



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

Tuesday, September 15, 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/97937785376?pwd=WlpMU3RxNGU4bGYwbythQXVRR29FZz09>

Meeting ID: 979 3778 5376

Passcode: 741340

One tap mobile

+16699009128,,97937785376#,,,,,0#,,741340# US (San Jose)

Dial by your location

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Meeting ID: 979 3778 5376

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Find your local number: <https://zoom.us/u/at0ZHiczg>

6:30 P.M. CALL TO ORDER

ROLL CALL

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 August 18, 2020 Meeting Minutes

REGULAR AGENDA

2. Monthly Planning Report – August 2020
3. **PUBLIC HEARING:** File Z0321-20-M. Partition of 0.55-acre property into three parcels. The proposal includes accessing the two newly created parcels from Glen Echo Ave and the third parcel from Portland Avenue. 18245 Portland Avenue, MAKR LLC.
4. Review of Accessory Dwelling Unit (ADU) Zoning Under Oregon City Municipal Code.

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:

- September 17, 2020 – Virtual Community Forum on the Gladstone Housing Needs Analysis – 5:30 p.m.



CONSENT AGENDA

GLADSTONE PLANNING COMMISSION MEETING MINUTES of August 18, 2020

Meeting was called to order at approximately 6:30 P.M. (via Zoom)

ROLL CALL:

Chair Michael Milch, Commissioner Andriel Langston, Commissioner Natalie Smith, Commissioner Les Poole (arrived late), Commissioner Malachi de AElfweald, Commissioner Patrick Smith, Commissioner Darren Williams

ABSENT:

None.

STAFF:

Tami Bannick, City Recorder; Joy Fields, Senior Planner; David Doughman, City Attorney; Councilor Mersereau, Council Liaison

CONSENT AGENDA:

1. Approval of July 21, 2020 Meeting Minutes

Commissioner Langston made a motion to approve the Consent Agenda. Motion was seconded by Commissioner de AElfweald. Motion passed unanimously.

REGULAR AGENDA:

2. Monthly Planning Report – July 2020:

Ms. Fields went over the report. She said the lobby was open Mondays through Thursdays from 9:00 a.m. – 2:00 p.m. and they received one customer from Gladstone who came in with some questions to be answered. They had 53 emails/phone contacts, 1 building permit with land use review, no pre-application conferences scheduled (one applied for that will be scheduled next month), and no administrative decisions.

Commissioner Natalie Smith asked about the status of Carz Planet – Ms. Fields has not heard back from them regarding their updated landscaping plan but could not remember if an email had been sent to them. If they do not comply then it would be an enforcement issue.

Commissioner Williams asked what the reasons were for some of the emails/phone contacts – Ms. Fields said a lot of the time it's a homeowner wanting to build a fence or a shed and asking for information about setbacks. ADU's are also a hot topic right now. There were also some questions regarding tonight's meeting.

The one building permit with land use review was a retaining wall on Buckingham Drive.

Commissioner Williams made a motion to approve the July Planning Report. Motion was seconded by Commissioner Poole. Motion passed unanimously.

3. CONTINUED PUBLIC HEARING – FILE TXT-2020-02:

This is to 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. Ms. Fields said the Planning Commission began a public hearing on proposed code amendments at the last meeting and decided to have a continuance of the public hearing tonight. It is a public

hearing regarding the parking standard when one community services facility or civic use is substituted for another on the same parcel. During the conversations at the last meeting there was a need for additional background information. That additional information went out in the packets that included the Gladstone Downtown Revitalization Plan Executive Summary. The plan serves as a guide for code amendments in the downtown area. Tonight's discussion of the C-2 zoning district includes the area identified in the Downtown Revitalization Plan as the area of concern. Some of the recommendations in the Downtown Revitalization Plan are very pertinent to the discussion of parking in that area. On page 39 there was a reference to reduce the minimum off-street parking requirements. She shared an excerpt that says that the current off-street parking requirements hinder the potential for higher density, mixed use development. Additionally, in some areas the parking requirements may be prohibitive for single-story commercial development. In the report they noted that by reducing off-street parking requirements the City will promote more efficient use of land and enable new development to be feasible on more sites. One page 22 of the report there was a figure 12 that had recommendations for streets and transportation and site development – those also addressed parking. One of those that pertains to tonight's discussion was that the possible City Hall Library project needed further study and the downtown overlay to the modified C-2 zoning allowing additional by right development and further reducing parking requirements. Chair Milch said the library has gone through several iterations, which he went over, and there might still be some references to the combination City Hall/Library in the plan. Ms. Fields said the Planning Commission looked at Section 17.18.070 last month and recommended adding a clarifying point – the intent of item #1 under that section of the Gladstone Municipal Code (GMC) that when one commercial use allowed outright is substituted for another commercial use in an existing building and the building is not expanded by more 10% of the floor area used for commercial purposes on January 1, 1980, no more off-street parking shall be required than was proposed by the previous commercial use. The only modification that the Planning Commission discussed last month was that addition of the underlined commercial use and that was the clarity that they thought may benefit the residents of Gladstone. This didn't apply if the commercial use was replaced with something else. They just added the second "commercial use" to make it less ambiguous. Last month the Planning Commission requested a copy of the PowerPoint presentation in their packets. Staff had additional conversations with the City Attorney and there was a slight modification to address the concerns that the Planning Commission had last month. Instead of "total lot coverage" it says "developed area" – but after discussing it with the City Attorney there is a definition of lot coverage in the GMC, whereas there are multiple definitions of development in the GMC. For clarity staff would like the discussion of tonight's potential amendments to consider this and not what was in the packets. Floor area is the measurement of the building's floor between external walls and under a roof. It does not include private garages. One of the items included in a community service facility is a fire station – they have a lot of area that is a garage so the definition of floor area in the GMC clearly exempts private garages from being considered in the measurement of the floor area, but then it brings into the question of public garages. Instead of using the definition of floor area for Item #2 staff thought it might be clearer if it was lot coverage. Lot coverage is the area covered by a building or buildings on a lot, so that would include a bathroom at a park, the garages at a fire station, etc. The proposed new library is planned to be 6,000 square feet. The existing lot is 9,147.6 square feet. Therefore, the new building will be significantly smaller than the current structure. The proposed library is one-story instead of two. This would be impacting the C-2 zoning district, which is primarily along Portland Avenue.

There are sections of the GMC that allow the Planning Commission to hold a public hearing and make a recommendation to the City Council on a specific amendment to the GMC and those are what are being considered tonight. Any amendments to the GMC are supposed to meet the goals of the Comprehensive Plan and the Statewide Planning Goals. The Comprehensive Plan has a

transportation goal to promote a safe, efficient, and convenient multi-modal transportation system that emphasizes mass transit and a street circulation pattern designed to serve people first, to promote a decreased reliance on the private automobile; therefore, staff consider that to be a goal that is being supported by the proposed change to the GMC because it would be keeping the parking when a lot of being redeveloped with a community service facility. The Comprehensive Plan also has two policies that support the facilities and services goal. One is to continue to coordinate library services with Clackamas County to insure that they keep pace with the present and future residents demand and the second is to continue to espouse a policy of concentrating library facilities and services in the existing central location. The public hearing will help to meet the statewide planning goal of citizen involvement. Planning staff is recommending approval of the proposed text amendment changes to 17.18.070 to support the redevelopment of community service facilities in the C-2 zoning district.

Commissioner Natalie Smith asked how this will impact the existing businesses in the C-2 zone if they approve these changes. Chair Milch said this will not effect commercial properties.

Commissioner de AElfweald said the only concern he has is that since it is not library specific it does allow for single-story to be replaced with multi-story - coming across as if it has the same requirements and that could be problematic down the road.

Commissioner Poole asked if there is a cap or something they need to address regarding traffic volumes. Chair Milch said this is not a land use application where they have to study the traffic impacts. Commissioner Poole's concern is that they have a clear picture of the parking situation. Commissioner de AElfweald said the code they are looking at is not the code that talks about the trip generation – perhaps that part of the code also needs to be updated to cover what Commissioner Poole is asking. Ms. Fields said that in the C-2 zoning district the addition of site development, the change of use, or major remodeling would all trigger a design review application that would be reviewed by the Planning Commission – there is a height limit of 35 feet for buildings. Even if it is a community service facility being replaced with another community service facility they will still come before the Planning Commission. While this allows them to not provide any additional off-street parking, the Planning Commission will be able to bring up their concerns when they see a land use application regarding traffic. Chair Milch asked if, during the design review process, they could designate some of the on-street parking spaces for library use only – Ms. Fields said yes. Commissioner Williams agreed with Commissioner Poole's concerns. He said Gladstone is going to have a parking problem. He thinks the idea of having designated on-street parking for the library is ludicrous because it's going to be taking away from what is giving Gladstone its tax base, which is its business that is on the street. He feels they need to look forward into the future of where they're going to be and what they want to accomplish and that is to bring people in.

Public Comments:

Mindy Garlington said if she came downtown and all the parking said it was designated for the library and nobody was parked there she would be livid. She's never had to walk more than half a block to the library. She said the designated parking would close down what could be open for other good businesses. She feels that the parking they have right now for the library building and the amount of use it gets is adequate. She doesn't think we need to go above and beyond what we already have in order to accommodate people within our city.

Mr. Doughman said in fairness to others who may want to give input he suggested Chair Milch open it up for public comments. Chair Milch did so and there was no response.

Chair Milch asked John Southgate, a consultant working on the downtown development, if he had comments regarding the impact of the library on the Downtown Revitalization. Mr. Southgate said he is excited about the future of downtown Gladstone. He has been involved in getting funding for the Trolley Bridge and some other projects. He reminded everyone that the Downtown Revitalization Plan acknowledged that parking is always an important and sensitive issue. He agreed that he didn't want to see our success be such that we have a problem with parking. The Downtown Revitalization Plan included an element for a parking management plan. He thinks that implementing that idea, when the time is right, will help alleviate problems that may arise. It could evolve with participation from property owners and business owners.

There was further discussion regarding where people are supposed to park in the downtown area if they take away the parking spots from the library, especially once ADU's increase.

Commissioner de AElfweald said that Oregon City is a good example of where parking management went wrong because there is never a parking space available when he goes downtown. Commissioner Poole said we are heading down a path that is very troubling – this is a recurring issue. He said without this change things cannot move forward with the new library. He thinks they can approve this, but he still has a concern about how it applies elsewhere in town. Chair Milch hopes they can make this one change to effect this one site and then deal more intensely with the other concerns that have come up regarding parking in the commercial areas and in the downtown area in general and addressing what impact changes in the housing code would have on that as well. Commissioner de AElfweald said we can't look at this as a site-specific rule. Chair Milch closed the public hearing.

Commissioner Patrick Smith made a motion to approve the proposed text changes to Gladstone Municipal Code (GMC) Chapter 17.18.070 to support the re-development of community service facilities in the C-2 zoning district. Motion was seconded by Commissioner Langston. Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Natalie Smith – yes. Commissioner de AElfweald – no. Commissioner Poole – yes. Commissioner Williams – no. Commissioner Patrick Smith – yes. Chair Milch – yes. Motion passed (5-2).

Chair Milch said that he wants to pass along to the City Council with this recommendation the recommendation that we take a serious look at parking management in downtown.

4. PUBLIC HEARING: FILE Z0149-20-D/CP – RE-ZONE PROPERTY TO MR (MULTI-FAMILY RESIDENTIAL) TO ALLOW THE DEVELOPMENT OF ADDITIONAL PARKING AND RECREATION FOR THE EXISTING WEBSTER RIDGE APARTMENTS. THE LAND IS CURRENTLY ZONED R-7.2 (SINGLE-FAMILY RESIDENTIAL). 18085 WEBSTER ROAD – STONY RIDGE LLC.

Chair Milch said this is an item in which they will be receiving public testimony. Public testimony will be called for in three groups: testimony in favor of the proposal, testimony opposed to the proposal, and neutral testimony. He went over the procedure for those who wish to participate. He opened the public hearing.

He asked if any member of the Planning Commission intended to abstain from participation in this hearing for any reason – none did. He asked if any member of the Planning Commission has a conflict of interest regarding this issue – none did. He asked if anyone had any ex parte contact, including visits to the site, or any contacts they've had with people involved or people who have an opinion about this issue that were outside of the normal hearing process. Commissioner Langston had no ex parte contact and he has been to the site. Commissioner Natalie Smith had no ex parte contact and she has visited the site. Commissioner de AElfweald had no ex parte contact

and he had visited the site in 2015 as part of the original public hearing. Commissioner Poole had no ex parte contact and he has visited the site. Commissioner Williams had no ex parte contact and he is very familiar with the site. Commissioner Patrick Smith has had ex parte contact – (he responded to comments on a social media {Facebook} post last week where someone had raised concerns and he asked for clarification - and he sent an email to the School Superintendent about this project) and has visited the site. Chair Milch has not discussed the project except with his wife and he has visited the site. He listened to the audio recording of the original public hearing that was in July of 2015.

Chair Milch asked if there were any challenges to any of the declarations or anyone who believes that a Commissioner should not participate in this hearing – there were none. He asked again after the public was “un-muted” – there were none.

Chair Milch reminded everyone that in this kind of land use hearing if you testify you must raise all issues you wish to address at this hearing. If your issue is not raised at this hearing it cannot be raised later in any appeal. Your comments should state why the application should or should not be approved and include your proposed modifications you believe are necessary for approval according to the standards. Because this is the initial evidentiary hearing state law grants any party the right to request a continuance of this hearing or ask that the record remain open after the hearing is closed. If you do not raise specific issues at the final evidentiary hearing or by the close of the record or fail to provide statements or evidence to allow the local government or its designee to respond to the issue you will not be able to appeal the decision to the Land Use Board of Appeals based on that particular issue. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government or its designee to respond to the issue precludes an action for damages in circuit court. Ms. Fields went over the staff report. She clarified that when the application was received by Clackamas County it was named Z0149-20-D, however, comprehensive plan amendments in the past have had a “CP” at the end, so for this presentation you will see that added to the name because this is an application for a comprehensive plan amendment and a zoning map change. It should be noted that the “CP” was added to clearly identify the subject of the application. The site is adjacent to the Webster Ridge Apartments – the proposal is to re-zone 1.04 acres of land that is currently zoned R-7.2, which is a single-family low density residential zoning district to a multi-family residential zoning district, which is MR, therefore, change the zoning map and amend the Comprehensive Plan to reflect the new zoning designation. She went over how the parcel is currently zoned. She said notice was sent to DLCDC as required by the State, property owners located 250 feet from the subject property, as well as the Clackamas Review. Comments were received by the City of Gladstone Fire Department and Engineering Department as well as some neighbors. The applicant provided notes from meetings with neighbors – those have been added to the file as comments.

She said in order to reduce any concern with what the Gladstone Municipal Code (GMC) says and what the staff report says she has formatted this presentation to go through the GMC as staff would look at the application. 17.68.010 creates the authorization for initiating amendments. An amendment to the zoning map or the Comprehensive Plan may be initiated by application of a property owner, contract purchaser, or authorized agent of the subject property. Tonight’s land use application was submitted by the contract purchaser for that 1.04-acre portion of the parcel. She shared an aerial view of the parcel. Any future development of this acreage for multi-family to support the existing apartments could be served from extensions from the adjacent property. GMC section 17.68.020 establishes the review process that requires that Comprehensive Plan amendments and zoning map changes follow the administrative procedures in Division 7 of the GMC, which clearly says that the Planning Commission will make a recommendation to City

Council for zone changes and Comprehensive Plan amendments. Section 17.68.040 outlines conditions – the conditions that the Planning Commission can put on zone changes. She highlighted two of those conditions. Types of conditions may include special measures designed to limit use or density, screen or separate buildings or portions of the site from adjoining property; limit access from important thoroughfares or through residential areas; provide additional right-of-way from an abutting street, preserve or provide public access to greenspace, floodplains, or river frontage; improve bicycle or pedestrian safety and connectivity; or improve transit capacity an efficiency. In the staff report there are some conditions that are crafted for the Planning Commission to consider. No variance of ordinance standards is allowed so they are not able to say that a use that wouldn't be prohibited in the zoning district would be allowed on the property. The special conditions included in the staff report include limiting the use of the re-zoned parcel to be developed with land uses customarily considered accessory to multi-family residences in addition to recreational uses. A second condition of approval to address some of the neighbors' concerns was lighting – the future development of this site shall provide limited lighting and any lighting installed shall meet the minimum amount required to meet the City of Gladstone Public Works requirements. The application provided included note of future development on the site – if approved for the zone change there would be further land use applications for a property line adjustment to absorb the 1.04 acres into the existing property. The property has a retaining wall along one edge and there is a limit in the GMC that limits fence and wall height to six feet. With the retaining wall it is hard to have a screen that would screen the apartments from the adjacent neighbors when the retaining wall plus the fence can only be six feet.

In 17.68.050 it sets out the evidence that the applicant is to provide. Pursuant to this section of the GMC the applicant is supposed to provide evidence that:

1) Granting the request fulfills a public need - the greater departure from present development policies or land use patterns, the greater the burden on the applicant.

- a. The application proposed to eventually increase the availability of recreational/open space to Webster Ridge residents and by extension, increase the health and wellbeing of the City's residents;
- b. A buildable land inventory ("BLI") and a preliminary housing needs analysis ("HNA") was completed by ECONorthwest in September 2019 and showed the subject Property as "Partially Vacant" in the BLI;
- c. Ultimately, the HNA report calculates that the High-Density Residential designation has a deficit capacity of 80 dwelling units, meaning there is a deficit of three acres of High-Density Residential land in Gladstone;
- d. With the proposed condition of approval prohibiting additional dwelling units on the subject property, the application will neither increase nor decrease the City's supply of buildable High-Density Residential land. It will, however, facilitate occupancy of 15 available multi-family units in the City, which is consistent with the need shown in both the 1979 and 2019 housing needs analyses;
- e. The "departure from present development policies or land use patterns" associated with the application is limited. The subject property is unlikely to be developed for its zoned single-family uses because it is owned by a church and because there are no local street connections available to it from outside of the church property. Utilizing the proposed part of the Church property closest to the apartment complex for an accessory multi-family use with surrounding open space and single-story garages for buffers to the surrounding residential neighborhood will be less intrusive than developing the entire church parcel at the current single-family and townhome zoning density.

Ms. Fields said that it is important to note that the GMC requires the applicant to provide evidence that the public need is best carried out by granting the petition for the proposed action, and that the need is best served by granting the petition at this time. The evidence supplied by the applicant is:

- f.** The Webster Ridge Apartment Complex is not fully occupied due to the lack of parking based on the experience of the property manager and move-out interviews of past residents.
- g.** The applicant has not conducted an official survey of current residents.
- h.** Each apartment is assigned one parking space. For the month of April, 2020, aside from the four (4) rented garages, the remaining surface parking spaces included four (4) ADA spaces and 63 undesignated spaces, which were available to residents with a second vehicle and visitors on a first come, first serve basis.
- i.** Most units have at least two adult occupants, for an average of 1.54 persons per unit. The April 2020 resident parking demand for 107 occupied units was 156 vehicles, which equals 1.46 spaces per unit.
- j.** For the 122 units in Webster Ridge, the minimum parking under current standards is 183 spaces (1.5 spaces per unit). Although Webster Ridge has 183 spaces, less than 170 are typically available, additional vehicles and to serve tenants once parking for staff, maintenance personnel, garages, ADA spaces are considered. Three (3) garages are reserved for apartment maintenance. Two (2) garages were early leases to tenants without requirements that they be used for parking, and they are currently being used for storage, leaving about 18 spaces in April 2020 available for staff, visitors, and undisclosed vehicles.
- k.** The proposed future surface parking, garage, storage, and open space area uses would be accessory uses for the existing Apartments. GZO 17.06.015 defines “accessory use” as a “use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use.
- l.** The R-7.2 and MR zones require accessory uses to be accessory to uses listed in those respective zones. GZO 17.14.020 (MR zone) and GZO 17.10.020 (R-7.2 zone). Because there is no space on the apartment site for additional parking, this application is necessary to allow accessory parking on the subject property.
- m.** Approval of this application will be followed by a lot line adjustment to request the combination of the 1.04-acre re-zoned lot with the existing lot.

The applicant also had to provide evidence that the proposed action is consistent with the Comprehensive Plan and Metro’s Functional Plan (Metro Code 3.07), and the Transportation Planning Rule (OAR 660- 012-0060). The Comprehensive Plan includes a Land Use Planning Goals: “To provide and maintain a high standard for Gladstone’s quality of life”, and “To ensure a factual base for land use decisions and actions and to establish a planning process and policy framework for this purpose.” Within that there is a Residential Use Policy #5 that says: “Allow housing types ranging from low to high density units, providing for variation in the design of housing units.”

- n.** Staff found that it was unclear from the quantitative data provided in the application whether the additional parking would fill the vacant apartment units.
- o.** In April, the vacant apartments were primarily one-bedroom units.
- p.** However, the qualitative data from the experience of the property manager and previous residents supports that there is a need for additional parking.

The applicant highlighted the 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 2 says: “Promote the development of high-density housing around commercial and/or industrial centers served by mass transit transfer stations.”

- q. The Webster Ridge apartments have a number of TriMet bus stops nearby — including northbound and southbound Webster and Cason stops, as well as a stop at the 18000 block of Webster Road. TriMet bus lines 31 and 32 also have stops nearby on Oatfield Road.
- r. This provides residents with access to alternative transportation and commercial areas of town.

3) The proposed action is consistent with the comprehensive plan and Metro’s Functional Plan (Metro Code 3.07), and the Transportation Planning Rule (OAR 660- 012-0060).

Housing Goal: Policy 4: Promote the upgrading and preservation of existing housing units and neighborhoods, with special emphasis on historically significant homes. One of the items within this policy is to explore ways of encouraging an on-going maintenance program of existing multi-family structures and landscaping. The applicant provided evidence that the proposed additional parking would have been allowed if presented with the original land use application in 2015. The GMC does not have a maximum amount of parking for multi-family residential developments. The minimum amount is 1.5 parking spaces per dwelling unit. The applicant is recommending the addition of 26 units. Ms. Fields reminded everyone that this is a zone change and you can’t rely on future development when you’re considering the zone change. The applicant would have to come before the Planning Commission with a land use application prior to developing any parking on that site. They are requesting a zoning map change and Comprehensive Plan amendment with the intent of applying for future land use applications for additional parking and recreation or open space. She wants to make sure that future intent is not determining the Planning Commission’s decision tonight unless it is important for them determining if the public need is there and the public need is best addressed by granting this application tonight. The reason the Housing Goal is applicable is because you are increasing the density of housing allowed on that zoning parcel – modifying it from a low-density residential zoning district to a multi-family residential zoning district.

Commissioner Patrick Smith asked what things could be done with this property if this gets approved. Ms. Fields said it would depend on the special conditions that the Planning Commission placed on the re-zoning. She said the Planning Commission makes a recommendation to the City Council so the final authority rests with them unless it’s appealed. She said they are talking about parking because that is what the applicant indicated in their application as the future use of the parcel. The Planning Commission can make a recommendation that there be a special condition to limit the use of this newly zoned multi-family residential zoning district to accessory uses only (parking, playgrounds, swimming pool, recreational use, etc.). She went over the ingress/egress on the property.

The applicant had to show evidence that the proposed action is consistent with not only the Comprehensive Plan but also Metro’s Functional Plan. The Metro Urban Growth Functional Plan Policies Title 1 Housing Capacity requires “each city and county to maintain or increase its housing capacity.” By increasing the density of this parcel from low-density residential to medium or high-density residential you are increasing housing capacity. HB-2001 would say that this property is zoned for single-family detached residential units. The City has not made any changes to their code in relation to HB-2001, except for the parking of the accessory dwelling units (ADU’s) and the owner-occupancy. HB-2001 would not allow accessory uses on a parcel of land without a primary use already there – so you couldn’t have parking garages for the apartments without having the apartments there.

The proposed action also has to be consistent with the Transportation Planning Rule, which aims to provide and encourage a safe, convenient, and economic transportation system. If the Planning Commission chooses to limit the use to accessory uses then they would not be increasing the number

of dwelling units and therefore they would not be adding trips to the existing transportation system that was not considered during the original land use application. The GMC requires that the applicant provide proof that it's a significant change in the neighborhood or community or a mistake in the planning or zoning for the property under consideration when relevant.

- The neighborhood is currently a mix of single-family residential, multifamily residential, church, and open space.
- The applicant does not contend that the application is necessary to address a mistake in the zoning of the property.
- The rezoning and subsequent land use applications would allow the applicant to update the existing apartment complex to meet the need for additional parking that the property management and owners have identified.

The GMC also requires that the property and affected area is presently provided with, or concurrent with development can be provided with adequate public facilities, including, but not limited to, the planned function, capacity, and performance standards of the transportation system as adopted in the transportation system plan.

- The property is adjacent to a fully developed area which is complete with streets, water, sewer, and storm drainage facilities.
- Water and sewer is available for extension.
- The rezoned land would be followed by additional land use applications that would address the adequacy of the public facilities.

The transportation system is capable of safely supporting the uses allowed by the proposed designation in addition to the existing and planned uses in the area, consistent with the Transportation Planning Rule (OAR 660-012-0060). Requirements of the State Transportation Planning Rule shall apply to those land use actions that significantly affect the transportation system, as defined by OAR 660-012-0060.

- As part of this application, the applicant contracted with Jessica Hajar of Lancaster Mobley to evaluate the impact on the City's transportation infrastructure.
- Ms. Hajar concluded that the application will not "significantly affect" an existing or planned transportation facility.
- The property is adjacent to the Webster Ridge Apartments and is planned for future use as accessory uses for the existing apartments. The land use decision that approved the 122 dwelling units (Z0249-15) found that the transportation system was sufficient for 122 dwelling units and no additional units are proposed.

Chair Milch asked why Ms. Fields preferred the language that mentioned the uses that would be there rather than a specific language that mentioned prohibition of other uses. Ms. Fields said she likes positivity, but they are saying the same thing and the choice is up to the Planning Commission; whether they limit the development for uses customarily considered accessory or if they say prohibit future dwelling units. Commissioner Poole said when you start doing prohibitions you start creating long lists and you leave things out. There was discussion regarding options regarding future developments and positive -vs- negative language. Chair Milch said they wanted the public to know that the applicant came to them asking for additional parking alone and not additional dwelling units.

Ms. Fields said that staff is recommending approval of the proposed zone changes with three special conditions. She went over those conditions and also said that the applicant did their due diligence regarding

Statewide planning goals and guidelines and noted they are not proposing to reduce the density of land zoned for residential purposes and are therefore in line with State legislation.

Special Conditions:

1. Future Use:

The 1.04 acres that are to be rezoned shall be developed with land uses customarily considered accessory to Multifamily residences per 17.14.030 in addition to recreational uses per 17.68.040.

2. Lighting:

The future development of the site shall provide limited lighting per 17.44.020(5) and (6). Any lighting installed shall be the minimum amount required to meet the City of Gladstone Public Works requirements.

3. Screening:

The project currently has a retaining wall at the southwestern edge of the property closest to Stone Oaks Ct. To provide screening from adjacent neighbors, an exception to 17.14.030, fence and wall height, will be granted by the Planning Commission and the applicants shall install a six-foot (6') fence on top of the retaining wall prior to receiving building permits for additional development on the rezoned portion of the parcel per 17.68.040. A six-foot (6') landscaping screen may be substituted for a fence if the integrity of the retaining wall can be maintained.

APPLICANT TESTIMONY:

Michael Robinson, a land use attorney representing the owner of the property, said he appreciated working with Ms. Fields and the positive staff report. He introduced Hans Thygeson, the owner of the property, Bob Sanders, the project manager, and Jessica Hajar, the Traffic Engineer with Lancaster Mobley. He said they wanted to assure everyone that this wasn't an application to put in more multi-family units – it's simply an application that lets them correct a problem they didn't anticipate at the time they did the project in 2015, which is lack of parking. They are fine with special condition #1. He said they have not received comments from the DLCDC or Metro. He said the area they are proposing to add only abuts two single-family lots on the west and church land remains on the north. They agree with special condition #3. He said the conditions are feasible, they can achieve them, and they think they are reasonable. Commissioner de AElfweald asked if the larger trees on the southwest side would provide a taller screening if they kept them in place. Mr. Thygeson said they are retaining a buffer zone around the developed area so the trees that are around the boundary will stay and they are removing the trees that are in the center of the project. They planted a row of arborvitae that met the concerns of the neighbors. They also planted trees that will block the lights. Mr. Robinson said that the owner tried to visit all the neighbors abutting the site to discuss the project. He explained how they meet the approval criteria and why the Planning Commission should recommend approval of the City Council. He said that Chair Milch's suggestion of adding the word "expressly" to special condition #1 makes sense. The March 19, 2020 traffic report shows that because they are not adding dwelling units there won't be any traffic impacts. He said they explained in the application and a letter of response why the 15 apartment units had to be held off the market because of inadequate parking. They feel the Planning Commission can recommend approval of the application to the City Council. He said the comprehensive plan map and zoning map amendment is necessary to achieve the solution to the problem of inadequate parking.

Chair Milch said the reason there are 122 units in this development is that the original land consisted of 4.09 acres and the City code has a minimum density requirement of 30 units per acre, which equals the 122 required units. 122 units x 1.5 parking spaces equals the 183 parking spaces. It met the code requirements but did not turn out to be adequate. He said it's very difficult to predict the demographics of who is going to be living in the complex. He said it's important for the public to know that they have been living with this situation for a couple of years.

Mr. Thygeson said when they built the complex in 2015 they thought they understood the Gladstone market. Of the 122 units they have 60 1-bedroom units and 2 studios – they had never built a community with that ratio. They thought that had adequate parking. They underestimated the number of working adults in this community. Their desire is to be a good neighbor. They have been struggling with residents being issued citations and having to find other places to park. They feel that even though this design is not as profitable for them as a developer, it's the best for the neighborhood. Commissioner de AElfweald thanked him for providing the information regarding what's been happening there.

PUBLIC COMMENTS:

Mindy Garlington said she brought up the issue of parking when this complex was built. She has an issue with the amount of concrete – nothing says they went to the neighbors to discuss this. She asked about the safety of people who are parking there if they are minimizing the lighting. She suggested using motion lights. She asked if they've only rented four garages what is the need for additional units? She asked if all of the parking units are going to be rented or if it is going to be open parking. She asked if there is a tax base increase with this change. She asked if the City would collect more taxes from a house versus a bunch of garages.

Chair Milch said that taxes could only be collected if homes were developed on the R-7.2. Ms. Fields did not have information regarding taxes. Mr. Doughman said that generally they would not be looking at the financial impact of a change like this. There was discussion regarding theoretical uses of the church property.

Bill Preble said they had questions but most of them had been answered.

Ms. Fields shared public comments that came in electronically.

APPLICANT REBUTTAL:

Mr. Robinson thanked everyone for their comments/questions. He said in response to Ms. Garlington's questions that there are only 12 3-bedroom units out of 122 units. He said whatever the tax base is now it's vacant property so his guess is that it's exempt - so you would have more tax revenue with some development. Mr. Thygeson said that typically 1-bedroom units are typically a single adult working member of the community and instead this community has a high number of two adults with two cars. He said they have talked to the neighbors that surround this property and they will be treating the storm water and reducing that area by close to half of the storm water that drains to the south – they will be retaining it/treating it and taking it out to Webster Road to the east. They are greatly improving the area that drains to the west. They will be meeting all the storm water requirements and it will be addressed in the future. Lighting was a concern and that's why they provided the screening and they put the garages with all the parking on the inside to take into consideration the neighbors. This will block lighting from the apartments. Any lighting for access and walkability after dark will be blocked by these buildings. They typically use motion sensor lighting.

Commissioner Patrick Smith made a motion to close the public hearing. Motion was seconded by Commissioners de AElfweald and Natalie Smith. Motion passed unanimously.

Commissioner Poole said regarding the comments on the parking ratio – the owner met the limits in 2015, but he had no choice. He believes this is a viable plan and that the applicant has made an exceptional effort to reach out to neighbors. He doesn't see any reason not to move forward with this project.

Commissioner de AElfweald said during the initial application the applicant actually wanted to provide more greenspace but there was no ability to do so due to the limitations pertaining to density. He sees that this would allow for that. He wants to make sure that if there are any conditions along those lines that

would prohibit that, based on what happened last time, that they make sure that that's taken into account on the future application. He said residents are parking in neighboring properties, at Safeway, and on Webster Road and that is something they need to improve.

Commissioner Patrick Smith said he can support a naturally shielded parking lot and nothing beyond that – anything that can be hidden. He said we aren't doing anything positive for the citizens that abut this property by allowing anything beyond a parking lot.

Chair Milch said the comments regarding parking requirements that were made during the original hearing were that the only way you can fit 122 units on a property this size and provide 183 or more parking spaces is to have three-story buildings. So part of the reason the buildings are as big as they are is that's the way you achieve the density with the parking requirements that we have. Unless they raise the height requirements they will not be able to provide a higher level of parking and achieve the density requirements the same way. This has turned out to be a way that addresses a problem in an effective way. There was discussion/clarification regarding the language to be amended and the special conditions. Mr. Doughman recommended changing it to: *"The 1.04 acres that are to be rezoned shall be developed exclusively with land uses customarily considered..."*. He said since this is a recommendation the record is quite clear on what they are intending so they could say recommend approval to the City Council based on the special conditions and then subject to the changes that were made during deliberation.

Chair Milch asked for a call for a motion. Commissioner Natalie Smith made a motion to recommend to the City Council approval of the Comprehensive Plan Amendment and Zoning Map change application on File Z0149-20-D/CP and recommend the special conditions as discussed in the Planning meeting. Motion was seconded by Commissioner Patrick Poole.

Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Natalie Smith – yes. Commissioner de AElfweald – yes. Commissioner Poole – yes. Commissioner Williams – yes. Commissioner Patrick Smith – yes. Chair Milch – yes. Motion passed unanimously.

Chair Milch thanked everyone involved for their work, testimony, etc. related to this issue.

BUSINESS FROM THE PUBLIC:

None.

BUSINESS FROM THE COMMISSION:

Commissioner Poole:

He believes they need to have a future discussion on parking.

Commissioner de AElfweald:

He feels that a lot of their discussions regarding parking are based on Metro and DLCD, but he thinks some of the things like tonight should definitely be included in those discussions moving forward. He picked up the book that he mentioned in the climate change report but hasn't had a chance to read it yet.

Councilor Mersereau:

He said the Planning Commission did a good job tonight.

Chair Milch:

He commended Mr. Doughman and Ms. Fields for the work they do with applicants to make sure the Commission is well informed and that the issues are dealt with in advance.

Ms. Bannick said there will be an agenda and information sent out tomorrow regarding next week's meeting.

ADJOURN:

Meeting adjourned at approximately 9:51 P.M.

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

Michael Milch, Chair



REGULAR AGENDA



City of Gladstone Monthly Report August 2020

PUBLIC CONTACTS/PLANNING ACTIONS

CUSTOMER CONTACT/ Planning Actions	January	February	March	April	May	June	July	August	YEAR TOTALS
Customer Service Counter Contacts	5	10	1	0	0	0	1	1	18
Customer phone/email Contacts	43	66	62	34	49	83	53	44	434
Building Permits with Land Use Review	5	4	11	3	0	4	1	2	30
Pre-application Conferences	1	0	0	0	0	0	0	0	1
Administrative Decisions	2	1	1	0	0	1	0	0	5

PLANNING COMMISSION ACTIONS/DECISIONS

- Held Public Hearing for Potential Code Amendments (File #: TXT-2020-02) –consideration of changes to parking requirements for the C-2 zoning district. Hearing continued From July.
- Held Public Hearing for Potential Zoning Map and Comprehensive Plan Amendments – rezoning low density residential land (R7.5) to high density residential land (MR).

CITY COUNCIL LAND USE ACTIONS/DECISIONS

PRE-APPLICATION CONFERENCES

- None

ADMINISTRATIVE PERMITS

- None

BUILDING PERMITS WITH LAND USE REVIEW

JULY AND AUGUST

Date	Address	Building Permit #	Description
8/04/2020	235 W. Gloucester	B0343020	Fire Damage repair
7/29/2020	295 W. Gloucester	RE009320	Solar Panel

FUTURE ITEMS/PROPERTY UPDATES

Location	Topic
18245 PORTLAND AVE	Three lot partition



REGULAR AGENDA



REGULAR AGENDA



STAFF REPORT: TYPE II PARTITION

Application No.: Z0321-20-M;

Applicant: MAKR LLC

Project Location: 18245 Portland Ave; Tax Lot 22E18DD02701

Project Description: The property owner is proposing to partition the 0.55 acre property into three parcels. The proposal includes accessing the two newly created parcels from Glen Echo Ave. and the third parcel from Portland Ave.

SUMMARY OF STAFF RECOMMENDATION

The planning staff are recommending APPROVAL of the three lot partition application Z0321-20-M and recommend the following findings and following conditions in support of approval: (1) Lighting; (2) Parking; (3) ADA Needs; (4) Sidewalks; (6) Storm Drainage; (7) Water; (8) Sanitary Sewer; (9) Right-of-Way Dedication; (10) Easements; (11) Street Improvements; (12) Construction Plans; (13) Pre-construction Conference; and (14) Final Occupancy.

The property owner is proposing to partition one oversized lot into three parcels. The two (2) proposed parcels that are currently vacant are shown as having a shared access onto Glen Echo Ave at the south side of the property. The existing residence utilizes a driveway out to Portland Avenue and will continue to use that access. The site has no environmental overlays or hazardous concerns.

As proposed and conditioned, planning staff find the application consistent with all applicable standards from Title 17 of the Gladstone Municipal Code (GMC) and are recommending the Planning Commission approve this Authorization of Similar Use and Conditional Use application. 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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EXHIBITS

Location Map
Aerial Image
Tentative Plan

APPENDIX: Substantial File Documents

- A. Application Materials (including the Tentative Plan)
 - B. Access Drive Approval
 - C. Comments Received
-

I. REQUEST FOR COMMENTS

Sent to: Property owners within two hundred fifty (250) feet of the subject property, City of Gladstone, Public Works, Gladstone Fire, Gladstone PD, Engineering, WES Tri-City, and Gladstone Disposal.

Responses Received: No comments were received directly from Gladstone Police, or Fire. Comments from the Engineering Department addresses items related to Public Works.

II. STANDARD CONDITIONS

1. **Expiration.** This approval shall remain valid for two years following the date of approval. If use has not commenced by that date, this approval shall expire unless the Planning Commission pursuant to Section 17.80.100 of the Gladstone Municipal Code grants an extension prior to expiration of approval.
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. **Building Permits.** The applicant shall obtain required building permits from Clackamas County. The applicant shall comply with requirements of the permits.

III. SPECIAL CONDITIONS

1. **Lighting.** The project shall provide adequate street lighting per 17.50.040 as determined by the Public Works Director. The project shall submit a photometric analysis and lighting plan to City of Gladstone Public Works that conforms to Illuminating Engineering Society (IES) standards, except as modified by the City. Any required streetlights shall be acquired through Portland General Electric and energized under PGE Option A.
2. **Parking.** At the time of construction, at least 1.5 parking spaces will be provided for each of the two-family dwellings per 17.48.020.
3. **Street Improvements.** Glen Echo Avenue is a County roadway and shall be improved as required by Clackamas County Engineering. The applicant will be required to dig out and repair or grind and inlay any failed or failing pavement surfacing on the Portland Avenue frontage of the site. The applicant shall meet onsite with the City Street Supervisor to determine the extent of any road repairs.
4. **ADA Needs.** This approval is subject to the development complying with the provisions of the Americans with Disabilities Act (ADA) including provisions for curb ramps and unobstructed sidewalks per GMC 17.50.020 (5).
5. **Sidewalks.** Where existing sidewalks and driveways on Portland Ave do not conform to current City or ADA standards, new ADA compliant sidewalks and driveways shall be constructed to address the following:
 - Obstructions, such as mail boxes, utility poles, or others, may not reduce the unobstructed width to less than 48 inches.
 - If the public sidewalk must swing around an obstruction, adequate right-of-way shall be dedicated for the sidewalk to remain within the public right-of-way. Right-of-way dedication shall be prepared using an approved City of Gladstone right-of-way dedication deed form or be granted on the partition plat.The sidewalk improvements along Glen Echo shall conform to current City Standards per 17.42.030 and 17.50.020.
6. **Storm Drainage.** The submitted partition application tentative plan includes the development of duplexes, driveways, and sidewalks. Public storm drainage improvements within Glen Echo Avenue shall conform to the requirements of Clackamas County Engineering. Storm drainage improvement for onsite development shall conform to the requirements of the Gladstone Public Works Design Standards. A drainage plan shall be submitted to the City including:
 - The design engineer shall submit to the City of Gladstone Public Works Department for review and approval a storm drainage analysis and report applicable to the approved development detailing how storm water quality, quantity, infiltration, and disposal are being

addressed to meet the requirements of the Gladstone Public Works Design Standards per 17.42.030 and 17.56.020.

7. **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 are required to verify adequate water meter size per 17.60.020(5), except when a water meter will serve a single residential unit. These calculations are typically based on a fixture count and shall be submitted to the City at the time of plan review.
8. **Sanitary Sewer.** The proposed development shall meet all sanitary sewer requirements pursuant to Oak Lodge and the requirements of the Gladstone Public Works Design Standards per 17.60.020(4). The integrity of the existing sanitary sewer lateral shall be verified by television inspection submitted to the Public Works Department. The existing sewer lateral will have to be brought up to current standards of the City of Gladstone, if determined to be necessary by City of Gladstone Public Works
9. **Right-of-Way Dedication.** The project identifies a right-of-way dedication along Portland Avenue consistent with the right-of-way for a Collector roadway as noted in the Transportation System Plan. The right-of-way dedication shall be noted on the partition plat.
10. **Easements.** The project identifies an 8-foot wide PUE on both street frontages. The PUE shall be granted on the partition plat. Other easements that may be needed for private utility improvements shall also be granted on the partition plat per 17.64.020.
11. **Street Improvements.** Glen Echo Avenue is a County roadway and shall be improved as required by Clackamas County Engineering. The applicant will be required to dig out and repair or grind and inlay any failed or failing pavement surfacing on the Portland Avenue frontage of the site. The applicant shall meet onsite with the City Street Supervisor to determine the extent of any road repairs per 17.42.030.
12. **Erosion Control.** A sediment and Erosion Control Permit is required from Clackamas County Building Division or WES prior to commencing site work if there is more than 800 square feet of soil disturbance per 17.58.020.
13. **Construction Plans** Submittal. Plans detailing the installation of public and private site and utility improvements and grading shall be submitted to the City of Gladstone Public Works Department for review and approval per Section 17.42.030. The design, location, and planned installation of all roadways, 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. Plan submittal shall include (3) paper sets of plans, an Engineer's Estimate for the public improvements, and a drainage report.

14. Pre-construction Conference. Plans detailing the installation of public and private utilities, site grading, and other public and private site improvements shall be submitted to the City of Gladstone Public Works Department for review and approval per Section 17.42.030. The design, location, and planned installation of all roadways, 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. Once 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 per 17.42.030.

15. Final Occupancy. PRIOR TO ISSUANCE OF A FINAL OCCUPANCY PERMIT, all conditions of the design review approval shall be met per 17.80.100(2).

IV. NOTES:

1. **System Development Charges (SDC's).** SDC's may be required due to the change of use of the property. The project shall provide all relevant information needed to calculate the SDC's to the Public Works Director. SDC calculation methodology is located on the Public Works page of the City of Gladstone website.
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.

V. FINDINGS

This Type II Partition application is subject to Chapter 17.10, R-7.2 – Single-Family Residential District; and Division III, Chapter 17.34 Partitions. In addition, the Planning Commission will review the Type II partition proposal relative to the following Division IV, Development Standards and Division VII. Administrative Procedures. Duplexes and their allowed accessory uses in the R-7.2 and R-5 zoning districts are not subject to Design Review and therefore, Chapters 17.44 and 17.46 are not applicable. :

Chapter 17.10, R-7.2 – Single-Family Residential District

17.10.050 Dimensional standards.

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

(1) Lot Area.

- (a) For a single-family dwelling, the minimum lot area shall be 7,200 square feet;*
- (b) For a two-family or multi-family dwelling, the minimum lot area shall be 3,600 square feet per dwelling unit;*
- (c) For other uses, the minimum lot area shall be 7,200 square feet, or as established by the Planning Commission, as provided by GMC Chapter 17.70 (Conditional Uses).*

Finding: The existing parcel is 22,418 square feet and the applicant is proposing to partition it into three parcels with the following area: 8,009 square feet, 7,200 square feet, and 7,209 square feet. All three of the parcels would meet or exceed the 7,200 square foot minimum. This criteria is met.

Chapter 17.34 Partitions

17.34.020 Partitions—Generally.

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

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

(2) Type I and Type II Partitions. A Type I partition is any partition where the proposed parcels conform to the dimensional standards of the zoning district in which the subject property is located, creation of a flag lot is not proposed and access will be provided from a local street. Any other partition is a Type II partition.

(3) Review. An application for a partition shall be reviewed pursuant to GMC Division VII (administrative procedures) of the GMC establishes the submittal requirements and administrative process applicable to partitions.

Finding: As submitted, this proposal meets the submittal requirements and the definition of a Type II Partition (to include access via a Connector Street). As a Type II Partition Planning Commission review is required. This criteria is met.

DIVISION IV. DEVELOPMENT STANDARDS

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.

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: The applicant is not proposing to use the public right-of-way for parking or storage of goods. The improvements to be installed by the developer will meet the Standards adopted by the city and will receive city approval through Special Condition. This criteria is met as conditioned.

Chapter 17.48 OFF-STREET PARKING AND LOADING

17.48.020 Single-family and two-family residential standards.

At the time of construction or substantial exterior improvement of a single-family dwelling, a minimum of one off-street parking space shall be provided. At the time of construction or substantial exterior improvement of a two-family dwelling, a minimum of one and one-half off-street parking spaces per dwelling unit shall be provided. The off-street parking space or spaces shall be located on the same lot as the dwelling.

Finding: The partition application tentative plan shows two off-street parking space per two-family dwelling and at least one parking space for the existing single-family detached dwelling. These off-street parking spaces are on the same lot as the dwelling. This criteria is met.

Chapter 17.50 Vehicular and Pedestrian Circulation

Requirements for vehicular and pedestrian circulation applies to all land divisions.

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 the 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.*
- *(2) Traffic Separation. Provide when feasible, a separation of motor vehicular, bicycle and pedestrian traffic.*
- *(3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets.*
- *(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.*
- *(5) Handicapped Needs. Provide for the special needs of the handicapped such as wheelchair ramps and Braille signs.*
- *(6) Pedestrian Circulation Standards.*
- *(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.*

Finding: The narrative provided by the applicant acknowledges that frontage improvements along Portland Avenue will need be upgraded to meet City standards and the plan shows proposed ADA ramps at the intersection of Portland Ave and Glen Echo Ave, to meet ADA requirements. The frontage improvements along Glen Echo will also be developed per Clackamas County and City of Gladstone standards. The proposed development will result in two (2) additional residential properties and is not anticipated to produce 25 or more trips per day during peak times. Therefore, traffic volume is not

anticipated to be a concern. Subsections (6) and (7) do not apply to two-family dwellings or land divisions. These criteria are met as conditioned.

Subsection 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:

Finding: The parcel to be divided is less than five acres so Subsection (2) above is not applicable. Parcel 1 and 2 of the partition will have a shared access off Glen Echo Ave. The existing home on Parcel 3 will continue to be served from a driveway off of Portland Avenue. Glen Echo Ave is managed by Clackamas County in this location. The applicant received approval for shared access on Glen Echo through a Design Modification Request Case#2020-05 that requires the shared access to be 150 feet from the intersection of Portland Ave and Glen Echo Ave. This criteria is met as conditioned.

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.

Finding: The partition application tentative plan shows an eight foot Public Utilities Easement (PUE) in addition to a five foot right-of-way dedication to meet the road width requirements. This criteria is met as conditioned.

(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.

Finding: The shared access drive approved by the Clackamas County Transportation and Engineering Division required 150 foot distance between Portland Ave and the shared access drive. This criteria is met.

(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.

Finding: In the adjoining subdivision, Parcel 9 has access through Parcel 10. There are no other adjacent parcels large enough to divide with the current density levels. Therefore, this criteria is not applicable.

(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.

Finding: The applicant is not proposing reserve strips. Therefore, this criteria is not applicable.

(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.

Finding: The shared access drive approved by the Clackamas County Transportation and Engineering Division intersects with Glen Echo Ave at an angle near to a right angle. This criteria is met.

(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.

Finding: The partition application tentative plan shows a five foot right-of-way dedication to meet the road width requirements for the adjacent street. This criteria is met as conditioned.

(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.

Finding: The applicant is not proposing to develop, or abut any Cul-de-sacs and Hammerheads; Street Names; Grades and Curves; Marginal Access Streets; or Alleys. Therefore, criteria related to these are not applicable.

(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.

Finding: The shared access drive approved by the Clackamas County Transportation and Engineering Division will have to meet the requirements of the City for access and fire suppression. This criteria is met as conditioned.

(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: The applicant is not proposing to paint the curbs or sidewalks. Therefore, this criteria is not applicable. This is informational only.

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

Finding: The applicant received approval from Clackamas County for a shared access onto Glen Echo through a Design Modification Request Case#2020-05. The curb and driveway for Parcel 3 that provides access onto Portland Ave currently exists and may have to be upgraded to meet the current City standards. This criteria is met as conditioned.

(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: The applicant is proposing to install street improvements on Glen Echo Ave. and Portland Ave.. This criteria is met as conditioned.

(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: The applicant is proposing to dedicate five feet of land for right-of-way and provide an eight foot public use easement. Both Glen Echo Ave.(B20) and Portland Ave. (B11) are identified in Figure 5 of the Gladstone Transportation System Plan as being priority locations for bicycle lanes. However, Glen Echo Ave. is currently owned by Clackamas County in that location. This criteria is met as conditioned.

(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: The applicant is proposing to install a shared access drive onto Glen Echo Ave. and keep the existing driveway onto Portland Ave.. A street is not being proposed This criteria is not applicable.

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

Finding: The applicant is proposing to install a new street light on an existing PGE pole located at the intersection of Glen Echo Ave. and Portland Ave.. A street is not being proposed This criteria is not applicable.

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

Finding: The applicant is proposing to address drainage during the building permit procedure. This criteria is met as conditioned.

(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: The applicant is proposing to install a shared access drive onto Glen Echo Ave. and keep the existing driveway onto Portland Ave.. A street is not being proposed This criteria is not applicable.

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.

Finding: The Public Works Director did not request a Traffic Impact Analysis and the development of four dwelling units is not anticipated to generate 25 pm peak hour trips onto the transportation system. Parcel 1 and 2 have received approval from the Clackamas County Transportation and Engineering Division for a driveway onto Glen Echo and Parcel 3 will be accessed off of Portland Avenue. Therefore, the trips generated will be spread between two separate roads with Collector classification. This criteria is met.

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.

Finding: The development of two duplexes, driveways, and sidewalks will disturb 5,000 square feet of ground. The applicant is proposing to address stormwater during the building permit process. The criteria in this Chapter are met as conditioned.

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.

Finding: This Chapter establishes standards for grading and fill and requires enforcement of the Oregon Residential Specialty Code (ORSC) (Previously the Uniform Building Code). The City contracts with Clackamas County for administration of grading permits. The county enforces its own Excavation and Grading Ordinance in lieu of Chapter 70 of the UBC. This criteria is met as conditioned.

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 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.

(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: Adequate services exist near this location for the proposed use. New utilities, such as electricity, are required to be underground unless the utility provider prohibits this. Water and sanitary sewer improvements to be constructed will meet Gladstone, and Oak Lodge or WES Tri-City's standards, respectively. During the building permit process, plans will be submitted to those agencies for approval prior to construction. This criteria is met as conditioned.

Chapter 17.64 Design Standards For Land Divisions And Property Line Adjustments

17.64.010 Applicability.

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

Finding: This criteria is met.

17.64.020 Blocks.

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

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

Finding: The applicant is not proposing to develop any blocks. This criteria is not applicable.

(3) Easements:

(a) Utility lines. Easements for sewers, drainage, water mains, electric lines or other public utilities shall be dedicated wherever necessary. The easements shall be a minimum of 12 feet in width and centered on rear or side lot lines at change of direction points of easements, except for guy wire tieback easements which shall be six feet wide by 20 feet long along lot lines.

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

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

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

Finding: The utilities developed in conjunction with this partition and subsequent residential development will meet the standards of the City, County, or utility provider. There are no watercourses

identified on the property. The partition is not creating blocks over 800 feet in length. Greenways are not identified on the property. This criteria is met as conditioned.

17.64.030 Building sites.

(1) Size and Shape. Lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The width of a lot shall be at least 50 feet except that corner lots shall have a width of at least 60 feet to permit appropriate building setback from both streets. Minimum lot depth in a residential district shall be 60 feet. In the case of irregular lots, the width shall be measured along the front building line. Except in a PUD development, in no case shall a lot area be less than the zoning district required. The Planning Commission may, when such a minimum in the case of multi-family dwelling subdivision development would result in a conflict with the minimum area requirements of the zoning ordinance, require larger minimum area requirement so as to conform to the zoning ordinance. These minimum standards shall apply with the following exceptions:

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

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

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

(4) Lot and Parcel Side Lines. The lines of lots and parcels as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve.

Finding: The parcel lines of all three parcels are generally at right angles to the existing street and exceed the minimum width of 50 feet as shown on the tentative plan. Parcel 1 has a width ranging from 59.93' to 60.00 feet, Parcel 2 has a width ranging from 55.23 to 75.31 feet, and Parcel 3 has a width ranging from 51.76 to 71.70 feet. All parcels have a depth that exceeds 100 feet. All lots exceed the 20 foot street frontage requirement. None of the lots are through lots. These criteria are met.

17.64.040 Building lines.

If special building setback lines are to be established in a subdivision, they shall be shown on the subdivision plat or shall be included in the deed restrictions.

Finding: The applicant is not proposing any special setback lines and the proposed dwellings identified on the tentative plan do not require any special building setbacks. This criteria is not applicable.

17.64.050 Large building sites.

In dividing tracts into large lots or parcels which at some future time are likely to be redivided, the Planning Commission may require that the blocks be of such size and shape, be so divided into building sites and contain such site restrictions as will provide for extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size.

Finding: The applicant is not proposing to develop any large lots that would be divisible in the future. This criteria is not applicable.

17.64.060 Maintenance of minimum title requirements.

No lot area, yard or other open space existing on or after the effective date of the ordinance codified in this title shall be reduced below the minimum required for it by this title, and no lot area, yard or other open space which is required by this title for one use shall be used as the required lot area, yard or other open space for another use.

Finding: The date of application is years after the ordinance and applicable land use regulations were codified. This criteria is not applicable.

EXHIBITS

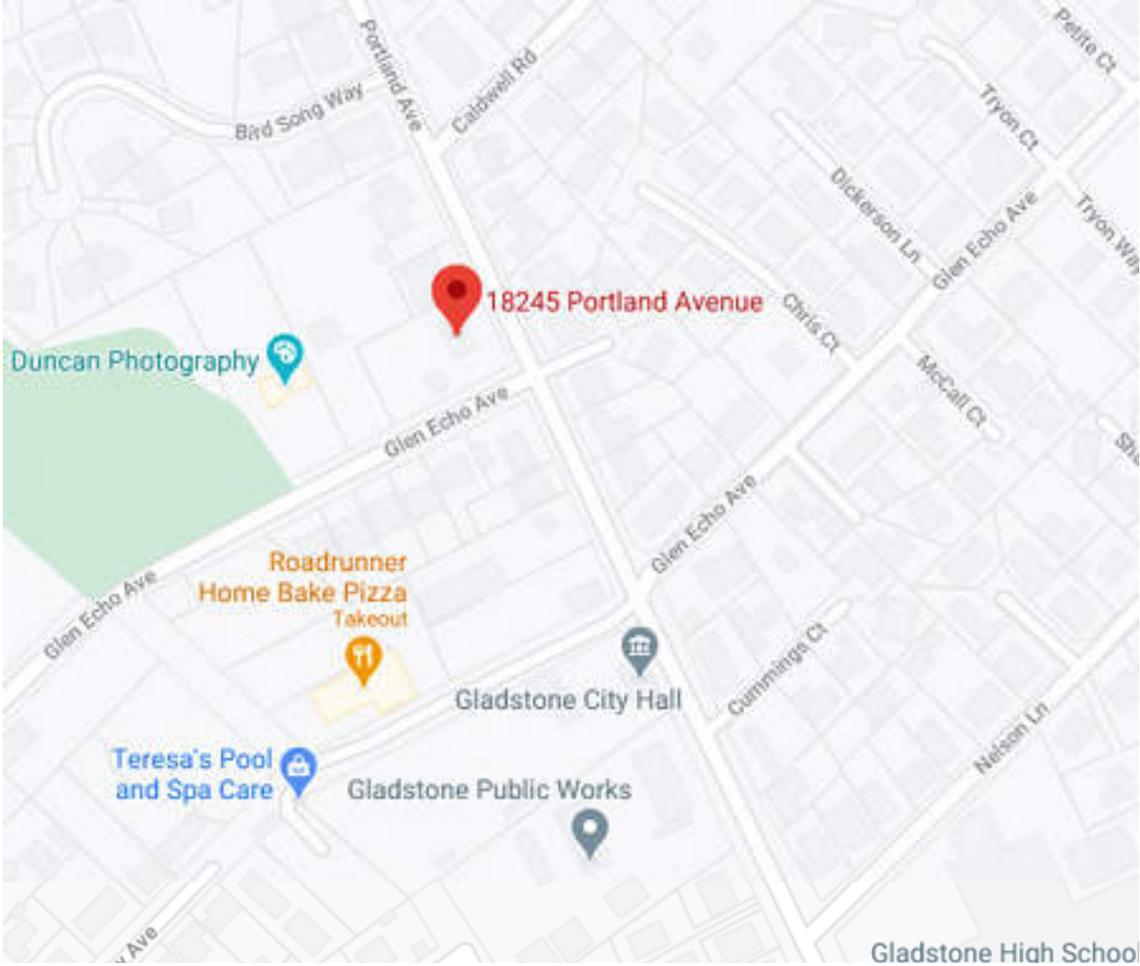


EXHIBIT 1
Location Map

Vacant portion to become
Parcels 1 & 2.

Carport to be removed.

Existing home to remain.



EXHIBIT 2
2018 Aerial Image

Appendix A

Application



PARTITION LAND USE APPLICATION

Gladstone planning services are provided by Clackamas County. Submit all land use applications and correspondence to: Clackamas County Planning Division, 150 Beaver Creek Road, Oregon City, OR 97045 Phone: 503-742-4510 E-Mail: jfields@clackamas.us

7.27.2020
pd \$2600
-Clay Glasgow

A completed application includes the APPLICATION FOR A PARTITION LAND USE APPLICATION and the items identified in the ATTACHMENT CHECKLIST below.

- ✓ Please answer all questions. If a question is not applicable to your project, indicate "N.A."
- ✓ Incomplete applications will not be accepted for filing.
- ✓ All exhibits must be legible.

• FOR STAFF USE ONLY •

File No: _____ Other Related Permit Applications: ZPAC.0120-19

Pre-app: Staff _____ Date _____ Staff Member: [Signature]

Date Received: 7/27/20 Fee: 2,600 Zone: _____

Hearing Date: _____ Comp. Plan: _____

• APPLICANT INFORMATION •

PLEASE TYPE OR PRINT IN BLACK INK ONLY

SECTION I. APPLICANT/ PROPERTY OWNER

NAME OF APPLICANT Francis Zach MAKR LLC

LAST FIRST

MAILING ADDRESS 250 Princeton Ave #104 CITY Gladstone ST _____ ZIP 97027

APPLICANT IS: LEGAL OWNER CONTRACT BUYER OPTION BUYER AGENT

NAME OF CONTACT PERON (if other than applicant) In addition to Applicant Bruce Goldson, Theta Engineering

MAILING ADDRESS OF CONTACT PO Box 1345 Lake Oswego, Oregon 97035

PHONE NUMBERS OF: APPLICANT: WK 503-703-0740 HM _____ CONTACT PERSON: WK: 503-481-8822 HM _____

SITE ADDRESS 18245 Portland Ave Gladstone, OR 97027 TOTAL LAND AREA: 22,418 sq ft

LEGAL DESCRIPTION: T 2 South R 2 East SECTION 18 TAX LOT(S) 22E18DD02701

ADJACENT PROPERTIES UNDER SAME OWNERSHIP: T _____ R _____ SECTION _____ TAX LOT(S) _____

OTHER PERSONS (IF ANY) TO BE MAILED NOTICES REGARDING THIS APPLICATION:

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.

OWNER'S SIGNATURE [Signature]

OWNER'S NAME (Print) Zach Francis

OWNER'S NAME (Print) _____

APPLICANT'S SIGNATURE [Signature]

APPLICANT'S NAME (Print) Zach Francis

APPLICANT'S NAME (Print) _____

SECTION II. DIMENSIONAL SPECIFICS

1. Project dimensions, size of properties involved _____

Area of Parcels involved	Existing (sq. ft.)	New Proposed (sq. ft.)	Difference (+ or -) (sq. ft.)
Parcel A	22,418	8,009	14,409
Parcel B		7,200	
Parcel C		7,209	
Parcel D			

2. Is any grading proposed? Yes No

If yes, complete the following:	
a. Amount of cut	Cu.yds.
b. Amount of fill	Cu.yds.

3. Parking

Is any existing parking being removed? Yes No
 If yes, how many spaces? _____

4. Does project include removal of trees or other vegetation? Yes No

If yes, indicate **number, type, and size** of trees 4; 12", 24", 24" & 17"
17" tree is deciduous, Balance evergreen
 Or other **type** and **area** of vegetation NO.

5. Present Use of Property

- a. Are there existing structures on property? Yes No
- b. If yes, describe existing house
- c. Will any structures be demolished or removed? Yes No
- d. If yes, describe _____

Response: the impervious area is kept to a minimum by employing a common driveway and joint use of vehicular circulation to allow vehicles to enter the street in a forward direction. The public improvements are per the various codes of the City of Gladstone and Clackamas County.

(2) Traffic Separation.

Response: Public works and engineering standards will be used for the half street improvements which provide sidewalks for pedestrian traffic.

(3) Curbs and Sidewalks.

Response: half street improvements per Public Works and Clackamas County will provide curbs, landscape strip and sidewalks on Glen Echo and Portland Ave

(4) Traffic Volume Expansion.

Response: both Glen Echo and Portland Ave are collector streets and will be improved with half street improvement which include dedications. Both street are adequate and there are no other local street impacted by this development. There will be no change in internal traffic patterns, and Glen Echo has a stop sign at Portland Ave.

(5) Handicapped Needs.

Response: Part of the half street improvement will be installation of twin ADA ramps at the intersection of Glen Echo and Portland Ave.

17.50.030 Streets and roads generally.

(1)

Response: No new streets are proposed. Glen Echo is a Clackamas County street and will be developed per the Clackamas County standards. Improvements on Portland Ave will be per the City of Gladstone requirements.

17.50.40(1) Right-of-way and roadway widths.

Response: An existing conditions survey has been completed with results shown on the tentative plan. Dedication is also shown, consistent with the pre-application meeting. An 8-foot PUE is also illustrated on the tentative plan as well as typical cross sections for both streets.

17.50.40(14) Curbs and Driveways.

Response: proposed driveway cuts are shown on the tentative plan. Clackamas County has reviewed the locating of the proposed curb cut on Glen Echo, including preliminary sight distance information and has approved the location.

17.50.40(15) Sidewalks

Response: new sidewalks are proposed on Glen Echo. The existing sidewalk on Portland Ave is curb tight and may require some rework to meet the current code.

17.50.40(16) Bicycle and Pedestrian Routes.

Response: The pre-application notes from Clackamas County set forth the width of the street improvements on Glen Echo and provides 18-feet of half street which is adequate for bicycle travel in addition to the separate sidewalk for pedestrians.

17.50.40(18) Street lights.

Response: A new street light on an existing PGE pole at the intersection of Glen Echo and Portland Ave is proposed.

17.56 Drainage

Response: half street improvements will include a storm drainage component as necessary. Drainage of the new parcels will be addressed with the building permit to meet the requirements of the City of Gladstone.

17.58 Grading and Fill.

Response: on-site grading will be dealt with in the building permit process. Clackamas County administers these permits for the City

17.60 Utilities.

Response: The tentative plan shows the existing utilities and proposed connections for the new parcels. All the electrical services will be underground. Construction plans will be sent to utility providers for review and approval.

17.64.030 (1) Size and shape

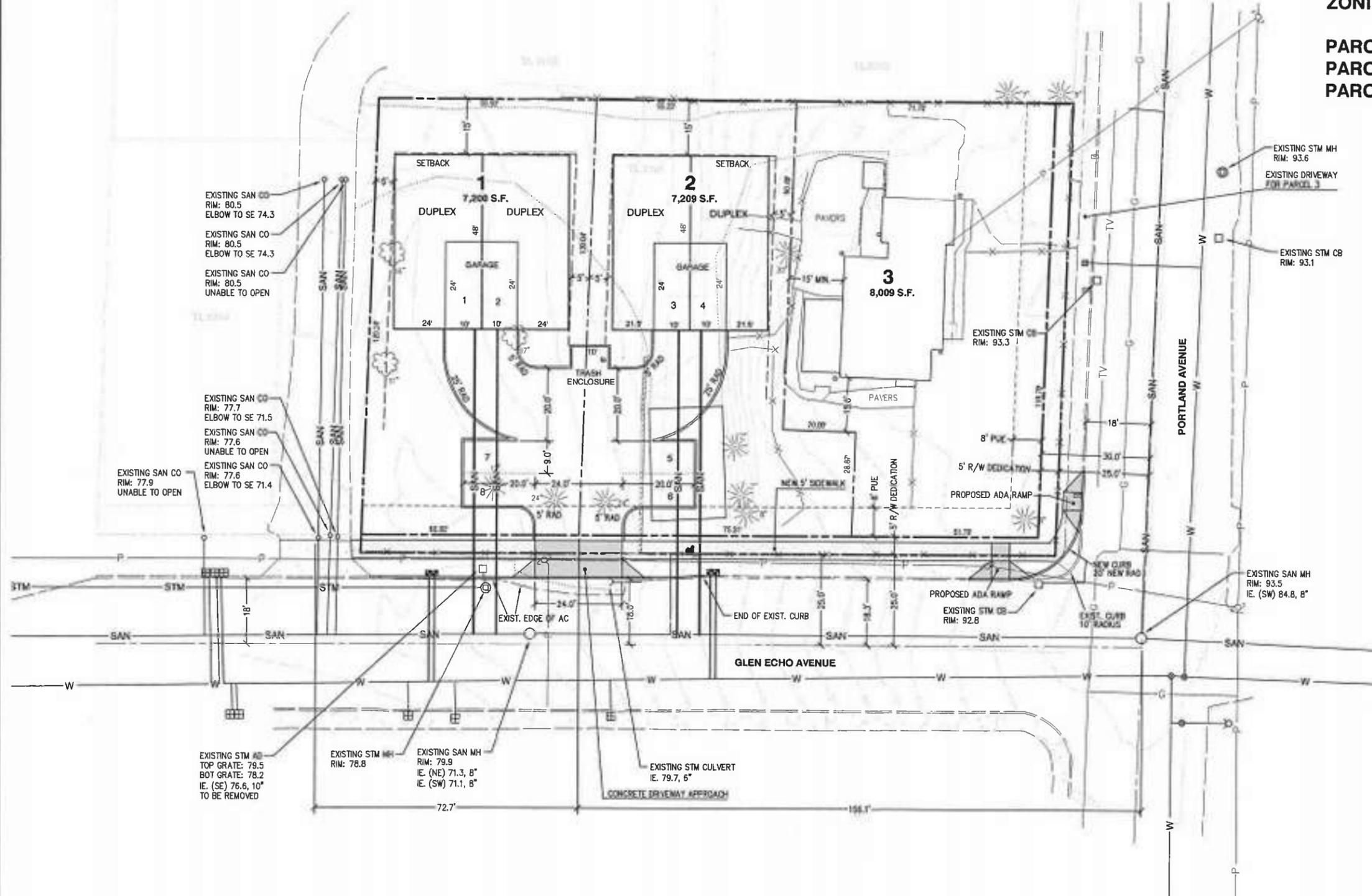
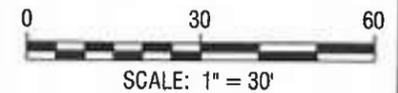
Response: the new parcel lot lines are generally at right angles to the exiting street and exceed the minimum width of 50 feet and shown on the tentative plan.

17.64.030(4) Lot and Parcel side lines.

Response: parcel lines are at right angles with the existing right-of-way

ZONING RESIDENTIAL R-7.2

PARCEL 1 AREA = 7,200 S.F.
PARCEL 2 AREA = 7,209 S.F.
PARCEL 3 AREA = 8,009 S.F.



OWNER/APPLICANT

Mark Homes
250 Princeton Avenue
Portland, Oregon 97027
Phone 503-703-0740

PLANNING/ENGINEERING

Bruce D. Goldson, PE
Theta, LLC
PO Box 1345
Lake Oswego, Oregon 97035
Phone 503-481-8822

SURVEYING

Toby Boden, PLS
Centerline Concepts, Land Surveying, Inc.
19376 Molalla Ave Suite 120
Oregon City, Oregon 97045
Phone 503-650-0188

**PARTITION APPLICATION
TENTATIVE PLAN**

2020-345

DESIGNED:	BDG
DRAWN:	BJS
SCALE:	1" = 30'
DATE:	April, 2020
FILE:	Gladstone 2020-345 Prelim2

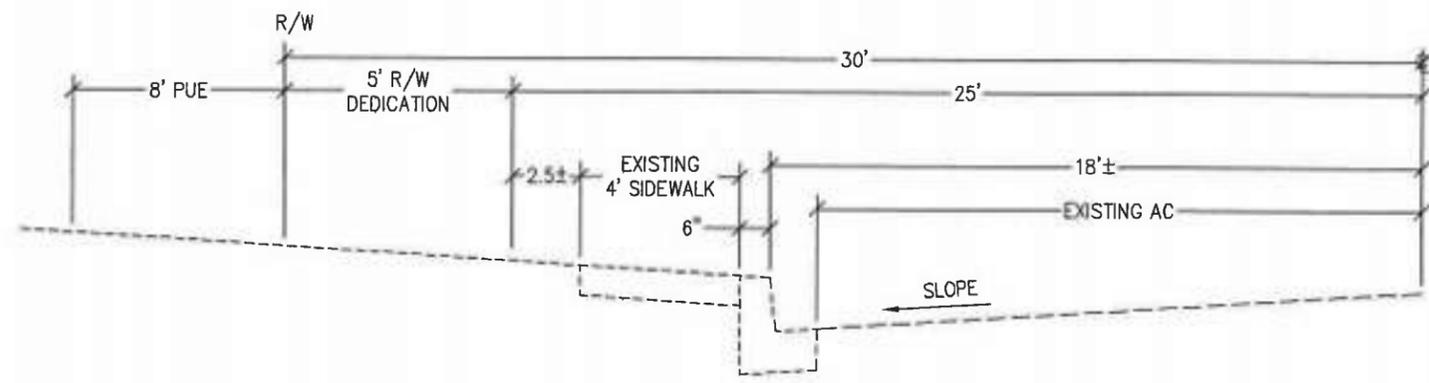
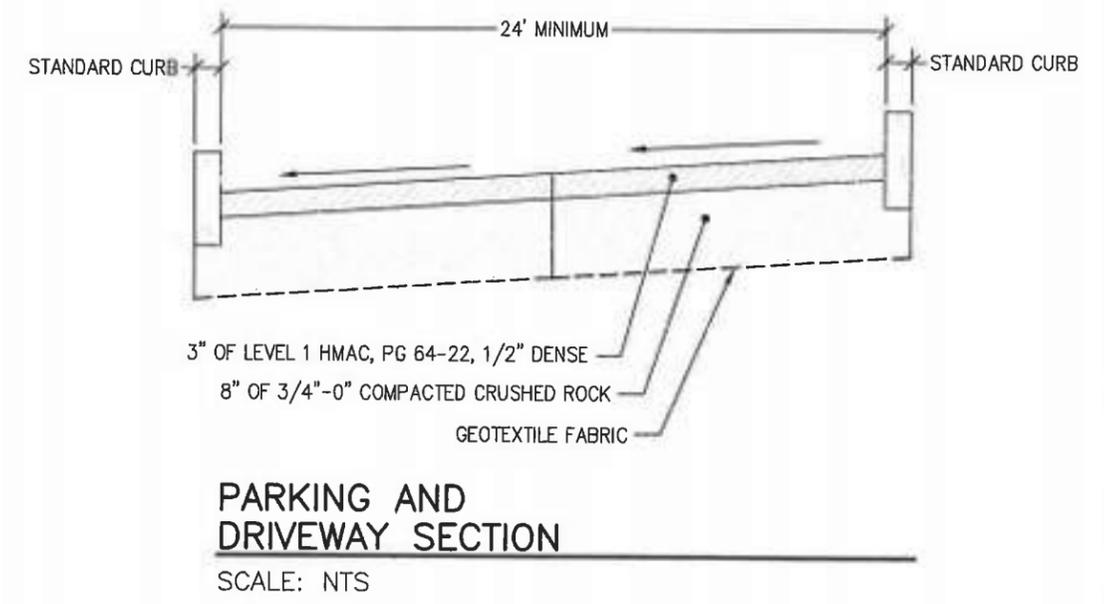
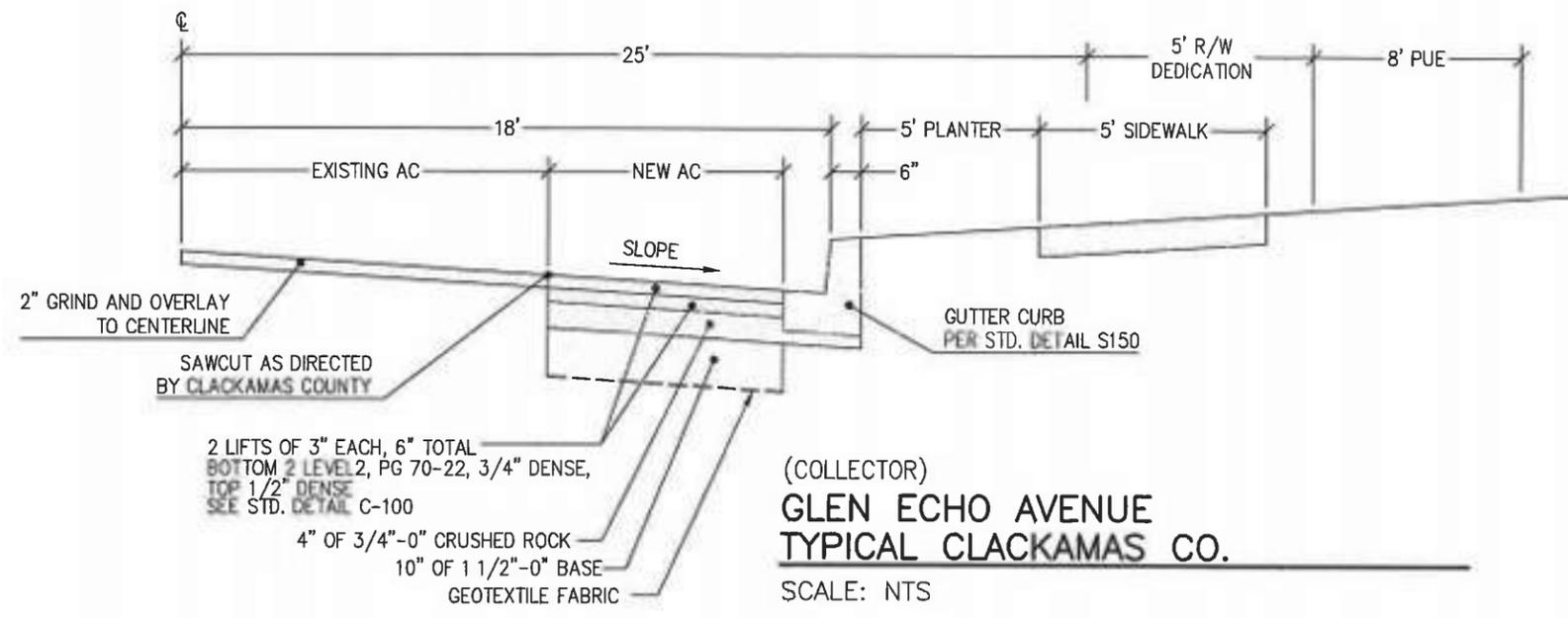
Theta, llc

ENGINEERING - SURVEYING - PLANNING
PO Box 1345
Lake Oswego, Oregon 97035
503/481-8822
email: thetaeng@comcast.net

Mark Homes
250 Princeton Avenue
Gladstone, Oregon 97027

18245 Portland Avenue
22E18DD02701
Gladstone, Oregon

1/2



PORTLAND AVENUE
TYPICAL CLACKAMAS CO.
SCALE: NTS

**PARTITION APPLICATION
TENTATIVE PLAN**

2020-345

DESIGNED:	BDG
DRAWN:	BJS
SCALE:	NTS
DATE:	April, 2020
FILE:	Gladstone 2020-345 Prelim2

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Makr Homes
250 Princeton Avenue
Gladstone, Oregon 97027

18245 Portland Avenue
22E18DD02701
Gladstone, Oregon

Appendix B
Access Drive Approval



Design Modification Request

Per Roadway Standards: Section 170

Internal use only

Case# 2020-05

Today's date: May 18, 2020

PROJECT INFORMATION

Project name: Francis Partition

Nearest address or intersection: 18245 Portland Ave, Gladstone

Functional classification of road: Clackamas County Comp. Plan Collector

Posted speed: 25mph

Applicable roadway standard: section 220.5

Description of modification & reason for request: Gladstone Comp plan has Glen Echo as a local street & Clackamas County as collector. In the long term will become a Gladstone street. other reasons for this request are provided on the attached drawings

Supporting documentation: Gladstone comp plan

Mitigation for modification: request to permit drive access on Glen Echo, see attached plans

Public Benefit: Provide better access for emergency vehicles, decrease the amount of impervious area, see attached plans

APPLICANT

Name: Bruce D. Goldson, PE ;Theta

Day phone: (503) 481-8822

Email: Thetaeng@concast.net

PROPERTY OWNER

Name: Makr Homes

Address: 250 Princeton Ave

City: Gladstone

State: Oregon

ZIP Code: 97027

Phone: (503) 703-0740

Email: makrhomes@gmail.com

COUNTY ENGINEERING STAFF USE ONLY

Effects on modified standards:

Land use decision issued? YES NO

Related to condition of approval? YES NO

Traffic impact and speed study? YES NO

Submitted?

Average Daily Traffic:

Calculated at (N S E W) of cross street:

Crash history of potential: Request shared access on Glen Echo, a collector. Portland Ave is also a collector and neither street would meet minimum access spacing stds. Proposed access on Glen Echo meets sight distance, so approval granted.

Staff discussion:

Decision: Approval Denial

Approved by: *[Signature]*

Conditions: Minimum access spacing of 150-ft from Portland Ave shall be maintained.

Type I

Type II

- Geometric design (horizontal, vertical curve design)
- Alteration of roadway cross section element

Sight distance, clear zone, access spacing, number of access points, intersection angle

Appendix C
Comments Received

MEMORANDUM

TO: Rick McIntire
FROM: Jonny Gish Traffic Development Engineering
DATE: 9/2/2020
RE: Z0321-20
Fancis Partition
22E18DD02701

Development Engineering staff has visited the site and reviewed this application with the attached site plan. We have the following comments:

Facts and Findings:

The applicant has proposed a 3 lot partition, which would subdivide tax lot 22E18DD02701 two of which are proposed to facing SE Glen Echo Ave. SE Glen Echo is under Clackamas County jurisdiction and will be subject to Clackamas County Roadway Standards requiriements.

The subject tax lot is within City of Gladstone jurisdiction but has frontage on SE Glen Echo Ave, a County Collector and SE Portland Ave, a City Collector. The applicant has been approved for a Design Modification for shared access to SE Glen Echo Ave for parcel 1 and 2. Parcel 3 will continue to use the existing access to SE Portland Ave. The shared driveway providing access for parcels 1 and 2 shall be centered within a minimum 20 foot access easement benefiting parcel 1, parcel 2 and future division thereof.

The shared private access will be required to show how vehicle maneuverability can be achieved without a backing movement in locations where pedestrians are expected. All vehicular maneuvering shall be encompassed in a shard access easement benefiting both parcels and prior to entering County right-of-way.

The shared private driveway providing access to proposed parcels 1 and 2 to SE Glen Echo Ave is required to provide a minimum intersection sight distance based on the travel speed of the roadway. SE Glen Echo Ave has a posted speed limt of 25 miles per hour. Therefore, the private driveway requires a minimum of 280 feet of intersection sight distance to the east and west of the shared private access.

SE Glen Echo Ave has an existing right-of-way width of 25 feet from centerline. Section 160 of the *Roadway Standards* requires Urban Collectors to provide a minimum 60-foot full width. Therefore, the applicant will be required to dedicate sufficient public right-of-way to provide for a 30-foot half street from centerline. This dedication shall be shown on the approved plat and to satisfaction of the County Survey and Engineering department.

Section 225 of the *Roadway Standards* requires frontage improvements along County roads concurrent with Standard Detail C130 for Urban Collectors. The required improvements include an 18-feet of asphalt concrete pavement (structural section to meet C100), 6-inch curb or curb

and gutter, 5-foot planter strip with street trees, 5-foot sidewalk, and 8-foot PUE. Stormwater facilities within County right-of-way shall be designed and constructed to meet Water Environmental Services and Chapter 4 of the Roadway Standards.

The applicant will be required to design and construct a 25-foot curb radius at the intersection of SE Glen Echo Ave and SE Portland Ave per the *Roadway Standards* Section 250 Table 2-15.

All required and proposed improvements along County road SE Glen Echo Ave shall be designed, constructed, inspected and warranted pursuant to section 190 of the Roadway Standards prior to final plat approval.

Recommended Conditions of Approval:

1. **Prior to site improvements:** a Development Permit is required from the Engineering Department for review and approval of frontage improvements, erosion control Best Management Practices implemented, sight distances and the shared driveway improvements. The permit shall be obtained prior to commencement of site work and recording of the partition plat. To obtain the permit, the applicant shall submit construction plans prepared and stamped by an Engineer registered in the State of Oregon, or plans acceptable to the Engineering Division, provide a performance surety equal to 125% of the estimated cost of the construction within County right-of-way and pay a plan review and inspection fee. The fee will be calculated as a percentage of the construction costs if it exceeds the minimum permit fee. The minimum fee and the percentage will be determined by the current fee structure at the time of the Development Permit Application.
2. **Prior to Development Permit issuance:** all required frontage along SE Glen Echo Ave half-street improvements shall be designed, constructed, inspected and approved pursuant to Clackamas County *Roadway Standards*. Frontage improvements per Standard Detail 130 are as follows:
 - a. 18 feet of pavement from centerline (structural section per C100)
 - b. 6" standard curb or curb and gutter
 - c. 5-foot planter strip with street trees per L100
 - d. 5-foot unobstructed ADA compliant sidewalk
 - e. Stormwater drainage facilities per Oak Lodge
 - f. Street lights
3. Construct minimum curb radii of 25-feet at the intersection of SE Glen Echo Ave and SE Portland Ave.
4. The applicant shall provide an onsite maneuvering plans showing how vehicles can enter SE Glen Echo Ave facing forward.

5. Obtain and submit all Franchise Utility permits for service connection within County right-of-way. Show upgrades and service connection on submitted plans and how new utilities are compatible with current and future development. Final pavement restorations shall be compliant with Standard Detail U275.
6. Off-site asphaltic tapers shall be provided in accordance with *Roadway Standards* Section 250.6.4
7. Where mailboxes, fire hydrant, utility poles, etc must be located within the limits of the sidewalk, an eyebrow shall be constructed so the full unobstructed width of the sidewalk is provided. Additional easements shall be granted to provide for any sidewalk eyebrows.
8. Where the sidewalk does not connect to sidewalk on adjacent property, the construction of an ADA compliant ramp to the roadway shall be provided.
9. All existing and proposed easement shall be illustrated on the final plat with a note stating water availability.
10. **Prior to Final Inspection:** the applicant shall provide and maintain minimum intersection sight distances at the proposed shared access with SE Glen Echo Ave. Intersection sight distance shall restrict plantings at maturity, retaining wall, embankments, trees, fences or any other objects that obstruct vehicular sight distance. Minimum required intersection sight distance is 280 feet in both directions along SE Glen Echo Ave.
11. Provide electronic copy of as-builts of all changes along and within County right-of-way including elevations and horizontal location of improvements and utilities.
12. **Prior to final plat approval:** The applicant shall dedicate approximately 5 feet of right-of-way width along the entire SE Glen Echo Ave site frontage as necessary to provide a minimum one half right-of-way width of 30 feet. The right-of-way centerline and width shall be verified by a professional survey to the satisfaction of DTD Engineering and Survey Departments.
13. The applicant shall grant a minimum 8-foot public easement for sign, slope, sidewalk and public utilities adjacent to the right-of-way along the entire frontage of SE Glen Echo Ave.
14. The applicant shall construction and complete all frontage improvements per approved plans and Clackamas County *Roadway Standards* Section 190.

III. SPECIAL CONDITIONS

1. Parking. At the time of construction, at least 1.5 parking spaces will be provided for each of the two-family dwellings per 17.48.020.
2. Lighting. The project shall provide adequate street lighting per 17.50.040 as determined by the Public Works Director. The project shall submit a photometric analysis and lighting plan to City of Gladstone Public Works that conforms to Illuminating Engineering Society (IES) standards, except as modified by the City. Any required streetlights shall be acquired through Portland General Electric and energized under PGE Option A.
3. ADA Needs. This approval is subject to the development complying with the provisions of the Americans with Disabilities Act (ADA) per GMC 17.50.020 (5), including provisions for curb ramps and unobstructed sidewalks.
4. Sidewalks. Where existing sidewalks and driveways on Portland Ave do not conform to current City or ADA standards, new ADA compliant sidewalks and driveways shall be constructed to address the following:
 - Obstructions, such as mail boxes, utility poles, or others, may not reduce the unobstructed width to less than 48 inches.
 - If the public sidewalk must swing around an obstruction, adequate right-of-way shall be dedicated for the sidewalk to remain within the public right-of-way. Right-of-way dedication shall be prepared using an approved City of Gladstone right-of-way dedication deed form or be granted on the partition plat.

The sidewalk improvements along Glen Echo shall conform to current City Standards per 17.42.030 and 17.50.020.

5. Storm Drainage. The submitted partition application tentative plan includes the development of duplexes, driveways, and sidewalks. Public storm drainage improvements within Glen Echo Avenue shall conform to the requirements of Clackamas County Engineering. Storm drainage improvement for onsite development shall conform to the requirements of the Gladstone Public Works Design Standards. A drainage plan shall be submitted to the City including:
 - The design engineer shall submit to the City of Gladstone Public Works Department for review and approval a storm drainage analysis and report applicable to the approved development detailing how storm water quality, quantity, infiltration, and disposal are being addressed to meet the requirements of the Gladstone Public Works Design Standards per 17.42.030 and 17.56.020.
6. 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 are required to verify adequate water meter size per 17.60.020(5), except when a water meter will serve a single residential unit. These calculations are typically based on a fixture count and shall be submitted to the City at the time of plan review.
7. Sanitary Sewer. The proposed development shall meet all sanitary sewer requirements pursuant to Oak Lodge Water Services District and the requirements of the Gladstone Public Works

Comments Received from Public Works and Engineering 9/4/2020

Design Standards per 17.60.020(4). The integrity of the existing sanitary sewer lateral shall be verified by television inspection submitted to the Public Works Department. The existing sewer lateral will have to be brought up to current standards of the City of Gladstone, if determined to be necessary by City of Gladstone Public Works.

8. Right-of-Way Dedication. The project identifies a right-of-way dedication along Portland Avenue consistent with the right-of-way for a Collector roadway as noted in the Transportation System Plan. The right-of-way dedication shall be noted on the partition plat.
9. Easements. The project identifies an 8-foot wide PUE on both street frontages. The PUE shall be granted on the partition plat. Other easements that may be needed for private utility improvements shall also be granted on the partition plat.
10. Street Improvements. Glen Echo Avenue is a County roadway and shall be improved as required by Clackamas County Engineering. The applicant will be required to dig out and repair or grind and inlay any failed or failing pavement surfacing on the Portland Avenue frontage of the site. The applicant shall meet onsite with the City Street Supervisor to determine the extent of any road repairs.
11. Erosion Control. A Sediment and Erosion Control Permit will be required from WES prior to commencing site work.
12. Construction Plans Submittal. Plans detailing the installation of public and private site and utility improvements and grading shall be submitted to the City of Gladstone Public Works Department for review and approval per Section 17.42.030. The design, location, and planned installation of all roadways, 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. Plan submittal shall include (3) paper sets of plans, an Engineer's Estimate for the public improvements, and a drainage report.
13. Pre-Construction Conference. Once 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 per 17.42.030.

EXCERPT FROM CITY OF OREGON CITY MUNICIPAL CODE:

Chapter 17.20 - ACCESSORY DWELLING UNIT, CLUSTER HOUSING, INTERNAL CONVERSION, LIVE/WORK DWELLING, AND MANUFACTURED HOME PARK DESIGN STANDARDS^[10]

Footnotes:

--- (10) ---

Editor's note— Ord. No. 18-1009, § 1(Exh. A), adopted July 3, 2019, amended Chapter 17.20 in its entirety to read as herein set out. Former Chapter 17.20, §§ 17.20.010—17.20.060, pertained to residential design and landscaping standards, and derived from Ord. No. 08-1014, adopted July 1, 2009 and Ord. No. 10-1003, adopted July 7, 2010.

17.20.010 - Accessory dwelling units.

An accessory dwelling unit (ADU) is defined as a self-contained residential dwelling unit located on the same lot as a principal single-family dwelling, but not a recreational vehicle. The habitable living unit provides basic living requirements including permanent cooking and toilet facilities. It may be located either within the same building as the principal single-family dwelling unit and/or in a detached building, and may be created through conversion of an existing structure or through new construction.

A. Intent.

1. Provide homeowners with a means of obtaining rental income, companionship, security, services and flexibility in the use of their property as their household composition and needs evolve over time.
2. Add affordable housing units to the existing housing inventory.
3. Support more efficient use of existing housing stock and infrastructure by offering environmentally friendly housing choices.
4. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle, that responds to changing family needs, smaller households, and increasing housing costs.
5. Create new housing units while respecting the look and scale of single-family neighborhoods.

B. Types of ADUs. There are two types of ADUs:

1. Detached ADUs in an accessory structure detached from the principal dwelling. Examples include converted detached garages, new construction, or converting a small existing dwelling into an ADU while building a new principal dwelling on the property.
2. ADUs that are attached to or part of the principal dwelling. Examples include converted living space, attached garages, basements or attics, additions to the existing dwelling, or a combination thereof.

C. Eligibility.

1. One ADU is allowed per detached single-family residential unit. ADUs are not permitted with any housing units developed under the provisions of OCMC 17.20.020, Cluster housing.
2. ADUs may be added to any existing single-family detached residential unit or constructed simultaneously with any new single-family detached residential unit.
3. ADUs are exempt from the density limits of the underlying zone.

D. Design Standards. An ADU shall meet the following standards and criteria. If not addressed in this section, base zone development standards apply:

1. The design and size of the ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.
2. Setbacks.
 - a. For attached ADUs, any additions to the existing dwelling unit shall not encroach into the minimum setbacks in the underlying zone. However, access structures (e.g. stairs or ramps) may be allowed within the setback if no access can be provided to the unit without encroaching into the setback area.
 - b. For detached ADUs, structures shall be located behind the front building line of the principal dwelling or set back a minimum of forty feet, whichever is less, and shall meet all other rear and side yard setbacks for the underlying zone. Legal nonconforming detached structures that are converted into detached ADUs are exempt from this requirement, provided that modifications to the structure associated with the conversion do not cause it to encroach any further into the existing setbacks.
3. Height. The height of a detached ADU shall not exceed the greater of the height of the principal dwelling unit or twenty feet.
4. Size. The gross floor area of an ADU shall not be more than eight hundred square feet or sixty percent of the gross floor area of the principal dwelling unit, whichever is less. Conversion of an existing basement to an ADU shall be exempt from these size limits provided that no new floor area will be added with the conversion.
5. Lot Coverage. The property shall comply with the lot coverage standards of the zoning designation.
6. Design.
 - a. The exterior finish materials shall be similar in type, size and placement as those on the principal dwelling unit.
 - b. All windows shall include the same trim type and size as those on the principal dwelling unit, provided that the size of the trim shall be a minimum of two inches in width.
 - c. Eaves shall project from the building walls at the same distance as the eaves on the principal dwelling unit.
7. Parking. One off-street parking space is required. The space shall be a minimum of eight feet in width and eighteen feet in length. Driveways shall comply with OCMC 16.12.035.

E. Application Procedure. Applications are processed as a Type I review.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

