



**GLADSTONE PLANNING COMMISSION AGENDA
GLADSTONE CIVIC CENTER, 18505 PORTLAND AVENUE**

Tuesday, July 21, 2020

Per the Governor's Executive Order 20-16, regarding compliance with Oregon's public meeting laws, the City of Gladstone is abiding by social distancing requirements during the coronavirus pandemic. This public hearing will be conducted virtually using the Zoom platform.

Join Zoom Meeting

<https://zoom.us/j/91525309119?pwd=TWNSNzBWTUVrK2YzOGcva0hMdGM0dz09>

Meeting ID: 915 2530 9119

Password: 381196

One tap mobile

+12532158782,,91525309119#,,,,0#,,381196# US (Tacoma)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 669 900 9128 US (San Jose)

Meeting ID: 915 2530 9119

Password: 381196

Find your local number: <https://zoom.us/u/arliAdi2M>

6:30 P.M. CALL TO ORDER

ROLL CALL

FLAG SALUTE

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.

1. Approval of June 16, 2020 Meeting Minutes

REGULAR AGENDA

2. Monthly Planning Report – June 2020
3. **PUBLIC HEARING:** File TXT-2020-02. Consider amendments pertaining to: 1) parking requirements for the substitution of institutional or civic land uses in Gladstone Municipal Code Chapter 17.18, C-2 Zoning District; and 2) the addition of definitions for vacation rental and vacation occupancy in Gladstone Municipal Code Chapter 17.06, Definitions.
4. Continue discussion of Annual Work Plan

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



CONSENT AGENDA

GLADSTONE PLANNING COMMISSION MEETING MINUTES of June 16, 2020

Meeting was called to order at 6:41 P.M. (via Zoom)

ROLL CALL:

Chair Michael Milch, Commissioner Natalie Smith, Commissioner Malachi de AElfweald, Commissioner Patrick Smith, Commissioner Darren Williams, Commissioner Les Poole

ABSENT:

Commissioner Andriel Langston

STAFF:

Tami Bannick, City Recorder; Councilor Mersereau, Council Liaison

CONSENT AGENDA:

1. Approval of May 19, 2020 Meeting Minutes

Chair Milch said under the approval of the minutes from February 18, 2020 his comment should have read "...but especially with this *platform*...".

Commissioner de AElfweald made a motion to approve the Consent Agenda with the correction mentioned. Motion was seconded by Commissioner Patrick Smith. Motion passed unanimously.

REGULAR AGENDA:

2. Monthly Planning Report – May 2020:

Ms. Fields did not attend the meeting but did provide the Commissioners with the planning report. She indicated that she attended and participated in the public hearing. There weren't any additional land use decisions or applications to deal with. Some future items are the Comprehensive Plan and Zoning Map amendment with property line adjustment at the 18500 Webster Road property and an amendment to the Gladstone Municipal Code (GMC) at the 525 Portland Avenue property.

Commissioner de AElfweald made a motion to approve the May Planning Report. Motion was seconded by Commissioner Natalie Smith. Motion passed unanimously.

3. Discussion of Annual Work Plan:

Chair Milch said that at the February meeting they renewed two goals that had been established last year but had not been completely accomplished and brainstormed a few more. He said in the future if they don't have a land use hearing or if they have a hearing that isn't going to occupy the entire agenda that they spend some time working on the issues they have identified as part of their work plan for the year.

The first thing on their work plan was implementing the Downtown Revitalization Plan and included in that plan were some recommendations related to housing in the downtown area. Some of those recommendations would require code amendments – those were looked at during the code audit last year.

The second thing on the list was affordable housing. He commended everyone for their participation in the marathon public hearing last month pertaining to the public housing project. He is grateful for the work put in by the Planning staff. He asked for feedback regarding that hearing. Commissioner de AElfweald said it seemed that Mr. Doughman and Ms. Fields didn't agree on how they should proceed with the meeting so maybe that could have been ironed out ahead of time. Commissioner Williams felt it was too much too fast and that it moved forward when there were still some questions that hadn't been answered. Commissioner Natalie Smith agreed and said the County Planner needs to walk them through

the process so they don't miss anything. Commissioner Poole said there were a lot of unanswered questions and he felt that it was rushed. Commissioner de AElfweald said we need to be careful that when we see something that we want to happen in the City that they are quick to say yes to it without necessarily holding them accountable for the things that are necessary for that to happen. Commissioner Natalie Smith agreed and said that is why they need specific criteria that is required in order to even review something. Chair Milch said he was prepared for negative public comments in regard to the housing project even though their job is primarily to determine if it complies with the zoning and code requirements. There was further discussion regarding the housing project/services/code requirements. Commissioner Patrick Smith also felt it was rushed. He said just because someone has the right to do something doesn't always mean it's the right thing to do.

Chair Milch said he asked the Commissioners to look at the audit done by Metro in 2018 looking at accessory dwelling unit (ADU's) codes and requirements in all the communities in the metro area. Gladstone has a maximum size of 400 sq. ft. whereas most other communities have 800 or more sq. ft. as the maximum size. The two amendments they made to the ADU code at the February meeting were looked at because they were identified as possible barriers to the construction of this type of alternative housing, which could increase the housing supply and could provide better use of property by current property owners in single-family residential areas. He asked for feedback. Commissioner de AElfweald said that the size is roughly the same as a garage. Commissioner Poole feels that 400 sq. ft. is much too small.

Public Comment:

Karen Howell, citizen, said her goal is to build an ADU in her daylight basement (530 sq. ft.) and live there herself while renting out the upstairs. She would like to encourage the Commission to expand the square footage amount.

Commissioner de AElfweald thinks that using maximum percentage of home size is a legitimate thing they could try. Chair Milch feels that the size allowed should be in proportion. There was discussion regarding multi-unit buildings. Commissioner Williams said that parking is his concern. He is very comfortable with an 800 sq. ft. maximum, and the scenario from Ms. Howell is great because she already has off street parking. Commissioner Poole said they have to look at the legal definitions of ADU's. Commissioner Natalie Smith agreed and said they also need to know if the ADU will be attached or not. Chair Milch said they need clarity. Commissioner de AElfweald said he would like to avoid having a minimum size because he would like to allow the use of tiny homes as ADU's. There was discussion regarding different scenarios/tax lots/selling existing property with an ADU. Chair Milch said that if Gladstone had the same percentage of ADU's in the City as Portland does it would only be a total of approximately 52 units. He said perhaps the code could limit the percentage of how many of these units could be allowed on a particular block or street. Commissioner de AElfweald said he would caution against that because they need to be sure they are treating every citizen equally.

Commissioner Patrick Smith asked how the size of the outside (veranda/patio) of a unit applies – the measurement only applies to the interior.

Commissioner de AElfweald went over some research he did pertaining to environmental energy efficiency. He wanted to see if the code could be amended to be more friendly and not require as much energy to keep the temperature in the house more stable with less cost. He said the State is going to start requiring new buildings to be solar-ready, require that parking structures for new buildings support at least 2 EV chargers, require new buildings to achieve zero-energy ready standards, require that new buildings exceed international ASHRAE 90.1 standards, and require high-efficiency water fixtures in new buildings. He said the State is going to start pushing electric vehicles, including school buses, and Gladstone does not have the infrastructure to support that (EV chargers). He said OSHA is going to have to develop standards for businesses to protect workers from wild fires and excessive heat, which could

effect commercial building requirements. He thinks we should probably evaluate some of the code amendments that are already being proposed to go into effect in a couple of months and see how that is going to effect us. They could look at creating their own climate action plan like Milwaukie and Portland did or at least consider what kind of ramifications that has for us. He said we should start to identify areas that will be harder for us to accommodate. He said maybe they could get some training pertaining to the new code changes that are going to come into effect soon. He really likes the idea of incentives where we can give incentives to encourage them to make buildings better, especially when it comes to low income housing.

Chair Milch said he provided some articles regarding the issue of participation in public meetings. Research has shown that the people who tend to attend and participate in meetings don't necessarily represent the views of the community as a whole. Commissioner Poole said a lot of times the public isn't aware of what's going on and the information they get is fragmented rather than something that's accurate. He feels the public's expectations of the Planning Commission are not realistic. Commissioner de AElfweald said he gets more information regarding what the City is doing from random citizens versus the City's sources. Chair Milch said they could explore how other cities notify citizens. There is an issue with renters not being notified because notifications are only sent to home/business owners. Commissioner Natalie Smith said that everyone who attended the meeting regarding the Webster Road project seemed to be well informed – she suggested finding out what notification process they used and follow that.

Chair Milch said that Commissioner Patrick Smith heard that some of the changes to the nuisance code pertaining to membrane structures may not be enforceable. They will need to follow up on that if they are going to address it this year.

Chair Milch said they had a general goal regarding transportation and parking. Commissioner de AElfweald said one of the issues they face is that most people who work in Gladstone don't live here and most people who live in Gladstone commute to work elsewhere. Commissioner Poole said we need to address commercial traffic issues in the downtown area.

BUSINESS FROM THE PUBLIC:

None.

BUSINESS FROM THE COMMISSION:

None.

ADJOURN:

Meeting adjourned at 8:30 P.M.

Minutes approved by the Planning Commission this _____ day of _____, 2020.

Michael Milch, Chair



REGULAR AGENDA



City of Gladstone Monthly Report June 2020

PUBLIC CONTACTS/PLANNING ACTIONS

CUSTOMER CONTACT/ Planning Actions	January	February	March	April	May	June	YEAR TOTALS
Customer Service Counter Contacts	5	10	1	0	0	0	16
Customer phone/email Contacts	43	66	62	34	49	83	337
Building Permits with Land Use Review	5	4	11	3	0	4	27
Pre-application Conferences	1	0	0	0	0	0	1
Administrative Decisions	2	1	1	0	0	1	5

PLANNING COMMISSION ACTIONS/DECISIONS

- NONE

CITY COUNCIL LAND USE ACTIONS/DECISIONS

- Supported Planning Commission Consideration of Potential Code Amendment (File #: TXT-2020-02)

PRE-APPLICATION CONFERENCES

- None

ADMINISTRATIVE PERMITS

- LUCS – Land Use Compatibility Statement for 17763 SE 82 Dr.

BUILDING PERMITS WITH LAND USE REVIEW

JUNE

Date	Address	Building Permit #	Description
6/05/2020	19330 HOWELL ST,	B0243320	Interior Remodel
06/11/2020	740 82ND DR	B0395819	Shell Building – Z0118-18
06/11/2020	530 E ARLINGTON ST	B0251020	New SFR
6/30/2020	340 E GLOUCESTER ST	B0358718	Revisions for bonus room

FUTURE ITEMS/PROPERTY UPDATES

Location	Topic
18500 Webster Road	Comprehensive Plan and Zoning Map amendment with Property Line Adjustment.
TXT-2020-02	Gladstone Municipal Code Amendments



REGULAR AGENDA



Agenda Item No. 3

PC Meeting Date: 07/21/20

STAFF REPORT: PROPOSED CODE AMENDMENTS

Application No.: TXT-2020-02;

Applicant: City of Gladstone,

Project Location: Citywide

Zoning: C2, R-5, and R-7.2 Zoning Districts

Project Description: Consider text amendments to the Gladstone Municipal code that would modify 17.18.070 to allow institutional or civic uses to be substituted in the C-2 zone without providing any additional off-street parking; and modify 17.06 to include definitions of Vacation Rental and Vacation Occupancy.

SUMMARY OF STAFF RECCOMENDATION

Planning staff are recommending clarifications to the Gladstone Municipal that would allow institutional or civic uses to substituted in the C-2 zone without providing additional off-street parking. Additionally, staff are recommending the inclusion of definitions for “Vacation rental” and “Vacation occupancy” to provide clarity for applicants proposing to use Accessory Dwelling Units as vacation rentals.

The proposed amendments attempt to update Title 17 of the Gladstone Municipal Code (GMC), specifically Sections 17.18.070 and 17.06 with indirect impact on Sections 17.10, 17.12 to address missing information or definitions. These proposed code amendments are subject to: ORS 90.100, 197.175, 197.312.

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APPENDIX: Proposed Amendments

- A. 17.06 Redline**
- B. 17.18 Redline**

I. PUBLIC NOTICE

Sent to: Clackamas Review for inclusion in the July 1, 2020 edition. Sent to the City of Gladstone Department Heads.

Comments Received: No comments were received. The Fair Housing Council of Oregon asked to receive the staff report.

II. DLCD NOTICE

1. **DLCD File#002-20.** DLCD was notified of the proposed changes to the Gladstone Municipal Code on 6/15/2020. The proposed changes to 17.06 and 17.18, along with the dates of the public hearings, were submitted through the Post-Acknowledgement Plan Amendment (PAPA) online system. Confirmation of the submission was received.

Comments Received: None.

III. PROPOSED AMENDMENTS

1. **SECTION 17.06 DEFINITIONS.** The proposed changes would provide a definition for “Vacation Rental” and “Vacation Occupancy” that are important to clarify for the R-5 and R-7.2 Single-Family Residential Districts, that no longer require an additional parking space and owner occupancy for accessory dwelling units unless they are used for vacation rentals (per amendment TXT-2020-1). The proposed definitions are:
 - “Vacation Rentals” means a dwelling unit, or accessory dwelling unit, providing vacation occupancy.
 - “Vacation Occupancy” as defined by ORS 91.100, means occupancy in a dwelling unit, not including transient occupancy in a hotel or motel, that has all of the following characteristics:
 - (a) The occupant rents the unit for vacation purposes only, not as a principal residence;
 - (b) The occupant has a principal residence other than at the unit; and
 - (c) The period of authorized occupancy does not exceed 45 days.
2. **SECTION 17.18.070** Clackamas County is in the initial stages of designing a new library for the city, planned for the site of the old Gladstone City Hall. The property is zoned C-2 and is subject to Section 17.18 of the Gladstone municipal Code. An existing provision in the city’s code, 17.18.070(1), generally allows new commercial uses in the C-2 zone to be substituted for old uses without providing any additional off-street parking if the existing building not expanded by more than ten percent (10%) of the floor area used for commercial purposes on January 1, 1980. Because both the prior use and future use of the old City Hall site are better described as institutional or civic rather than commercial, it is not clear whether the county could rely on 17.18.070(1) to build the library without any additional off-street parking. Therefore, the City Council supported the Planning Commission to consider adding the following text amendment:
 - (2) If a community service facility or civic use allowed outright is substituted for another on the same property, whether in the same building or a new building, no more off-street parking shall be required than was possessed by the previous facility or use.

IV. ANALYSIS AND FINDINGS

A. GLADSTONE MUNICIPAL CODE

Section 17.68 establishes the authorization for amendments and zone changes. Amendments may be initiated by the City Council, the City Planning Commission or the City Administrator or his designee. Procedures for reviewing amendments follow the administrative procedures in GMC Division VII. This criteria is met.

Section 17.94.060 specifies that the Planning Commission shall hold a public hearing and make a recommendation to the City Council on amendments to the text of the Gladstone Municipal Code. This criteria is met.

Section 17.68.040 specifies the process and guidelines for conditions applied to zone changes and Section 17.68.050 specifies the evidence that is required to be supplied by applicant for a zone change. These proposed text amendments do not involve a zone change. This is informational only. These criteria are not applicable.

B. GLADSTONE COMPREHENSIVE PLAN

Housing Goal:

“To meet the housing needs of all segments of the population through optimum utilization of housing resources for the construction, rehabilitation and maintenance of the diversity of housing types at appropriate locations, price ranges and rent levels, while preserving and enhancing the integrity and identity of existing residential neighborhoods.”

Policy 1 “Provide a choice of housing type, density and price range.”

Policy 2 “Promote the development of high density housing around commercial and/or industrial centers served by mass transit transfer stations.”

Policy 3 “Promote the supply of adequate housing.”

Policy 4 “Promote the upgrading and preservation of existing housing unit and neighborhoods, with special emphasis on historically significant homes.”

The proposed text amendments to 17.06 clarify when Accessory Dwelling units could be built without additional parking, or owner occupancy. By clarifying the requirements and removing some of the uncertainty, this is anticipated to promote the development of additional housing units with a variety of type, density and price ranges, in support of the Gladstone Comprehensive Plan Housing Policy 1 and 3.

Transportation Goal:

“To promote a safe, efficient and convenient multi-modal transportation system that emphasized mass transit and a street circulation pattern designed to serve people first.”

Policy 1: “Promote decreased reliance on the private automobile”

Policy 2: “Provide pedestrian/bicycle ways linking public and semi-public facilities, commercial areas and regional bikeways to encourage and facilitate the use of human-powered modes of travel.”

Policy 3: *“Encourage and facilitate high-density residential development within walking distance (1/4 to 1/2 mile radius) from commercial districts in order to support future plans for rapid bus an/or light rail transit.”*

Policy 4: *“Promote the elimination of architectural barriers on public and semi-public lands and transportation facilities.”*

Policy 5: *“Design and develop safe pedestrian/bicycle crossings at potentially hazardous locations.”*

Policy 6: *“ Monitor and map traffic accidents on a quarterly basis to alert city officials and public to problems and the need for corrective measures.”*

Policy 7: *“ Designate the following streets as indicated below and physically define their function...”*

Policy 8: *“Encourage Tri-Met to provide service that emphasizes east-west as well as north-south movement.*

Policy 9: *“Adopt the following street design guidelines.....”*

Policy 10: *“Develop street improvement schedules.”*

Policy 11: *“Solicit and utilize citizen input in planning traffic safety improvements so they better serve residents and to minimize social costs.”*

The proposed amendments to **17.18.070** support the City of Gladstone Transportation Goal by not requiring parking beyond that required by the previous institutional or civic use, thereby encouraging visitors to access institutional and civic facilities by human-powered transportation modes and supporting Policy 1. The public hearing provides an avenue to solicit citizen input so they are served by the transportation system, including off-street parking.

Facilities And Services Goal:

“To provide and maintain needed facilities and services in a timely, orderly and efficient manner to serve urban development in the Gladstone area.”

Policy 9: *“Continue to coordinate library services with Clackamas County to ensure that they keep pace with present and future resident demand.”*

Policy 10: *“Continue to espouse a policy of concentrating library facilities and services in the existing central location.”*

The proposed amendments to **17.18.070**, which would allow the substitution of one institutional or civic use with another on the same parcel without requiring additional parking, will support the use of the centrally located old City Hall site for the new library that will be designed and operated to meet the current needs of the community in support of Policy 9 and 10.

C. STATEWIDE PLANNING GOALS AND GUIDELINES

a. Goal 1 – Citizen Involvement: The amendments do not propose to change the structure of the City’s citizen involvement program. Notice of the proposed amendments was provided to the local newspaper, the Clackamas Review.

b. Goal 2 – Land Use Planning: Statewide Planning Goal 2 does not apply to TXT-2020-01 because the amendments do not propose to change the City’s land use planning process. The City will continue to have a comprehensive land use plan and implementing regulations consistent with that plan.

c. Goal 3 -4 – Agricultural and Forest Lands: These goals are not applicable because the TXT-2020-02 amendments does not change the Clackamas County policies required to meet these goals that are directed to counties.

d. Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources: Goal 5 is not applicable because the amendments do not propose to change comprehensive land use plan policies or implementing regulations for Goal 5 open spaces, scenic and historic areas, and natural resources within the City of Gladstone.

f. Goal 6 – Air, Water and Land Resources Quality: Goal 6 is not applicable because the amendments do not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 6.

g. Goal 7 – Areas Subject to Natural Disasters and Hazards: This Statewide Planning Goal is also not applicable because the amendments do not propose to change comprehensive land use plan policies or implementing regulations regarding natural disasters and hazards.

h. Goal 8 – Recreational Needs: Goal 8 is not applicable because the amendments do not propose to change comprehensive land use plan policies or implementing regulations related to recreational needs.

i. Goal 9 – Economy of the State: Goal 9 is not applicable because the amendments do not propose to change comprehensive land use plan policies or implementing regulations related to economic development and analysis in the County’s urban areas.

j. Goal 10 – Housing: Goal 10 concerns urban lands designated for residential use. The amendments do not propose to reduce the density of land zoned for residential purposes or to reduce the amount of land already zoned for residential development. The amendments are in line with state legislation related to needed housing.

k. Goal 11 – Public Facilities and Services: Goal 11 is not applicable because the text amendments do not propose to change the comprehensive land use plan policies or implementing regulations regarding public facilities and services. Goal 11 Facilities and Services include: water and sewer services, police and fire protection, health services, recreation facilities, energy and communication services, and services provided by the local government like building permitting or public works. Unlike the Gladstone Comprehensive Plan, that explicitly includes libraries in this section, the Statewide Planning Goal 11 does not include libraries. However, the Statewide Planning Goal 11 does direct jurisdictions in the following manner: Plans providing for public facilities and services should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development action provided for by such plans should not exceed the carrying capacity of such resources.

l. Goal 12 – Transportation: Goal 12 is implemented by Oregon Administrative Rules (OAR) Chapter 660, Division 12. Local governments are required to adopt a transportation system plan (TSP) and land use regulations to implement the TSP. OAR 660-012-0060 requires any comprehensive plan amendment to be evaluated according to the terms outlined in that OAR to

demonstrate whether they will have a significant impact on the transportation system. Evaluation by staff is that the amendments will not impact the transportation system because it does not change the current parking situation in downtown.

m. Goal 13 – Energy Conservation: Goal 13 is not applicable because the amendments do not propose to change the comprehensive land use plan energy conservation policies or implementing regulations.

n. Goal 14 – Urbanization: Goal 14 is not applicable to the amendments do not propose to change comprehensive land use plan policies or implementing regulations regarding urbanization.

o. Goal 15 – Willamette River Greenway: Goal 15 is not applicable because the amendments do not propose to change comprehensive land use plan policies or implementing regulations regarding the Willamette River Greenway (WRG).

p. Goals 16-19 – (Estuarine Resources, Coastal Shore lands, Beaches and Dunes, and Ocean Resources): City of Gladstone is not subject to these four Statewide Planning Goals.

V. RECOMMENDATIONS

Planning staff are recommending APPROVAL of the proposed text changes to the Gladstone Municipal Code Chapters 17.06, and 17.18.070, as proposed.



APPENDIX A

17.06 Redline

***Draft amendment to Section 17.06 of the Gladstone Municipal Code
Definitions to consider adding:***

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

“Vacation Occupancy” as defined by ORS 91.100, means occupancy in a dwelling unit, not including transient occupancy in a hotel or motel, that has all of the following characteristics:

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

<https://www.codepublishing.com/OR/Gladstone/#!/Gladstone17/Gladstone1706.html#17.06>



APPENDIX B

17.18.070 Redline

Draft amendment to Section 17.18.070 of the Gladstone Municipal Code **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 ten percent (10%) 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 ten-percent (10%) standard.
- (2) If a community service facility or civic use allowed outright is substituted for another on the same property, whether in the same building or a new building, no more off-street parking shall be required than was possessed by the previous facility or use.
- (3) 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.

<https://www.codepublishing.com/OR/Gladstone/#!/Gladstone17/Gladstone1718.html#17.18.070>

City of Gladstone Staff Report

Report Date: June 2, 2020
Meeting Date: June 9, 2020
To: Gladstone City Council
From: Jacque Betz, City Administrator

AGENDA ITEM

Possible Text Amendment to Title 17 in regards to off street parking requirements for the new library.

HISTORY/BACKGROUND

In February the architect for the new Gladstone Library Project (Opsis) sent a letter on behalf of Clackamas County requesting a code interpretation and Administrative Action concerning the minimum number of required parking spaces for the new library that will be developed on the site currently occupied by the Gladstone City Hall. We were scheduled to bring this to you in March however, in reviewing the code, the City Administrator does not have the authority to make such a determination.

After conferring with the City Attorney the best path forward to streamline the process is as follows; we will provide Council a memo at the **June 9th City Council meeting** that recommends instead of Clackamas County applying for a variance or asking for an interpretation of the code; amend text in the Comprehensive Plan to mirror the standard that currently exists in GMC 17.18.070(1), an allow institutional or civic uses to be substituted in the C-2 zone without providing additional "off street parking requirements". This initiation will go before the Planning Commission in July and then to City Council in August.

City Attorney David Doughman's memo is attached, recommending that the City Council discuss a possible text amendment to Title 17.

Department Head
Signature

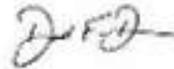
Date


City Administrator
Signature

Date

MEMORANDUM

TO: Jacque Betz, City Administrator
FROM: David Doughman, City Attorney's Office
SUBJECT: Possible Text Amendment to Title 17
DATE: June 2, 2020



Clackamas County is in the initial stages of designing a new library for the city, which it will eventually build on the site of the old Gladstone City Hall. The property is zoned C-2. I understand the county's design consultant, Opsis Architects, recently released three concepts for the new library and will engage the community in the coming months prior to settling on an option.

One element that is common to each of the concepts is a lack of off-street parking. This allows use of the site to be maximized for library purposes while staying within the identified budget for the design and construction of the facility. Of course, the prior uses on the site were supported without any off-street parking.

We discussed an existing provision in the city's code, 17.18.070(1), which generally allows new commercial uses in the C-2 zone to be substituted for old uses without providing any additional off-street parking. Because both the prior use and future use of the site are better described as institutional or civic rather than commercial, it is not clear whether the county could rely on 17.18.070(1) to build the library without any off-street parking.

However, the city could consider a text amendment to its code that would achieve the same result and provide the county certainty during the design process. Local communities are increasingly deciding to reduce or eliminate minimum requirements for off-street parking in town-centers and downtown commercial districts. For example, the City of Sandy recently eliminated a minimum off-street parking requirement for most development in its central commercial district. In Gladstone, I believe reducing off-street parking requirements in the C-2 is consistent with the city's *Downtown Revitalization Plan*, which the Gladstone City Council adopted in 2018. The *Downtown Revitalization Plan* was the culmination of a significant amount of study and public input into how to increase pedestrian and bicycle traffic into downtown Gladstone, reduce reliance on automobile traffic and create a more vibrant streetscape.

I recommend discussing the issue with the city council and getting direction on a text amendment that would allow the library to be built without off-street parking. If the council prefers, the scope of the amendment could be relatively narrow. For example, it could mirror the standard that currently exists for commercial uses under GMC 17.18.070(1), and allow institutional or civic uses to be substituted in the C-2 zone without providing any additional off-street parking. If council supports an amendment, we can provide the requisite notice to the state and the public and likely have the Gladstone Planning Commission consider a text amendment at its July 21, 2020 meeting. Council could then consider a recommendation from the planning commission at its August 11, 2020 meeting.

Councilor Tracy made a motion to approve Resolution No. 1178, a resolution repealing the Master Fee Schedule adopted under Resolution No. 1172 and adopting a new Master Fee Schedule. Motion was seconded by Councilors Neace and Mersereau. Ms. Bannick took a roll call vote: Councilor Ripley – yes. Councilor Neace – yes. Councilor Tracy – yes. Councilor Reisner – yes. Councilor Todd – yes. Councilor Mersereau – yes. Mayor Stempel – yes. Motion passed unanimously.

13. POSSIBLE TEXT AMENDMENT TO TITLE 17:

Ms. Betz said she and Mr. Doughman would like to discuss off street parking requirements for the new Library. The architect would like to have a better understanding of what the parking requirements are going to be. The size of the site is approximately 9,100 sq. ft. which offers little opportunity to provide any off street parking spaces.

Mr. Doughman went over his memo regarding a possible text amendment. He said they are asking to begin a process that would start a potential text amendment to the code to address a consideration of off street parking in the C-2 zone. The recommendation is that instead of Clackamas County applying for a variance or asking for an interpretation of the code; amend text in the Comprehensive Plan to mirror the standard that currently exists in GMC 17.18.070(1) and allow institutional or civic uses to be substituted in the C-2 zone without providing additional off street parking requirements. This issue will go before the Planning Commission in July and then to Council in August.

Mayor Stempel asked the Councilors for a consensus vote – all of the Councilors were in support of the plan.

14. DISCUSSION OF APPOINTMENTS TO BOARDS, COMMITTEES, AND COMMISSIONS:

Mayor Stempel said that there are two vacant positions on the Audit Committee, three vacant positions on the Budget Committee, two vacant positions on the Library Advisory Board, one vacant position on the Senior Center Advisory Board, and two vacant positions on the Traffic Safety Advisory Board. Ms. Betz said that staff needs to know if they want to fill these positions for the remainder of 2020, have a different process and interview applicants, or if they are okay with continuing through the end of the year with those that we have and start recruiting for 2021 in the late fall. Mayor Stempel said she and Ms. Betz suggested appointing people in November so they are ready to hit the ground running in December so they have full committees, boards, and commissions in January so they can start working on their work plans. Mayor Stempel said she is comfortable leaving things the way they are for the rest of the year. She asked the Councilors for their opinions. The Councilors all agreed. Councilor Tracy asked if this would be problematic for the budget committee – Ms. Betz said no because they won't reconvene until February/March of 2021. Mayor Stempel suggested having a discussion regarding the process – it will be put on the agenda for August.

BUSINESS CARRIED FORWARD:

Ms. Betz had none.

Councilor Reisner said in regard to legal counsel services that last year when they were discussing going out for a request for qualifications a decision was made to readdress that topic this summer. He would like to have that on the July agenda. All the councilors agreed.

BUSINESS FROM THE AUDIENCE: