



**GLADSTONE PLANNING COMMISSION REGULAR AGENDA
GLADSTONE CIVIC CENTER, 18505 PORTLAND AVENUE
Tuesday, February 21, 2023 – 6:30 p.m.**

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

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/89110117483?pwd=bnVET3FKZ09nNHNgVEk5YUFXcnpadz09>

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If members of the public would like to comment on an agenda item (either virtually or in person) please email your comments to bannick@ci.gladstone.or.us prior to 12:00 p.m. (noon) on February 21, 2023.

The Planning Commission will also have *Business from the Audience* at the end of the meeting. To speak during this time, (either virtually or in person) please email bannick@ci.gladstone.or.us prior to 12:00 p.m. (noon) on February 21, 2023 with your name, topic of discussion, and city of residence.

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

6:30 P.M. CALL TO ORDER
ROLL CALL
FLAG SALUTE

CONSENT AGENDA

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

1. Approval of January 17, 2023 Meeting Minutes

REGULAR AGENDA

2. Monthly Planning Report – January 2023
3. **CONTINUED PUBLIC HEARING:** File Z0489-22-M, Proposal to Divide Property located at 18340 Cornell Place into two lots, one with road frontage on Caldwell Road and one with access from Cornell Place, Kevin Johnson/Maryanna Moore.
4. **PUBLIC HEARING:** File DR-23-01, Proposal for Design Review approval for an expansion to the existing Gladstone Nissan site, 19505 McLoughlin Blvd., SG Architecture, LLC / Dick Hannah Dealerships
5. **PUBLIC HEARING:** File TXT-2022-02, Gladstone Downtown Revitalization Plan Proposed Amendments to Title 17 of the Gladstone Municipal Code and new Downtown Overlay Zone.

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

BUSINESS FROM THE PLANNING COMMISSION

ADJOURN

Upcoming Meeting Dates:

- March 21, 2023 – Planning Commission Meeting – 6:30 p.m.
- April 18, 2023 – Planning Commission Meeting – 6:30 p.m.

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

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



CONSENT AGENDA

GLADSTONE PLANNING COMMISSION MEETING MINUTES OF JANUARY 17, 2023

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

ROLL CALL:

Chair Natalie Smith, Commissioner Pat Smith, Commissioner Andrew Labonte, Commissioner Thomas Mersereau, Commissioner Jennifer Volbeda, Jacob Wease

ABSENT:

Commissioner Andriel Langston

STAFF:

Tami Bannick, City Recorder; Heather Austin, Senior Planner

OATH OF OFFICE:

Ms. Bannick performed the oath of office for the reappointment of Patrick Smith and new member Jacob Wease

ELECTION OF CHAIR AND VICE CHAIR:

Chair Smith asked for nominations for Chair. Commissioner Pat Smith nominated Chair Smith – seconded by Commissioner Volbeda. There were no other nominations.

Ms. Bannick took a roll call vote: Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Commissioner Wease – yes. Chair Smith – yes. Chair Natalie Smith was elected with a unanimous vote.

Chair Smith asked for nominations for Vice Chair. Chair Smith nominated Andriel Langston.

Commissioner Labonte nominated Commissioner Pat Smith. Commissioner Pat Smith said he would support Commission Langston’s nomination.

Ms. Bannick took a roll call vote: Commissioner Labonte – Langston. Commissioner Pat Smith – Langston. Commissioner Mersereau – Langston. Commissioner Volbeda – Langston. Commissioner Wease – Langston. Chair Smith – Langston. Commissioner Langston was elected with a unanimous vote.

CONSENT AGENDA:

1. APPROVAL OF DECEMBER 20, 2022 MEETING MINUTES:

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

REGULAR AGENDA:

2. MONTHLY PLANNING REPORT – DECEMBER, 2022:

Ms. Austin said the report says that the City Council Land Use Actions and Decisions included amendment text 2022-03 – it should say 2022-02. They did not have an opportunity to do that because it is coming back to the Planning Commission in February.

Commissioner Labonte asked about the treehouse. Ms. Austin didn't have any information about that – it had been processed by Joy Fields. Ms. Austin will share information on that at the next meeting.

3. PUBLIC HEARING: FILE TXT-2022-02, GLADSTONE DOWNTOWN REVITALIZATION PLAN PROPOSED AMENDMENTS TO TITLE 17 OF THE GLADSTONE MUNICIPAL CODE AND NEW DOWNTOWN OVERLAY ZONE (POSTPONED TO THE FEBRUARY 21, 2023 MEETING):

Chair Smith opened the public hearing at approximately 6:39 P.M. She asked if there were any abstentions – there were none. She asked if there were any conflicts of interest – there were none. She asked if there were any ex parte contacts and if the Commissioners had visited the site – there were none.

Ms. Austin said they provided notice regarding the Downtown Improvement Plan code changes because the Planning Commission was primed to hear the recommendations, but they had conversations with some property owners in town, they were looking at state rules that are coming down that changed on January 1st as far as parking, etc. She wanted to make sure that what they are bringing forward is something that is going to work for the downtown businesses/residents. They realized the changes might be significant enough that the Planning Commission should see them again to make sure that nothing has changed significantly that would change the way they feel about recommending approval of them. Anyone who is interested in the text amendments gets notice tonight that they will be hearing those in February.

Chair Smith asked for a motion to continue this public hearing at the February meeting.

Commissioner Wease made a motion to continue this public hearing to the February meeting. Motion was seconded by Commissioner Volbeda. Ms. Bannick took a roll call vote: Commissioner Volbeda – yes. Commissioner Wease – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Chair Smith – yes. Motion passed with a unanimous vote.

Ms. Austin said the record will remain open and they are happy to take in any public testimony at City Hall or electronically and bring that to the Planning Commission as part of the package for February.

4. PUBLIC HEARING: FILE Z0489-22-M, PROPOSAL TO DIVIDE PROPERTY LOCATED AT 18340 CORNELL PLACE INTO TWO LOTS, ONE WITH ROAD FRONTAGE ON CALDWELL ROAD AND ONE WITH ACCESS FROM CORNELL PLACE:

Chair Smith opened the public hearing at approximately 6:43 P.M. She asked if there were any abstentions – there were none. She asked if there were any conflicts of interest – there were none. She asked if there were any ex parte contacts and if the Commissioners had visited the site. Commissioner Wease had driven by the site. Chair Smith said she knows the family and has been on the property several times, but she doesn't feel there is a conflict of interest.

Ms. Austin went over the staff report. She said this is a partition and adjustment application. The home currently takes access to Cornell Place via a flag lot configuration through a private access easement. It is in the R7.2, single household residential zoning district, which has a minimum lot size of 7,200 square feet. This lot, in its current configuration, was previously approved as a property line adjustment to be able to include the access portion with it. There are no known environmental or historic resources on the site. The owners are proposing a two-parcel partition, retaining the existing home on parcel 2 that becomes a flag lot, and two setback adjustments are

required to process this as proposed. The rear setback is required to be 15 feet, but in order to maintain the 7,200 square foot minimum the applicant is requesting a 13-foot setback. On the side where the home is existing next to the neighboring property, it's over 7 feet and is required to be 7.5 feet, so that is the requested adjustment. The code considers this a Type 2 partition, which requires the Planning Commission's approval because it includes the flag lot and requires the adjustments. The resulting parcels will be 7,200 square feet and 9,119 square feet. Public noticing went out to the applicants, the property owners within 250 feet, as well as the agencies they typically notify. The comments from Gladstone Public Works & Engineering were included in the packet, but comments from Oak Lodge Water Services were received after the packets were produced. Staff recommends approval with the eleven recommended conditions of approval. They recommended revising condition #10 to read: at the completion of construction and prior to the approval of certificate of occupancy the applicant shall provide the City Public Works Department and Oak Lodge Water Services with as-built submittals. Oak Lodge Water Services also noted that they require a sewer connection fee, but the owners had already been notified that the SDC's/connections fees are required, so no changes are needed to the conditions there.

APPLICANT TESTIMONY:

Kevin Johnson said they have some issues with the staff report. They don't believe this is a Type 2 – they think it's a Type 1. He said the flag lot already exists – they are not proposing to put in a flag lot. He said he is not a developer nor a contractor. He said they aren't developing or building anything. They believe the final plat is ready to be recorded. They aren't applying for any permits because they aren't building anything. He went over a scenario if this is not approved.

Ms. Austin said a Type 2 partition is required when any of the dimensional standards of the zoning district are not being conformed with, so the adjustments to the setbacks are not meeting those standards of the zone. This application *does* create a flag lot because currently the lot has legal frontage on Caldwell, so it currently operates as a flag lot because it takes access from Cornell, but it does have the frontage on Caldwell, so it's not considered a flag lot. Once you divide it the rear lot loses the access to Caldwell and becomes a flag lot and doesn't have the ability to access Caldwell, so that's where the creation of the flag lot comes in.

She said there is a required final plat that does get submitted to the City that they review to make sure it's conforming with what's approved by the Planning Commission before it gets sent to the Clackamas County surveyor for review and approval. So a plat, whether it's a partition, a subdivision, or a property line adjustment, there are two phases – a preliminary and a final.

She said that contractor means a person that purchases or owns property and constructs or, for compensation, arranges for the construction of – she feels they will get compensation if they sell the lot and construct a home. So if you are entitling the land to build a new structure you are considered entitling the property or developing the property - preparing it for that to happen. She said the City Engineer did find that sidewalks weren't required here because of the standard, so there has already been a reduction in the requirement of the public services required there. She went over the language related to final plats/certificate of occupancy.

Mr. Johnson said the side adjustment was pre-existing. The rear adjustment they are asking for, if they swap front to the back/back to the front they wouldn't be asking for that one, which is allowable in this situation.

Commissioner Pat Smith said he didn't feel it was his place to drive up a private driveway to see the property. He asked Mr. Johnson what is on the property. Mr. Johnson said if you're on Caldwell it's a vacant lot. He went over the changes his mother had made since 1961. He said

they want to sell the vacant piece of land. Ms. Austin said the improvements don't have to be done – they would just need to be designed per what the City Engineers recommended and then bonded or otherwise guaranteed. Mr. Johnson said they wouldn't know what type of design a buyer would want.

Commissioner Pat Smith asked if someone bought the property wouldn't the permits/approvals, etc. be their responsibility to take care of before building/developing the land? Ms. Austin said that is true. She said that is part of the problem that the City has run into when someone buys a lot and believes it's a buildable lot and then runs into the infrastructure cost that should have been tied to dividing the land. Once you divide it and have a transaction there, you are getting value from the property, so at that point it's a proportional requirement that you put in the improvements. The SDC's aren't required until you are building the home(s). You would have to prove that you have sufficient infrastructure to serve your site. If you are dividing land you are required to meet certain thresholds of public improvement design and guarantee.

PUBLIC TESTIMONY:

Kim Sieckmann said he is a proponent for this project. He went over the packet and found it was a very poor packet. He served on the Planning Commission for fourteen years. He went over changes in Chapter 17 of the code. He said some of the staff's interpretation of the code is directly wrong. He said some of the things they've brought up are unreasonable. He feels that what the Johnsons are asking for is reasonable. He feels the Planning Commission needs to approve this without any restrictions. He went over the ways the Johnson family has helped the community.

Commissioner Labonte asked about the state and federal laws that apply to this situation. Ms. Austin said the State has a law based on a federal appeals court decision that we only apply what is roughly proportional and has an essential nexus of conditions to an application. She gave some examples and how staff makes their recommendations. She also went over the staff report and how they are written.

Commissioner Pat Smith asked if it's possible for the applicant to apply for a variance on the setback issue to allow them to maintain the first level of division. Ms. Austin didn't think so because of the way the code is written. She said there is no difference in the way that a Type 1 or a Type 2 is reviewed. It was put in as a Type 2 because it doesn't conform to the dimensional standards and there is creation of the flag lot.

There was discussion regarding the financial burden involved and possible scenarios for the property.

Chair Smith said as a Planning Commission she would like to see us moving forward – remove some of the restrictions and obstacles for people to be able to do what they want to do with their property – make the process less cumbersome. She feels that what Mr. Johnson is asking for is reasonable. She would like to see this revisited. She asked for a consensus. Commissioner Volbeda said Chair Smith brought up some good points about additional code. There are a few points she would like to look into further. She said the ask for entitlements is a normal thing, but she feels like they are holding single family housing owners to the same level as a developer/contractor. Commissioner Wease said he would be interested in hearing more about it. Commissioner Pat Smith feels that a higher power also needs to look at this to make sure they are doing this on a solid legal basis. Commissioner Labonte would like more information and would like it to be a simpler process and one that is fair. Commissioner Mersereau doesn't feel that what Mr. Johnson is asking for is unrealistic.

Mr. Sieckmann asked when the 90-day clock started. Ms. Austin said it's a 120-day clock. It was deemed complete just before the holidays, so they have plenty of time to hold this over and get the City Engineer and City Attorney to weigh in and continue the hearing.

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

BUSINESS FROM THE PUBLIC:

None.

BUSINESS FROM THE PLANNING COMMISSION:

Commissioner Pat Smith:

He asked Commissioner Wease to give some background information about himself. Commissioner Wease said he is excited to join the group. He has lived in Gladstone for over twenty years and attended Gladstone schools for a long time. He is married and has two young sons. He loves Gladstone and is excited to give back to the community. He is a process manager.

Commissioner Labonte:

He asked when they were going to start discussing zone changes. Ms. Austin had not heard of any zone changes. Chair Smith thought there were plans to move forward with that – Ms. Bannick will follow up on that.

ADJOURN:

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

Meeting was adjourned at approximately 7:43 P.M.

Minutes approved by the Planning Commission this _____ day of _____, 2023.

Natalie Smith, Chair



REGULAR AGENDA



City of Gladstone Monthly Planning Report January 2023

PUBLIC CONTACTS/PLANNING ACTIONS

CUSTOMER CONTACT/ Planning Actions	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YEAR TOTALS
Customer Service Counter Contacts	1												
Customer phone/email Contacts	48												
Building Permits with Land Use Review	4												
Code Compliance Review	1												
Pre-application Conferences	1												
Administrative Decisions	2												

PLANNING COMMISSION ACTIONS/DECISIONS

- Continued Z0489-22-M – Minor Land Partition and Setback Adjustment

CITY COUNCIL LAND USE ACTIONS/DECISIONS

- No land use actions at City Council in January 2023.

PRE-APPLICATION CONFERENCES

- PAC 22-01 ICSB Site Expansion and Addition on Arlington Street just west of Barton Blvd.

ADMINISTRATIVE PERMITS

- Z0550-22 Floodplain Development Permit for WES Pump Station
- PLA 23-01 Valley View/Jennings (Cutting)

BUILDING PERMITS WITH LAND USE REVIEW

DECEMBER			
Date	Address	Building Permit #	Description
01/11/23	17445 Via Del Verde	B0788122	Interior remodel of residence
01/11/23	515 E. Exeter	B0781822	Conversion from single-household residence to duplex
01/24/23	300 W. Fairfield	B0666082	New ADU to replace existing garage (setback issues identified)
01/24/23	19795 Mcloughlin Blvd.	B0772622	Maintenance updates to Taco Bell

FUTURE ITEMS/PROPERTY UPDATES

Date	Topic
February	Downtown Revitalization Plan Code Update Revisions to Planning Commission Continued- Johnson Land Partition and Adjustments Gladstone Nissan Expansion- Design Review



Agenda Item No. 3

PC Meeting Date: 02/21/2023
(Continued from 01/17/2023)

UPDATED STAFF REPORT: TYPE II PARTITION AND ADJUSTMENT

Application No.:	Z0489-22-M
Owner/Applicant:	Maryanna Moore (Owner/Applicant) and Kevin Johnson
Project Location:	18340 Cornell Place; Tax Lot 22E17CC00600
Project Description:	The property owner is proposing to partition the 0.37-acre property into two parcels. The proposal includes two setback adjustments to proposed parcel 2; a 2-foot reduction to the required rear yard setback and up to a 1-foot reduction to the required side yard setback (southwest side lot line).

SUMMARY OF STAFF RECOMMENDATION

Planning staff continue to recommend **APPROVAL** of the two-parcel partition and adjustment (Z0489-22-M) with the following findings and recommended conditions of approval. Additional findings regarding the continued land use hearing are **highlighted in yellow** further in this report.

The planning staff are recommending APPROVAL of the two-lot partition application Z0489- 22-M and recommend the following findings and following conditions in support of approval:

(1) Storm Drainage; (2) Water; (3) Sanitary Sewer; (4) Street Improvements; (5) Grading; (6) Erosion Control; (7) Construction Plans; (8) Pre-construction Conference; (9) As-Built Plans; and (10) Final Occupancy.

The proposed 2-parcel partition will result in one parcel with an existing single-household dwelling and one vacant parcel. The existing home will continue to take access from Cornell Place whereas the new parcel will take access from Caldwell Avenue. In order to meet minimum lot sizes for both parcels, and due to the configuration of the existing home, the application includes a request to adjust the rear and side yard setbacks on the parcel with the existing home (Parcel 2).

As proposed and conditioned, planning staff find the application consistent with all applicable standards and recommend approval of the Land Partition and Adjustment request. The standard of review for the proposed project is the City of Gladstone's Municipal Code Zoning and Development Title 17.

A property line adjustment on this property was approved and recorded in 2022 (Z0249-22-PLA). The conditions of the property line adjustment have been met.

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EXHIBITS

- 1. Location Map
- 2. Aerial Image
- 3. Tentative Plat

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.
Response provided: Public Works Comments for Partition at 18340 Cornell Place dated 01/10/2023.

STANDARD CONDITIONS

- 1. Expiration.** Per GMC Section 17.73.040, the adjustment approval shall expire if substantial construction has not occurred within one (1) year of the date of this final decision. In this case, “substantial construction” shall mean submittal of the final plat to the City Administrator or designee. An extension may be granted by the City Administrator or designee for not more than one year in accordance with GMC Section 17.66.015(4).

- 2. Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Planning Director for the City of Gladstone.

3. Assignment. The permit may be assigned to any qualified person, provided assignee files with the City Planning Department an affidavit accepting all terms and conditions of the permit.

4. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

5. Building Permits. The applicant shall obtain required building permits from Clackamas County. The applicant shall comply with requirements of the permits.

SPECIAL CONDITIONS

1. Storm Drainage. A new catch basin shall be installed at the downhill end of the new curb on Caldwell Rd. If the catch basin does not land over the existing storm drain pipe in Caldwell Rd., a storm drain manhole may also be required.

Roof drains from Parcel 1 shall be piped into the new catch basin with a cleanout installed at the back of curb to separate public/private maintenance responsibility. No water quality treatment or detention improvements will be triggered by the one new home.

Public storm drain improvements (within the right-of-way) will be permitted through City of Gladstone Public Works. Private storm drain improvements (on private property) will be permitted through Clackamas County Building Department.

2. Water. The proposed development shall meet all water system requirements pursuant to the requirements of the Gladstone Public Works Design Standards. A new water service will be required for Parcel 1. A water SDC will have to be paid prior to receiving a second water meter. Water services shall meet the required separation from sanitary mains and laterals.

Public water improvements (from the main to the meter) will be permitted through City of Gladstone Public Works. Private water improvements (between the meter & the building) will be permitted through Clackamas County Building Department.

3. Sanitary Sewer. The proposed development shall meet all sanitary sewer requirements pursuant to the requirements of the Gladstone Public Works Design Standards per 17.60.020(4).

Public sanitary sewer improvements (from the main to the cleanout) will be permitted through City of Gladstone Public Works. Private sanitary sewer improvements (upstream of the cleanout) will be permitted through Clackamas County Building Department.

4. Easements. A minimum 8-foot wide public utility easement (PUE) shall be noted on the plat along the Caldwell Road frontage of proposed Parcel 1. All existing and new easements shall be identified on the final plat submittal.

5. Street Improvements. Caldwell Road improvements shall include street widening and a new curb line in alignment with the existing curb line to the east per GMC 17.50. The applicant shall meet onsite with the City Street Supervisor to determine the extent of any road repairs per GMC 17.42.030. Street improvements will be permitted through City of Gladstone Public Works. Prior to recording of the final plat, the applicant shall obtain construction plan approval as detailed in Special Condition 8, below and shall install required improvements or execute and file with the City Administrator or designee an

agreement and financial guarantee for required improvements.

Note: GMC 17.96.010 states, "Before a final plat or final certificate of occupancy is approved by the city, the developer shall either:

- (1) Install required improvements and repair existing streets and other public facilities damaged in the development of the property; or
- (2) Execute and file with the City Administrator or designee an agreement between himself and the city, specifying:
 - (a) The period within which required improvements and repairs shall be completed; and
 - (b) Providing that if the work is not completed within the period specified, the city may complete the work and recover the full cost and expense, together with court costs and attorney fees necessary to collect the amounts from the developer.
 - (c) The agreement shall also provide for reimbursement to the city for the cost of inspection by the city, which shall not exceed ten percent (10%) of the cost of the improvements to be installed.
- (3) Further, the city may require the developer to file a performance bond or other financial guarantee of performance to ensure that a development is constructed according to the approved design plan.

The City Engineer, Public Works Director and City Planner all concur that the opening sentence of GMC 17.96.010 is meant to differentiate between projects where a final plat is required and projects where a final plat is not, such as design review for commercial development. In this case, a final partition plat is required, and therefore the required public improvements shall be installed or financially guaranteed prior to recordation (city signature) of the final plat).

6. Grading. Permits for site grading (if necessary) will be issued through the Clackamas County Building Department.

7. Erosion Control. Erosion Control permit is required and will be issued through Clackamas County Water Environment Services (WES).

8. Construction Plans Submittal. Plans detailing street and utility improvements in Caldwell Rd. shall be submitted to the City of Gladstone Public Works Department for review and approval per 17.60.010 and 17.42.030. The design, location, and planned installation of all street and sidewalks, natural gas, power, street lighting, telephone, cable television, storm water, water, and sanitary sewer provisions are subject to approval by the appropriate agency/utility service provider. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon. Plan submittal shall include (3) paper sets of plans, a pdf copy, and an Engineer's Estimate for the public improvements.

9. Pre-construction Conference. Once grading/construction plans are ready to be approved by the City of Gladstone, a Pre-Construction Conference with final sign-off on the Construction Plans is required per 17.42.030, if deemed necessary by the Public Works Director.

10. As-Built Plans. At the completion of construction, and prior to the approval of the Certificate of Occupancy, the applicant shall provide the City Public Works Department with as-built submittals per 17.60.020(7).

11. Final Occupancy. PRIOR TO ISSUANCE OF A FINAL OCCUPANCY PERMIT FOR PARCEL 1, all conditions of the partition and adjustment approval shall be met, including installation of all required

improvements.

NOTES

1. **System Development Charges (SDC's).** SDCs will be required. The project shall provide all relevant information needed to calculate the SDCs 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.

FINDINGS OF FACT

This Type II Partition application is subject to Chapter 17.10, R-7.2 – Single-Household Residential District; Chapter 17.34 Partitions and Chapter 17.73 Adjustments. 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.

At the Planning Commission hearing on January 17, 2023, the applicant testified that the partition approval should not include recommended Special Condition 8, specifically that “Prior to recording of the final plat, the applicant shall obtain construction plan approval as detailed in Special Condition 8, below and shall install required improvements or execute and file with the City Administrator or designee an agreement and financial guarantee for required improvements.”

The Planning Commission continued the public hearing to February 21, 2023, and asked staff to provide the following 3 additional findings:

1. Provide evidence of past partition decisions the city has made where public improvements were required, to demonstrate a precedent of this type of condition;

Staff Finding/Response: Included in the Planning Commission packet for the February 21, 2023 meeting are the notices of decision for two partition applications, Z0321-20-M and Z0536-19-M. Both decisions were approvals of land partitions with conditions, including public improvements. The more recent one on Glen Echo (Z0321-20-M) required sidewalks, right-of-way dedication and street improvements, the other file (Z0536-19-M) required sidewalks and right-of-way dedication conditioned “if required” on page 6:

Finding: All required street and street frontage related improvements shall comply with the standards and requirements of Gladstone Roadway Standards. The applicant shall verify by a professional survey that a one- a minimum of a 40 foot right of way, exists along Columbia Avenue. The right-of-way dedication, if required, shall be illustrated, labeled and dimensioned on the final plat.

2. Provide a rough estimate of the cost for the applicant to obtain construction plan approval, as identified in recommended Special Condition 8; and

Staff Finding/Response: The recommended public improvements include installation of approximately 60 feet of curb and gutter, pavement widening and a storm inlet. Special Condition 8 would require that the engineering design for these improvements be done prior to recording the final plat for the partition. The cost of the engineering design is based on the cost of the construction of the improvements. The cost of these improvements is estimated to be approximately \$20,000. A typical engineering fee is 15% of this construction cost, which is \$3,000. However, due to the small size of this project, the engineering fee may be higher than 15%, depending on who the applicant hires as the engineering firm. For the sake of estimating the cost of obtaining construction plan approval, as identified in Special Condition 8, therefore, staff estimates the range for design fees to be between \$3,000 and \$7,500.

3. Verify that the city is acting legally in applying Special Condition 8 to the partition approval.

Staff Finding/Response: The city is acting legally in applying Special Condition 8 to the partition approval. To be lawful, the condition must meet the requirements of nexus and rough proportionality.

The condition of approval has an essential nexus with the proposed application in that the roadway and storm system improvements which are required to be designed and either constructed or financially guaranteed are immediately adjacent to, and serve, the property, and specifically the vacant portion of the property. That vacant portion of the property will, if this application is approved, be eligible for construction of one or more additional residential structures and a driveway connecting to the public right-of-way, as an outright permitted use without further land use approval, which will increase the demand on the transportation and storm systems in the area.

The condition is roughly proportional to the impact of the proposed application. Even the lowest intensity of use that would be outright permitted on the vacant portion of the property, a single-family detached home, will measurably increase demand on the transportation and storm systems in the area. As discussed above, the cost of the proposed condition is minimal, and the property will itself directly benefit from these improvements.

CHAPTER 17.10 R-7.2 – SINGLE-HOUSEHOLD RESIDENTIAL DISTRICT

17.10.020 Uses Allowed Outright.

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

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

Finding: The existing parcel is 16,319 square feet and the applicant is proposing to partition it into two parcels with the following areas: 7,200 square feet and 9,119 square feet. Both of the parcels would meet or exceed the 7,200 square foot minimum. This standard is met.

17.10.050 Dimensional standards.

Except as provided in GMC Chapters 17.38 (Planned Unit Development), 17.72 (Variances) and 17.76

(Exceptions), the following dimensional standards shall apply in an R-7.2 zoning district:

Minimum Lot Area		
Detached single household	7,200 sf	
Middle housing	3,600 sf	
Multi-household dwellings	3,600 sf per dwelling unit	
Other Uses	7,200 sf	Or as established by the Planning Commission, as provided by GMC Chapter 17.70 (Conditional Uses)
Minimum Setbacks		<p>Except that a front porch may project a maximum of five feet into a required front setback area.</p> <p>Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet into a required setback area.</p> <p>Townhouse projects are allowed a zero-foot side setback for lot lines where townhouse units are attached.</p> <p>Cottage cluster minimum setbacks can be reduced to five feet, if there is more than 150 square feet per dwelling unit of common open space provided, as defined in GMC Section 17.12.065(2).</p> <p>Setbacks for manufactured homes in a mobile home park are subject to the standards in GMC Section 17.62.070(4).</p>
Front setback	20 ft	
Side setback	7.5 ft or 5 ft due to irregular shaped lots	
Street side setback	20 ft	
Interior side setback	5 ft	
Rear setback	15 ft	
Maximum Building Height	35 ft	Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are not subject to building height limitations of this subsection.
Minimum Density		
Subdivisions and PUDs shall provide a minimum density of 80 percent of the maximum density per net acre.		
Cottage clusters shall have a minimum density of four dwelling units per acre.		
Maximum Density		
Detached single-household	One dwelling unit per 7,200 square feet of lot area or eight units per net acre	This code does not allow for the creation of more than four dwelling units on a lot, including accessory dwelling units. Cottage clusters and townhomes are exempt.
Middle housing	None	

Sufficient Infrastructure	Applicants must demonstrate that sufficient infrastructure is provided, or will be provided, upon submittal of a residential development application.	
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(1) All PUDs with residential uses must include a mix of two or more middle housing types for a minimum of 25 percent of the total dwelling units proposed.

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

Finding: The proposed parcels both meet or exceed the minimum 7,200 sf lot size. Any future residential structure on Parcel 1 will be required to meet the setback and height requirements of this section. The existing home on Parcel 2 meets the front and (northeast) side yard setbacks as well as the maximum building height. The proposed partition would result in a rear yard of 13 feet (a 13% reduction from the required 15-foot setback) and a (southwest) side yard setback of approximately 7 feet (a 7% reduction from the required 7.5-foot setback). As discussed further in this report, the applicant requests an adjustment to these two setback standards pursuant to GMC 17.73. This standard is met as addressed further in GMC 17.73.

17.10.060 Design standards.

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

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

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

(a) Face the street lot line. On a corner lot, the main entrance may face either street lot line or the corner; or

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

(3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets. Improvements installed by a developer shall conform to the standards of this title, GMC Chapter 12.02 (Street Excavation Requirements) and to any supplemental design and construction specifications adopted by the city for such improvements. This shall apply to new structures and expedited land divisions as defined by ORS 197.360, with the following

exceptions:

- (a) There are no existing sidewalks within 200 feet of the subject parcel, and no planned sidewalk network in the area as identified in the Transportation System Plan.
- (b) When sidewalks and other frontage improvements would be located on land with cross slopes greater than nine percent as shown on the site plan submitted with the building permit.
- (4) **Design Features.** Single-household dwellings and duplexes, triplexes, quadplexes, townhomes, and cottage clusters shall include at least two of the following design features on each dwelling unit:
 - (a) Dormer;
 - (b) One or more windows that face the street lot line;
 - (c) Cupola;
 - (d) Bay or bow window;
 - (e) Gable;
 - (f) Covered porch entry;
 - (g) Eaves (minimum six inches projection);
 - (h) Offset on building face or roof (minimum 16 inches); and
 - (i) Recessed garage entrance for street-facing garage (minimum 16 inches).

Finding: No changes are proposed to the garage on the existing home. The main entrance of the existing home faces the street lot line and has a covered porch, gables, eaves and dormers. Curbs are addressed further in this report in Chapter 17.42. This site qualifies for exemption from sidewalk installation. This standard is met.

CHAPTER 17.34 PARTITIONS

17.34.020 Partitions—Generally.

- (1) **Submittal Requirements.** ***
- (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: This proposal was found to have met the submittal requirements when it was deemed complete on December 21, 2022. The proposal is a Type II partition as it creates a flag lot and includes two adjustment requests. As a Type II Partition Planning Commission review is required. This standard is met.

CHAPTER 17.73 ADJUSTMENTS

17.73.020 Circumstances for granting.

Unless otherwise limited, an adjustment may be approved, if the request involves only the expansion or reduction by not more than 20% of one or more quantifiable provisions of this code and if the applicant demonstrates the following:

- (1) A hardship is created by an unusual situation that is the result of lot size, lot shape, topography, development circumstances or an inability to use the land or public infrastructure more efficiently.

- (2) The adjustment will not be materially injurious to property abutting the subject property.**
- (3) The adjustment is the minimum remedy necessary to alleviate the hardship.**
- (4) Architectural features of the proposed development will be compatible with the design character of existing structures on adjoining properties and on the proposed development site.**
- (5) The request for an adjustment is not the result of an illegal act.**

Finding: The proposed adjustments are to the quantifiable provision of setbacks. The proposed partition would result in Parcel 2 (existing home) with a rear yard of 13 feet (a 13% reduction from the required 15-foot setback) and a (southwest) side yard setback of approximately 7 feet (a 7% reduction from the required 7.5-foot setback). The hardship is a result of the placement of the existing home on the lot, a development circumstance of this site. The adjustment will not change the distance of the home to the property to the southwest (existing 7-foot side yard setback) and will exist prior to development of Parcel 1. The adjustment is the minimum necessary to meet the partition requirement of minimum lot sizes in the R-7.2 zoning district. The existing home has architectural features compatible with the residential neighborhood and it is anticipated that a new residential structure on Parcel 1 would as well. This request for an adjustment is not the result of an illegal act. This standard is met.

17.73.030 Adjustment limitations.

Adjustments may not be utilized to:

- (1) Reduce width of accessways required for flag lots created through the partition or subdivision process.**
- (2) Reduce the area reserved for private outdoor space and/or usable open space.**
- (3) Reduce project site amenities such as screening and/or landscaping provisions.**
- (4) Increase fence height inside clear-vision areas.**
- (5) Reduce minimum or increase maximum densities per net acre in residential zones.**
- (6) Authorize a use that is not allowed in the zoning district in which the property is located.**
- (7) Change a definition or a use classification. For instance a “recreation vehicle” under 17.06.435 may not be adjusted to include a vehicle with floor space in excess of two hundred square feet.**

17.73.040 Time limit.

- (1) Approval of an adjustment shall expire if substantial construction has not occurred within one (1) year of the date of the final decision.**
- (2) Upon request and in accordance with GMC Section [17.66.015\(4\)](#), the one-year period may be renewed once by the City Administrator or designee for not more than one year.**

Finding: The requested adjustments will not be utilized in any of the ways identified in GMC 17.73.030. The approval of the adjustment will be valid for one year with one year extension possible. These criteria are met.

DIVISION IV. DEVELOPMENT STANDARDS

CHAPTER 17.42 GENERAL PROVISIONS

17.42.020 Use of public right-of-way.

Use of public right-of-way for the sale, display or storage of goods and off-street parking is prohibited on interior side of curbs, however, this requirement may be waived upon City Council approval.

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 required right-of-way improvements will conform to the city's standards. No sale, display or storage of goods or off-street parking is proposed on the interior side of the curbs. This standard is met.

CHAPTER 17.48 OFF-STREET PARKING AND LOADING

17.48.020 Single-household and two-household residential standards.

At the time of construction or substantial exterior improvement of a single-household dwelling or middle housing dwelling unit, a minimum of one off-street parking space per dwelling unit shall be provided.

Finding: Each of the proposed parcels are adequately sized to provide a minimum of one parking space per dwelling unit per parcel. The existing home provides more than the minimum required number of parking spaces. This criteria is met.

CHAPTER 17.50 VEHICULAR AND PEDESTRIAN CIRCULATION

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) and (7) not applicable to single-household residential and middle housing developments.**

Finding: As identified in the Public Works Comments, Caldwell Rd. improvements shall include street widening and a new curb line in alignment with the existing curb line to the east. There is no existing sidewalk in the vicinity, so no sidewalk improvement is required. No additional right-of-way is required. A street light is located at the northeast corner of proposed Parcel 1, no additional street lighting is required. The existing pavement edge shall be sawcut back to a line approved by the City of Gladstone Public Works inspector, then paved to meet the new curb line. All street improvements, including sawcut, widening, pavement taper, curb, and driveway approach shall conform to City of Gladstone Public Works Standards. Street improvements will be permitted through City of Gladstone Public Works. This standard is met as conditioned.

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) not applicable to developments on less than 5 acres.**

Finding: The improvements to Caldwell Road will be designed to city standards as conditioned. This standard 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 improvements to Caldwell Road are required to meet city standards as discussed and conditioned previously. This standard 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: There are no new streets proposed with this partition. This standard is not applicable.

- (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: All adjoining land has access and therefore this property does not need to extend a street to the boundary of the property. This standard 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.
- (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 applicant is not proposing reserve strips. No new streets are proposed and therefore the intersection angles criterion is not applicable.

(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 Public Works Comments state that adequate right-of-way exists on Caldwell Road and no additional dedication is required. This standard is not applicable.

(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. The site is not adjacent to an arterial. There are no streets proposed where the grades and curves, street names or alley standards would be applicable. Therefore, these criteria 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 applicant is not proposing to develop, or abut any Cul-de-sacs and Hammerheads. The site is not adjacent to an arterial. There are no streets proposed where the grades and curves, street names, private street or alley standards would be applicable. Therefore, these criteria are not applicable.

(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. The applicant is now aware that painting of curbs and sidewalks must be approved by the city.

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

Finding: The partition has previously been conditioned to install curbs and driveways to city standards. This standard is met as previously 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 Public Works Comments state that a sidewalk is not required to be installed as there is no existing sidewalk in the vicinity. This standard is not applicable.

(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: There are no bicycle or pedestrian routes identified on or near this site. This standard is not applicable.

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

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

source of supply.

Finding: The Public Works Comments state that additional street lights are not required. No additional street signs are required for this partition. These criteria are not applicable.

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

Finding: The Public Works Comments dated state that a new catch basin shall be installed at the downhill end of the new curb on Caldwell Rd. If the catch basin does not land over the existing storm drain pipe in Caldwell Rd., a storm drain manhole may also be required. Roof drains from Parcel 1 shall be piped into the new catch basin with a cleanout installed at the back of curb to separate public/private maintenance responsibility. No water quality treatment or detention improvements will be triggered by the one new home. This standard will be 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 not required to complete street improvements at or near a street intersection or point of curvature or tangency. This standard 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 or Traffic Assessment Letter and the development of one additional residential lot is not anticipated to generate 25 pm peak hour trips onto the transportation system (maximum number of units on this additional lot is 4 per middle housing standards). This standard is met.

CHAPTER 17.56 DRAINAGE

17.56.020 Standards.

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

- (1) Generally. All development shall be planned, designed, constructed and maintained to:
 - (a) Protect and preserve existing drainage channels to the maximum practicable extent;
 - (b) Protect development from flood hazards;
 - (c) Provide a system by which water within the development will be controlled and managed without causing damage or harm to the natural environment, or to property or persons within the drainage basin;
 - (d) Assure that waters drained from new or redevelopment sites are substantially free of pollutants, including sedimentary materials, through the use of stormwater treatment facilities as referenced herein and appropriate erosion and sediment control practices;
 - (e) Assure that runoff drained from new and redevelopment sites is managed in accordance with criteria outlined in the City of Gladstone Stormwater Treatment and Detention Standards as to not cause erosion to any greater extent than would occur in the absence of development;
 - (f) Avoid placement of surface detention or retention facilities in road rights of way.
- (2) Watercourses. Where culverts cannot provide sufficient capacity without significant environmental degradation, the city may require the watercourse to be bridged or spanned.
- (3) Easements. In the event that a development or any part thereof is traversed by any watercourse, channel, stream or creek, gulch or other natural drainage channel, adequate easements for storm drainage purposes shall be provided to the city. This does not imply maintenance by the city.
- (4) Obstructions. Channel obstructions are not allowed, except as approved for the creation of a detention or retention facility. Fences with swing gates may be utilized.
- (5) Surface Drainage and the Storm Sewer System.
 - (a) Stormwater treatment and detention facilities shall be designed and installed in accordance with criteria outlined in the Gladstone Public Works Design Standards and the Gladstone Public Works Standard Construction Specifications.

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

Finding: The Public Works Comments dated state that a new catch basin shall be installed at the downhill end of the new curb on Caldwell Rd. If the catch basin does not land over the existing storm drain pipe in Caldwell Rd., a storm drain manhole may also be required. Roof drains from Parcel 1 shall be piped into the new catch basin with a cleanout installed at the back of curb to separate public/private maintenance responsibility. No water quality treatment or detention improvements will be triggered by the one new home. This standard will be met as conditioned.

CHAPTER 17.58 GRADING AND FILL

17.58.020 General provisions.

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

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

Finding: 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 criterion 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: The Public Works Comments dated 01/10/2023 state:

Water: There is an existing water service on Caldwell Rd. The submitted plan indicates moving the private portion of the water service for Parcel 2 into a utility easement. A new water service will be required for Parcel 1. Water services shall meet the required separation from sanitary mains and laterals. A water SDC will have to be paid prior to receiving a second water meter.

Public water improvements (from the main to the meter) will be permitted through City of Gladstone Public Works. Private water improvements (between the meter & the building) will be permitted through Clackamas County Building Department.

Sanitary Sewer: The existing home on proposed Parcel 2 has an existing sewer lateral encroaching that is shared with the neighboring property. The submitted plan shows a new sewer lateral being installed for Parcel 2 in the utility easement. The existing lateral shall be capped at or downstream of the property line. Each lot in this partition will require a separate sanitary sewer lateral. The sanitary laterals shall have a cleanout placed at the back of curb that will separate public and private maintenance responsibility.

Public sanitary sewer improvements (from the main to the cleanout) will be permitted through City of Gladstone Public Works. Private sanitary sewer improvements (upstream of the cleanout) will be permitted through Clackamas County Building Department.

These standards are met as conditioned.

CHAPTER 17.64 DESIGN STANDARDS FOR LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS

17.64.020 Blocks.

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

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

(3) **Easements:**

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

(b) **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 partition request does not propose or warrant application of the block standards. 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 standard is met.

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 existing parcel lines of Parcel 1 are generally at right angles to Caldwell Road and exceed the minimum width of 50 feet as shown on the tentative plan. No through lots are proposed. Both lots meet the minimum width and depth standards. Parcel 1 has a minimum of 20 feet on a public street. Parcel 2 has legal access to Cornell Place via an access easement. These standards are met.

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 criterion 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 proposed partition does not include overlapping lot areas, yards or other open spaces. The only reductions in yard area are addressed previously in the adjustment standards of GMC 17.73. This standard is met.

EXHIBITS

Exhibit 1: Location Map

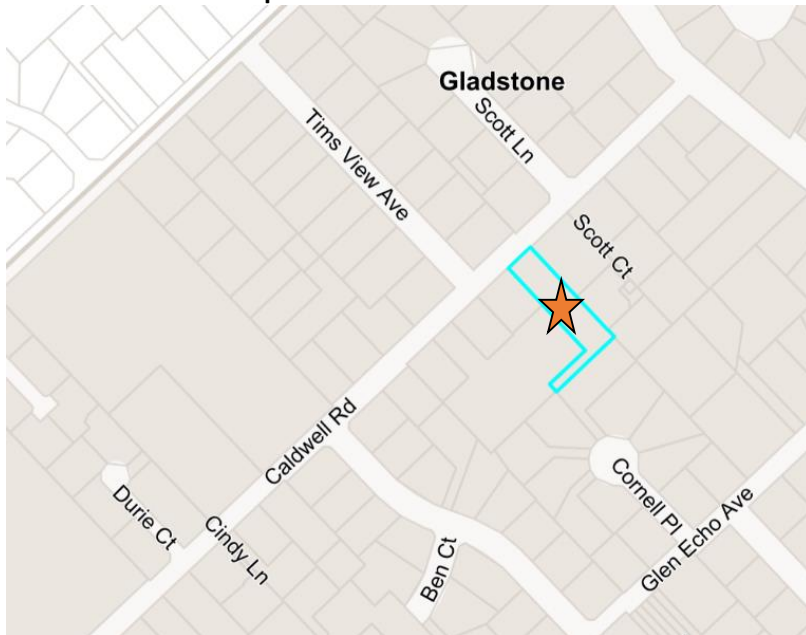
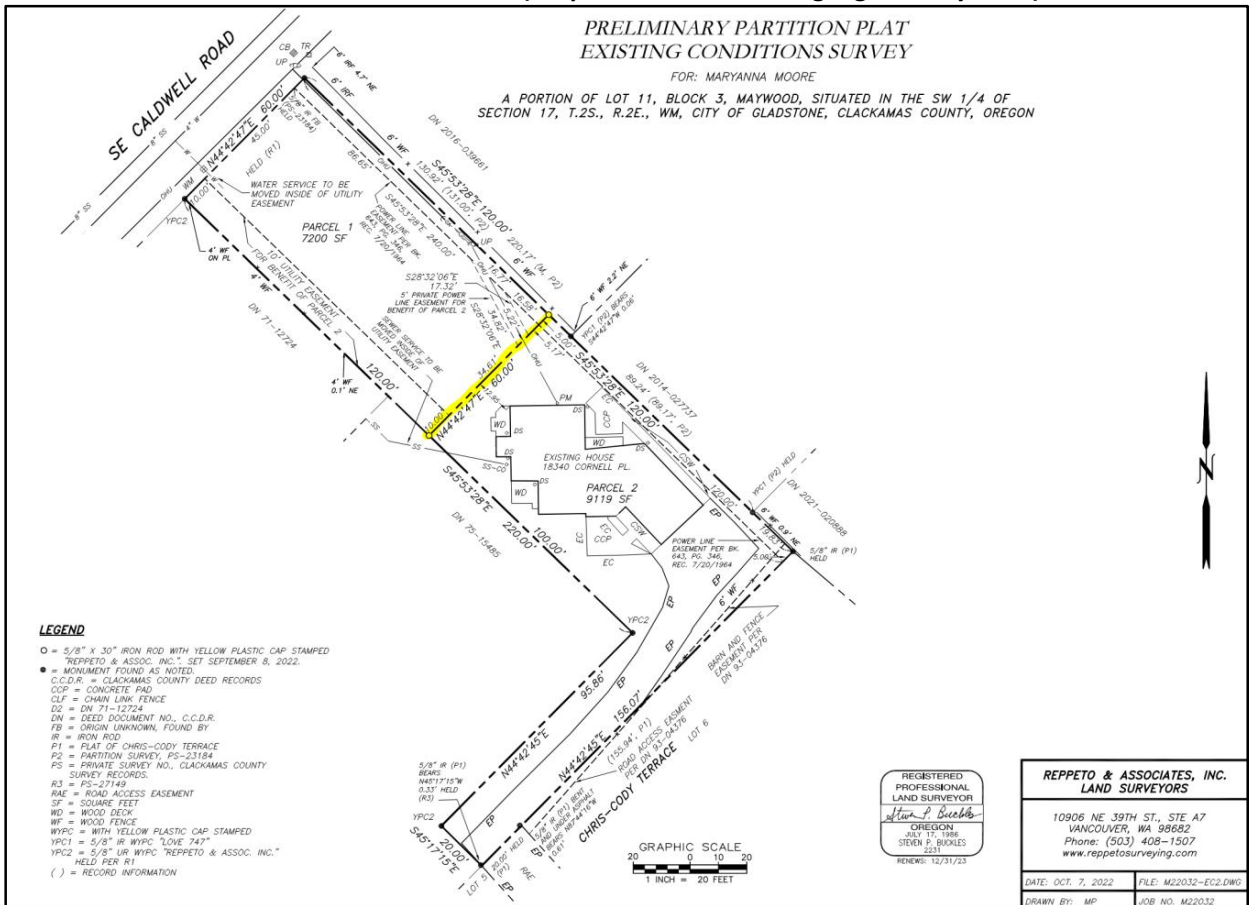


Exhibit 2: Aerial Photo



Exhibit 3: Submitted Tentative Partition Plat (Proposed new lot line highlighted in yellow)



Z0489-22-M

Oct 10 2022



PARTITION LAND USE APPLICATION

Clackamas County Planning & Zoning Division

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

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: Z0489-22 Other Related Permit Applications:
Pre-app: Staff Date Staff Member: Joy Fields
Date Received: 10/10/22 Fee Zone: R7.2
Hearing Date: 11/15/22 Comp. Plan: Low Density Residential

APPLICANT INFORMATION

PLEASE TYPE OR PRINT IN BLACK INK ONLY

SECTION I. APPLICANT/ PROPERTY OWNER

NAME OF APPLICANT LAST Moore FIRST Maryanna
MAILING ADDRESS PO Box 312 CITY Gladstone ST OR ZIP 97027
APPLICANT IS: [X] LEGAL OWNER [] CONTRACT BUYER [] OPTION BUYER [] AGENT
NAME OF CONTACT PERON (if other than applicant) Kevin Johnson
MAILING ADDRESS OF CONTACT 6970 Winfield Ct Gladstone OR
PHONE NUMBERS OF: APPLICANT: WK HM CONTACT PERSON: WK 503-781-7916 HM 781-7916
SITE ADDRESS: 18340 CORNELL PLACE TOTAL LAND AREA: 110,319 SQ. FT.
LEGAL DESCRIPTION: T 25 - R 2E SECTION 17 TAX LOT(S) 600
ADJACENT PROPERTIES UNDER SAME OWNERSHIP: T 25 R 2E SECTION 17 TAX LOT(S) 500

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

Steve Buckles 10906 NE 39th St, Vancouver WA 98682 Land Surveyor
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 APPLICANT'S SIGNATURE

OWNER'S NAME (Print) APPLICANT'S NAME (Print)

OWNER'S NAME (Print) APPLICANT'S NAME (Print)

SECTION II. DIMENSIONAL SPECIFICS

1. Project dimensions, size of properties involved 16,319 SQ. FT

Area of Parcels involved	Existing (sq. ft.)	New Proposed (sq. ft.)	Difference (+ or -) (sq. ft.)?
Parcel A <u>1</u>		7200 S.F.	
Parcel B <u>2</u>		9119 S.F.	
Parcel C			
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 _____

 Or other type and area of vegetation _____

5. Present Use of Property

a. Are there existing structures on property..... Yes No

b. If yes, describe Residential Dwelling

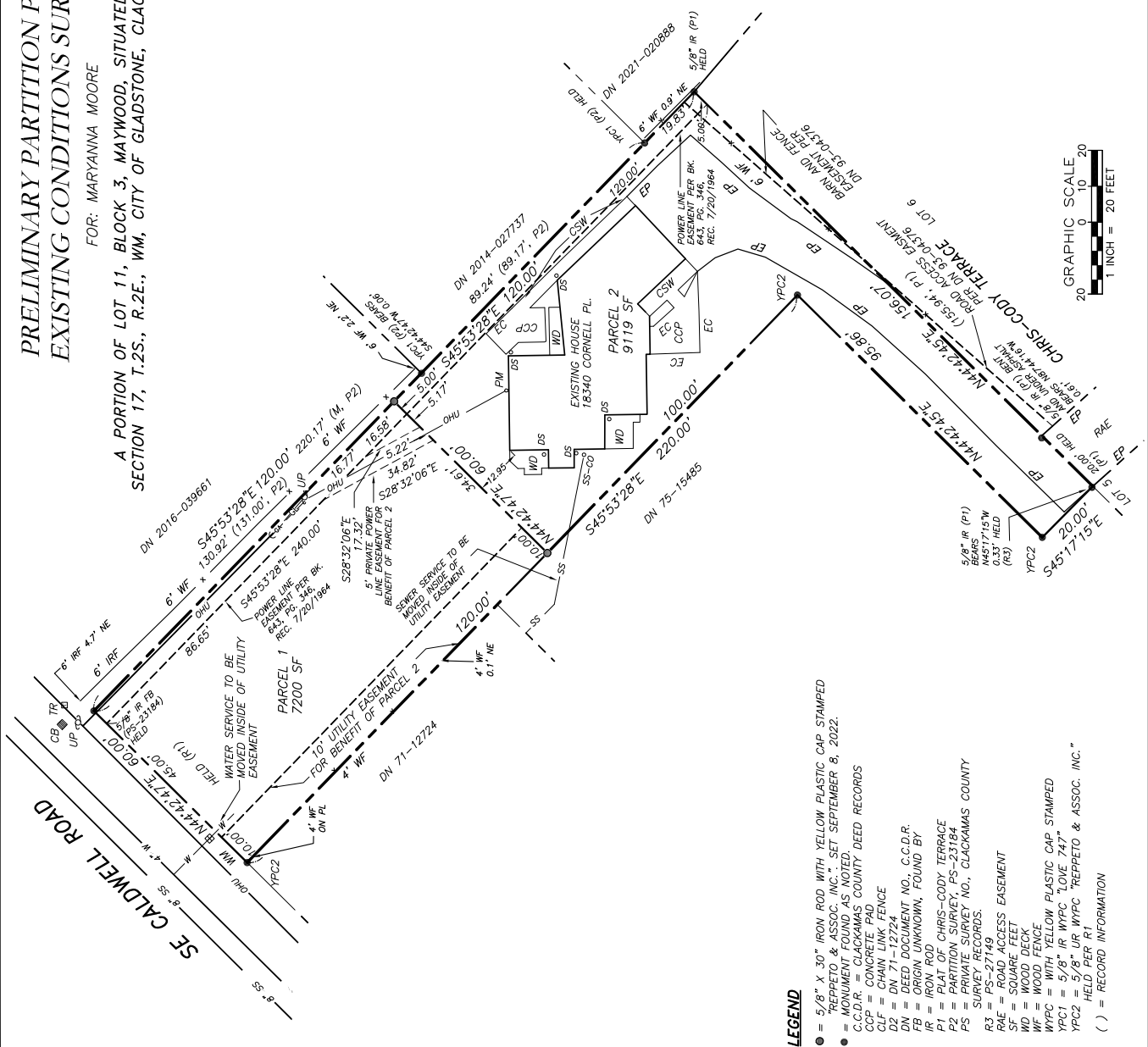
c. Will any structures be demolished or removed? Yes No

d. If yes, describe _____

PRELIMINARY PARTITION PLAT EXISTING CONDITIONS SURVEY

FOR: MARYANNA MOORE

A PORTION OF LOT 11, BLOCK 3, MAYWOOD, SITUATED IN THE SW 1/4 OF SECTION 17, T.2S., R.2E., WM, CITY OF GLADSTONE, CLACKAMAS COUNTY, OREGON



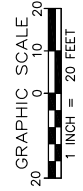
LEGEND

- = 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED
- = REPPETO & ASSOC. INC. SET SEPTEMBER 8, 2022.
- = NUMBERED IRON ROD SET SEPTEMBER 8, 2022.
- = C.C.D.R. CLACKAMAS COUNTY DEED RECORDS
- = CONCRETE PAD
- = CHAIN LINK FENCE
- D2 = DEED DOCUMENT NO., C.C.D.R.
- FB = ORIGIN UNKNOWN, FOUND BY
- IR = IRON ROD CHRIS-CODY TERRACE
- P2 = PARTITION SURVEY PS-23184
- PS = PRIVATE SURVEY NO., CLACKAMAS COUNTY SURVEY RECORDS.
- R3 = PS-27149
- RAE = ROAD ACCESS EASEMENT
- SF = SQUARE FEET
- WD = WOOD DECK
- WPC = WOOD FENCE
- YPC2 = 5/8" IRON ROD WITH YELLOW PLASTIC CAP, STAMPED
- YPC2 = 5/8" IRON ROD WITH YELLOW PLASTIC CAP, STAMPED
- YPC2 = 5/8" IRON ROD WITH YELLOW PLASTIC CAP, STAMPED
- YPC2 = 5/8" IRON ROD WITH YELLOW PLASTIC CAP, STAMPED
- () = RECORD INFORMATION

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Steven J. Buckle
OREGON
JULY 17, 1986
STEVEN J. BUCKLE
RENS: 12/31/23

REPPETO & ASSOCIATES, INC.
LAND SURVEYORS
10906 NE 39TH ST., STE A7
VANCOUVER, WA 98682
Phone: (503) 408-1507
www.reppetosurveying.com

DATE: OCT. 7, 2022 FILE: M22032-EC2.DWG
DRAWN BY: MF JOB NO. M22032



SN2022-275

CLACKAMAS COUNTY SURVEYOR

DATE RECEIVED: 8-30-2022

DATE ACCEPTED / FILED: 12-20-2022

SURVEY NUMBER: SN2022-275

PROPERTY LINE ADJUSTMENT RECORD OF SURVEY

FOR: MARYANNA MOORE

A PORTION OF LOT 11, BLOCK 3, MAYWOOD, SITUATED IN THE SW 1/4 OF SECTION 17, T.2S., R.2E., WM, CITY OF GLADSTONE, CLACKAMAS COUNTY, OREGON

CITY OF GLADSTONE APPROVAL

PLANNING CASE FILE NO. 20249-22-PLA

APPROVED THIS 11 DAY OF December, 2022.

BY *[Signature]*
PLANNING DIRECTOR

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO MONUMENT THE ADJUSTED COMMON PROPERTY LINE BETWEEN TWO TRACTS OF LAND, BEING TRACT 1 AND TRACT 2, DESCRIBED IN DEED DOCUMENT NUMBER 2022-053037, CLACKAMAS COUNTY DEED RECORDS, BEING LOCATED IN LOT 11, MAYWOOD, CLACKAMAS COUNTY PLAT RECORDS.

BASIS OF BEARINGS IS NORTH 44°42'47" EAST, BETWEEN FOUND MONUMENTS "A" AND "B" PER PRIVATE SURVEY NUMBER 24467, WHICH RE-ESTABLISHES THE SOUTHWEST RIGHT OF WAY LINE OF SE CALDWELL ROAD, BEING THE NORTHWEST LINE OF TRACT 2 AND THE MOST NORTHWEST LINE OF TRACT 1.

RE-ESTABLISHED THE NORTHEAST LINE OF TRACT 2 BY HOLDING FOUND MONUMENTS "B" AND "C".

RE-ESTABLISHED THE SOUTHWEST LINE OF TRACT 2 BY HOLDING SOUTH AND PARALLEL WITH THE NORTHEAST LINE OF TRACT 2 A DISTANCE OF 80.00 FEET PER DEED RECORDED IN BOOK 585 PAGE 545, CLACKAMAS COUNTY DEED RECORDS.

RE-ESTABLISHED THE SOUTHWEST LINE OF TRACTS 1 AND 2 BY HOLDING FOUND MONUMENTS "C" AND "D".

RE-ESTABLISHED THE SOUTHWEST LINE OF TRACT 1 BY HOLDING FOUND MONUMENTS "A" AND A POINT WHICH BEARS SOUTH 44°42'45" WEST A DISTANCE OF 9.20 FEET OF FOUND MONUMENT "D" PER PRIVATE SURVEY NUMBER 27149, CLACKAMAS COUNTY SURVEY RECORDS.

RE-ESTABLISHED LINE 1 BY HOLDING SOUTHWEST AND PARALLEL WITH SAID RIGHT OF WAY LINE A DISTANCE OF 100.00 FEET PER DEED DOCUMENT NUMBER 2015-066657, CLACKAMAS COUNTY DEED RECORDS.

RE-ESTABLISHED LINE 2 BY HOLDING FOUND MONUMENT "E", NORTHEAST AND PARALLEL WITH THE SOUTHWEST LINE OF TRACT 2.

RE-ESTABLISHED LINE 3 BY HOLDING SAID RIGHT OF WAY LINE.

RE-ESTABLISHED LINE 4 BY HOLDING SOUTHWEST AND PARALLEL WITH THE NORTHEAST LINE OF TRACT 2 A DISTANCE OF 140.00 FEET PER DEED DOCUMENT NUMBER 80-34766 CLACKAMAS COUNTY DEED RECORDS.

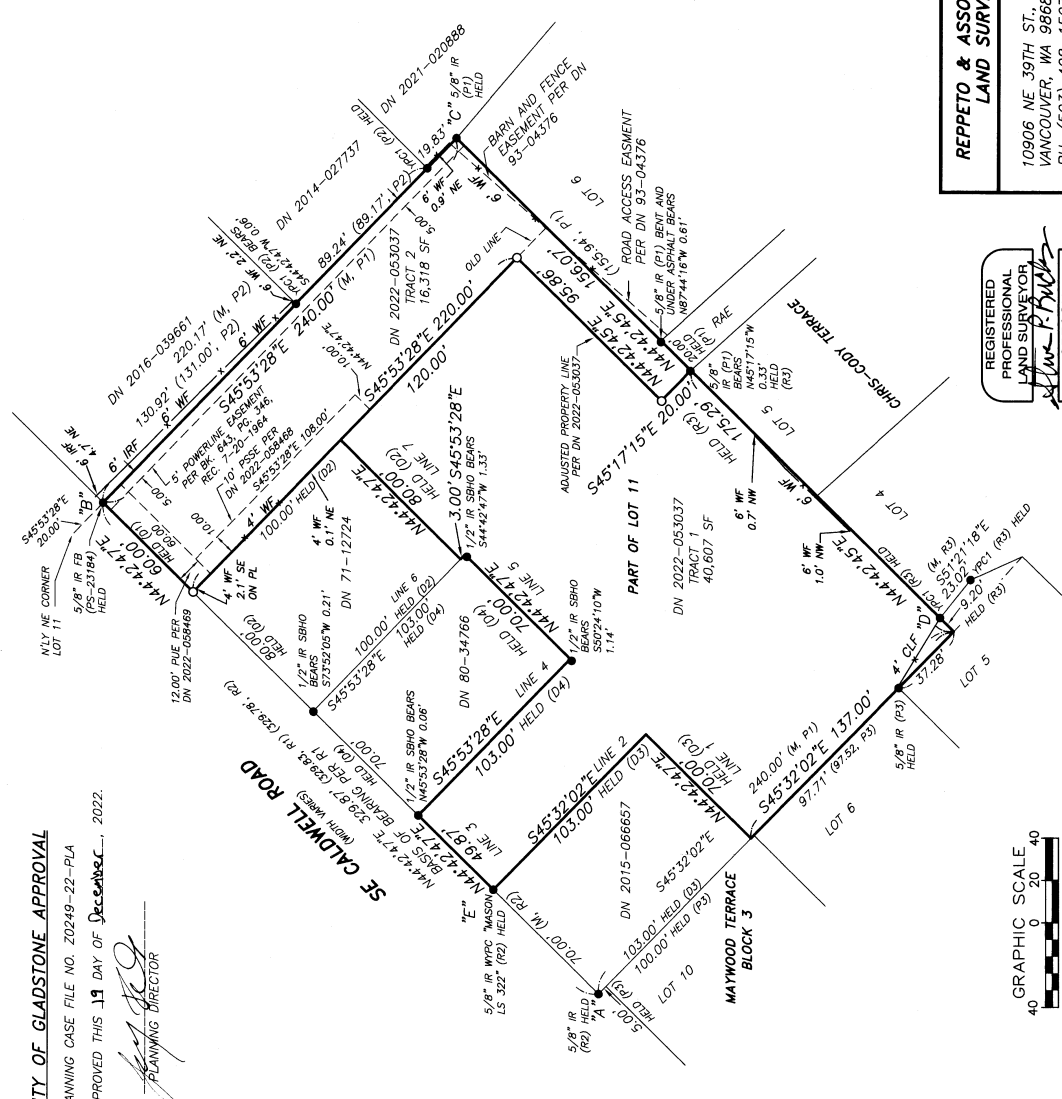
RE-ESTABLISHED LINE 5 BY HOLDING SOUTHWEST AND PARALLEL WITH SAID RIGHT OF WAY LINE A DISTANCE OF 103.00 FEET PER DEED DOCUMENT NUMBER 80-34766 CLACKAMAS COUNTY DEED RECORDS.

RE-ESTABLISHED LINE 6 BY HOLDING SOUTHWEST AND PARALLEL WITH THE NORTHEAST LINE OF TRACT 2 A DISTANCE OF 140.00 FEET PER DEED DOCUMENT NUMBER 71-12724 CLACKAMAS COUNTY DEED RECORDS.

RE-ESTABLISHED LINE 7 BY HOLDING SOUTHWEST AND PARALLEL WITH SAID RIGHT OF WAY LINE A DISTANCE OF 100.00 FEET PER DEED DOCUMENT NUMBER 71-12724 CLACKAMAS COUNTY DEED RECORDS.

LEGEND

- O = 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED
- = MONUMENT FOUND AS NOTED.
- = MONUMENT FOUND AS NOTED.
- CLF = CHAIN LINK FENCE
- D1 = DEED BOOK 585, PAGE 545 C.C.D.R.
- D2 = DEED DOCUMENT NO. 71-12724, C.C.D.R.
- D3 = DEED DOCUMENT NO. 2015-066657, C.C.D.R.
- D4 = DEED DOCUMENT NO. 80-34766, C.C.D.R.
- DN = DEED DOCUMENT NO., C.C.D.R.
- FB = ORIGIN UNKNOWN, FOUND BY
- P1 = PLAT OF CHRIS-CODY TERRACE
- P2 = PARTITIONING SURVEY, PS-23184
- P3 = PLAT OF MAYWOOD TERRACE
- PSSE = PUBLIC SANITARY SEWER EASEMENT
- PUE = PUBLIC UTILITY EASEMENT
- R1 = SN-24467
- R2 = SN-11025
- R3 = SN-171025
- RAE = 5/8" ROAD ACCESS EASEMENT FOR D1 PER P1
- SBHO = SET BY HOME OWNER
- SF = SQUARE FEET
- SN = SURVEY NO., CLACKAMAS COUNTY SURVEY RECORDS.
- WF = WOOD FENCE
- WYPC = WITH YELLOW PLASTIC CAP STAMPED
- WYPC1 = 5/8" IR WYPC "LOVE 747"
- () = RECORD INFORMATION



REPELTO & ASSOCIATES, INC.
 LAND SURVEYORS
 10906 NE 39TH ST., STE. A7
 VANCOUVER, WA 98682
 PH. (503) 408-1507
 WWW.REPELTOSURVEYING.COM

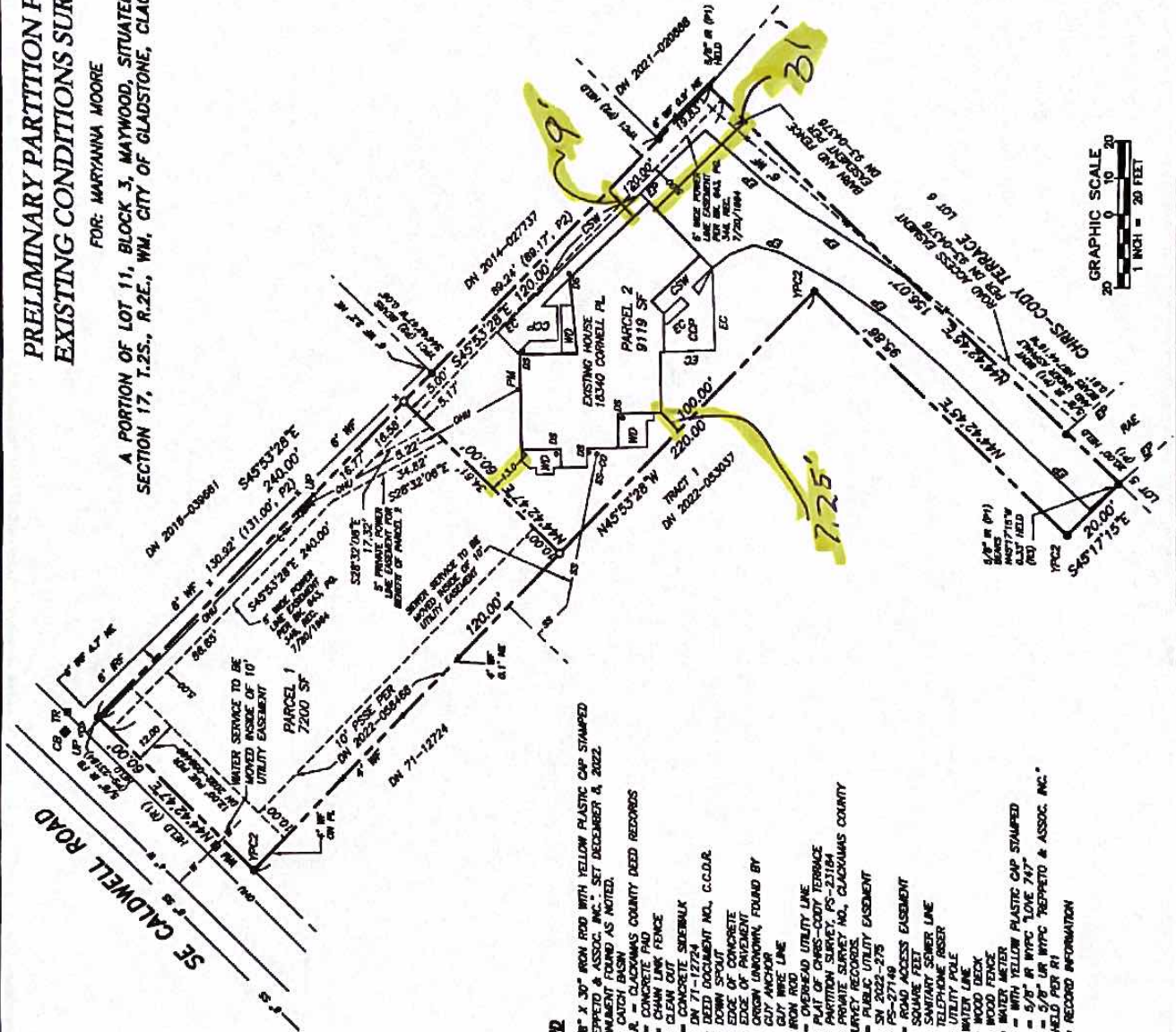
DATE: NOV. 16, 2022 FILE: M22032-PLA.DWG
 DRAWN BY: MP JOB NO. M22032

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
[Signature]
 OREGON
 JULY 17, 1986
 STEVEN P. BUCKLES
 2331
 RENEWS: 12/31/23

**PRELIMINARY PARTITION PLAT
EXISTING CONDITIONS SURVEY**

FOR: MARYANNA MOORE

A PORTION OF LOT 11, BLOCK 3, MAYWOOD, SITUATED IN THE SW 1/4 OF SECTION 17, T.25S., R.2E., WM, CITY OF GLADSTONE, CLACKAMAS COUNTY, OREGON



LEGEND

- O = 5/8" x 3/8" IRON ROD WITH YELLOW PLASTIC CAP, STAMPED
- = 1/2" IRON PIN, STAMPED "A.C. MOORE & ASSOC. INC." SET DECEMBER 4, 2022.
- = MONUMENT FOUND AS NOTED.
- CB = CATCH BASIN
- C.C.D.R. = CLACKAMAS COUNTY DEED RECORDS
- CON = CONCRETE PAD
- CLF = CHAIN LINK FENCE
- CO = CLEAN OUT
- CS = CONCRETE SIDEWALK
- DN = DEED DOCUMENT NO., C.C.D.R.
- DS = DOWN SPOUT
- EC = EDGE OF CONCRETE
- EP = EDGE OF PAVEMENT
- FB = FOUND FOUNDATION, FOUND BY
- GI = GUY WIRE LINE
- GR = IRON ROD
- OHU = OVERHEAD UTILITY LINE
- P1 = PLAT OF CHRIS-CODY TERRACE
- P2 = PARTITION SURVEY, PS-23184
- PS = PROBATE SURVEY NO., CLACKAMAS COUNTY
- PLU = PUBLIC UTILITY EASEMENT
- R1 = SN 2022-278
- R2 = SN 2022-279
- R3 = PS-27149
- RAK = ROAD ACCESS EASEMENT
- SF = SQUARE FEET
- SS = SANITARY SEWER LINE
- UP = UTILITY PEG
- W = WATER LINE
- WD = WOOD DECK
- WF = WOOD FENCE
- WM = WATER METER
- WPC = WITH YELLOW PLASTIC CAP, STAMPED
- WPC1 = 5/8" IRON PIN, WPC, "LOVE 747"
- WPC2 = 3/8" IRON PIN, WPC, "REPPETTO & ASSOC. INC."
- WPC3 = 1/2" IRON PIN, WPC, "REPPETTO & ASSOC. INC."
- () = RECORDED INFORMATION

**REPPETTO & ASSOCIATES, INC.
LAND SURVEYORS**

10908 NE 38TH ST., STE A7
VANCOUVER, WA 98682
Phone: (503) 408-1507
www.reppettosurveying.com

REGISTERED
PROFESSIONAL
LAND SURVEYOR

After P. Buehler
ASSOCIATE
JULY 17, 1988
SIBEL P. BUEHLER
2501
EXPIRES 12/31/23



TOP portion
of 600

FORM No. 631-WARRANTY DEED
KA

KNOW ALL MEN BY THESE PRESENTS, That
V. M. PUCKETT and LINDA PUCKETT, husband and wife

in consideration of Ten and other good and valuable consideration, Grantor
to them paid by ROBERT A. JOHNSON and MARYANNA JOHNSON, husband
and wife, Donee

do hereby grant, bargain, sell and convey unto the said donee, their heirs and assigns, all
the following real property, with the tenements, hereditaments and appurtenances, situated in the County
of CLACKAMAS and State of OREGON, bounded and described as follows, to-wit:
Part of Lot 11, Block 3, MAYWOOD, in the County of Clackamas
and State of Oregon, described as follows:
Beginning at the most northerly corner of said Lot 11; thence
southeasterly along the northeasterly line of said Lot, 20
feet, more or less, to the southerly line of Caldwell Road and the
true place of beginning; thence continuing southeasterly along the
northeasterly line of said Lot, 15 feet; thence southwesterly
at right angles to said last mentioned line a distance of 60 feet;
thence northwesterly at right angles to the last line a
distance of 150 feet to the southeasterly line of said Caldwell
Road; thence northeasterly along the southeasterly line of said
Caldwell Road, a distance of 60 feet to the true place of
beginning.

To Have and to Hold the above described and granted premises unto the said donee, their
heirs and assigns forever.
And they the grantor do covenant that they are lawfully seized in fee simple of the above
granted premises free from all encumbrances, except conditions and restrictions of record
and all sewer assessments.

and that they will and their heirs, executors and administrators, shall warrant and forever
defend the above granted premises, and every part and parcel thereof, against the lawful claims and
demands of all persons whomsoever.

Witness our hand and seal this 4th day of April, 1961



V. M. PUCKETT (SEAL)
Linda PUCKETT (SEAL)

STATE OF OREGON,
County of Clackamas. On this 4th day of April, 1961,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the
within named V. M. PUCKETT and Linda PUCKETT, husband and wife
who are

known to me to be the identical individuals described in and who executed the within
instrument, and acknowledged to me that they executed the same freely and voluntarily.
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official
seal the day and year last above written.

Notary Public for Oregon
My commission expires Oct. 6, 1962

WARRANTY DEED

V. M. PUCKETT and Linda PUCKETT

husband and wife

TO

Robert A. Johnson and Maryanna

Johnson, husband and wife.

AFTER RECORDING RETURN TO

Portland Federal Savings and
Loan Association
333 S. W. Fifth Ave.,
Portland, Oregon

BOOK 585 PAGE 545

STATE OF OREGON
I, Robert A. Johnson, County Clerk, Esq.,
and Secretary of the County of Clackamas,
do hereby certify that the within
instrument is a true and correct copy
of the original as the same appears
from the records on file in my
office.

DEED
MAY 1 1961

BOOK 585 PAGE 545

Notary Public for Oregon
My commission expires Oct. 6, 1962

Oregon City Abstract Co. - BUREAU BUILDING, OREGON CITY, OREGON

EF No. 01-16017
62290

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That Maryanna Johnson, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Maryanna Johnson hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to-wit:

Part of Lot 11, Block 3, MAYWOOD, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the most northerly corner of said Lot 11; thence southeasterly along the northeasterly line of said Lot, 20 feet, more or less, to the southerly line of Caldwell Road and the true place of beginning; thence continuing southeasterly along the northeasterly line of said Lot, 240 feet; thence southwesterly at right angles to said last mentioned line a distance of 60 feet; thence northwesterly at right angles to the last line a distance of 240 feet to the southeasterly line of said Caldwell Road; thence northeasterly along the southeasterly line of said Caldwell Road, a distance of 60 feet to the true place of beginning.

The intent of this Deed is to combine an additional 90 feet to the southerly end of Tax Lot 600 as shown on Clackamas County Assessors Map No. 22F 17CC.

creates full TL 600 240' x 60'

To Have and to Hold the same unto the said grantees and grantees's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ None. However, the actual consideration consists of or includes other property or value given or promised which is the whole of the consideration (indicate which). In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals. In Witness Whereof, the grantor has executed this instrument this 29 day of December, 1978; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Maryanna Johnson

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of Multnomah, December 29, 1978.

Personally appeared the above named Maryanna Johnson

and acknowledged the foregoing instrument to be her voluntary act and deed.

Notary Public for Oregon My commission expires 9-12-81

STATE OF OREGON, County of ... 19...

Personally appeared ... who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of ...

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon My commission expires: (OFFICIAL SEAL)

Maryanna Johnson 6422 Caldwell Road Gladstone, OR 97027

(same as above)

Maryanna Johnson 6422 Caldwell Road Gladstone, OR 97027

(same as above)

STATE OF OREGON I, George D. Propp, County Clerk, Ex-Officio Recorder of Conveyances and Estate of Oregon, for the Circuit Court of the County of Clackamas, do hereby certify that the within instrument of writing was received for and recorded in the records of said county at

78 DEC 29 P 4: 55



78 56021

78 56021

KNOW ALL MEN BY THESE PRESENTS, That ROBERT A. JOHNSON

hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto MARYANNA JOHNSON

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of the grantor's right, title and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any-wise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to-wit:

Part of Lot 11, Block 3, PLAT OF MAYWOOD, as recorded in Book 6, Page 24, Plat Records, located in Clackamas County, Oregon, more particularly described as follows:

TRACT C: Beginning at the most northerly corner of said Lot 11, thence Southeasterly along the northeasterly line of said lot, 20 feet, more or less, to the southerly line of Caldwell Road and the true place of beginning; thence continuing southeasterly along the northeasterly line of said lot, 150 feet; thence Southwesterly at right angles, to said last mentioned line, a distance of 60 feet; thence Northwesterly at right angles to the last line, a distance of 150 feet to the southeasterly line of said Caldwell Road; thence Northeasterly along the southeasterly line of said Caldwell Road, a distance of 60 feet to the true place of beginning.

It is the purpose of this deed to dissolve the previously existing tenancy by the entirety between the parties hereto and to vest the entire ownership interest in the described property in the grantee.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$

However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).

In construing this deed the singular includes the plural as the circumstances may require.

Witness grantor's hand this 15 day of May, 1975

[Signature of Robert A. Johnson]

STATE OF OREGON, County of Clackamas) ss. Robert A. Johnson May 15, 1975

Personally appeared the above named and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me: [Signature of Notary Public] Notary Public for Oregon My commission expires 9/24/77

NOTE—The hyphens between the symbols () if not applicable, should be deleted. See Chapter 463, Oregon Laws 1967, as amended by the 1967 Special Session.

QUITCLAIM DEED

Robert A. Johnson TO Maryanna Johnson

AFTER RECORDING RETURN TO V. G. Van Bergen Attorney at Law 2120 Monroe Street Milwaukie, Oregon 97228

STATE OF OREGON County of Clackamas George D. Poppen, County Clerk, Esq. Office Recorder of Conveyances and Esquire Clerk of the Circuit Court of the State of Oregon, for the County of Clackamas, do hereby certify that the within instrument of writing was received for the record of said county at 11:13 AM 11 09 [Stamp] GEORGE D. POPPEN County Clerk Deputy. Recording Certificate 75 15486

Quitclaim Deed for top portion of 600



**NOTICE OF CITY ADMINISTRATOR DECISION ON:
TYPE I PARTITION APPROVAL**

TO: Applicant, Owners of Property within 100 feet of the Subject Property, and affected agencies.

DATE: January 14, 2020

LAST DATE TO APPEAL: January 29, 2020

FILE NUMBER: Z0536-19-M

STAFF CONTACT: Joy Fields (503) 742-4510; jfields@clackamas.us

APPLICANT: Rick Givens, Planning Consultant 18680 Sunblaze Dr. Oregon City OR. 97045

PROPERTY OWNER(s): Errol and Amsale Rivers

LEGAL DESCRIPTION: T2S, R2E, Section 20AB , Tax Lot(s) 02301

SITE ADDRESSES: 1185 Columbia Ave, Gladstone, OR 97027

ZONE: R-7.2; Single Family Residential

COMPREHENSIVE PLAN DESIGNATION: Low Density Residential

PROJECT PROPOSAL: The proposed partition application will create one additional parcel from the current parent parcel. As proposed, the 14,714 square foot parent parcel will be split into a parcel of 7,512 square feet (Parcel 1) and a parcel of 7,202 square feet (Parcel 2). As proposed, the two parcels exceed the minimum square foot requirement of 7,200 square feet in the R-7.2 Zoning District.

Specifically, the applicant is keeping an existing single-family residence and accessory building on Parcel 1 and separating accessory sheds on Parcel 2 from the primary dwelling by the proposed partition.

APPEAL NOTICE: This action of the City Administrator (or designee) shall become final unless appealed in writing within fifteen (15) days of this notice of decision. If you disagree with these findings or conditions, you may appeal this decision to the Gladstone Planning Commission, which will review the application and may hold a public hearing if requested by a majority of the Planning Commission. Notice of the appeal must be mailed or delivered to the City of Gladstone at 525 Portland Avenue, Gladstone OR 97027 and must be received by 5:00 PM on January 29, 2020. An appeal must be accompanied by a \$250.00 filing fee. For further information, please contact the City of Gladstone by mail or telephone at (503) 656-5225.

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Exhibits

- Exhibit 1. Location Map
Exhibit 2. Existing Configuration with 2018 Aerial
Exhibit 3. Proposed Partition Plan
Exhibit 4. 2016 Survey of Parent Parcel
Exhibit 5. Photo of Sheds on Parcel 2

I. REQUEST FOR COMMENTS

Sent to: City of Gladstone, Public Works, Gladstone Fire, Gladstone PD, Engineering, Tri-Cities
Responses Received: Public Works, Engineering, and the Fire Department provided comments.

II. STANDARD CONDITIONS

- 1. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Planning Director for the City of Gladstone,
2. 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.

3. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the administrative approval to bind all future owners and possessors of the subject property to the terms and conditions.
4. **County Surveyor.** Compliance with Oregon Revised Statutes, Clackamas County Surveyor's Office, and Clackamas County Clerk's Office requirements for completion of a record of survey and recording of legal descriptions for the newly configured lots shall be required.

III. CONDITIONS OF APPROVAL

1. Removal of Accessory Structures

Prior to recording the new lots with the County Surveyor, the applicant will remove the existing sheds from what will become Parcel 2 (Exhibit 5). An accessory structure, such as a shed, is incidental and subordinate to the main use of the property and located on the same lot as the main use (17.06.015). Therefore, when the main use is removed from the parcel through the partition, the accessory structure shall be removed.

2. Modification of Accessory Structure

Prior to recording the new lots with the County Surveyor, the applicant will move the existing shed on Parcel 1 to comply with the five foot (5') setback from what will become the rear property boundary per Section 17.10.050. An accessory structure, such as a shed, can have a reduced rear setback of five feet (5') as long as the height does not exceed one story, the floor area does not exceed 450 square feet and it is separated from other buildings by at least ten feet (10'). Based on the diagram provided in the Preliminary Partition Plan dated Dec. 2019, the shed meets all the requirements to have the reduced 5' rear setback, but is currently only located approximately two feet (2') from the rear property boundary.

3. Sidewalks

Prior to recording the final plat with the County Surveyor, sidewalks that meet the City of Gladstone's design standards shall be installed per Section 17.50.40(15).

4. Right-of-Way

The applicant shall grant an eight and a half-foot wide public easement along Parcel 2 adjacent to Columbia Avenue for sidewalk and public utilities, and a six-foot public utility easement along Parcel 1 adjacent to Columbia Avenue to provide room for the existing sidewalk and public utilities per Sections 17.50.020 and 17.60.020. These easements shall be illustrated, labeled and dimensioned on the final plat prior to approval.

5. Street lights

Street Lights shall be installed according to the City of Gladstone spacing requirements per Subsection 17.50.040.(18).

IV. NOTES

The items below are applicable to the development of the proposed lots and will be reviewed in the future as part of the building permit review for the development of the proposed lots.

1. Impervious Surface

To the extent possible impervious surface shall be limited with this proposal and the development of Parcel 2 (per Section 17.50.020).

2. Utilities

Water and sanitary sewer improvements shall be constructed to Gladstone, and WES Tri-City's standards, respectively. Utility plans shall be submitted to those agencies for approval prior to construction and utilities shall be developed in accordance with the requirement of Chapter 17.60. System Development Charges shall be paid prior to the issuance of any Building Permits.

3. Off-Street Parking and Loading and Driveways

At the time of construction a minimum of one off-street parking space shall be provided for a single-family dwelling and a minimum of one and one-half off-street parking spaces shall be provided per dwelling unit in a two-family dwelling per Section 17.48.020. Curb cuts and driveway installations shall be installed according to city standards per 17.50.040.

4. Surface Water Drainage Requirements

Any subsequent building permit proposal will be required to comply with the drainage requirements of the Gladstone Code per Subsection 17.56.

5. Grading And Fill

Chapter 17.58 of the GMC establishes standards for and requires enforcement of Chapter 70 of the Uniform Building Code (UBC). These standards will be applicable to the future development of the site.

V. FINDINGS

Partitions shall comply with all applicable Sections of the Gladstone Municipal Code (GMC). Chapter 17.10 establishes requirements of the R-7.2 Zoning District. Chapter 17.34 of the GMC regulates Partitions. Chapter 17.64 of the GMC establishes the design standards for land divisions. Additional Code Sections including Chapter 17.56 will be applicable to the development of the site. The City Administrator's designee has reviewed these sections of the GMC in conjunction with this proposal and makes the following findings:

A. Subsection 17.10.050 of the GMC identifies the dimensional standards of the R-7.2 Zoning District.

Including:

(1) Lot Area:

(a) For a single-family dwelling, the minimum lot area shall be seven thousand two hundred (7,200) square feet;

(b) For a two-family or multi-family dwelling, the minimum lot area shall be three thousand six hundred (3,600) square feet per dwelling unit;

(c) For other uses, the minimum lot area shall be seven thousand two hundred (7,200) square feet, or as established by the Planning Commission, as provided by GMC Chapter 17.70 (conditional uses).

(2) Setback Requirements:

(a) A front setback shall be a minimum of twenty feet (20') except that a front porch may project a maximum of five feet (5') into a required front setback area;

(b) Except on a corner lot, the total side setback shall be a minimum of twenty percent (20%) of the average lot width or fifteen feet (15'), whichever is less, but in no case shall a side setback be less than five feet (5');

(c) A rear setback shall be a minimum of fifteen feet (15');

(d) On a corner lot, the street side setback shall be a minimum of twenty feet (20') and the other side setback shall be a minimum of five feet (5');

(e) Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet (2') into a required setback area.

Finding: The proposed lots are shown as satisfying the minimum lot size of 7,200 square feet. The final survey will be reviewed to verify that the size of the lots meet the minimum requirement. Based on the Preliminary Partition Plan submitted with the application, the existing sheds on proposed Parcel 1 and proposed Parcel 2 do not currently meet the setback requirements of the R-7.2 Zoning District. With the implementation of Conditions 1 and 2, these criteria are met.

B. Chapter 17.34 of the GMC establishes the submittal requirements and administrative process applicable to partitions.

Finding: As submitted, this proposal meets the submittal requirements and is considered a Type I Partition because the proposed lots are greater than 7,200 square feet and are accessed by Columbia Avenue, which is classified by the 2017 Transportation Plan as a local street. This criteria is met.

C. Chapter 17.48 of the GMC regulates off-street parking and loading. This section requires one off-street parking space per single-family dwelling or 1.5 parking spaces per two-family dwelling.

Finding: This requirement will be applied at the time when building permit applications are filed as permitted by 17.48.020.

D. Chapter 17.50 of the GMC establishes requirements for vehicular and pedestrian circulation and applies to all land divisions.

- *Subsection 17.50.020 (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.*

Finding: The application submitted does not identify future development or impervious surface on Parcel 2. This criteria is not applicable at this time. This requirement will be applied at the time when building permit applications are filed as noted.

- *Subsection 17.50.020(2) Traffic Separation. Provide when feasible, a separation of motor vehicular, bicycle and pedestrian traffic.*

Finding: Frontage improvements along Columbia Avenue shall include a sidewalk along the entire project area. The transition between the existing sidewalks and the newly installed sidewalk will need to meet ADA requirements.

- *Subsection 17.50.020(3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets.*

Finding: Sidewalks shall be installed prior to the recording of the final plat. Easements for the public sidewalks and utilities shall be a minimum of five foot (5') to be congruent with the adjacent sidewalks and easements. As conditioned this criteria is met.

- *Subsection 17.50.020(4) Traffic Volume Expansion. Provision shall be made to accommodate any increased volume of traffic resulting from the development. If streets adjacent to or serving the site are inadequate, widening, dedication of property for future widening, or other street improvements may be required. The development shall be designed to minimize traffic volume increases on minor streets and underdeveloped streets.*

Finding: The proposed development will result in one additional parcel that is zoned for single family residences and duplexes. The City Public Works Supervisor may request a Traffic Impact Analysis if any of the following applies: The proposal generates 25 p.m. peak hour trips or more on the local transportation system; The location of an existing or proposed access driveway does not meet minimum spacing or sight distance

requirements; 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. These criteria are met.

- *Subsection 17.50.020(5) Handicapped Needs.*

Finding: This approval is subject to the development complying with the provisions of the Americans with Disabilities Act (ADA), including provisions for curb ramps, and 48” of unobstructed sidewalk on the road frontage of both lots. As conditioned this criteria is met.

- *Subsection 17.50.030 Streets and Roads Generally.*
 - *All streets adjacent to the development and serving the development shall meet the City of Gladstone requirements for right of way widths, street lighting, angles and alignment.*

- *Subsection 17.50.40(1) Right-of-Way and Roadway Widths.*

Finding: All required street and street frontage related improvements shall comply with the standards and requirements of Gladstone Roadway Standards. The applicant shall verify by a professional survey that a one- a minimum of a 40 foot right of way, exists along Columbia Avenue. The right-of-way dedication, if required, shall be illustrated, labeled and dimensioned on the final plat. The applicant shall grant an eight and a half-foot wide public easement along Parcel 2 adjacent to Columbia Avenue for sidewalk and public utilities, and a 6 foot public utility easement along Parcel 1 adjacent to Columbia Avenue to provide room for the existing sidewalk and public utilities. These easements shall be illustrated, labeled and dimensioned on the final plat prior to approval. As conditioned this criteria is met.

- *Subsection 17.50.40(14) Curbs and Driveway. Curb cuts and driveway installations shall be installed, according to City standards.*

Finding: Driveway exists on Parcel 1, but may need to be brought up to City standards. Improvements will be necessary along the frontage of Parcel 2 to include curbs and driveway construction. Curb cuts shall be a minimum of five (5) feet from the property line, unless a shared driveway is installed. As noted, this criteria can be met.

- *Subsection 17.50.40(15) Sidewalks. Sidewalks shall be installed on both sides of a public street and at any special pedestrian way within a development.*

Finding: Columbia Avenue has sidewalks that need to meet ADA requirements in front of Parcel 1 and should be constructed to match adjacent lots to the north and south of the Parcel 2. As conditioned this criteria is met.

- *Subsection 17.50.040.(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, or a school, park, church, day care center, library, commercial center, community center or similar facility.*

Finding: Columbia Avenue is not identified in the 2017 Transportation Plan as a Bicycle and Pedestrian Route. This is for information only. This criteria is not applicable to this application.

- *Subsection 17.50.040.(18) Street Lights. Street lights shall be installed according to the City of Gladstone spacing requirements.*

Finding: Based on a site visit on January 3, 2020, a Streetlight currently exists approximately 23 feet from the southern property boundary of Parcel 1 as proposed. As conditioned this criteria is met.

E. *Subsection 17.56 of the GMC establishes surface water drainage requirements. Any subsequent building permit proposal will be required to comply with the drainage requirements of the Gladstone Code.*

F. *Chapter 17.58 of the GMC establishes standards for grading and fill and requires enforcement of Chapter 70 of the Uniform Building Code (UBC).*

Finding: 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. As shown in the Preliminary Partition Plan, the application does not identify grading or development on Parcel 2 and Parcel 1 is already developed. This is informational only. This criteria is not applicable to this application until development of Parcel 2 is proposed.

G. *Chapter 17.60 of the GMC establishes requirements for utilities. Adequate services exist at this location for the proposed use. New utilities, such as electricity, are required to be underground unless the utility provider prohibits this.*

Finding: As noted above, all development permits will require that water and sanitary sewer improvements be constructed to Gladstone, and Oak Lodge or WES Tri-City's standards, respectively, that plans be submitted to those agencies for approval prior to construction and that utilities be developed in accordance with the requirement of Chapter 17.60. This is informational only. This criteria is not applicable to this application until development of Parcel 2 is proposed.

H. *Chapter 17.64 of the GMC identifies the design standards for land divisions.*

- *Subsection 17.64.030(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.

- *Subsection 17.64.030 (2) Frontage. A lot shall have minimum frontage of 20 feet on a street other than an alley.*

Finding: Based on the preliminary plan dated Dec 2019, it appears that the proposed lots meet the above requirements of size, shape and frontage. Review of the preliminary plat will confirm dimensional standards for Parcel 1 and Parcel 2. This criteria is met.

- *Subsection 17.64.030 (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.

Finding: This is informational only. Based on the location of this partition, this is not applicable.

- *Subsection 17.64.030 (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: Based on the preliminary plan dated Dec. 2019, it appears that the proposed lots will meet the above size and shape, frontage, and angle requirements. The preliminary survey will be used to verify these dimensions. This criteria is met.

Approved on January, 14, 2020

Signed this 17 day of January, 2020


Joy Fields, Gladstone Planning Director

EXHIBITS



EXHIBIT 1
Location Map
Z0536-19-M



EXHIBIT 2
Existing Configuration with
2018 Aerial Image
Z0536-19

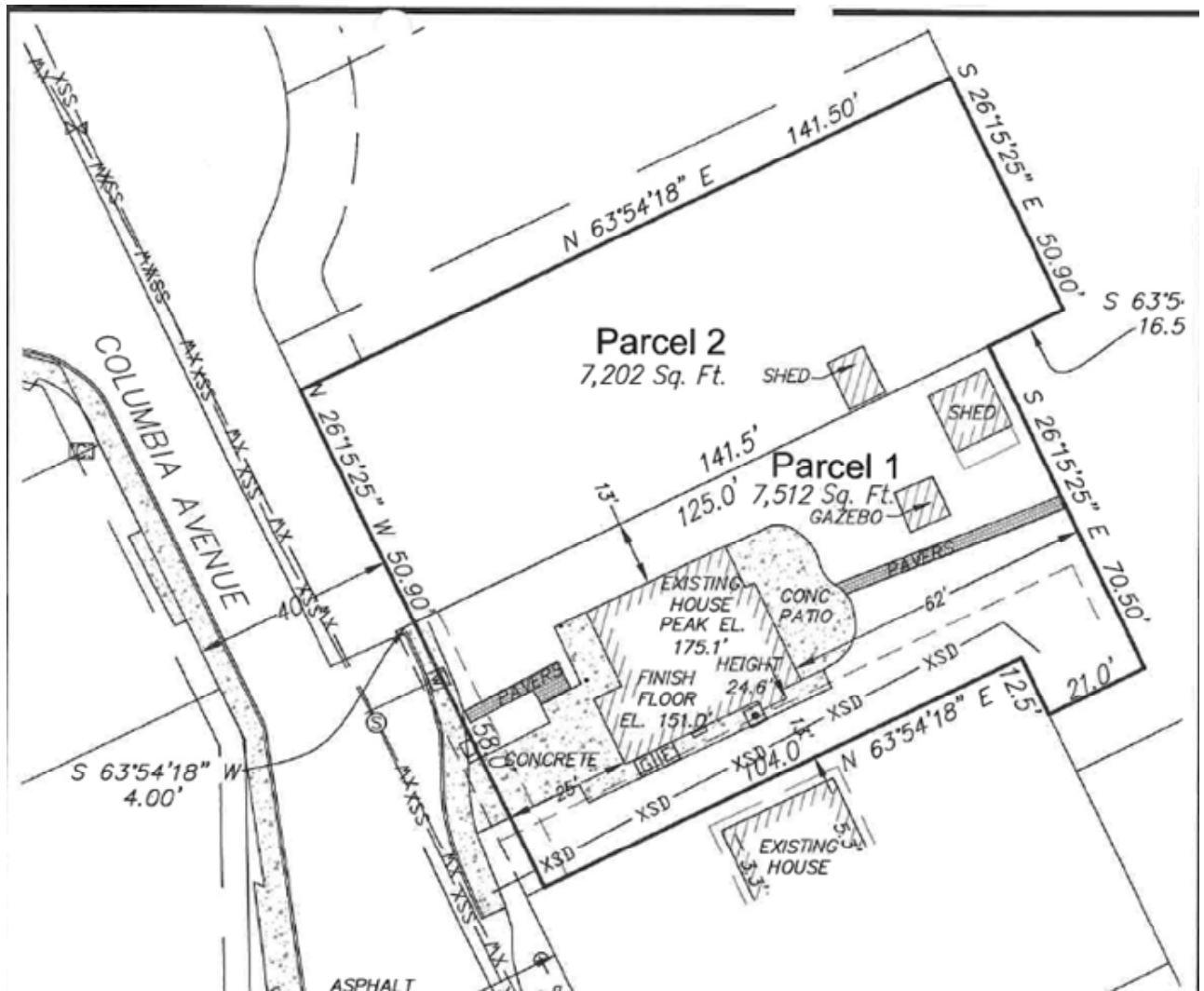
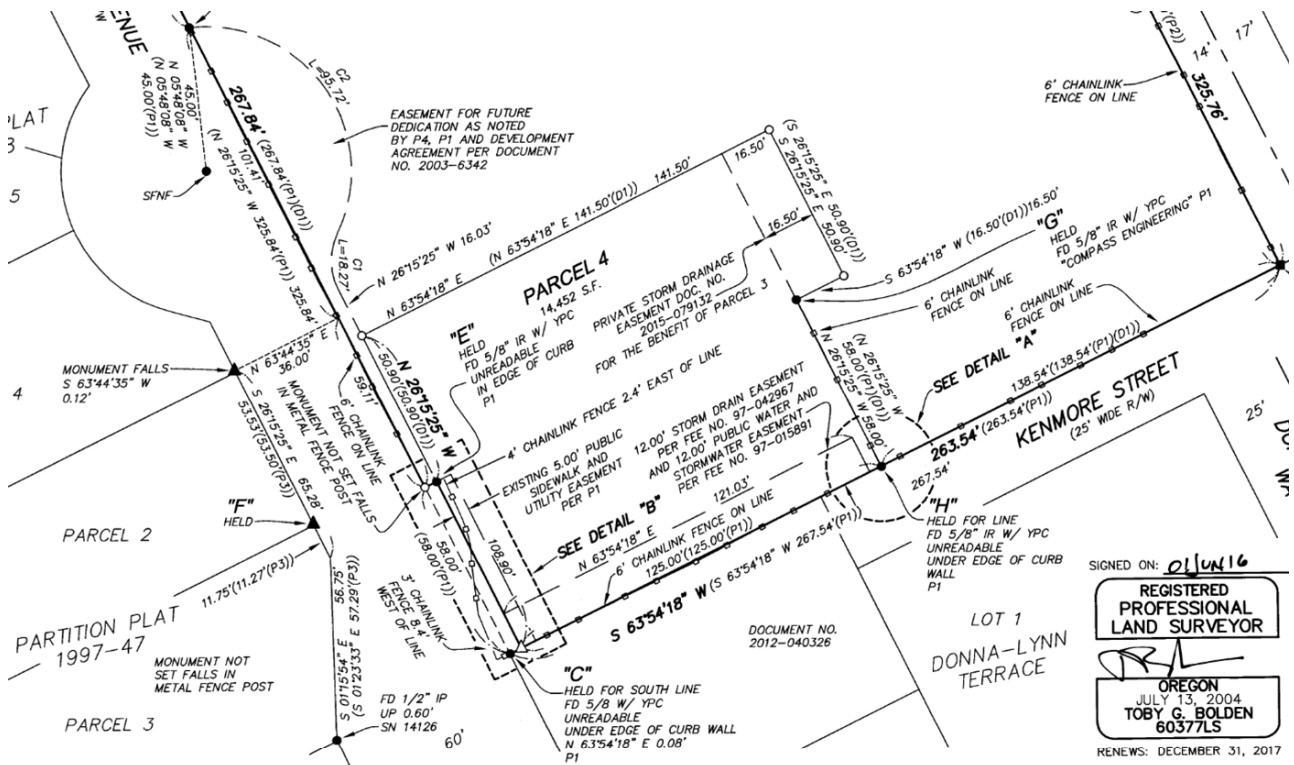


EXHIBIT 3
 Proposed Partition Plan
 dated Dec. 2019
 Z0536-19-M



SIGNED ON: 01/UN16

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS

RENEWS: DECEMBER 31, 2017

EXHIBIT 4
2016 Survey of Parent
Parcel
Z0536-19



EXHIBIT 5
2019 Picture of Existing
Sheds on Future Parcel 2
Z0536-19
Source: Mike Funk



DECISION: 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 DECISION

The City of Gladstone Planning Commission Approved 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) Erosion Control; (13) Construction Plans; (14) Pre-construction Conference; and (15) 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, the Planning Commission 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
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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.

(2) Setback Requirements.

- (a) A front setback shall be a minimum of 20 feet, except that a front porch may project a maximum of five feet into a required front setback area;
- (b) Except on a corner lot, the total side setback shall be a minimum of 20 percent of the average lot width or 15 feet, whichever is less, but in no case shall a side setback be less than five feet;
- (c) A rear setback shall be a minimum of 15 feet;
- (d) On a corner lot, the street side setback shall be a minimum of 20 feet and the other side setback shall be a minimum of five feet;
- (e) Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet into a required setback area;

Finding: The proposed development as shown on the plans submitted with the application meets the front, street side and rear setbacks. The side setbacks are variable and in no case are less than five feet. 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 meet or exceed the 20 foot street frontage requirement. None of the lots are through lots. The corner lot (Parcel 3) contains existing development that meets the 20 foot setback requirements, and the average width of is 60 feet. 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 minimum lot area is met and there are no yard or open space requirements. This criteria is met.

As such, the Planning Commission APPROVED the Type II Partition Application No. Z0321-20-M.

Approved at public hearing on September 18, 2020

Signed this 29th day of September, 2020



Michael Milch, Planning Commission Chair

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

EXHIBITS

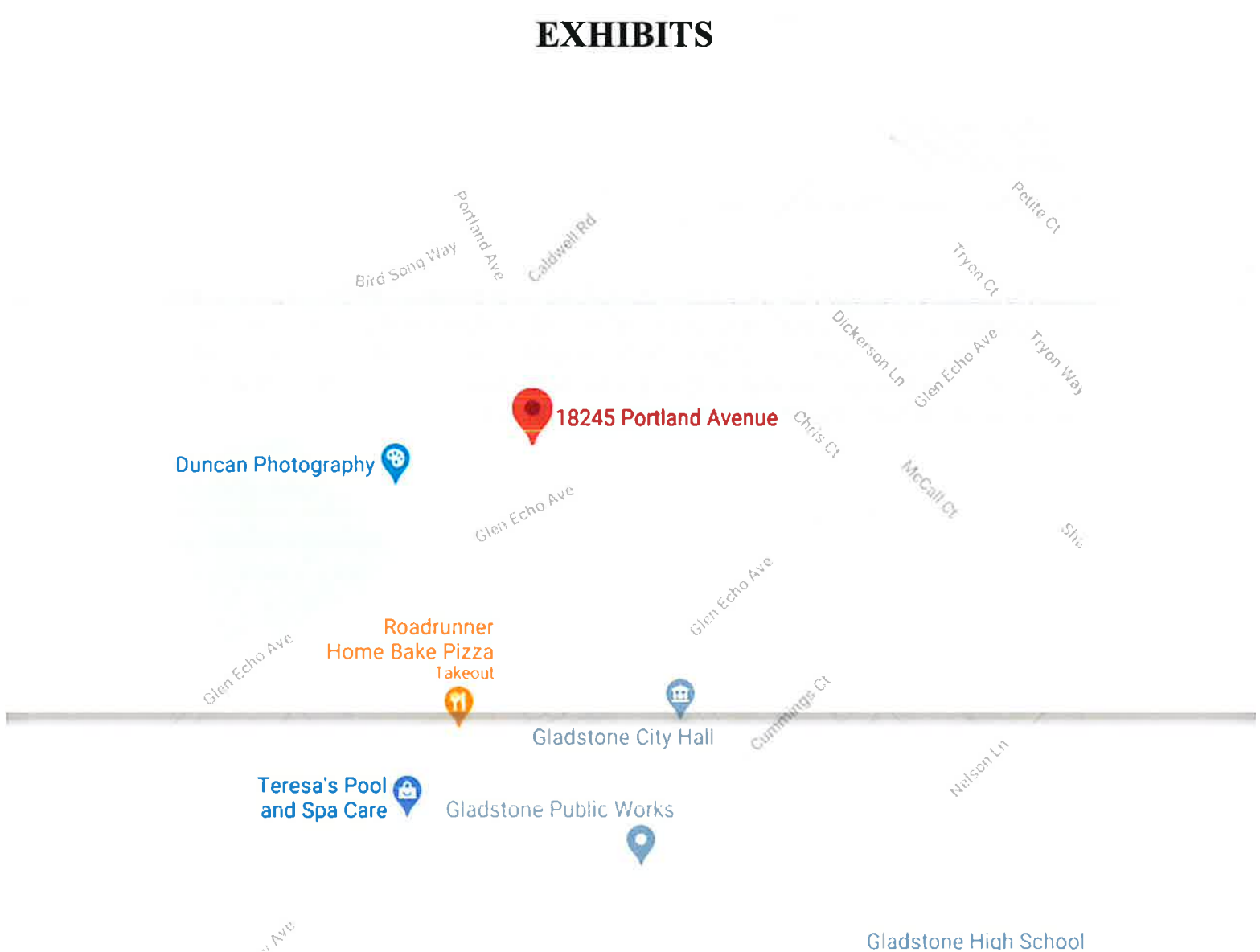


EXHIBIT 1
Location Map

Vacant portion to become
Parcels 1 & 2.

Carport to be removed.

Existing home to remain.



EXHIBIT 2
2018 Aerial Image

Appendix B
Access Drive Approval

Appendix C
Comments Received

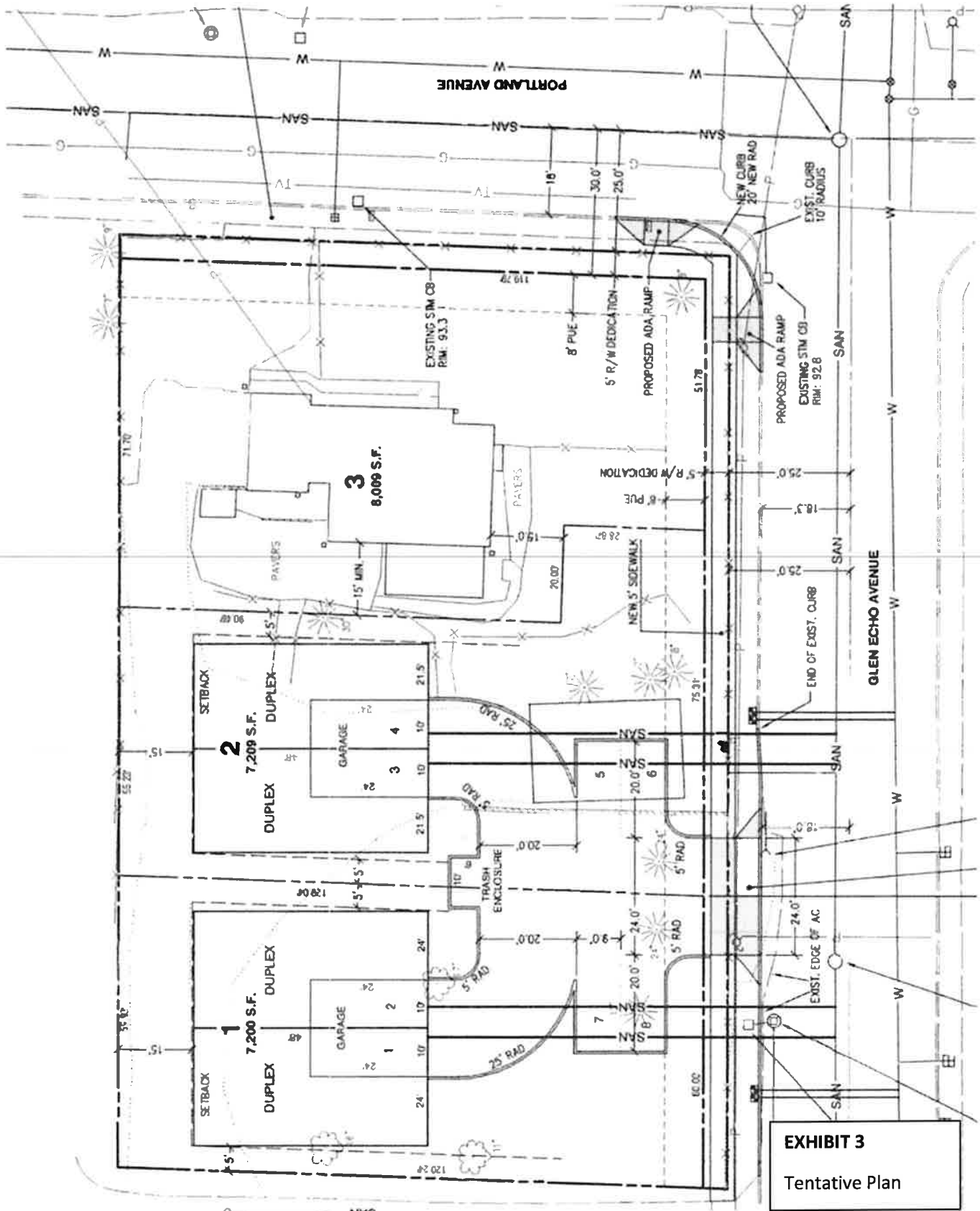


EXHIBIT 3
Tentative Plan



Agenda Item No. 4

PC Meeting Date: 02/21/2023

STAFF REPORT: DESIGN REVIEW

Application No.:	DR-23-01
Applicant:	SG Architecture, LLC
Owner:	Dick Hannah Dealerships/JJHW, LLC
Project Location:	19505 SE McLoughlin Blvd; Tax Map 22E19DD Lots 2600, 2700, 2800, 3000, 3001 and 3100
Project Description:	The applicant is seeking design review approval for a proposed 2,200 sf, one-story addition to the existing Gladstone Nissan Dealership building. The application also includes a new enclosed 227 sf storage shed that will be attached to the existing building.

SUMMARY OF STAFF RECOMMENDATION

The planning staff recommend approval of the Design Review application DR-23-01 and recommend the following findings and standard conditions, as well as the special conditions in support of approval: (1) Photometric Plan; (2) Site Landscaping and (3) Transit Stop Improvement.

The subject property is comprised of lots 2600, 2700, 2800, 3000, 3001 and 3100 on Tax Map 22E19DD. The site is currently developed as Dick Hannah Nissan Dealership of Gladstone and is approximately 3 acres in size in the C-3, General Commercial Zoning District. The site expansion is on the north and south ends of the existing tilt-up building #1 on Tax Lot 2600 and will be consistent in design, color, height and construction materials as the existing building. The proposal also includes an attached storage area that will replace an existing storage area.

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

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REQUEST FOR COMMENTS

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

Responses Received: The proposal was reviewed by Gladstone Public Works and Engineering who determined that there are no conditions necessary for this proposal to meet the city’s infrastructure requirements. No comments were received from Clackamas Fire District on behalf of Gladstone fire, or from WES. No comments were received from the public.

STANDARD CONDITIONS

1. **Expiration.** This approval shall remain valid for two years following the date of approval per 17.80.100. If the approved use has not commenced by that date, this approval shall expire unless a time extension is granted pursuant to chapter 17.66.015(4) of the Gladstone Municipal Code.
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.
6. **Signage.** All signs shall meet the provisions of Subsection 17.52 of the GMC. Sign designs were not included with the submittal package. If existing signage is to be replaced with signage in the future, a sign permit shall be filed separately at the time it is needed.
7. **ADA Access.** This approval is subject to the development complying with the provisions of the Americans with Disabilities Act (ADA) per GMC 17.50.020 (6)(f), including provisions for curb ramps, circulation within the site, and appropriate grades to the public entrances of the buildings.

SPECIAL CONDITIONS OF APPROVAL

1. **Photometric Plan.** Prior to issuance of a building permit, provide a photometric plan of the northwest portion of the site (the portion of the site shown on Submitted Sheet SPR 2).
2. **Site Landscaping.** Prior to issuance of a building permit, provide an updated site plan to the city planning department identifying a minimum of 16,511 square feet of site landscaping to equal the size of the existing site landscaping.
3. **Transit Stop Improvement.** Prior to issuance of a final certificate of occupancy, improve Tri-Met Stop 10324 or provide documentation to the city planning department that improvements to this stop are not part of Tri-Met's long-range plan.

NOTES

1. **System Development Charges (SDCs).** SDCs may be required due to the increased use of the property. The project shall provide all relevant information needed to calculate the SDCs to the Public Works Director.

2. **Building Permits.** Clackamas County Building Department will provide structural, mechanical, grading, and review of Fire & Life Safety, Plumbing, and Electrical Permits for this project.
3. **Right of Way Permits.** Prior to initiating work within the right of way, a permit from the Gladstone Public Works Department and ODOT are required as applicable.

FINDINGS

Zoning Code Review & Findings

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

Chapter 17.20 C3 - General Commercial District

17.20.020 Uses allowed outright.

In a C-3 zoning district, the following uses and their accessory uses are allowed outright. Outside or open storage shall be an allowed accessory use.

(1) Automobile service station, car wash or repair garage, body and fender paint shop, sales of new and used vehicles.

Finding: The existing vehicle sales and automobile repair garage is a use allowed outright. Expansion of the use complies with the C-3 zoning district. This criterion is met.

17.20.045 Screening.

The following screening standards shall apply:

(1) Off-street parking and loading areas and business activities, such as service, repair, processing, storage and merchandise display, that are conducted outside of a wholly enclosed building, shall be screened from abutting properties where such properties are in a residential zoning district and from abutting unimproved public street rights-of-way where property on the opposite side of the unimproved right-of-way is in a residential zoning district.

(2) Business activities, such as service, repair, processing, storage and merchandise display, that are conducted outside of a wholly enclosed building, shall be screened from abutting properties where such properties are in a C-1 or C-2 zoning district and from abutting unimproved public street rights-of-way where property on the opposite side of the unimproved right-of-way is in a C-1 or C-2 zoning district.

(3) Storage, with the exception of merchandise display, outside of a wholly enclosed building shall be screened from abutting improved public street rights-of-way. Off-street parking and loading areas for customer vehicles, employee vehicles and vehicles for sale are not required to be screened from improved public street rights-of-way. However, off-street parking and loading areas for other types of vehicle storage (e.g. towed vehicles, recreational vehicles being stored as a service) shall be screened from abutting improved public street rights-of-way.

Finding: The building expansion and associated site updates for an automobile sales location in the C-3 Zone does not include outside display of goods or merchandise other than vehicles for sale. There are no abutting residential properties. The nearest residential properties are in the M3 zoning across River Road, a fully improved right-of-way, and therefore additional screening is not required. This criterion is met.

17.20.050 Dimensional standards.

Except as provided in GMC Chapters 17.38 (planned unit development), Chapter 17.72 (variances) and Chapter 17.76 (exceptions), the following dimensional standards shall apply in a C-3 zoning district:

(1) Front Setbacks. There shall be no minimum front setback requirement except when a front lot line abuts a residential zoning district or abuts a street where property on the opposite side of the street is in a residential zoning district, in which cases the minimum front setback shall be twenty feet (20').

(2) Street Side Setbacks. There shall be no minimum street side setback requirement except when a street side lot line abuts a residential zoning district or abuts a street where property on the opposite side of the street is in a residential zoning district, in which cases the minimum street side setback shall be twenty feet (20').

(3) Side and Rear Setbacks. There shall be no minimum side or rear setback requirements.

(4) Off-Street Parking. The boundary of any area developed or intended for off-street parking shall be located a minimum of five feet (5') from all property lines.

(5) Architectural Features. Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet (2') into a required setback area.

(6) Building Height. The maximum building height shall be thirty-five feet (35')

(7) Equipment Setbacks. There shall be no minimum setback requirements for central air conditioners, heat pumps and similar equipment except when a lot line abuts a residential zoning district, in which case the minimum setback requirement from the lot line abutting the residential zoning district shall be ten feet (10').

(8) Hotels and Motels: N/A

(9) Portable Storage Container Setbacks. When a lot line abuts a residential district, a setback does not apply to Portable Storage Containers as defined in Chapter 5.22.

Finding: The front and street sides of the property are not abutting or across right-of-way from residential zoning. There are no minimum side or rear setbacks. The off-street parking is located a minimum of five feet (5') from the River Road and Gloucester Street frontages, which is where all of the improvements to the site are proposed. The existing building is just under 24 feet in height. The addition will be just under 27 feet in height, under the 35 foot limit. As proposed, the site improvements meet the dimensional standards of the C-3 zoning district.

Chapter 17.80 Design Review

17.80.021 Applicability.

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

Finding: The proposal is to construct a proposed 2,200 sf, one-story addition to the existing Gladstone Nissan Dealership building. The application also includes a new enclosed 227 sf storage shed that will be

attached to the existing building in the location of an existing storage room. This proposal qualifies for design review. This criterion is met.

17.80.061 Submittal requirements.

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

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

17.80.090 Minor Exceptions.

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

(a) Dimensional standards for yards required in the primary district;

(b) Dimensional standards for off-street parking as required in GMC Chapter 17.48 (Off-Street Parking and Loading);

(c) Minimum and maximum number of off-street parking spaces required in GMC Chapter 17.48 (Off-Street Parking and Loading).

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

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

17.80.100 Compliance.

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

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

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

Finding: This is informational only. The applicant has two years to meet this criterion.

DIVISION IV. DEVELOPMENT STANDARDS

Chapter 17.42 GENERAL PROVISIONS

17.42.020 Use of public right-of-way. *Use of public right-of-way for the sale, display or storage of goods and off-street parking is prohibited on interior side of curbs, however, this requirement may be waived upon City Council approval.*

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 existing frontage improvements have been inspected and there is no need for repair or replacement of any existing public frontage improvements. The proposed improvements will not impact the existing public street frontage. No conditions are necessary for the proposal to meet the city's public right-of-way standards. This criterion is met.

Chapter 17.44 BUILDING SITING AND DESIGN

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

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

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

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

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

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

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

(a) Concentrate window areas on the south side (within twenty degrees of true south) of buildings where there is good southern exposure, and provide overhangs, balconies, or other shading devices to prevent excessive summer heat gains;

(b) Use architectural features, shapes or buildings, fences, natural landforms, berms and vegetation to catch and direct summer breezes for natural cooling and minimize effects of winter winds;
(c) Provide skylights or clerestory windows to provide natural lighting and/or solar heating of interior spaces.

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

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

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

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

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

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

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

Finding: The proposed addition to the existing commercial building faces generally north and west as it is an addition to the existing building. Clerestory storefront is proposed on the west elevation and full overhead glass doors on the north elevation will allow natural light to enter the building at the service area. A canopy is proposed over the windows on the west side to provide environmental protection. South and east walls are attached to the existing building and do not have the opportunity to include windows. All mechanical equipment will be screened from the adjacent properties. These criteria related to Siting, Energy Efficient Design, and Compatibility are met.

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

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

(b) Utility equipment cabinets:

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

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

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

(6) On-site Lighting. All on-site lighting shall be designed, located, shielded, or deflected so as not to shine into off-site structures or impair the vision of the driver of any vehicle. When required, engineered site lighting plans shall be developed consistent with Illuminating Engineering Standards

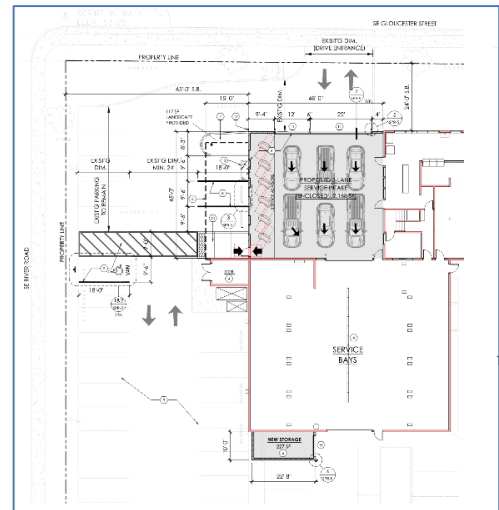
(IES) including, but not limited to, average maintained illumination and maximum to minimum ratios. A master plan for on-site lighting shall include the design, height, and location of all proposed exterior lights, including:

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

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

Finding: The proposed building materials are consistent with the existing building materials and include painted CMU with ACM panels for exterior walls, aluminum storefront windows and doors, painted metal sloped canopies and clear glass roll-up doors. All equipment and facilities will be screened. The applicant’s narrative states that adequate exterior lighting will be provided with the proposed addition. However, staff cannot verify this without a photometric plan.

These standards can be met with the addition of a condition to provide a photometric plan of the northwest portion of the site (the portion of the site shown on Sheet SPR 2, shown in the image to the right).



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

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

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

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

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

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

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

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

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

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

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

Finding: While the site improvements are unlikely to significantly increase trash disposal and recycling collection needs, the applicant has indicated that the site provides a minimum of 4 square feet per 1,000 square feet GFA for the storage and collection of solid waste and recyclables. This standard is met.

Chapter 17.46 LANDSCAPING

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

17.46.020 Standards. Landscaping requirements shall be as follows:

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

Finding: The total site area is 131,160 square feet. The total amount of site landscaping is 16,511 square feet, or approximately 12.6% of the overall site. This is less than the required 15% overall, and the applicant proposes an 85 square foot reduction in the amount of on-site landscaping. The applicant's narrative requests an adjustment to this standard; however, Chapter 17.73 specifically excludes reductions in landscaping as eligible adjustment standards. Therefore, as the landscaping deficit is a pre-existing non-conformity of the site, the deficit should not be made greater by the 85 square foot reduction. This standard will be met as a pre-existing non-conforming 12.6% site landscaping with the condition that the amount of site landscaping not be reduced below the existing square footage. The applicant may decide to add the 85 square feet of landscaping elsewhere on the site and continue with the site development as proposed.

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

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

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

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

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

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

(C) Vegetative ground cover;

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

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

Finding: The amount of parking area landscaping exceeds that required by code with 265 parking spaces and approximately 11,580 square feet of parking area landscaping. Trees and shrubs are spaced appropriately. The landscaping separating the parking from the adjacent right-of-way is 5' in width rather than the required 10'. No changes are proposed to the landscaping separating the parking from the adjacent right-of-way and therefore this non-conforming development may continue per Chapter 17.76. The retention of existing landscaping in the parking and loading areas meets this standard.

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

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

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

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

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

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

Finding: The site currently includes landscaping that is irrigated and maintained with appropriate planted species and grading. The proposed additional landscaping will be similarly treated. These standards are met.

Chapter 17.48 OFF-STREET PARKING AND LOADING

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

17.48.030 Standards for developments subject to design review.

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

Finding: The subject property is zoned General Commercial and is subject to a Design Review application per Chapter 17.80. Automobile sales and service requires 1 parking space per 600 square feet, or 45 parking spaces for the total 26,885 square feet of building on this site. The site currently contains 244 off-street parking spaces, with a proposed 1 space to be added, for a total of 245 off-street parking spaces. This criterion is met.

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

1) Parking and Loading:

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

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

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

(2) Parking:

(a) Required parking spaces shall be located not further than 200 feet from the building or use they are required to serve, measured in a straight line from the building;

(b) Required parking shall be provided in the same zoning district or a different zoning district of a more intensive use;

(c) In no case shall required parking for a commercial or industrial use be provided in a residential district, except for approved conditional uses;

(d) Groups of more than four parking spaces shall be permanently marked and so located and served by driveways that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley;

(e) Parking spaces along the outer boundaries of a parking lot shall be contained by a curb at least four inches high and setback a minimum of five feet from the property line. A bumper rail may be substituted for a curb;

(f) Off-street parking and loading areas, including parking spaces and access aisles, shall meet or exceed the minimum dimensional standards identified in Tables 2 and 3 and Figure 1 (of this chapter). Access aisles shall be of sufficient width for all vehicular turning and maneuvering;

(g) Up to 50 percent of required parking spaces may be provided for compact cars;

(h) Parking areas shall be designed, to the maximum extent practicable, to avoid large, uninterrupted rows of parking spaces.

Finding: The subject property is currently developed with automobile sales and service buildings and parking. All parking and loading areas are paved, marked, curb-contained along the edges and adequately drained. There are no abutting residential properties. This criterion is met.

(3) Loading:

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

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

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

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

***(e) Exceptions and Adjustments. Loading areas within a street right-of-way in areas zoned mixed-use commercial in the C-2 zoning district may be approved when all of the following conditions are met:
N/A –C-3 Zoning District***

Finding: The subject site is located in the C-3 Zoning District and the proposed use is not a school. The automobile dealership is not anticipated to receive and distribute material or merchandise by truck, other than an occasional delivery of vehicles that can be delivered in the drive aisle and quickly parked in the display parking areas, so loading and unloading are not a primary use of these parking spaces that will serve the existing commercial use. These standards are met.

17.48.050 Bicycle parking standards.

(1) General Provisions.

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

Finding: The proposed design review is for a site expansion, not a new commercial/industrial development. In addition, the automobile dealership is not likely to generate the need for bicycle parking. For these reasons, staff recommends the Planning Commission find the bicycle parking standards non-applicable to this site expansion.

Chapter 17.50 VEHICULAR AND PEDESTRIAN CIRCULATION

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

17.50.020 Vehicular and pedestrian circulation generally.

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

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

(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. An on-site pedestrian circulation system shall be provided for new nonresidential and multi-family developments and for new buildings added to existing nonresidential and multi-family developments.***

Finding: The proposed addition is to an existing building and does not include any new buildings. The site improvements include a striped pedestrian walkway connecting the new portion of the building to the ADA parking space. All other pedestrian circulation on the site is existing and is not proposed to change, including the connections from the front of the building to the public sidewalks. These standards are met.

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

Finding: There is a Tri-Met bus route 33 (Stop ID 10324) located along the site's McLoughlin Blvd frontage. The applicant shall be required to provide transit improvements at this bus stop consistent with Tri-Met's adopted long range plan. This standard is met with the condition that the applicant improve Tri-Met Stop 10324 or provide documentation to the city that improvements to this stop are not part of Tri-Met's long-range plan.

Chapter 17.52 SIGNS

Establishes sign requirements.

Finding: Sign designs for the replacement of the current sign, or any additional signage was not included in the application. This criterion is met with Special Condition #1.

Chapter 17.54 CLEAR VISION

17.54.020 Clear vision area.***

Finding: There are no site improvements at or near the intersection of two streets and therefore this standard is not applicable.

Chapter 17.56 DRAINAGE

17.56.020 Standards.

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

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

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

(b) Protect development from flood hazards;

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

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

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

(f) Avoid placement of surface detention or retention facilities in road rights of way.

(2) Watercourses. Where culverts cannot provide sufficient capacity without significant environmental degradation, the city may require the watercourse to be bridged or spanned.

(3) Easements. In the event that a development or any part thereof is traversed by any watercourse, channel, stream or creek, gulch or other natural drainage channel, adequate easements for storm drainage purposes shall be provided to the city. This does not imply maintenance by the city.

(4) Obstructions. Channel obstructions are not allowed, except as approved for the creation of a detention or retention facility. Fences with swing gates may be utilized.

(5) Surface Drainage and the Storm Sewer System.

(a) Stormwater treatment and detention facilities shall be designed and installed in accordance with criteria outlined in the Gladstone Public Works Design Standards and the Gladstone Public Works Standard Construction Specifications.

(b) The street cross-sections found in the Gladstone transportation system plan may be modified to accommodate alternative stormwater management methods subject to the approval of the Public Works Supervisor. The Public Works Supervisor may require modification of the typical cross section

to accommodate alternative stormwater management methods when associated with development proposals. Such modifications may be applied as conditions of development approval.

Finding: The subject property does not contain any known drainage ways, floodplains, or watercourses. Surface water drainage and treatment exists and is developed to City standards. These standards are met.

Chapter 17.58 GRADING AND FILL

17.58.020 General provisions.

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

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

Finding: Any applicable Building permits and grading permits are required to ensure the requirements in the Uniform Building Code, or current predecessor, will be met through the building permit review process. This criterion is met with the standard building permit condition identified previously.

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.

Finding: The City Public Works and Engineering Departments reviewed the application and found that no additional conditions are needed for the proposal to meet these criteria. This standard is met.

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

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

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

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

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

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

(8) Conditions for Refund to Developer.

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

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

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

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

Finding: The City Public Works and Engineering Departments reviewed the application and found that no additional conditions are needed for the proposal to meet these criteria. This standard is met.

As such, the Planning Staff are recommending the Planning Commission APPROVE the Design Review Application DR-23-01.

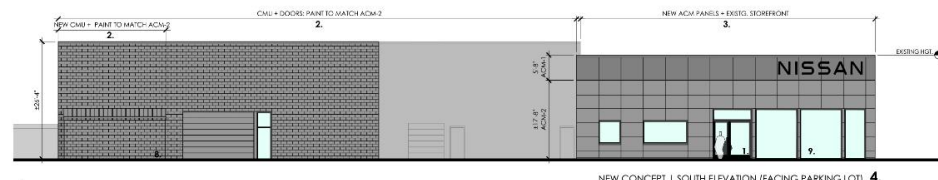
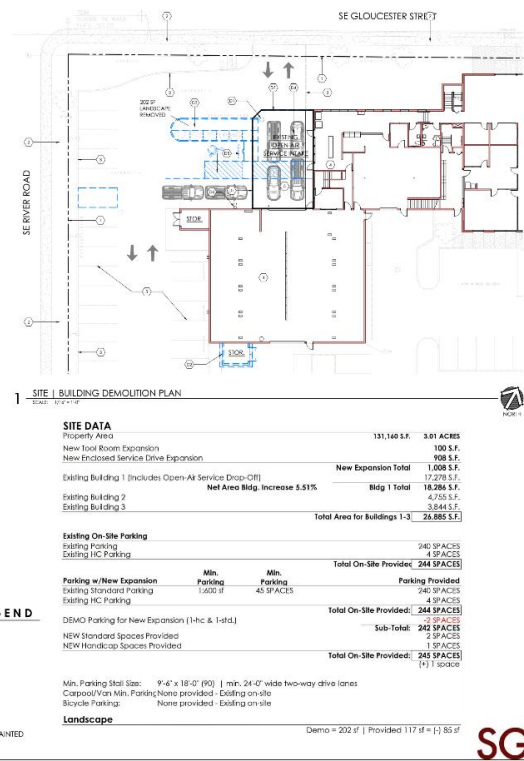
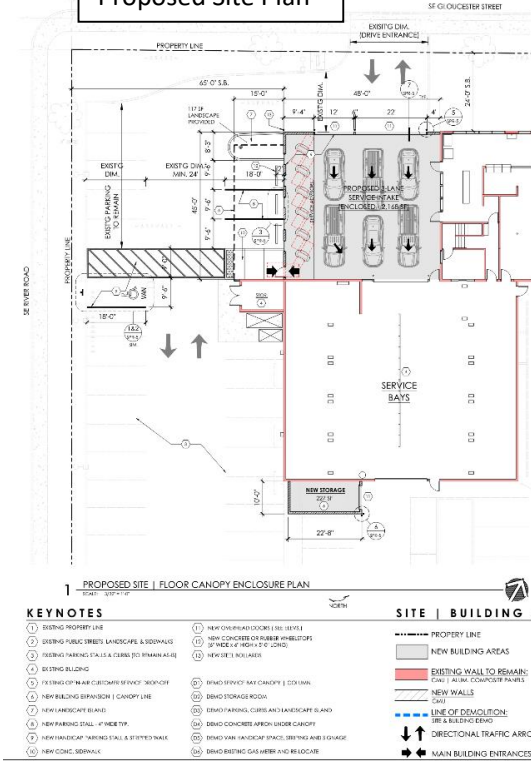
Pursuant to Section 17.92.020 of the Gladstone Municipal Code, the decision of the Planning Commission may be appealed to the City Council within 15 days of the mailing of the Planning

Commission's written decision. In order to appeal a decision of the Planning Commission, a party must have appeared orally or in writing before the Planning Commission. The filing fee for the appeal is \$250.00. If no appeal is filed within 15 days, the decision of the Planning Commission shall be final.

EXHIBITS



EXHIBIT 2 Proposed Site Plan



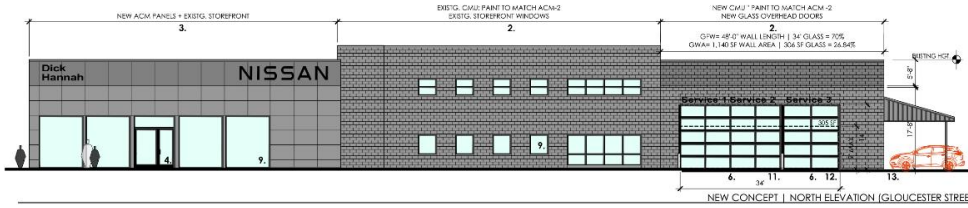
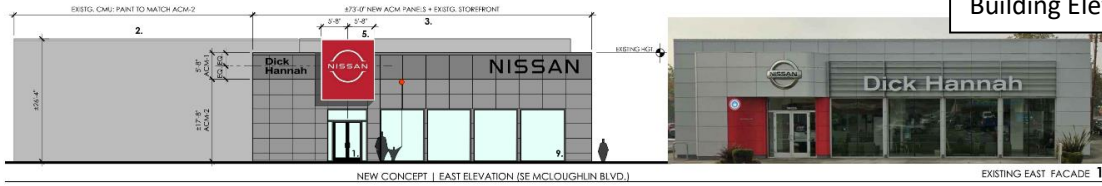
- PROPOSED WORK**
- WEST ELEVATION (RIVER STREET)**
1. NEW CMU WALLS (ENCLOSED SERV. & TOOL STOR.)
 2. NEW STOREFRONT AND METAL CANOPY
 3. REPLACE SIGNAGE
 4. PAINT EXISTING CMU TO MATCH NEW ACM PANELS
- SOUTH ELEVATION (PARKING LOT)**
1. REPLACE ACM PANELS (SAME LOCATIONS)
 2. PAINT EXISTING CMU TO MATCH NEW ACM PANELS
 3. REPLACE SIGNAGE
 4. NEW CMU WALLS (TOOL STOR.)
- LEGEND**
1. MAIN ENTRY
 2. EXISTING CMU - PAINTED
 3. NEW ACM PANELS
 4. SIDE ENTRY
 5. NEW TABLE SIGN
 6. NEW SERVICE DRIVE LANE
 7. CUSTOMER ENTRY (ACCESS TO VEHICLE PICK UP)
 8. NEW SPECIAL TOOLS STORAGE ROOM
 9. EXISTING STOREFRONT TO REMAIN
 10. NEW STOREFRONT & CMU TO MATCH EXISTING
 11. 24' WIDE D.H. DOOR
 12. 12' WIDE D.H. DOOR
 13. NEW METAL CANOPY @ CUSTOMER ENTRY
 14. SERVICE TECHS ENTRY | ACCESS TO VEHICLE PICK-UP



EXHIBIT 3 South and West Building Elevations



EXHIBIT 4
East and North
Building Elevations



PROPOSED WORK

EAST ELEVATION (SE McLOUGHLIN)

1. REPLACE ACM PANELS (SAME LOCATIONS)
 2. REPLACE SIGNAGE
 3. PAINT EXISTING CMU TO MATCH NEW ACM PANELS
- NORTH ELEVATION (GLOUCESTER ST.)**
1. REPLACE ACM PANELS (SAME LOCATIONS)
 2. PAINT EXISTING CMU TO MATCH NEW ACM PANELS
 3. ENCLOSE EXISTING SERVICE DRIVE (CMU WALLS)
 4. NEW GLASS OVERHEAD SERVICE DOORS

LEGEND

1. MAIN ENTRY
2. EXISTING CMU - PAINTED
3. NEW ACM PANELS
4. SIDE ENTRY
5. NEW TABLE (SIGN)
6. NEW SERVICE DRIVE LANE
7. CUSTOMER ENTRY (ACCESS TO VEHICLE PICK-UP)
8. NEW SPECIAL TOOLS STORAGE ROOM
9. EXISTING STOREFRONT TO REMAIN
10. NEW STOREFRONT & CMU TO MATCH EXISTING
11. 24" WIDE O.H. DOOR
12. 12" WIDE O.H. DOOR
13. NEW METAL CANOPY @ CUSTOMER ENTRY
14. SERVICE TECHS ENTRY | ACCESS TO VEHICLE PICK-UP



EXISTING NORTH FACADE 2.



PROPOSED RENDERING

SGA
 SUTTON | GODWIN
 ARCHITECTURE, LLC

Dick Hannah Dealerships Nissan-Gladstone Renovation

19505 SE McLoughlin Blvd. Gladstone, OR 97027

Site Plan Review Application

January 2023

Revised Feb. 07, 2023

Submitted to:

City of Gladstone
Community Development Department
18505 Portland Avenue,
Gladstone, OR 97027
503.656.5225

Applicant:

SG Architecture, LLC
10940 SW Barnes Road, #364
Portland, OR 97225
503.201.0725 | 503.347.4685
Kevin Godwin | Scot Sutton

Property Owner:

Dick Hannah Dealerships | JJHW, LLC
10808 NE Coxley Drive | P.O. Box 1679
Vancouver, WA 98662
360.314.0564 ext. 3146
Project Manager | Joseph Clock





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

ACCEPTANCE OF COMPLETE LAND USE APPLICATION

ORIGINAL DATE RECEIVED: December 30, 2022

FILE NUMBER: DR-23-01 Gladstone Nissan Addition

APPLICATION TYPE: Design Review

This application has been reviewed by staff and determined to be complete on:

January 25, 2023 (120-day deadline: May 25, 2023)

Please note: The submitted plans and narrative do not appear to fully address the requirements of GMC 17.46.020. Staff recommend updating the narrative and plans to demonstrate compliance with this Code section, including demonstrating that the overall site contains 15% landscaping and that there is a minimum of 10 square feet per parking space of parking area landscaping in designated landscaping areas within the parking areas.

Please update the narrative and plans as identified above and submit 10 hard copies of the submittal materials to the City of Gladstone, Attn: Heather Austin by February 7, 2023.

This application is scheduled before the Gladstone Planning Commission on **Tuesday, February 21st at 6:30pm**. Currently this is the second public hearing on the agenda. Please let me know if this date and time do not work for your team. The Planning Commission meets the third Tuesday of every month.

Heather Austin heather.austin@3j-consulting.com
City Reviewer

Sr. Planner, Contract Planner for Gladstone
Title

TABLE OF CONTENTS

(Sections highlighted in Yellow are updated revisions)

I. PROJECT DESCRIPTION	1
II. GENERAL PROVISIONS	2
Project Legal Description	2
Project Aerial	3
Project Team	4
Code Narrative (REVISED)	5

LIST OF EXHIBITS

CITY SITE PLAN SUBMITTAL REQUIREMENTS

Signed Site Plan Application (copy)	Exhibit 1
City of Gladstone Site Plan Review Submittal Checklist	Exhibit 2
City of Gladstone PRE-APPLICATION WAIVER	Exhibit 3
Legal Property Information	Exhibit 4
Legal Lot Map (Clackamas County GIS)	Exhibit 5
City of Gladstone Zoning Plan Map	Exhibit 6
Property Title Report 250 feet Radius + Address Labels	Exhibit 7

ARCHITECTURAL PLANS

Plan Sheets	Exhibit 8
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SPR_1 Site Plan & Project Data
SPR_2 Site Floor Demolition & Proposed Floor Plan Expansions
SPR_3 Enlarged Floor Plan (New & Existing)
SPR_4 Exterior Elevations (East/North)
SPR_4.1 Exterior Elevations (West/South)
SPR_5 Site Details

I. Project Description

The Applicant is seeking for Site Plan Review approval for a proposed 2,200 sf one-story in-fill expansion under the existing open-air vehicle drop-off service bay, along with a new 227 SF tool storage shed. These renovations are for the Gladstone Nissan Dealership located at the SW intersection of SE McLoughlin Blvd. and SE Gloucester Street in the (C-3) General Commercial Zoning District.

SGA reached out to the city planner (Joy Fields) to discuss the project in detail and provided drawings for her preliminary review. It was determined that the project expansion was relatively minor in size and within the development standards for the applicable zoning therefore the required Pre-Application Conference was "waived" on our behalf. See exhibit 3 for email confirmation.

The proposed expansion areas would be located on the north & south ends of the existing tilt-up building #1 and would be consistent in design, color, height, and construction materials of that of the existing building – see dwgs. SPR-1, SP-4 & SP4.-1.

The main purpose for this remodel is to expand the vehicle service drop-off bays and provide a new customer service check-in area within the enclosed conditioned space. The new tool shed will provide additional tool storage for the service technicians.

The north facing (SE Gloucester) in-fill expansion will be constructed with CMU walls including (3) automated roll-up glass service doors along with new corporate branding colors and metal ACM panels. The west facing wall is adjacent to the parking lot and will have painted CMU walls, clearstory windows, covered canopy, and a customer entrance from the existing parking lot. The new tool storage building facing the west & south parking lots has no public access will be constructed with CMU walls and painted.

The existing metal panels on the east and partial south elevations will be removed and replaced with new ACM panels and corporate branding colors and signage. See dwgs. SP-4 & SP-4-1 for additional information.

The site work for these expanded areas is only limited to the west side of the new building expansion which would eliminate 1-handicap parking stall and 1-landscape island. A new van-handicap stall will be constructed with a pedestrian connection to the customer service entrance along with 4-additional parking stalls and a new landscape island. The overall landscaping is only reduced by 85 SF and the overall parking is increased by 1-additional parking stall – see dwgs. SP-1 & SP-2.

The existing property is 131,160 sf with existing mature landscaping throughout the parking lot and adjacent to the streets "field verified" of approximately 16,511 sf (12.59%) not including any reduction for building footprint areas for a combined total of (-)22,677 sf. (see SP-1). If applicable, eliminating the building footprints from the property area reduces the overall property to 108,485 sf x 15% for a total of 16,272 sf required landscaping.

Using the existing bldg./property reduction, the existing landscaping of 16,511 sf would total **15.21%** not including any further reductions to the property for hard-scaped plazas around the buildings. The landscape requirement does meet the 15% standard. Should the building footprint reduction *not be allowable*, the applicant would like to seek a variance to the landscape standard of 15% due to existing non-conformance on the site.

Conforming to the landscape standard would require eliminating parking spaces to meet the current landscape standards. The difference would be $-3,163 \text{ sf} / 171 \text{ sf per parking space } (9.5 \times 18) = -19 \text{ parking spaces eliminated}$. This would be a major impact to the business due to 95% of the parking spaces on-site are for car dealership inventory and sales.

The total parking on the site is 245 spaces for a minimum requirement of (1) space x 10 sf landscape = 2,650 sf minimum. The current landscaping exceeds this requirement by 11,578 sf.

Outside of a possible Variance for the non-conforming landscaping standards we, feel that this application meets the intent of the City of Gladstone (GMC) development standards. The proposed building design, and updated facades will greatly enhance the overall look of the building. This new renovated project will be attractive and fit nicely in the surrounding neighborhood.

We appreciate you time and look forward to working with your staff on this project. Please reach out to us if you have any questions.

Sincerely
SG Architecture, LLC

II. General Provisions

Project Legal Description

Tax Lot #: Tax Lot 22E19DD0 **2600** combined with 2700, 2800, 3000, 3001 & 3100
Legal Des #: T2S R2E, Section 19DD
Map #: 22E19DD

Address: 19505 SE McLOUGHLIN BLVD.
City/Zip: GLADSTONE, OREGON 97027
County: COWLITZ COUNTY, WASHINGTON
Zone: C-3 (General Commercial District)
Property Area: +/- 3.03 Acres (131,160 SF)

Location: The project site is located at the SW intersection of SE Mcloughlin Blvd. and SE Gloucester Street.

Street Type: The Property has approximately 580 feet of public street frontage along SE McLoughlin Blvd. & SE River Road & 300 feet of public street frontage along SE Gloucester Street.

Access: Two (2) main entrances off SE McLoughlin Blvd.
One (1) main entrance off SE River Road
One (1) service drive entrance off SE Gloucester Street

Project Aerial (Limits of work)



Project Team

Agency

City of Gladstone

Community Development
18505 Portland Avenue
Gladstone, OR 97027
(503) 656.5225

Applicant

SG Architecture, LLC

10940 SW Barnes Road, #364
Portland, OR 97225
Contact(s): Kevin Godwin | Scot Sutton
Email: kgodwin@sg-arch.net
ssutton@sg-arch.net
Phone: (503) 201.0725 | (503) 347-4685

Property Owner

JJHW, LLC

PO Box 1679
Vancouver, WA 98668
Contact: Joseph Clock-Project Mngr.
Email: jclock@dickhannah.com
Phone: (360) 314.0564 ext. 3146

General Contractor

Precision Construction Services, Inc

2012 C street
Vancouver, WA 98663
Contact: Scott Aldinger
Email: scottpci@gmail.com
Phone: (503) 939.6431

Project Team

(Land Use Consultants - when required)

Charbonneau Engineering LLC- Traffic

10211 SW Barbur Blvd, #210A,
Portland, OR 97219
Contact: Frank Charbonneau, PE,
PTOE
Email: Frank@charbonneau.com
Phone: (503) 293.1118

PLS Engineering - Civil | Survey

604 W Evergreen Blvd.
Vancouver, WA 98660
Contact: Travis Johnson
Email: travis@plsengineering.com
Phone: (360) 944.6519

Code Narrative

SITE PLAN REVIEW – TITLE 17 GLADSTONE ZONING & DEVELOPMENT

CHAPTER 17.20 C-3 GENERAL COMMERCIAL DISTRICT STANDARDS

The purpose of a C-3 district is to implement the comprehensive plan and to provide for general types of business and service establishments which would not likely be compatible with the uses permitted in C-1 and C-2, local and community commercial districts, and which would likely be detrimental to the adjoining residential areas unless effectively controlled.

CHAPTER 17.20.020 USES ALLOWED OUTRIGHT

In a C-3 zoning district, the following uses and their accessory uses are allowed outright. Outside or open storage shall be an allowed accessory use.

(1) Automobile service station, car wash or repair garage, body and fender paint shop, sales of new and used vehicles.

Response: The proposed building expansion compliments the existing building and is in accordance with the allowable uses set forth.

Chapter 17.20.040 Conditional uses allowed.

In a C-3 zoning district, the following uses and their accessory uses are allowed subject to GMC Chapter 17.70 (conditional uses):

Response: No conditional uses is necessary– the proposed use same as existing.

CHAPTER 17.20.045 SCREENING

The following screening standards shall apply:

(1) Off-street parking and loading areas and business activities, such as service, repair, processing, storage and merchandise display, that are conducted outside of a wholly enclosed building, shall be screened from abutting properties where such properties are in a residential zoning district and from abutting unimproved public street rights-of-way where property on the opposite side of the unimproved right-of-way is in a residential zoning district.

Response: The building expansion is not located in a residential district and the adjacent abutting properties are improved with public sidewalks and mature landscaping.

(2) Business activities, such as service, repair, processing, storage, and merchandise display, that are conducted outside of a wholly enclosed building, shall be screened from abutting properties where such properties are in a C-1 or C-2 zoning district and from abutting unimproved public street rights-of-way where property on the opposite side of the unimproved right-of-way is in a C-1 or C-2 zoning district.

Response: The building expansion is not located in a c-1 or c-2 district. All adjacent abutting properties are surrounded by improved public sidewalks and mature landscaping.

(3) Storage, with the exception of merchandise display, outside of a wholly enclosed building shall be screened from abutting improved public street rights-of-way. Off-street parking and loading areas for customer vehicles, employee vehicles and vehicles for sale are not required to be screened from improved public street rights-of-way. However, off-street parking and loading areas for other types of vehicle storage (e.g. towed vehicles, recreational vehicles being stored as a service) shall be screened from abutting improved public street rights-of-way.

Response: The current use on this property is for an auto dealership, servicing & auto repair. Most of the parking lot is used for auto sales with all vehicle servicing is done in enclosed buildings providing the required screening. All adjacent abutting properties are surrounded by improved public sidewalks and mature landscaping.

(4) Required screening shall be accomplished by building placement, a landscaped earth berm or a sight-obscuring fence or hedge.

Response: The proposed expansion is located within the existing building canopy of the building. No other site-obscuring is required.

(5) Required screening shall be reviewed pursuant to GMC Chapter 17.80 (design review). When design review is not required, screening shall be reviewed by the City Administrator or designee.

Response: The proposed expansion is located within the existing building canopy and parking lot. All adjacent abutting properties are surrounded by improved public sidewalks and mature landscaping.

(6) Required screening shall be a minimum of six feet (6') high. With the exception of equipment and vehicles, stored merchandise and materials shall not exceed the height of required screening. Stored equipment and vehicles may exceed the height of the required screening provided such equipment and vehicles are not stacked on top of one another.

Response: Not applicable.

(7) Required screening shall be sited so that it does not conflict with GMC Chapter 17.54 (clear vision). In locations where perimeter landscaping adjacent to a street is required as a condition of land use approval, required screening shall be located behind such landscaping.

Response: Not Applicable. All perimeter screening will remain as-is with no clear-vision conflicts.

17.20.050 DIMENSIONAL STANDARDS.

Except as provided in GMC Chapters 17.38 (planned unit development), Chapter 17.72 (variances) and Chapter 17.76 (exceptions), the following dimensional standards shall apply in a C-3 zoning district:

(1) *Front Setbacks.* There shall be no minimum front setback requirement except when a front lot line abuts a residential zoning district or abuts a street where property on the opposite side of the street is in a residential zoning district, in which cases the minimum front setback shall be twenty feet (20').

Response: Meets the standard - all setbacks are existing.

(2) *Street Side Setbacks.* There shall be no minimum street side setback requirement except when a street side lot line abuts a residential zoning district or abuts a street where property on the opposite side of the street is in a residential zoning district, in which cases the minimum street side setback shall be twenty feet (20').

Response: Meets the standard - all setbacks are existing.

(3) *Side and Rear Setbacks.* There shall be no minimum side or rear setback requirements.

Response: Meets the standard - all setbacks are existing.

(4) *Off-Street Parking.* The boundary of any area developed or intended for off-street parking shall be located a minimum of five feet (5') from all property lines.

Response: Meets the standard - all the parking is to remain "as-is" along the property lines.

(5) *Architectural Features.* Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet (2') into a required setback area.

Response: Meets the standards. The proposed expansion areas are within the existing building canopy and not near any setbacks.

(6) *Building Height.* The maximum building height shall be thirty-five feet (35'). This restriction may be varied as follows:

(a) Maximum building height may be increased by one (1) story if the building is provided with an approved automatic sprinkler system throughout as provided in Section 506 of the Oregon Structural Specialty Code or its successor; vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are exempt from the maximum building height standard;

(b) Maximum building height may be increased if the city fire department reports that it possesses sufficient fire-fighting capability to provide emergency response to a structure of the height proposed.

Response: Meets the above standards A&B. The new expansion is within the existing building heights and will be provided with an automatic sprinkler system.

(7) Equipment Setbacks. There shall be no minimum setback requirements for central air conditioners, heat pumps and similar equipment except when a lot line abuts a residential zoning district, in which case the minimum setback requirement from the lot line abutting the residential zoning district shall be ten feet (10').

Response: Any proposed equipment (RTU's) will be located on the rooftop of the building and located to ensure there's no visibility from any abutting residential zones.

(8) Hotels and Motels:

(a) The minimum lot area shall be five hundred (500) square feet per dwelling unit;

(b) The minimum frontage shall be one hundred feet (100').

Response: Not applicable.

(9) Portable Storage Container Setbacks. When a lot line abuts a residential district, a setback does not apply to Portable Storage Containers as defined in Chapter 5.22.

Response: Not applicable.

CHAPTER 17.44 BUILDING & SITING & DESIGN

17.44.020 General standards.

Building siting and design standards are as follows:

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

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

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

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

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

Responses (1a-d): The proposed in-fill remodel will be facing north and west in conjunction with the existing building with no conflicts with any other design standards.

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

(a) Concentrate window areas on the south side (within twenty degrees of true south) of buildings where there is good southern exposure, and provide overhangs, balconies, or other shading devices to prevent excessive summer heat gains;

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

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

Responses (2a-c): The new enclosed service center space is limited to its location and proximity of the existing building. Clearstory storefront has been proposed on the west elevation and full overhead glass doors on the north elevation which will provide ample amount of natural light into the service area. A canopy has been proposed over the windows on the westside to help with shading and reduce glare and heat gain into the space. South and east walls are existing interior walls that have no ability to access natural light.

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

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

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

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

- (d) Provide opaque enclosures and gates for all refuse storage areas;
- (e) Screen mechanical equipment, except solar collection apparatus, from view or place such equipment in locations where it will not be viewed by the public. Screening shall be accomplished by the use of a sight-obscuring fence or hedge, a landscaped earth berm, building placement or other design techniques;
- (f) Buffering and/or screening shall be used to mitigate adverse visual impacts, dust, noise and pollution, and to provide for compatibility between dissimilar adjoining uses. Special consideration will be given to the buffering, screening and siting of commercial and industrial uses to ensure that noise and odors are not detectable to normal sensory perception on adjacent residential properties. All development shall comply with GMC Chapter 8.12 (noise control).

Responses (3a-f): This new enclosed service center space is being built directly under the existing open-air canopy. The design compliments the original building and will fit into the surrounding neighborhood nicely in both in scale building materials. Any proposed mechanical will be screened from the adjacent properties. An updated color scheme and metal siding panels are proposed to give the entire building a “freshen-up” look along with some new corporate signage. The expanded tool storage building on the south end of the existing building will be painted CMU, metal doors, & metal sloped roof.

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

- (a) Canopies, awnings, screening for roof-mounted fixtures, or other architectural features;
- (b) Utility equipment cabinets;
- (c) Structures no greater than two hundred (200) square feet in floor area and ten (10) feet in height; and,
- (d) Buildings, the portions of buildings, that are not visible from a road or adjacent property.

Responses (4a-d): The proposed building materials for this in-fill project will be consistent with the original building to maintain architectural compatibility. The following materials proposed are:

New Exterior Walls: CMU – Painted
Existing Façade Walls: ACM panels
Glass: Aluminum storefront windows & doors
Canopies: Metal sloped canopies – Painted
Overhead Doors: Clear glass roll-up doors.

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

Response: The proposed addition will have adequate exterior lighting to provide a safe traveling environment for patrons and not shine onto adjacent properties.

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

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

Responses (6a-e): In conjunction with new exterior building lighting there is already adequate lighting in the surrounding parking lot – all standards will be met.

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

Response: Standard will be met.

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

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

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

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

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

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

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

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

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

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

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

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

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

Responses (8a-d): The additional 1,008 sf of gross building area increase requires 4 SQ. FT of more storage area. Bldg. #1= 18,286 SF/1,000 sf = 18.28 X 4 sf = 73.14 sf. min.

The existing 6-foot high CMU screened trash enclosure has a 6 yd container (162 SF) for a surplus of 89 SF.

(9) *Temporary Structures.* All temporary structures:

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

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

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

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

Responses (9a-d): Standards will be met.

17.44.024 NONRESIDENTIAL DESIGN STANDARDS.

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

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

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

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

Responses (1a-b): The new infill-remodel has met the requirements facing public streets.

Ground Floor Window (Gloucester) Wall = 48' | Windows 34' = 70% (50% min req'd)

Ground Level Window (Gloucester) Wall = 1,140 sf | Windows 306 sf = 26.84% (25% min req'd)

West Wall: Not Required faces parking lot

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

(a) A cornice above ground level;

(b) An arcade;

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

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

Responses (2a-d): Standard met. Single level proposed, and clerestory windows provided on street facing façade (Gloucester Street).

Chapter 17.46 LANDSCAPING

17.46.010 Applicability

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

17.46.020 Standards

Landscaping requirements shall be as follows:

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

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

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

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

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

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

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

(C) Vegetative ground cover;

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

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

Responses (All): The existing landscaping throughout the property will remain "as-is". The only landscape island that is to be removed (202 sf) due to the in-fill remodel is located on the north end of the existing handicap parking stall. A replacement island (117 sf) will be constructed at the end of the new parking stalls (see shf. SPR-2) and only decrease the overall landscaping by (-85 sf). The new "net" parking provided on the site is one additional space for a total of 245 spaces vs 244 existing spaces. Thus, not requiring to meet the min10-space threshold requirement for additional landscaping/space.

The existing property is 131,160 sf with existing mature landscaping throughout the parking lot and adjacent to the streets "field verified" of approximately 16,511 sf (12.59%) not including any reduction for building footprint areas for a combined total of (-)22,677 sf. (see SP-1). If applicable, eliminating the building footprints

from the property area reduces the overall property to 108,485 sf x 15% for a total of 16,272 sf required landscaping.

Using the existing bldg./property reduction, the existing landscaping of 16,511 sf would total 15.21% not including any further reductions to the property for hard-scaped plazas around the buildings. The landscape requirement does meet the 15% standard. Should the building footprint reduction not be allowable, the applicant would like to seek a variance to the landscape standard of 15% due to existing non-conformance on the site.

Conforming to the landscape standard would require eliminating parking spaces to meet the current landscape standards. The difference would be $-3,163 \text{ sf} / 171 \text{sf per parking space } (9.5 \times 18) = -19 \text{ parking spaces eliminated}$. This would be a major impact to the business due to 95% of the parking spaces on-site are for car dealership inventory and sales.

The total parking on the site is 245 spaces for a minimum requirement of (1) space x 10 sf landscape = 2,650 sf minimum. The current landscaping exceeds this requirement by 11,578 sf.

- (3) Irrigation. Provision shall be made for watering planting areas where such care is required.
- (4) Maintenance Required. Landscaping shall be continuously maintained.
- (5) Plant Species. The general characteristics of tree species shall be considered when planting under overhead utility lines or near sidewalks or curbs to assure that damage will not result when maturity is reached.
- (6) Grading. The natural form of the site shall be preserved insofar as practicable unless berming or contouring of land is required.
- (7) Public Rights-of-Way. Land within the public road right-of-way, not developed as sidewalks or driveways, shall be landscaped and maintained by the abutting property owners. Landscaping will be of the variety that would not create a road hazard or impair sight distance.
- (8) Street Trees. Street tree planting may be required of any development and, if planted, shall be according to city requirements and of a species compatible with the width of the planting strip, and nearby street tree species.
- (9) Exceptions. The following exceptions apply to properties with frontage on McLoughlin Blvd.:
 - (a) The use of sod along McLoughlin Blvd. shall be encouraged in landscape plans for development of McLoughlin Blvd.;
 - (b) The use of sod along McLoughlin Blvd. may be allowed in lieu of required street trees;
 - (c) The 10-foot-wide landscape strip along McLoughlin Blvd. may be allowed in the right-of-way if applicant agrees to relocate the 10-foot strip whenever the right-of-way is improved. This strip may be included in total landscape area calculations.

Responses (3-9): The standards will be met when applicable.

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

- (a) Major remodeling, or structural additions of less than 1,000 square feet, require at least an additional three percent landscaping, up to the minimum landscaping requirements for new development in the district.
- (b) Structural additions of 1,000 to 1,999 square feet are required to landscape at least an additional five percent of the developed site area, up to the minimum landscaping requirements for new development in the district.
- (c) Structural additions of 2,000 to 4,999 square feet are required to landscape at least an additional 10 percent of the developed site area, up to the minimum landscaping requirements for new development in the district.
- (d) Structural additions of 5,000 square feet or more are required to meet the current minimum landscape requirements for new development.
- (e) Where successive structural additions occur the landscape requirement shall accumulate until total conformance is reached.

Responses (10a-e): Not applicable – site is in conformance.

Chapter 17.48 OFF-STREET PARKING AND LOADING

17.48.030 Standards for developments subject to design review.

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

(1) Calculation of Parking Requirements.

(a) Square Footage as Basis for Requirement. Where square feet of the structure or use is specified as the basis for the parking requirement, the calculation shall be based on the gross leasable area (GLA).

(b) Number of Employees as Basis of Requirement. When the number of employees is specified as the basis for the parking space requirement, the calculation shall be based on the number of employees working on the premises during the largest shift at peak season.

(c) If more than one use occupies a single structure or lot, the total minimum and maximum parking requirements for the structure or lot shall be the sum of the requirements for all uses. Where it can be shown that the peak parking demands are actually less (i.e., the uses operate on different days or at different times of the day), the total requirements may be reduced accordingly to the use with highest minimum parking requirement.

(d) When calculation of a minimum or maximum parking requirement results in a fractional space requirement, such fraction shall be rounded down to the nearest whole number.

(e) Owners of two or more uses, structures or lots may agree to utilize jointly the same parking and loading spaces when the peak hours of operation do not substantially overlap. Satisfactory legal evidence shall be presented to establish the joint use. Shared parking spaces shall be included in the calculation of the minimum parking requirement for each of the joint users. For the purpose of calculating the maximum permitted parking for each of the joint users, shared spaces shall be apportioned between the joint users.

(f) On-street parking may count towards fulfilling the off-street parking requirements where on-street parking is allowed and the applicant can demonstrate that on-street parking is available. On-street parking must be available on the subject site's frontage in order to be credited towards the off-street parking requirement. On-street parking credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces is permitted.

(g) Parking spaces fulfilling the minimum off-street parking space requirement shall not be used for display or storage and shall not be rented, leased or assigned to any other person or organization, except as authorized under subsection (l)(e) of this section.

(h) Off-Site Parking. For multi-household dwellings, the vehicle parking spaces required by this chapter may be located on another parcel of land, provided the parcel is within 500 feet walking distance of the use it serves. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.

Responses (1a-h): The existing parking meets the standards and the applicant is not seeking for any adjustments or variances.

(2) Minimum and maximum permitted parking.

(a) The number of surface parking spaces provided at no charge for a particular use shall not be less than the minimum nor exceed the maximum parking ratios identified for that use in Table 1. Minimum parking ratios for those uses not identified in Table 1 (below) shall be determined by the Planning commission during design review.

(b) For purposes of the maximum parking ratios identified in Table 1 (below), Zone A shall include those areas where 20-minute peak hour transit service is provided within a one-quarter (1/4) mile walking distance for bus transit stops or stations or one-half (1/2) mile walking distance for high capacity transit stops or stations. Zone B shall include all other areas.

(c) The following types of parking spaces are exempt from the maximum parking ratios:

(A) Parking spaces in parking structures;

(B) Fleet parking spaces;

(C) Parking spaces used to store vehicles that are for sale, lease or rent;

- (D) Employee carpool parking spaces that are clearly delineated with signs;
- (E) Dedicated valet parking spaces.
- (d) Upon expansion of a nonconforming development or nonconforming use that does not comply with minimum or maximum parking ratios, additional parking spaces shall be provided as follows:
 - (A) If the existing number of parking spaces is less than the minimum parking ratio in Table 1 (below), the number of additional parking spaces required shall be based only on the floor area or capacity added and not on the area or capacity existing prior to the expansion.
 - (B) If the existing number of parking spaces exceeds the maximum parking ratio in Table 1 (below), additional parking spaces may only be provided if compliance with the maximum parking ratio will be met for the entire development or use following the expansion.
- (e) Exceptions to the minimum and maximum parking ratios may be granted pursuant to GMC Section 17.80.090 (minor exception). Exceptions exceeding twenty-five percent (25%) of the requirement shall be subject to GMC Chapter 17.72 (variances).

Responses (2a-e): Site is in conformance. Car dealerships are 'exempt' from the maximum parking standards per code section 2.C(c) "Parking spaces used to store vehicles that are for sale, lease or rent". 245 off-street parking spaces are provided for 26,855 sf total building area.

(b)	Service or Repair Shop, Retail Store	1 space per	1 space per	1 space per
	Handling Exclusively Bulky Merchandise	600 square	294 square	161 square
	Such as Automobiles or Furniture	feet	feet	feet

17.48.040 DESIGN REQUIREMENTS FOR PERMANENT OFF-STREET PARKING AND LOADING.

All structures and developments subject to design review shall provide permanent off-street parking and loading as follows:

- (1) Parking and Loading:
 - (a) Parking and loading areas shall be paved with asphalt and/or concrete meeting city standards, maintained adequately for all weather use and so drained as to avoid flow of water across public sidewalks;
 - (b) Off-street parking and loading areas shall be screened from abutting properties located in a residential zoning district unless such abutting properties are developed with nonresidential uses. Required screening shall be accomplished by building placement, a landscaped earth berm or a sight-obscuring fence or hedge. Required screening shall be a minimum of six feet high and shall not conflict with GMC Chapter 17.54 (clear vision).
 - (c) Areas for standing and maneuvering vehicles, other than for the off-street parking and storage of truck tractors and/or semitrailers, shall be paved with an asphalt and/or concrete surface meeting city standards. The parking of truck tractors and/or semitrailers in off-street parking areas used exclusively for the parking and/or storage of said vehicles may be allowed utilizing a durable and dustless surface other than an asphalt and/or concrete surface. Such surface must be graded, compacted and surfaced in such a manner that it will adequately support these vehicles, including trailer standing gear, will not produce dust, will not produce tracking of mud or other materials onto adjoining streets or properties, and otherwise complies with other applicable provisions of this code.
- (2) Parking:
 - (a) Required parking spaces shall be located not further than 200 feet from the building or use they are required to serve, measured in a straight line from the building;
 - (b) Required parking shall be provided in the same zoning district or a different zoning district of a more intensive use;
 - (c) In no case shall required parking for a commercial or industrial use be provided in a residential district, except for approved conditional uses;
 - (d) Groups of more than four parking spaces shall be permanently marked and so located and served by driveways that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley;
 - (e) Parking spaces along the outer boundaries of a parking lot shall be contained by a curb at least four inches high and setback a minimum of five feet from the property line. A bumper rail may be substituted for a curb;

(f) Off-street parking and loading areas, including parking spaces and access aisles, shall meet or exceed the minimum dimensional standards identified in Tables 2 and 3 and Figure 1 (of this chapter). Access aisles shall be of sufficient width for all vehicular turning and maneuvering;

(g) Up to 50 percent of required parking spaces may be provided for compact cars;

(h) Parking areas shall be designed, to the maximum extent practicable, to avoid large, uninterrupted rows of parking spaces.

(3) Loading:

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

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

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

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

Responses (1-3): Site is in conformance. Total buildings 1-3 area = 26,855 sf / 600 sf = 44.75 min. spaces required. 241 spaces provided with (4) handicap stalls. There is existing parking on the site for vanpool and EV charging stations. See sheets SPR-2 & SPR-5 for parking and drive aisle dimensional standards.

17.48.050 BICYCLE PARKING STANDARDS.

(1) General Provisions.

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

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

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

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

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

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

(2) *Location and Design.*

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

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

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

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

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

(d) *Rack Type and Dimensions.*

- (A) Bicycle racks must hold bicycles securely by the frame and be securely anchored;
 - (B) Bicycle racks must accommodate:
 - (i) Locking the frame and one wheel to the rack with a high-security U-shaped shackle lock, or approved substitute; or
 - (ii) Locking the frame and both wheels to the rack with a chain or cable not longer than six feet;
 - (C) The Planning Commission may approve alternate bicycle racks provided they are convenient and secure;
 - (e) Bicycle parking spaces must be at least six feet long and two feet wide. An aisle five feet wide for bicycle maneuvering must be provided;
 - (f) Areas set aside for required bicycle parking must be clearly marked and reserved for bicycle parking only;
 - (g) Covered Parking (Weather Protection).
 - (A) When required, covered bicycle parking shall be provided in one of the following ways: inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.
 - (B) Where required covered bicycle parking is not proposed to be located within a building or locker, the cover must be permanent and designed to protect the bicycle from rainfall and provide seven-foot minimum overhead clearance.
 - (C) Where required bicycle parking is provided in lockers, the lockers shall be securely anchored.
- Responses (1-2): Site is in conformance. Only one additional parking stall has been added to the overall parking total on the site. Therefore, the original approved site plan for bicycles (long/short term) will not increase the requirement.**

17.48.060 CARPOOL AND VAN POOL PARKING.

New industrial, institutional and office developments requiring full site design review, including government offices, with 50 or more employee parking spaces, shall designate at least 10 percent of the parking spaces for car pool or van pool parking. The car pool/van pool spaces shall be clearly marked "reserved – car pool/van pool only."

Responses (1-2): Site is in conformance. Existing Carpool/van parking is existing near the main entrance at building 1. No increase of additional spaces is required due to only one additional parking stall has been added to the overall parking total on the site.

(END of Code Narrative)



DESIGN REVIEW 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

• FOR STAFF USE ONLY •

File No: _____

Other Related Permit Applications _____

Pre-app: Staff _____ Date _____

Staff Member: _____

Date Received: _____ Fee _____

Zone: _____

Hearing Date: _____

Comp. Plan: _____

• APPLICANT INFORMATION •

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Contact Information:	<input type="checkbox"/> Owner	<input checked="" type="checkbox"/> Architect	<input type="checkbox"/> Engineer	<input type="checkbox"/> Other
Contact/Applicant's Name:	Kevin Godwin SG Architecture LLC			
Mailing Address:	10940 SW Barnes Road #364	City/State/Zip:	Portland, OR 97225	
E-Mail:	kgodwin@sg-arch.net	Phone:	503-201-0725	
Contact Information:	<input type="checkbox"/> Owner	<input type="checkbox"/> Architect	<input type="checkbox"/> Engineer	<input checked="" type="checkbox"/> Other
Contact/Applicant's Name:	Joseph Clock			
Mailing Address:	PO Box 1679	City/State/Zip:	Vancouver, WA 98668	
E-Mail:	jclock@dickhannah.com	Phone:	360-314-0564 ext 3146	
Property Information				
Site Address:	19505 SE Mcloughlin Blvd. Gladstone, OR 97027			
Total Land Area:	+/- 3.0 acres			
Legal Description:	T <u>2</u> S, R <u>2</u> E/W/Q, Section <u>19</u> Tax Lot(s) <u>2600</u>			
	(For property legal description, contact Planning at 503-742-4500)		2700, 2800, 3000,3001, 3100	
Adjacent Properties under Same Ownership:	T _____ S, R _____ E/W/Q, Section _____ Tax Lot(s) _____			
Project Description:				
New expansions for the existing building consisting of a 2,200 sf one-story in-fill under the existing open-air vehicle drop-off service bay, along with a new 225 SF new tool storage shed. Additional work on the building is to replace the metal panels to new corporate branding, paint and minor site modifications .				
Current Zoning:	C-3 (General Commercial District)	Existing Use of Site:	Car Dealership & Service Center	
Construction Cost:	\$500,000.000	Proposed Square Footage:	2,200 sf & 227 sf	

Method of Sewage Disposal: City System

Water Supply: _____

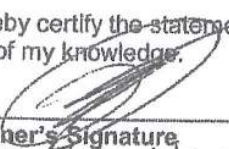
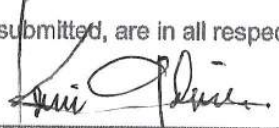
Commercial/Industrial/Institutional Development:
 Number of employees/students/occupants: 41 Days of operation: MON - SUN
 Estimated hours of daily operation: 7 am - 8 pm

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

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

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 JASON HANNAH Owner's Name (Print)	 _____ Applicant's Signature KEVIN GODWIN Applicant's Name (Print)
--	---

• SUPPLEMENTAL QUESTIONS •

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

See Project Description and EXHIBIT 8 for a complete project description.

Identify how your proposal meets the building siting and design standards pursuant to GMC Chapter 17.44.

See Code Narrative for a complete description.

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

The site essentially remains the same except for a small reduction in one landscaping island (-85 sf). See dwg. SP-2 for more information.

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

The new work increases the parking by 1-stall. All other parking on the site remains "as-is". See SP-2 for more information.

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

This new work provides a pedestrian walk from the new handicap stall to the customer entrance.

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

No signage is being proposed for this application.

Explain why the use is suitable for the proposed site, considering size, shape, location, topography, existence of improvements and natural features: **Flat. All the improvements are within the existing parking lot.**

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

See Project description for a complete description.

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

The proposed work is within the existing parking lot and does not effect the drive entrances that currently exist for any clear vision impacts. The new expansion has minor impact to the parking lot due to the concrete apron already exists and the drainage and FFE's will remain the same around the building/parking lot. The new parking and landscape island will match the existing grading. The utilities will remain the same outside of adding a new trench drain at the front doors on the north side of the building.

(Use additional sheets to answer questions if necessary)



GLADSTONE

Oregon

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Phone: 503-742-4510 E-Mail: jfields@clackamas.us

DESIGN REVIEW INFORMATION SHEET

WHAT IS DESIGN REVIEW?

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

WHAT IS NEEDED FOR APPROVAL?

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

WHAT ARE CHANCES FOR APPROVAL?

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

APPLICATION PROCESS

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

HOW DO I MAKE A DESIGN REVIEW APPLICATION?

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

Contacts

Planning, Building and Development

Planning Staff Main Number: 503-742-4500
Joy Fields, JFields@clackamas.us or 503-742-4510 and Lizbeth Dance, LDance@clackamas.us
 Gladstone Municipal Code: <https://www.codepublishing.com/OR/Gladstone>
 GIS Mapping: https://maps.orcity.org/Html5Viewer_2_12_1/index.html?viewer=Gladstone.Gladstone

City Hall 525 Portland Avenue, Gladstone, OR 97027 Office Hours: Monday – Friday, 8:00 a.m. to 5:00 p.m.	Administrator, Jacque Betz betz@ci.gladstone.or.us Tami Bannick bannick@ci.gladstone.or.us 503-656-5225
Public Works Department 18595 Portland Avenue, Gladstone, OR 97027 Hours: Monday – Friday, 8:00 a.m. to 3:30 p.m.:	Director, Jim Whynot: whynot@ci.gladstone.or.us 503-656-7957
Fire Department 555 Portland Avenue, Gladstone, OR 97027 Business Hours: Monday – Friday, 8:00 a.m. to 5:00 p.m.	Chief, Mike Funk: funk@ci.gladstone.or.us 503-557-2775
Clackamas County Building Codes Division Building information: www.clackamas.us/building/	503-742-4240
Building Permit Inspection Line	503-742-4720
Building Permit Specialist	503-742-4240
Richard Carlson Structural Review	richardcar@clackamas.us 503-742-4769
Doug Rudisel Electrical Plan Review	dougrud@clackamas.us 503-742-4764
Wayne Seiffert Plumbing Inspector Supervisor	waynesei@clackamas.us 503-742-4777
Police Department 535 Portland Avenue, Gladstone, OR 97027 Business Hours: Monday – Friday, 8:00 a.m. to 5:00 p.m.	Nuisance Concerns 503-557-2763
CLACKAMAS COUNTY SURVEYOR Surveys, Plats, Partitions and Public Land Corners: www.clackamas.us/surveyor/	503-742-4475

Chapter 17.80 DESIGN REVIEW*

Sections:

- 17.80.011 Objectives.**
- 17.80.021 Applicability.**
- 17.80.061 Submittal requirements.**
- 17.80.080 Maintenance.**
- 17.80.090 Minor exceptions.**
- 17.80.100 Compliance.**

* Prior history:

17.80.010 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1254](#) §1, 1998.

17.80.020 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1254](#) §1, 1998.

17.80.020 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1254](#) §1, 1998.

17.80.030 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1254](#) §1, 1998.

17.80.031 **History:** Ord. [1254](#) §2, 1998; Repealed by Ord. [1323](#) §1, 2002.

17.80.040 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1254](#) §1, 1998.

17.80.041 **History:** Ord. [1254](#) §2, 1998; Repealed by Ord. [1323](#) §1, 2002.

17.80.050 **History:** Ord. [1131](#) §2, 1990; Repealed by Ord. [1254](#) §1, 1998.

17.80.051 **History:** Ord. [1254](#) §2, 1998; Repealed by Ord. [1323](#) §1, 2002.

17.80.070 **History:** Ord. [1254](#) §2, 1998; Repealed by Ord. [1323](#) §1, 2002.

17.80.011 Objectives.

The following objectives of the regulations in this chapter are as follows:

(1) To preserve the natural environment and protect and enhance the visual character of the city, and to ensure compliance with the goals, objectives and policies of the Gladstone Comprehensive Plan, zoning and subdivision ordinances.

(2) To encourage orderly development and to assure that structures, signs and other improvements are appropriately related to their site, and to surrounding sites and structures.

Due regard shall be given to the aesthetic qualities of the terrain and landscaping, and proper attention given to exterior appearance of structures, signs, energy conservation and other improvements.

(3) To ensure significant site development will be compatible with land use on adjacent properties.

(4) To protect neighboring owners and users by assuring that reasonable provisions have been made for such matters as surface water drainage, the preservation of views, light, air and solar access and those effects on neighboring land uses.

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

History: Ord. [1254](#) §2, 1998.

17.80.021 Applicability.

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

- (a) Single-family dwellings and their allowed accessory uses;
- (b) Duplexes and their allowed accessory uses in the R-7.2 and R-5 zoning districts;
- (c) Utility lines and equipment cabinets, not including towers or substations, provided such equipment cabinets are no greater than one hundred twenty (120) square feet in area and ten feet (10') in height;
- (d) Fences unless associated with a primary, accessory or conditional use in the Office Park District or unless design review is required to grant an exception to the maximum fence height standard of the zoning district;
- (e) Fabric-covered awnings;
- (f) Playground equipment;
- (g) Grading that does not require a permit under the Clackamas County Excavation and Grading Code;
- (h) Signs reviewed by the City Administrator or designee pursuant to GMC Chapter [17.52](#) (signs);
- (i) Vehicular or pedestrian right-of-way improvements provided such improvements are not associated with additional development that is subject to design review;
- (j) Changes of use where:

(A) The proposed change is not from a residential, commercial/industrial or institutional use to a use in a different one of these categories;

(B) The new use is not required by this title to have a greater number of off-street parking spaces than the previous use or at least the minimum number of off-street parking spaces required by this title for the new use currently exists. However, where applicable parking requirements are not identified in Table 1 of GMC Section [17.48.030](#) (standards for developments subject to design review) or where on-street parking is proposed to fulfill a portion of the minimum off-street parking requirement, design review shall be required;

(k) Normal maintenance of structures and premises provided there are no significant use or structural alterations. Normal maintenance may include painting, roofing, siding, interior remodeling, electrical work, plumbing work, re-paving of access roads and parking/loading areas, replacement of landscaping elements or other similar tasks. Normal maintenance does not include increasing the number of dwelling units, constructing new structures or constructing additions to existing structures except to the extent that an addition is necessary to render a structure accessible to the disabled. Normal maintenance performed shall be consistent with previous design review approvals for the site.

(2) If a design review application is required, no building, sign, grading or blasting permit shall be issued until design review approval has been granted.

(3) An application for design review shall be reviewed pursuant to GMC Division VII (administrative procedures) and shall be reviewed for compliance with standards of the underlying zoning district and GMC Division IV (development standards).

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

History: Ord. [1254](#) §2, 1998; Ord. [1289](#) §1, 2000; Ord. [1323](#)§1, 2002.

17.80.061 Submittal requirements.

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

(a) Vicinity Map: The vicinity map shall show the location of the subject property relative to well-known landmarks in all directions and shall be at least four inches (4") by four inches (4") in size.

(b) Site Plan: The site plan shall include the following:

(A) The applicant's entire property and the surrounding area to a distance sufficient to determine the relationship between the applicant's property and proposed

development and adjacent property and development;

(B) Lot lines, dimensions and area of the subject property;

(C) Complete names, addresses and telephone numbers of the property owner, applicant and project designer;

(D) Natural features including, but not limited to, individual trees greater than six inches (6") in diameter at five feet (5') above the ground (identify the species), wooded areas, wildlife habitat areas, streams and stream corridors, marsh and wetland areas, underground springs, surface features such as earth mounds and large rock outcroppings, significant views, natural drainage on the subject property and adjacent properties, areas of special flood hazard and potential geologic hazards such as areas of mass movement and soil hazards. Identify proposed alterations to natural features;

(E) Location, dimensions and names of all proposed rights-of-way and all existing rights-of-way within or adjacent to the subject property. Include proposed new curbs and sidewalks. Include existing curbs and sidewalks where necessary to show a connection to new curbs and sidewalks;

(F) Location and dimensions of existing and proposed easements, to which property they are conveyed and for what purpose(s). Include easements on the subject property and off-site easements conveyed to the subject property;

(G) Identification of existing uses of the subject property, including the location and exterior dimensions of existing structures. Identify whether existing structures will remain on the property or be removed;

(H) Location of proposed and existing utilities on the subject property and the location of adjacent off-site utilities to which on-site utilities will connect. Include water, sanitary sewer, storm drainage, gas, electric (including power poles) and other utilities;

(I) Location and exterior dimensions of all proposed structures;

(J) Relation of the subject property to nearby transit stops;

(K) Location and dimensions of individual parking spaces, parking lot access aisles, driveways and pedestrian and bicycle circulation;

(L) Lighting (include type);

(M) Service areas for trash disposal, recycling, loading and delivery and bicycle parking;

(N) Location of potential noise sources in the proposed development;

(O) Information about significant climatic variables including, but not limited to, solar potential, wind direction and wind velocity.

(c) Grading Plan: The preliminary grading plan shall indicate where and to what extent grading will occur and shall include approximate proposed contour lines, slope ratios, slope stabilization proposals and natural resources protection proposals. Existing contour lines shall also be shown. Proposed and existing contour lines shall be shown at maximum intervals of two feet (2') for slopes less than ten percent (10%), five feet (5') for slopes between ten (10) and twenty percent (20%) and ten feet (10') for slopes exceeding twenty percent (20%). A slope analysis shall be provided showing portions of the site according to the following slope ranges: less than ten percent (10%), ten (10) to less than twenty percent (20%), twenty (20) to less than thirty-five percent (35%), thirty five percent (35%) to less than fifty percent (50%) and fifty percent (50%) or greater. Approximate area calculations shall be provided for each of these slope ranges.

(d) Architectural Drawings:

(A) Building elevations and sections;

(B) Building materials, including color and type;

(C) Sufficient architectural details pertaining to exterior building materials, including samples and views from roads and other properties, as determined by the City Administrator or designee, to assure compliance with 17.44.020(4);

(D) Floor plans.

(e) Landscape Plan: The landscape plan shall be at the same scale as the site plan and shall include:

(A) Lot lines and adjacent rights-of-way;

(B) Proposed structures and existing structures to remain;

(C) Parking and loading areas and driveways;

(D) Locations of proposed plants and existing plants to remain, keyed to a legend identifying botanical names, common names, sizes at planting and numbers;

(E) Description of soil conditions and plans for soil treatment such as stockpiling of topsoil. Include plant selection requirements relating to soil conditions;

(F) Erosion controls, including plant materials and soil stabilization, if any;

(G) Irrigation systems;

(H) Landscape-related structures such as fences, terraces, decks, patios, shelters, play areas, etc.;

(I) Boundaries of open space, recreation or reserved areas to remain, access to open space and any alterations proposed;

(J) Locations of pedestrian and bikeway circulation within landscaped areas;

(K) Method of planting and maintenance.

(f) Signs:

(A) Freestanding signs:

(i) Location on-site plan;

(ii) Elevation drawing (indicate size, total height, height between bottom of sign and ground, color, materials and means of illumination).

(B) On-building signs:

(i) Building elevation with location of sign (indicate size, color, materials and means of illumination);

(ii) Site plan showing location of on-building sign in relation to adjoining property.

(2) A transportation impact analysis shall be submitted if deemed necessary by the City Administrator or designee to assess the impacts of the proposed development.

(3) The City Administrator or designee may waive any submittal requirements of this chapter if they are deemed not necessary or not applicable due to the scale or nature of the development proposal.

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

History: Ord. [1254](#) §2 (pan), 1998, Ord. [1395](#) 2007.

17.80.080 Maintenance.

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

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

History: Ord. [1254](#) §2, 1998.

17.80.090 Minor Exceptions.

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

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

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

(a) In the case of a minor yard exception for landscaping, the Planning Commission shall find that approval will result in:

- (i) More efficient use of the site;
- (ii) Preservation of natural features, where appropriate;
- (iii) Adequate provision of light, air and privacy to adjoining properties;
- (iv) Energy conservation; and

(v) Adequate emergency access.

(b) In the case of a minor exception to the dimensional standards for off-street parking spaces or the minimum required number of off-street parking spaces, the Planning Commission shall find that approval will provide adequate off-street parking in relation to user demands. The following factors may be considered in granting such an exception:

- (i) Special characteristics of users which indicate low demand for off-street parking (e.g. low income, elderly);
- (ii) Opportunities for joint use of nearby off-street parking facilities;
- (iii) Availability of public transit; and
- (iv) Natural features of the site (topography, vegetation and drainage) which would be adversely affected by application of required parking standards.

(c) In the case of a minor exception to the maximum allowed number of off-street parking spaces, the Planning Commission shall find that approval will not result in excessive off-street parking relative to the user demand. The following factors shall be considered in granting such an exception:

- (i) Special characteristics of users that indicate high demand for off-street parking. Characteristics generally attributable to the use classification upon

which the maximum parking ratio is based shall not be considered “special characteristics” for purposes of this provision.

(ii) Lack of sufficient available on-street parking, public off-street parking or shared parking within one-quarter (1/4) mile walking distance of the subject site.

(iii) A study of parking demand, submitted by the applicant, for a use substantially similar to the one proposed.

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

History: Ord. [1254](#) §2, 1998; Ord. [1289](#) §1, 2000.

17.80.100 Compliance.

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

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

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

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

History: Ord. [1254](#) §2, 1998; Ord. [1323](#) §1, 2002; Ord. [1498](#) §1 (Exh. A), 2019.

Mobile
Version

Kevin Godwin | SG Architecture, LLC | partner
10940 SW Barnes Road #364 | Portland, OR 97225 | 503.201.0725
kgodwin@sg-arch.net

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From: Kevin Godwin <kgodwin@sg-arch.net>
Sent: Wednesday, August 31, 2022 10:47 AM
To: Fields, Joy <JFields@clackamas.us>
Cc: Scot Sutton <ssutton@sg-arch.net>
Subject: Re: Gladstone - Nissan Service Center Expansion

Good morning Joy

We spoke about us submitting for a pre-app wavier due to this project is fairly simple. You mentioned that you wanted us to send you our drawings so that you could discuss them with your team. Please see attached and if we need to send you an official letter requesting the waiver we can do that as well. thx!

Kevin Godwin | SG Architecture, LLC | partner
10940 SW Barnes Road #364 | Portland, OR 97225 | 503.201.0725
kgodwin@sg-arch.net

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From: Fields, Joy <JFields@clackamas.us>
Sent: Friday, July 29, 2022 10:11 AM
To: Scot Sutton <ssutton@sg-arch.net>
Cc: Joseph Clock <clock@dickhannah.com>; Kevin Godwin <kgodwin@sg-arch.net>
Subject: RE: Gladstone - Nissan Service Center Expansion

Good morning,

If I remember correctly, in the last couple of weeks I returned a couple of phone calls and was able to leave a voice message for Kevin regarding this project. The structural expansion of the service center will require Design Review per 17.80.021 (application Attached). Usually, design review does require a pre-application conference to ensure your application meets the needs of the Public Works Office, Engineering, Fire, and land use. Therefore, applicants benefit and often want to have that meeting. However, when the expansion is minor on a site that is already developed, staff have previously waived the pre-application conference requirement.

The timeline for Design Review is dependent on when you submit your request and how complete your application is. For instance, if you request a pre-app conference prior to August 18th we could schedule the meeting on September 1st. If you get us a complete application by the middle of September, we can notice and schedule the Public Hearing with the Gladstone Planning Commission in October. Their meeting dates are the third Tuesday of each month at 6:30 pm and the Gladstone Code requires at least a 20 day public notice for land use hearings.

The non-structural cosmetic upgrades are considered maintenance per 17.80.021()(k) and can be completed without a Design Review land use application.

Sincerely,

Joy Fields, AICP,
Sr. Planner
Clackamas County DTD | Planning and Zoning Division
150 Beaver Creek Road | Oregon City, OR 97045
503-742-4510
JFields@clackamas.us

My office hours are Tuesday through Friday from 7 am to 5:30 pm.

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From: Scot Sutton <ssutton@sg-arch.net>
Sent: Thursday, July 28, 2022 3:09 PM
To: Fields, Joy <JFields@clackamas.us>
Cc: Joseph Clock <clock@dickhannah.com>; Kevin Godwin <kgodwin@sg-arch.net>
Subject: RE: Gladstone - Nissan Service Center Expansion

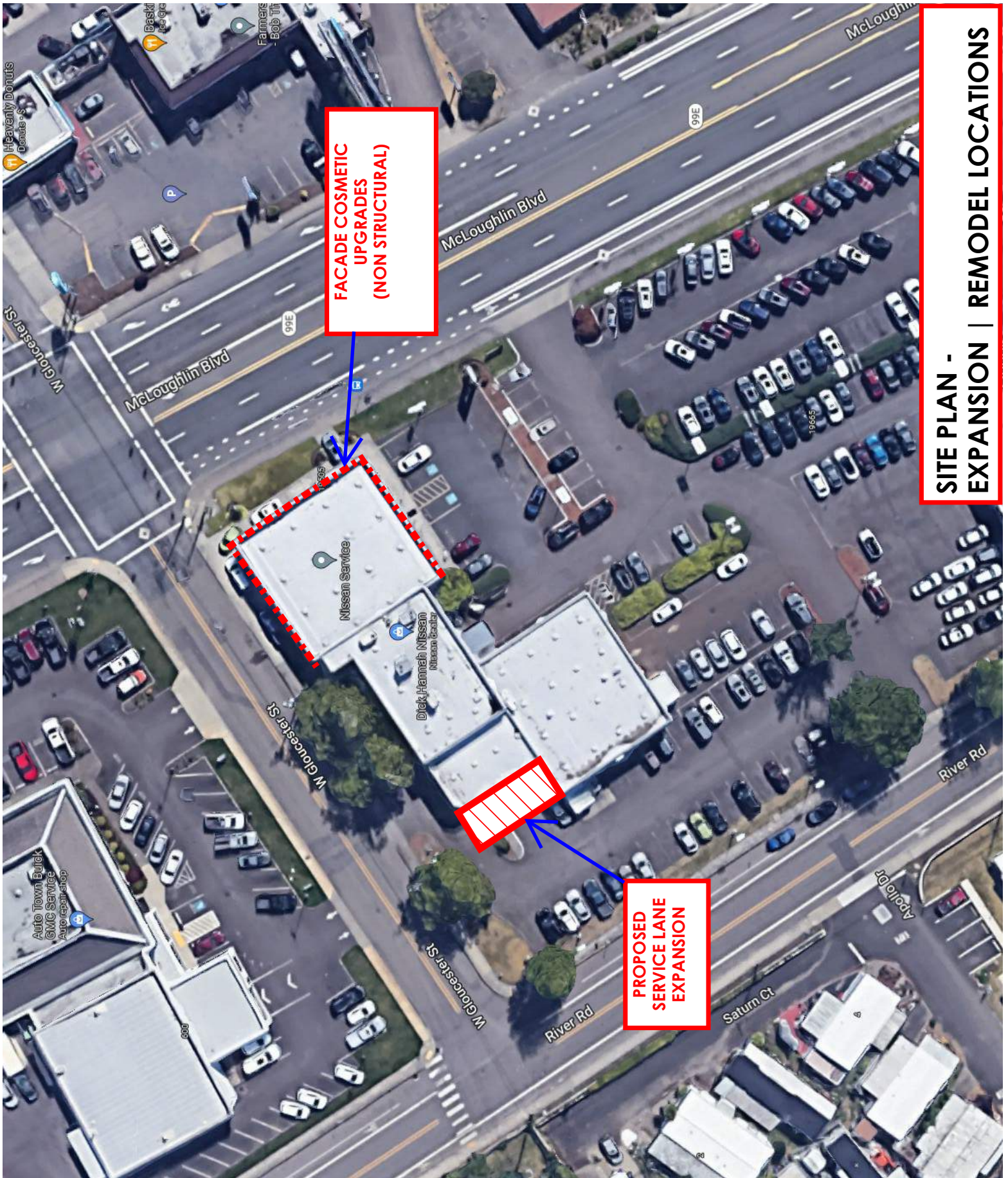
Warning: External email. Be cautious opening attachments and links.

Good afternoon, Joy
We have a client (Dick Hannah Dealerships) looking to expand their existing Gladston Nissan service center (see PDF) along with some facade (non-structural) cosmetic upgrades on the north, east & west sides of the building. Would this proposed expansion be reviewed at staff level at the time when we submit our Construction Documents or does it require a separate Pre-Application, Site Plan Review or Design Review approvals first?
Joseph Clock from Dick Hannah may have also reached out to you regarding the same question. Appreciate your time and if we are required to go through a DR or Pre-App submittal process what would the estimated timeframe be for these?

Thx!

Scot Sutton | SG Architecture, LLC
10940 SW Barnes Rd #364 | Portland OR 97225 | 503-347-4685
ssutton@sg-arch.net

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**SITE PLAN -
EXPANSION | REMODEL LOCATIONS**

NOTES

1. FEATURE CAR DISPLAY, CAR ONLY W/O FEATURE VEHICLE DISPLAY ELEMENTS.
2. SIDE ENTRY
3. EXISTING CONCRETE PLAZA TO REMAIN
4. VEHICLE DISPLAY AREA
5. VEHICLE DISPLAY AREA
6. HOSPITALITY BAR
7. WALL MOUNTED TELEVISION
8. HOSPITALITY BAR
9. HOSPITALITY BAR
10. REMOVE EXISTING DOORS AND FRAME
11. REMOVE EXISTING DRIVE LANES - WIDTH MATCHES EXISTING
12. NEW SERVICE DRIVE LANE
13. EXISTING CONCRETE COLUMN W/ GYPSUM BOARD WRAP
14. 20' WIDE O.H. DOOR
15. NEW SERVICE DRIVE LANE
16. CUSTOMER ENTRY ACCESS TO VEHICLE PICK-UP
17. SERVICE ADVISOR STATIONS
18. VEHICLE PICK-UP ENTRY ACCESS TO VEHICLE PICK-UP AND ADA ACCESS
19. PAINT STRIPED WALK AND ADA ACCESS ZONE
20. NEW PAINT CURB OVER PARKING
21. VEHICLE SERVICE PICK-UP NEW
22. RELOCATE EXISTING GAS METER
23. NEW SERVICE DRIVE LANE
24. EXISTING STOREFRONT TO REMAIN
25. NEW STOREFRONT TO MATCH EXISTING
26. NISSAN PARLET
27. 12' WIDE O.H. DOOR
28. 12' WIDE O.H. DOOR
29. EXISTING CONCRETE COLUMN REMOVED
30. NEW SERVICE PICK-UP CANOPY ABOVE

**DICK HANNAH
DEALERSHIPS
IMPROVEMENTS
FOR**

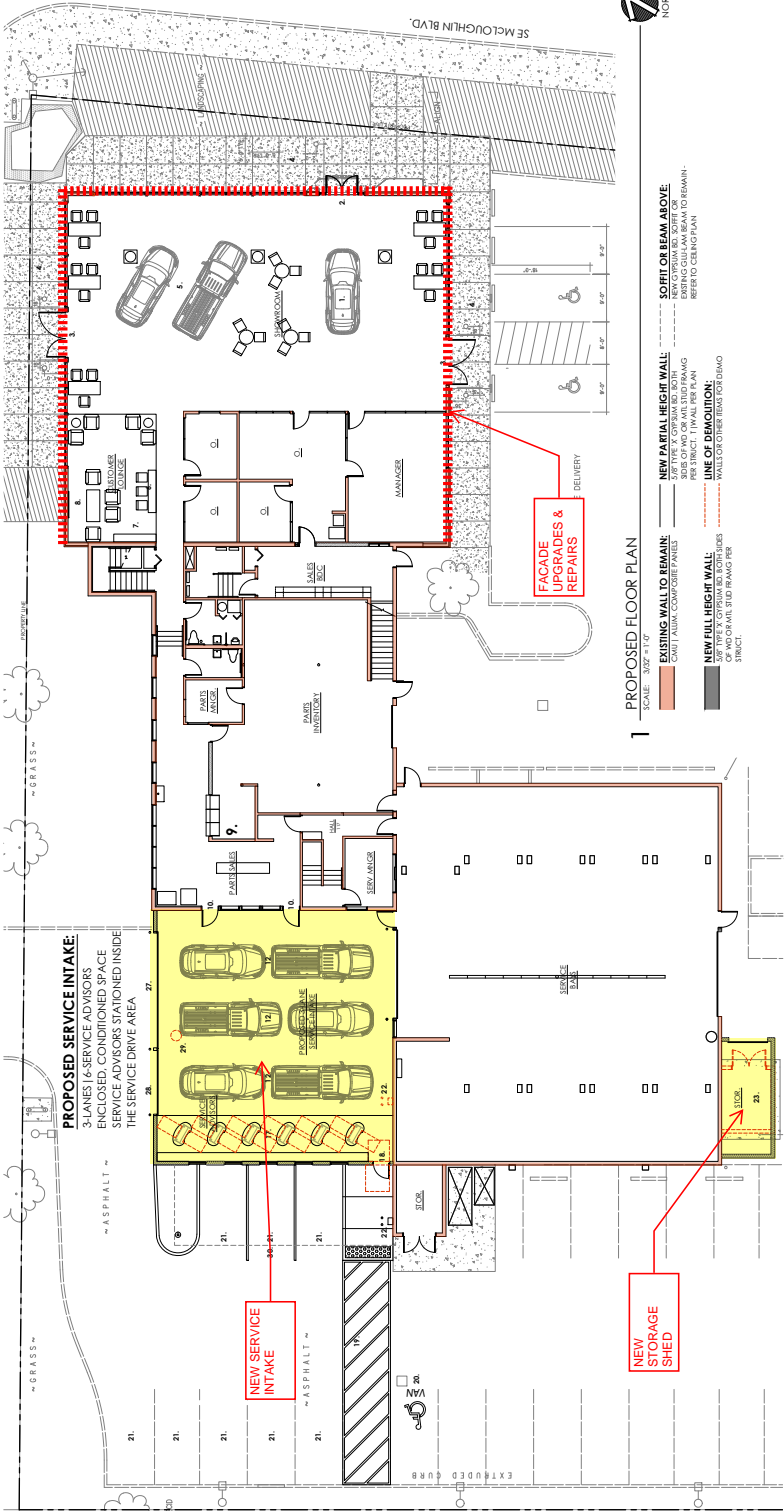


GLADSTONE
10045 IES AT
19505 MCLOUGHLIN BLVD.
GLADSTONE, OR 97027

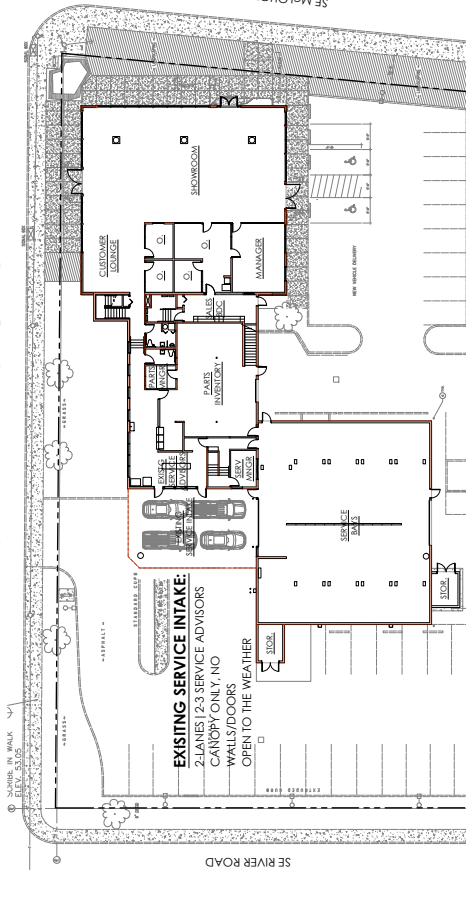
**OWNER REVIEW
SET - NOT FOR
CONSTRUCTION**

**DESIGN DEVELOPMENT
PLAN | ELEVATIONS**
PROJECT NUMBER:
22-109
ISSUE DATE:
AUGUST 15, 2022
DRAWN BY:
KG & SS
Revisions:

SITE PLAN
DD 1.0



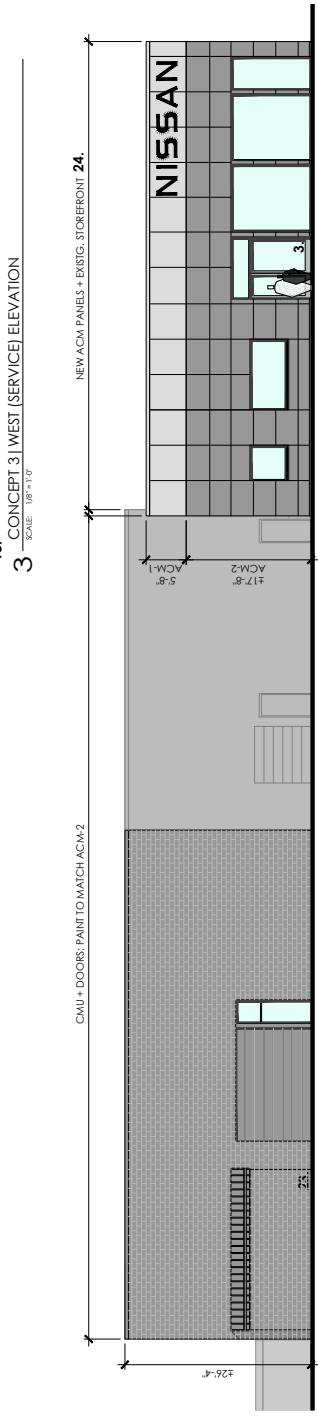
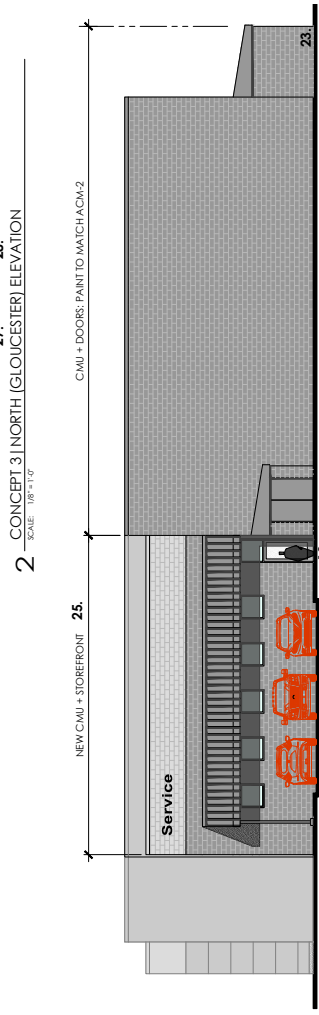
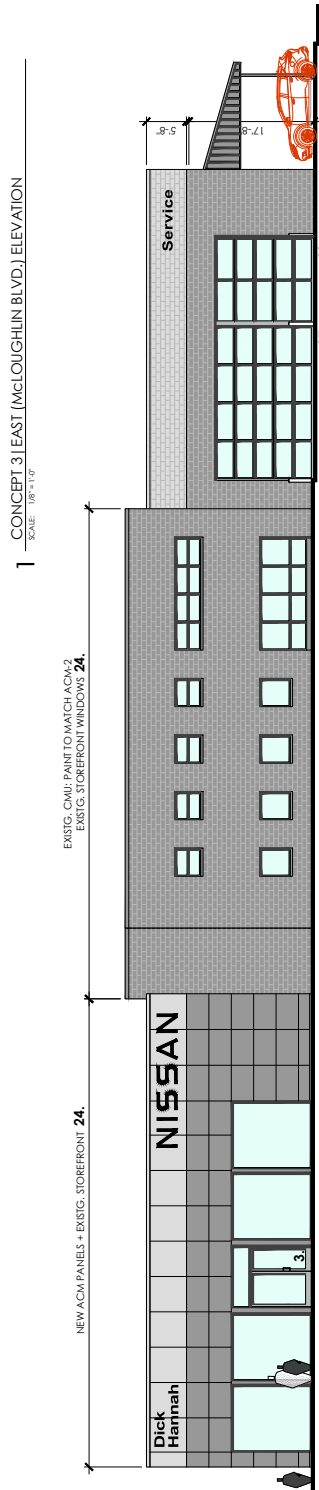
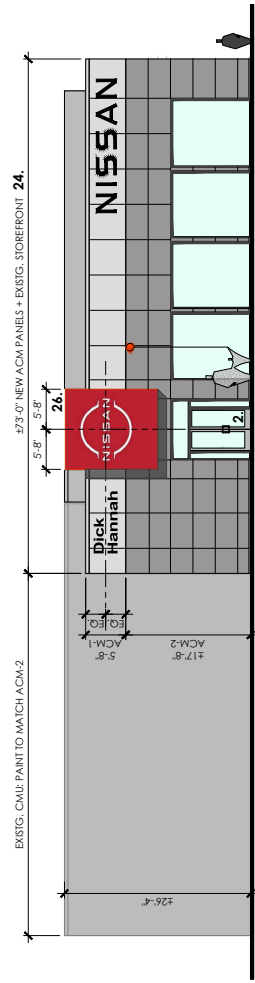
1 PROPOSED FLOOR PLAN



2 EXISTING SITE FLOOR PLAN

NOTES

1. FEATURE CAR DISPLAY; CAR ONLY w/o FEATURE VEHICLE DISPLAY ELEMENTS.
2. MAIN ENTRY
3. SIDE ENTRY CONCRETE PLAZA TO REMAIN
4. VEHICLE DISPLAY AREA
5. LOUNGE BAR
6. WALL MOUNTED TELEVISION
7. PARTS INVENTORY STORAGE w/ PASS-THRU WINDOW RELOCATED TO FACE PARTS SALES AREA
8. REMOVE EXISTING DOORS AND PROVIDE CLEAN FINISH TO INTERIOR
9. EXISTING SERVICE DRIVE LANES - WIDTH MATCHES
10. EXISTING SERVICE DRIVE LANE
11. EXISTING CONCRETE COLUMN w/ GYPSUM BOARD WRAP
12. 20' WIDE O.H. DOOR
13. CUSTOMER ENTRY ACCESS TO VEHICLE PICK-UP
14. SERVICE ADVISOR STATIONS
15. SERVICE TECHS ENTRY ACCESS TO VEHICLE
16. PAINT STRIPED WALK AND ADA ACCESS ZONE
17. ADA (VAN) CUSTOMER PARKING
18. VEHICLE SERVICE PICK-UP/ NEW VEHICLE DELIVERY
19. REMOVE EXISTING SERVICE DRIVE LANE
20. NEW SPECIAL TOOLS STORAGE ROOM
21. EXISTING STOREFRONT TO REMAIN
22. NEW STOREFRONT TO MATCH EXISTING
23. 24' WIDE O.H. DOOR
24. 17' WIDE O.H. DOOR
25. EXISTING CONCRETE COLUMN REMOVED
26. PROPOSED SERVICE PICK-UP CANOPY ABOVE



Project Legal Description

Tax Lot #: Tax Lot 22E19DD0 **2600** combined with 2700, 2800, 3000, 3001 & 3100
Legal Des #: T2S R2E, Section 19DD
Map #: 22E19DD

Address: 19505 SE McLOUGHLIN BLVD.
City/Zip: GLADSTONE, OREGON 97027
County: COWLITZ COUNTY, WASHINGTON
Zone: C-3 (General Commercial District)
Property Area: +/- 3.03 Acres (131,160 SF)

Location: The project site is located at the SW intersection of SE Mcloughlin Blvd. and SE Gloucester Street.

Street Type: Site has approximately 580 feet of public street frontage along SE McLoughlin Blvd. & SE River Road & 300 feet of public street frontage along SE Gloucester Street.

Access: Two (2) main entrances off SE McLoughlin Blvd.
One (1) main entrance off SE River Road
One (1) service drive entrance off SE Gloucester Street

EXHIBIT-5

S.E. 1/4 S.E. 1/4 SEC. 19 T.2S. R.2E. W.M.
CLACKAMAS COUNTY

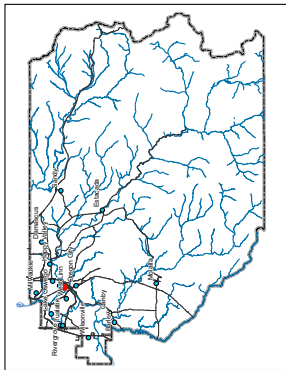
1" = 100'

D. L. C.
PETER M. RINEARSON NO. 41

Cancelled Tablets

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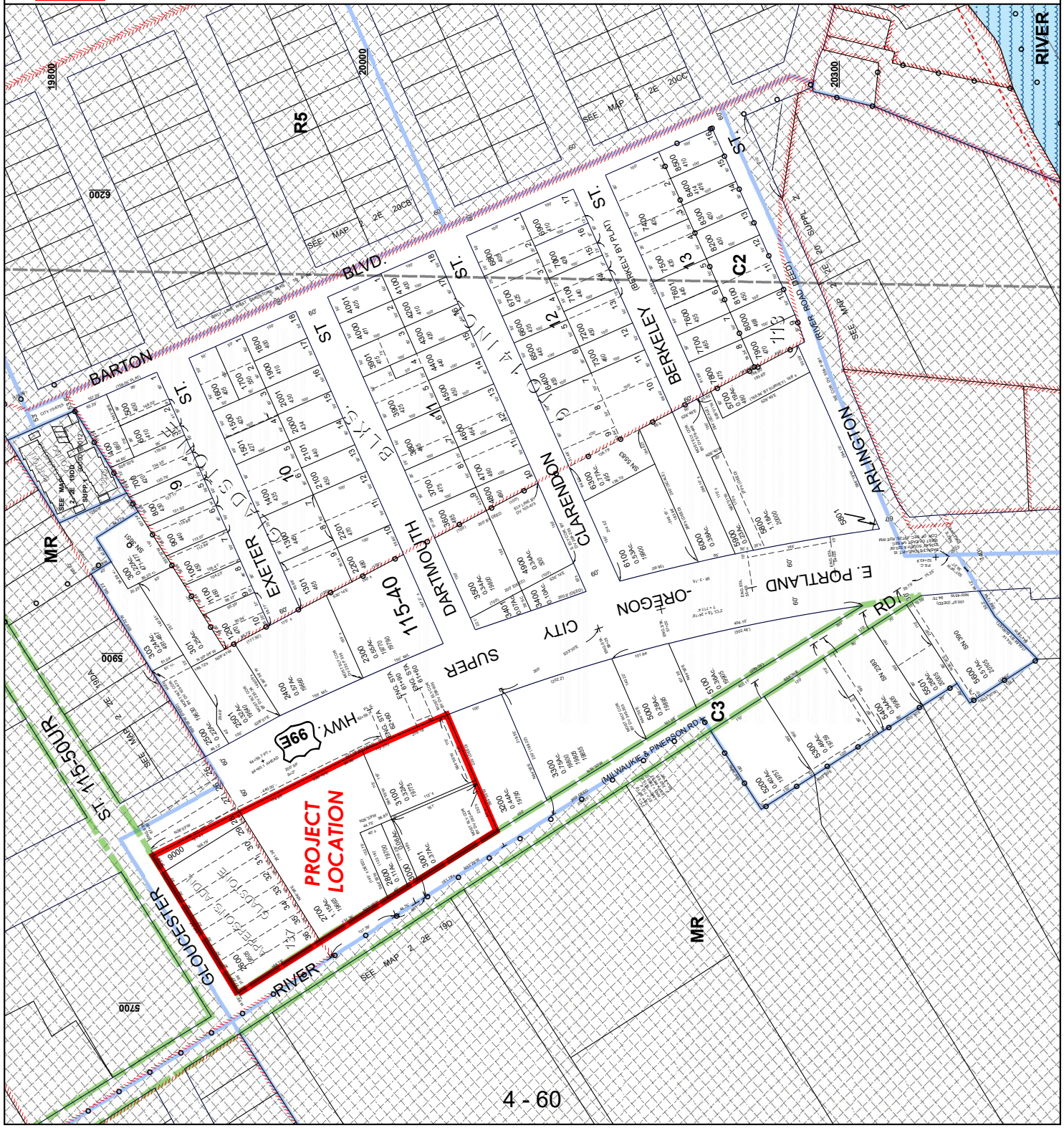
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- Private Road ROW
- Historical Boundary
- Railroad Centerline
- Tax Code Lines
- Map Index
- Water Lines
- Land Use Zoning
- Pits
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

09/27/2021

2 2 E 19DD



First American Title
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Subject: 19505 McLoughlin Blvd, Gladstone, OR
Date of Production: 08.05.2022

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Zenitram Properties Llc
19400 McLoughlin Blvd
Gladstone, OR 97027

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Po Box 986
Gladstone, OR 97027

22E19D 00400
Two Rivers Homeowners Cooperat
Po Box 986
Gladstone, OR 97027

22E19DD02500
Robert Thompson
Po Box 126
Gladstone, OR 97027

22E19DD02501
Sheldon Development Inc
23765 SE Highway 212
Damascus, OR 97089

22E19DB02600
William & Rebecca Scott
2107 SE Waldron Rd
Portland, OR 97222

22E19DA03700
Sc Gladstone Re Llc
25035 SW Parkway Ave
Wilsonville, OR 97070

22E19DD02400
Pacific Investing Llc
33963 SW Ladd Hill Rd
Wilsonville, OR 97070

22E19DB04200
Tammy Newbill
705 Riverdale Dr
Gladstone, OR 97027

22E19DB03900
Stephanie Kahee
735 Riverdale Dr
Gladstone, OR 97027

22E19DB04100
Laurie Johnson
6440 E St
Bay City, OR 97107

22E19DD02600
Jjho Llc
Po Box 1679
Vancouver, WA 98668

22E19DD02700
Jjho Llc
Po Box 1679
Vancouver, WA 98668

22E19DD02800
Jjho Llc
Po Box 1679
Vancouver, WA 98668

22E19DD03000
Jjho Llc
Po Box 1679
Vancouver, WA 98668

22E19DD03001
Jjho Llc
Po Box 1679
Vancouver, WA 98668

22E19DD03100
Jjho Llc
Po Box 1679
Vancouver, WA 98668

22E19DD09000
Jjho Llc
Po Box 1679
Vancouver, WA 98668

22E19DA04200
Imas Llc
19495 McLoughlin Blvd
Gladstone, OR 97027

22E19DB04000
April Younglove
17770 Webster Rd #D11
Gladstone, OR 97027

22E19D 00501
City Of Gladstone
525 Portland Ave
Gladstone, OR 97027

22E19DB02700
Frederick G Shervey Construction Inc
Po Box 66320
Portland, OR 97290

22E19DA04400
3 Loeb's Llc
840 SW Touchmark Way APT 557
Portland, OR 97225

22E19DA04401
3 Loeb's Llc
840 SW Touchmark Way APT 557
Portland, OR 97225

22E19D 00400
TWO RIVERS HOMEOWNERS
PO BOX 986
Gladstone, 97027

22E19DA04400
PACIFIC OUTDOOR ADVERTISING LLC
715 NE EVERETT ST
Portland, 97232



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250 ft Buffer

19505 McLoughlin Blvd, Gladstone, OR 97027

Report Generated: 8/5/2022



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Customer Service Department
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Ownership

Legal Owner(s): Jjho Llc	Parcel #: 22E19DD02600
Site Address: 19505 Mcloughlin Blvd Gladstone, OR 97027	APN: 00529100
Mailing Address: Po Box 1679 Vancouver, WA 98668	County: Clackamas

Property Characteristics

Bedrooms: 0	Year Built: 1986	Lot SqFt: 40318
Total Bathrooms: 0	Building SqFt: 0	Lot Acres: 0.93
Full Bathrooms: 0	First Floor SqFt: 0	Roof Type:
Half Bathrooms:	Basement Sqft: 0	Roof Shape:
Units: 0	Basment Type:	Porch Type:
Stories:		Building Style:
Fire Place: N		Garage:
Air Conditioning:		Garage SqFt: 0
Heating Type:		Parking Spots: 0
Electric Type:		Pool:

Property Information

Land Use: COMMERCIAL	Zoning: C3
Improvement Type: Commercial Building	School District: Gladstone School
Legal Description: 137 APPERSONS ADD TO GLADSTONE LTS 29 TO 36	Neighborhood: Gladstone
	Subdivision: Appersons Addition to Gladstone

Assessor & Tax

Market Land: \$785,582	Taxes: \$71,600.19
Market Total: \$5,832,072	% Improved: 87
Market Structure: \$5,046,490	Levy Code: 115040
Assessed Total: \$3,625,179	Millage Rate: 19.7508

Sale History

Last Sale Date: 12/2/2016	Doc #: 2016-083239	Last Sale Price: \$7,550,000
Prior Sale Date: 10/20/1998	Prior Doc #: 98-098984	Prior Sale Price: \$2,674,430

Mortgage

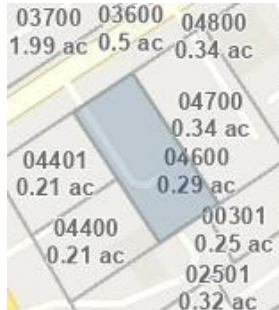
1st Mortgage Date:	Doc #:	
1st Mortgage Type:	1st Mortgage Lender:	1st Mortgage: \$0
2nd Mortgage Type:		2nd Mortgage: \$0

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Legal Owner: Zenitram Properties Llc
Site Address: 585 W Gloucester St Gladstone, OR 97027
Mailing Address: 19400 McLoughlin Blvd Gladstone, OR
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.29
Year Built: 1958
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: 137 APPERSONS ADD GLADSTONE LTS 18&19 PT LT 20

APN: 527941
Ref Parcel #: 22E19DA04600
Taxes: \$2,864.81
Market Value: \$216,414
Assessed Value: \$145,048
Sales Price: \$1,325,000
Transfer Date: 1/2/2007



Legal Owner: Two Rivers Homeowners Cooperat
Site Address: No Site Address Gladstone, OR
Mailing Address: Po Box 986 Gladstone, OR 97027
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 4.65
Year Built: 0
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: SECTION 19 TOWNSHIP 2S RANGE 2E QUARTER D TAX LOT 00100

APN: 527291
Ref Parcel #: 22E19D 00100
Taxes: \$19,804.80
Market Value: \$2,964,409
Assessed Value: \$1,002,734
Sales Price: \$0
Transfer Date: 6/28/2017



Legal Owner: Two Rivers Homeowners Cooperat
Site Address: 19605 River Rd Gladstone, OR 97027
Mailing Address: Po Box 986 Gladstone, OR 97027
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 7.35
Year Built: 0
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: SEE IMP ONLY 00400A1

APN: 527326
Ref Parcel #: 22E19D 00400
Taxes: \$12,520.13
Market Value: \$1,873,987
Assessed Value: \$633,905
Sales Price: \$0
Transfer Date:



Legal Owner: Robert Thompson
Site Address: 19630 McLoughlin Blvd Gladstone, OR 97027
Mailing Address: Po Box 126 Gladstone, OR 97027
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.22
Year Built: 1978
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: SECTION 19 TOWNSHIP 2S RANGE 2E QUARTER DD TAX LOT 02500

APN: 529084
Ref Parcel #: 22E19DD02500
Taxes: \$5,192.64
Market Value: \$399,164
Assessed Value: \$262,908
Sales Price: \$112,500
Transfer Date: 5/16/2001

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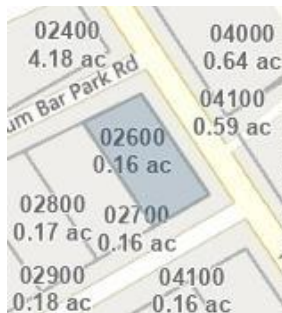
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Legal Owner: Sheldon Development Inc
Site Address: 19640 McLoughlin Blvd Gladstone, OR 97027
Mailing Address: 23765 SE Highway 212 Damascus, OR
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.32
Year Built: 1975
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: SECTION 19 TOWNSHIP 2S RANGE 2E QUARTER DD TAX LOT 02501

APN: 529093
Ref Parcel #: 22E19DD02501
Taxes: \$8,046.12
Market Value: \$617,235
Assessed Value: \$407,382
Sales Price: \$875,000
Transfer Date: 10/29/2021



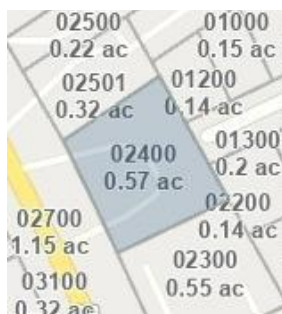
Legal Owner: William & Rebecca Scott
Site Address: 700 Riverdale Dr Gladstone, OR 97027
Mailing Address: 2107 SE Waldron Rd Portland, OR 97222
Bedrooms: 3
Bathrooms: 2
Building SqFt: 1,326 Lot Acres: 0.16
Year Built: 1954
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: 736 RIVERDALE LT 1

APN: 528637
Ref Parcel #: 22E19DB02600
Taxes: \$3,606.14
Market Value: \$329,100
Assessed Value: \$182,582
Sales Price: \$105,000
Transfer Date: 3/6/2001



Legal Owner: Sc Gladstone Re Llc
Site Address: 19490 McLoughlin Blvd Gladstone, OR 97027
Mailing Address: 25035 SW Parkway Ave Wilsonville, OR
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 1.99
Year Built: 1958
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: SUBDIVISION APPERSONS ADD GLADSTONE 137 LT E PT LTS D & F

APN: 527870
Ref Parcel #: 22E19DA03700
Taxes: \$27,712.09
Market Value: \$2,105,335
Assessed Value: \$1,403,087
Sales Price: \$1,800,000
Transfer Date: 10/11/2011



Legal Owner: Pacific Investing Llc
Site Address: 19660 McLoughlin Blvd Gladstone, OR 97027
Mailing Address: 33963 SW Ladd Hill Rd Wilsonville, OR
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.57
Year Built: 1950
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: SECTION 19 TOWNSHIP 2S RANGE 2E QUARTER DD TAX LOT 02400

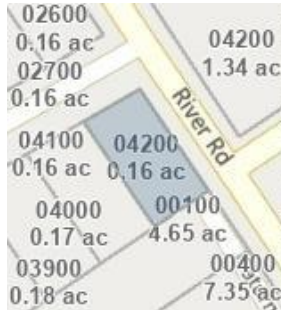
APN: 529075
Ref Parcel #: 22E19DD02400
Taxes: \$14,573.19
Market Value: \$1,105,905
Assessed Value: \$737,853
Sales Price: \$900,000
Transfer Date: 4/1/2016

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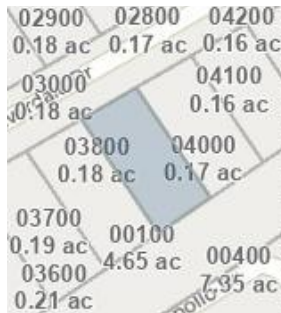
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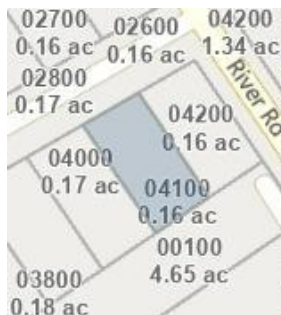
Legal Owner: Tammy Newbill
Site Address: 705 Riverdale Dr Gladstone, OR 97027
Mailing Address: 705 Riverdale Dr Gladstone, OR 97027
Bedrooms: 3
Bathrooms: 1
Building SqFt: 962 Lot Acres: 0.16
Year Built: 1953
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: 736 RIVERDALE LT 17

APN: 528799
Ref Parcel #: 22E19DB04200
Taxes: \$3,522.18
Market Value: \$330,230
Assessed Value: \$178,331
Sales Price: \$0
Transfer Date:



Legal Owner: Stephanie Kahee
Site Address: 735 Riverdale Dr Gladstone, OR 97027
Mailing Address: 735 Riverdale Dr Gladstone, OR 97027
Bedrooms: 3
Bathrooms: 2
Building SqFt: 1,476 Lot Acres: 0.18
Year Built: 1953
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: 736 RIVERDALE LT 14

APN: 528762
Ref Parcel #: 22E19DB03900
Taxes: \$4,273.38
Market Value: \$411,188
Assessed Value: \$216,365
Sales Price: \$242,500
Transfer Date: 8/21/2015



Legal Owner: Laurie Johnson
Site Address: 715 Riverdale Dr Gladstone, OR 97027
Mailing Address: 6440 E St Bay City, OR 97107
Bedrooms: 3
Bathrooms: 1
Building SqFt: 936 Lot Acres: 0.16
Year Built: 1954
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: 736 RIVERDALE LT 16

APN: 528780
Ref Parcel #: 22E19DB04100
Taxes: \$3,474.84
Market Value: \$369,984
Assessed Value: \$175,934
Sales Price: \$206,100
Transfer Date: 11/13/2014



Legal Owner: Jjho Llc
Site Address: 19505 McLoughlin Blvd Gladstone, OR 97027
Mailing Address: Po Box 1679 Vancouver, WA 98668
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.93
Year Built: 1986
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: 137 APPERSONS ADD TO GLADSTONE LTS 29 TO 36

APN: 529100
Ref Parcel #: 22E19DD02600
Taxes: \$71,600.19
Market Value: \$5,832,072
Assessed Value: \$3,625,179
Sales Price: \$7,550,000
Transfer Date: 12/2/2016

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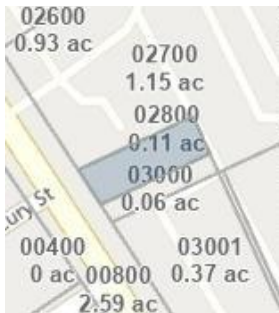
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Legal Owner: Jjho Llc
Site Address: 19665 McLoughlin Blvd Gladstone, OR 97027
Mailing Address: Po Box 1679 Vancouver, WA 98668
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 1.15
Year Built: 0
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: SECTION 19 TOWNSHIP 2S RANGE 2E QUARTER DD TAX LOT 02700

APN: 529119
Ref Parcel #: 22E19DD02700
Taxes: \$11,400.30
Market Value: \$857,969
Assessed Value: \$577,207
Sales Price: \$0
Transfer Date:



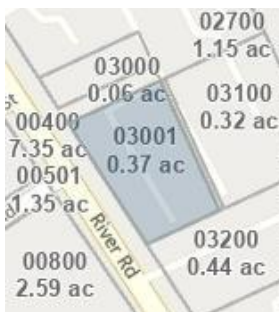
Legal Owner: Jjho Llc
Site Address: 19700 River Rd Gladstone, OR 97027
Mailing Address: Po Box 1679 Vancouver, WA 98668
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.11
Year Built: 1993
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: SECTION 19 TOWNSHIP 2S RANGE 2E QUARTER DD TAX LOT 02800

APN: 529128
Ref Parcel #: 22E19DD02800
Taxes: \$4,775.15
Market Value: \$370,690
Assessed Value: \$241,770
Sales Price: \$0
Transfer Date:



Legal Owner: Jjho Llc
Site Address: No Site Address Gladstone, OR
Mailing Address: Po Box 1679 Vancouver, WA 98668
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.06
Year Built: 0
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: SECTION 19 TOWNSHIP 2S RANGE 2E QUARTER DD TAX LOT 03000

APN: 529137
Ref Parcel #: 22E19DD03000
Taxes: \$591.50
Market Value: \$44,487
Assessed Value: \$29,948
Sales Price: \$0
Transfer Date:



Legal Owner: Jjho Llc
Site Address: 19720 River Rd Gladstone, OR 97027
Mailing Address: Po Box 1679 Vancouver, WA 98668
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.37
Year Built: 1940
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: SECTION 19 TOWNSHIP 2S RANGE 2E QUARTER DD TAX LOT 03001

APN: 529146
Ref Parcel #: 22E19DD03001
Taxes: \$3,665.73
Market Value: \$276,044
Assessed Value: \$185,599
Sales Price: \$5,025,000
Transfer Date: 6/29/2012

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Legal Owner: Jjho Llc
Site Address: 19775 Mcloughlin Blvd Gladstone, OR 97027
Mailing Address: Po Box 1679 Vancouver, WA 98668
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.32
Year Built: 1952
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: SECTION 19 TOWNSHIP 2S RANGE 2E QUARTER DD TAX LOT 03100

APN: 529155
Ref Parcel #: 22E19DD03100
Taxes: \$11,423.68
Market Value: \$869,775
Assessed Value: \$578,391
Sales Price: \$0
Transfer Date:



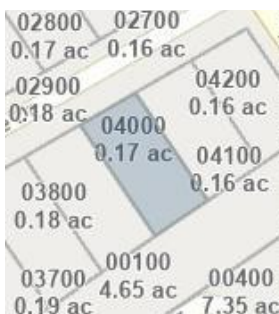
Legal Owner: Jjho Llc
Site Address: No Site Address Gladstone, OR
Mailing Address: Po Box 1679 Vancouver, WA 98668
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.10
Year Built: 0
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: 137 APPERSONS ADD GLADSTONE PT LTS 27&28

APN: 529734
Ref Parcel #: 22E19DD09000
Taxes: \$1,107.33
Market Value: \$83,319
Assessed Value: \$56,065
Sales Price: \$0
Transfer Date:



Legal Owner: Imas Llc
Site Address: 19495 Mcloughlin Blvd Gladstone, OR 97027
Mailing Address: 19495 Mcloughlin Blvd Gladstone, OR
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 1.34
Year Built: 1978
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: 137 APPERSONS ADD GLADSTONE PT LTS G H&I

APN: 527914
Ref Parcel #: 22E19DA04200
Taxes: \$46,732.17
Market Value: \$3,653,471
Assessed Value: \$2,366,090
Sales Price: \$6,575,000
Transfer Date: 1/11/2008



Legal Owner: April Younglove
Site Address: 725 Riverdale Dr Gladstone, OR 97027
Mailing Address: 17770 Webster Rd #D11 Gladstone, OR
Bedrooms: 3
Bathrooms: 1
Building SqFt: 864 Lot Acres: 0.17
Year Built: 1953
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: 736 RIVERDALE LT 15

APN: 528771
Ref Parcel #: 22E19DB04000
Taxes: \$3,814.33
Market Value: \$364,704
Assessed Value: \$193,123
Sales Price: \$440,000
Transfer Date: 5/9/2022

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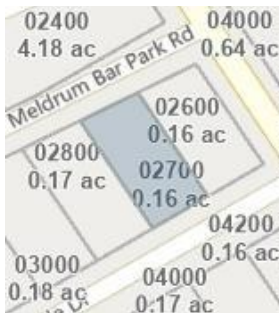


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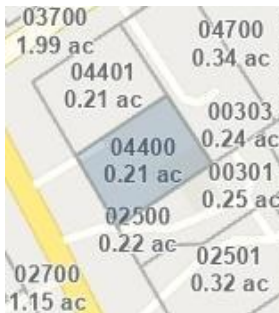
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Legal Owner: City Of Gladstone
Site Address: No Site Address Gladstone, OR
Mailing Address: 525 Portland Ave Gladstone, OR 97027
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 1.35
Year Built: 0
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: SECTION 19 TOWNSHIP 2S RANGE 2E QUARTER D TAX LOT 00501
APN: 527353
Ref Parcel #: 22E19D 00501
Taxes: \$0.00
Market Value: \$47,633
Assessed Value: \$28,723
Sales Price: \$0
Transfer Date: 5/1/1992



Legal Owner: Frederick G Shervey Construction Inc
Site Address: 710 Riverdale Dr Gladstone, OR 97027
Mailing Address: Po Box 66320 Portland, OR 97290
Bedrooms: 3
Bathrooms: 1
Building SqFt: 936 Lot Acres: 0.16
Year Built: 1952
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: 736 RIVERDALE LT 2
APN: 528646
Ref Parcel #: 22E19DB02700
Taxes: \$3,449.20
Market Value: \$328,434
Assessed Value: \$174,636
Sales Price: \$150,000
Transfer Date: 2/18/2021



Legal Owner: 3 Loeb's Llc
Site Address: 19510 McLoughlin Blvd Gladstone, OR 97027
Mailing Address: 840 SW Touchmark Way APT 557 Portland,
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.21
Year Built: 1979
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: 137 APPERSONS ADD GLADSTONE PT LTS 20-24
APN: 527923
Ref Parcel #: 22E19DA04400
Taxes: \$9,173.91
Market Value: \$709,009
Assessed Value: \$464,483
Sales Price: \$0
Transfer Date:



Legal Owner: 3 Loeb's Llc
Site Address: 19500 McLoughlin Blvd Gladstone, OR 97027
Mailing Address: 840 SW Touchmark Way APT 557 Portland,
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.21
Year Built: 1978
School District: Gladstone School District 115
Neighborhood: Gladstone
Legal: 137 APPERSONS ADD GLADSTONE PT LTS 20-24
APN: 527932
Ref Parcel #: 22E19DA04401
Taxes: \$5,307.38
Market Value: \$379,721
Assessed Value: \$268,717
Sales Price: \$375,000
Transfer Date: 11/1/1993

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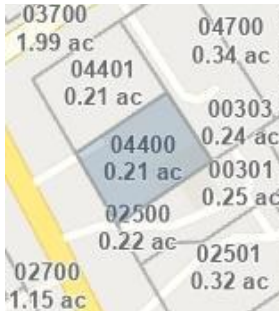
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Legal Owner: TWO RIVERS HOMEOWNERS COOPERATIVE
Site Address: 19605 RIVER RD Gladstone, OR 97027
Mailing Address: PO BOX 986 Gladstone, 97027
Bedrooms:
Bathrooms:
Building SqFt: 0 Lot Acres: 0.00
Year Built: 0
School District:
Neighborhood: Gladstone
Legal:

APN: 527335
Ref Parcel #: 22E19D 00400
Taxes:
Market Value: \$7,534,790
Assessed Value:
Sales Price:
Transfer Date:



Legal Owner: PACIFIC OUTDOOR ADVERTISING LLC
Site Address: No Site Address Address, OR None
Mailing Address: 715 NE EVERETT ST Portland, 97232
Bedrooms:
Bathrooms:
Building SqFt: 0 Lot Acres: 0.00
Year Built: 0
School District:
Neighborhood: Gladstone
Legal:

APN: 1483406
Ref Parcel #: 22E19DA04400
Taxes:
Market Value: \$40,000
Assessed Value:
Sales Price:
Transfer Date:

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EXHIBIT-8

AGENCY

City of Gladstone
18505 Portland Avenue
Gladstone, OR 97027
Phone: (503)656.5225

APPLICANT

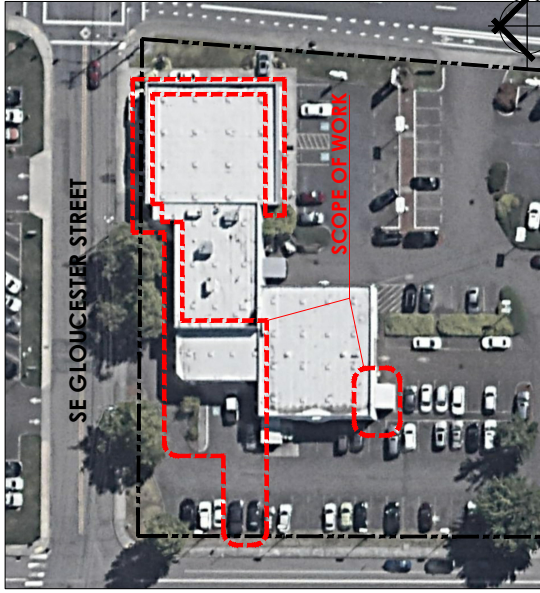
SG Architecture, LLC
10940 SW Barnes Road, #364
Portland, OR 97225
Contact(s): Kevin Godwin/Scot Sutfon
Email: kgodwin@sg-arch.net
sutfon@sg-arch.net
Phone: (503) 201.0725 | (503) 347-4685

CLIENT | PROPERTY OWNER

JJHW, LLC
PO Box 1679
Vancouver, WA 98668
Contact: Joseph Clock
Email: jclock@dickhannah.com
Phone: (360) 314.0564 ext. 3146

SHEET INDEX

- SPR 1 SITE PLAN & PROJECT DATA
- SPR 2 SITE 1 FLOOR DEMOLITION & PROPOSED FLOOR PLAN
- SPR 3 ENLARGED FLOOR PLAN (NEW & EXISTING)
- SPR 4 EXTERIOR ELEVATIONS (EAST/NORTH)
- SPR 4.1 EXTERIOR ELEVATIONS (WEST/SOUTH)
- SPR 5 SITE DETAILS



SCOPE OF WORK
AERIAL VIEW
N.T.S.

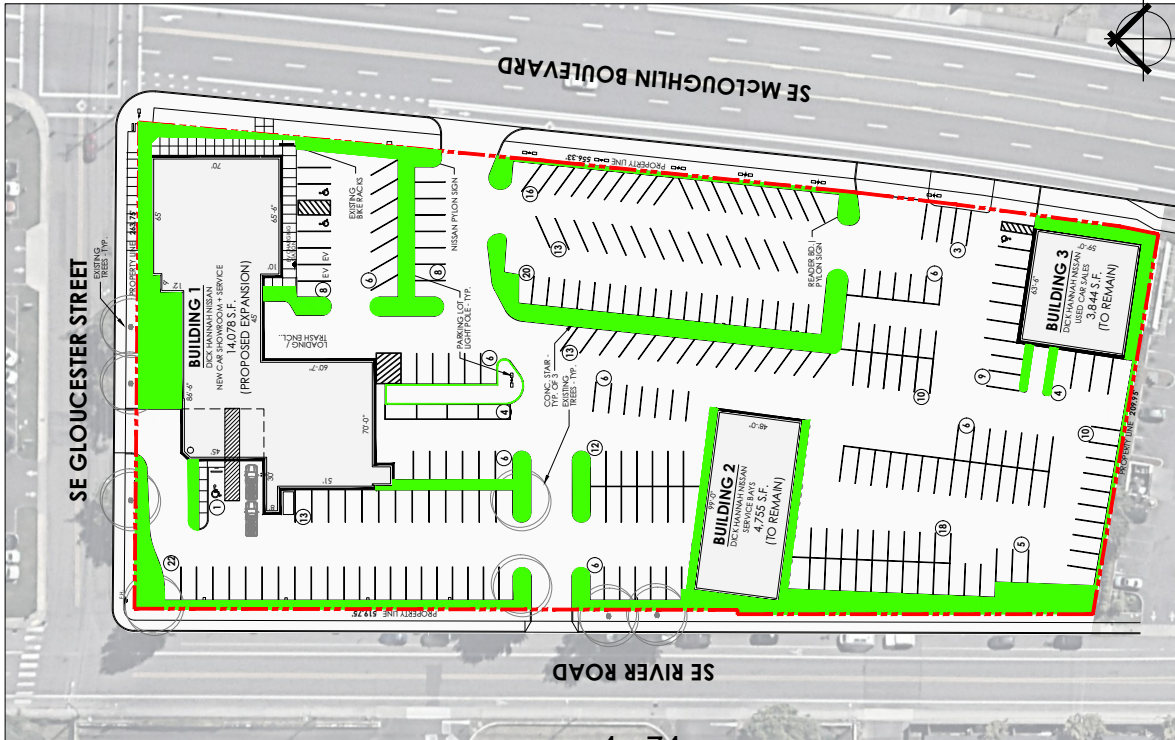
SITE DATA	131,160 S.F.	3.01 ACRES
Property Area	100 S.F.	
New Tool Room Expansion	908 S.F.	
New Enclosed Service Drive Expansion	17,278 S.F.	
Existing Building 1 (Includes Open-Air Service, Drop-Off)	14,078 S.F.	
Existing Building 2	4,755 S.F.	
Existing Building 3	3,844 S.F.	
Net Area Bldg. Increase 5.51%	18,288 S.F.	
Total Area for Buildings 1-3	26,885 S.F.	

Existing On-Site Parking	Min. Parking	Min. Parking	Min. Parking
Existing HIC Parking	1,600 sf	49 SPACES	24 SPACES
Parking w/ New Expansion			
Existing HIC Parking			
Existing HIC Parking			
DEMO Parking for New Expansion (1-hc & 1-stk.)			
NEW Standard Spaces Provided			
NEW Handicap Spaces Provided			
Total On-Site Provided:	244 SPACES	42 SPACES	24 SPACES
Sub-Total:	242 SPACES	1 SPACES	1 SPACES
Total On-Site Provided:	245 SPACES	(+) 1 space	

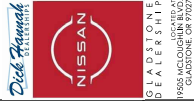
Min. Parking Stall Size: 9'-6" x 18'-0" (90') | min. 24'-0" wide two-way drive lanes
Carpool/Van Min. Parking None Provided - Existing on-site
Bicycle Parking: None provided - Existing on-site

Landscaping

EXISTING SITE LANDSCAPING | 16,511 sf
Min. required 131,160 sf x 1.5% = 19,674 sf (3,163 s.f.)
Existing 26.5 Parking spaces x 10 sf / space = 2,650 sf min. | Surplus of Landscape (411,578 sf)
Landscaping Removed for Expansion = 202 sf | New Landscaping Provided = 117 sf (-) 85 sf



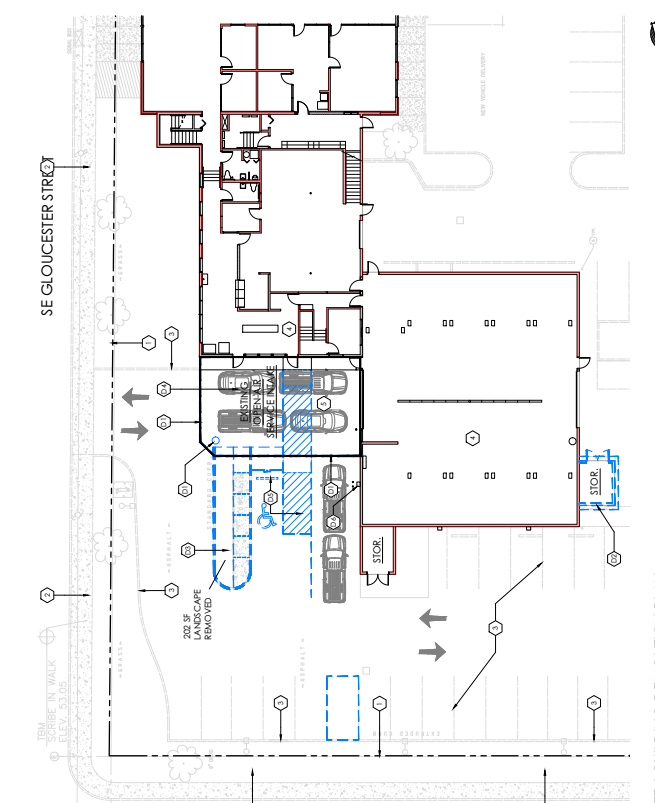
EXISTING CONDITIONS SITE PLAN



\\MTC\095109\Projects\2022\109 Nissan - Gladstone\05 Final Review\02-07-23\SPR 1 - 02-07-23.dwg (4/20/23) 1:20 (1/20)



SEADERSHIP
LOCATED AT
GLADSTONE OR 7027



1 SITE | BUILDING DEMOLITION PLAN
SCALE: 1/16" = 1'-0"

SITE DATA

Property Area: 131,140 S.F. 3.01 ACRES

New Tool Room Expansion: 100 S.F.

New Enclosed Service Drive Expansion: 908 S.F.

Existing Building 1 (Includes Open-Air Service Drop-Off): 1,008 S.F.

Existing Building 2: 17,278 S.F.

Existing Building 3: 4,755 S.F.

Existing Building 3: 3,844 S.F.

Net Area Bldg. Increase 5.51%

Bldg 1 Total: 18,286 S.F.

Total Area for Buildings 1-3: 26,885 S.F.

Existing On-Site Parking

Existing Parking: 240 SPACES

Existing H.C. Parking: 4 SPACES

Parking w/ New Expansion

Existing Standard Parking: 240 SPACES

Existing H.C. Parking: 4 SPACES

Min. Parking: 1,600 sf

Min. Parking: 45 SPACES

Total On-Site Provided: 244 SPACES

Total On-Site Provided: 244 SPACES

Sub-Total: 242 SPACES

Sub-Total: 24 SPACES

Total On-Site Provided: 245 SPACES

Total On-Site Provided: 245 SPACES

(7) 1-space

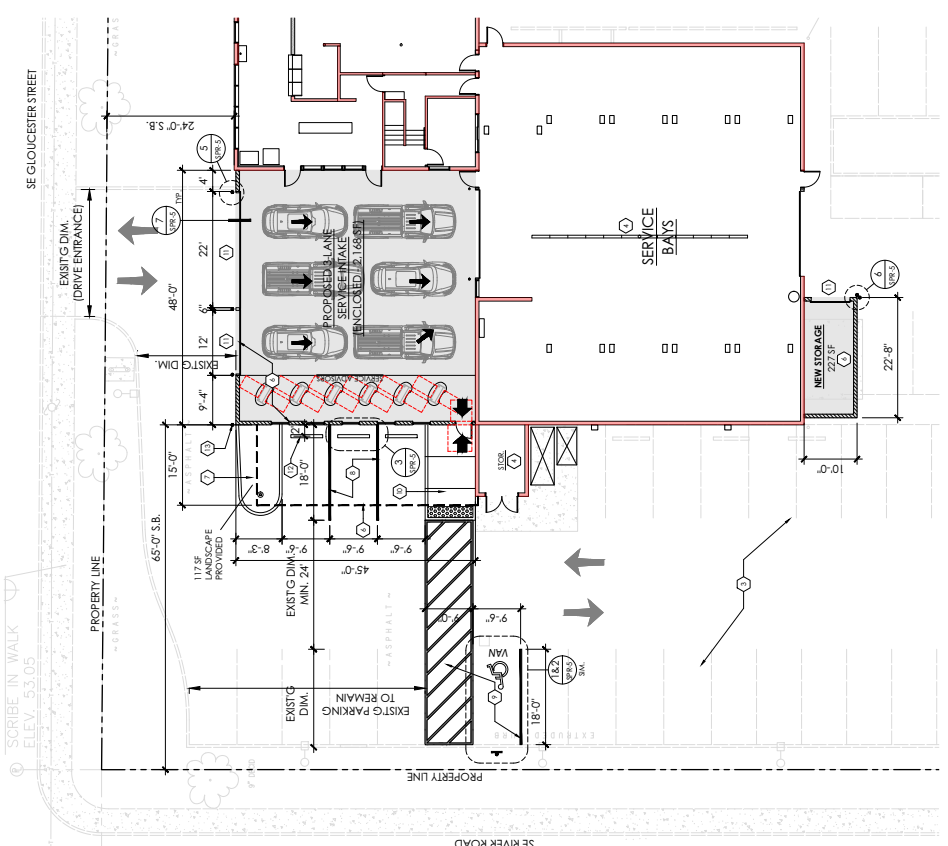
Min. Parking Stall Size: 9'-6" x 18'-0" (90) | min. 24'-0" wide two-way drive lanes

Carpool/Van Min. Parking: None provided - Existing on-site

Bicycle Parking: None provided - Existing on-site

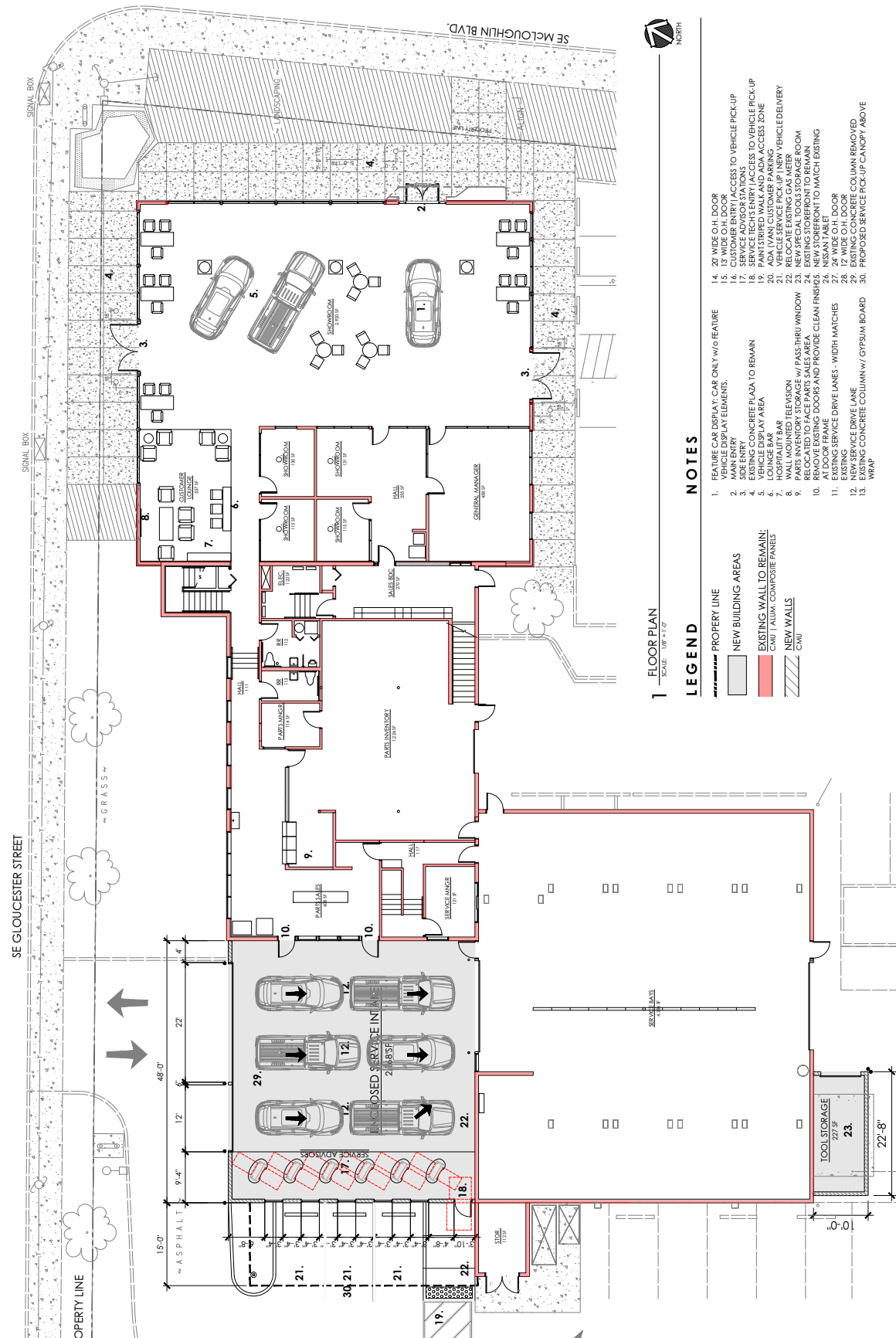
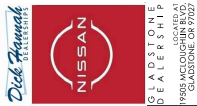
Landscaping

Demo = 202 sf | Provided 117 sf = (-) 85 sf



1 PROPOSED SITE | FLOOR CANOPY ENCLOSURE PLAN
SCALE: 3/32" = 1'-0"

- KEYNOTES**
- EXIST'G PROPERTY LINE
 - EXIST'G PUBLIC STREETS, LANDSCAPE, & SIDEWALKS (IF WIDE X 4' HIGH, 3'-0" LONG)
 - EXIST'G PARKING STALLS & CURBS (TO REMAIN AS-IS)
 - EXIST'G BUILDING
 - EXIST'G OPEN-AIR CUSTOMER SERVICE DROP-OFF
 - NEW BUILDING EXPANSION | CANOPY LINE
 - NEW LANDSCAPE ISLAND
 - NEW PARKING STALL - 4' WIDE TYP.
 - NEW HANDICAP PARKING STALL & STRIPPED WALK
 - NEW CONC. SIDEWALK
 - NEW OVERHEAD DOORS (SEE BEVS.)
 - NEW CONCRETE OR RUBBER WHEELSTOPS (IF WIDE X 4' HIGH, 3'-0" LONG)
 - NEW STEEL BOLLARDS
 - DEMO SERVICE BAY CANOPY | COLUMN
 - DEMO STORAGE ROOM
 - DEMO PARKING CURBS AND LANDSCAPE ISLAND
 - DEMO CONCRETE W/IRON UNDER CANOPY
 - DEMO VAN HANDICAP SPACE STRIPING AND SIGNAGE
 - DEMO EXIST'G GAS METERS AND RELOCATE
- SITE | BUILDING LEGEND**
- PROPERTY LINE
 - NEW BUILDING AREAS
 - EXISTING WALL TO REMAIN: CMU | ALUM. COMPOSITE PANELS
 - NEW WALLS: CMU
 - LINE OF DEMOLITION: SITE & BUILDING DEMO
 - DIRECTIONAL TRAFFIC ARROWS - PAINTED
 - MAIN BUILDING ENTRANCES



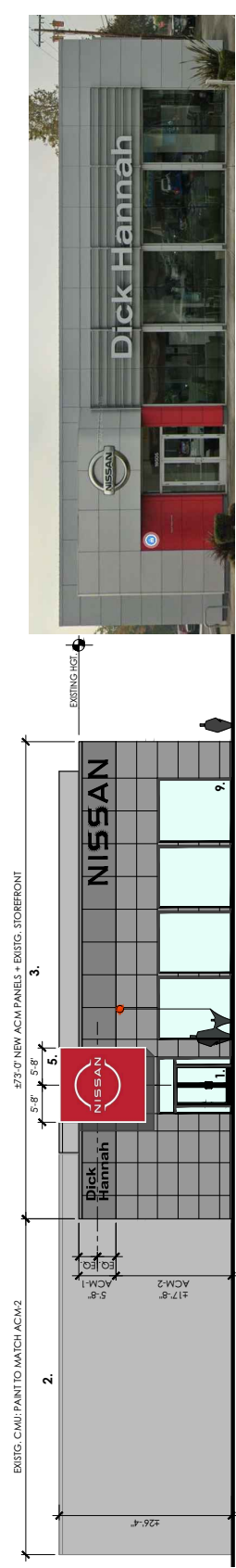
1 FLOOR PLAN
SCALE: 1/8" = 1'-0"

LEGEND

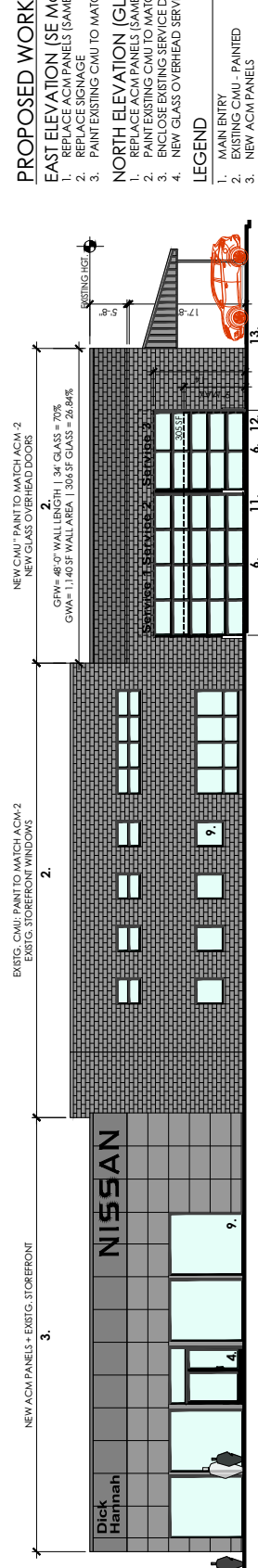
- PROPERTY LINE
- NEW BUILDING AREAS
- EXISTING WALL TO REMAIN:
CMU / ALUM. COMPOSITE PANELS
- NEW WALLS
CMU

NOTES

1. FEATURE CAR DISPLAY: CAR ONLY w/o FEATURE
2. MAIN ENTRY
3. SIDE ENTRY
4. SIDE ENTRY CONCRETE PLAZA TO REMAIN
5. VEHICLE DISPLAY AREA
6. LOUNGE BAR
7. HOSPITALITY BAR
8. PARTS INVENTORY STORAGE w/ PASS-THRU WINDOW
9. RELOCATED TO FACE PARTS SALES AREA
10. EXISTING SERVICE DRIVE LANE - WIDTH MATCHES
11. EXISTING SERVICE DRIVE LANE - WIDTH MATCHES
12. EXISTING SERVICE DRIVE LANE
13. EXISTING CONCRETE COLUMN w/ GYPSUM BOARD WRAP
14. 20' WIDE O.H. DOOR
15. 15' WIDE O.H. DOOR
16. CUSTOMER ENTRY ACCESS TO VEHICLE PICK-UP
17. SERVICE ADVISOR STATIONS
18. SERVICE ADVISOR ACCESS TO VEHICLE PICK-UP
19. PAINT STRIPED WALK AND ADA ACCESS ZONE
20. ADA (VANI) CUSTOMER PARKING
21. VEHICLE SERVICE PICK-UP / NEW VEHICLE DELIVERY
22. NEW SPECIAL TOOLS STORAGE ROOM
23. EXISTING STORAGE ROOM
24. EXISTING STORAGE ROOM
25. NEW STORAGE ROOM TO MATCH EXISTING
26. 24' WIDE O.H. DOOR
27. 24' WIDE O.H. DOOR
28. 12' WIDE O.H. DOOR
29. EXISTING CONCRETE COLUMN REMOVED
30. PROPOSED SERVICE PICK-UP CANOPY ABOVE



EXISTING EAST FACADE 1.



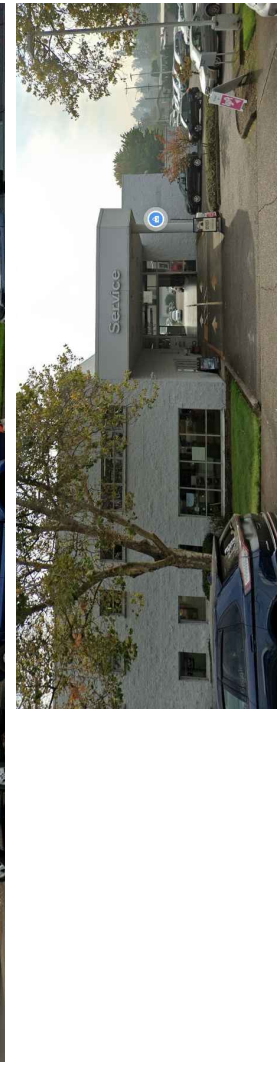
NEW CONCEPT | NORTH ELEVATION (GLOUCESTER STREET) 2.

PROPOSED WORK

- EAST ELEVATION (SE McLOUGHLIN)**
1. REPLACE ACM PANELS (SAME LOCATIONS)
 2. REPLACE SIGNAGE
 3. PAINT EXISTING CMU TO MATCH NEW ACM PANELS
- NORTH ELEVATION (GLOUCESTER ST.)**
1. REPLACE ACM PANELS (SAME LOCATIONS)
 2. PAINT EXISTING CMU TO MATCH NEW ACM PANELS
 3. ENCLOSE EXISTING SERVICE DRIVE (CMU WALLS)
 4. NEW GLASS OVERHEAD SERVICE DOORS

LEGEND

1. MAIN ENTRY
2. EXISTING CMU - PAINTED
3. NEW ACM PANELS
4. SIDE ENTRY
5. NEW TABLET (SIGN)
6. NEW SERVICE DRIVE LANE
7. CUSTOMER ENTRY | ACCESS TO VEHICLE PICK-UP
8. NEW SPECIAL TOOLS STORAGE ROOM
9. EXISTING STOREFRONT TO REMAIN
10. NEW STOREFRONT & CMU TO MATCH EXISTING
11. 24" WIDE O.H. DOOR
12. 24" WIDE O.H. DOOR
13. NEW METAL CANOPY @ CUSTOMER ENTRY
14. SERVICE TECHS ENTRY | ACCESS TO VEHICLE PICK-UP



EXISTING NORTH FACADE 2.

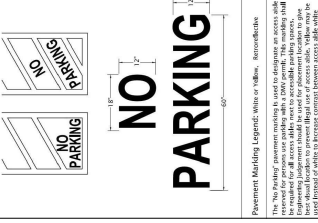
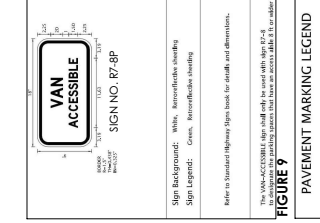
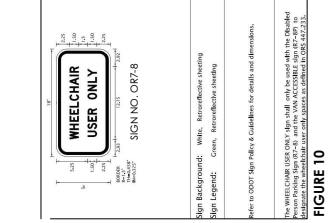
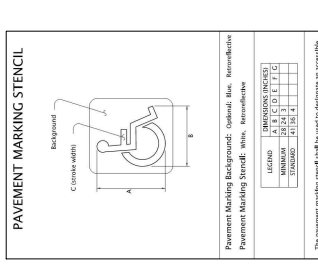
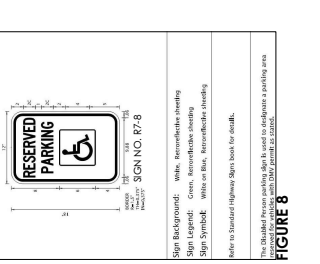
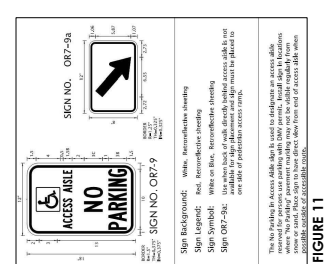
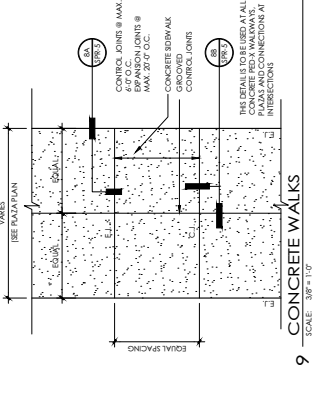
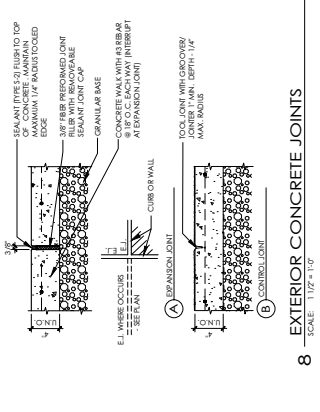
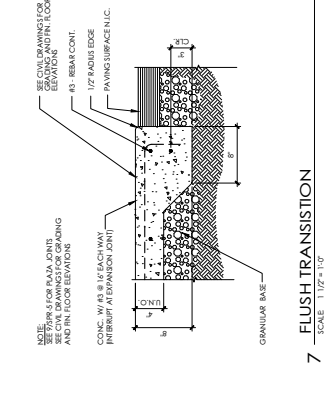
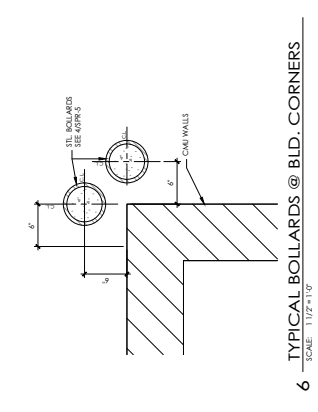
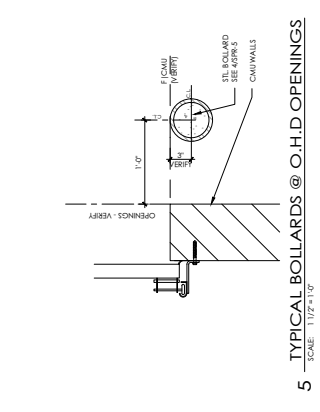
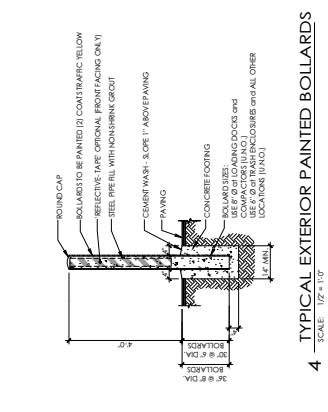
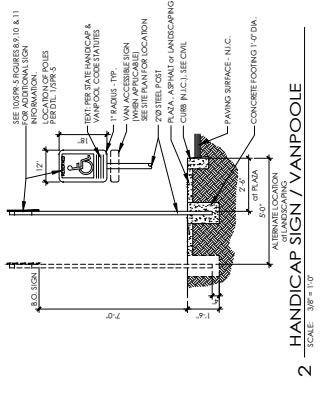
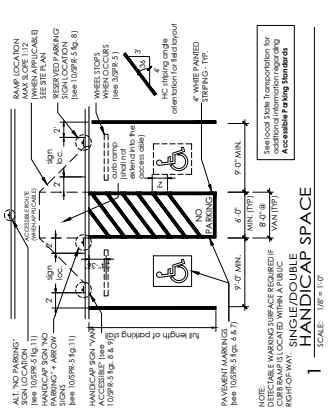
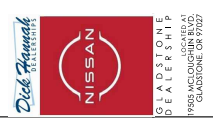


PROPOSED RENDERING



SEALERSHIP
LOCATED AT
GLADSTONE, OR 97027

\\MTC\CDR\2021\00\Public\01\Projects\2023\10\Nissan - Gladstone\105 Site Plan Review\2023\2\23\109 - 198 (updated) Gladstone.dwg





NOTICE OF PUBLIC HEARING- FEBRUARY 21, 2023
GLADSTONE PLANNING COMMISSION
DR 23-01 Gladstone Nissan Addition

- DATE & TIME:** **02/21/23**. This item will not begin earlier than **6:30 p.m.** However, it may begin later depending on the length of preceding items.
- PLACE:** The public hearing will be conducted in person at the Gladstone City Hall located at 18505 Portland Avenue | Gladstone, OR 97027, as well as virtually using the Zoom platform. The Zoom link to the public hearing and details on how to observe and testify online or by telephone will be available after February 14, 2023 on our website: <https://www.ci.gladstone.or.us/bc-pc/page/planning-commission-meeting-75>
- LOCATION** 19505 SE McLoughlin Blvd. GLADSTONE, OR 97027.
Tax Map 22E19DD Lots 2600, 2700, 2800, 3000, 3001 & 3100
- DEVELOPMENT PROPOSAL:** SG Architecture, LLC on behalf of Dick Hannah Dealerships is requesting design review approval to construct a 2,200 sf one-story in-fill expansion under the existing open-air vehicle drop-off service bay, along with a new 227 SF tool storage shed.
- APPLICABLE REVIEW STANDARDS:** Gladstone Municipal Code (GMC) Chapters: 17.20 (C-3 Zoning); 17.42 (General Provisions); 17.44 (Building Siting and Design); 17.46 (Landscaping); 17.48 (Off-Street Parking and Loading); 17.50 (Vehicular and Pedestrian Circulation); 17.54 (Clear Vision); 17.60 (Utilities); 17.80 (Design Review); 17.94 (Hearings); and 17.94 (Improvement Guarantees).

All interested parties are invited to “attend” the hearing online or by in person and may testify orally, if they so choose. Written testimony may be submitted by email, or regular mail. Please include the permit file number on all correspondence and address written testimony to the staff contact who is handling this matter. Any correspondence received in advance of the meeting will be forwarded to the Planning Commission.

A copy of the application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost. In addition, a staff report on the application will be available for inspection at no cost at least seven days prior to the hearing. Hard copies of documents will be provided at a cost of

25 cents per page or you may view or obtain these materials:

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

Please note that failure to raise an issue in a hearing, in person, or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.



Agenda Item No. 5

PC Meeting Date: 02/21/2023

Staff Report: C-2 Zone and Downtown Core Overlay Code Amendments

File No.: TXT-2022-02

Applicant or Presenter: City of Gladstone

Project Location: Downtown (New Overlay Zone including C-2 Zoning)

Project Description: The Downtown Gladstone Revitalization Plan contains recommendations for amendments to Title 17 of the Gladstone Municipal Code to implement the City's vision for the Portland Avenue corridor in the downtown core. The recommended code amendments include updates to the C-2 Zone, Chapter 17.18, and a new Chapter titled "DC Downtown Core Overlay Zone".

SUMMARY

The Gladstone Planning Commission recommended approval of TXT 2022-02 to the City Council at their meeting in November of 2022. Prior to the City Council conducting a public hearing regarding the proposed text amendments in December of 2022, city staff realized the need to make several updates to the proposed Downtown Core Overlay Zone chapter to be added to the Gladstone Municipal Code.

This staff report includes a memo from Jon Pheanis and Keegan Gulick of MIG explaining the proposed code amendments and the changes that have been made since the November 2022 Planning Commission.

Gladstone City Council adopted the Downtown Revitalization Plan in 2017. That plan recommended the creation of a new overlay district in Gladstone's downtown core. The packet of proposed code amendments includes changes to the C-2 zoning district as well as standards for a new Downtown Core (DC) Overlay Zone.

The proposed DC Overlay Zone provides design standards to ensure that new development complements the creation of an attractive and walkable downtown. The proposed changes to the C-2 zoning district allow mixed-use and middle housing types, amend dimensional standards such as minimum setbacks for residential uses and allow for a reduction in the minimum number of required parking spaces. The combination of changes to the C-2 zone with the new Downtown Core Overlay Zone standards should

result in development that is walkable, mixed-use, and higher density than the underlying (existing) C-2 zoning district.

These proposed amendments are subject to Chapter 17.68, Amendments and Zone Changes and Chapter 17.94, Hearings, of Title 17 of the Gladstone Municipal Code. As proposed, planning staff find the amendments consistent with all applicable standards from Title 17 of the Gladstone Municipal Code (GMC), the Statewide Planning Goals and Metro's Functional Plan.

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V. CONSISTENCY WITH TRANSPORTATION PLANNING RULE15

EXHIBITS

Exhibit 1. Downtown Core Overlay District Map

APPENDIX: SUBSTANTIVE FILE DOCUMENTS

- A. Draft Amendments**
- B. Public Notice,**
- C. PAPA Notice**
- D. Comments Received**

I. PUBLIC NOTICE

Published In: Clackamas Review, DLCD’s post-acknowledgment plan amendment website (PAPA), and on the Gladstone Website. The Planning Commission public hearing in November, was also advertised on the Gladstone Website and sent out in the Gladstone Weekly Update.

Responses Received: No written comments were received from the public, City Departments, or agencies.

II. CONSISTENCY WITH STATEWIDE PLANNING GOALS

- 1. Goal 1 – Citizen Involvement:** To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding: Goal 1 requires the City to incorporate six key components in its public involvement program:

- Citizen Involvement: An officially recognized committee for public involvement broadly representative of geographic areas and interests related to land use and land-use decisions to provide for widespread public involvement;
- Communication: Mechanisms for effective two-way communication between the public and elected/appointed officials;
- Influence: Opportunities for the public to be involved in all phases of the planning and decision-making process including developing, evaluating, and amending plans;
- Technical Information: Access to technical information used in the decision-making process, provided in an accessible and understandable format;

- Feedback Mechanisms: Programs to ensure that members of the public receive responses from policymakers and that a written record for land-use decisions is created and made accessible; and,
- Financial Support: Adequate resources allocated for the public involvement program as an integral component of the planning budget.

The City conducted a Planning Commission Work Session and a community open house related to the proposed Downtown Core Overlay District and the proposed changes to the C-2 zoning district. These were open public forums held in June and July of 2022, respectively. The Planning Commission held a public hearing on the proposed amendments on November 15, 2022. Each work session and public forum included opportunities for elected officials, appointed officials, and the public, to review draft code amendments and discuss key aspects related to the proposed amendments. The City publicized these public meetings on their website, social media, individualized mailing to affected property owners, and during other public meetings. The amendments were publicized through the DLCD PAPA website and noticed to the interested agencies and the public.

Based on the findings above, the code amendments to implement the city’s vision from the Downtown Gladstone Revitalization Plan, as referenced, are consistent with Statewide Planning Goal 1.

Goal 2 – Land Use Planning: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: Statewide Planning Goal 2 requires each local government in Oregon to have and follow a comprehensive land use plan and implementing regulations. Cities and counties must build their comprehensive plans on a factual base, and follow their plan when making decisions on appropriate zoning. City and county plans must be consistent with one another. Special district and state agency plans and programs must be coordinated with comprehensive plans.

The proposed amendments to the C-2 zone and the new Downtown Core Overlay Zone standards are consistent with the current Comprehensive Plan. Currently the Gladstone Comprehensive Plan includes the following objectives and policy:

Economy Objectives: *“To ensure that the Portland Avenue Commercial District remains a business district at the heart of the Gladstone Community.” “To improve the appearance of existing commercial areas through rehabilitation or redevelopment in order to preserve and enhance their values to the community. Similar appearance considerations should be given to all new commercial developments.”*

Economy Policy: *Promote the retention and development of Portland Avenue Business District as the civic center and heart of the community.”*

Notice of the proposed amendment package for consideration was provided to Metro and DLCD through the Post-Acknowledgement Plan Amendment website and distribution system.

Therefore, the amendments, as proposed, are consistent with Statewide Planning Goal 2.

Goals 3 -4 – Agricultural and Forest Lands:

Finding: These goals are not applicable because the proposed amendments do not change the City of Gladstone policies required to meet these goals that are directed at rural areas and counties.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources: To protect natural resources and conserve scenic and historic areas and open spaces.

Finding: Goal 5 aims to protect natural resources and conserve scenic and historic areas and open spaces. Particularly in urban areas, the emphasis of Goal 5 is on the inventory and conservation of wetlands, riparian zones, and wildlife habitats. In addition to Goal 5, the City is required to comply with Metro Title 13 for all mapped resources located within the UGB. By meeting the requirements of Title 13, the City also complies with Goal 5 for riparian areas and wildlife habitat. Metro Title 13 is addressed in the findings for the Urban Growth Management Functional Plan.

The Gladstone Municipal code contains the following zoning overlays that were adopted by the City to provide protection for Significant Natural Resources under Statewide Planning Goal 5 and to comply with the provisions of OAR 660, Division 23:

- 17.25 HCAD—Habitat Conservation Area District;
- 17.26 OS—Open Space District;
- 17.27 WQ—Water Quality Resource Area District;
- 17.28 GW—Greenway Conditional Use District; and
- 17.29 FM—Flood Management Area District.

The City of Gladstone works closely with the Gladstone Historical Society to promote the enjoyment, research, documentation, preservation and public enrichment of the history and heritage of Gladstone, Oregon and the surrounding local area. The Gladstone Municipal Code, Chapter 2.48, includes the ability for a Historic Preservation Board to review alterations to historic landmarks. A 2009 survey of historical resources in downtown Gladstone found that 19% (22 buildings) of the buildings surveyed were potentially eligible for designation on the National Register. Recently, the City worked with the Gladstone Historical Society to display the history of Gladstone in the newly constructed City Hall. The proposed amendments to the C-2 zone and the proposed Downtown Core Overlay Zone do not include proposed changes to the way the city designates, inventories or manages the development or redevelopment of historic resources.

The proposed amendments do not modify these natural resource zoning overlay districts or historic preservation efforts. The Comprehensive Plan supports a variety of housing types and the amendments proposed through TXT-2022-02 do not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the natural resource zoning districts in the Gladstone Municipal Code. Goal 5 does not directly apply to the amendments because no new

Goal 5 program is advanced by this amendment and no existing Goal 5 program is changed by this amendment.

Based on the findings above, the Zoning Code Update to adopt the proposed amendments into the Gladstone Municipal Code is consistent with Statewide Planning Goal 5.

Goal 6 – Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state.

Finding: Goal 6 instructs local governments to consider protection of air, water and land resources from pollution and pollutants when developing comprehensive plans. The pollutants addressed in Goal 6 include solid waste, water waste, noise and thermal pollution, air pollution, and industry-related contaminants. Comprehensive Plans must demonstrate consistency with the administrative rules related to air, water, and land quality established by the Environmental Quality Commission (EQC).

Under the oversight of the EQC, the Oregon Department of Environmental Quality (DEQ) regulates air, water, and land through its permitting actions under the federal Clean Water Act and Clean Air Act. The Department of State Lands and the Army Corps of Engineers regulate jurisdictional wetlands and waters of the state and the country, respectively. The City of Gladstone Public Works department regulates impervious surface and stormwater runoff throughout the City through design standards applied to development. The Clackamas County Water Environmental Services and Oak Lodge also provide sewer and stormwater services for City residents. The Gladstone Municipal Code (GMC) has the following overlay districts that are related to water quality, wetlands, and surface water:

- 17.25 HCAD—Habitat Conservation Area District;
- 17.27 WQ—Water Quality Resource Area District; and
- 17.29 FM—Flood Management Area District.

While air quality is largely regulated by DEQ, the City can impose conditions of approval on land use approvals that require minimizing air pollution and carbon emission impacts through actions such as vegetative plantings and conservation.

The Federal Transit Administration and Federal Highway Administration enforce noise standards for federally-funded rail and highway projects. The Oregon Noise Control Act authorizes cities and counties to adopt and enforce noise ordinances and standards of their own. Gladstone regulates noise through the GMC Chapter 8.12 Noise Control, which designates prohibited noises and maximum permissible environmental noise and sound levels. Gladstone’s Zoning Code (Chapter 17) also includes noise-related provisions in several sections of the code, often referring to the City’s Noise Ordinance in Chapter 8.12 or standards of the DEQ.

The proposed amendment package does not modify the existing water resource zoning overlay districts or the noise ordinance. The adoption of the TXT-2022-02 amendments do not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the water

resource zoning districts in the Gladstone Municipal Code. Goal 6 does not directly apply to the proposed amendments, or comprehensive plan amendment because no new Goal 6 program is advanced by this amendment and no existing Goal 6 program is changed by this amendment.

Therefore, Goal 6 is not applicable to the amendments proposed through TXT-2022-02 as the amendments do not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 6.

Based on the findings above, the Zoning Code amendment to adopt the TXT-2022-02 amendments is consistent with Statewide Planning Goal 6.

Goal 7 – Areas Subject to Natural Disasters and Hazards: To protect people and property from natural hazards.

Finding: Goal 7 requires local comprehensive plans to address Oregon’s natural hazards. Protecting people and property from natural hazards requires knowledge, planning, coordination, and education. Natural hazards applicable to Gladstone include floods, landslides, weak foundation soils, earthquakes, and wildfires. Goal 7 calls for local governments to respond to new hazard inventory information provided by federal and state agencies by adopting or amending plan policies and implementing measures as needed. For riverine flood hazards, local governments must adopt and implement local floodplain regulations that meet the minimum National Flood Insurance Program (NFIP) requirements. In implementing natural hazard plans and policies, the State goal urges local governments to do the following: coordinate plans with emergency preparedness and recovery programs; consider stormwater management as a means to address flood and landslide hazards; consider nonregulatory approaches to implementing hazard plans; and to require technical reports when reviewing development requests in hazard areas.

The City of Gladstone complies with Goal 7 by regulating development in hazard-prone areas through the Municipal Code, the Public Works Design Guidelines and MOU’s with Clackamas County on fire response and other emergency preparedness efforts. The following Gladstone Municipal Code Chapters address flooding and landslides:

17.27 WQ—Water Quality Resource Area District.

17.29 FM—Flood Management Area District.

Additionally, the Design Review and Conditional Use land use processes address applicable natural hazards on a site specific basis.

The TXT-2022-02 amendments do not modify existing zoning overlay districts or design standards related to protecting development from hazards. The adoption of the amendments does not include any changes to the adopted inventories, the Comprehensive Plan Map, or the overlay zoning districts in the Gladstone Municipal Code. Goal 7 does not directly apply to the TXT-2022-02 amendments because no new Goal 7 program is advanced by these amendments and no existing Goal 7 program is changed by this amendment package. Therefore, Goal 7 is not applicable to the TXT-2022-02 zoning code amendments because the amendments do not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 7.

Based on the findings above, to adopt the TXT-2022-02 amendments is consistent with Statewide Planning Goal 7.

Goal 8 – Recreational Needs: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding: Goal 8 requires local governments to plan for the recreation needs of their residents and visitors. The goal places priority on non-motorized forms of recreation, and recreation areas that serve high-density populations with limited transportation options and limited financial resources. It also places priority on recreation areas that are free or available at a low cost to the public.

The City of Gladstone has a robust system of parks, recreation facilities and trails, including 14 neighborhood parks, community gardens, and natural areas. All of Gladstone's parks are owned and managed by the City. The City completed a Parks Master Plan in 2017. Many of the current parks are included in the Open Space District that is regulated by Chapter 17.26 of the Gladstone Municipal Code.

The proposed amendments do not modify existing open space overlay districts or the Parks Master Plan. The adoption of the TXT-2022-02 amendments does not propose any changes to the Parks Master Plan, adopted inventories, the Comprehensive Plan Map, or the overlay zoning districts in the Gladstone Municipal Code. Goal 8 does not directly apply to the TXT-2022-02 amendments because no new Goal 8 program is advanced by this amendment and no existing Goal 8 program is changed by this amendment.

Therefore, Goal 8 is not applicable to the proposed amendments because the amendments do not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 8.

Based on the findings above, adopting the TXT-2022-02 amendments is consistent with Statewide Planning Goal 8.

Goal 9 – Economy of the State: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: Goal 9 ensures cities and counties have enough land available to realize economic growth and development opportunities. Commercial and industrial development takes a variety of shapes and leads to economic activities that are vital to the health, welfare and prosperity of Oregon's citizens. To be ready for these opportunities, local governments perform Economic Opportunity Analyses based on a 20-year forecast of population and job growth.

Currently the Gladstone Comprehensive Plan includes the following objectives and policy:

Economy Objectives: *“To ensure that the Portland Avenue Commercial District remains a business district at the heart of the Gladstone Community.” “To improve the appearance of existing commercial areas through rehabilitation or redevelopment in order to preserve and*

enhance their values to the community. Similar appearance considerations should be given to all new commercial developments.”

Economy Policy: *Promote the retention and development of Portland Avenue Business District as the civic center and heart of the community.”*

The proposed amendments support the city’s continued compliance with Goal 9 because the TXT-2022-02 amendments implement regulations intended to support and enhance the economic development of the City.

Goal 10 – Housing: To provide for the housing needs of citizens of the state.

Finding: Goal 10 concerns urban lands designated for residential use. Goal 10 requires the City to maintain and plan for an adequate land supply to accommodate at least 20 years of future growth, providing flexibility in housing location, type, and density (specifically at an overall density of 10 or more units/acre with the opportunity for 50 percent of new units to be attached single family or multifamily) to ensure the availability and prices of housing units are commensurate with the needs and financial capabilities of Oregon households.

Comprehensive plans are required to include an analysis of community housing needs by type and affordability, the recent housing needs assessment of housing development potential, and an inventory of residential land; contain policies for residential development and supportive services based on that analysis that increase the likelihood that needed housing types will be developed; and provide for an adequate supply of a variety of housing types consistent with identified policies and meeting minimum density and housing mix requirements (established by OAR 660, Division 007).

The findings for Goal 10 Housing, based on the City’s Housing Needs Analysis (HNA), include findings that demonstrate that Gladstone currently has a range of housing types, including single-family detached and attached homes, duplexes, multi-family, and mixed-use developments, and has a need for additional capacity to provide for needed housing during the next 20 years. The HNA provides information about the factors that could affect housing development, including demographics, affordability trends, workforce housing availability, and development patterns.

The Housing Needs Analysis was adopted in 2021 and includes the City’s buildable lands inventory (BLI) for housing within the UGB. The BLI is required by Goal 10 and ORS 197.296 to ensure that current use designations provide an adequate short- and long-term land supply for housing development for meeting existing needs and those of projected growth. It analyzes existing development patterns and intensity, land and development values, existing land use designations and zoning, and building constraints to determine where there is vacant land and/or land that is likely to be redeveloped and compares the existing supply of land to emerging trends and indicators for future estimates of demand. The proposed amendments do not propose to change the buildable lands inventory, or housing needs analysis.

The proposed changes to the C-2 zone permit mixed-use and middle housing types outright in the zone, reducing barriers to this type of housing being provided in the downtown core and other C-2 areas of the city. Adding these residential housing types to the list of permitted uses in the C-2 zone also responds to the City's updated Housing Needs Analysis with the removal of barriers to housing production.

Based on the findings above the TXT-2022-02 amendments are consistent with Statewide Planning Goal 10.

Goal 11 – Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The City conducted a Water System Master Plan and a Sanitary Sewer Master Plan in 2014. In 2017, a Sanitary Sewer Master Plan, Parks Master Plan and Transportation System Plan were completed. The proposed amendments do not propose any changes to the adopted master plans, the Comprehensive Plan Map, or the Gladstone Municipal Code. The amendments do not propose to change the comprehensive land use plan policies or implementing regulations regarding public facilities and services for compliance with Statewide Planning Goal 11.

Based on the findings above, the adoption of the TXT-2022-02 amendments is consistent with Statewide Planning Goal 11.

Goal 12 – Transportation: To provide and encourage a safe, convenient and economic transportation system.

Finding: Goal 12 is implemented by Oregon Administrative Rules (OAR) Chapter 660, Division 12. Local governments are required to adopt a transportation system plan (TSP) and land use regulations to implement the TSP. OAR 660-012-0060 requires any comprehensive plan amendment to be evaluated according to the terms outlined in that OAR to demonstrate whether they will have a significant impact on the transportation system. The City of Gladstone completed a Transportation System Plan in 2017. The proposed amendments do not propose any changes to the adopted Transportation System Plan, the Comprehensive Plan Map, or the Gladstone Zoning Map with regard to transportation. The TXT-2022-02 amendments propose no new Goal 12 program and no existing Goal 12 program, or standard, is changed by this amendment package. The amendments do not propose to change the comprehensive land use plan policies or implementing regulations regarding transportation and compliance with Statewide Planning Goal 12.

Based on the findings above, the proposed amendments are consistent with Statewide Planning Goal 12.

Goal 13 – Energy Conservation: To conserve energy.

Finding: Goal 13 requires that land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles. The TXT-2022-02 amendments package does not modify existing design standards or land use regulations related to energy conservation. The adoption of the proposed amendments does not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the Gladstone Municipal Code. Goal 13 does not directly apply to the proposed amendments because no new Goal 13 program is advanced by this amendment and no existing Goal 13 program is changed by this amendment. Therefore, Goal 13 is not applicable to the TXT-2022-02 amendments because the amendment package does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 13.

Based on the findings above, to adopt the TXT-2022-02 amendments, is consistent with Statewide Planning Goal 13.

Goal 14 – Urbanization: To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Finding: The entirety of the city and its Urban Growth Management Area is located within the Regional Urban Growth Boundary (UGB). As such, this text amendment will not result in the transition of any land from rural to urban uses, or result in population or employment growth outside of the UGB. The proposed amendments do not modify the Gladstone Urban Growth Management Area, the UGB, or existing zoning requirements related to urbanization. The adoption of the TXT 2022-02 amendments does not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the Gladstone Zoning Map. Goal 14 does not directly apply to the amendments because no new Goal 14 program is advanced by this amendment and no existing Goal 14 program is changed by this amendment. Therefore, Goal 14 is not applicable to the TXT-2022-02 amendments because the amendment package does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 14.

Based on the findings above, adopting the TXT-2022-02 amendments is consistent with Statewide Planning Goal 14.

Goal 15 – Willamette River Greenway: To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Finding: Gladstone is bordered on one side by the Willamette River and the Greenway. Therefore, the Gladstone Municipal Code includes Chapter 17.28 that establishes the land use regulations related to the Greenway Conditional Use District. The proposed amendments do not modify the Greenway Conditional Use District, or existing zoning requirements related to the Willamette River Greenway. The adoption of the TXT-2022-02 amendments do not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the Gladstone Municipal Code Chapter 17.28. Goal 15 does not directly apply to the amendments

because no new Goal 15 program is advanced by this amendment and no existing Goal 15 program is changed by this amendment. Therefore, Goal 15 is not applicable to the TXT-2022-02 amendments because it does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 15.

Based on the findings above, to adopt the TXT-2022-02 is consistent with Statewide Planning Goal 15.

Goals 16-19 – Estuarine Resources, Coastal Shore lands, Beaches and Dunes, and Ocean Resources:

Finding: The City of Gladstone is not subject to these four Statewide Planning Goals. Therefore, they are not applicable to the proposed amendments found in the TXT-2022-02 amendment package.

III. FINDINGS RELATED TO GLADSTONE MUNICIPAL CODE

Once the proposed amendments are adopted by City Council, the TXT-2022-02 amendments package will be consistent with all of the Statewide Planning Goals.

The City of Gladstone planning staff finds:

17.68.010 AUTHORIZATION TO INITIATE AMENDMENTS.

(1) An amendment to the text of this title or the Comprehensive Plan may be initiated by the City Council, the City Planning Commission or the City Administrator or his designee.

(2) An amendment to the Zoning Map or to the Comprehensive Plan Map may be initiated by:

(a) The City Council;

(b) The City Planning Commission;

(c) The City Administrator or his designee; or

(d) By application of a property owner, contract purchaser or authorized agent of the subject property.

(3) The request by a property owner for a map amendment shall be accomplished by filing an application with the city using forms prescribed by the city and submitting the information required from the applicant under Section 17.68.050.

Finding: The request came from the City Administrator or his designee. This criterion is met.

17.68.020 Review process. *Applications under this chapter shall be reviewed pursuant to GMC Division VII (administrative procedures).*

Finding: The proposed amendments were reviewed by the Planning Commission at a public hearing on November 15, 2022, at which time the Planning Commission made a recommendation of approval to the City Council. The Council will conduct a public hearing and make a decision on the amendments at their meeting on December 13, 2022. Notice of these

public hearings was publicized as required. The TXT-2022-02 amendments package is being reviewed according to GMC Division VII. This criterion is met.

17.68.040 Conditions.

(1) City Council may require conditions. When necessary to properly relate new developments to existing or anticipated conditions in the vicinity or to make possible a higher quality of development than would otherwise be possible, the City Council may determine that a zone change will be accompanied by the acceptance or accomplishment of certain specified conditions. Conditions and requirements invoked pursuant to a zoning map amendment shall thereafter apply to the property so zoned.

(2) Acceptance of conditions. Such conditions shall be designed to further the objectives of the comprehensive plan and the zoning ordinance codified in this title and shall clearly set forth, in written form or upon drawings, all restrictions and requirements which will be applicable to the property rezoned. Where a zone change is made subject to such conditions, it shall become effective upon written acceptance and filing of the applicable terms and conditions by the property owner and by any other person intending to have an ownership interest in or to develop the property. The signed acceptance of conditions shall be filed with the City Recorder and a certified copy shall also be filed in the county deed records at the expense of the petitioner.

(3) Type of conditions. Conditions may include special measures designed to limit use or density, screen or separate buildings or portions of the site from adjoining property; limit access from important thoroughfares or through residential areas; provide additional right-of-way for an abutting street, preserve or provide public access to greenspace, floodplains, or river frontage; improve bicycle or pedestrian safety and connectivity; or improve transit capacity and efficiency.

(4) No variance of ordinance standards. In connection with the adoption of a zoning amendment, ordinance standards may be varied only when the Planning Commission finds that the development proposed and covered by specific limiting conditions will provide benefits and safeguards equal to or better than those possible under a strict interpretation of the zoning ordinance. In no case shall a use not specifically permitted within the zoning district be allowed under this section and Section 17.68.050. When circumstances as described in GMC Section 17.72.020 (circumstances for granting) exist, the regular variance procedures shall be followed.

(5) Building permit conditions. In addition to conditions as described above in this section, the Council may also provide that a zoning amendment will become effective upon satisfactory performance by the applicant of certain conditions or actions, such as a bona fide application for a building permit within a specified period of time.

Finding: Staff are not recommending any special conditions. This criterion does not apply.

17.68.050 Evidence supplied by applicant. *The applicant seeking a zoning map change pursuant to the provisions of GMC Section 17.68.010 must show by a preponderance of the evidence all of the following, unless otherwise provided for in this title:*

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

(2) The public need is best carried out by granting the petition for the proposed action, and that need is best served by granting the petition at this time.

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

(4) Proof of significant change in a neighborhood or community or a mistake in the planning or zoning for the property under consideration, when relevant.

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

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

Finding: This project is proposing a new Downtown Core Overlay District. However, the zoning designation of the properties within the district will remain C-2 and therefore this application does not include a zoning map change that would require compliance with the provisions of 17.68.050. However, the proposed Overlay District does fulfill the recommendation of the 2017 Downtown Revitalization Plan, allowing the City to better serve the public need for a walkable, dynamic, well-planned downtown core, fulfilling a public need in a timely manner and in compliance with Metro and State planning rules. No changes are proposed that would affect the service of public utilities or transportation patterns. This standard is met.

17.70.010 Authorization to grant or deny.

2) Conditions of Approval. In addition to the specific requirements of this title, including those set forth in GMC Chapter 17.62 (special uses), and the comprehensive plan, approval of a conditional use may be granted subject to additional conditions that are found necessary to protect the best interests of the surrounding area or the city as a whole. These conditions may include, but are not limited to, the following:

(a) Limiting the hours, days, place and manner of operation;

- (b) Requiring design features that minimize environmental impacts such as noise, vibration, smoke, dust, fumes and glare;*
- (c) Requiring increased setbacks, lot area, lot depth and lot width;*
- (d) Limiting building height, size, lot coverage and location on the site;*
- (e) Designating the size, number, location and design of vehicle access points;*
- (f) Requiring street right-of-way to be dedicated and streets to be improved;*
- (g) Requiring landscaping, screening, drainage and surfacing of parking and loading areas;*
- (h) Limiting the number, size, location, height and lighting of signs;*
- (i) Regulating the location and intensity of outdoor lighting;*
- (j) Requiring a sight-obscuring fence or hedge to screen the conditional use from adjacent to or nearby property;*
- (k) Construction of off-site transportation improvements to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and*
- (l) Upgrade or construct public facilities to city standards.*

Finding: Currently there are no conditions recommended. This criterion is met.

IV. CONSISTENCY WITH METRO’S FUNCTIONAL PLAN (METRO CODE 3.07)

Title 1: Housing Capacity

Title 3: Water Quality And Flood Management

Title 4: Industrial and Other Employment Areas

Title 6 Centers, Corridors, Station Communities and Main Streets

Finding: The proposed amendments to the C-2 zoning district and addition of a Downtown Core Overlay District do not alter residential capacity as residential uses are currently permitted in the C-2 zone in addition to many types of commercial and employment uses. The proposed Downtown Core Overlay District is consistent with goals for mixed-use developments in vibrant core commercial areas. The proposed amendments also do not modify the water quality, floodplain, habitat conservation area, or zoning district areas that are addressed in Metro’s Functional Plan. These criteria are met.

V. CONSISTENCY WITH TRANSPORTATION PLANNING RULE

OAR 660-012-0060 requires: (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

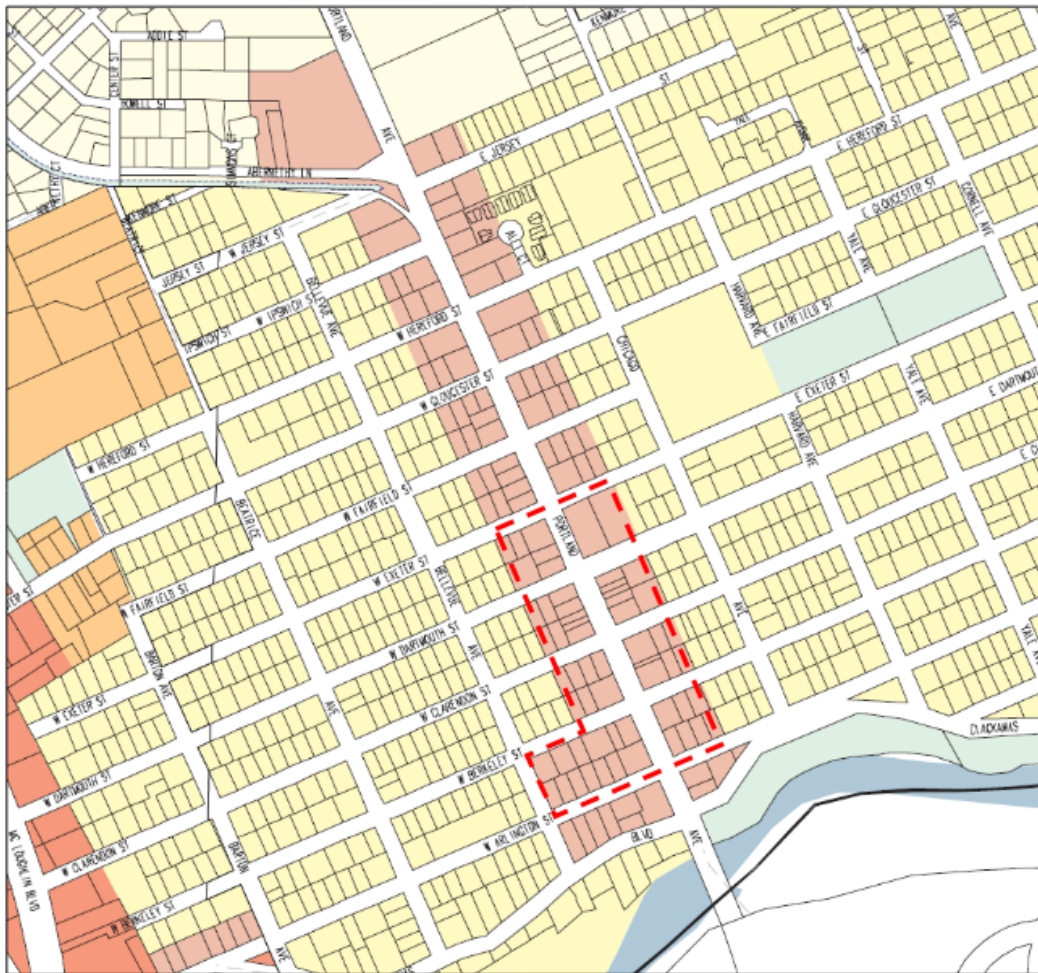
- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection.

Finding: The proposed zoning code amendments do not change the functional class of any existing or planned transportation facility or change the standards implementing a functional classification system. This criterion is met.

EXHIBIT 1: Downtown Core Overlay District

City of Gladstone Downtown Revitalization Plan Zoning Code Update
Downtown Overlay Zone



- - - = Downtown Overlay District Boundary
- = Existing Community Commercial Zoning (C2 Zone)
- = Existing Single-Family Residential Zoning (R-5 Zone)



memo portland

to **Jacque Betz, City of Gladstone, and John Southgate**

from **Jon Pheanis and Keegan Gulick, MIG**

re **Proposed Amendments to the C-2 Zoning District and New Downtown Overlay Zone**

date **2/10/2023**

The Downtown Gladstone Revitalization Plan (The Downtown Plan) contains recommendations for amendments to Title 17 of the Gladstone Municipal Code to implement the City’s vision for the Portland Avenue corridor in the downtown core. This memo highlights major aspects of the proposed changes to the Municipal Code, including any differences between proposed changes and Downtown Plan recommendations. This memo also summarizes Planning Commission recommendations and additional refinements proposed by City staff following that meeting.

Overview of the Downtown Core Overlay

The Downtown Revitalization Plan (adopted by City Council in 2017) recommends the creation of a new zoning overlay district in Gladstone’s downtown core to encourage development that is walkable, mixed-use, and higher density than the underlying C-2 zoning district. The Downtown Core Overlay Zone would also provide design standards to ensure that new development complements the creation of an attractive and walkable downtown.

The overlay zone would add an increased height allowance for buildings with a 15’ floor to ceiling height on the ground floor, a requirement for non-residential ground floor uses, reduction of required parking ratios, and site and building design standards. The overlay zone is intended for more downtown-specific uses than the C-2 district. In situations where there is a conflict between the C-2 zone and Downtown Core Overlay, the overlay zone would apply. The City of Gladstone Zoning Map would need to be amended to add the new Downtown Core Overlay Zoning District.

Overview of the C-2 Zone Amendments

Included in the Downtown Plan are recommended amendments to the underlying C-2 zone. Mixed-use development and middle housing types would be added as permitted in the C-2 district where they are currently not allowed. Proposed

changes also include amending dimensional standards such as a reduced minimum setback for residential uses.

Another amendment to the C-2 zone would be an allowance for a reduction in the minimum number of required parking spaces if a new development provides affordable housing and is in close proximity to a transit station. On-street parking spaces could also be counted towards the minimum number of required parking spaces if they are adjacent to the development. There are no suggested changes to the Zoning Map. Except for the changes listed below, these amendments are consistent with the recommendations of the Downtown Revitalization Plan.

Suggested Changes from Downtown Plan Recommendations

The proposed amendments include four general refinements to Downtown Revitalization Plan recommendations.

- Allow for broader range of uses on the ground floor: The proposed amendments include allowing non-residential uses on the ground floor. The Downtown Revitalization Plan recommends that new development be required to have retail uses on the ground floor in the downtown overlay zone. However, by limiting the ground floor uses to only retail, some uses that would be appropriate for an activated downtown space would be excluded such as professional offices or a ground floor lobby/recreational space for residents of apartments. In addition, retail uses may not be feasible especially given market changes in demand for store-front retail.
- Permit a broader range of housing types in Downtown: In the Downtown Core Overlay zone, residential uses are only permitted as a part of a mixed-use development. The intent of this standard is to ensure that high density, mixed-use developments are located along Portland Avenue. Allowing lower density uses such as single-family or middle housing in the downtown core zoning district would be inconsistent with the goals of the downtown revitalization plan.
- Restrict future single-family residential development in Downtown: The Downtown Plan recommends that attached single-family and multi-family uses be allowed outright in the C-2 zone. Currently, residential uses require a conditional use in the C-2 zone. The C-2 zone is intended to accommodate higher intensity uses and serve a larger population than other zoning districts. Because the intent of the C-2 zone is to support higher density, allowing detached-single family uses to this zone would be inconsistent with the goals of increasing density in this area.

- Minimize presence of off-street parking: For buildings that face Portland Avenue, the amendments propose all required off-street parking within a building to be setback at least 20' behind the street facing building façade. Since non-residential uses are proposed on the ground floor, this additional setback for parking areas within a building is intended to ensure that a use other than a parking garage is along the ground floor of a building along Portland Avenue.

Planning Commission Work Session Summary (July 19, 2022)

At the July 19, 2022 Work Session, the Planning Commission considered three additional topics for consideration. The following summarizes additional changes to zoning not included in the Downtown Plan.

- **Increase the maximum height allowance to four stories, not to exceed 50 feet.** The initial proposed Downtown Overlay zone would allow a maximum height of three stories, not to exceed 35 feet, with an increased height to 40 feet if the ground floor has a floor to ceiling height of at least 15 feet. To increase the financial feasibility of redevelopment in the downtown overlay district, it would be beneficial to increase the maximum height allowance to four stories, not to exceed 50 feet. The reason for this suggestion is because keeping the maximum height at 40 feet with a 15' floor to ceiling height may not provide sufficient incentive for redevelopment. Increasing the maximum height to 50 feet would be consistent with the goals and intent of the overlay district and lead to more redevelopment opportunity. Any new developments would still be required to abide by the building form and design standards required by the overlay zone.
 - *Work Session Summary and Additional Changes:* The Planning Commission expressed overall support to increase the maximum building height to 50 feet or four stories. The proposed amendments now allow a maximum building height of 50 feet or four stories if the minimum floor to ceiling height of the ground floor is 15 feet. The Planning Commission also expressed concern regarding impacts of taller buildings on existing uses. The proposed code includes design standards to minimize the apparent bulk of larger building facades, including minimum building façade articulation and recesses, changes in materials, and other design standards.
- **Eliminate minimum parking requirements in the Downtown Overlay Zone.** There are a growing number of cities around Oregon (including North Bend, Madras, and LaGrande, to name a few) that have no minimum

parking requirements in their downtowns. Gladstone's proposed Downtown Overlay Zone is intended to provide walkable and pedestrian friendly development in Gladstone's downtown core. Eliminating minimum parking requirements would be consistent with the goal of a less car-dependent, more pedestrian friendly downtown. Requiring parking creates a significant cost for any new development. By eliminating a minimum parking requirement, the cost of development would be reduced, which increases the feasibility of new development and implementing the vision of the Downtown Revitalization Plan. In July 2022, the state also adopted new rules known as Climate-Friendly and Equitable Communities (CFEC) that will require a range of changes that impact Gladstone's Municipal Code, including the removal of minimum parking requirements within one half-mile of frequent transit. For Gladstone, this includes most of the C-2 zoning and proposed Downtown Overlay zone along Portland Ave (see Exhibit A).

- *Work Session Summary and Additional Changes:* The Planning Commission had mixed reactions to eliminating minimum parking requirements but there was general support for this change if the City implemented additional recommendations in the Downtown Revitalization Plan such as parking management, as well as improved transit access. As a result, and in response to the recent CFEC rules, the proposed amendments exempt minimum parking requirements but retain off-street parking screening and other design requirements when a development includes off-street parking. The proposed draft amendments do not include removal of parking minimums in the C-2, Community Commercial District because this zoning district exists in other areas of the city outside of the 1/2-mile transit buffer. Any changes will require additional study to address parking requirements and other changes to this zoning district to comply with the CFEC rules.
- **Extend the boundaries of the Downtown Overlay zone.** The overlay zone is proposed to be bound by W Exeter Street and W Arlington Street. Only parcels that have frontage on Portland Avenue would be within the proposed overlay zone. The Downtown Revitalization Plan Study Area included a much wider range of properties. There are several commercial and multifamily structures within the study area that are not included in the proposed overlay zone. There is an opportunity to expand the overlay zone to the north or to the side streets, so the district encompasses more properties. This would create a more comprehensive overlay zone by

including more properties than the immediate downtown core and provide more opportunities for redevelopment.

- *Work Session Summary and Additional Changes:* The Planning Commission considered an expansion of the proposed Downtown Overlay zone boundary and expressed interest in enlarging the area. The proposed overlay zone now encompasses the entire width of the C-2 zoning district boundary between W Exeter St. and W Arlington St. This is approximately one-half block from Portland Ave. on both sides of the street. It's important to note that the Downtown Revitalization Plan recommended an overlay district that is contained to a relatively small area to concentrate mixed uses and taller buildings in the city's core. A larger expansion than the proposed boundary will also require more detailed analysis to demonstrate that any increase in housing and employment forecasted for Gladstone will not result in substantial traffic impacts.

Planning Commission Public Hearing Summary (November 15, 2022)

On November 15, 2022, the Planning Commission held a public hearing on the proposed amendments that included the additional changes discussed at the work session, and to consider a recommendation for City Council. The Planning Commission approved the proposed amendments to the C-2 zoning district, and the Downtown Overlay Zone, with a minor modification to clarify the street names used to describe the Downtown Overlay District Boundary.

Additional City Staff Review and Community Correspondence

Following the Planning Commission public hearing, there have been two further changes to the proposed amendments.

- **City Attorney Review.** The City attorney provided an additional review of the proposed amendments prior to forwarding to the City Council for their consideration. Based on this review, the City made several additional refinements to the proposed amendments to comply with the provisions of ORS 197.307, specifically that "a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing."
- **Request from community member.** After the November 15th Planning Commission hearing, the City met with a party who hopes to construct a new brewpub/eatery within the proposed Overview Zone boundary, with the new building set back from the sidewalk, with a food cart pod between the sidewalk and the street. Because the proposed amendments would not

allow for this type of building setback, John Southgate (on behalf of the City) has recommended additional changes to the proposed Downtown Overlay Zone, allowing an exception to the Building Orientation requirement (17.21.060 Site Design and Landscaping).

These additional modifications to the proposed amendments made following the November 15th Planning Commission public hearing are provided in a clean version and a track changes version. As a result of these modifications, the City is requesting an additional Planning Commission public hearing to consider the additional amendments and make a recommendation to City Council.

**ORDINANCE 1517
EXHIBIT “A”**

**Chapter 17.08
ZONING DISTRICTS GENERALLY**

Sections:

- 17.08.010 Establishment of districts.
- 17.08.020 Area of application.

17.08.010 Establishment of districts.

For the purposes of this title, the following zoning districts are established:

Zoning District	Abbreviated Designation
Single-family household residential district	R-7.2
Single-family household residential district	R-5
Multi-family household residential district	MR
Local commercial district	C-1
Community commercial district	C-2
General commercial district	C-3
Downtown core overlay district	DC
Office park district	OP
Light industrial district	LI
Open space district	OS
Water quality resource area district	WQ
Greenway conditional use district	GW
Flood Management area district	FM

Statutory Reference: ORS Ch. 197, Ch. 227
History: Ord. [1131](#) §2, 1990; Ord. [1334](#), 2002.

17.08.020 Area of application.

Each zoning district designation, with the exception of the **DC**, **WQ**, **GW** and **FM** overlay districts, corresponds to a Comprehensive Plan designation and shall be applied only to areas where the two designations are consistent. The corresponding designations are as follows:

Comprehensive Plan	Zoning District
Low density	R-7.2
Medium density	R-5

Comprehensive Plan	Zoning District
High density	MR
Commercial	C-1
Commercial	C-2
Commercial	C-3
Industrial	OP
Industrial	LI
Open Space	OS

Statutory Reference: ORS Ch. 197, Ch. 227

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

ORDINANCE 1517
Exhibit “B”

CHAPTER 17.18: C-2—COMMUNITY COMMERCIAL DISTRICT

Sections:

17.18.010 Purpose.

17.18.020 Uses allowed outright.

~~17.18.030 Residential accessory uses.~~

17.18.040 Conditional uses ~~allowed~~.

17.18.050 Limitations on use.

17.18.060 Dimensional standards.

17.18.070 Off-street parking standards.

17.18.080 Exceptions in case of large scale development.

17.18.010 Purpose.

The purpose of a C-2 district is to implement the comprehensive plan ~~by: 1) and to providing~~ for the establishment of a community shopping center serving most of the occasional retail and specialty shopping needs of area residents and thus service a much larger area and a much larger population than is served by the C-1, local commercial district, ~~and; 2) allowing a range of housing types to encourage more housing in the city’s core and promote a greater mixture of uses.~~

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.18.020 Uses allowed outright.

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

- (1) Retail trade establishment, except when listed as a conditional use.
- (2) Business, governmental or professional office.
- (3) Medical clinic.
- (4) Financial institution.
- (5) Personal and business service establishments such as a barber shop, tailoring shop, printing shop, laundry or dry cleaning, sales agency, or photography studio, except as listed as a conditional use.
- (6) Eating or drinking establishment, including outdoor seating related to the primary use.

- (7) Hotel or motel.
- (8) Small appliance repair including radio, television and electronics repair.
- (9) Community service facility such as a fire station, library, community center, park, utility facility or meeting hall.
- (10) Mixed-use development.

(11) Attached residential dwellings (duplex, triplex, quadplex).

(12) Townhouses.

(13) Cottage clusters.

(14) Multi-household residential dwellings.

(15) Accessory Dwelling Units (ADUs) in connection with a permitted residential use.

Statutory Reference: ORS Ch. 197, Ch. 227

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

~~17.18.030 Residential accessory uses.~~

~~Accessory uses allowed in a residential zoning district shall be allowed in connection with single family, two family and multi family dwellings in this zoning district. Such accessory use shall comply with the standards applicable to accessory uses allowed in the R-5 zoning district.~~

17.18.040 Conditional uses allowed.

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

~~(1) Automobile service station.~~

~~(2) Dwelling subject to GMC Subsections 17.12.050 (1) through (5) except that the minimum lot area for a two family dwelling shall be five thousand square feet.~~

~~(3) Funeral home.~~

~~(4) Small scale amusement or recreational facility such as a billiard or pool hall.~~

~~(5) School and associated buildings, structures and facilities.~~

~~(6) A use listed as a permitted outright use but not meeting the limitations of GMC Section 17.18.050 (limitations on use).~~

~~(7) Planned unit development (PUD).~~

~~(8) Foster homes.~~

(97) Day care center.

(108) Recreation vehicle park, subject to GMC Section 17.62.100 (recreation vehicle park).

(119) Business activities conducted in conjunction with a use allowed outright under GMC Section 17.18.020 (uses allowed outright), not conducted wholly within an enclosed building and not specifically provided for under GMC Subsections 17.18.050(1) through (3).

(1210) Uses operating between 12:00 a.m. and 5:00 a.m.

(11) Manufacturing of edible or drinkable products retailed on the same site, including the primary processing of raw materials (e.g., malt, milk, spices) that are ingredients in edible or drinkable products retailed on the same site, and also including the wholesale distribution of edible or drinkable products that are manufactured and retailed on the same site.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord.1131 §2 (Part), 1990; Ord. 1198 §1(C), 1994; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1341, 2003.

17.18.050 Limitations on use.

All business activities, including service, repair, processing, storage and merchandise display shall be conducted wholly within an enclosed building except for the following:

~~(1) Drive-through windows accessory to a use allowed outright;~~

(21) Outdoor play areas accessory to a community service facility;

(32) Display of merchandise along the outside of the walls of a building provided such display does not extend more than three feet (3') from the walls and does not obstruct required pedestrian or bicycle access, emergency access or off-street parking areas; and

~~(4) Activities approved in conjunction with a conditional use allowed under GMC Section 17.18.040 (conditional uses allowed).~~

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

(a) All non-residential uses shall provide ground floor windows along Portland Avenue. Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances or display windows. Required windows may have a sill no more than 4 feet above grade. Where interior floor levels prohibit such placement, the sill may be raised to allow it to be no more than 2 feet above the finished floor level, up to a maximum sill height of 6 feet above grade.

(b) Ground floor residential uses shall provide ground floor windows along Portland Avenue. Required window area must cover at least 25 percent of the ground level wall area of the portion of the building with residential dwelling units on the ground floor.

(c) All buildings shall have a primary entrance face Portland Avenue. Primary entrance is defined a principal entry through which people enter the building. A building may have more than one primary entry, as defined in the Uniform Building Code.

(64) The use of Portable Storage Containers as defined in Chapter 5.22.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2 (Part), 1990; Ord. 1323 §1, 2002; Ord. 1392 §6, 2008, Ord. 1404, 2008.

17.18.060 Dimensional standards.

Except as provided in GMC Chapter 17.38 (planned unit development), Chapter 17.72 (variances), and Chapter 17.76 (exceptions), the following dimensional standards shall apply in a C-2 zoning district:

(1) Setbacks:

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

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

(2) Off-Street Parking. The boundary of any area developed or intended for off-street surface parking shall be located a minimum of five feet (5') from all property lines. An exception to the minimum setback standard for off-street parking shall be made for existing parking when the use complies with GMC Section 17.18.070 (off-street parking standards).

(3) Building Height. The maximum building height shall be ~~thirty-five feet~~ (35 feet) ~~or three stories. This restriction may be varied as follows:~~

~~(a) building height may be increased by one (1) story if the building is provided with an approved automatic sprinkler system throughout as provided in Section 506 of the Oregon Structural Specialty Code or its successor;~~

Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are exempt from the maximum building height standard;

~~(c) Maximum building height may be increased if the city fire department reports that it possesses sufficient fire-fighting capability to provide emergency response to a structure of the height proposed.~~

(4) Equipment Setbacks. There shall be no minimum setback requirements for central air conditioners, heat pumps and similar equipment except when a lot line abuts a residential zoning district, in which case the minimum setback requirement from the lot line abutting the residential zoning district shall be ten feet (10').

~~(5) Minimum Lot Area. Residential density shall not exceed that allowed in the R-5 zoning district.~~

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

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

~~(6) Hotels and Motels:~~

~~(a) The minimum lot area shall be five hundred (500) square feet per dwelling unit;~~

~~(b) The minimum frontage shall be one hundred feet (100').~~

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

(a) When located between the front lot line and the front building line, fences and walls shall not exceed three feet (3') in height.

(b) Fences and walls not subject to Subsection (7)(a) of this Section shall not exceed six feet (6') in height.

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

(d) Fences and walls shall comply with GMC Chapter 17.54 (clear vision).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2 (Part), 1990; Ord.1140 §1, 1991; Ord. 1323 §1, 2002, Ord. 1404, 2008.

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

17.18.070 Off-street parking standards.

(1) Where one commercial use allowed outright is substituted for another in an existing building and the building is not expanded by more than 10 percent of the floor area used for commercial purposes on January 1, 1980, no more off-street parking shall be required than was possessed by the previous commercial use. Where successive expansions of a building are proposed, the total area of all expansions shall not exceed the 10 percent standard.

(2) Off-street parking spaces shall be provided in accordance with the provisions of Chapter 17.48, except that the following standards shall apply in lieu of the corresponding standard in Chapter 17.48:

(a) Residential: The maximum shall be 1 space per dwelling unit.

(b) Office, Retail, Bank, or Eating and Drinking Establishment: The minimum shall be 1 space per 600 sq. ft.

~~(23)~~ If a community service facility or civic use allowed outright is substituted for another community service facility or civic use on the same property, whether in the same building(s) or a new building(s) and the total lot coverage is not expanded by more than 10 percent of the lot coverage of the prior

building(s) on the property, no more off-street parking shall be required than was possessed by the previous facility or use.

(34) When an existing residence in the C-2 zoning district along Portland Avenue is converted to commercial or mixed-use development, additional off-street parking shall not be required, subject to the following standards:

- (a) The new commercial use shall not exceed a “B” occupancy rating as described in the Oregon Structural Specialty Code or its successor and shall be identified in GMC Section 17.18.020(2), (5) or (8);
- (b) Signs shall be on-building and indirectly illuminated;
- (c) The use shall generate low traffic volumes and require minimal off-street parking; and
- (d) Structures and landscaping shall retain a residential appearance.

(5) Required parking reduction. Multi-household development may reduce the total minimum number of required parking spaces by up to 20% if affordable housing is provided as follows:

(a) Affordable housing is defined as housing that is affordable to those earning 60% of the Area Median Income (AMI, established by the US Department of Housing and Urban Development).

(b) The development must be located within one quarter mile, measured radially in a straight line, from a public transit stop (bus or light rail).

(c) At least 30% of the total number of dwellings units meet the eligibility requirements for affordable housing in subsection (a), and this affordability is enforceable as described in ORS 456.270 to 456.295 for a period of at least 30 years.

(6) On-street parking spaces may count towards the minimum number of required parking spaces when 50% or more of the parking space adjoins the property.

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

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2 (Part), 1990; Ord. 1323 §1, 2002; Ord. 1503 §1, 2020.

17.18.080 Exceptions in case of large scale development.

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

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2 (Part), 1990.

ORDINANCE 1517
Exhibit “C”

CHAPTER 17.21: DC - Downtown Core Overlay Zone

Sections:

- 17.21.010 Purpose.**
- 17.21.020 Applicability.**
- 17.21.030 Exceptions and non-conformances.**
- 17.21.040 Uses allowed outright.**
- 17.21.050 Conditional uses.**
- 17.21.060 Site design and landscaping.**
- 17.21.070 Building design.**
- 17.21.080 Off-street parking standards.**

17.21.010 Purpose.

The purpose of the Downtown Core Overlay Zone is to promote a walkable, mixed-use downtown main street along the four-block section of Portland Avenue from Exeter Street to Arlington Street. The overlay encourages higher density residential and mixed-use development where market demand is highest and where it is most compatible with existing development on properties facing Portland Avenue. The Downtown Core Overlay Zone will help ensure that new development:

- (1) Enhances and protects the city's quality of life and community image through clearly articulated site and building design standards;
- (2) Protects and promotes the city's economic vitality by encouraging high-quality development;
- (3) Establishes a clear relationship between streets, pedestrian spaces, and buildings; and
- (4) Enhances and protects the security and health, safety, and welfare of the public.

17.21.020 Applicability.

- (1) Zoning Districts. The provisions of this chapter apply to new development along the four-block section of Portland Avenue from Exeter Street to Arlington Street within the Community Commercial (C-2) Zoning District.
- (2) Conflicting Regulations. Where conflicts occur between this chapter and other municipal code regulations or ordinances, the Downtown Core Overlay Zone shall apply.

(3) The provisions of this chapter apply to the development of undeveloped sites, the redevelopment of previously developed sites, and/or new construction of any building or structure.

17.21.030 Exceptions and non-conformances.

(1) Routine Repairs and Maintenance. Routine repairs and maintenance are exempt from these standards.

(2) Additions or Expansion. Additions to or expansions of a building or structure existing as of the effective date of this ordinance are exempt from standards contained in this chapter that are specific to section 17.21.070 Building Design, provided the cumulative total of all additions or expansions is less than 800 square feet of gross floor area. If the cumulative total of all additions or expansions consists of 801 square feet or more of gross floor area, then the standards contained in this chapter that are specific to section 17.21.070 Building Design shall apply to the addition or expansion which would cause that total to be exceeded and any subsequent additions or expansions. Portions of an existing building which are nonconforming prior to the effective date of this ordinance shall come into conformity as provided in Chapter 17.76. As part of the addition or expansion, and regardless of size, all other portions of the site (landscaping, off-street parking and loading, supplementary regulations and exceptions, and nonconformances, etc.) must comply with respective code requirements as applicable.

(3) Nonconformances. See Chapter 17.76 for application of these standards in nonconforming situations.

17.21.040 Uses allowed outright.

In the Downtown Core Overlay Zone, the following uses and their accessory uses are allowed outright:

(1) Non-residential uses: All non-residential uses permitted in the underlying Community Commercial (C-2) Zoning District unless otherwise specified by this Section.

(2) Residential uses: For parcels along Portland Avenue, permitted in upper floor stories of multi-story development only. Ground floor dwelling units are permitted along streets other than Portland Avenue.

(3) Mobile Vending Units: A vehicle that is used in selling and dispensing goods or services to the customer shall be permitted on any parcel in the Downtown Core Overlay Zone. A mobile vending unit shall be exempt from sections 17.21.060 – 17.21.080 (Site Design and Landscaping, Building Design, and Off-Street Parking) and not require Design Review. As used in this subsection, a vehicle is motorized or non-motorized transportation equipment containing an axle and intended for use on public roads, including, but not limited to, a car, van, pickup, motorcycle, recreational vehicle, bus, truck, detached trailer, or a truck tractor with no more than one trailer.

17.21.050 Conditional uses.

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

17.21.060 Site design and landscaping.

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

(1) Building Orientation. The street facing building façade must extend along at least 50 percent of the lot's street frontage(s). If the lot has more than one street frontage, this requirement shall apply to all of the lot's street frontages. This required 50 percent building frontage must be at the back of a public sidewalk, public right-of-way, or adjacent to an area dedicated to the public. See Figure 1: Site Design and Landscaping.

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

(2) Primary Building Entrance.

(a) Corner Building. A primary entrance is required at the corner within 10 feet of public right-of-way, except in cases where the building is exempted from the Building Orientation requirements in accordance with 17.21.060.a. See Figure 1: Site Design and Landscaping.

(b) Interior Building. A primary entrance is required within 10 feet of public right-of-way and directly connected to a public sidewalk except in cases where the building is exempted from the Building Orientation requirements in accordance with 17.21.060.a.

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

(4) Driveways. Each property is allowed a maximum of one (1) driveway regardless of the number of street frontages. Corner lots shall be prohibited from having a driveway entrance along Portland Avenue except as follows:

(a) There is an existing driveway abutting Portland Avenue and a driveway abutting a side street cannot be located at least twenty feet (20') from the intersection.

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

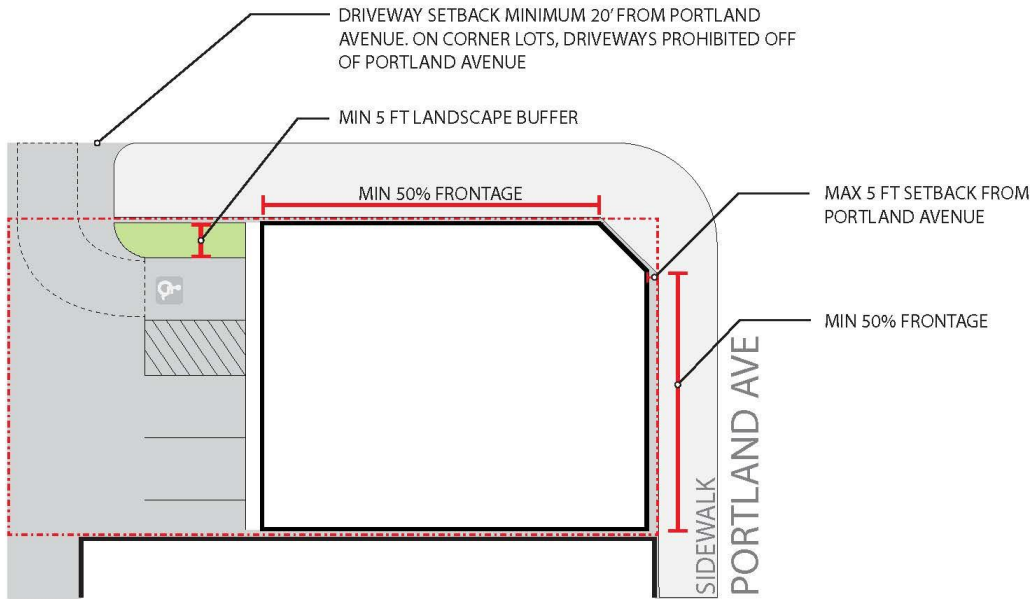
(5) Parking Areas. For parcels with a property line abutting Portland Avenue, all off-street parking must be setback at least 20' behind the street facing building façade.

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

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

(b) Notwithstanding 17.46.020(2)(b), Surface parking areas shall have a five foot (5') wide landscape buffer between the parking area and any adjacent public street. All other provisions of 17.46.020(2) shall apply. See Figure 1: Site Design and Landscaping.

FIGURE 1: SITE DESIGN AND LANDSCAPING



17.21.070 Building design.

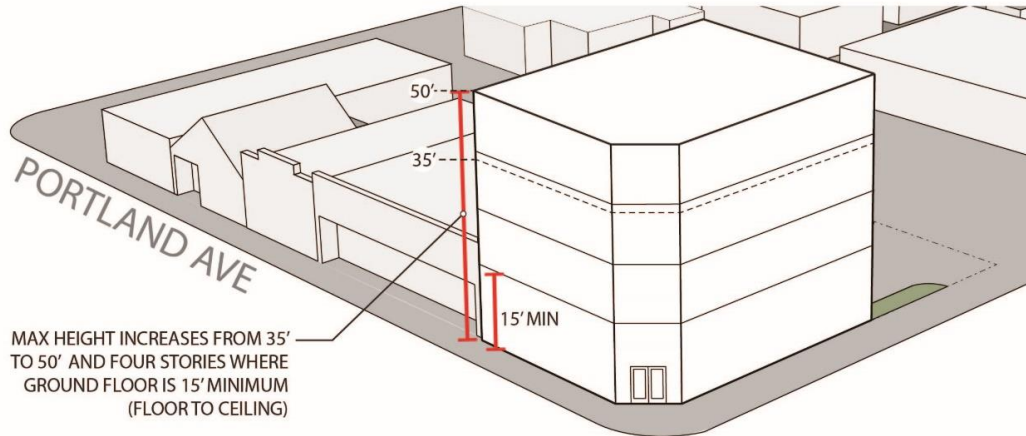
Intent. Articulate building facades to break up large volumes and promote human scale development.

(1) Building height. The maximum building height shall be three (3) stories, not to exceed 35 feet. See Figure 2: Building Design (Building Height). This restriction may be varied as follows:

(a) Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are exempt from the maximum building height standard;

(b) The maximum building height shall be increased to 4 stories, not to exceed 50 feet, if the minimum floor to ceiling height of the ground floor is 15 feet (measured from finished ground floor to bottom of joists or slab on next floor up). See Figure 2: Building Design (Building Height).

FIGURE 2: BUILDING DESIGN (BUILDING HEIGHT)



(2) Windows/Transparency.

(a) Windows are required for 60 percent of the ground floor façade along public street frontages and 40 percent on facades facing required parking areas. See Figure 3: Building Design (Transparency, Articulation & Building Form).

(b) Upper-floor window orientation must be vertical or have a width that is no greater than the width of the ground-floor window immediately below it. Upper-floor windows that are located directly above lower-level piers must be aligned within 12 inches of the vertical lines of such piers.

(c) ATMs and Service Windows. ATMs and service windows must be visible from the public right-of-way for security and have a canopy, awning, or other weather protection shelter.

(d) Prohibited Windows. Highly tinted (total light transmittance less than 50%), opaque, or mirrored glass (except stained-glass windows) do not meet the intent of this section and are prohibited.

(3) Building articulation. Each building facade adjacent to a street shall be articulated through recessing, projecting, banding, articulation of exterior materials, or change of materials, by incorporating patterns that are offset by a minimum depth (projecting or recessing) of at least 16 inches from one exterior wall surface to the other and the offset shall extend the length and height of its module. Articulation patterns shall repeat a minimum of every 20 feet for the entire length of the facade. This standard shall only apply to facades that exceed 40 feet in length.

(4) Pedestrian shelters.

(a) Pedestrian shelters such as a canopy or overhang shall be provided over all adjacent public sidewalks so that 50 percent of the length of the building frontage and adjacent sidewalk has weather protection.

(b) Pedestrian shelters must be at least the same width of storefronts or window openings and meet any and all additional building code requirements.

(c) The minimum horizontal projection (depth) is 3 feet.

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

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

(5) Building form.

(a) Where a wall of a proposed building is 10 feet or more taller than an adjacent building, the taller building must follow the horizontal lines of a shorter adjacent building along the top of the ground floor. This requirement is met by compliance with both of the following: (1) the height of the ground floor of the proposed building being the same as the height of the ground floor of an adjacent shorter building, and (2) incorporating corncicing or a similar architectural feature that projects a minimum of 2 inches from the façade along the full length of the top of the ground floor of the proposed building. The top of the ground floor is defined as the bottom of the joists or slab on the next floor up.

(b) Multi-story buildings must have designs that establish prominent horizontal lines and avoid blank walls by incorporating one or more of the following:

- (A) A series of storefront windows;
- (B) Awning or canopy along the ground floor;
- (C) Belt course between building stories; and/or
- (D) Cornice or parapet line.

(c) Corner building. Corner buildings must include at least two of the following on building corners facing the public right-of-way:

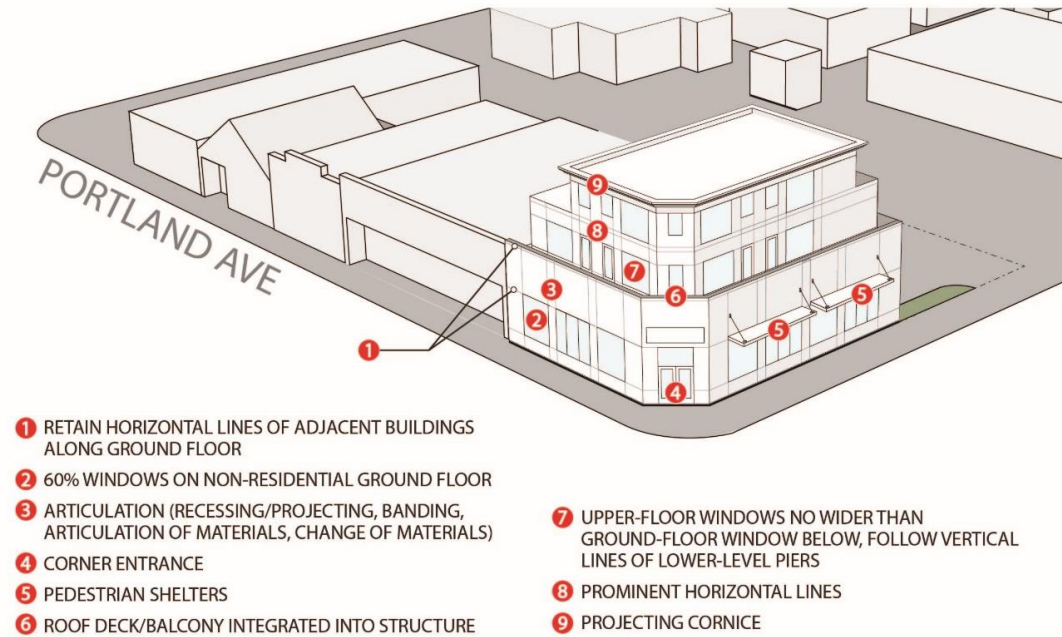
- (A) Bay windows
- (B) Roof decks or balconies on upper stories
- (C) Crowning features to a tower form such as wide cornices, projecting parapets.

(d) Buildings with flat roofs must have projecting cornices to create a prominent edge against the sky. Cornices must be made of a different material and color than the predominate siding of the building, except that brick siding may include matching brick cornices.

(e) Decks and Balconies. An upper story deck or balcony must be fully functional and integrated in the structure as follows:

- (A) The upper story deck or balcony must be uncovered by any structure other than an awning and located no closer than 2 feet to any property line.
- (B) The overall size of each upper story deck or balcony shall be limited to a maximum of 6 feet deep and 16 feet wide, excluding railings.
- (C) The guardrails on decks and balconies shall not exceed the minimum height required by the Building Code, and the design of the guardrail shall be at least 50% transparent or see through (consisting of open spaces with bars, balusters, railings, or similar).
- (D) The cantilevered portion of the deck or balcony shall have a minimum vertical clearance of seven feet.
- (E) No new ground supports for the deck or balcony may be located in the setback or open yard.

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



(6) Building materials.

(a) Exterior building materials must consist predominantly of unfinished wood, painted or natural-stained wood, fiber cement lap siding, stone, rusticated concrete block, or comparable cladding approved by the Planning Commission.

(b) For buildings three stories or more, the design of elevations are encouraged to incorporate changes in material that define a building's base, middle, and top and create visual interest and relief.

(7) Color.

(a) Muted and subtle earth tones or neutral colors, that are low-reflectance shades, and natural wood finishes are encouraged as the primary colors of buildings.

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

(8) Screening Mechanical Equipment.

(a) Rooftop mechanical equipment shall be screened from the view of adjacent public streets and abutting properties by an extended parapet wall or other roof form. The design of rooftop mechanical equipment screening is encouraged to be integrated with the architecture of the building.

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

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

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

17.21.080 Off-street parking standards

Off-street parking in the Downtown Core Overlay Zone shall be provided in accordance with the underlying zoning district except for the following standards:

(1) Minimum Parking Required: New developments within the Downtown Core Overlay Zone shall be exempt from minimum parking requirements.

(2) Off-street parking screening. Surface parking must be screened from the public right-of-way by one or a combination of the following:

(a) Low walls made of concrete, masonry, or other similar material and not exceeding a maximum height of three feet.

(b) Raised planter walls planted with a minimum 80 percent evergreen shrubs not exceeding a total combined height of three feet.

(c) Landscape plantings consisting of trees, of which at least 80 percent are deciduous, and shrubs and groundcover materials, of which at least 80 percent are evergreen.

ORDINANCE 1517
Exhibit “C”

CHAPTER 17.21: DC - Downtown Core Overlay Zone

Sections:

- 17.21.010 Purpose.**
- 17.21.020 Applicability.**
- 17.21.030 Exceptions and non-conformances.**
- 17.21.040 Uses allowed outright.**
- 17.21.050 Conditional uses.**
- 17.21.060 Site design and landscaping.**
- 17.21.070 Building design.**
- 17.21.080 Off-street parking standards.**

17.21.010 Purpose.

The purpose of the Downtown Core Overlay Zone is to promote a walkable, mixed-use downtown main street along the four-block section of Portland Avenue from Exeter Street to Arlington Street. The overlay encourages higher density residential and mixed-use development where market demand is highest and where it is most compatible with existing development on properties facing Portland Avenue. The Downtown Core Overlay Zone will help ensure that new development:

- (1) Enhances and protects the city's quality of life and community image through clearly articulated site and building design standards;
- (2) Protects and promotes the city's economic vitality by encouraging high-quality development;
- (3) Establishes a clear relationship between streets, pedestrian spaces, and buildings; and
- (4) Enhances and protects the security and health, safety, and welfare of the public.

17.21.020 Applicability.

- (1) Zoning Districts. The provisions of this chapter apply to new development along the four-block section of Portland Avenue from- Exeter Street to- Arlington Street within the Community Commercial (C-2) Zoning District.
- (2) Conflicting Regulations. Where conflicts occur between this chapter and other municipal code regulations or ordinances, the Downtown Core Overlay Zone shall apply.

(3) The provisions of this chapter apply to the development of undeveloped sites, the redevelopment of previously developed sites, and/or new construction of any building or structure.

17.21.030 Exceptions and non-conformances.

(1) Routine Repairs and Maintenance. Routine repairs and maintenance are exempt from these standards.

(2) Additions or Expansion. Additions to or expansions of ~~a an existing~~ building or structure existing as of the effective date of this ordinance are exempt from standards contained in this chapter that are specific to section 17.21.070 Building Design, provided the cumulative total of all additions or expansions is less than 800 square feet of gross floor area. If the cumulative total of all additions or expansions consists of 801 square feet or more of gross floor area, then the standards contained in this chapter that are specific to section 17.21.070 Building Design shall apply to the addition or expansion which would cause that total to be exceeded and any subsequent additions or expansions. ~~Existing nonconforming p~~Portions of an existing building which are nonconforming prior to the effective date of this ordinance ~~the building~~ shall come into conformity as provided in Chapter 17.76. As part of the addition or expansion, and regardless of size, all other portions of the site (landscaping, off-street parking and loading, supplementary regulations and exceptions, and nonconformances, etc.) must comply with respective code requirements as applicable.

(3) Nonconformances. See Chapter 17.76 for application of these standards in nonconforming situations.

17.21.040 Uses allowed outright.

In the Downtown Core Overlay Zone, the following uses and their accessory uses are allowed outright:

(1) Non-residential uses: All non-residential uses permitted in the underlying Community Commercial (C-2) Zoning District unless otherwise specified by this Section.

(2) Residential uses: For parcels along Portland Avenue, permitted in upper floor stories of multi-story development only. Ground floor dwelling units are permitted along ~~side streets~~ other than Portland Avenue.

(3) Mobile Vending Units: A vehicle that is used in selling and dispensing goods or services to the customer shall be permitted on any parcel in the Downtown Core Overlay Zone. A mobile vending unit shall be exempt from sections 17.21.060 – 17.21.080 (Site Design and Landscaping, Building Design, and Off-Street Parking) and not require Design Review. As used in this subsection, a vehicle is motorized or non-motorized transportation equipment containing an axle and intended for use on public roads,

including, but not limited to, a car, van, pickup, motorcycle, recreational vehicle, bus, truck, detached trailer, or a truck tractor with no more than one trailer.

17.21.050 Conditional uses.

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

17.21.060 Site design and landscaping.

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

(1) ~~(4)~~ Building Orientation. The street facing building façade must extend along at least 50 percent of the lot's street frontage(s). If the lot has more than one street frontage, this requirement shall apply to all of the lot's street frontages. This required 50 percent building frontage must be at the back of a public sidewalk, public right-of-way, or adjacent to an area dedicated to the public. See Figure 1: Site Design and Landscaping.

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

(2) Primary Building Entrance.

(a) Corner Building. A primary entrance is required at the corner within 10 feet of public right-of-way, except in cases where the building is exempted from the Building Orientation requirements in accordance with 17.21.060.a. ~~Where a corner entrance is not practicable, a primary building entrance must be within 40 feet of the corner and adjacent to Portland Avenue.~~ See Figure 1: Site Design and Landscaping.

(b) Interior Building. A primary entrance is required within 10 feet of public right-of-way and directly connected to a public sidewalk except in cases where the building is exempted from the Building Orientation requirements in accordance with 17.21.060.a.

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

(4) Driveways. Each property is allowed a maximum of one (1) driveway regardless of the number of street frontages. Corner lots shall be prohibited from having a driveway entrance along Portland Avenue except as follows:

(a) except for instances where there is an existing driveway abutting Portland Avenue and a driveway abutting a side street cannot be located at least twenty feet (20') from the intersection.

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

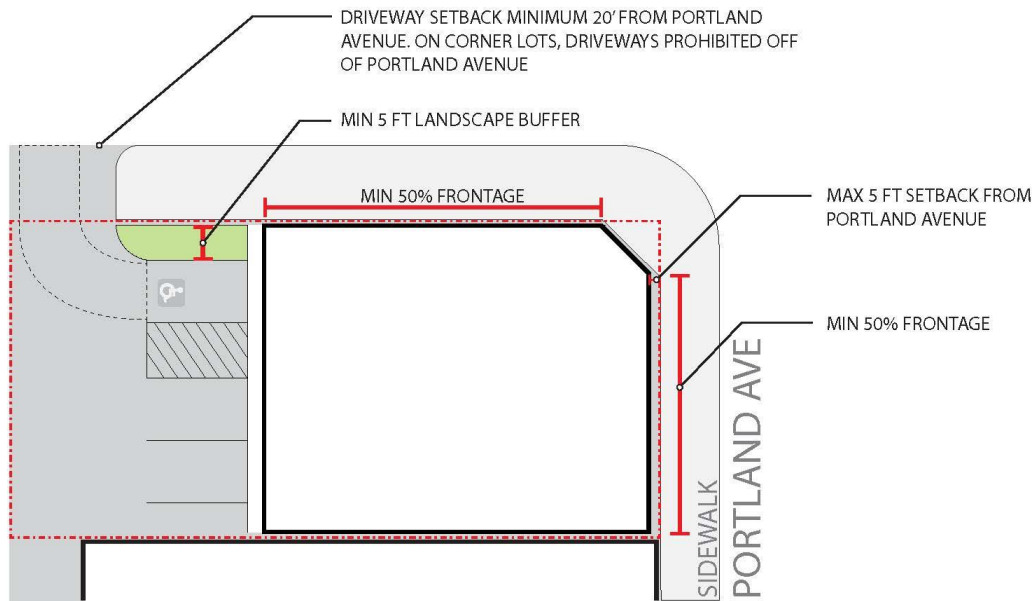
(5) Parking Areas. For ~~buildings that face parcels with a property line abutting~~ Portland Avenue, all ~~required~~ off-street parking ~~within a building~~ must be setback at least 20' behind the street facing building façade.

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

(a) Parcels fronting Portland Avenue. No minimum landscaping requirement [provided in Subsection 17.46.020 \(1\) along Portland Avenue.](#)

(b) [Notwithstanding 17.46.020\(2\)\(b\),](#) [SS](#)urface parking areas shall have a five foot (5') wide landscape buffer between the parking area and any adjacent public street. [All other provisions of 17.46.020\(2\) shall apply.](#) See Figure 1: Site Design and Landscaping.

FIGURE 1: SITE DESIGN AND LANDSCAPING



17.21.070 Building design.

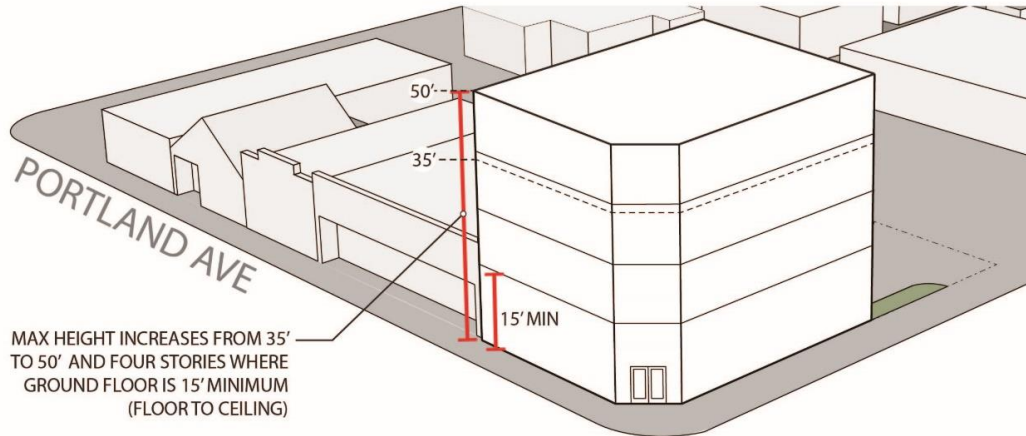
Intent. Articulate building facades to break up large volumes and promote human scale development.

(1) Building height. The maximum building height shall be three (3) stories, not to exceed 35 feet. See Figure 2: Building Design (Building Height). This restriction may be varied as follows:

(a) Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are exempt from the maximum building height standard;

(b) The maximum building height shall be increased to 4 stories, not to exceed 50 feet, if the minimum floor to ceiling height of the ground floor is 15 feet (measured from finished ground floor to bottom of joists or slab on next floor up). See Figure 2: Building Design (Building Height).

FIGURE 2: BUILDING DESIGN (BUILDING HEIGHT)



(32) Windows/Transparency.

(a) Windows are required for 60 percent of the ground floor façade along public street frontages and 40 percent on facades facing required parking areas. See Figure 3: Building Design (Transparency, Articulation & Building Form).

(b) Upper-floor window orientation must be vertical or have a width that is no greater than the width of the ground-floor window immediately below it. Upper-floor windows that are located directly above should follow the vertical lines of the lower-level piers must be aligned within 12 inches of the vertical lines of such piers, and the horizontal definition of spandrels and any cornices.

(c) ATMs and Service Windows. ATMs and service windows must be visible from the public right-of-way for security and have a canopy, awning, or other weather protection shelter.

(d) Prohibited Windows. Highly tinted (total light transmittance less than 50%), opaque, or mirrored glass (except stained-glass windows) do not meet the intent of this section and are prohibited.

(43) Building articulation. Each building facade adjacent to of a primary building facing a street shall be articulated through recessing, projecting, banding, articulation of exterior materials, or change of materials, by incorporating patterns that are offset by a minimum depth (projecting or recessing) of at least 16 inches from one exterior wall surface to the other and the offset shall extend the length and height of its module. Articulation patterns shall repeat a minimum of every 20 feet for the entire length of the facade. This standard shall only apply to facades that exceed 40 feet in length.

(54) Pedestrian shelters.

(a) Pedestrian shelters or weather protectionsuch as a canopy or overhang shall be provided over all adjacent public sidewalks so that 50 percent of the length of the building frontage and adjacent sidewalk has weather protection.

(b) Pedestrian shelters must be at least the samematch the width of storefronts or window openings and be integral to the overall composition of the building. Designs must addressmeet any and all additional the location and function of the shelter, building codes requirements, architectural compatibility, durability, and right-of-way constraints, if any.

(c) The minimum horizontal projection (depth) is 3 feet.

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

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

(65) Building form.

(a) Where a wall of a proposed building is 10 feet or more taller ~~or more~~ than ~~the an~~ adjacent building, the taller building must follow the horizontal lines of ~~a the~~ shorter adjacent building along the top of the ground floor. This requirement is met by compliance with both of the following: (1) the height of the ground floor of the proposed building being the same as the height of the ground floor of an adjacent shorter building, and (2) incorporating corncing or a similar architectural feature that projects a minimum of 2 inches from the façade along the full length of the top of the ground floor of the proposed building, and reference elements or detailing of the shorter building(s) on its upper stories. The top of the ground floor is defined as the bottom of the joists or slab on the next floor up.

(b) Multi-story buildings must have designs that establish prominent horizontal lines and avoid blank walls by incorporating one or more of the following:-

(A) Examples of such horizontal lines include: the base below aA series of storefront windows;

(B) an existing aAwning or canopy along the ground floor line;

(C) , or bBelt course between building stories; and/or

(D) an existing eCornice or parapet line.

(c) Corner building. Corner buildings must include at least two of the following on building corners facing the public right-of-way:

(A) Bay windows

(B) Roof decks or balconies on upper stories

(C) Crowning features to a tower form such as wide cornices, projecting parapets.

(d) Buildings with flat roofs must have projecting cornices to create a prominent edge against the sky. Cornices must be made of a different material and color than the predominate siding of the building, except that brick siding may include matching brick cornices.

(e) Decks and Balconies. Decks and balconies on upper stories should be designed so that they do not significantly increase the apparent mass of the building. An upper story deck or uncovered balcony must be fully functional and integrated in the structure as follows:

(A) The upper story deck or balcony must be uncovered by any structure other than an awning and located no closer than 2 feet to any property line.

(B) The overall size of each upper story deck or balcony shall be limited to a maximum of 6 feet deep and 16 feet wide, excluding railings.

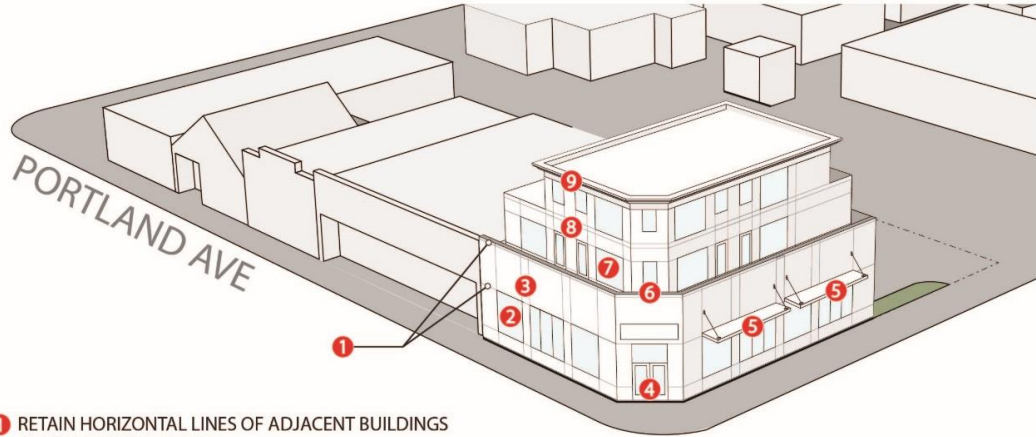
(C) The guardrails on decks and balconies shall not exceed the minimum height required by the Building Code, and the design of the guardrail shall be at least 50% transparent or see through (consisting of open spaces with bars, balusters, railings, or similar).

(D) The cantilevered portion of the deck or balcony shall have a minimum vertical clearance of seven feet.

(E) No new ground supports for the deck or balcony may be located in the setback or open yard.

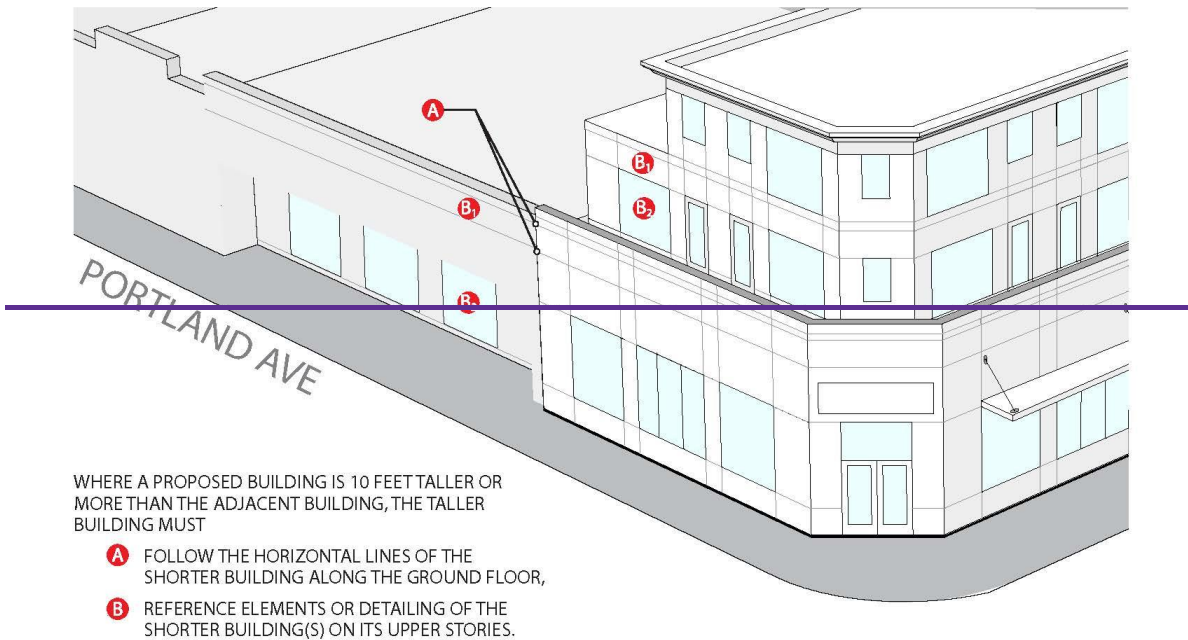
Mixed-use building facades adjacent to streets and pedestrian spaces should provide balconies of a sufficient depth that are integrated into the structure and fully functional.

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



- 1 RETAIN HORIZONTAL LINES OF ADJACENT BUILDINGS ALONG GROUND FLOOR
- 2 60% WINDOWS ON NON-RESIDENTIAL GROUND FLOOR
- 3 ARTICULATION (RECESSING/PROJECTING, BANDING, ARTICULATION OF MATERIALS, CHANGE OF MATERIALS)
- 4 CORNER ENTRANCE
- 5 PEDESTRIAN SHELTERS
- 6 ROOF DECK/BALCONY INTEGRATED INTO STRUCTURE
- 7 UPPER-FLOOR WINDOWS NO WIDER THAN GROUND-FLOOR WINDOW BELOW, FOLLOW VERTICAL LINES OF LOWER-LEVEL PIERS
- 8 PROMINENT HORIZONTAL LINES
- 9 PROJECTING CORNICE

FIGURE 4: BUILDING FORM



(6) Building materials.

- (a) Exterior building materials must consist predominantly of unfinished wood, painted or natural-stained wood, fiber cement lap siding, stone, rusticated concrete block, or comparable cladding approved by the Planning Commission.
- (b) For buildings three stories or more, the design of elevations are encouraged to must incorporate changes in material that define a building's base, middle, and top and create visual interest and relief.

(7) Color.

- (a) Muted and subtle earth tones or neutral colors, that are low-reflectance shades, and natural wood finishes are preferred encouraged as the primary colors of buildings. Natural wood finishes are encouraged. Alternative colors may be approved by the Planning Commission.
- (b) Coordinated Color. Color schemes must are encouraged to be simple and coordinated over the entire building to establish a sense of overall composition. Color schemes are also encouraged to must tie together signs, ornamentation, awnings, canopies and entrances.

(8) Screening Mechanical Equipment.

- (a) Rooftop mechanical equipment shall be screened from the view of adjacent public streets and abutting properties by an extended parapet wall or other roof form. The design of rooftop mechanical equipment screening is encouraged to be that are integrated with the architecture of the building.
- (b) Ground level mechanical equipment shall be screened using vegetation screening or structural screens. The design of ground level mechanical equipment screening is encouraged to be that are integrated with the materials and colors of the building.

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

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

17.21.080 Off-street parking standards

Off-street parking in the Downtown Core Overlay Zone shall be provided in accordance with the underlying zoning district except for the following standards:

(1) Minimum Parking Required: New developments within the Downtown Core Overlay Zone shall be exempt from minimum parking requirements.

(2) Off-street parking screening. Surface parking must be screened from the public right-of-way by one or a combination of the following:

(a) Low walls made of concrete, masonry, or other similar material and not exceeding a maximum height of three feet.

(b) Raised planter walls planted with a minimum 80 percent evergreen shrubs not exceeding a total combined height of three feet.

(c) Landscape plantings consisting of trees, of which at least 80 percent are deciduous, and shrubs and groundcover materials, of which at least 80 percent are evergreen.

