required in order to obtain a Certificate of Occupancy.

(3) Any departure from the approved design review plans may be cause for revocation of the building permit or denial of a final certificate of occupancy. Any changes in the approved design review plans shall be submitted to the City Administrator or designee for review and approval prior to execution. Changes to the substance of an approval or the substance of conditions of approval shall require the submittal of a new design review application.

No revisions are anticipated, but it is understood that any desired revisions that may arise will be subject to approval.

DRAWING INDEX
 A1.0 SITE PLAN, LANDSCAPE PLAN,
 GENERAL INFO
 A1.1 BUILDING FLOOR PLANS
 A2.1 BUILDING ELEVATIONS
 TOPOGRAPHIC SURVEY / EXISTING CONDITIONS
 C1 GRADING & EROSION CONTROL PLAN
 C2 UTILITY & DRAINAGE PLAN
 C3 CIVIL DETAILS

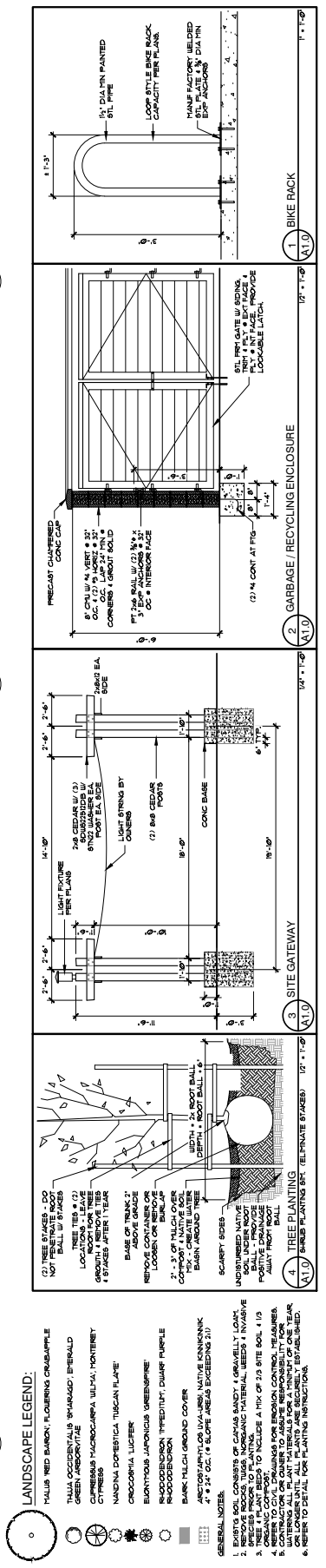
PROJECT INFORMATION
 NEW BUILDING AND SITE IMPROVEMENTS FOR
 TAP ROOM WITH INDOOR & OUTDOOR SEATING
 INCLUDING MOBILE FOOD UNITS, AN INDOOR
 TAPROOM WITH INDOOR & OUTDOOR SEATING
 140 W. ARLINGTON ST.
 GLADSTONE, OR 97027
 CLATSOP COUNTY
 PARCEL NO.: 00087978 Ref: ZS2002A0100
 LEGAL: TRS 025 / OSE 200 SW 71163.623
 ZONING: C2 - COMMUNITY COMMERCIAL DISTRICT
 LAND USE: DC - DOWNTOWN CORE OVERLAY
 SITE AREA: 6,000 Sq Ft.
 BUILDING AREA: 960 Sq Ft.
 COVERED PATIO: 480 Sq Ft.



SITE PLAN

LANDSCAPE PLAN

VICINITY MAP



LANDSCAPE LEGEND:

- 1. EXISTING SOIL CONSISTS OF CLAY SANDY GRAVELLY LOAM.
- 2. REMOVE ROCKS, TIES, NAILING MATERIAL, WEEDS, INVASIVE PLANTS.
- 3. TREE PLANT BEDS TO INCLUDE A MIX OF 2/3 SITE SOIL & 1/3 IMPORTED TOP SOIL.
- 4. REFER TO CIVIL DRAWINGS FOR EROSION CONTROL, REINFORCEMENT, AND WATERING SCHEDULES FOR A MINIMUM OF ONE YEAR.
- 5. WATERING SCHEDULE TO BE PROVIDED BY THE CONTRACTOR.
- 6. REFER TO DETAIL FOR PLANTING SPECIFICATIONS.

- 1. TREE PLANTING: DO NOT PENETRATE ROOT BALL W/ STAKES. LOCATIONS TO BE DETERMINED BY THE CONTRACTOR & STAKES AFTER 1 YEAR.
- 2. TREE PLANTING: BASE OF STAKE 2" ABOVE GRADE. REMOVE CONTAINER OR LOGS OR BUNKER. 2" OF FILL OVER TOP. CREATE WATER BURN AREA UNDER STAKE.
- 3. TREE PLANTING: UNCOMBATED MULCH SOIL UNDER ROOT BALL. FERTILIZER TO BE APPLIED PER MANUFACTURER'S INSTRUCTIONS.
- 4. TREE PLANTING: SCRIPSY 6028.

- 1. TREE PLANTING: 2" X 2" ROOT BALL. 2" X 2" ROOT BALL. 2" X 2" ROOT BALL.
- 2. TREE PLANTING: 2" X 2" ROOT BALL. 2" X 2" ROOT BALL. 2" X 2" ROOT BALL.
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- 4. TREE PLANTING: 2" X 2" ROOT BALL. 2" X 2" ROOT BALL. 2" X 2" ROOT BALL.

TOPOGRAPHIC SURVEY

FOR:

RAY FLETCHER

BRING LOT 13, BLOCK 9

"GLADSTONE"

IN THE SW 1/4 OF SECTION 20

T.2S., R.2E., W.M.

CITY OF GLADSTONE

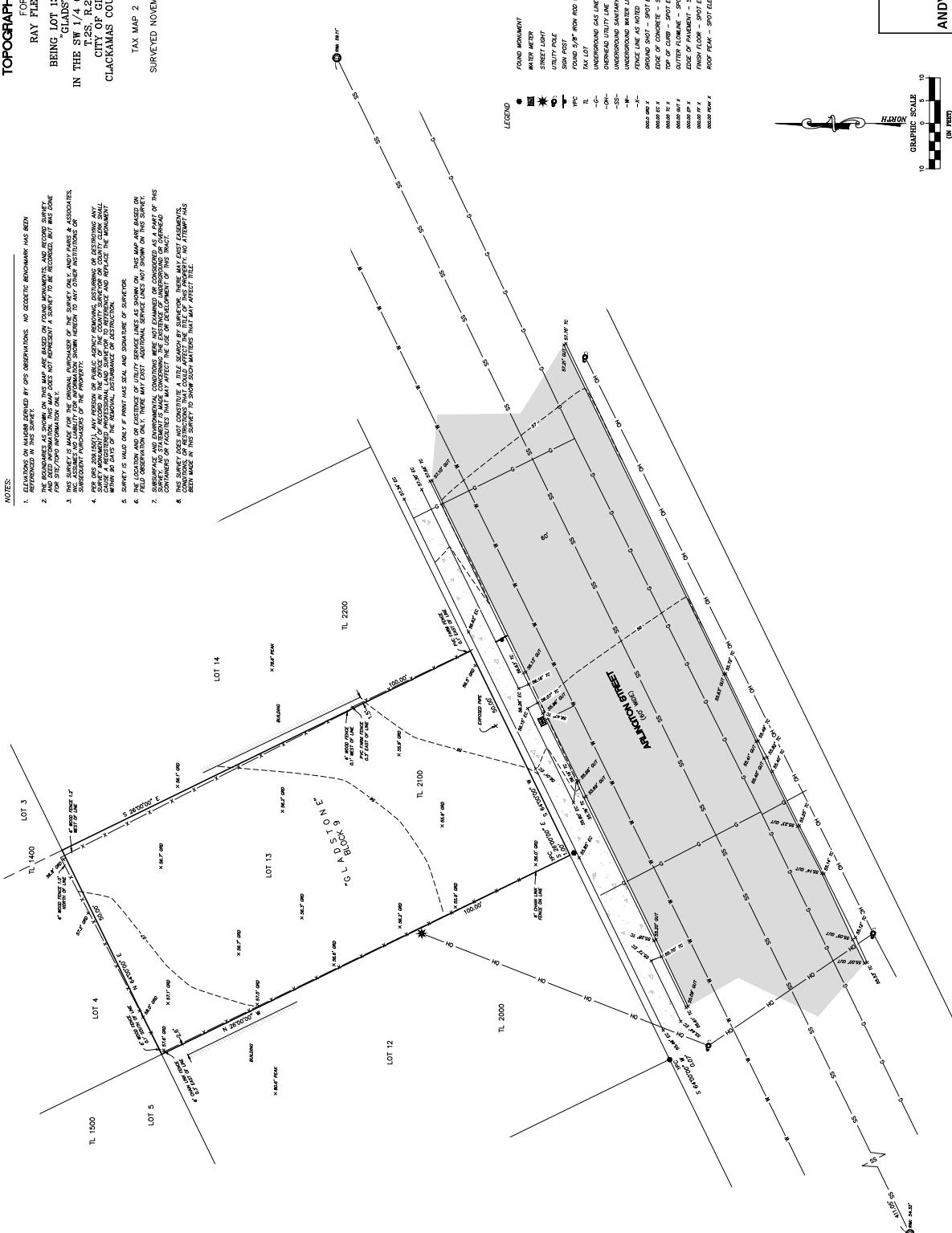
CLACKAMAS COUNTY, OREGON

TAX MAP 2 E 20CA

SURVEYED NOVEMBER 17, 2023

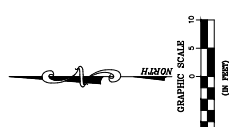
NOTES:

1. ELEVATIONS ON THIS SURVEY ARE BASED ON GPS OBSERVATIONS. NO GEODETIC BENCHMARK HAS BEEN REFERENCED IN THIS SURVEY.
2. THIS MAP WAS PREPARED BY THE SURVEYOR AND IS BASED ON FIELD MEASUREMENTS AND RECORD SURVEY DATA. THIS MAP DOES NOT REPRESENT A SURVEY TO BE RECORDED, BUT DOES PROVIDE INFORMATION FOR THE RECORD.
3. THE SURVEYOR HAS REVIEWED THE RECORD SURVEY OF THE SURVEY ONLY AND HAS NOT CONDUCTED A FIELD CHECK OF THE RECORD SURVEY. THE SURVEYOR HAS REVIEWED THE RECORD SURVEY AND HAS NOT CONDUCTED A FIELD CHECK OF THE RECORD SURVEY.
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5. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. THERE ARE NO FIELD ELEVATIONS, BENCHMARKS OR FACILITIES THAT MAY AFFECT THE USE OR REDEVELOPMENT OF THIS TRACT.
6. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. THERE ARE NO FIELD ELEVATIONS, BENCHMARKS OR FACILITIES THAT MAY AFFECT THE USE OR REDEVELOPMENT OF THIS TRACT.
7. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. THERE ARE NO FIELD ELEVATIONS, BENCHMARKS OR FACILITIES THAT MAY AFFECT THE USE OR REDEVELOPMENT OF THIS TRACT.
8. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. THERE ARE NO FIELD ELEVATIONS, BENCHMARKS OR FACILITIES THAT MAY AFFECT THE USE OR REDEVELOPMENT OF THIS TRACT.



LEGEND

Symbol	Description
Circle with cross	ROUND PAVEMENT
Circle with dot	WATER METER
Circle with vertical line	STREET LIGHT
Circle with horizontal line	UTILITY POLE
Circle with diagonal line	SHOW POST
Circle with 'X'	ROUND 5/8" IRON ROD W/ YELLOW PLASTIC CAP
Circle with 'T'	TAX LOT
Circle with 'S'	UNDERGROUND GAS LINE
Circle with 'O'	OVERHEAD UTILITY LINE
Circle with 'U'	UNDERGROUND WATER LINE
Circle with 'S'	UNDERGROUND SANITARY LINE
Circle with 'C'	EDGE OF CONCRETE - SPOT ELEVATION
Circle with 'T'	TOP OF CURB - SPOT ELEVATION
Circle with 'F'	OUTTER FLOWLINE - SPOT ELEVATION
Circle with 'P'	EDGE OF PAVEMENT - SPOT ELEVATION
Circle with 'A'	ADJUSTED POINT - SPOT ELEVATION
Circle with 'R'	ROUND IRON - SPOT ELEVATION



REGISTERED PROFESSIONAL LAND SURVEYOR
 OREGON
 ANDY PARIS
 HAROLD P. SALO
 EXPIRES: JUNE 30, 2024

ANDY PARIS & ASSOCIATES
 1414 N. SEASIDE BLVD. SUITE 100
 GASTON, OREGON 97030
 PHONE: 503.253.1111 FAX: 503.253.1112
 PROJECT: STATE EXHIBITION 11-D-14-2023



**SYMONS ENGINEERING
CONSULTANTS, INC.**

12905 s.e. foster road
portland, oregon 97236
phone 503 760 1953
www.symonsengineering.com

CLIENT

MATT KLEMAN & RAY FLETCHER
4246 SE FAITH AVE
MILWAUKEE, OR 97267
503-937-3444

PROJECT

**ISELIN ARCHITECTS
THE ARLINGTON
FOOD CARTS**

SITE ADDRESS

140 W. ARLINGTON
GLADSTONE, OR

**SHEET NAME
PRELIMINARY
GRADING &
EROSION CONTROL PLAN**

REVISION

- △ 1/18/24 ISSUED FOR SITE DESIGN REVIEW
- △
- △
- △
- △
- △

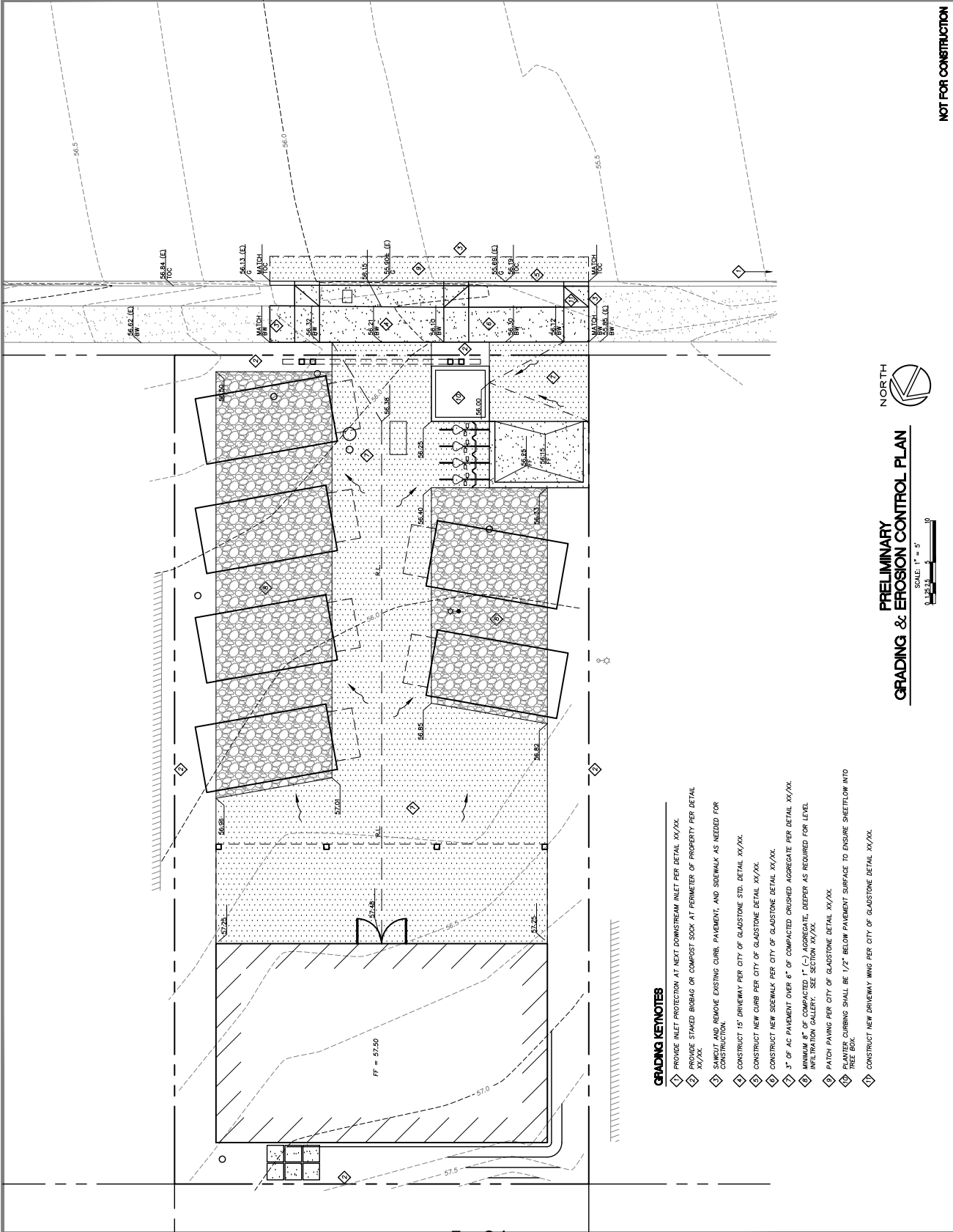
ISSUE DATE JAN 18, 2024

DRAWING FILE 23-17c.DWG

PROJECT NUMBER 23-17

C1

SHEET NO.



**PRELIMINARY
GRADING & EROSION CONTROL PLAN**

SCALE: 1" = 5'

NOT FOR CONSTRUCTION

GRADING KEYNOTES

- ◇ PROVIDE INLET PROTECTION AT NEXT DOWNSTREAM INLET PER DETAIL XX/XX.
- ◇ PROVIDE STAKED BARRIAGE OR COMPOST SOCK AT PERIMETER OF PROPERTY PER DETAIL XX/XX.
- ◇ REMOVE AND REMOVE EXISTING CURB, PAVEMENT, AND SIDEWALK AS NEEDED FOR CONSTRUCTION.
- ◇ CONSTRUCT 15" DRIVEWAY PER CITY OF GLADSTONE STD. DETAIL XX/XX.
- ◇ CONSTRUCT NEW CURB PER CITY OF GLADSTONE DETAIL XX/XX.
- ◇ CONSTRUCT NEW SIDEWALK PER CITY OF GLADSTONE DETAIL XX/XX.
- ◇ 3" OF AC PAVEMENT OVER 6" OF COMPACTED CRUSHED AGGREGATE PER DETAIL XX/XX.
- ◇ MINIMUM 8" OF COMPACTED 1" (-) AGGREGATE, DEEPER AS REQUIRED FOR LEVEL INFILTRATION GALLERY. SEE SECTION XX/XX.
- ◇ PATCH PAVING PER CITY OF GLADSTONE DETAIL XX/XX.
- ◇ PATCH CURBING SHALL BE 1/2" BELOW PAVEMENT SURFACE TO ENSURE SHEETFLOW INTO PAVED AREA.
- ◇ CONSTRUCT NEW DRIVEWAY WING PER CITY OF GLADSTONE DETAIL XX/XX.



**SYMONS ENGINEERING
CONSULTANTS, INC.**

12805 s.e. foster road
portland, oregon 97236
phone 503 760 1953
www.symonsengineering.com

CLIENT

MATT KLEMAN & RAY FLETCHER
4246 SE FAITH AVE
MILWAUKEE, OR 97267
503-317-3144

PROJECT

**ISELIN ARCHITECTS
THE ARLINGTON
FOOD CARTS**

SITE ADDRESS

140 W. ARLINGTON
GLADSTONE, OR

SHEET NAME

**PRELIMINARY
UTILITY &
DRAINAGE PLAN**

REVISION

- 1/18/24 ISSUED FOR SITE DESIGN REVIEW
- △
- △
- △
- △
- △
- △

ISSUE DATE

JAN 18, 2024

DRAWING FILE

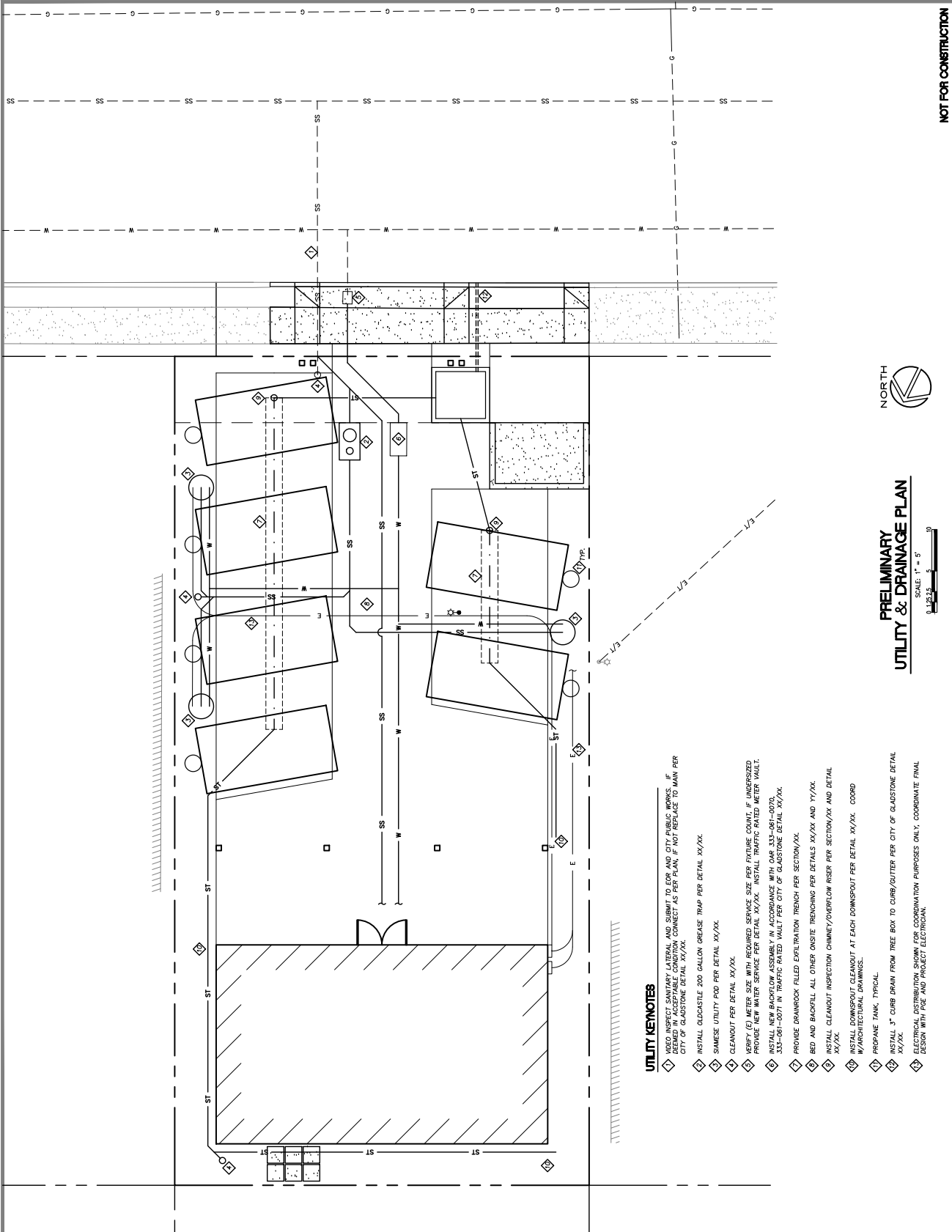
23-17c.DWG

PROJECT NUMBER

23-17

C2

SHEET NO.



**PRELIMINARY
UTILITY & DRAINAGE PLAN**

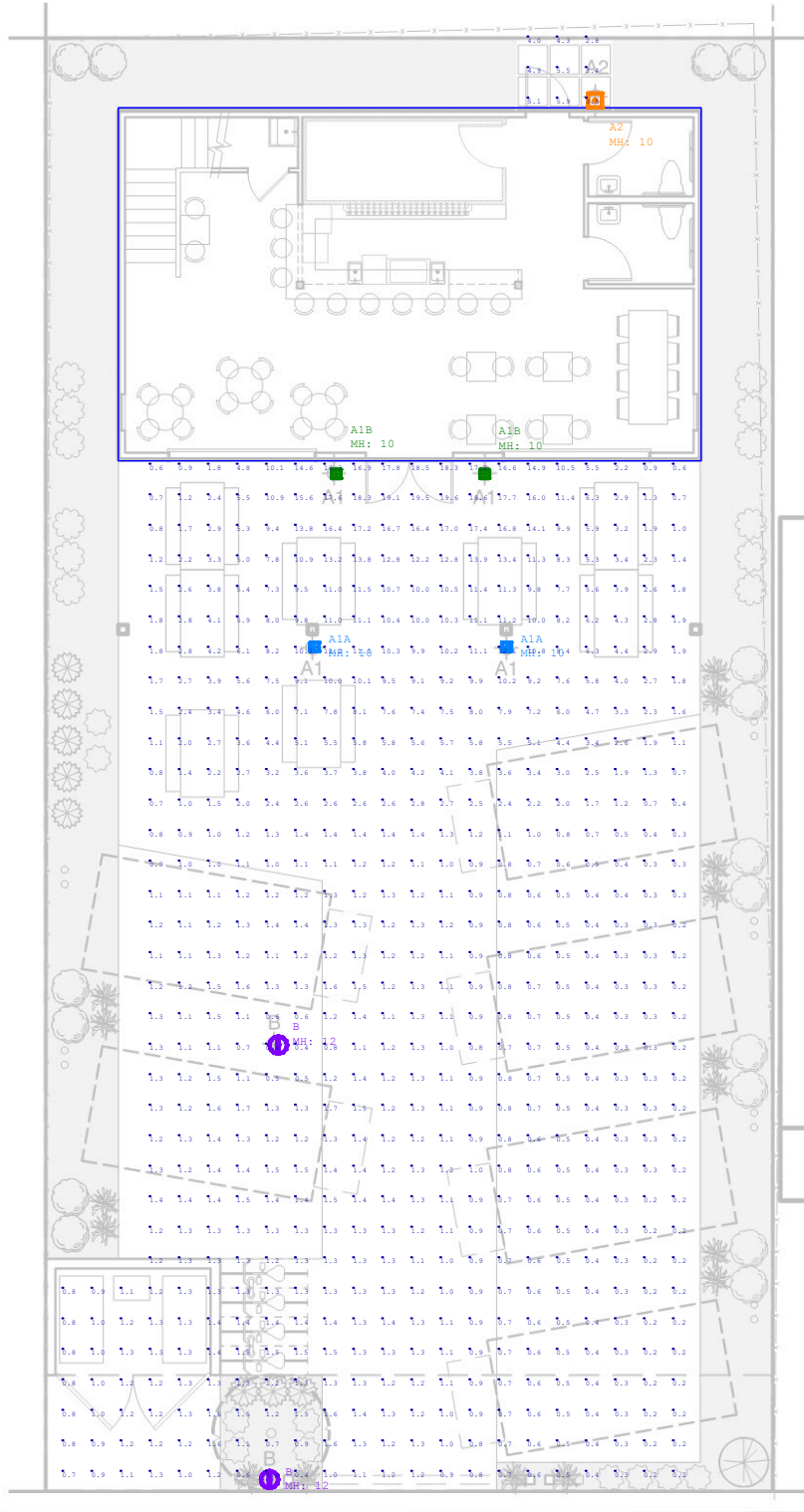
SCALE: 1" = 5'
1" = 5'



NOT FOR CONSTRUCTION

UTILITY KEYNOTES

- ◇ VERIFY SANITARY LATERAL AND SUBMIT TO EOP AND CITY PUBLIC WORKS. IF DEEMED IN ACCEPTABLE CONDITION, CONNECT AS PER PLAN. IF NOT REPLACE TO MAIN PER CITY OF GLADSTONE DETAIL XX/XX.
- ◇ INSTALL GUDCASTLE 200 GALLON GREASE TRAP PER DETAIL XX/XX.
- ◇ SHIMMER UTILITY PAD PER DETAIL XX/XX.
- ◇ CLEANOUT PER DETAIL XX/XX.
- ◇ VERIFY (S) METER SIZE WITH REQUIRED SERVICE SIZE PER FUTURE POINT. IF UNDERSIZED, PROVIDE NEW WATER SERVICE PER DETAIL XX/XX. INSTALL TRAFFIC RATED METER VAULT.
- ◇ INSTALL NEW BACKFLOW ASSEMBLY IN ACCORDANCE WITH OAP 333-061-0070.
- ◇ 333-061-0071 IN TRAFFIC RATED VAULT PER CITY OF GLADSTONE DETAIL XX/XX.
- ◇ PROVIDE GRANITE FILL EXPLORATION TRENCH PER SECTION/XX.
- ◇ BED AND BACKFILL ALL OTHER ON-SITE TRENCHING PER DETAILS XX/XX AND YY/XX.
- ◇ INSTALL CLEANOUT INSPECTION CHIMNEY/OVERFLOW RISER PER SECTION/XX AND DETAIL XX/XX.
- ◇ INSTALL DOWNSPOUT CLEANOUT AT EACH DOWNSPOUT PER DETAIL XX/XX. COORD W/ARCHITECTURAL DRAWINGS.
- ◇ PROPANE TANK, TYPICAL.
- ◇ INSTALL 3" CURB DRAIN FROM TREE BOX TO CURB/OUTER PER CITY OF GLADSTONE DETAIL XX/XX.
- ◇ ELECTRICAL DISTRIBUTION SHOW FOR COORDINATION PURPOSES ONLY. COORDINATE FINAL DESIGN WITH ESE AND PROJECT ELECTRICAL.



Luminaire Schedule							
Symbol	Qty	Label	LLF	Description	Lum. Lumens	Lum. Watts	(MANUFAC)
■	2	A1A	0.880	CL-3099-6OD-UDL-40CLED-30K-MV	4578	41.22	Crystal Lighting Corp.
■	2	A1B	0.870	CL-3099-6OD-DL-20CLED-30K-MV	2309	21.09	Crystal Lighting Corp.
●	2	B	0.880	CLP-MP-300LED-T5-30K-UNIV	2121	35.7	CRYSTAL LIGHTING CORP.
■	1	A2	0.900	C-WM-A-WLMO-1YL-40K-UL-xx-P	1746	15	C-LITE

Readings taken at grade

Calculation Summary					
Label	Calc Type	Units	Avg	Max	Min
Exterior	Illuminance	Fc	2.97	19.6	0.2
					Avg/Min
					14.85
					98.00



Columbia Pacific Sales
 Phone: (360) 256-8745
 Email: dawn@columbiapacificsales.com

Arlington Tap Room
 5 - 94

078-03
 01.05.2024

CL-3099-S is a sleek, Versatile Cylinder Profile, 3 optional mountings Wall, Ceiling and Pendant Mount. **CL-3099-S** Architectural lighting solution for residential, hospitality and commercial spaces.

• 10 Year/100,000hrs Limited warranty.

FEATURES

- Energy Savings: Over 66% compared to HID light sources
- Improved lumen maintenance
- Utilizes high efficient Phillips Lumiled LED's
- Operating temperatures: -30°C ~ 60°C
- Driver: Constant current, 120-277v, 50/60Hz, 480v (Optional)
- Suitable for wet locations
- 0-10 Dimming Driver, Occupancy Sensors, Photo Cell and Wireless Controls(Optional)
- Optics: 50°, 78° (6" Od and 8" OD)
- **Dark Sky Compliant** (Down Light Only / 3000K)

CONSTRUCTION

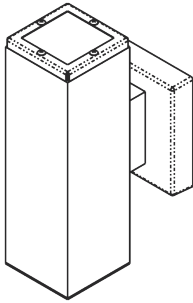
- Aluminum Heavy Gauge Housing
- Mounting: Wall Mount, Ceiling or Pendant Options
- Lens: Clear Acrylic Lens (Standard) See ordering guide for other Options



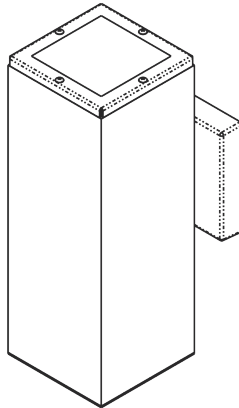
Example: CL-3099-8S-20CLED-T2-40K-MV-BRZ-WM-OCC-EMR

CL-3099								
Cat #	Diameter	Light direction	Wattage	Color Temp.	Voltage	Color	Mounting	Options
CL-3099	4" SQ (4S) -----	Wall Mount Option Up/ Down Light (UDL)	12W (12CLED)	3000K (30K)	120-277V (MV)	Black (BLK) White (WH) Bronze (BRZ) Silver (SIL) Graphite (GPH) Marine Grade (MG)	Wall Mount (WM)	Emergency Battery (EMR)
	6" SQ. (6S) -----	Down Light (DL)	15W (15CLED) 20w (20CLED)	4000K (40K) 5000K (50K)			Ceiling Mount (CM)	Button Photo Cell (PC)
	8" SQ. (8S)	Ceiling Mount Down Light (DL)	30W (30CLED) 50W (50CLED)	*Pendant Mount (PM)			Wireless controls (WC)	
							*Specify Stem Length	Frosted Acrylic Lens (FAL) Opal Acrylic Lens (OAL)

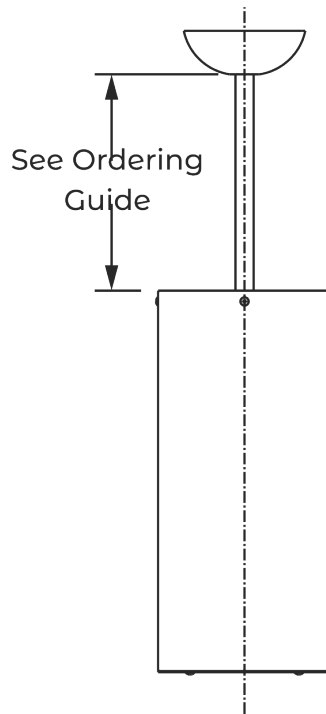
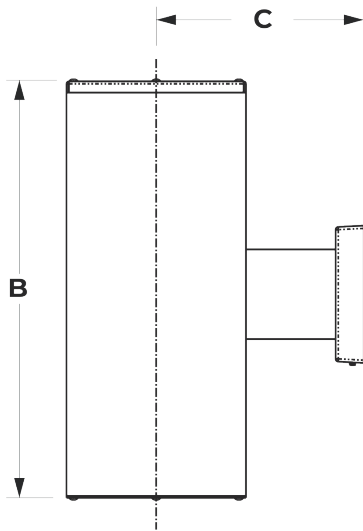
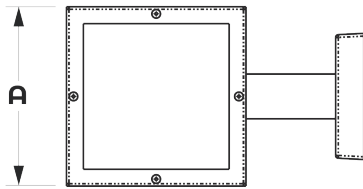
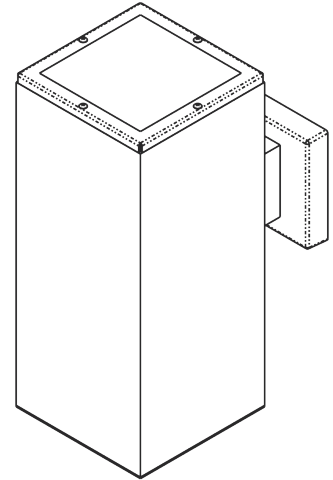
CL-3099-4S



CL-3099-6S



CL-3099-8S



Dimensions			
Cat#	A	B	C
CL-3099-4S-WM	4" SQ	12"	5"
CL-3099-4S-CM	4" SQ	12"	n/A
CL-3099-6S-WM	6" SQ	16"	6" 1/8
CL-3099-6S-CM	6" SQ	16"	n/A
CL-3099-8S-WM	8" SQ	18"	9" 1/4
CL-3099-8S-CM	8" SQ	18"	n/A

Cat #	Input Power	Lumen Output	LPW	Color Temp. (CCT)	CRI	Rated Life (L70)	Input Voltage	HID Equivalent	HID Equivalent
CLP-3099-4S-12CLED	18W	1,348	112	5000K	70+	>200,000	120-277V	50/60HZ	70W MH
CLP-3099-6S-15CLED	20W	1,744	116	5000K	70+	>200,000	120-277V	50/60HZ	100W HPS
CLP-3099-6S-20CLED	25W	2,230	111	5000K	70+	>200,000	120-277V	50/60HZ	100W PSMH
CLP-3099-8S-35CLED	35W	4,388	125	5000K	70+	>200,000	120-277V	50/60HZ	150W HPS
CLP-3099-8S-50CLED	55W	6,120	122	5000K	70+	>200,000	120-277V	50/60HZ	175W MH

C-WM-A-WLMO Series

LED Wall Mount

Replaces 70W MH



GREAT THINGS COME IN SMALL PACKAGES

Simple to install, the WLMO Series LED Wall Mount features an integrated photocell that's been rigorously tested to withstand the test of time. The result? Maximum energy savings for your client, with the fixture automatically turning off and on, depending on light levels. Water-tight, the WLMO is also ideal for harsh environments, making it a versatile outdoor option. And, with a frosted lens designed to reduce glare, security levels increase tenfold.



PRODUCT SPECIFICATIONS

OVERVIEW

- Initial Delivered Lumens: 1750L
- CRI: ≥ 80 CRI
- CCT: Neutral White 4000K, Cool White 5000K
- Input Power: 15W LED
- Dimmable: No
- Operating Temperature Range: -40°F to 104°F (-40°C to 40°C)
- Estimated L₇₀ Lifetime @ 25°C: >50,000 Hours
- Power Factor: > 0.9 at full load
- Total Harmonic Distortion: < 20% at full load
- Limited Warranty: 5-Years*
- Replaces 70W MH

FEATURES	BENEFITS	RECOMMENDED USE
<ul style="list-style-type: none"> • Comes standard with a photocell • Water tight; ideal for harsh environments 	<ul style="list-style-type: none"> • Super simple to install • Reliable photocell that will last the lifetime of the product • Due to the frosted lens, there's no glare 	<ul style="list-style-type: none"> • Security • Warehouse • Commercial • Perimeter

ORDERING INFORMATION

Example: C-WM-A-WLMO-17L-40K-UL-WH-P

PRODUCT	SERIES	STYLE	LUMEN PACKAGE	CCT	UL	COLOR	PHOTOCELL
C-WM	A	WLMO Wall Mount	17L 1700 Lumens (15W)	40K Neutral White (4000K) 50K Cool White (5000K)	UNIVERSAL VOLTAGE (120-277V)	WH White BZ Bronze	P

CA RESIDENTS WARNING: Cancer and Reproductive Harm – www.p65warnings.ca.gov

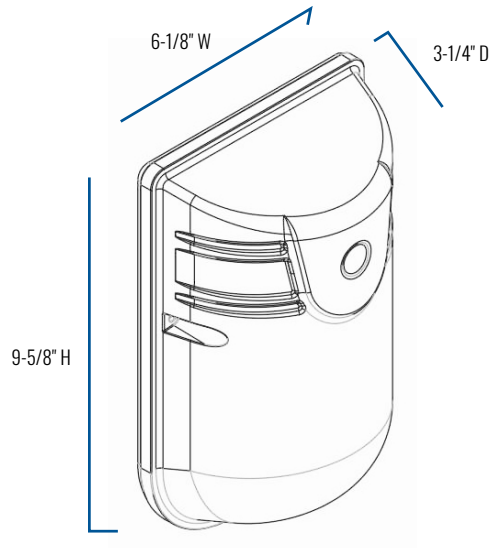
Rev. Date: V7 R1 03/01/2023

For informational purposes only. Content is subject to change. *See creelighting.com/resources/warranties

CERTIFICATIONS:



C-WM-A-WLMO Series



SERIES OVERVIEW

SKU	DIMENSIONS	PRODUCT WEIGHT
C-WM-A-WLMO-17L-40K-UL-WH-P	3 1/4" D x 6 1/8" W x 9 5/8" H	5.5 lbs.
C-WM-A-WLMO-17L-50K-UL-WH-P		
C-WM-A-WLMO-17L-40K-UL-BZ-P		
C-WM-A-WLMO-17L-50K-UL-BZ-P		

FIXTURE SPECIFICATIONS

HOUSING	White or bronze polyester powder-coat finish
LENS ASSEMBLY	Polycarbonate frosted lens
MOUNTING	Mounts directly to a 4" octagonal J-Box or a 3" square J-Box

ELECTRICAL PERFORMANCE

OPERATING TEMPERATURE RANGE	LIFESPAN L ₇₀ AT 25°C (77°F)	POWER FACTOR	TOTAL HARMONIC DISTORTION	DIMMABLE
-40°F to 104°F (-40°C to 40°C)	Estimated >50,000 Hours	> 0.9 at full load	< 20% at full load	No

INPUT VOLTAGE	LUMEN PACKAGE	120V	208V	240V	277V
CURRENT DRAW (Amps)	17L	0.119A	0.069A	0.06A	0.052A

C-WM-A-WLMO Series

WARRANTY & CERTIFICATIONS

WARRANTY	cULus Listed	DLC
5-Year Limited*	Wet Locations	—

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US: creelighting.com, e-conolight.com

Distribution/Sales: 855-617-2733 Customer Service: 888-243-9445

Rev. Date: V7 R1 03/01/2023

For informational purposes only. Content is subject to change. *See www.creelighting.com/resources/warranties

C-LITE
LED LIGHTING

CLP-MP

Architectural LED Fixture

The CLP-MP is designed to bring efficiency while transforming the appearance of locations such as, convention centers, shopping centers, museums, entrances, walkways and any other exterior setting that seeks a modern, sophisticated look.

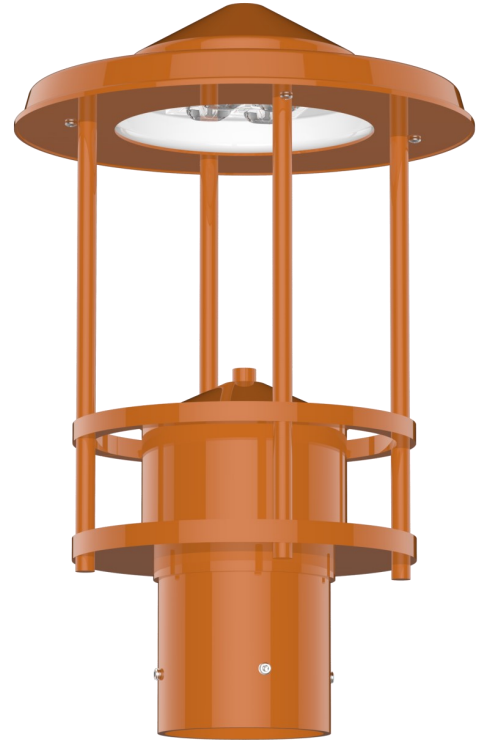
- dark sky compliant
- 10 year/100,000 hour limited warranty.

FEATURES

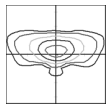
- Life Rating: >200,000 (L70) hours for enhanced safety and maintenance
- Utilizes high efficient Lumiled LED's
- Energy Savings: 80% compared to HID light sources
- IP55, Suitable For Wet Locations
- 0-10 Dimming, Photo Cell and Wireless Controls (Optional)
- Philips LED's and driver
- 10 KV Surge Protector

CONSTRUCTION

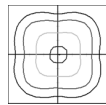
- Clear Optical System
- Heavy Duty Aluminum Body
- Mounting: Over 3" 1/2 O.D Tenon or Pole (Adapter is required for other mountings sizes.)



OPTIC DISTRIBUTION



TYPE 3 (T3)



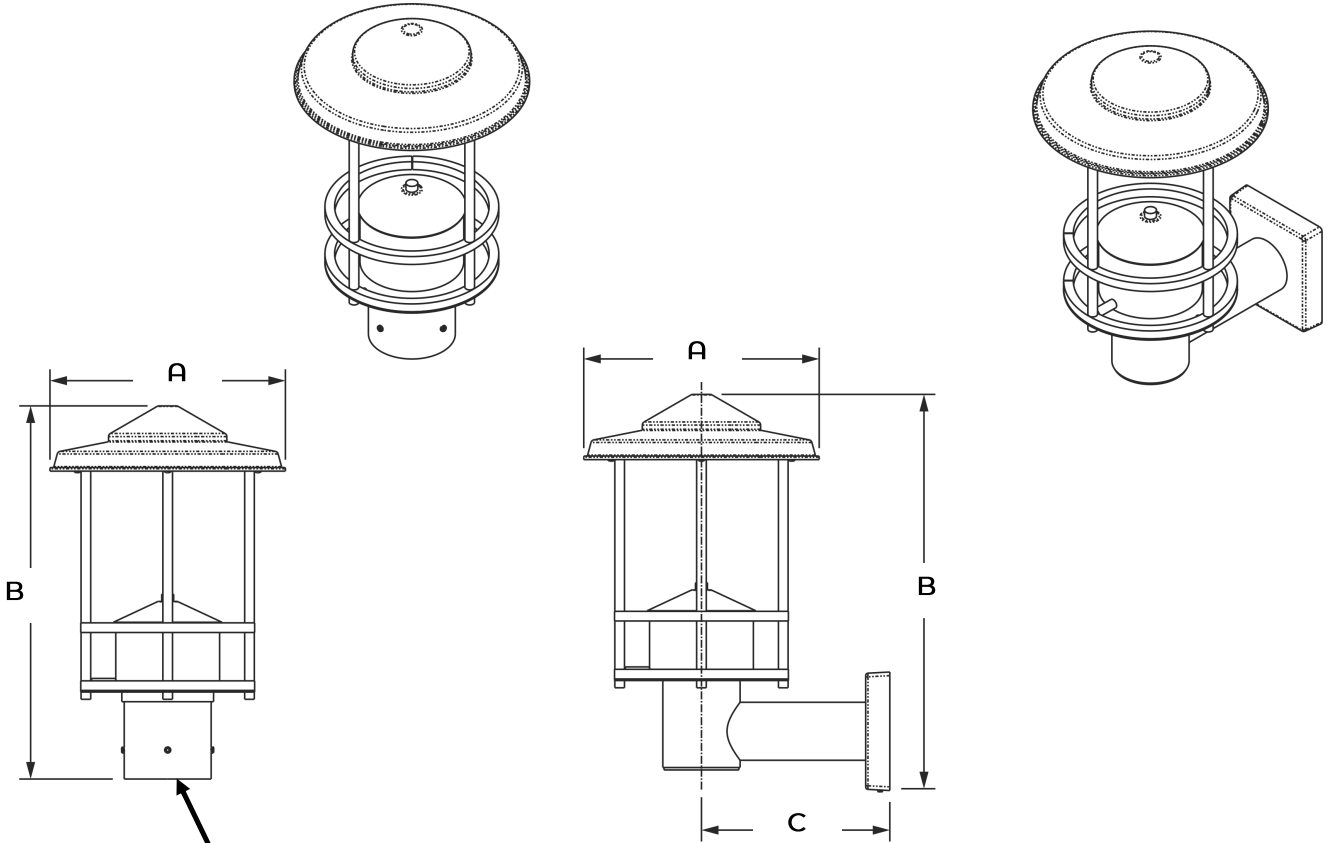
TYPE 5 (T5)



Example: (CLP-MP-10CLEd-T3-4K-MV-PM-BRZ-PC)

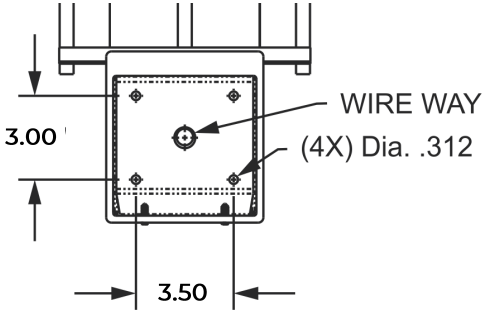


CAT #	Wattage	Light Dist.	Color Temp.	Voltage	Mounting	Color	Options
CLP-MP (CLP-MP)	5W (5CLEd)	Type 3 (T3)	2700K (27K)	120-277V	WALL MOUNT (WM)	BRONZE (BRZ)	PHOTO CELL (PC)
	10W (10CLEd)	Type 5 (T5)	3000K (3K)	(univ)		GRAY (GRY)	WIRELESS CONTROL (WC)
	15W (15CLEd)		4000K (4K)	480V	POST MOST (PM)	BLACK (BLK)	House Side Shield (HSS)
	20W (20CLEd)		5000K (5K)	(HV)		WHITE (WH)	
	30W (30CLEd)					CUSTOM (CST)	



OVER 3" 1/2 TENON
(Contact us for other sizes)

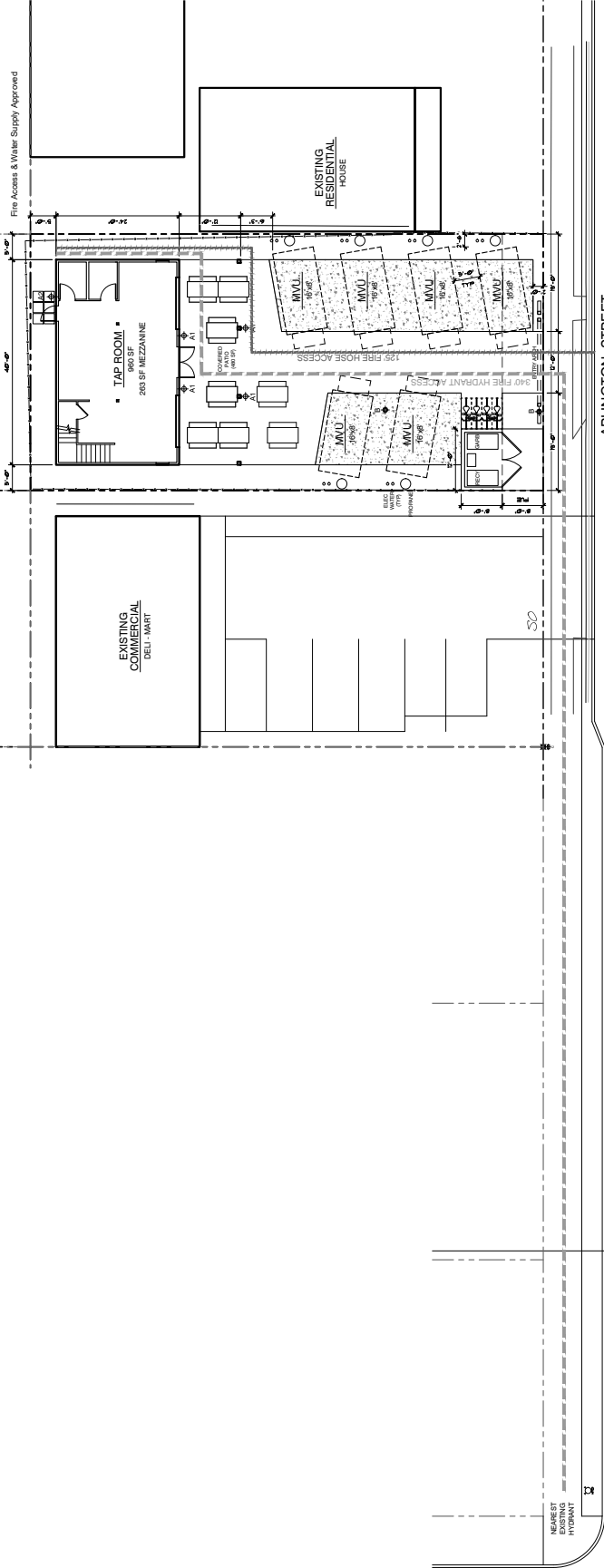
Dimensions				
CAT#	MOUNTING	A	B	C
CLP-MP	WM	12" 3/16	20" 1/2	9" 3/4
CLP-MP	PT	12" 3/16	19" 3/8	-



Mounting Holes

CAT#	Input Power	Lumen Output	Color Temp. (CCT)	CRI	Rated Life (L70)	Input Voltage	Input Frequency	HID Equivalent
CLP-MP-5CLEd	7W	757	5000K	70+	>200,000	120-277V	50/60Hz	35w HPS
CLP-MP-10CLEd	12W	1,376	5000K	70+	>200,000	120-277V	50/60Hz	50w HPS
CLP-MP-15CLEd	20W	1,918	5000K	70+	>200,000	120-277V	50/60Hz	70w HPS
CLP-MP-20CLEd	25W	3,102	5000K	70+	>200,000	120-277V	50/60Hz	100w HPS
CLP-MP-30CLEd	35W	4,128	5000K	70+	>200,000	120-277V	50/60Hz	150w HPS

Shawn Olson 1/17/2024



IA
ISELIN ARCHITECTS P.C.
 1307 Seventh Street
 Oregon 97036-5001-1942
 www.iaarchitects.com

NOT FOR CONSTRUCTION
 PRELIMINARY
 DESIGN REVIEW

The Arlington
 New Development
 Tap Room & Food Carts
 PROJ. NO.: 2301
 FILE: ASJIT
 DATE: 1/10/2024
 REVISIONS
 1: XX/XX/XX

140 West Arlington Street
 Gladstone, OR 97027

SHEET #
FS1
 FIRE SERVICE ACCESS PLAN

FIRE SERVICE ACCESS PLAN 1:10

- PROJECT INFORMATION**
- NEW BUILDING AND SITE IMPROVEMENTS FOR USE AS AN EATING & DRINKING VENUE INCLUDING MOBILE FOOD UNITS, AN INDOOR TAPROOM WITH INDOOR & OUTDOOR SEATING
- PROPERTY LOCATION: 140 W. ARLINGTON ST.
 COUNTY: CLATSOP COUNTY / CLACKAMAS COUNTY
 PARCEL NO.: 06033703 - RM - 256260401 03
 LEGAL: 109 GLADSTONE LT 13 BLK 09 V 185.923 TRS. 03 / 02 / 20 SW
- ZONING: C2 - COMMUNITY COMMERCIAL DISTRICT
 LAND USE: DC - DOWNTOWN CORE OVERLAY
 SITE AREA: 5,000 Sq. Ft.
 BUILDING AREA: 960 Sq. Ft.
 BUILDING COVERED PATIO: 480 Sq. Ft.



VICINITY MAP



After recording return to:
Lynn Fletcher and Matt Klemann
14258 Cleveland St.
Oregon City, OR 97045

Until a change is requested all tax
statements shall be sent to:
Lynn Fletcher and Matt Klemann
14258 Cleveland St.
Oregon City, OR 97045

File No.: 7072-3914587 (LLS)
Date: April 05, 2022

First American 3914587-55

Clackamas County Official Records Sherry Hall, County Clerk	2022-020659
	04/07/2022 09:11:19 AM
D-D Cnt=1 Str=7 LISA \$10.00 \$16.00 \$10.00 \$62.00	\$98.00

PERSONAL REPRESENTATIVE'S DEED

Lee G. Leong the duly appointed, qualified and acting personal representative of the estate of Olinsia Marilyn Shawmay Leong aka Marilyn Leong, deceased, Clackamas County Probate Case No. 22PB00891 conveys to Lynn Fletcher and Matt Klemann that certain real property situated in the County of Clackamas, State of Oregon, described as follows, to-wit:

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

Lot 13, Block 9, GLADSTONE, in the City of Gladstone, County of Clackamas, State of Oregon.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$205,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

APN: 00537878

Personal Representative's Deed
- continued

File No.: 7072-3914587 (LLS)
Date: April 05, 2022

Dated this 10th day of April, 2022.

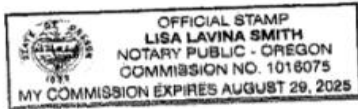
Olinsia Marilyn Shawmay Leong aka Marilyn Leong

By: [Signature]
Lee G. Leong as Personal Representative

STATE OF Oregon)
County of Clackamas)ss.
)

This instrument was acknowledged before me on this 10th day of April, 2022
by Lee G. Leong, as personal representative of the estate of Olinsia Marilyn Shawmay Leong aka Marilyn Leong

[Signature]



Notary Public for Oregon
My Commission Expires: 8/29/25

IMPORTANT - READ CAREFULLY: THIS REPORT IS NOT AN INSURED PRODUCT OR SERVICE OR A REPRESENTATION OF THE CONDITION OF TITLE TO REAL PROPERTY. This report is for the exclusive use of the IgniteRE user who obtained it from the First American IgniteRE website: ignite.firstam.com. No one else can use or rely on this report. This report is subject to the terms and conditions of the FirstAm IgniteRE End User License Agreement agreed to by the IgniteRE user who obtained the report, available here: properties.ignite.firstam.com/showeula. ©2005-2024 First American Financial Corporation and/or its affiliates. All rights reserved.



First American

First American Title Insurance Company

121 SW Morrison Street, Suite 300
Portland, OR 97204
Phn - (503)222-3651 (800)929-3651
Fax - (877)242-3513

Order No.: 7072-3914587
March 16, 2022

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

LISA L. SMITH, Escrow Officer/Closer
Phone: (503)353-2589 - Fax: (866)902-9870- Email: lsmith@firstam.com
First American Title Insurance Company
9200 SE Sunnybrook Blvd., Ste 400, Clackamas, OR 97015

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Lauren Finbraaten, Title Officer
Toll Free: (800)929-3651 - Direct: (503)790-7861 - Email: lfinbraaten@firstam.com

Preliminary Title Report

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

Please be advised that any provision contained in this document, or in a document that is attached, linked or referenced in this document, that under applicable law illegally discriminates against a class of individuals based upon personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or any other legally protected class, is illegal and unenforceable by law.

County Tax Roll Situs Address: 140 W Arlington Street, [Gladstone](#), OR 97027-2303

2006 ALTA Owners Standard Coverage	Liability \$	180,000.00	Premium \$	650.00
2006 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement 9.10, 22			Premium \$	
Govt Service Charge			Cost \$	35.00
City Lien/Service District Search			Cost \$	
Other			Cost \$	

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of March 09, 2022 at 8:00 a.m., title to the fee simple estate is vested in:

Marilyn Leong

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property by the public records; proceedings

- by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
 3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
 4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
 5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
- B. Affidavit regarding possession
- C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
7. City liens, if any, of the City of [Gladstone](#).

Note: There are no liens as of March 09, 2022. All outstanding utility and user fees are not liens and therefore are excluded from coverage.
8. Unrecorded leases or periodic tenancies, if any.

- END OF EXCEPTIONS -

NOTE: Taxes for the year 2021-2022 PAID IN FULL
 Tax Amount: \$1,584.57
 Map No.: 22E20CA02100
 Property ID: 00537878
 Tax Code No.: 115-040

NOTE: This Preliminary Title Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Clerk covering Fixtures on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

NOTE: We find no outstanding voluntary liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.

THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!

RECORDING INFORMATION

Filing Address: **Clackamas County**
1710 Red Soil Ct, Suite 110
Oregon City, OR 97045

Recording Fees: **\$ 93.00 First Page**
(Comprised of:
\$ 5.00 per page
\$ 5.00 per document - GIS Fee
\$ 10.00 per document - Public Land Corner Preservation Fund
\$ 11.00 per document - OLIS Assessment & Taxation Fee
\$ 62.00 per document - Oregon Housing Alliance Fee)
\$ 5.00 E-Recording fee per document
\$ 5.00 for each additional page
\$ 5.00 for each additional document title, if applicable
\$ 20.00 Non-Standard Document fee, if applicable

Exhibit "A"

Real property in the County of Clackamas, State of Oregon, described as follows:

Lot 13, Block 9, [GLADSTONE](#), in the City of [Gladstone](#), County of Clackamas, State of Oregon.



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

ALTA OWNER'S POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE OF STANDARD EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien" or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

TI 149 Rev. 7-22-08



Privacy Notice

Effective: October 1, 2019

Notice Last Updated: January 1, 2021

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How Do We Collect Your Information? We collect your information: (1) directly from you; (2) automatically when you interact with us; and (3) from third parties, including business parties and affiliates.

How Do We Use Your Information? We may use your information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, comply with relevant laws and our policies, and handling a claim. To learn more about how we may use your information, please visit <https://www.firstam.com/privacy-policy/>.

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Your Choices We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and sharing of your information. You can learn more about your choices by visiting <https://www.firstam.com/privacy-policy/>.

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Contact Us dataprivacy@firstam.com or toll free at 1-866-718-0097.

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For California Residents

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018 ("CCPA"). All phrases used in this section shall have the same meaning as those phrases are used under California law, including the CCPA.

Right to Know. You have a right to request that we disclose the following information to you: (1) the categories of **personal information** we have collected about or from you; (2) the categories of sources from which the **personal information** was collected; (3) the business or commercial purpose for such collection and/or disclosure; (4) the categories of third parties with whom we have shared your **personal information**; and (5) the specific pieces of your **personal information** we have collected. To submit a verified request for this information, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097.

Right of Deletion. You also have a right to request that we delete the **personal information** we have collected from and about you. This right is subject to certain exceptions available under the CCPA and other applicable law. To submit a verified request for deletion, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097.

Verification Process. For either a request to know or delete, we will verify your identity before responding to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the information requested, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Notice of Sale. We do not sell California resident information, nor have we sold California resident information in the past 12 months. We have no actual knowledge of selling the information of minors under the age of 16.

Right of Non-Discrimination. You have a right to exercise your rights under California law, including under the CCPA, without suffering discrimination. Accordingly, First American will not discriminate against you in any way if you choose to exercise your rights under the CCPA.

Notice of Collection. To learn more about the categories of **personal information** we have collected about California residents over the last 12 months, please see "What Information Do We Collect About You" in <https://www.firstam.com/privacy-policy>. To learn about the sources from which we have collected that information, the business and commercial purpose for its collection, and the categories of third parties with whom we have shared that information, please see "How Do We Collect Your Information", "How Do We Use Your Information", and "How Do We Share Your Information" in <https://www.firstam.com/privacy-policy>.

Notice of Sale. We have not sold the **personal information** of California residents in the past 12 months.

Notice of Disclosure. To learn more about the categories of **personal information** we may have disclosed about California residents in the past 12 months, please see "How Do We Use Your Information" and "How Do We Share Your Information" in <https://www.firstam.com/privacy-policy>.



SEC
Symons Engineering Consultants, Inc.

*P.O. BOX 1692
Hood River, OR 97031
(971) 219-9111*

STORMWATER REPORT

for

Arlington Food Carts

140 W Arlington Street
Gladstone, OR 9727

January 2024



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STORMWATER FACILITIES DETAILS & EXHIBITS

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APPENDIX B	Custom Soil Resource Report
APPENDIX C	Infiltration Test Report
APPENDIX D	HydroCAD Results
APPENDIX E	Private Storm Drainage Facilities Maintenance Agreement
APPENDIX F	Operations & Maintenance

0.0 PROJECT INFORMATION

0.1 OWNER'S REPRESENTATIVE / AGENT:

Ray Fletcher & Matthew Klemann
4245 SE Faith Avenue
Milwaukie, OR 97267
503-317-3144

0.2 ARCHITECT:

Jessica Iselin
Iselin Architects, P.C.
1307 Seventh Street
Oregon City, OR 97045
503-656-1942

0.3 REVIEWING AGENCY:

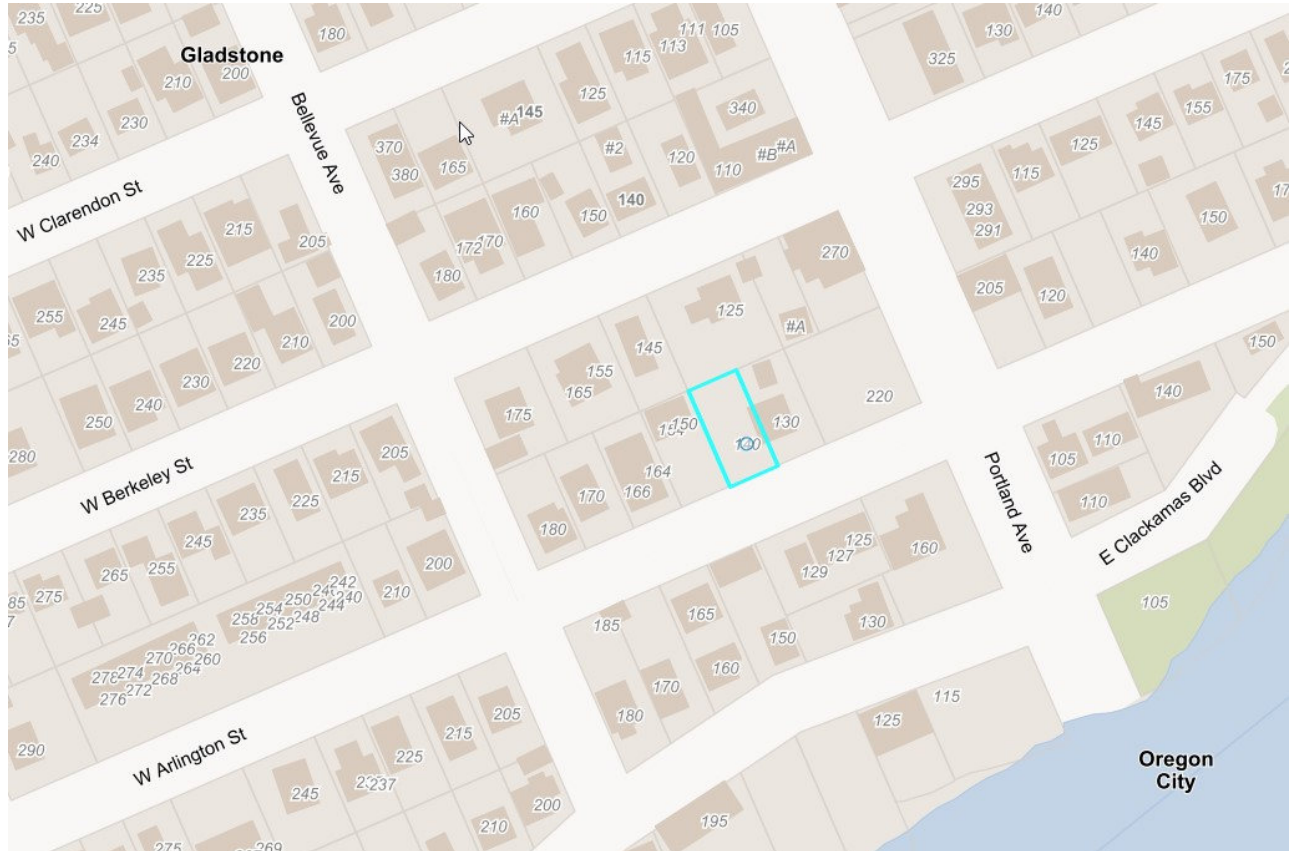
City of Gladstone
18505 Portland Avenue
Gladstone, OR 97027

0.4 PROJECT CIVIL ENGINEER:

Dan Symons, P.E.
Symons Engineering Consultants
P.O. Box 1692
Hood River, OR 97031
971-219-9111

1.0 PROJECT OVERVIEW AND DESCRIPTION

1.1 VICINITY MAP



140 W ARLINGTON – SOURCE: CMAPS – CLACKAMAS MAPS

1.2 PROJECT DESCRIPTION

The site is currently undeveloped, mostly flat, with loose construction gravel on greenspace from previously demolished development.

A building is proposed at the back of the lot, a tap room, with a pedestrian plaza and food cart locations provided long the center paved aisle.

Frontage improvements are provided as required.

2.0 METHODOLOGY

2.1 EXISTING DRAINAGE & CONVEYANCE

The site has been prepared for development and has no existing stormwater system. Water would discharge, overland, towards the front curb of the site by grade. However, excellent infiltration rates are available in the subsurface areas of this site and there is no evidence of overland storm flow.

2.2 PROPOSED STORMWATER MANAGEMENT SYSTEM

The proposed roofline will be piped to infiltration trenches in Gravel Beds A & B. Onsite paving will be graded to shed to the same gravel infiltration beds.

The gravel beds were sized to contain all of the 10-YR design storm event and all stormwater runoff is expected to be infiltrated.

Stormwater from the front of the site; the back of the ROW, bike parking, and the trash enclosure is directed to the tree box planter. The 10-YR design storm even is contained in the tree box planter.

The tree box planter overflows, for large storm events, by new curbed weep hole, to the existing paved street and travels by grade to the public storm catch basin further down the block.

3.0 ANALYSIS

Proposed development is 2,724 SF of impervious area. See Appendix A.

3.1 DESIGN REQUIREMENTS

- Infiltration required, if feasible.
- Water quality treatment required for the first inch of runoff.
- Underground infiltration galleries must provide a minimum of 30 cf of onsite storage.
- Vegetated basins must be sized at least 1% their catchment.
- Conveyance of the 10-YR design storm event.

3.2 DESIGN ASSUMPTIONS

24-HR RAINFALL		CURVE NUMBERS	
DESIGN STORM*	(IN)	C _N	DESCRIPTIONS
WQ	1.00	98	ROOFS
10-YR	3.20	98	PAVEMENT
*NRCS TYPE 1A STORM DISTRIBUTION		76	GRAVEL
		39	A-SOIL: >75% COVER (GOOD)

Constraints: Hydrologic Soil Group: A. See Appendix B.
 Design infiltration rate used: 2.0 in/hr (SF of 3). See Appendix C.

3.3 PROJECT PARAMETERS

PROPOSED DEVELOPMENT		
SURFACE TYPE	AREA (SF)	C _N
ROOF	1,440	98
PAVEMENT	1,284	98
PROJECT IMPERVIOUS AREA	2,724	
GRAVEL	1,084	76
GREEN SPACE	1,192	39
SITE TOTAL	5,000	79

ROW STORMWATER MANAGED		
SURFACE TYPE	AREA (SF)	C _N
PAVEMENT	37	98
GREEN SPACE	40	39
TOTAL	77	67

See Appendix A for the Basin Map.

3.4 HYDROCAD CALCULATIONS

Design storms and discharge calculations were modeled using Santa Barbara Urban Hydrology (SBUH) method in HydroCAD. Please see Appendix D.

There is no proposed runoff for the 10-YR Design Storm Event. All runoff is infiltrated on site.

Emergency overflow conveyance is provided for the vegetated basin, or tree box, where large storm events could overflow through the curb weep hole to the gutter line of the existing storm system.

4.0 ENGINEERING CONCLUSIONS

4.1 INFILTRATION

Infiltration testing found an onsite infiltration of 6/0 in/hr. A safety factor of 2 is usually provided. Conservatively, a safety factor of 3 was used for design as there is no underground storm utility available in the street to connect to and overflow must be managed, by grade, to the existing street surface.

All of the water quality event is infiltrated. All of the 10-YR Design Storm Event is infiltrated.

4.2 WATER QUALITY

Water quality treatment is accomplished through filtration and/or bioremediation in the flow path through the infiltration galleries or the vegetated basin. All runoff is then infiltrated.

The infiltration galleries, or gravel beds, provide 218 cf of onsite storage. 30 cf is required.

The vegetated basin, or tree box, is sized at 9% of it's catchment. 1% is required.

4.3 FLOW CONTROL

Flow control is not required as the project falls below development limits requiring detention. However, all runoff is infiltrated in the 10-YR design storm event.

4.4 LANDSCAPING

The small vegetated basin will share space with a street tree. Which, with evapotranspiration, will further increase water quality and decrease potential stormwater runoff.

4.4 FACILITY MAINTENANCE

The Private Storm Drainage Facilities Maintenance Agreement is given in Appendix E. A notarized copy of the form will be due to the City upon approval.

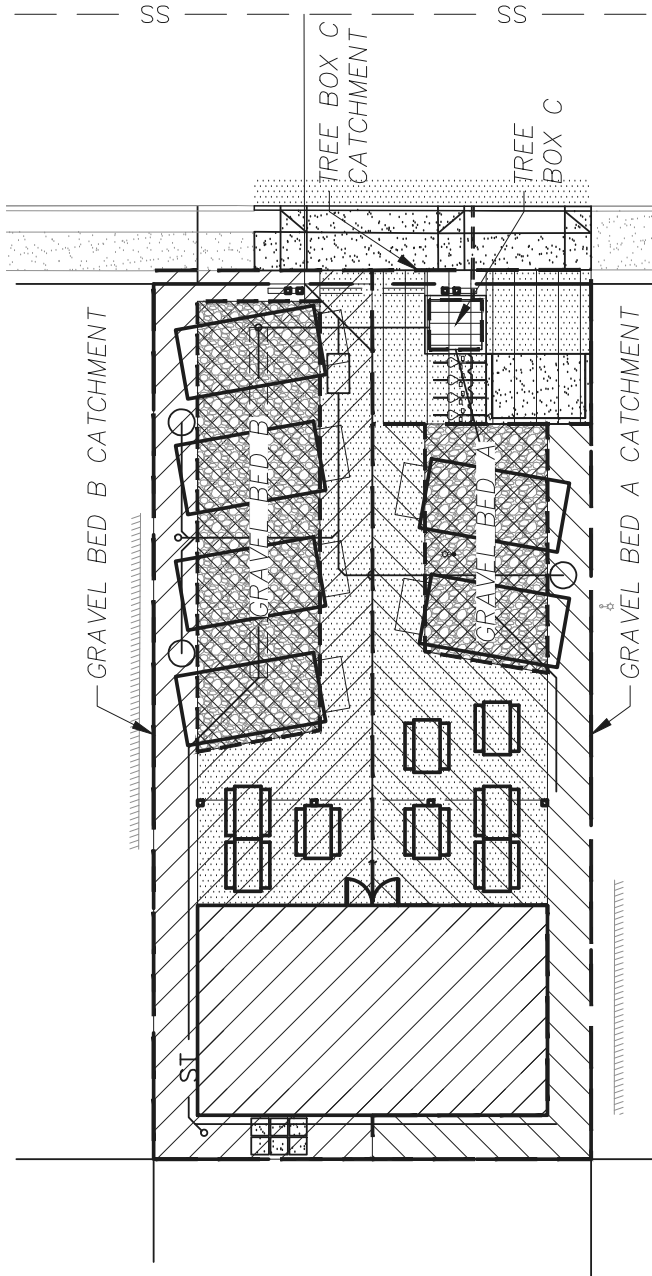
Facility maintenance is detailed in the standard O&M plan provided. See Appendix F.

The Infiltration Trench O&M describes the activated needed for standard operation and maintenance of the infiltration galleries, or gravel beds.

The Stormwater Planter O&M covers the activities required for the vegetated basin, or tree box.

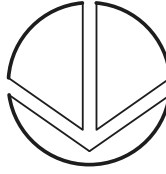
APPENDIX A

Basin Map



BASIN MAP

NORTH



SCALE: 1" = 20'



PROPOSED DEVELOPMENT		
SURFACE TYPE	AREA (SF)	C _N
ROOF	1,440	98
PAVEMENT	1,284	98
GRAVEL	1,084	76
GREEN SPACE	1,192	39
TOTAL	5,000	79

ROW STORMWATER MANAGED		
SURFACE TYPE	AREA (SF)	C _N
PAVEMENT	37	98
GREEN SPACE	40	39
TOTAL	77	67

GRAVEL BED A		
SURFACE TYPE	AREA (SF)	C _N
ROOF	240	98
PAVEMENT	479	98
GRAVEL	381	76
GREEN SPACE	520	39
ONSITE TOTAL	1,620	
PAVEMENT	-	98
GREEN SPACE	-	39
ROW TOTAL	-	
FACILITY TOTAL	1,620	74

GRAVEL BED B		
SURFACE TYPE	AREA (SF)	C _N
ROOF	1,200	98
PAVEMENT	448	98
GRAVEL	703	76
GREEN SPACE	629	39
ONSITE TOTAL	2,980	
PAVEMENT	9	98
GREEN SPACE	29	39
ROW TOTAL	38	
FACILITY TOTAL	3,018	80

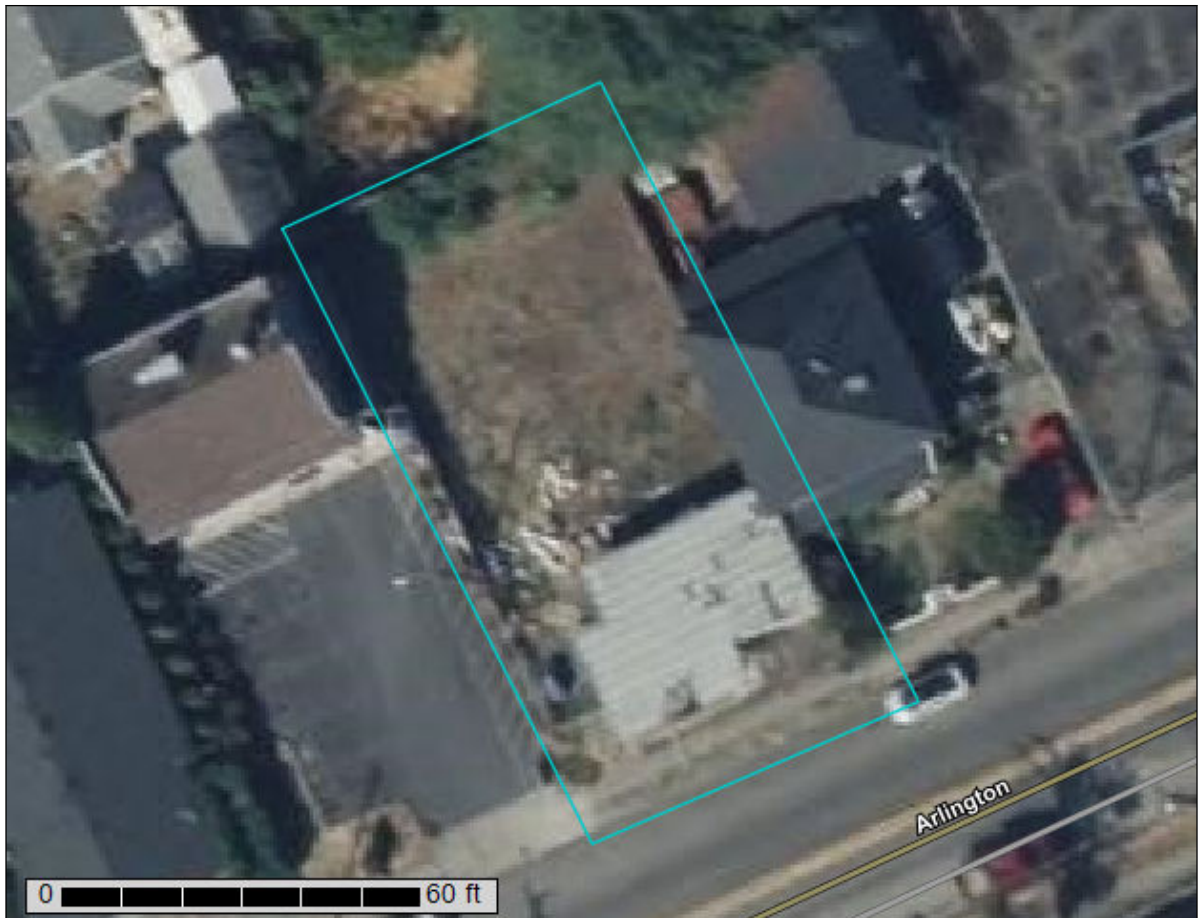
TREE BOX C		
SURFACE TYPE	AREA (SF)	C _N
ROOF	-	98
PAVEMENT	357	98
GRAVEL	-	76
GREEN SPACE	43	39
ONSITE TOTAL	400	
PAVEMENT	28	98
GREEN SPACE	11	39
ROW TOTAL	39	
FACILITY TOTAL	439	91



A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Clackamas County Area, Oregon

Arlington Food Carts



APPENDIX B

Custom Soil Resource Report

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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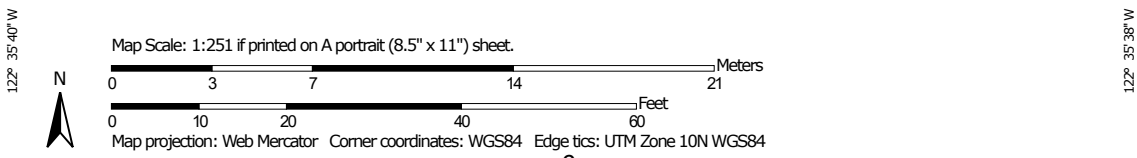
Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.





































Custom Soil Resource Report
Soil Map



Soil Map may not be valid at this scale.



MAP LEGEND

- Area of Interest (AOI)**
 -  Area of Interest (AOI)
- Soils**
 -  Soil Map Unit Polygons
 -  Soil Map Unit Lines
 -  Soil Map Unit Points
- Special Point Features**
 -  Blowout
 -  Borrow Pit
 -  Clay Spot
 -  Closed Depression
 -  Gravel Pit
 -  Gravelly Spot
 -  Landfill
 -  Lava Flow
 -  Marsh or swamp
 -  Mine or Quarry
 -  Miscellaneous Water
 -  Perennial Water
 -  Rock Outcrop
 -  Saline Spot
 -  Sandy Spot
 -  Severely Eroded Spot
 -  Sinkhole
 -  Slide or Slip
 -  Sodic Spot
- Water Features**
 -  Streams and Canals
- Transportation**
 -  Rails
 -  Interstate Highways
 -  US Routes
 -  Major Roads
 -  Local Roads
- Background**
 -  Aerial Photography
- Other**
 -  Spoil Area
 -  Stony Spot
 -  Very Stony Spot
 -  Wet Spot
 -  Other
 -  Special Line Features

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Clackamas County Area, Oregon
 Survey Area Data: Version 19, Sep 14, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 26, 2022—Oct 11, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
11	Camas gravelly sandy loam	0.2	100.0%
Totals for Area of Interest		0.2	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Custom Soil Resource Report

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Clackamas County Area, Oregon

11—Camas gravelly sandy loam

Map Unit Setting

National map unit symbol: 2231
Elevation: 100 to 1,500 feet
Mean annual precipitation: 40 to 60 inches
Mean annual air temperature: 50 to 54 degrees F
Frost-free period: 165 to 210 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Camas and similar soils: 80 percent
Minor components: 2 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Camas

Setting

Landform: Flood plains
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Mixed alluvium

Typical profile

H1 - 0 to 10 inches: gravelly sandy loam
H2 - 10 to 17 inches: gravelly sandy loam
H3 - 17 to 60 inches: stratified extremely gravelly coarse sand to very gravelly loamy sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: 9 to 17 inches to strongly contrasting textural stratification
Drainage class: Excessively drained
Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: FrequentNone
Frequency of ponding: None
Available water supply, 0 to 60 inches: Very low (about 1.2 inches)

Interpretive groups

Land capability classification (irrigated): 4w
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: A
Ecological site: F002XC001OR - Riparian Group
Hydric soil rating: No

Minor Components

Wapato

Percent of map unit: 2 percent
Landform: Flood plains

Custom Soil Resource Report

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Other vegetative classification: Poorly Drained (G002XY006OR)

Hydric soil rating: Yes

APPENDIX C

Infiltration Test Report



INFILTRATION TEST REPORT

October 16, 2023

Ray Fletcher & Matthew Klemann
 4245 SE Faith Avenue
 Milwaukie, OR 97267

PROJECT

Arlington Food Carts
 140 W Arlington Street
 Gladstone, OR 9727

INTRODUCTION

This report is prepared by Symons Engineering Consultants (SEC) to document the results of soil infiltration testing used to determine the stormwater management options for onsite drainage solutions to receive runoff from the proposed roofline and proposed onsite paving.

SURFACE CONDITIONS

The lot is cleared. Previous buildings have been demolished. There is a layer of crushed concrete construction gravel covering much of the lot, post-demolition. The site is mostly flat, and surrounded on 3 sides by 6' high wood privacy fences. The roofline from building on the easterly neighbor's lot appears to cross the fence line/property line onto the project site. The existing sidewalk may need improving. The existing water meter remains and the existing sanitary sewer lateral is marked at the property line.

SUBSURFACE CONDITIONS

Test Pit	Depth	Infiltration Area	Strata	Description
	(in)	(in)*(in)		
#1	24"	24"X24"	0" - 4"	topsoil/gravel
			4" - 18"	dark brown clayey silt
			18" - 24"	brown clayey silt

GROUNDWATER AND CAVING

No groundwater was encountered during infiltration testing. No scour or caving was observed in the 24" deep test pit.

INFILTRATION TESTING

One test pit location was selected, ~20' from the west property line & ~ 40' from the back/north property line. See attached preliminary site plan with test pit location.

A pre-soak of the infiltration test pit was conducted at 5:30 PM on October 11, 2023. The test pit was filled with just over 12" of water and then allowed to sit overnight. The test pit was covered with plywood to secure it overnight. The test pit was empty of water in the morning.

Infiltration testing was conducted in accordance with Clackamas County Water Environment Services Infiltration Testing Guidelines for Open Pit Falling Head procedure from Appendix A of WES Stormwater Standards starting at 9:30 AM on October 12, 2023. Multiple iterations of infiltration testing were conducted at this location.

Test Pit	Number of Trials	Lowest Flow Rate (in/hr) w/in 5% of Last Trial	Safety Factor	Infiltration Rate (in/hr)
#1	3	6.0	= 2	3.0

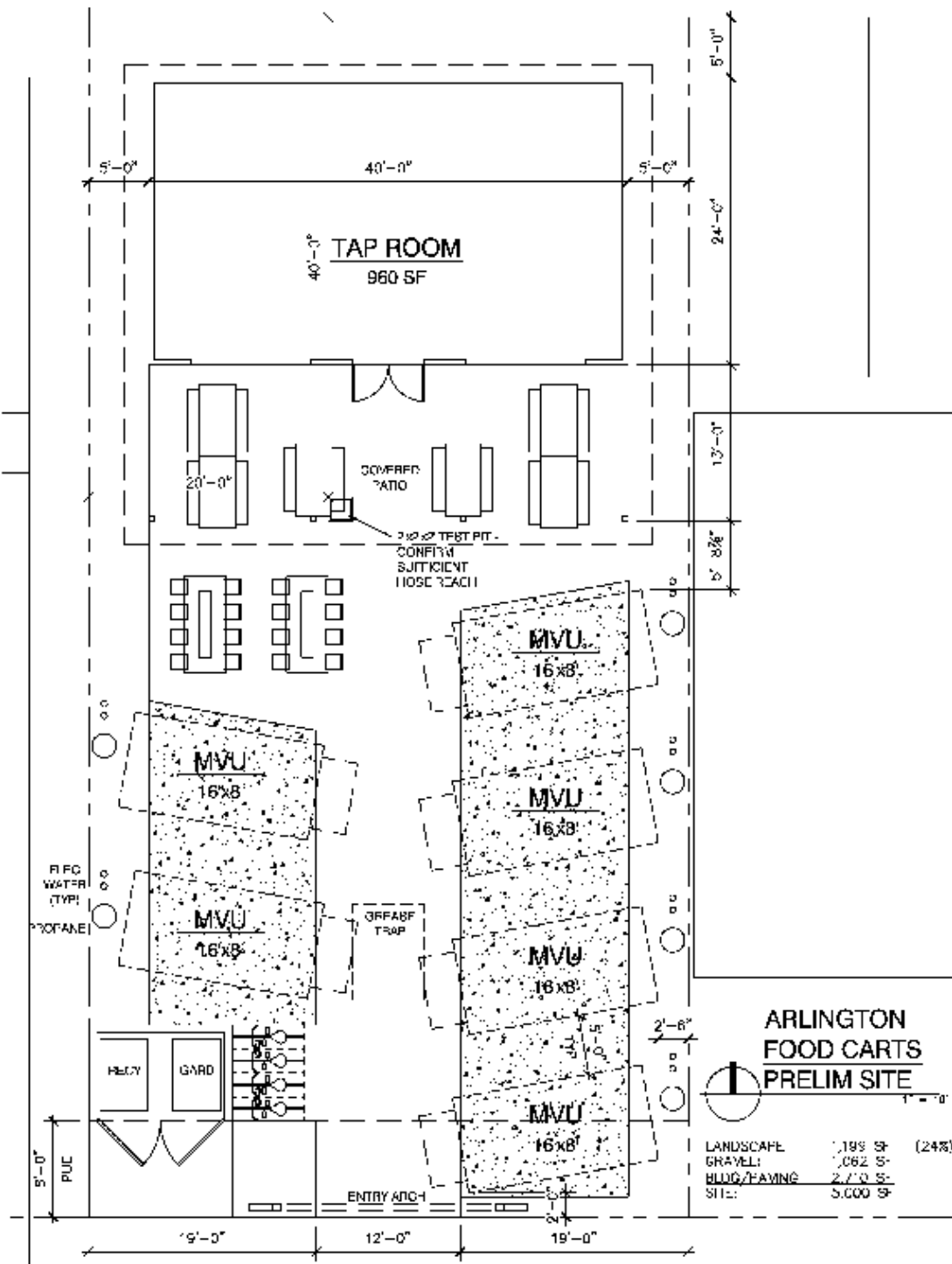
DESIGN RECOMMENDATION FOR STORMWATER MANAGEMENT

A stormwater infiltration system, using the required factor of safety, could use a design infiltration rate of 3.0 inches per hour while respecting setbacks to the property line and proposed building location.

LIMITATIONS

We have prepared this report for Ray Fletcher & Matthew Klemann of the Arlington Food Carts Project and their agents for the design of storm water facilities at the property referenced above. Our work was completed in general accordance with the agreement. Our recommendations are based on one test pit explorations and three infiltration tests performed there. Conditions encountered at our exploration locations are believed to be representative of site conditions, but subsurface conditions can vary between explorations; conditions encountered during construction may differ from those encountered at the exploration locations either naturally, or due to previous or current construction disturbance. No warranty or other conditions expressed or implied should be understood.

CC: Ray Fletcher & Matthew Klemann



**ARLINGTON
FOOD CARTS
PRELIM SITE**

LANDSCAPE	1,195 SF	(24%)
GRAVEL	1,062 SF	
BLDG/FAVING	2,770 SF	
SITE	5,000 SF	

APPENDIX D

HydroCAD Results



ONSITE



ROW



CATCHMENTS
GRADED TO GRAVEL
BED A



GRAVEL BED A

30% VOIDS



CATCHMENTS
GRADED TO GRAVEL
BED B



GRAVEL BED B

30% VOIDS



CATCHMENTS
GRADED TO TREE
BOX C



C - TREE BOX

10% VOIDS



Routing Diagram for ARLINGTON SWMS

Prepared by Symons Engineering Consultants, Printed 1/18/2024
HydroCAD® 10.00-26 s/n 04326 © 2020 HydroCAD Software Solutions LLC

Summary for Subcatchment 0: ONSITE

Runoff = 0.047 cfs @ 7.88 hrs, Volume= 0.017 af, Depth= 1.76"

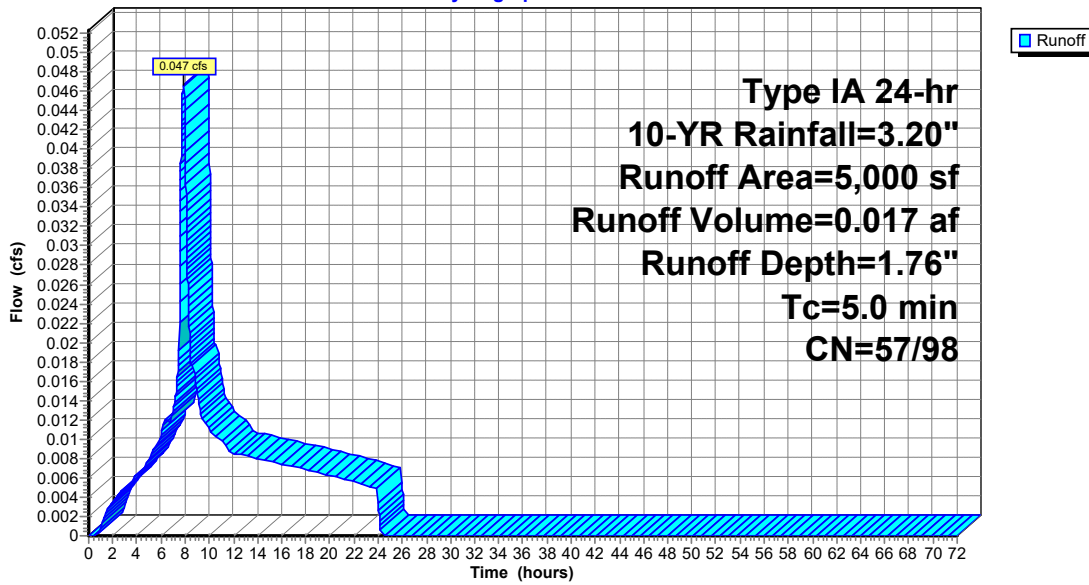
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-72.00 hrs, dt= 0.01 hrs
Type IA 24-hr 10-YR Rainfall=3.20"

Area (sf)	CN	Description
1,440	98	Roofs, HSG A
1,284	98	Unconnected pavement, HSG A
1,084	76	Gravel roads, HSG A
1,192	39	>75% Grass cover, Good, HSG A
5,000	79	Weighted Average
2,276	57	45.52% Pervious Area
2,724	98	54.48% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry, DIRECT

Subcatchment 0: ONSITE

Hydrograph



Summary for Subcatchment 1: ROW

Runoff = 0.001 cfs @ 7.88 hrs, Volume= 0.000 af, Depth= 1.43"

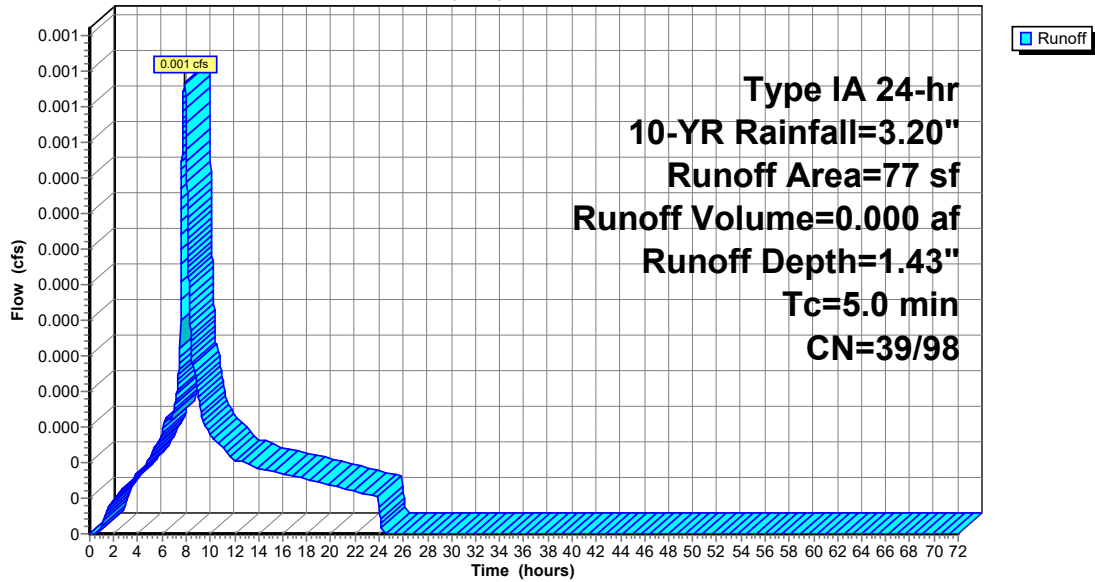
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-72.00 hrs, dt= 0.01 hrs
Type IA 24-hr 10-YR Rainfall=3.20"

Area (sf)	CN	Description
37	98	Unconnected pavement, HSG A
40	39	>75% Grass cover, Good, HSG A
77	67	Weighted Average
40	39	51.95% Pervious Area
37	98	48.05% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry, DIRECT

Subcatchment 1: ROW

Hydrograph



Summary for Subcatchment 1A: CATCHMENTS GRADED TO GRAVEL BED A

Runoff = 0.012 cfs @ 7.88 hrs, Volume= 0.005 af, Depth= 1.46"

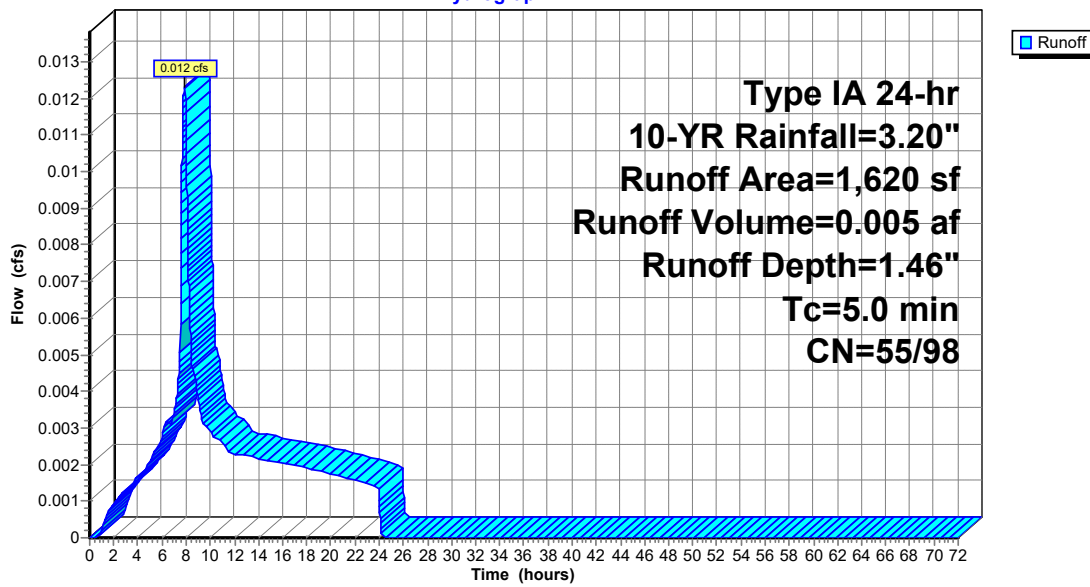
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-72.00 hrs, dt= 0.01 hrs
Type IA 24-hr 10-YR Rainfall=3.20"

Area (sf)	CN	Description
240	98	Roofs, HSG A
479	98	Unconnected pavement, HSG A
381	76	Gravel roads, HSG A
520	39	>75% Grass cover, Good, HSG A
1,620	74	Weighted Average
901	55	55.62% Pervious Area
719	98	44.38% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry, DIRECT

Subcatchment 1A: CATCHMENTS GRADED TO GRAVEL BED A

Hydrograph



Summary for Subcatchment 1B: CATCHMENTS GRADED TO GRAVEL BED B

Runoff = 0.028 cfs @ 7.88 hrs, Volume= 0.010 af, Depth= 1.78"

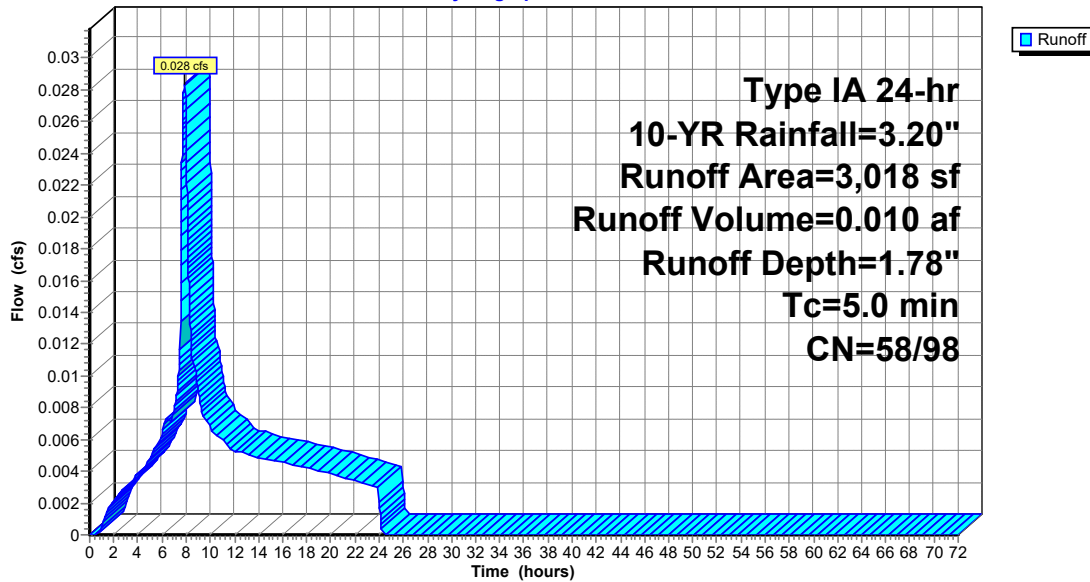
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-72.00 hrs, dt= 0.01 hrs
Type IA 24-hr 10-YR Rainfall=3.20"

Area (sf)	CN	Description
1,200	98	Roofs, HSG A
448	98	Unconnected pavement, HSG A
703	76	Gravel roads, HSG A
629	39	>75% Grass cover, Good, HSG A
9	98	Unconnected pavement, HSG A
29	39	>75% Grass cover, Good, HSG A
3,018	80	Weighted Average
1,361	58	45.10% Pervious Area
1,657	98	54.90% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry, DIRECT

Subcatchment 1B: CATCHMENTS GRADED TO GRAVEL BED B

Hydrograph



Summary for Subcatchment 1C: CATCHMENTS GRADED TO TREE BOX C

Runoff = 0.007 cfs @ 7.88 hrs, Volume= 0.002 af, Depth= 2.60"

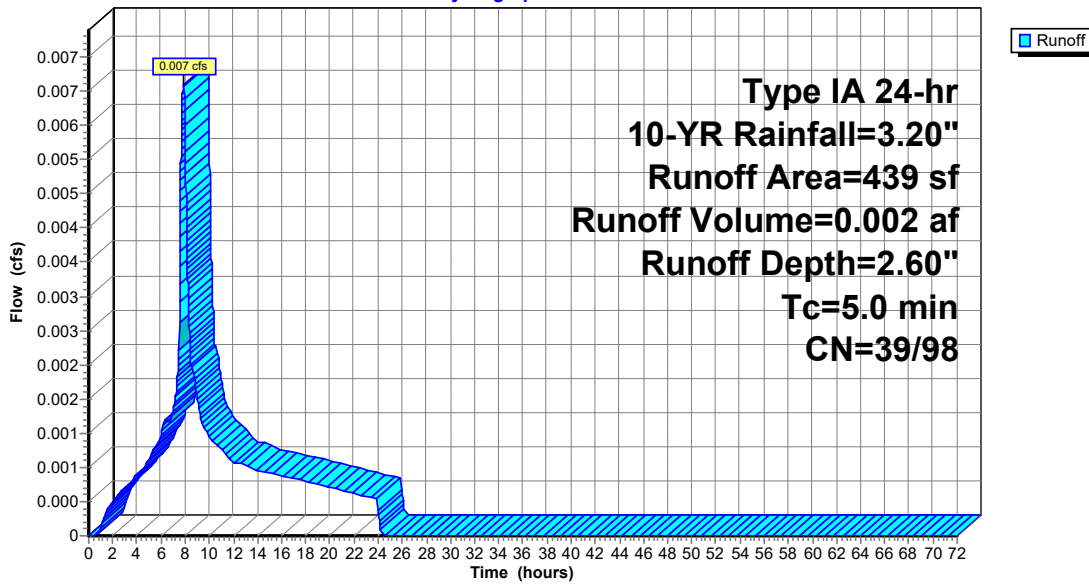
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-72.00 hrs, dt= 0.01 hrs
Type IA 24-hr 10-YR Rainfall=3.20"

Area (sf)	CN	Description
357	98	Unconnected pavement, HSG A
43	39	>75% Grass cover, Good, HSG A
28	98	Unconnected pavement, HSG A
11	39	>75% Grass cover, Good, HSG A
439	91	Weighted Average
54	39	12.30% Pervious Area
385	98	87.70% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry, DIRECT

Subcatchment 1C: CATCHMENTS GRADED TO TREE BOX C

Hydrograph



ARLINGTON SWMS

Prepared by Symons Engineering Consultants

HydroCAD® 10.00-26 s/n 04326 © 2020 HydroCAD Software Solutions LLC

Type IA 24-hr 10-YR Rainfall=3.20"

Printed 1/18/2024

Page 7

Summary for Pond A: GRAVEL BED A

Inflow Area = 0.037 ac, 44.38% Impervious, Inflow Depth = 1.46" for 10-YR event
 Inflow = 0.012 cfs @ 7.88 hrs, Volume= 0.005 af
 Outflow = 0.012 cfs @ 7.90 hrs, Volume= 0.005 af, Atten= 0%, Lag= 1.1 min
 Discarded = 0.012 cfs @ 7.90 hrs, Volume= 0.005 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-72.00 hrs, dt= 0.01 hrs
 Peak Elev= 55.78' @ 7.90 hrs Surf.Area= 381 sf Storage= 1 cf

Plug-Flow detention time= 1.1 min calculated for 0.005 af (100% of inflow)
 Center-of-Mass det. time= 1.1 min (703.0 - 702.0)

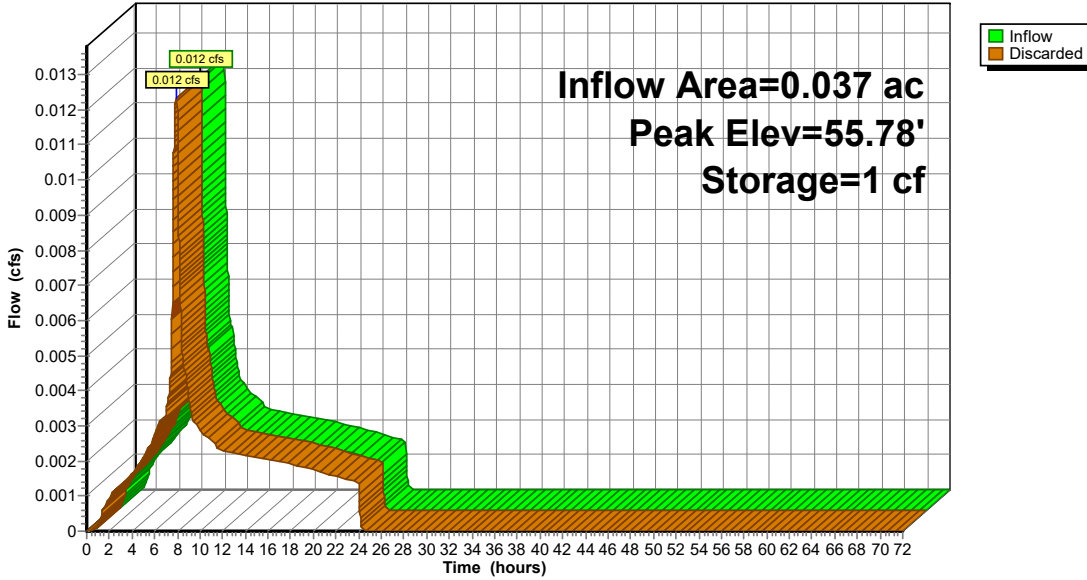
Volume #1	Invert	Avail.Storage	Storage Description
	55.77'	77 cf	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)
55.77	381	0.0	0
56.44	381	30.0	77

Device	Routing	Invert	Outlet Devices
#1	Discarded	55.77'	2.000 in/hr Exfiltration over Surface area Phase-In= 0.01'

Discarded OutFlow Max=0.012 cfs @ 7.90 hrs HW=55.78' (Free Discharge)
 1=Exfiltration (Exfiltration Controls 0.012 cfs)

Pond A: GRAVEL BED A

Hydrograph



Summary for Pond B: GRAVEL BED B

Inflow Area = 0.069 ac, 54.90% Impervious, Inflow Depth = 1.78" for 10-YR event
 Inflow = 0.028 cfs @ 7.88 hrs, Volume= 0.010 af
 Outflow = 0.028 cfs @ 7.90 hrs, Volume= 0.010 af, Atten= 0%, Lag= 1.1 min
 Discarded = 0.028 cfs @ 7.90 hrs, Volume= 0.010 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-72.00 hrs, dt= 0.01 hrs
 Peak Elev= 55.78' @ 7.90 hrs Surf.Area= 703 sf Storage= 2 cf

Plug-Flow detention time= 1.1 min calculated for 0.010 af (100% of inflow)
 Center-of-Mass det. time= 1.1 min (696.0 - 694.9)

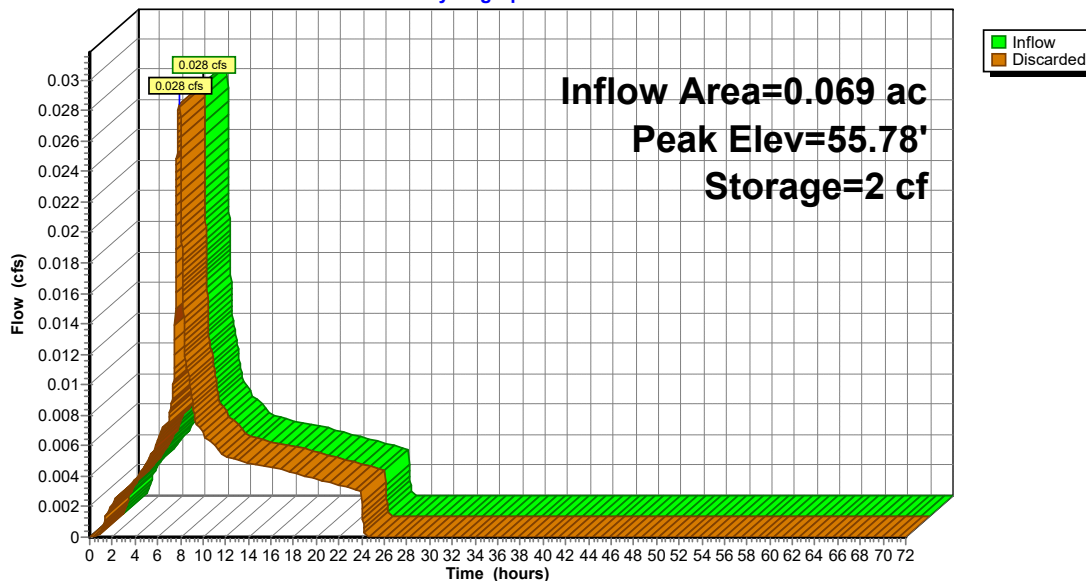
Volume #1	Invert	Avail.Storage	Storage Description
	55.77'	141 cf	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)
55.77	703	0.0	0
56.44	703	30.0	141

Device	Routing	Invert	Outlet Devices
#1	Discarded	55.77'	2.000 in/hr Exfiltration over Surface area Phase-In= 0.01'

Discarded OutFlow Max=0.028 cfs @ 7.90 hrs HW=55.78' (Free Discharge)
 1=Exfiltration (Exfiltration Controls 0.028 cfs)

Pond B: GRAVEL BED B

Hydrograph



Summary for Pond C: C - TREE BOX

Inflow Area = 0.010 ac, 87.70% Impervious, Inflow Depth = 2.60" for 10-YR event
 Inflow = 0.007 cfs @ 7.88 hrs, Volume= 0.002 af
 Outflow = 0.002 cfs @ 6.37 hrs, Volume= 0.002 af, Atten= 76%, Lag= 0.0 min
 Discarded = 0.002 cfs @ 6.37 hrs, Volume= 0.002 af
 Primary = 0.000 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-72.00 hrs, dt= 0.01 hrs
 Peak Elev= 55.73' @ 9.66 hrs Surf.Area= 34 sf Storage= 15 cf

Plug-Flow detention time= 58.0 min calculated for 0.002 af (100% of inflow)
 Center-of-Mass det. time= 58.0 min (723.2 - 665.2)

Volume	Invert	Avail.Storage	Storage Description
#1	53.50'	24 cf	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)
53.50	34	0.0	0
55.50	34	10.0	7
56.00	34	100.0	17

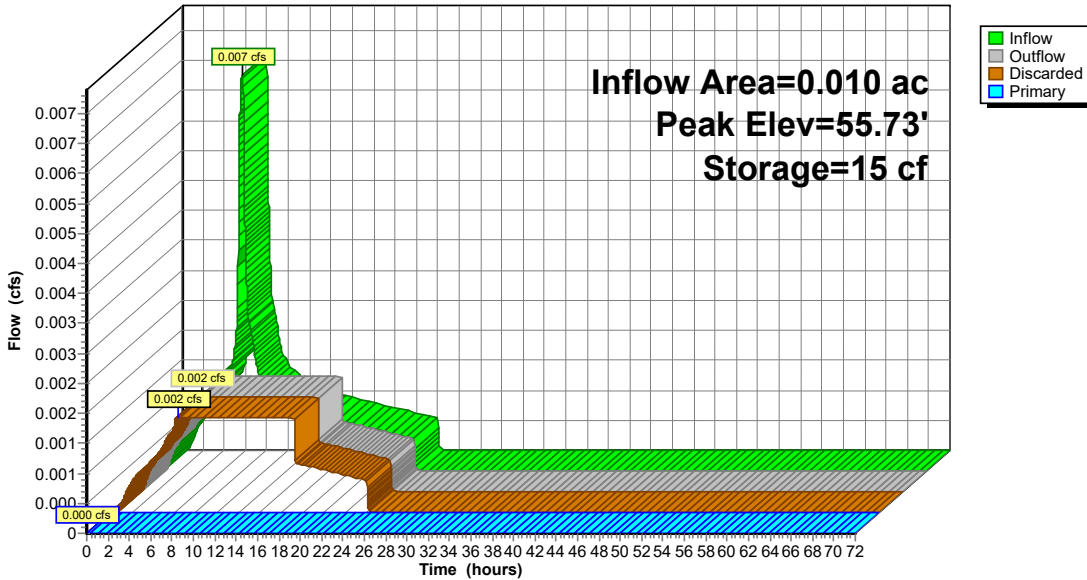
Device	Routing	Invert	Outlet Devices
#1	Discarded	53.50'	2.000 in/hr Exfiltration over Surface area Phase-In= 0.01'
#2	Primary	55.80'	3.0" Round Culvert L= 7.0' CMP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 55.80' / 55.73' S= 0.0100' /' Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.05 sf

Discarded OutFlow Max=0.002 cfs @ 6.37 hrs HW=53.53' (Free Discharge)
 ↳1=Exfiltration (Exfiltration Controls 0.002 cfs)

Primary OutFlow Max=0.000 cfs @ 0.00 hrs HW=53.50' (Free Discharge)
 ↳2=Culvert (Controls 0.000 cfs)

Pond C: C - TREE BOX

Hydrograph



APPENDIX E

Private Storm Drainage Facilities Maintenance Agreement

AFTER RECORDING RETURN TO:
City of Gladstone
525 Portland Avenue
Gladstone, OR 97027

PRIVATE STORM DRAINAGE FACILITIES MAINTENANCE AGREEMENT

ARLINGTON FOOD CARTS

Name of facility / facilities

Owner:

Name Ray Fletcher & Matthew Klemann

Address 4245 SE Faith Avenue

City Milwaukie, State OR Zip 97267

Contact person Ray Fletcher Phone 503-317-3144

Location:

Legal Description TL 22E20CA02100

Street Address 140 W. Arlington Street, Gladstone, OR 97027

Facilities to be maintained:

- Trapped Catch Basin(s)
- Outlet / Flow control manhole(s)
- Pollution Control / Water Quality manhole(s)
- Infiltration / Detention pond
- 3 Treatment facilities (Specify type, size & lineal feet 2 GRAVEL BEDS, 1 TREE BOX)
- Structural Detention facilities (Specify type, size & lineal feet _____)

Acknowledgment:

- The owner(s) will maintain the above private storm drainage facilities annually. All oils, sediment and debris will be removed and deposited in an approved dumpsite. Any damaged equipment will be repaired promptly.
- Particular attention will be given to sedimentation, pollution control or water quality manholes and detention outlet structures. All debris will be removed to assure proper function.
- The grates of all catch basins will be kept free of debris and leaves.
- The detention system's outlet or flow control structure will be checked to assure that sediment accumulation has not encroached on the required detention volume. Sediment will be removed as necessary to maintain that required volume.
- The outlet control manhole will be inspected to assure that all parts are intact and the orifice is free of any debris that could cause malfunction.
- The treatment system shall be maintained (excavated, revegetated, etc) to ensure proper functionality and performance.
- The above maintenance activities will be documented each year by sending records of what was completed to: City of Gladstone Public Works Director, 525 Portland Ave., Gladstone, OR 97027.
- Owner's obligations set forth in this agreement will run with the land and will be binding upon the Owner and its transferees, successors, heirs, representatives and assigns.

I hereby certify that the storm system described above will be maintained according to this schedule, that I have authority to make this agreement, and that I will disclose this perpetual maintenance obligation to all future prospective owners of said property.

Property Owner (print name)

On behalf of (Company)

Owner Signature

Date

APPENDIX F

Operations & Maintenance

Infiltration Trenches

***NO** pesticide, herbicide, or fungicide use is allowed.*

Clean up spills immediately. Have drywell professionally cleaned and notify DEQ. Record the date and spill response measures in the inspection log.

Maintenance Component	Spring	Summer	Fall	Winter	24-hr Precip > 1"
Replace or repair inlets if they are cracked or broken. Reseal inlet pipes if they are not watertight.		X	X		
Remove sediment from catch basin.	X		X		X
Remove leaf litter/debris from gutters.	X		X		
Check trench drains leading to the facility and remove any soil or debris.	X	X	X	X	X
Remove inspection portal lid. Check for cracking of walls and root intrusion. Remove roots and repair walls, as necessary. Have professionally cleaned when depth of sediment or debris is 3 inches or greater.		X	X		X
Ponding should not occur for more than 48 hours.	X		X	X	X



Stormwater Facilities Inspection and Maintenance Log

OWNER: _____ **CONTACT INFO:** _____

FACILITY LOCATION/ADDRESS:

FACILITY TYPE:

ACCESS NOTES:

Refer to the facility's quarterly inspection requirements in the O&M Plan before conducting inspections and maintenance actions.

INSPECTION YEAR:

WINTER INSPECTION LOG	SPRING INSPECTION LOG	SUMMER INSPECTION LOG	FALL INSPECTION LOG
<p>DATE:</p> <p>INSPECTOR NAME:</p> <p>COMPONENTS INSPECTED*:</p> <p>STRUCTURAL: <input type="checkbox"/></p> <p>PONDING AREA: <input type="checkbox"/></p> <p>VEGETATION: <input type="checkbox"/></p> <p>MAINTENANCE ACTIONS PERFORMED:</p>	<p>DATE:</p> <p>INSPECTOR NAME:</p> <p>COMPONENTS INSPECTED*:</p> <p>STRUCTURAL: <input type="checkbox"/></p> <p>PONDING AREA: <input type="checkbox"/></p> <p>VEGETATION: <input type="checkbox"/></p> <p>MAINTENANCE ACTIONS PERFORMED:</p>	<p>DATE:</p> <p>INSPECTOR NAME:</p> <p>COMPONENTS INSPECTED*:</p> <p>STRUCTURAL: <input type="checkbox"/></p> <p>PONDING AREA: <input type="checkbox"/></p> <p>VEGETATION: <input type="checkbox"/></p> <p>MAINTENANCE ACTIONS PERFORMED:</p>	<p>DATE:</p> <p>INSPECTOR NAME:</p> <p>COMPONENTS INSPECTED*:</p> <p>STRUCTURAL: <input type="checkbox"/></p> <p>PONDING AREA: <input type="checkbox"/></p> <p>VEGETATION: <input type="checkbox"/></p> <p>MAINTENANCE ACTIONS PERFORMED:</p>

* **Structural Components** include all 'hard' elements of the facility (inlets, flow spreaders, liners, flow caps, overflow caps, etc.).

Ponding Area includes areas on the surface or underground where stormwater accumulates. Inspect for blockages, sediment, and trash.

Vegetation includes maintaining vegetation, so the facility can function as designed (i.e., tree pruning, weed removal, mowing, grass management).

Stormwater Planters

NO pesticide, herbicide, or fungicide use is allowed.

Clean up spills immediately. Remove and replace contaminated soil. Call Metro to determine proper disposal requirements of spill response materials and contaminated soil. Record the date and spill response measures in the inspection log.

Structural Component	Spring	Summer	Fall	Winter	24-hr Precip > 1"
Replace or repair inlets if they are cracked or broken. Reseal inlet pipes if they are not watertight.	X		X		
Check overflow caps and replace if cracked or missing.	X		X		X
Check flow spreader, if present, and repair as necessary. Check inlet protection and replace or replenish rock, as necessary.	X		X		
Check liner, if present, and repair tears or holes, as necessary. Replace liner, as necessary.	X		X		
Patch concrete.		X	X		

Ponding Area	Spring	Summer	Fall	Winter	24-hr Precip > 1"
Remove trash.	X	X	X	X	X
Remove sediment from ponding area, forebays, and inlets.	X		X		X
Repair any erosion around edges of concrete forebay if erosion is occurring.		X	X		X
Check trench drains discharging to the facility and remove any soil or debris.	X	X	X	X	X
Check for channeled flow in facility; fill in channels with soil and add plants to disperse flow.		X	X		X
Add 3 inches of mulch or topsoil to bare areas and reseed or replant to achieve 100% coverage at maturity. Do not add bark dust or bark chips; they will float and then clog the outlet or create bare spots.	X				
Remove weeds, invasive plants, and dead plants. Replant or reseed to achieve 100% coverage at maturity	X	X	X		
Thin grasses (remove dead blades) or remove top third of previous year's growth.	X				
Prune shrubs.	X			X	
If facility drains slowly, rake soil to stop crusting. Replace or amend soil if ponding occurs more than 24 hours	X		X	X	X
Ponding should not occur for more than 48 hours.	X		X	X	X



Stormwater Facilities Inspection and Maintenance Log

OWNER: _____ **CONTACT INFO:** _____

FACILITY LOCATION/ADDRESS:

FACILITY TYPE:

ACCESS NOTES:

Refer to the facility's quarterly inspection requirements in the O&M Plan before conducting inspections and maintenance actions.

INSPECTION YEAR:

WINTER INSPECTION LOG	SPRING INSPECTION LOG	SUMMER INSPECTION LOG	FALL INSPECTION LOG
<p>DATE:</p> <p>INSPECTOR NAME:</p> <p>COMPONENTS INSPECTED*:</p> <p>STRUCTURAL: <input type="checkbox"/></p> <p>PONDING AREA: <input type="checkbox"/></p> <p>VEGETATION: <input type="checkbox"/></p> <p>MAINTENANCE ACTIONS PERFORMED:</p>	<p>DATE:</p> <p>INSPECTOR NAME:</p> <p>COMPONENTS INSPECTED*:</p> <p>STRUCTURAL: <input type="checkbox"/></p> <p>PONDING AREA: <input type="checkbox"/></p> <p>VEGETATION: <input type="checkbox"/></p> <p>MAINTENANCE ACTIONS PERFORMED:</p>	<p>DATE:</p> <p>INSPECTOR NAME:</p> <p>COMPONENTS INSPECTED*:</p> <p>STRUCTURAL: <input type="checkbox"/></p> <p>PONDING AREA: <input type="checkbox"/></p> <p>VEGETATION: <input type="checkbox"/></p> <p>MAINTENANCE ACTIONS PERFORMED:</p>	<p>DATE:</p> <p>INSPECTOR NAME:</p> <p>COMPONENTS INSPECTED*:</p> <p>STRUCTURAL: <input type="checkbox"/></p> <p>PONDING AREA: <input type="checkbox"/></p> <p>VEGETATION: <input type="checkbox"/></p> <p>MAINTENANCE ACTIONS PERFORMED:</p>

* **Structural Components** include all 'hard' elements of the facility (inlets, flow spreaders, liners, flow caps, overflow caps, etc.).

Ponding Area includes areas on the surface or underground where stormwater accumulates. Inspect for blockages, sediment, and trash.

Vegetation includes maintaining vegetation, so the facility can function as designed (i.e., tree pruning, weed removal, mowing, grass management).

February

REGULAR AGENDA



City of Gladstone Staff Report

Report Date: February 14, 2024
Meeting Date: February 20, 2024
To: Gladstone Planning Commission
From: Jacque M. Betz, City Administrator
Heather Austin, 3-J Planning

AGENDA ITEM

Gladstone Town Center Stakeholder Advisory Committee; Appointment of Planning Commissioner

HISTORY/BACKGROUND

At the January 9, 2024 City Council meeting the Council accepted a grant from the Department of Land Conservation and Development (DLCD) to enact parking reform and establish a Town Center which is a geographic area within the city that provides opportunities for residents to access services with reduced dependence on single-occupancy vehicles (also considered a “climate-friendly area”). This is in accordance with Oregon Administrative Rule (OAR) 660-012-0420-0450. As part of this work staff was provided direction to convene a stakeholders committee to review information and provide recommendations on milestones.

Per Resolution No. 1227, a resolution which adopted Gladstone City Council Rules, Section R allows for the creation of an ad hoc committee (a public body created by Council for a particular purpose, issue, or need). City staff can make recommendations to the Mayor who will then appoint the chosen individuals with the consent of the Council by a majority vote at a Council meeting.

At the February 13, 2024 City Council meeting, the Gladstone City Council appointed the following individuals to the Gladstone Town Center Stakeholder Advisory Committee (SAC).

- City Council – Mayor Michael Milch
- Dr. Bob Everett, DMD
- Liz Banta, Cookie Pot and The Brew
- Bryce Colson, Bound to Happen
- Kaleb Eisele, Gladstone Park- Seventh Day Adventist Church
- Lisa Eirene, Gladstone resident
- Glen Hamburg, Metro
- Kelly Reid, Oregon Department of Land Conservation and Development (DLCD)

Staff is requesting that a Planning Commissioner also be appointed to the Committee.

The SAC members will be provided materials one week in advance of each meeting. They will be asked to review the materials and be prepared to discuss and ask questions at each of the SAC meetings.

We will strive for a general consensus of the SAC on a recommendation for the Town Center boundary, citywide parking reform and updates to the City's Development Code, Comprehensive Plan and Zoning Map. The SAC recommendation will go to the Planning Commission who will hold a public hearing and make a further recommendation to the City Council.

At this point, we anticipate four (4) meetings of the SAC with the following approximate dates:

March 2024: Town Center Project Kickoff and Framework

June 2024: CFEC Parking Reform Feedback (Council to conduct work session in April and provide feedback in May)

September 2024: Town Center Analysis (Review, discuss and provide feedback on up to 3 options for Town Center designation and associated policies)

February 2025: Review, discussion and feedback of proposed Development Code, Zoning Map and Comprehensive Plan changes based on preferred Town Center.

COST IMPACT

The Gladstone Town Center project is funded through the DLCD Grant accepted by City Council in January of 2024.

STAFF RECOMMENDATION

Staff recommends the Planning Commission appoint one member to the ad hoc committee to provide feedback on the Gladstone Town Center project.

Heather M Austin

02/06/24

Department Head
Signature

Date

Jacqueline M. Bell 2/14/24
City Administrator
Signature Date

February

REGULAR AGENDA





Fire Industry Restoration Experts Inc.

PO Box 51 Gladstone Or. 97027
503-317-3295 503-305-7285 O 503-305-7284 F

12/20/23

Attn: City of Gladstone Design/ Planning Commission,
Heather Austin, Gladstone Public works, Gladstone City council.

Re: Design/ Planning Commission, 6075 Dunaway Ave.

Dear members of the Gladstone design/ planning commission, Heather Austin, Gladstone public works, Gladstone City Council, and any other interested parties:

I recently went through the process to get approval from the city for my proposed building project at 6075 Dunaway Ave. This new building will be additional storage space for my business, Fire Restoration located on the corner of Gloucester and Portland Ave.

I purchased this property for two main reasons, one was its location and the close proximity to our main office, the second was my love and commitment for this great little city! I have been a gladstone resident since the day of the spring break quake. My first Gladstone home was recorded at 12 AM March 25th, 1993. The earthquake was at 5:34 AM that same morning! This ended up not being a bad omen of my coming life as a Gladstone resident. On the contrary, Gladstone became our home to where I raised my 5 kids, volunteered for 20 years with the fire department, made lifelong friends, started my business and invested in the community. I now have three homes and 2 commercial properties within Gladstone City limits.

The point of this is that Gladstone is personal to me and now that I am entering the start of developing the Dunaway lot and building a large commercial building, I was very concerned about the process and the negative perception I had knowing I would be dealing with a City entity. This process was very interesting and potential complicated, but I have to say my previous reservations were proven wrong thanks to everyone this letter is address to. My dealings with the city, from the start, were met with helpful people who recognized that I am just a guy who is wanting to spend his personal money for his business, but also to help Gladstone be a better place.

Public works was flexible helping with parking, driveways, water, and the other utility issues. Heather was very helpful walking us through the process and making sure we provided the information we needed. The design/ planning commission was very open and helpful as we worked through that process.

I do understand that any other City this probably would have been a long frustrating expensive process, that might have ended with a poor outcome. But to the contrary, I walked away from the design



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commission meeting with an approval! There was no resistance, no mountain of red tape, no irrational expectations, and the meeting didn't even take long! It was fantastic! My architect and my engineer were in the hallway in a state of disbelief as we walked out of that meeting, and they both said the same thing, "Was that it? It can't be that easy?" to which I replied with pride, "Welcome to Gladstone!"

In closing, I would like to personally express my deepest gratitude to you all. I did not do a good enough job expressing my thanks the night of the approval meeting as I was overwhelmed. So that is the point of this letter. I am just a carpenter from a small town, not a author, speaker or speech writer, so this letter and the time it took to write is my attempt to convey my deepest thanks to you all, and recognize what you are doing for the citizens of this fine community.

Thank you all!

Greg Philo
President Fire Restoration Inc.