



**GLADSTONE PLANNING COMMISSION REGULAR AGENDA
GLADSTONE CIVIC CENTER, 18505 PORTLAND AVENUE
Tuesday, April 18, 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/84211081720?pwd=VDNkQmZ6Qm5GMVIPQStGY2pzSDJBZz09>

Passcode: 496397

Or One tap mobile :

US: +13462487799,,84211081720#,,,,*496397# or +16694449171,,84211081720#,,,,*496397#

Or Telephone:

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

US: +1 346 248 7799 or +1 669 444 9171 or +1 719 359 4580 or +1 720 707 2699 or +1 253 205 0468 or +1 253 215 8782 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799

Webinar ID: 842 1108 1720

Passcode: 496397

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 April 18, 2023. Individuals attending in person may submit a speaker card to the City Recorder prior to the beginning of the meeting. Comments are limited to three (3) minutes.

The Planning Commission will also have *Business from the Audience* at the end of the meeting. To speak during this time, (either virtually or in person) please email bannick@ci.gladstone.or.us prior to 12:00 p.m. (noon) on April 18, 2023 with your name, topic of discussion, and city of residence. Individuals attending in person may submit a speaker card to the City Recorder prior to the beginning of the meeting. Comments are limited to three (3) minutes.

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

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 March 21, 2023 Meeting Minutes

REGULAR AGENDA

2. Monthly Planning Report – March 2023
3. **Continued from March 21, 2023:** Appeal of Home Occupation Permit – Adam Baker Tool Company – 7470 Cason Circle. Appellant – George & Carrie Orme.
4. **PUBLIC HEARING:** File DR-23-03, Design Review to Renovate and Add a Vestibule to the Existing Public Works Building. Portland Avenue Street Improvements for Vehicular and Pedestrian Circulation and Parking, 18595 Portland Avenue, City of Gladstone
5. Municipal Code Update Project

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

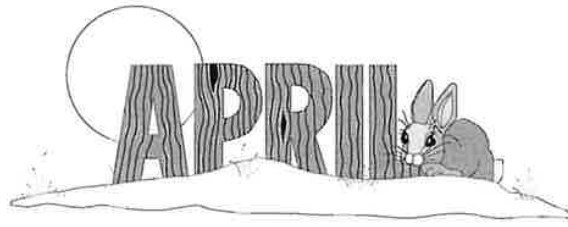
ADJOURN

Upcoming Meeting Dates:

- May 16, 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 MARCH 21, 2023

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

ROLL CALL:

Chair Natalie Smith, Commissioner Pat Smith, Commissioner Thomas Mersereau, Commissioner Jennifer Volbeda, Commissioner Jacob Wease, Commissioner Andriel Langston

ABSENT:

Commissioner Andrew Labonte

STAFF:

Heather Austin, Senior Planner; John Schmerber, Police Chief; Josh Soper, City Attorney; Tami Bannick, City Recorder;

CONSENT AGENDA:

1. APPROVAL OF FEBRUARY 21, 2023 MEETING MINUTES:

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

REGULAR AGENDA:

2. MONTHLY PLANNING REPORT – FEBRUARY, 2023 AND WORK PLAN OBJECTIONS FOR 2023-2025:

Ms. Austin said the report is included in the packet.

She said there are five work plan objectives: Undertaking a major re-write of the zoning regulations to align with recent City policy initiatives and strategic goals, updating the City’s Comprehensive Plan (specifically in light of the new Downtown Overlay Core Zoning District), undertaking a code update and other policy work related to the Climate Friendly and Equitable Communities Initiatives (CFEC) that have been passed by the State Legislature, and pursuit of local certified local government status and transportation parking management and strategies, which could possibly happen through the CFEC initiatives.

She thinks they can start looking at the Title 17 concept updates – starting with a few chapters and getting some things squared away first makes sense. She came up with the concepts that she has seen come up as issues since she has been here: Chapters 17.42 and 17.50 - Public Improvements, Chapter 17.14 – Multi-Household Residential District, and Chapter 17.78 – Home Occupations. She asked if anyone had additional suggestions that are top priority. Chair Smith asked about the new climate regulations. Ms. Austin said it will touch a lot of different pieces of the Development Code, but they don’t know which ones yet.

Ms. Austin said there will be a Council work session on April 11th to discuss the CFEC. They will have representatives from the DLCDC give the Council different options for what needs to happen in the next two years (removing all parking mandates, have parking mandates apply in certain circumstances, etc.). They will discuss the Council’s decision at the April 18th meeting.

They decided to put the “Pursuit of Local Government Status” on hold due to the limited resources and the priority of other items that need to be addressed sooner.

She would like to discuss some code update ideas at the April meeting.

3. APPEAL OF HOME OCCUPATION PERMIT – ADAM BAKER TOOL COMPANY - 7470 CASON CIRCLE:

Chief Schmerber and Sgt. Okerman went over the staff report. On October 18, 2022, the Planning Commission was presented with an appeal of staff decision that granted a home occupation permit to Adam Baker Tool Company - a double-axle Snap-On Tool vehicle that operated out of the residence. During that time it also included an employee that reported to and worked out of the home, which was confirmed during an initial Code Enforcement contact on February 3, 2022. After review of the GMC and testimony, the Planning Commission decided to ratify the appeal decision to deny the occupation business license by a vote of 6-0. On December 28, 2022 the Police Department conducted a follow up inspection and found that Adam Baker was conducting a business without a business license or home occupation license as required by the GMC. Mr. Baker was issued a citation for violations of the Municipal Code. Since that time, Mr. Baker has been working with the Police Department to come into compliance with the GMC and has submitted another application requesting a business license, along with a home occupation license. The Police Department has interpreted the status of Adam Baker Tool Company to be in compliance with GMC Chapter 17, currently under appeal by Mr. and Mrs. Orme. The City of Gladstone issued a home occupation permit and business license for the business on January 19, 2023. The Ormes filed an appeal to the issuance of the permit, which was received by the City on February 1, 2023. Chief Schmerber went over the options – the Planning Commission can find that Adam Baker has met the requirements or that he has not.

Chair Smith asked why they are looking at appealing this since Mr. Baker indicated that he has a new location for the business. Chief Schmerber did not have an answer.

Chair Smith asked if Mr. Baker would be willing to answer any questions. Commissioner Pat Smith pointed out that he is a partner in a business and he holds a City business license in his name, but he doesn't think it has any effect on the type of work that Mr. Baker does or the type of business he has, and doesn't think it compromises his judgement.

Chair Smith asked Mr. Baker if he has a place of business in Damascus, why he is wanting to appeal this. He said he is not appealing it – the Ormes are appealing the Planning Commission's approval of a home occupation.

Commissioner Langston want to confirm that Mr. Baker has found a different location for the actual work to be conducted – that is correct.

Commissioner Wease asked if they needed to consider any argument against the staff decision to approve the home occupation as part of the appeal – Ms. Austin confirmed that yes, they would want to hear from the Ormes.

Mr. Orme said he didn't have anything to add – he sent a letter on January 27th, 2023. He questioned that if Mr. Baker has an alternate location for his business, why he needs a home occupation permit at his residence. He said the step van and trailer are parked at the residence. Commissioner Wease doesn't feel that it's relevant that there's a second location in Damascus. Chair Smith pointed out that the Damascus location is listed as being the principle place of his business. Ms. Austin said the residence could be considered a satellite office of the business, so Mr. Baker would still like to

be able to park his vehicle there, take delivery of inventory into the garage, etc.. It's not the primary location, but he is still conducting business related to this residence. Sgt. Okerman said Mr. Baker moved his business to Damascus to gain compliance with the current code. The new application for the permit would allow him to bring the business back into Gladstone.

Commissioner Wease asked Sgt. Okerman if he feels that things have moved in the right direction and if all the complaints had been made right. Sgt. Okerman said the citation was issued because Mr. Baker was out of compliance at that time. Since then he has done a lot of research and follow-ups, and all of the concerns have been addressed and everything is in compliance (Appendix A).

PUBLIC COMMENTS:

Kari Martinez asked if any of the Commissioners had been down their street recently (Cason Circle) and have seen what this looks like. Commissioners Pat Smith and Wease had. She said it doesn't look like a residential neighborhood/street. She said there are multiple vehicles parked in multiple driveways at the home/business. She said there is commercial property available in Gladstone and she doesn't see why it has to be on a residential street.

Yvonne Welk said she lives two doors down from the location. She asked why nothing had been taken care of since October. She said when she was returning home on January 6th at about 10:00 A.M. there was another of Mr. Baker's trucks parked on the street, besides the one in the driveway all the time – she went out to take a photo of the vehicles and Mr. Baker started yelling at her and scared her. She has been afraid of what's going on there. She is amazed that he has been allowed to have all the stuff in his garage and can carry on business from his residence.

Mr. Baker's wife said that he is simply parking his work vehicle at their residence – it is a mobile business. They sort tools in the garage, he gets in the vehicle, and he leaves for the day. She said that Ms. Welk exaggerated about being afraid of Mr. Baker or what's going on. She said that Ms. Welk actually yelled at Mr. Baker, saying "You need to move". They have lived there for eighteen years, and they are happy here.

Commissioner Pat Smith said that Section 17.76 of the code doesn't seem to support being able to grant a license for a home business. Chair Smith doesn't know if the camping trailer meets the setback requirements. Ms. Austin said that City staff found that the business met the criteria for being the headquarters for the salesperson. They do have "clear vision" corners required, so they need to make sure that it meets the requirements. Sgt. Okerman said that with the stop sign and stop bar/line leaving Cason Circle, ORS allows for the vehicles to pull all the way up to that white bar/line, which is put there by the City as a safe place for a vehicle to pull up and stop at. When a vehicle is at that point there is clear vision in both directions to see approaching traffic – nothing on the property obstructs that view at all. Chair Smith would still like Ms. Austin to make sure that it is compliant. Ms. Austin said it comes under Chapter 17.54 – it depends on the width of the right-of-way, so they would have to look at the plat map to determine that. She will follow up on this.

Mr. Baker said, in regard to the verbal altercation with Mr. Welk, that he did not have his second van at the residence. It was another franchisee from Boring picking up a sweater. He had advised Ms. Welk to come closer when she was taking a photo because she was too far away to get the shot.

Commissioner Wease asked about the status of other employees – Mr. Baker no longer has any employees. Chair Smith asked what he does at the Damascus location. Mr. Baker said he has moved his second van there, stores product, and has an area inside to sort product. Chair Smith

asked if he had a lease there and if he had a picture of it – he said he pays rent there but does not have a photo of it.

There was further discussion regarding the business/bullet points in the staff report. Commissioner Wease said it seems like all of the concerns have been addressed. Chair Smith said she looked up the Damascus location and it is a manufactured home, not a business park, and that is an issue for her. Commissioner Wease doesn't feel that's relevant to their decision – Commissioner Pat Smith agreed.

Commissioner Langston made a motion to uphold the staff decision to approve the issuance of this permit. Motion was seconded by Commissioner Volbeda. Ms. Bannick took a roll call vote: Commissioner Volbeda – yes. Commissioner Wease – yes. Commissioner Langston – yes. Commissioner Pat Smith – no. Commissioner Mersereau – no. Chair Smith – no. There was a tie vote. Mr. Soper said that a tie vote means that the motion was not approved.

Commissioner Wease made a motion that they hold this over until the next meeting when they have a full Planning Commission to vote. Motion was seconded by Commissioner Langston. Ms. Bannick took a roll call vote: Commissioner Mersereau – yes. Commissioner Pat Smith – yes. Commissioner Langston – yes. Commissioner Wease – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

4. PUBLIC HEARING: FILE DR-23-02, UPDATE AND BUILDING ADDITION TO MAZDA DEALERSHIP SHOWROOM, 19405 MCLOUGHLIN BLVD.:

Chair Smith opened the public hearing. She asked if there were any abstentions or any conflicts of interest – there were none. She asked if the Commissioners had visited the site. All the Commissioners had driven by the site.

Chair Smith said this is an item in which they will be receiving public testimony. Oregon Land Use laws require that all issues be raised if the issues are to be appealed. Failure to raise the issues at this hearing may invalidate their further appeal to the Land Use Board Of Appeals (LUBA). Any party has the right to request a continuance to this hearing, or in the alternative, to have the record left open for seven days. Failure to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the Commission to respond to the issue will preclude an action for damages in Circuit Court. If you are going to testify, please try to address the applicable criteria.

Ms. Austin went over the staff report. This is a design review request to make an addition to the site. The expansion will be on the front of the building on the McLoughlin Boulevard frontage. In front of the expansion will be landscaping and sod instead of the asphalt that is there now. The expansion is 746 square feet and two stories in size – it is a jewel box type construction to display vehicles. The other proposed improvements are updates to the parking landscaping and the building façade outside of the expansion area. They were required by the code to add more landscaping. The site is in the C-3 General Commercial zoning district, 2.33 acres in size, it is outside the environmental overlays/flood plain/habitat conservation area district. Public notice was sent to the applicant, owner, and everyone who owns property within 250 feet of the site. They also sent out agency notice and the comments that were received are included in the packet. They did not receive any public testimony as a result of the public notice that was mailed.

She went over the plans. They found that they need verify with a photometric plan that the parking area provides safe passage for pedestrians to the vehicles, as well as to the public right-of-way, so

they requested the applicant be conditioned to provide that prior to their building permit issuance. The ODOT and Public Works comments both requested a condition that ODOT is to submit documentation of one foot of right-of-way behind the sidewalk and to obtain an ODOT miscellaneous permit for the landscaping work that will be in the McLoughlin right-of-way. Public Works would like to see additional video pertaining to sanitary sewer to determine if the standards will be met, and any improvements that are required would need to be done prior to final certificate of occupancy.

Commissioner Volbeda asked about setbacks – Ms. Austin said there are no setbacks in the C-3 because they are not adjacent to any residential zoning.

APPLICANT TESTIMONY:

David Elder, Director of Operations for the Matthews Automotive Group in Oregon, said they are expanding the dealership because they have to come into compliance with Mazda’s facility requirements. He feels it should be a good looking project and will add to the curb appeal of the dealership. It will also expand the customer area and the area for salespeople.

Darren Matthews, General Manager, said they serviced approximately 60,800 cars last year between Toyota and Mazda. He gave some background information on the company. They look forward to being good stewards to the community.

Tim Brenner, Architect with AXIS Design Group, said the streetscape will really improve the site along McLoughlin Boulevard and it’s going to make it a much better environment for customers and employees. He explained that they tried to get the sanitary sewer video done, but they ran out of length of cord on the camera – they are going to have them come back and finish that.

Commissioner Pat Smith asked if they foresee any traffic issues/stoppage with River Road or McLoughlin Boulevard during construction. Mr. Brenner said they are not allowed to be on ODOT right-of-way during construction – there will be staging on-site and they will move things around to accommodate that. He said it isn’t a large project, but it will have a big visual impact. Commissioner Volbeda asked if there will be any deterring of pedestrians when the construction is getting close because it is very close to the sidewalk. Mr. Brenner explained that there is a fair amount of room to work, and he doesn’t believe construction will effect the sidewalk at all.

PUBLIC TESTIMONY:

None.

Ms. Austin said that staff recommends approval of this design review application based on the findings in the staff report, with the three special conditions identified.

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

Public hearing was closed.

Discussion:

Commissioner Volbeda asked if signage was approved separately – Ms. Austin said that is correct.

Commissioner Pat Smith made a motion to approve application DR-23-02 as presented, with the three special conditions. Motion was seconded by Commissioner Langston. Ms. Bannick took a roll call vote: Commission Mersereau – yes. Commissioner Pat Smith – yes. Commissioner Langston – yes. Commissioner Wease – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

BUSINESS FROM THE PUBLIC:

None.

BUSINESS FROM THE PLANNING COMMISSION:

Commissioner Wease:

He said he was glad to see some audience participation tonight. He said he noticed in the agenda that there is still verbiage that says they have to receive notice in by noon the day of the meeting – he asked if they wanted to change that verbiage. He encouraged enabling citizens to speak up to the moment/during the meetings. Ms. Bannick said they will be changing that.

Chair Smith:

She received A Statement Of Economic Interest Guide from Ms. Bannick – there are trainings available if Commissioners have any issues with doing their SEI filing – they are due prior to April 15th.

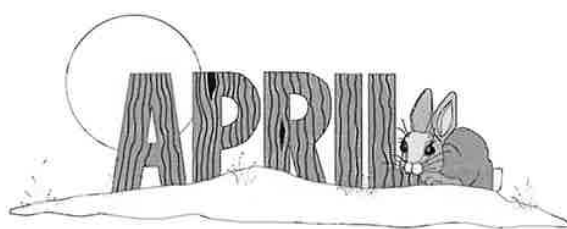
ADJOURN:

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

Meeting was adjourned at approximately 7:41 P.M.

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

Natalie Smith, Chair



REGULAR AGENDA



City of Gladstone Monthly Planning Report March 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	1	1										3
Customer phone/email Contacts	48	37	31										116
Building Permits with Land Use Review	4	6	5										15
Code Compliance Review	1	1	1										3
Pre-application Conferences	1	0	1										2
Administrative Decisions	2	2	1										5

PLANNING COMMISSION ACTIONS/DECISIONS

- DR-23-02 Mazda of Gladstone Addition- Approved
- Home Occupation Approval Appeal- Continuation to April PC meeting

CITY COUNCIL LAND USE ACTIONS/DECISIONS

- TXT 2022-02 Downtown Core Overlay Code Amendments-Approved with amendment to maximum height: Reduce maximum height in Downtown Core Overlay from 50' to 45' (still 4 stories) with first floor ceiling height of 12' (rather than 15')

PRE-APPLICATION CONFERENCES

- PAC 23-01: 1200 82nd Drive- New warehouse building for Portland Partyworks

ADMINISTRATIVE PERMITS

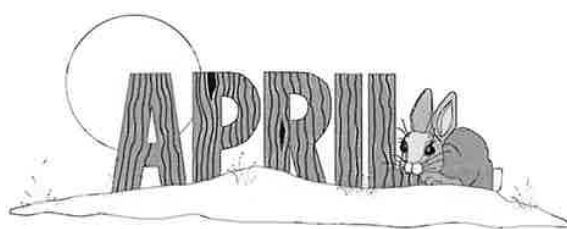
- Evergreen Storm Outfall Floodplain Permit

BUILDING PERMITS WITH LAND USE REVIEW

DECEMBER			
Date	Address	Building Permit #	Description
03/02/23	300 W Fairfield	B00666822	Demo Garage, Add ADU (setback issues resolved)
03/02/23	740 82 nd Drive	B0705122	Internal restroom update at High Rocks Small Business Park
03/09/23	740 82 nd Drive	B0133923	Internal restroom update at High Rocks Small Business Park
03/21/23	19575 River Road	B0445422	Conversion of window to a door (not yet approved)
03/23/23	295 E. Arlington St	B0705722	Treehouse ADU (not yet approved)

FUTURE ITEMS/PROPERTY UPDATES

Date	Topic
April	Home Occupation Public Works Building Renovation Design Review Code Updates Discussion



REGULAR AGENDA



Agenda Item No. 3

PC Meeting Date: 04/18/2023

STAFF MEMO

To: Gladstone Planning Commission
From: Heather Austin, Consulting Planner
Date: April 11, 2023
RE: Adam Baker Tool Company Home Occupation Business License Permit Appeal

In March 2023, the Planning Commission heard an appeal brought forth by George and Carrie Orme regarding the Home Occupation Business License issued for Adam Baker Tool Company at 7470 Cason Circle. The staff report and supporting documentation for this agenda item can be found on pages 19-31 of the [March 21, 2023 Gladstone Planning Commission packet](#):

https://www.ci.gladstone.or.us/sites/default/files/fileattachments/planning_commission/meeting/9977/pcpacket.03212023.pdf

The Planning Commission continued the appeal to their next meeting on April 18, 2023.

The Planning Commission asked staff to review the property at 7470 Cason Circle in regards to the City's Clear Vision Area standards, [Gladstone Municipal Code Chapter 17.54](#), which staff are doing through the city's code compliance program, outside of the Home Occupation Appeal, as the Home Occupation approval criteria do not specifically identify the Clear Vision Area standards, which are generally applicable throughout the city.

The Planning Commission is being asked to issue a final order to either uphold or overturn the City Administrator's approval of the home occupation license.

Upholding the City Administrator's approval would include the finding that Adam Baker Tool Company, LLC, 7470 Cason Circle, has met the home occupation requirements based on interpretation by the Planning Commission of [Gladstone Municipal Code Chapter 17.78](#).

Overturning the City Administrator's approval and revoking the home occupation business license would include the finding that Adam Baker Tool Company, LLC, 7470 Cason Circle, has not met the home occupation requirements based on interpretation by the Planning Commission of [Gladstone Municipal Code Chapter 17.78](#).



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April 12, 2023

Via Email Only

Gladstone Planning Commission
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volbeda@ci.gladstone.or.us

**Re: Response to Appeal of Home Occupation Permit Approval
7470 Cason Circle
Tax Lot 22E17DD01550**

Dear Gladstone Planning Commission:

This firm represents Adam Baker regarding the appeal of his home occupation permit (the "Permit"). The Permit was granted to Mr. Baker by the Gladstone City Administrator ("City Administrator") on January 19, 2023, and George and Carrie Orme filed an appeal of that decision on January 27, 2023 (the "Appeal"). The Gladstone Planning Commission (the "Commission") is responsible for deciding whether to uphold or reverse the approval of the Permit.

On March 21, 2023, the Commission convened for its monthly meeting and the Appeal was on the agenda. The Commission vote on the Appeal was a tie, with three (3) members voting to uphold the approval of the Permit and three (3) members voting to reverse the approval of the Permit. The Commission decided to take up the Permit issue again at its April 18, 2023 meeting when they anticipated having a seventh (7th) member present to break the tie. During the March 21 meeting, the Commission had some concerns about issues outside the scope of the Gladstone Municipal Code (the "Code") as it relates to zoning and development.

The Chair of the Commission, Natalie Smith ("Smith"), who voted to reverse the City Administrator's approval of the Permit, was concerned with the location of Mr. Baker's family recreational vehicle ("RV"), which is not used in or associated with Mr. Baker's business, and whether or not it was obstructing the view of motorists. The Gladstone Police Department determined all vehicles on Mr. Baker's property, including his RV, are in compliance and do not present such issues. In any case, Mr. Baker's personal RV is not

relevant to his home occupation or issuance of the Permit. If Mr. Baker is not compliant with an ordinance regarding motor vehicles, he would be happy to address that with the appropriate authority. However, the Commission's decision regarding his Permit should be based solely on the issues raised in the Appeal and the Code sections applicable to home occupations.

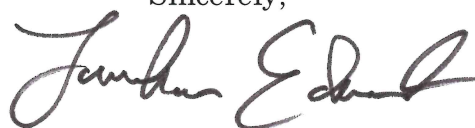
Additionally, Ms. Smith was concerned that Mr. Baker's primary business address, outside the City of Gladstone, is in a "manufactured home" and not located "in a business park." First, a business park is a collection of offices and Mr. Baker's work does not require a traditional business office. Second, Mr. Baker does not work from a manufactured home. He rents a portion of the property and works out of a large, non-residential shop (see Exhibit A) more suited for his type of business than a business park. He uses this location to store a vehicle and other items associated with his business and to serve as his principal place of business.

The characterization of Mr. Baker's principal place of business is irrelevant to his Permit. He changed his principal place of business in order to reduce his business presence at his home in Gladstone, but nothing about that separate location should affect the approval of his Permit. The Code does not condition home occupation permits on the type of structure one utilizes to conduct their business outside the City of Gladstone. Therefore, it would be improper to deny Mr. Baker his Permit based on the character of a separate location outside the City of Gladstone which Mr. Baker uses for business.

Finally, commissioner Patrick Smith, who voted to reverse the City Administrator's approval of the Permit, opined that based on his experience "work[ing] in sales for a multinational corporation out of [his] home...[his] idea of a sales headquarters [is] very different from what Mr. Baker's is..." Again, the Commission's decision regarding Mr. Baker's Permit should be based solely on the issues raised in the Appeal and the Code sections applicable to home occupations.

Mr. Baker has addressed all issues raised in the Appeal and is now compliant with the Code. The Commission should base its decision solely on the matters presented in the Appeal and the application of the Code as it applies to the Permit. Therefore, the Commission should uphold the City Administrator's approval of the Permit.

Sincerely,



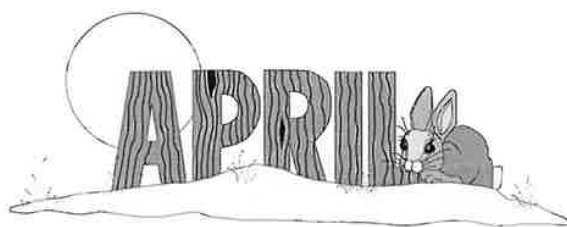
JONATHAN P. EDWARDS

Attachment: Exhibit A

Cc: bannick@ci.gladstone.or.us

EXHIBIT A





REGULAR AGENDA



Agenda Item No. 4

PC Meeting Date: 04/18/2023

STAFF REPORT: DESIGN REVIEW

Application No.:	DR-23-03
Applicant/Owner:	City of Gladstone
Project Location:	18595 Portland Avenue; Tax Map 22E19AA Lot 2100
Project Description:	Renovation and 134 square foot vestibule addition to the existing Gladstone Public Works building. Renovation of Portland Ave. street frontage including 4,905 square foot site improvements for pedestrian, parking and vehicular circulation.

SUMMARY OF STAFF RECOMMENDATION

The planning staff recommend approval of the Design Review application DR-23-03 and recommend the following findings and standard conditions in support of approval, as well as 4 special conditions: (1) Watts St Improvements; (2) Easements; (3) Sanitary Sewer Scoping; and (4) Oak Lodge Condition.

The Gladstone Public Works Building is located at 18595 Portland Ave., Tax Lot ID 22E19AA02100, a 1.95-acre site zoned LI- Light Industrial. The purpose of the renovation is to convert the Public Works Building from a “shop” to an office/meeting space function. The vestibule addition will face Portland Ave., where improvements will be made to vehicular and pedestrian circulation.

As proposed and conditioned, Planning Staff found the application consistent with all applicable standards from Title 17 of the Gladstone Municipal Code (GMC). Therefore, staff recommend that the Planning Commission approve this Design Review application with the standard conditions and 4 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 ODOT, Clackamas Fire, Water Environment Services (WES), Oak Lodge, and Gladstone Disposal.

Responses Received: The proposal was reviewed by Gladstone Public Works and Engineering who provided comments dated April 6, 2023 regarding public utilities, streets and erosion control, which have been incorporated into this report. Oak Lodge also provided comments and recommended conditions which are incorporated herein. No comments were received from Clackamas Fire District on behalf of Gladstone fire, from ODOT 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 GMC 17.66.015(4).**
- 2. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Planning Director for the City of Gladstone.**
- 3. Assignment. The permit may be assigned to any qualified person, provided assignee files with the**

City Planning Department an affidavit accepting all terms and conditions of the permit.

4. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
5. **The Oak Lodge Rules and Regulations and Design and Construction Standards** in effect on the date of complete application to OLWSD, not land use application date, shall apply to all utilities within the Oak Lodge Water Services Service Area.
6. **Construction Plans.** Plans detailing the installation of public and private utilities, site grading and other public and private improvements shall be submitted to the City of Gladstone Public Works Department for review and approval per GMC 17.60.010 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 three (3) paper sets of plans, a pdf copy, an Engineer's Estimate for the public improvements, and a drainage report. The Gladstone Public Works Department provided detailed comments regarding the Construction Plans submittal in their memo dated April 6, 2023, included with this report.
7. **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 GMC 17.40.030.
8. **Building Permits.** The applicant shall obtain required building permits from Clackamas County. The applicant shall comply with requirements of the permits.
9. **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.
10. **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.
11. **As-Built Submittals.** Prior to the approval of the Certificate of Occupancy, the applicant shall provide the City Public Works Department with copies of the as-built submittals per GMC 17.60.020(7).

SPECIAL CONDITIONS OF APPROVAL

1. **Watts Street Improvements.** The application includes improvements to Portland Avenue. Improvements to Watts Street are also required and shall be included on the submitted public improvement construction plans, required by Standard Condition 5.

2. **Easements.** 8-foot-wide public utility easements shall be provided along both street frontages adjacent to this site.
3. **Sanitary Sewer Scoping.** Prior to issuance of building permits, the project will be required to scope the sanitary lateral and provide a copy of the video to the Public Works Department for review. If the condition of the lateral within the public right-of-way is poor, then that portion of the lateral shall be replaced. If the condition of the existing lateral within the public right-of-way is good, then the lateral can remain. In either case, a cleanout will be required to be installed on the sanitary lateral behind the public sidewalk.
4. **Oak Lodge Condition.** Submit a narrative to Oak Lodge to assess the use and associated impact which may trigger Wastewater Connection Fees.

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.
4. **Erosion Control permits** are issued through Clackamas County Water Environment Services and are required for 800 sq. ft. or more of ground disturbance.

FINDINGS

Zoning Code Review & Findings

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

Chapter 17.24 LI – LIGHT INDUSTRIAL DISTRICT

17.24.020 Uses allowed outright.

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

(13) Uses permitted outright in C-3 district.

Finding: The C-3 zone permits outright “Business, governmental or professional office” as well as “Community service facility such as a fire station, library, community center, park, utility, meeting hall or transit facility”. As these uses are permitted outright in LI per 17.24.020(13), this criterion is met.

17.24.045 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.

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

(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.

(6) Required screening shall be a minimum of six feet 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.

(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.

Finding: The site currently has 6-foot-high sight-obscuring fencing along the northern and southern boundaries and connecting the building to the northern boundary fencing. This fencing is proposed to remain and will screen adjacent properties from parking and any equipment storage and maneuvering. This criterion is met.

17.24.060 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 an LI zoning district:

(1) Building Height. The maximum building height shall be 35 feet. This restriction may be varied as follows:

(a) Maximum building height may be increased by one 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;

(b) 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.

(2) Side Setbacks. There shall be no minimum side setback requirement except when a side lot line abuts a residential zoning district, in which case the minimum side setback shall be 20 feet.

(3) Rear Setbacks. There shall be no minimum rear setback requirement except when a rear lot line abuts a residential zoning district, in which case the minimum rear setback shall be 20 feet.

(4) Front and Street Side Setbacks. There shall be no minimum front or street side setback requirements.

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

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

(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 10 feet.

(8) 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 existing building height of 11.5' will not be exceeded with the remodel or the vestibule addition. The rear and south-side property lines abut residential zoning. The building setback far exceeds 20' on both of these sides. There is no minimum front setback. The off-street parking is located a minimum of five feet (5') from the side and rear property lines. The off-street parking is adjacent to the front property line; however, this is an existing non-conformity which will not be expanded with this redevelopment proposal. As proposed, the site improvements meet the dimensional standards of the LI 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 renovate the existing Gladstone Public Works building and construct a proposed 134 square foot vestibule addition. The application also includes parking, landscaping and pedestrian circulation improvements. 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 proposal does not include sale, display or storage of goods or off-street parking on the interior side of the Portland Ave. curb. The curb will be adjacent to a landscaped planter strip and then public sidewalk before the parking area on the subject site. The proposed Portland Ave. frontage improvements are designed to meet the city's collector roadway standards. The proposal does not include improvements to Watts Ave.; however, the public works comments identify the need for frontage improvements designed to meet the city's local roadway standards, including extension of the existing sidewalk to the south (curb-tight), street trees in the planter strip, street lighting and storm drainage (as required) and a new commercial driveway approach at the existing driveway. This criterion is met as conditioned to provide public improvement construction plans.

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 existing building placement, orientation and height will not change. The current building location does not hinder access to natural light either to the Civic Center (to the north) or residential homes to the south. The existing building will be renovated to meet current energy codes, including insulation in siding and roofing panels. The site is currently used as the Public Works building, which will not change and is compatible as an existing use. The upgrades to the parking and circulation and site landscaping will make the site more visually appealing to neighbors and anyone passing by the site. The existing site screening will remain. 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 proposal includes an upgrade from the existing metal siding and metal roofing to “high quality and architecturally attractive” metal panel siding and metal panel roofing, which the Planning Commission may approve with the design review approval. The submitted lighting plan shows that the entries to the building are adequately lit and all parking areas receive some lighting while little or no lighting (maximum 0.1 footcandles) is visible at the site’s boundaries. Public right-of-way lighting is required as a need is determined through the public improvement plan review. The existing overhead power will remain and any new utilities will be located underground. There are no roof mounted fixtures or equipment existing or proposed. This standard is met.

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

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

- (A) Franchise Hauler Review Method.*** The applicant shall submit plans for storage and collection of solid waste and recyclables that are acceptable to the city’s franchise solid waste hauler; acceptance may be indicated on the site plan and/or by separate attachment; or
- (B) (B) Minimum Standards Method.*** The applicant shall submit plans for storage of solid waste and recyclables in accordance with the following:
 - (i) Multi-family complexes containing ten (10) or fewer dwelling units shall provide a minimum fifty (50) square feet; developments containing more than ten (10) residential units shall provide an additional five (5) square feet per dwelling unit above ten (10).***
 - (ii) Nonresidential developments shall provide a minimum storage area of ten (10) square feet plus:***
 - (aa) office – 4 square feet /1,000 square feet gross floor area (GFA)***
 - (bb) retail – 10 square feet /1,000 square feet GFA***
 - (cc) wholesale/warehouse/manufacturing – 6 square feet /1,000 square feet GFA***
 - (dd) educational & institutional – 4 square feet / 1,000 square feet GFA***
 - (ee) Other – 4 square feet /1,000 square feet GFA***

Finding: There are no changes to trash disposal and recycling collection associated with this expansion. Gladstone Disposal Company, Inc. provided a letter, included with the applicant’s submittal, that the current pick-up location is acceptable, meeting subsection (A) of (8)(a) above. This standard is met.

17.44.024 Nonresidential design standards.

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

- (1) Ground Floor Windows.** Ground floor windows shall be required on walls fronting a public street and

shall comply with the following standards:

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

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

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

(a) A cornice above ground level;

(b) An arcade;

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

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

Finding: While this is not a new non-residential building, and the building is only one-story in height, the design does provide windows totaling 22% of the building facing Portland Ave. The bottom of the windows are either at finish grade or 3' above finish grade. The non-residential design standards of GMC 17.44.024 are not applicable to this one-story existing non-residential building.

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 proposed improvement area "project area" is approximately 15,827 SF (0.36 ac). The project area provides 3,621 SF of landscape area which is 23%, exceeding the min. 15% required under GMC 17.46.020. This standard is met.

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

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

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

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

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

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

(C) Vegetative ground cover;

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

(e) In parking areas three acres and larger intended for use by the general public, pedestrian

walkways shall be raised or separated from parking, parking aisles, and travel lanes by a raised curb, concrete bumpers, bollards, landscaping, or other physical barrier. If a raised pathway is used, curb ramps shall be provided in accordance with the Americans with Disabilities Act Accessibility Guidelines.

(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.

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

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

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

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

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

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

Finding: The parking area on the south side of the building contains 12 parking spaces, requiring a minimum of 120 square feet of defined landscaping areas. Two landscaping areas are provided, one “island” at the northeast corner of the parking area and one area between the parking and the building at the northwest corner of the parking area. The parking area exists adjacent to the Portland Ave. frontage and therefore is pre-existing non-conforming. The non-conformity will not be expanded. Along the southern property line, a perimeter landscape area is provided that is variable in width from 15.7' - 28.6', thus exceeding the 5' min. buffer width. Street trees are provided along Portland Ave. and are required along Watts Street. Automatic irrigation is provided per the included irrigation plans. Landscaping proposed is a combination of trees, shrubs, and groundcover per the included landscaped planting plans. New landscaping proposed is an increase of approximately 23% greater than the existing landscaped area, thus meeting the required nonconforming use upgrade of 3% min. per GMC 17.46.020(10)(a). This standard is 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 number of employees has been used to calculate the number of parking spaces. The total staff count for Gladstone Public Works is 21. 27 off-street parking spaces are provided with additional on-street parking available on Portland Ave. Alternatively, when calculating based on “office” (1 space per 370 square feet), the total number of required parking spaces is 14. The provided parking exceeds the minimum parking spaces required by this section of the code and this standard 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 redeveloped off-street parking will be appropriately paved and graded. There are no abutting residential properties. Existing screening from residential properties will be retained. The parking is located on the subject property in close proximity to the use. Parking is permanently marked, appropriately curbed and served by driveways. There are no large, uninterrupted rows of parking spaces. 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 –LI Zoning District***

Finding: Loading at the site is done in existing areas at the rear of the site which will not change and are more than 20 feet from residential property. This standard is met.

17.48.050 Bicycle parking standards.

(1) General Provisions.

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

Finding: A short-term bicycle parking rack for 2 spaces is provided on the site plan to the west of the new vestibule. This standard is met.

Chapter 17.50 VEHICULAR AND PEDESTRIAN CIRCULATION

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

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: Proposed improvements provide new paved pedestrian and vehicle circulation improvements, separate vehicle and pedestrian traffic and add new ADA-accessible improvements. The proposed sidewalks and pedestrian connections meet the minimum width and design standards. 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 no existing (and no known planned) transit stop along the site's frontage. Therefore, this standard is not applicable.

Chapter 17.52 SIGNS

Establishes sign requirements.

Finding: Sign designs for the replacement of the current signs, or any additional signage, was not included in the application. This standard is not applicable to the proposal.

Chapter 17.54 CLEAR VISION

17.54.020 Clear vision area.

(1) Obstruction Prohibited. On property at any corner formed by the intersection of two streets, or a street and a railroad, it is unlawful to install, set out or maintain, or to allow the installation, setting out or maintenance of any sign, fence, hedge, shrubbery, natural growth or other obstructions to the view higher than three feet above the level of the center of the adjacent intersection with that triangular area between the property line and a diagonal line joining points on the property lines at the distance from the intersection specified in this regulation. In the case of rounded corners, the triangular areas shall be between the lot lines extended in a straight line to a point of intersection and so measured, and a third side which is a line across the center of the lot joining the nonintersecting ends of the other two sides. The following measurements shall establish clear-vision areas:

Right-of-Way (in feet)	Measurement Each Lot Line (in feet)
80'	20'
60'	30'
50' or less	40'

(2) Exceptions. Provisions set out in Subsection (1) of this section shall not apply to:

(a) Public utility poles; trees trimmed (to the trunk) to a line at least eight feet (8') above the level of

the intersection; provided, that the remaining limbs and foliage of the trees must be trimmed as to leave, at all seasons, a clear and unobstructed cross-view of the intersection; saplings, or plant species of open growth habits and not planted in the form of a hedge, which are so planted and trimmed as to leave at all seasons a clear and unobstructed cross-view of the intersection, supporting members of appurtenances to permanent buildings existing on the date when this ordinance in this Chapter becomes effective; official warning signs or signals; places where the contour of the ground is such that there can be no cross-visibility at the intersection; or to signs mounted ten or more feet above the ground and whose supports do not constitute an obstruction as described in Subsection (1) of the section.

(b) At a driveway serving a parking lot with capacity of more than eight automobiles and at corners of an intersection of a street controlled by stop signs or a traffic signal if the street intersection or driveway has an unobstructed sight distance specified in a 2001 publication titled "A Policy on Geometric Design of Highways and Streets" prepared by the American Association of State Highway and Transportation Officials (AASHTO), summarized in the table below; however, the Planning Commission may approve a driveway location with less than minimum intersection sight distance if no other suitable location is available:

Posted Speed Limit	Minimum Intersection Sight Distance
20	225 ft.
25	280 ft.
30	335 ft.
35	390 ft.
40	445 ft.
45	500 ft.

Finding: The applicant does not propose structures or sight-interfering vegetation within the clear vision areas. The proposed building extension (vestibule) does not impact this minimum sight distance. 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 subject property does not contain any known drainage ways, floodplains, or watercourses. Surface water drainage and treatment exists and is developed to City standards. Any public storm drainage improvements shall be installed pursuant to the requirements of the Public Works Design and Construction Standards. These standards are met and will be further reviewed with Public Improvement Construction Plans.

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.

(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 Department reviewed the application. Their findings are below:

Water:

There are two water mains in Portland Avenue, a 2-inch main on the west side of the street and an 8-inch main on the east side. The site has domestic water service from the 2-inch main. A 1-inch water meter, which is believed to be of adequate size to serve the new building, is currently placed adjacent to the east wall of the building.

1. The water meter shall be moved into the planter strip during construction, consistent with Public Works Design and Construction Standards.
2. Water meter sizing calculations, typically based on fixture count, shall be submitted to verify adequate water meter size.

Fire Suppression:

No fire suppression sprinkler line is proposed for the new building. Existing fire hydrants are located on Portland Avenue and within the site. Fire service to the site comes from an 8-inch water main on the east side of Portland Avenue.

3. Any fire system improvements required by the Fire Department shall be installed pursuant to the requirements of the Public Works Design and Construction Standards and the Oregon Health Authority.

Sanitary Sewer:

The sanitary sewer lateral for this site drains to the sewer main in Portland Avenue. The existing lateral is intended to be used to serve the new building.

4. The project will be required to scope the sanitary lateral and provide a copy of the video to the Public Works Department for review. If the condition of the lateral within the public right-of-way is poor, then that portion of the lateral shall be replaced. If the condition of the existing lateral within the public right-of-way is good, then the lateral can remain. In either case, a cleanout will be required to be installed on the sanitary lateral behind the public sidewalk.
5. All public sanitary sewer improvements shall be installed pursuant to the requirements of the Public Works Design and Construction Standards.

Storm Drainage:

Portions of the site drain toward Portland Avenue and toward Watts Street. City of Gladstone

Stormwater Treatment and Detention Standards apply to projects that create or re-develop 5,000 sq. ft. or more impervious surface. Per the information submitted by the applicant, the new and re-developed surface area will total less than 5,000 sq. ft., below the threshold requiring compliance with the Treatment and Detention Standards.

6. Any public storm drainage improvements shall be installed pursuant to the requirements of the Public Works Design and Construction Standards.

Street improvements:

Portland Avenue frontage: Portland Ave. is designated in the TSP as a collector roadway. One access per site frontage is the normal maximum, however, additional driveways can be approved by the Public Works Director if it is found that no imminent traffic hazard would result and impacts on through traffic would be minimal. The proposed site use is the same as the current use and the proposed traffic circulation pattern will remain the same as the current circulation pattern. Because the current traffic pattern has little impact on through traffic and creates no hazard at either driveway, the Public Works Director will allow two driveway approaches to remain, as long as they remain in the same location as the existing approaches.

7. Portland Avenue improvements shall be installed pursuant to the requirements of the Public Works Design and Construction Standards:
 - a. The existing curb line in front of the site shall remain in its current alignment.
 - b. A 5-foot planter strip is required. Street trees shall be installed in the planter strip as required by the Municipal Code.
 - c. A new 6-foot sidewalk is required behind the planter strip. The sidewalk shall be ADA compliant and shall conform to the existing sidewalk to the north and south ends of the site.
 - d. New ADA compliant commercial driveway approaches shall be installed at each driveway.
 - e. Street lighting shall be provided, as required by Public Works Design Standards.
 - f. There is currently a low spot in the pavement in front of the northern driveway approach. Either the pavement shall be improved to eliminate the low spot, or a new storm inlet shall be installed at that location.

Watts Street frontage: Watts St. is designated in the TSP as a local street. Watts is improved with pavement and curbs on both sides of the street, but there is little sidewalk other than what was installed in front of the Civic Center that extends partially across this site frontage. Any future sidewalk south of this site to Barclay St. would be curb tight. The one existing driveway approach will remain.

8. Watts Street improvements shall be installed pursuant to the requirements of the Public Works Design and Construction Standards:
 - a. The existing curb in front of the site can remain.
 - b. A new 6-foot sidewalk is required. The sidewalk shall conform to the Civic Center sidewalk at the north end of the site and transition to being curb tight south of the driveway approach. The southern end of the sidewalk shall terminate with an end of sidewalk ramp. The sidewalk shall be ADA compliant.
 - c. A new ADA compliant commercial driveway approach shall be installed at the existing driveway.
 - d. Street lighting shall be provided, as required by Public Works Design Standards.
 - e. Street trees shall be installed where there is a planter strip.
 - f. If there is a low spot in the pavement along the curb line that forms a puddle, the pavement shall be replaced to eliminate the low spot.

Public Utilities & Easements:

9. Necessary arrangements with utility companies shall be made for the installation of underground lines and facilities. Except where otherwise prohibited by the utility district or company, all such new facilities shall be underground.
10. Public utility easements shall be provided along both street frontages. Easement width shall be 8-feet. Easements shall be prepared using an approved City of Gladstone easement form and a copy of the recorded easement shall be provided to the Public Works Department prior issuance of the approved plans and right-of-way permit.
11. Construction Plans, Pre-construction Conference, and As-Builts:
 - a. Plans detailing the installation of public and private utilities, site grading, and other public and private site improvements shall be submitted to the Public Works Department for review and approval per Section 17.42.030. The City requires 3 paper copies and an electronic copy of plans and the drainage report to be submitted.
 - b. The design, location, and planned installation of all roadways, sidewalks, sanitary sewer, storm drain, water line, natural gas, power, street lighting, communications facilities are subject to approval by the appropriate agency/utility service provider.
 - c. Construction plans shall be designed and stamped by a professional engineer registered in the State of Oregon.
 - d. A right-of-way permit will be required from the Public Works Department.
 - e. Once construction plans are ready to be approved by the Public Works Department, a Pre-Construction Conference will typically be required at the Public Works Department. The requirement for a Pre-Construction conference may be waived by the Public Works Director depending upon the scope of the project.
 - f. Prior to issuing the approved plans and the right-of-way permit, easements, maintenance agreements, and bonds may be required and SDC's may have to be paid.
 - g. As-built plans showing the constructed public improvements shall be submitted to the Public Works Department at the completion of construction. As-builts shall include a paper and pdf copy and CAD.

General:

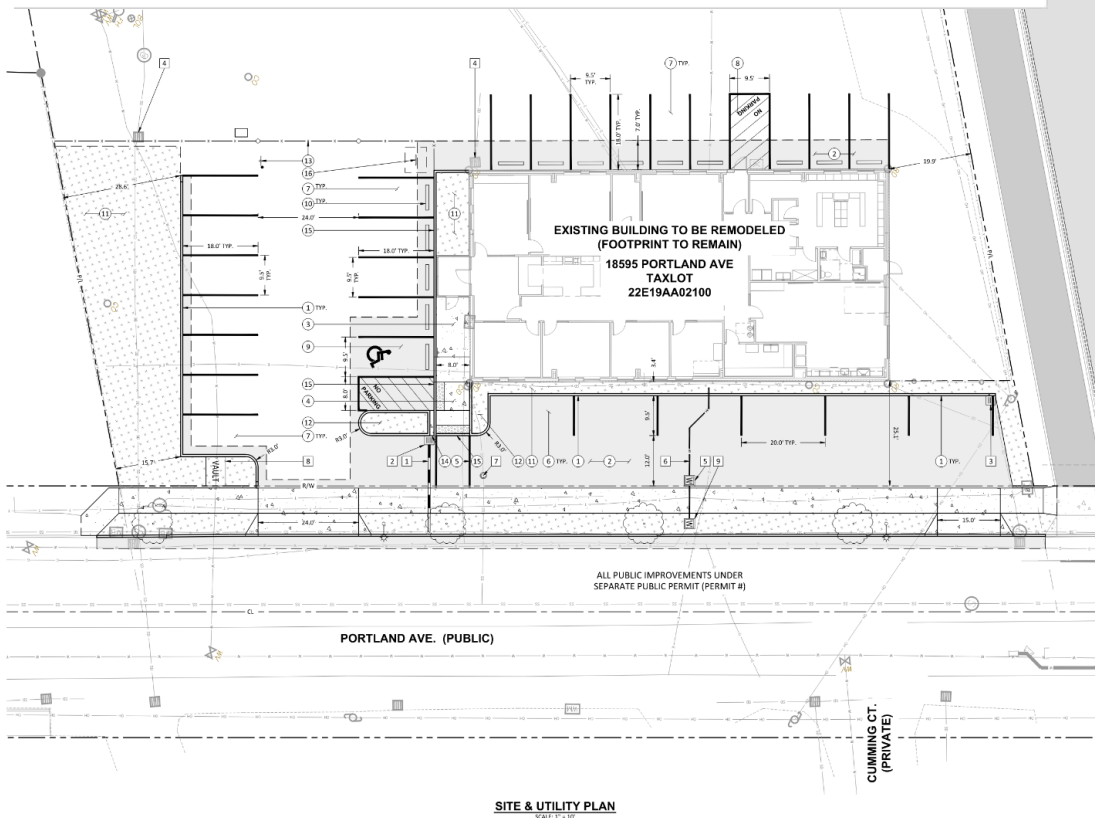
12. All underground utilities, sanitary sewers and storm drains installed in the public streets shall minimize the disturbance of existing street improvements when service connections are made.
13. Private site utilities and plumbing shall be approved and permitted through Clackamas County Building Department.
14. A grading permit for onsite grading activities may be required. If required, the grading permit will be issued through Clackamas County Building Department.
15. An erosion control permit may be required. If required, the erosion control permit will be issued through Clackamas County Water Environment Services.
16. Prior to Final Occupancy, all requirements of the Public Works Department shall be met.

As such, the Planning Staff are recommending the Planning Commission APPROVE the Design Review Application DR-23-03.

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- Vicinity Map, Site and Utility Plan and Proposed Building Elevations

Vicinity Map:







DESIGN REVIEW LAND USE APPLICATION

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

• FOR STAFF USE ONLY •

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

• APPLICANT INFORMATION •

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Contact Information:	<input type="checkbox"/> Owner	<input type="checkbox"/> Applicant	<input type="checkbox"/> Consultant	<input type="checkbox"/> Other
Contact/Applicant's Name: _____				
Mailing Address: _____ City/State/Zip: _____				
E-Mail: _____ Phone: _____				
Contact Information:	<input type="checkbox"/> Owner	<input type="checkbox"/> Applicant	<input type="checkbox"/> Consultant	<input type="checkbox"/> Other
Contact/Applicant's Name: _____				
Mailing Address: _____ City/State/Zip: _____				
E-Mail: _____ Phone: _____				
Property Information				
Site Address: _____				
Total Land Area: _____				
Legal Description: T _____ S, R _____ E/W/Q, Section _____ Tax Lot(s) _____ <small>(For property legal description, contact Planning at 503-742-4500)</small>				
Adjacent Properties under Same Ownership: T _____ S, R _____ E/W/Q, Section _____ Tax Lot(s) _____				
Project Description: _____ _____ _____ _____ _____				
Current Zoning: _____		Existing Use of Site: _____		
Construction Cost: _____		Proposed Square Footage: _____		

Method of Sewage Disposal: Public

Water Supply: Public

Commercial/Industrial/Institutional Development:

Number of employees/students/occupants: 21 Days of operation: Monday-Friday

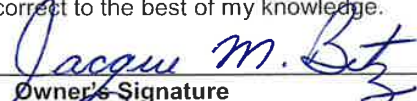


Estimated hours of daily operation: 8:00 am - 4:30 pm

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

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

Jacque Betz	City of Gladstone, 18505 Portland Ave, Gladstone, OR. 97027,	City Administrator
Name	Address	Relationship
Jeremiah Dodson,	P&C Construction, 2133 NW York St, Portland, OR. 97210,	General Contractor
Name	Address	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)	<u>Trent Jorgensen</u> _____ 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 attached supplemental

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

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

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

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

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.

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

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:

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

(Use additional sheets to answer questions if necessary)

City of Gladstone
Design Review Application
Supplemental



Date: 03/06/2023

RE: Gladstone Public Works Facility Renovation

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:

The proposed project is to renovate and add a 134 s.f. entry vestibule to the existing 5,000 s.f. Public Works building. Additionally, Portland Ave frontage improvements and site improvements for pedestrian circulation and parking will be included. Landscaping additions and improvements will also be included. The existing building currently functions as a “shop”, offices and meeting space for 21 Public Works Department staff. The proposed renovation will remove the “shop” function so the building will solely be used for offices, meeting spaces and staff support spaces. The Public Works Department is open from 8:00am to 4:30pm, Monday through Friday. The building renovation includes replacing the existing metal siding and roofing with new, modern metal siding and roofing. The exterior color scheme will be neutral tones of dark and light gray.

Identify how your proposal meets siting and design standards pursuant to GMC Chapter 17.44:

The proposal complies with all siting and design standards of 17.44 as follows:

17.44.020 General standards.

- (1) Siting. The existing building placement and orientation on the site and its' height will not change. The current location of the building does not hinder access to natural light to either the Civic Center, located to the northwest, nor the residential homes located to the southeast.
- (2) Energy Efficient Design. The existing building is an uninsulated, pre-manufactured steel building constructed approximately 50 years ago. The existing metal siding and metal roofing will both be replaced to meet current energy code using insulation metal siding panels and insulated metal roofing panels. Additionally, new windows and doors will be installed to current energy code.
- (3) Compatibility. How the building and site function will not be altered. The site is currently used by the Public Works Department and houses service trucks, equipment and a storage place for supplies. Though the activities on the site will not change the project does include street improvements and side yard improvements that will provide a landscape buffer for the residential houses to the southeast.

- (4) Building Materials. The project proposes to use high quality and architecturally attractive metal panel siding and metal panel roofing. The existing pre-manufactured steel building construction is designed to use and support these types of products. To replace the existing metal siding and roofing with another type of product will be cost prohibitive and be a undue hardship for the project. In addition, several buildings located on nearby HWY 99E currently use metal panel siding similar to what is proposed for this project.
- (5) Lighting. Lighting will be provided to illuminate the Portland Ave. frontage, the parking areas and pedestrian walkways. The lighting fixture styles will be carefully selected as to not shine on adjacent properties.
- (6) On-site Lighting. See Item (5). Additionally, a site lighting plan with photometric analysis is attached for review.
- (7) Equipment and Facilities. The existing building is currently served by overhead power and it is not feasible to relocate the service underground. All other utilities are underground and will remain so. There are no roof mounted fixtures or equipment.
- (8) Trash Disposal and Recycling Collection: There is currently a dumpster located on site. The Franchise Hauler has provided a statement (attached) indicating the current dumpster is satisfactory.
- (9) Temporary Structures. No temporary structures are proposed.

17.44.024 Nonresidential design standards

- (1) Ground Floor Windows. Windows are provided that are facing the public street (Portland Ave). The building façade facing Portland Ave is 972 s.f. of which windows comprise 217 s.f, which equates to 22%. The building construction type and floor plan orientation does not make it feasible to have 25% of the Portland Ave facing façade windows. The bottom of windows are either at finish grade or 3'-0" above finish grade.
Windows provided allow views into offices and the vestibule (pedestrian entrance) directly accesses the building lobby.
- (2) Distinct Ground Floor This requirement does not apply since the building is only a single floor

17.46.020 Landscaping standards.

(1) Minimum Requirement. The proposed improvement area "project area" is approximately 15,827 SF (0.36 ac). The project area provides 3,621 SF of landscape area which is 23%, exceeding the min. 15% required under 17.46.020. Along the south property line, a perimeter landscape area is provided that is variable in width from 15.7' - 28.6', thus exceeding the 5' min. buffer width. Street trees are provided along Portland Ave. Automatic irrigation is provided per the included irrigation plans. Landscaping proposed is a combination of trees, shrubs, and groundcover per the included landscaped planting plans. New landscaping proposed is an increase of approximately 23% greater than the existing landscaped area, thus meeting the required nonconforming use upgrade of 3% min. per 17.46.020(10)(a).

17.48.030 standards for developments subject to design review.

(1) Calculation of

Parking Requirements:

The number of employees has been used to calculate the number of parking spaces. The total staff count is 21. 27 off-site parking spaces are provided with additional on-street parking available on Portland Ave. Alternately, when calculating based on "office" (1 space per 370 s.f) the total number of parking spaces is 14.

In either scenario, the number of parking spaces provided is greater than required.

17.48.040 Design requirements for permanent off-street parking and loading

(1) Parking and

Loading:

Redeveloped off-street parking areas are paved with appropriate drainage. The south parking area is screened from adjacent properties with a min. 5' landscape buffer. Two (2) short-term bicycle parking spaces are provided. All 90-degree parking stalls are min. 9.5' wide and 18' deep with a 24' wide drive aisle where parking is along both sides. Along Portland Ave. there are six on-site parallel parking stalls that are 9.5' wide and 20' deep. There is a one-way drive aisle that is 12' wide. The site has less than 50 employee stalls so carpool or vanpool parking is not required.

17.48.050 Bicycle parking standards

of vehicle parking spaces proposed = 27 (5%) = 1.35 bicycle parking.
(2) short term bicycle parking spaces are provided.

17.50 Vehicular and Pedestrian Circulation

Proposed improvements provide new paved pedestrian & vehicle improvements, separation of vehicle and pedestrian traffic, new ADA accessible improvements meeting all requirements in GMC 17.50. Proposed pedestrian sidewalks are min. 5' wide and provide accessible access from the public r.o.w. at Portland Ave to the main entry of the building. Public frontage improvements are provided along Portland Ave. that include new street lighting, a 0.5' curb, 5' wide landscape strip with street trees, and a 6' pedestrian sidewalk corridor. No r.o.w. dedication is required. Per conversations with Public Works staff, no improvements to Watts Street are required, no public water main improvements are required.

17.52 Signs

(2) On-building signs:

We propose (2) building signs which are comprised of 8" cast aluminum letters, "PUBLIC WORKS" and "18595" that appear at the front vestibule. These signs will be permanently affixed to the building and measure 6.64 s.f. combined.

17.54 Clear Vision

Existing driveways are proposed for replacement in the same location and alignment. Sight distance is adequate.

Additional Notes:

All redeveloped areas are provided with appropriate drainage, grading, paving, and landscaping. A new backflow device will be installed on the existing fire hydrant line along the south property line. The domestic water line for the building will be replaced with a relocated water meter and a new backflow device. A new sanitary sewer cleanout will be installed on the existing lateral. The total disturbed area for the project is 4,905 SF. Per City Engineering conversation (Pat Sisul), this is below the 5,000 SF threshold for stormwater improvements therefore no stormwater improvements are required or proposed.



Gladstone Disposal Company
P. O. Box 1808
Oregon City, OR 97045
503.656.9426
fax: 503.656.0320
www.gladstonedisposalco.com

November 10, 2022

TRENT JORGENSEN, ARCHITECT
SCOTT EDWARDS ARCHITECTURE, LLP
2525 E BURNSIDE ST.
PORTLAND, OR 97214

Dear Trent:

Thank you for contacting us regarding the trash enclosure at 18595 Portland Avenue in Gladstone.

The current pick up location is acceptable, and a trash enclosure is not necessary. The Public Works garbage collection already in place is acceptable to Gladstone Disposal Company.

Of course, if you have any questions or concerns, please do not hesitate to call.

Sincerely,

Gladstone Disposal Company
Scott Shorter, Route Supervisor
PO Box 1838
Oregon City, OR 97045
Email: scotts@bbleasingco.com
Direct: 503.572.1918

Gladstone Public Works Zoning Code Summary

General Zoning

Address: 18595 Portland Ave.
Gladstone, OR 97027

APN: 2-2E-19AA-02100
Alt ID: 50127

Parcel Area: 1.95 acres (84,970 sf)
Tax Map Reference: 22E19AA

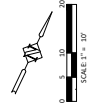
Zoning: Light Industrial (LI)
Comprehensive Plan: I

Subdivision: na
Neighborhood Assn: na

Urban Renewal District: na
Concept Plan: na
Historic District: na

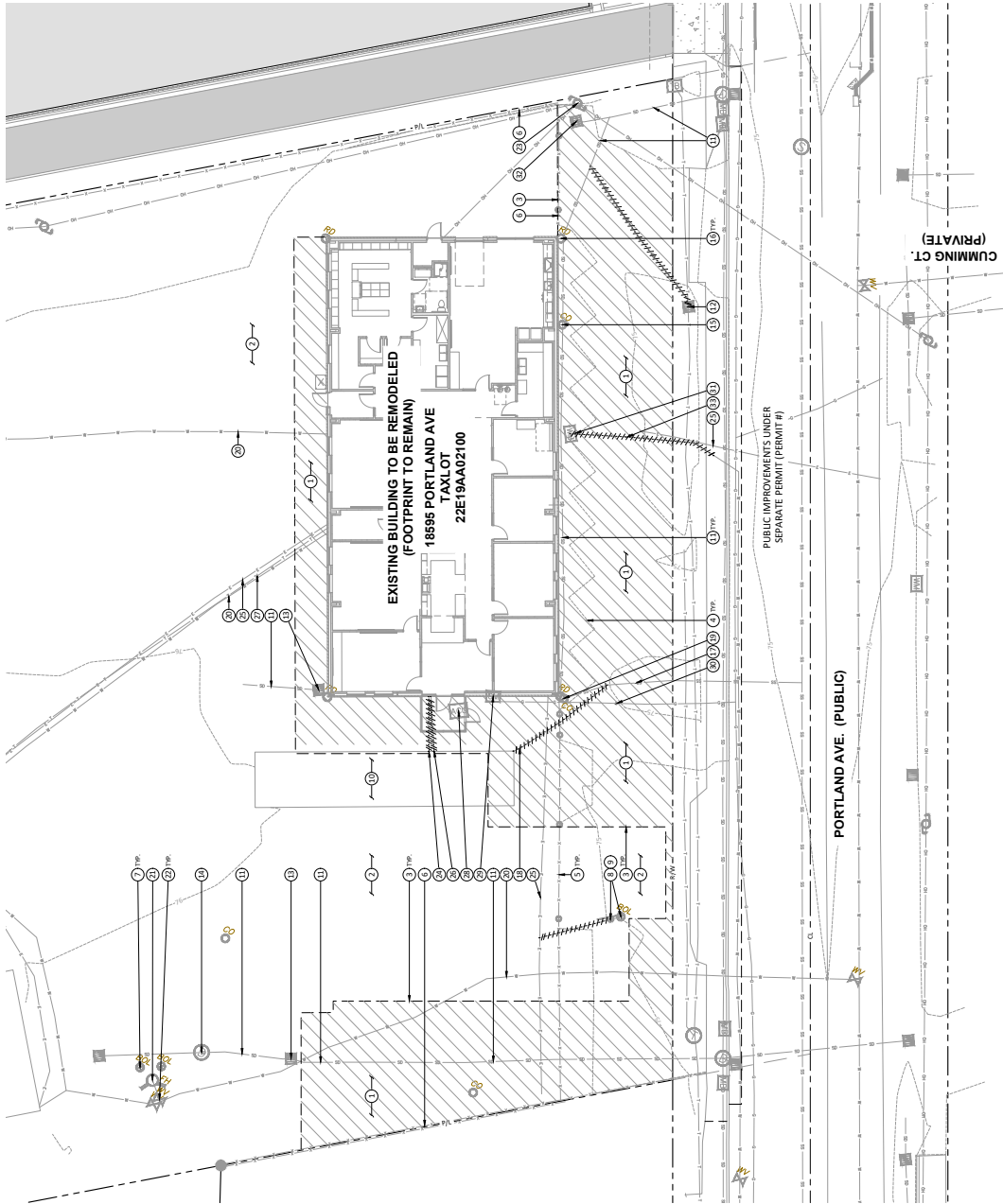
Vicinity Map:



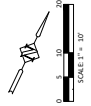


DEMOLITION NOTES:

- 1) REMOVE EXISTING ASPHALT.
- 2) EXISTING ASPHALT TO REMAIN. PROTECT IN PLACE.
- 3) EXISTING ASPHALT TO REMAIN. PROTECT IN PLACE.
- 4) EXISTING ASPHALT TO REMAIN. PROTECT IN PLACE.
- 5) REMOVE EXISTING FENCE AND POSTS.
- 6) REMOVE EXISTING FENCE AND POSTS.
- 7) REMOVE EXISTING FENCE AND POSTS TO REMAIN. PROTECT IN PLACE.
- 8) EXISTING BOLLARD TO REMAIN. PROTECT IN PLACE.
- 9) REMOVE AND RELOCATE EXISTING BOLLARDS. SEE PLAN FOR ADDITIONAL INFORMATION.
- 10) REMOVE AND RELOCATE EXISTING GATE ACCESS CONTROL. SEE SITE PLAN FOR ADDITIONAL INFORMATION.
- 11) EXISTING TEMPORARY TRAILER TO BE REMOVED BY OWNER.
- 12) EXISTING STORM LINE TO REMAIN. PROTECT IN PLACE.
- 13) REMOVE EXISTING CATCH BASIN. CAP AND SEAL AT EXISTING WYE.
- 14) EXISTING CATCH BASIN TO REMAIN. PROTECT IN PLACE.
- 15) EXISTING STORM MANHOLE TO REMAIN. PROTECT IN PLACE.
- 16) EXISTING STORM CLEANOUT TO REMAIN. PROTECT IN PLACE.
- 17) EXISTING STORM CLEANOUT TO REMAIN. PROTECT IN PLACE.
- 18) EXISTING SANITARY SEWER TO REMAIN. PROTECT IN PLACE.
- 19) REMOVE EXISTING SANITARY SEWER TO ABOVE BUILDING CAP AND SEAL AT EXISTING WYE.
- 20) EXISTING WATER LINE TO REMAIN. PROTECT IN PLACE.
- 21) EXISTING FIRE HYDRANT TO REMAIN. PROTECT IN PLACE.
- 22) EXISTING WATER VALVE TO REMAIN. PROTECT IN PLACE.
- 23) EXISTING UTILITY POLE AND OVERHEAD WIRES TO REMAIN. PROTECT IN PLACE.
- 24) REMOVE EXISTING UNDERGROUND POWER LINE.
- 25) EXISTING UNDERGROUND POWER LINE TO REMAIN. PROTECT IN PLACE.
- 26) EXISTING TELECOMMUNICATIONS LINE. COORDINATE WITH FRANCHISE UTILITY PROVIDER PRIOR TO CONSTRUCTION.
- 27) REMOVE TELECOMMUNICATIONS LINE TO REMAIN. PROTECT IN PLACE.
- 28) EXISTING GAS METER TO REMAIN. PROTECT IN PLACE.
- 29) EXISTING GAS METER TO REMAIN. PROTECT IN PLACE.
- 30) REMOVE EXISTING WATER METER. SEE UTILITY PLAN FOR ADDITIONAL INFORMATION.
- 31) REMOVE EXISTING WATER METER. SEE UTILITY PLAN FOR ADDITIONAL INFORMATION.
- 32) REMOVE EXISTING WATER METER. SEE UTILITY PLAN FOR ADDITIONAL INFORMATION.
- 33) REMOVE EXISTING WATER METER. SEE UTILITY PLAN FOR ADDITIONAL INFORMATION.
- 34) REMOVE EXISTING WATER LINE.



EXISTING CONDITIONS & DEMOLITION PLAN
SCALE: 1" = 30'

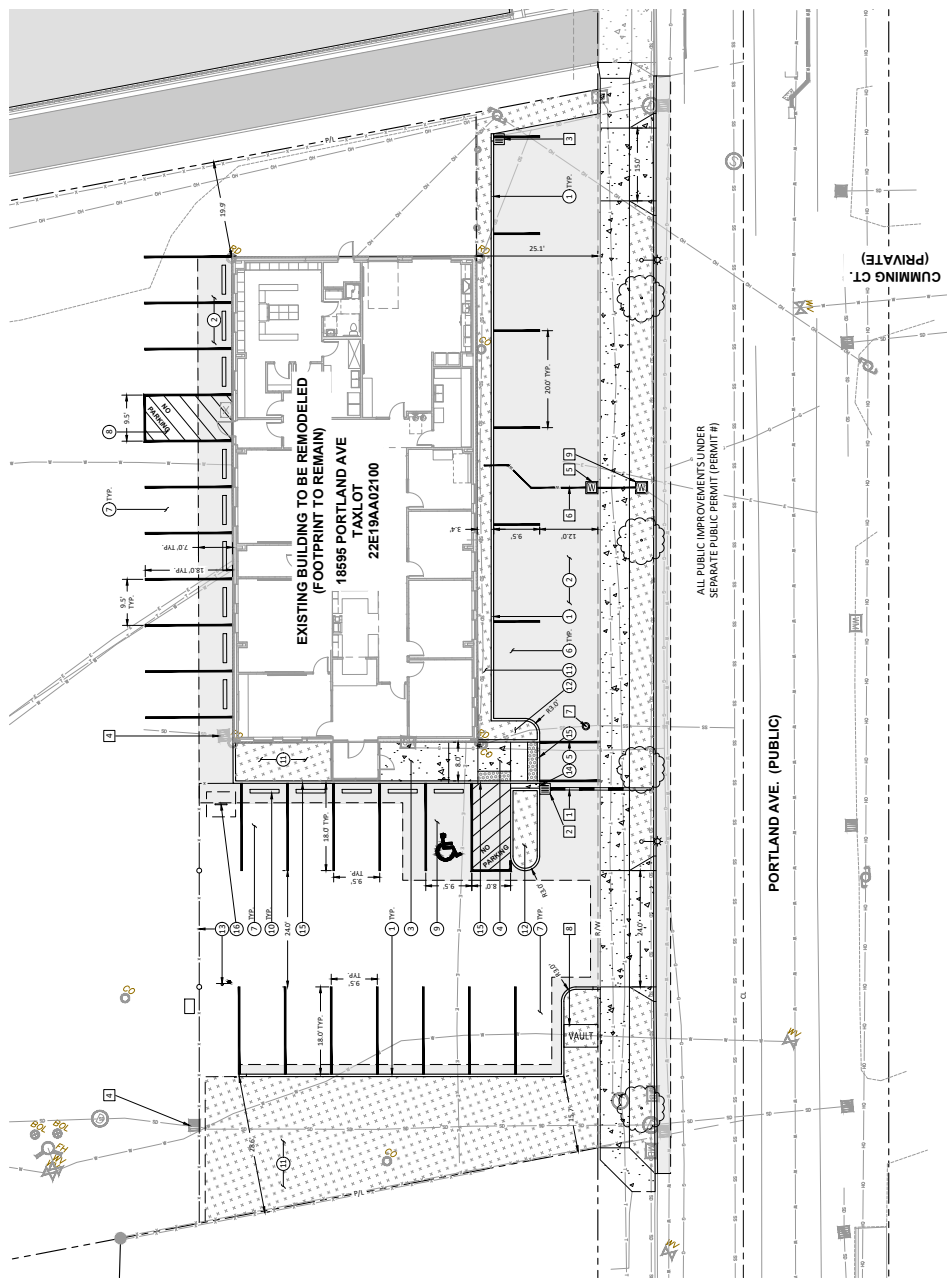


CONSTRUCTION NOTES:

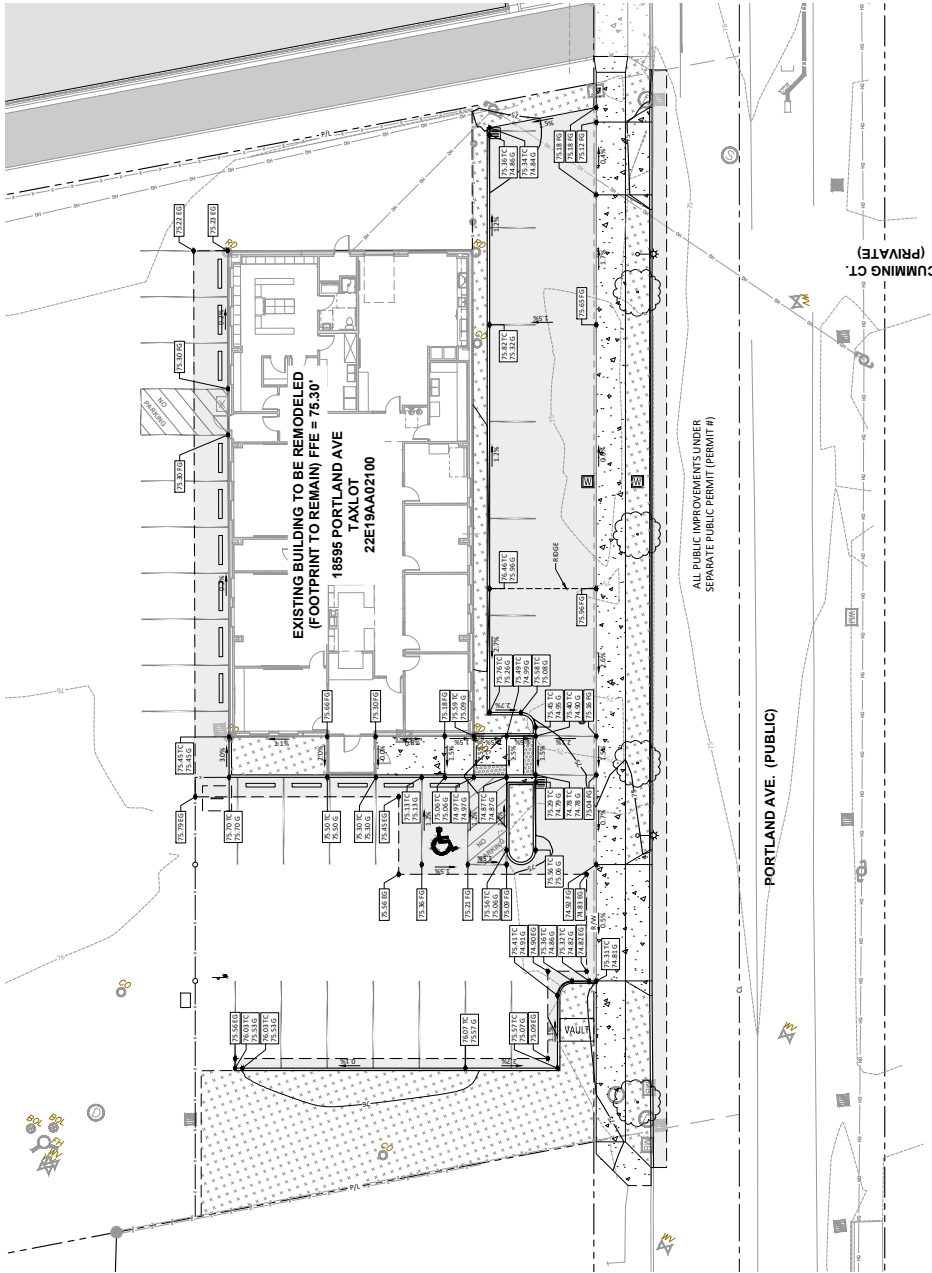
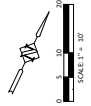
1. CONSTRUCT CONCRETE CURB PER DETAIL ON SHEET C0X.
2. CONSTRUCT DOWNSLOPE PER DETAIL ON SHEET C0X.
3. CONSTRUCT ACCESSIBLE CURB PER DETAIL ON SHEET C0X.
4. CONSTRUCT ACCESSIBLE CURB PER DETAIL ON SHEET C0X.
5. INSTALL 6" RIGID WHITE, TRAFFIC-PAVING CROSSWALK STRIPING.
6. CONSTRUCT PARALLEL PARKING STALL PER DETAIL ON SHEET C0X.
7. CONSTRUCT STANDARD PARKING STALL PER DETAIL ON SHEET C0X.
8. CONSTRUCT VEHICLE ACCESSIBLE PER DETAIL ON SHEET C0X.
9. INSTALL CONCRETE WHEEL STOP PER DETAIL ON SHEET C0X.
10. CONSTRUCT VEHICLE ACCESSIBLE PER DETAIL ON SHEET C0X.
11. PROPOSED LANDSCAPE AREAS: SEE LANDSCAPE PLAN FOR ADDITIONAL INFORMATION.
12. ALL EXISTING UTILITIES TO REMAIN UNLESS INDICATED OTHERWISE.
13. ALL EXISTING UTILITIES TO BE RELOCATED TO THE STREET SIDE AS NECESSARY.
14. CONSTRUCT CONCRETE CURB PER DETAIL ON SHEET C0X.
15. CONSTRUCT FLUSH CURB PER DETAIL ON SHEET C0X.
16. INSTALL SHORT TERM WHEEL PARKING SIGN (3 SIGNS PROVIDED) PER DETAIL ON SHEET C0X.

UTILITY NOTES:

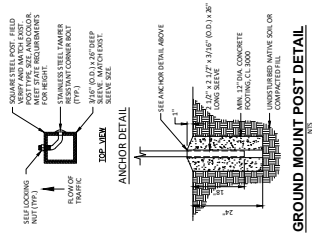
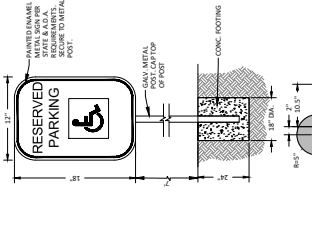
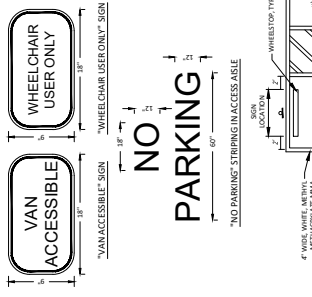
1. INSTALL 6" STORM PIPE AT MIN. 2% SLOPE, CONNECT TO EXISTING STORM MAIN.
2. INSTALL 12" TRIMMED CATCH BASIN PER DETAIL ON SHEET C0X.
3. CONSTRUCT 12" TRIMMED CATCH BASIN PER DETAIL ON SHEET C0X. CONNECT TO EXISTING STORM LINE.
4. EXISTING CATCH BASIN TO REMAIN. PROTECT IN PLACE.
5. INSTALL NEW WATER LINE TO EXISTING WATER SERVICE AND BUILDING. MATCH EXISTING SIZE.
6. INSTALL NEW SANITARY LINE CLEARANCE PER DETAIL ON SHEET C0X. INSTALL CLEARANCE OVER EXISTING SANITARY LINE.
7. INSTALL 6" FIRE LOSS VALVE PER DETAIL ON SHEET C0X. INSTALL OVER EXISTING FIRE LINE.
8. CONSTRUCT CONCRETE CURB PER DETAIL ON SHEET C0X.
9. MONITOR CONSTRUCTION FOR INTERFERENCE WITH EXISTING PUBLIC UTILITY LINES.



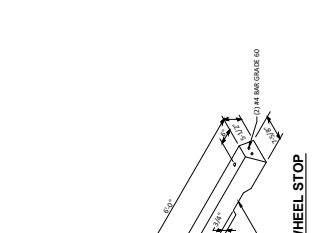
SITE & UTILITY PLAN
SCALE: 1/4" = 1'-0"



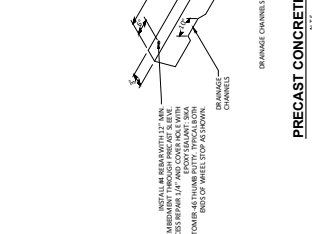
GRADING PLAN
SCALE: 1" = 30'



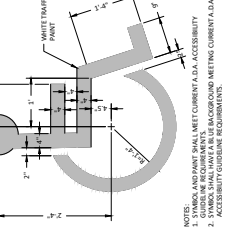
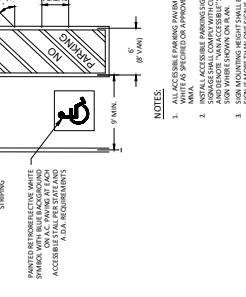
GROUND MOUNT POST DETAIL
N.T.S.



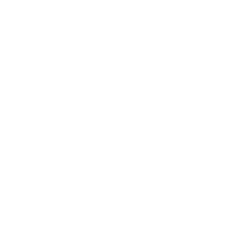
PRECAST CONCRETE WHEEL STOP
N.T.S.



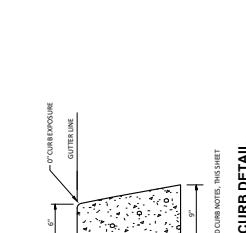
STANDARD PARKING STALL STRIPING
N.T.S.



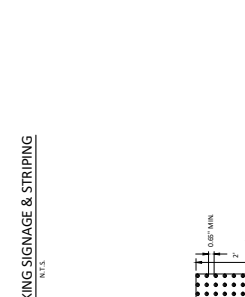
ACCESSIBLE PARKING SIGNAGE & STRIPING
N.T.S.



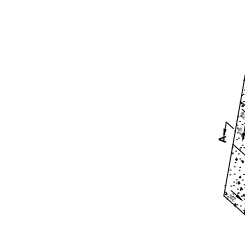
FLUSH CURB DETAIL
N.T.S.



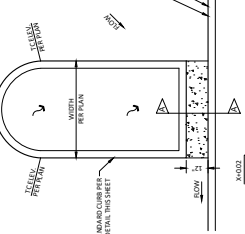
STANDARD CURB
N.T.S.



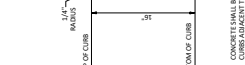
LANDSCAPE ISLAND SCUPPER DETAIL
N.T.S.



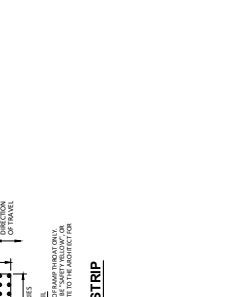
PERPENDICULAR SIDEWALK RAMP (WITHOUT WINGS)
N.T.S.



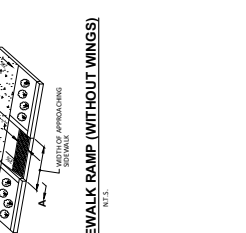
CONCRETE SIDEWALK SECTION
N.T.S.



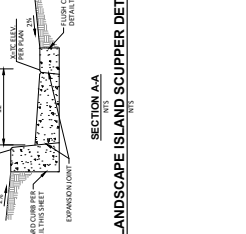
ASPHALT PAVING SECTION
N.T.S.



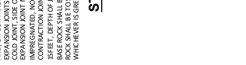
ADA TACTILE WARNING STRIP
N.T.S.



RESERVED PARKING
N.T.S.



NO PARKING
N.T.S.



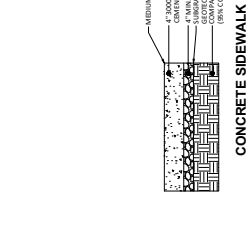
VAN ACCESSIBLE
N.T.S.



WHEELCHAIR USER ONLY
N.T.S.



ANCHOR DETAIL
N.T.S.



PRECAST CONCRETE WHEEL STOP
N.T.S.



STANDARD PARKING STALL STRIPING
N.T.S.



NO PARKING
N.T.S.



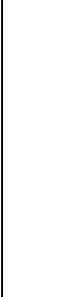
ACCESSIBLE PARKING SIGNAGE & STRIPING
N.T.S.



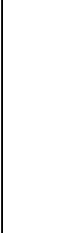
LANDSCAPE ISLAND SCUPPER DETAIL
N.T.S.



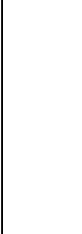
PERPENDICULAR SIDEWALK RAMP (WITHOUT WINGS)
N.T.S.



CONCRETE SIDEWALK SECTION
N.T.S.



ASPHALT PAVING SECTION
N.T.S.



RESERVED PARKING
N.T.S.

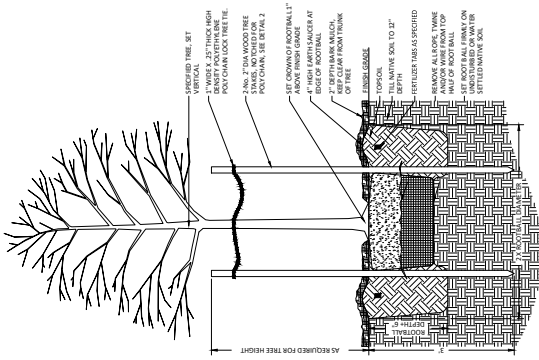


NO PARKING
N.T.S.

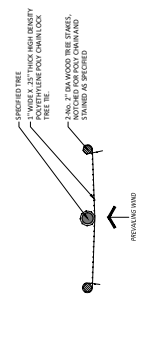
THESE DRAWINGS ARE THE ORIGINAL UNPUBLISHED WORK OF THE ARCHITECT AND SHALL BE KEPT ON FILE BY THE ARCHITECT WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.

FILE PATH: C:\Revit\Lock\22288\Gladstone\22288\gen\sheet\C4.0.rvt

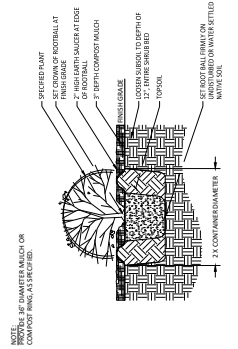
NOTE:
TREE POLE CHAINS SHOULD BE CENTERED ON TREE TRUNK AND TREE TRUNK SHOULD BE FULLY PROTECTED.



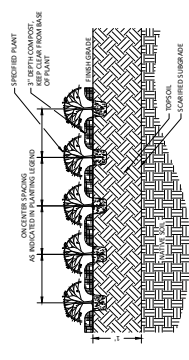
1 DECIDUOUS TREE PLANTING
NOT TO SCALE



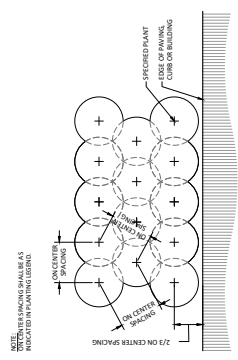
2 TREE STAKING
NOT TO SCALE



3 SHRUB PLANTING
NOT TO SCALE



4 GROUNDCOVER PLANTING
NOT TO SCALE



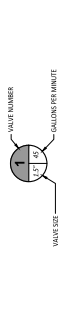
5 TRIANGULAR SPACING
NOT TO SCALE



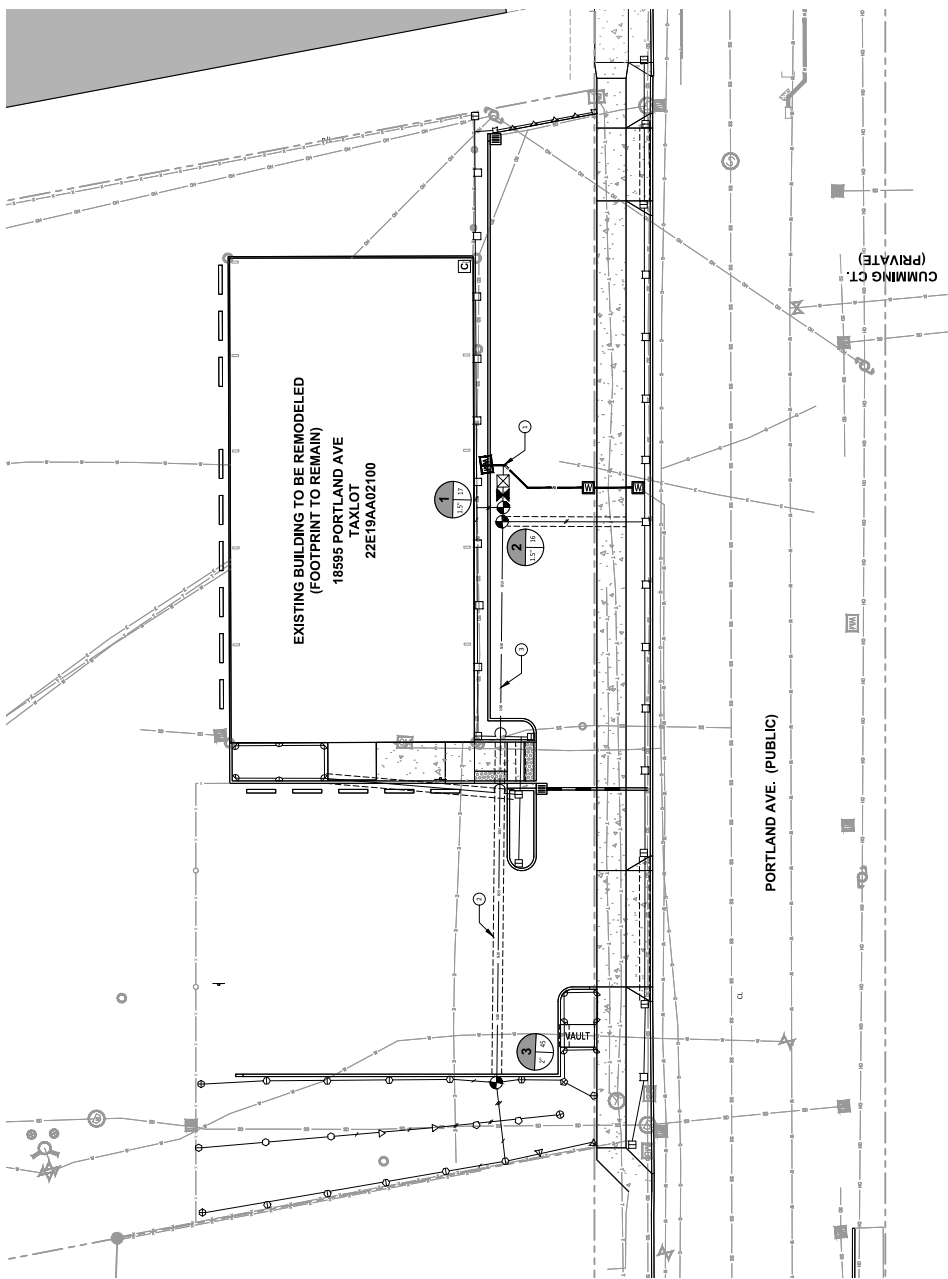
IRRIGATION LEGEND:

SYMBOL	DESCRIPTION
☒	BACKFLOW PREVENTOR - FERRY PRESS BOX 1.127 OR APPROVED EQ.
⊕	BALL VALVE - INBED 2" SLO OR APPROVED EQUAL.
⊖	REMOTE CONTROL VALVE - RANIBED 1/2" OR APPROVED EQ. SIZE AS SHOWN IN RATE CONTROL VALVE.
⊙	QUICK-CLOSURE - RANIBED MODEL 7 OR APPROVED EQUAL.
⊠	MANUAL INBED VALVE
⊡	1" VALVE WITH 1/2" BALL VALVE
⊢	1" VALVE WITH 1/2" BALL VALVE AND SHUTTER WITH SHUTTER VALVE TECHNOLOGY. LOCATION TO BE APPROVED BY OWNER.

PIPE	DESCRIPTION
---	MINI LINE - 2.127 SCH 40 PVC
---	SLEEVING - 4" SLEEVE FOR PIPE < 2", 6" SLEEVE FOR PIPE 2.5" - 4"
---	INTERVAL LINE - 77' CLASS 300 PVC
---	INTERVAL LINE - 1.127 & 1.5" CLASS 300 PVC
---	INTERVAL LINE - SIZE AS INDICATED, CLASS 200 PVC
---	VALVE CONTROL BOX



SYMBOL	DESCRIPTION	SIZE	MATERIAL	QTY	NOTE
◆	1800 PPS HEADS WITH MAIN NOZZLES	30	PP	41	20, 10
⊕	1800 PPS (1" H.A.O.)	30	PP	106	52, 26
⊖	1800 PPS (1" H.A.O.)	30	PP	107	158, 79, 39
⊙	1800 PPS (1" H.A.O.)	30	PP	12	170, 135, 50
⊡	1800 PPS (1" H.A.O.)	30	PP	4	197, 47, 57

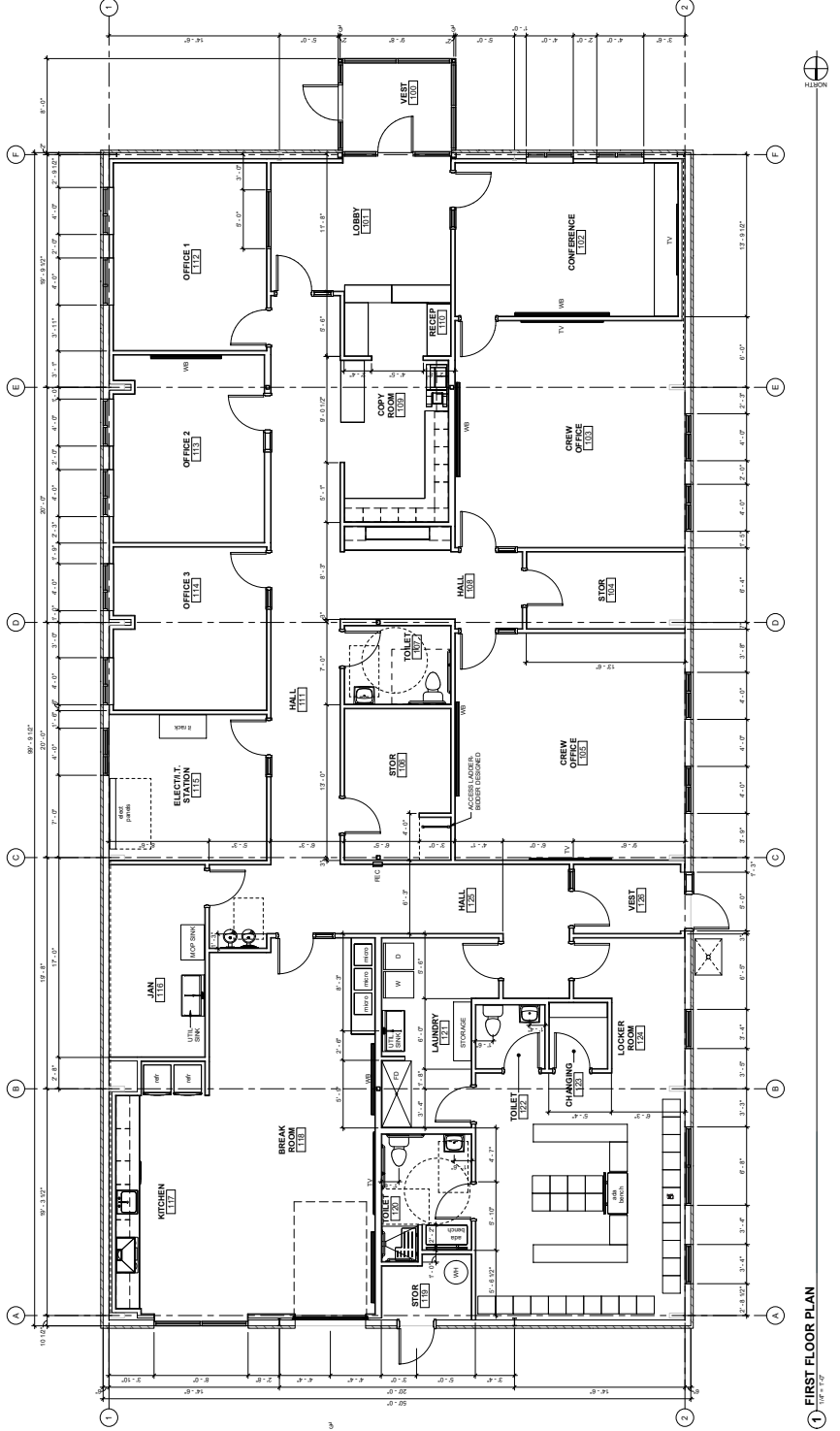


CONSTRUCTION NOTES:

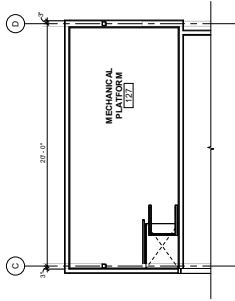
1. POINT OF CONNECTION EXISTING WATER LINE
2. INSTALL SLEEVING UNDER ALL PAVED SURFACES, TYP
3. INSTALL IN LANDSCAPE BED

IRRIGATION NOTES:

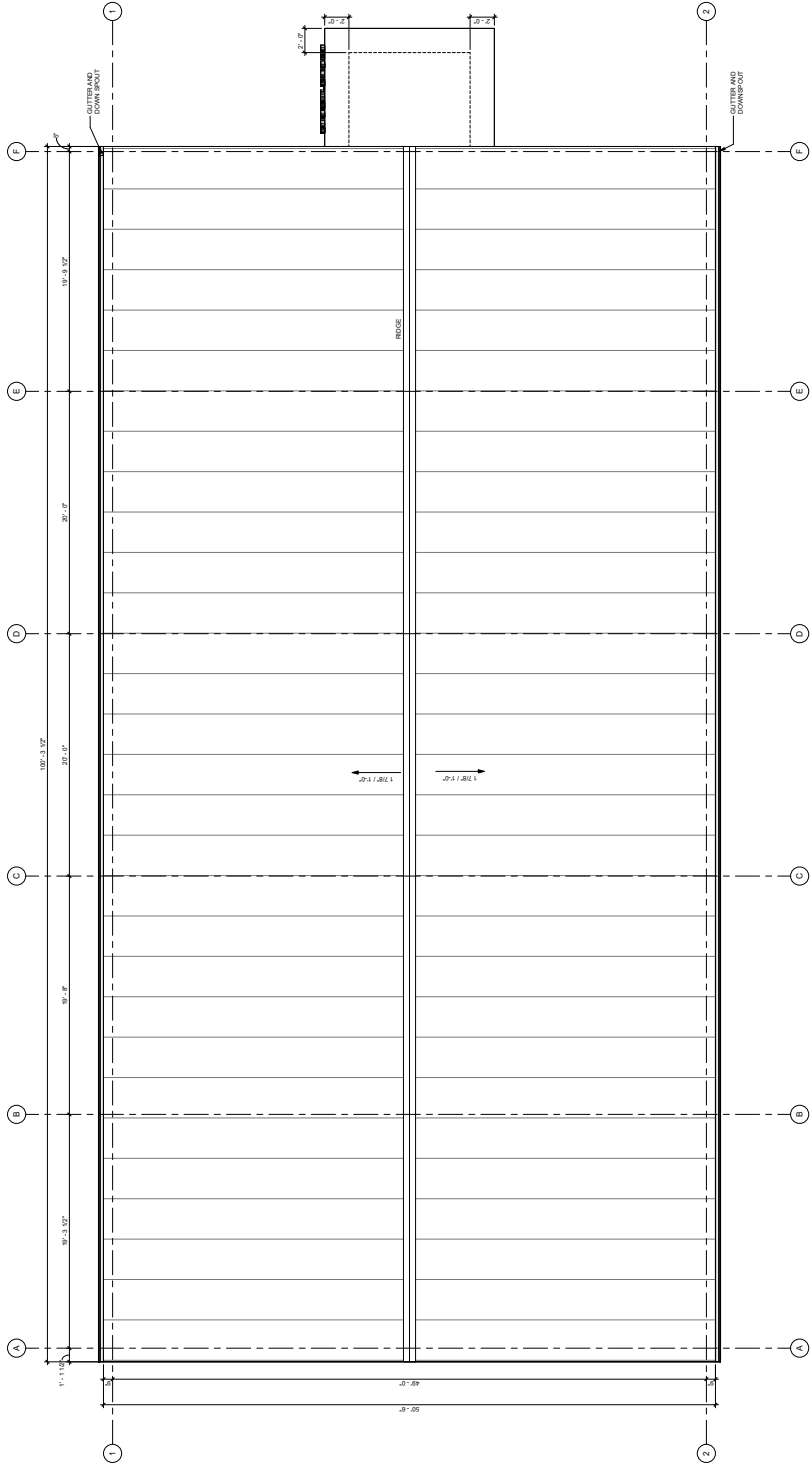
1. CONTRACTOR SHALL INSPECT SITE AND VERIFY CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION.
2. IRRIGATION PLANS ARE SCHEMATIC REPRESENTATIONS ONLY. PLACE LINES IN COMMON TRENCH WHENEVER POSSIBLE. FIT DADJUT LINES TO AVOID CONFLICT WITH UTILITIES.
3. IRRIGATION LATERAL AND MAINLINE PIPE SHOW OUTSIDE OF PLANTING AREAS FOR CLARIFICATION ONLY. PLACE LATERAL AND MAINLINE PIPE IN PLANTER AREAS UNLESS IRRIGATION SLEEVES ARE SHOWN.
4. COORDINATE IRRIGATION WITH PLANTING SCHEDULE AND SITE IMPROVEMENTS AND USE TRIANGULAR SPACING OR HEAD TO HEAD COVERAGE. COORDINATE IRRIGATION HEAD LAYOUT WITH FINAL PLANT MATERIALS. LOCATE SPRAY HEADS 30" FROM BASE OF TREE. COORDINATE IRRIGATION WITH PLANTING SCHEDULE AND SITE IMPROVEMENTS AND USE TRIANGULAR SPACING OR HEAD TO HEAD COVERAGE. COORDINATE IRRIGATION HEAD LAYOUT WITH FINAL PLANT MATERIALS. LOCATE SPRAY HEADS 30" FROM BASE OF TREE. COORDINATE IRRIGATION WITH PLANTING SCHEDULE AND SITE IMPROVEMENTS AND USE TRIANGULAR SPACING OR HEAD TO HEAD COVERAGE. COORDINATE IRRIGATION HEAD LAYOUT WITH FINAL PLANT MATERIALS. LOCATE SPRAY HEADS 30" FROM BASE OF TREE.
5. ALL COMPONENTS OF IRRIGATION SYSTEM SHALL BE ENCLOSED AND PROTECTED TO PREVENT DAMAGE TO COVERAGE AND MAINTENANCE OF OUTDOOR WALKWAY SURFACES, WALKING AREAS, ETC.
6. ALL PIPES TOUCHING PLANT MATERIALS SHALL BE PROTECTED BY 1" OF WATER PROTECTIVE COVER OR APPROVED EQUAL.
7. INSTALL ALL IRRIGATION PIPE AND CONTROL VALVES WITHIN 18" OF FINISHED GRADE. ALL PIPES SHALL BE 18" DEEP. ALL PIPES SHALL BE 18" DEEP. ALL PIPES SHALL BE 18" DEEP. ALL PIPES SHALL BE 18" DEEP.
8. COORDINATE PROGRAM AUTOMATIC CONTROL TO ALLOW FOR EQUIVANT OF 1" OF WATER PROTECTIVE COVER OR APPROVED EQUAL.
9. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
10. ALL PIPES SHALL BE TRENCHED. PROVIDE POSITIVE DRAINAGE OF MAINLINE. PLACE MAINLINE MAIN LINES IN COMMON TRENCH. IDENTIFY LOCATION ON AS-BUILT.
11. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
12. CONTRACTOR TO INSTALL CONTROLLER AND ACCESSORIES AS REQUIRED. CONTRACTOR TO BURNISH CONTROL WIRES FROM VALVES TO CONTROLLER. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING 110 VOLT SERVICE FROM BUILDING AND CONNECTION TO CONTROLLER SERVICE.
13. INSTALL ONE (1) ADDITIONAL RED CONTROL WIRE AND ONE (1) ADDITIONAL WHITE CONTROL WIRE FROM CONTROLLER TO END OF MAINLINE.
14. ALL SPRINKLER BODIES TO BE 12" INCH POP UP TYPE. SHIELD AND STORM WATER RAKE AREAS.



1 FIRST FLOOR PLAN



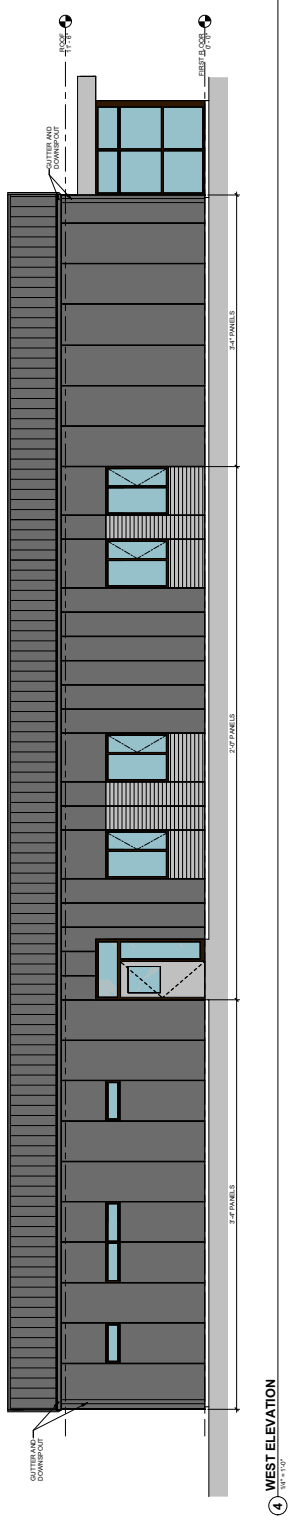
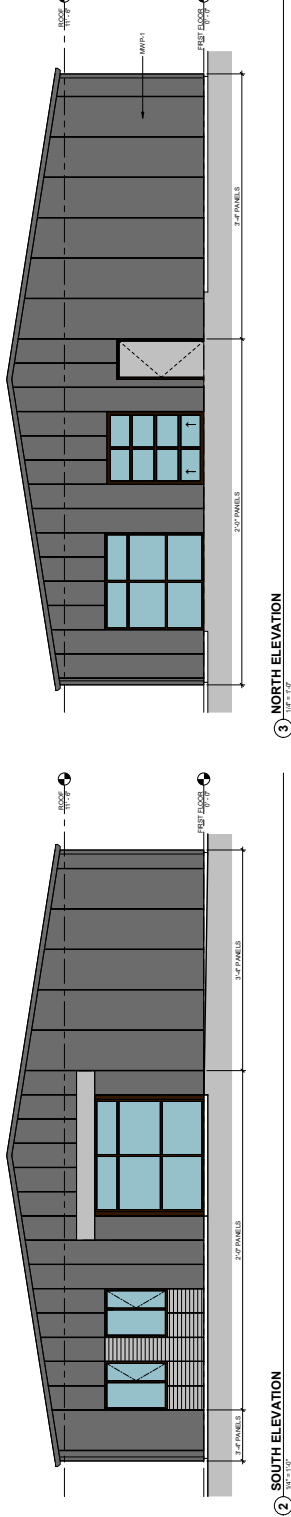
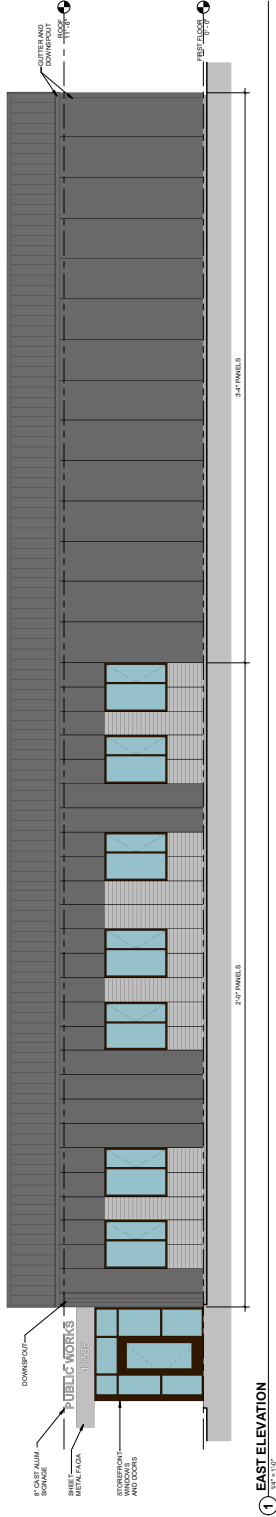
1 MECHANICAL PLATFORM
1/4" = 1'-0"

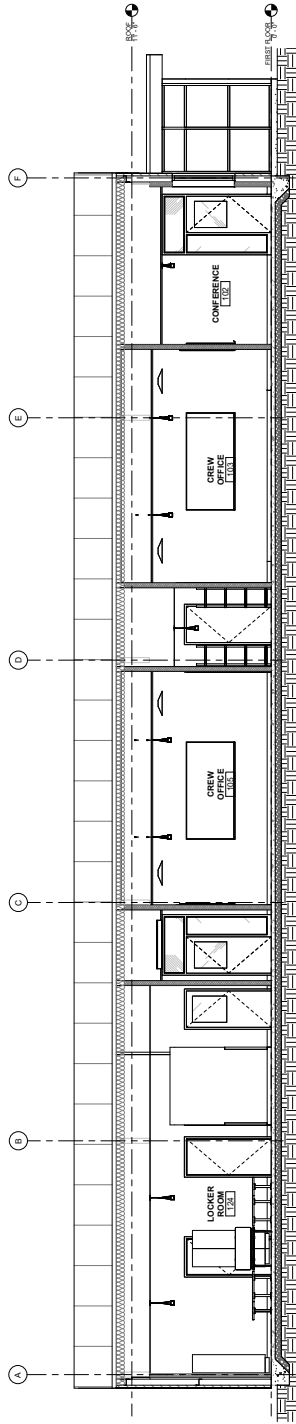


2 ROOF PLAN
1/4" = 1'-0"

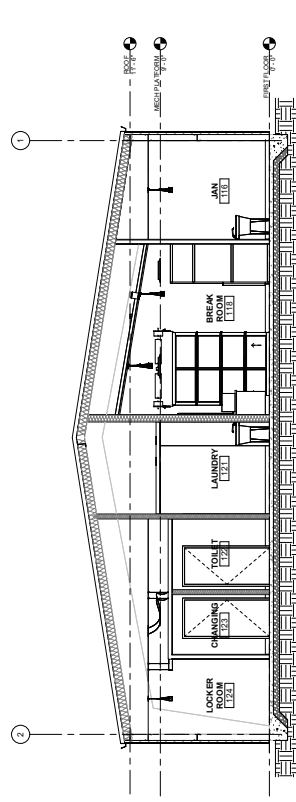
LEGEND

	RESC RESOLUT INTERIOR COLOR	NEKA THERMAL WALL PANEL CORROSION RESISTANT 3/4" X 4" DARK GRAY
	RESC RESOLUT EXTERIOR COLOR	NEKA THERMAL WALL PANEL CORROSION RESISTANT 3/4" X 4" DARK GRAY
	RESC RESOLUT EXTERIOR COLOR	NEKA THERMAL WALL PANEL CORROSION RESISTANT 3/4" X 4" DARK GRAY





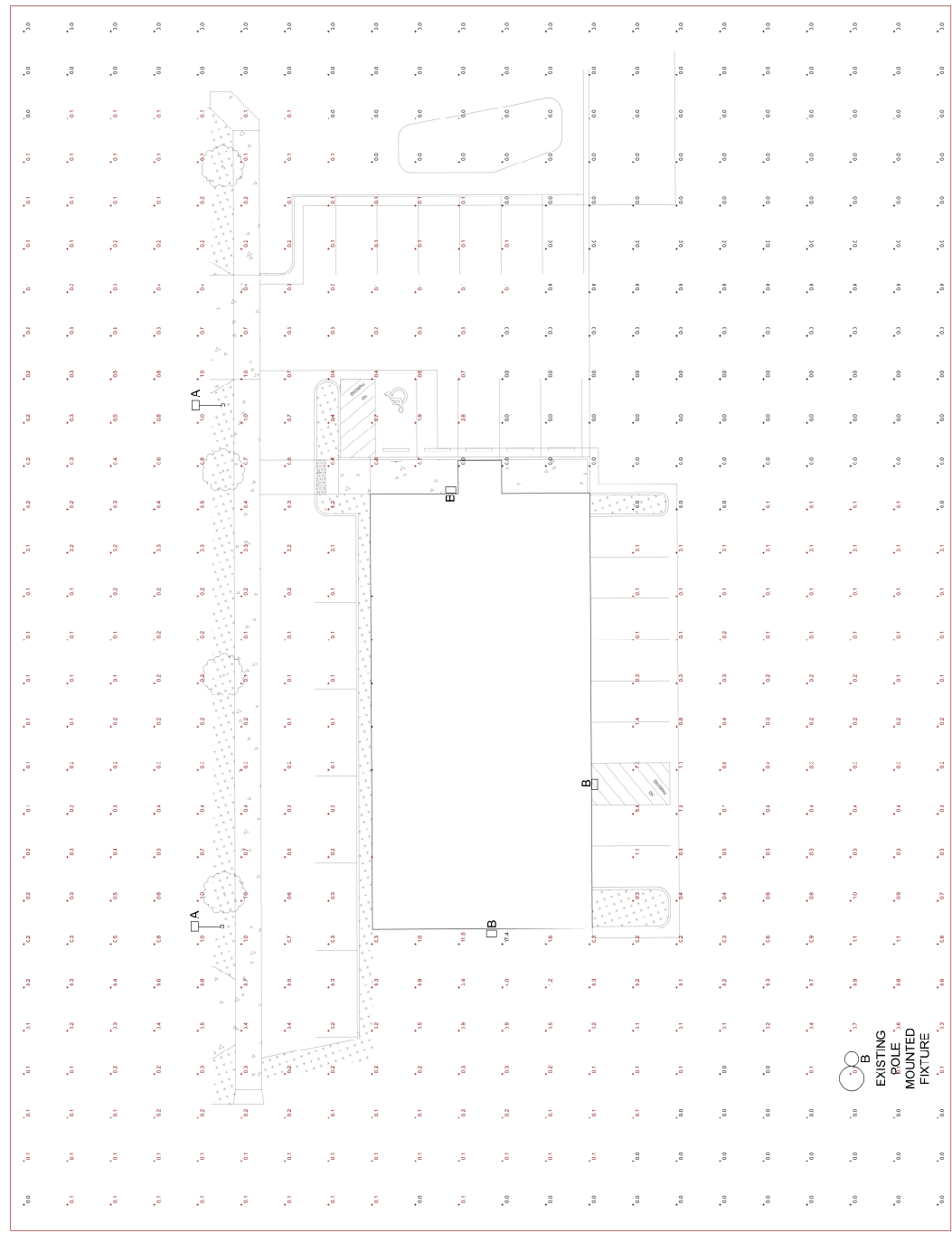
1 BUILDING SECTION
1/8" = 1'-0"



2 BUILDING SECTION
1/8" = 1'-0"



Symbol	Label	Tag	Qty	Manufacturer	Catalog Number	Description	Lamp	Mounting Lamp	Fixture	Lumens Initial	L.F.	Footage	Efficiency	Dimmer on	Pole Hgt	Notes
□	A		2	Marathon USA LLC	114103000000	114103000000		1	OSRAM SLE SLE	3022	1	39	100%			
□	B		3	CLM	CLM-C-18-08-0021- LIC-00-00000000	Custom Non-Cut-off pole-mount LED luminaire fixture		1	OSRAM SLE SLE	8412	1	14.54	100%			
○	C		1	CLM	CLM-C-18-08-0021- LIC-00-00000000	Custom Non-Cut-off pole-mount LED luminaire fixture		1	OSRAM SLE SLE	14208	1	100.4	100%			





April 6, 2023

Heather Austin, AICP
C/O City of Gladstone
18505 Portland Avenue
Gladstone, OR 97027

Project: Public Works Building Renovation, 18595 Portland Avenue.

The City of Gladstone is requesting Design Review approval to renovate the existing Public Works Department building and add a vestibule. The Public Works Department has the following comments related to the proposed project.

Water:

There are two water mains in Portland Avenue, a 2-inch main on the west side of the street and an 8-inch main on the east side. The site has domestic water service from the 2-inch main. A 1-inch water meter, which is believed to be of adequate size to serve the new building, is currently placed adjacent to the east wall of the building.

1. The water meter shall be moved into the planter strip during construction, consistent with Public Works Design and Construction Standards.
2. Water meter sizing calculations, typically based on fixture count, shall be submitted to verify adequate water meter size.

Fire Suppression:

No fire suppression sprinkler line is proposed for the new building. Existing fire hydrants are located on Portland Avenue and within the site. Fire service to the site comes from an 8-inch water main on the east side of Portland Avenue.

3. Any fire system improvements required by the Fire Department shall be installed pursuant to the requirements of the Public Works Design and Construction Standards and the Oregon Health Authority.

Sanitary Sewer:

The sanitary sewer lateral for this site drains to the sewer main in Portland Avenue. The existing lateral is intended to be used to serve the new building.

4. The project will be required to scope the sanitary lateral and provide a copy of the video to the Public Works Department for review. If the condition of the lateral within the public right-of-way is poor, then that portion of the lateral shall be replaced. If the condition of the existing lateral within the public right-of-way is good, then the lateral can remain. In either case, a cleanout will be required to be installed on the sanitary lateral behind the public sidewalk.
5. All public sanitary sewer improvements shall be installed pursuant to the requirements of the Public Works Design and Construction Standards.

Storm Drainage:

Portions of the site drain toward Portland Avenue and toward Watts Street. City of Gladstone Stormwater Treatment and Detention Standards apply to projects that create or re-develop 5,000 sq. ft. or more impervious surface. Per the information submitted by the applicant, the new and re-developed surface area will total less than 5,000 sq. ft., below the threshold requiring compliance with the Treatment and Detention Standards.

6. Any public storm drainage improvements shall be installed pursuant to the requirements of the Public Works Design and Construction Standards.

Street improvements:

Portland Avenue frontage: Portland Ave. is designated in the TSP as a collector roadway. One access per site frontage is the normal maximum, however, additional driveways can be approved by the Public Works Director if it is found that no imminent traffic hazard would result and impacts on through traffic would be minimal. The proposed site use is the same as the current use and the proposed traffic circulation pattern will remain the same as the current circulation pattern. Because the current traffic pattern has little impact on through traffic and creates no hazard at either driveway, the Public Works Director will allow two driveway approaches to remain, as long as they remain in the same location as the existing approaches.

7. Portland Avenue improvements shall be installed pursuant to the requirements of the Public Works Design and Construction Standards:
 - a. The existing curb line in front of the site shall remain in its current alignment.
 - b. A 5-foot planter strip is required. Street trees shall be installed in the planter strip as required by the Municipal Code.
 - c. A new 6-foot sidewalk is required behind the planter strip. The sidewalk shall be ADA compliant and shall conform to the existing sidewalk to the north and south ends of the site.
 - d. New ADA compliant commercial driveway approaches shall be installed at each driveway.
 - e. Street lighting shall be provided, as required by Public Works Design Standards.
 - f. There is currently a low spot in the pavement in front of the northern driveway approach. Either the pavement shall be improved to eliminate the low spot, or a new storm inlet shall be installed at that location.

Watts Street frontage: Watts St. is designated in the TSP as a local street. Watts is improved with pavement and curbs on both sides of the street, but there is little sidewalk other than what was installed in front of the Civic Center that extends partially across this site frontage. Any future sidewalk south of this site to Barclay St. would be curb tight. The one existing driveway approach will remain.

8. Watts Street improvements shall be installed pursuant to the requirements of the Public Works Design and Construction Standards:
 - a. The existing curb in front of the site can remain.
 - b. A new 6-foot sidewalk is required. The sidewalk shall conform to the Civic Center sidewalk at the north end of the site and transition to being curb tight south of the driveway approach. The southern end of the sidewalk shall terminate with an end of sidewalk ramp. The sidewalk shall be ADA compliant.
 - c. A new ADA compliant commercial driveway approach shall be installed at the existing driveway.
 - d. Street lighting shall be provided, as required by Public Works Design Standards.
 - e. Street trees shall be installed where there is a planter strip.
 - f. If there is a low spot in the pavement along the curb line that forms a puddle, the pavement shall be replaced to eliminate the low spot.

Public Utilities & Easements:

9. Necessary arrangements with utility companies shall be made for the installation of underground lines and facilities. Except where otherwise prohibited by the utility district or company, all such new facilities shall be underground.
10. Public utility easements shall be provided along both street frontages. Easement width shall be 8-feet. Easements shall be prepared using an approved City of Gladstone easement form and a copy of the recorded easement shall be provided to the Public Works Department prior issuance of the approved plans and right-of-way permit.
11. Construction Plans, Pre-construction Conference, and As-Builts:
 - a. Plans detailing the installation of public and private utilities, site grading, and other public and private site improvements shall be submitted to the Public Works Department for review and approval per Section 17.42.030. The City requires 3 paper copies and an electronic copy of plans and the drainage report to be submitted.
 - b. The design, location, and planned installation of all roadways, sidewalks, sanitary sewer, storm drain, water line, natural gas, power, street lighting, communications facilities are subject to approval by the appropriate agency/utility service provider.
 - c. Construction plans shall be designed and stamped by a professional engineer registered in the State of Oregon.
 - d. A right-of-way permit will be required from the Public Works Department.
 - e. Once construction plans are ready to be approved by the Public Works Department, a Pre-Construction Conference will typically be required at the Public Works Department. The requirement for a Pre-Construction conference may be waived by the Public Works Director depending upon the scope of the project.
 - f. Prior to issuing the approved plans and the right-of-way permit, easements, maintenance agreements, and bonds may be required and SDC's may have to be paid.
 - g. As-built plans showing the constructed public improvements shall be submitted to the Public Works Department at the completion of construction. As-builts shall include a paper and pdf copy and CAD.

General:

12. All underground utilities, sanitary sewers and storm drains installed in the public streets shall minimize the disturbance of existing street improvements when service connections are made.
13. Private site utilities and plumbing shall be approved and permitted through Clackamas County Building Department.
14. A grading permit for onsite grading activities may be required. If required, the grading permit will be issued through Clackamas County Building Department.
15. An erosion control permit may be required. If required, the erosion control permit will be issued through Clackamas County Water Environment Services.
16. Prior to Final Occupancy, all requirements of the Public Works Department shall be met.



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: March 6, 2023

FILE NUMBER: DR-23-03 Gladstone Public Works Building Renovation

APPLICATION TYPE: Design Review

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

March 25, 2023 (120-day deadline: July 23, 2023)

Please submit 10 hard copies of the submittal materials to the City of Gladstone, Attn: Heather Austin by April 7, 2023.

This application is scheduled before the Gladstone Planning Commission on **Tuesday, April 18th at 6:30pm**. Please let me know if this date does not work for your team. The Planning Commission meets the third Tuesday of every month.

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

Contract Planner for Gladstone
Title



NOTICE OF PUBLIC HEARING- APRIL 18, 2023
GLADSTONE PLANNING COMMISSION
DR 23-03 Gladstone Public Works Building Renovation

- DATE & TIME:** **04/18/23**. 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 April 12, 2023 on our website: <https://www.ci.gladstone.or.us/bc-pc/page/planning-commission-meeting-77>
- LOCATION** 18595 Portland Ave. GLADSTONE, OR 97027
Tax Lot 22E19AA02100
- DEVELOPMENT PROPOSAL:** The City of Gladstone is requesting design review approval to renovate and add a vestibule to the existing Public Works building. Portland Ave. street improvements will also be completed for vehicular and pedestrian circulation and parking.
- APPLICABLE REVIEW STANDARDS:** Gladstone Municipal Code (GMC) Chapters: 17.24 (LI- Light Industrial 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.

March 31, 2023
Heather Austin, AICP
3J Consulting, on Behalf of City of Gladstone
9600 SW Nimbus Ave, Suite 100
Beaverton, OR 97008

Re: Comments_DR-23-03 Gladstone Development Review

Scope: The City of Gladstone is requesting design review approval to renovate and add a vestibule to the existing Public Works building. Portland Ave. street improvements will also be completed for vehicular and pedestrian circulation and parking.

Land Use Approval Conditions / Comments: As a condition of land use application approval, OLWSD requests the property owner be required to comply with the following requirements and to procure the necessary approvals and/or permits from the OLWSD in accordance with the OLWSD code, regulations or policies.

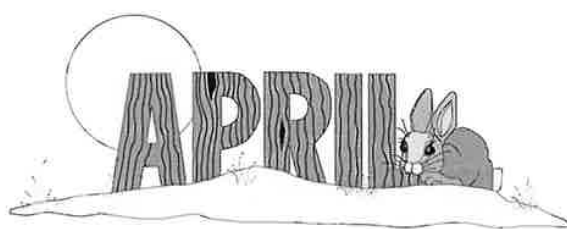
- The proposed development is located within the service area of Oak Lodge Water Services for sanitary sewer only. The proposal shall be subject to the Oak Lodge Rules and Regulations and Design and Construction Standards for applicable utilities.
- The application will be reviewed by the rules, regulations and design and construction standards in effect on the date of complete application to OLWSD; not Land Use application.
- The proposal is also within the City of Gladstone. Per intergovernmental agreement(s), this proposal would be reviewed and inspected by the City of Gladstone on behalf of Oak Lodge with Oak Lodge receiving any Wastewater Connection Fees.
- Based on preliminary documents received, no additional Wastewater Connection Fee seem applicable because the current use intensity does not appear to be increasing. However, Oak Lodge Water Services requests that the applicant submit a narrative to Oak Lodge following land use approval to assess the use and associated impact which may trigger Wastewater Connection Fees.

Sincerely,

Oak Lodge Water Services District



Markus Mead, AICP, CESCL
Development Review Specialist



REGULAR AGENDA



STAFF MEMO

To: Gladstone Planning Commission
From: Heather Austin, Consulting Planner
Date: April 12, 2023
RE: Municipal Code Update Project

In March 2023, the Planning Commission briefly discussed updates to the Gladstone Municipal Code (GMC) where needed to provide clarification and bring into compliance with state regulations.

The following code concepts were identified for updates to Title 17 of the GMC:

1. **Public Improvements**- how and when the city requires improvements to be completed or guaranteed when associated with land use actions. Suggested Code updates underlined and highlighted in each chapter.
GMC Chapters:
17.42- General Provisions; and
17.96- Improvement Guarantees
2. **Clear and Objective Standards for Residential Development**- how the city reviews residential development applications. ORS 197.307(4) states, “a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing”. Currently, detached single-household dwelling, triplex, quadplex, townhouse and cottage clusters are conditional uses in the MR zoning district. The conditional use standards are discretionary and therefore not compliant with state law in this case. There are several options to bring this portion of the GMC into compliance with state law. The three best options, as provided by City Attorney Josh Soper, are:
 - a. Add a clear and objective review standard for residential development to GMC Chapter 17.70- Conditional Uses; or
 - b. Prohibit these types of residential development in GMC Chapter 17.14- MR- Multi-Household Residential Zoning District; or
 - c. Allow these types of residential development in the MR zone to be “allowed outright” and reviewed under the existing clear and objective standards applicable to duplexes and multi-family.
3. **Home Occupation Permits**- how the city reviews permit applications for home-based businesses. The Planning Commission is continuing an appeal for a home occupation permit at their meeting in April. City staff are working on an update to the Home Occupation standards which will be brought forth at a meeting in mid- to late-2023.

4. **Climate-Friendly and Equitable Communities (CFEC)**- how the city can be brought into compliance with new state laws regarding land use and transportation. At their meeting on April 11, 2023, the Gladstone City Council reviewed the options available to the city for revising parking standards. The City Council decided that more information is needed before they move forward with a policy direction. City staff will continue to work with state staff to bring more information back to the Council in the coming months. It is anticipated that this work will come before the Planning Commission in late 2023.

DIVISION IV.
DEVELOPMENT STANDARDS
Chapter 17.42
GENERAL PROVISIONS

Sections:

17.42.010 Purpose.

17.42.020 Use of public right-of-way.

17.42.030 Improvements.

17.42.010 Purpose.

This chapter sets forth the general standards for development of property and associated facilities within the city. The purpose of these chapters is to:

- (1) Carry out the comprehensive plan with respect to development standards and policies.
- (2) Promote and maintain healthy environments, protect against noise, air and visual pollution, and minimize development impacts upon surrounding properties and neighborhoods.
- (3) Allow for incentives and flexibility within development requirements.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990.

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.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. [1131](#) §2, 1990.

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.

(4) Improvements shall be guaranteed as specified in GMC Chapter 17.96 (Improvement Guarantees).

Statutory Reference: ORS Ch. 197 and 227

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

Chapter 17.96 IMPROVEMENT GUARANTEES

Sections:

17.96.010 Improvement agreement.

17.96.020 Financial guarantee of performance.

17.96.010 Improvement agreement.

Before a final plat **(where a final plat is required, such as a partition or subdivision)** or a final certificate of occupancy **(when no final plat is required, such as with design review)** 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.

Statutory Reference: ORS Ch. 197 and 227

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

17.96.020 Financial guarantee of performance.

(1) Type of Bond. When required by the city, the developer shall file with the improvement agreement completed pursuant to GMC Section [17.96.010](#) (improvement agreement), one of the following:

(a) A surety bond executed by a surety company authorized to transact business in the state on a form approved by the City Attorney;

(b) A personal guarantee co-signed by at least one additional person together with evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of ability to proceed in accordance with the agreement on a form approved by the City Attorney;

(c) Cash, or irrevocable letter of credit;

(d) Approved improvement district.

(2) Amount. Such amount shall be for a sum approved by the City Administrator, or designee, as sufficient to cover the cost of the improvements and repairs, including related engineering and incidental expenses, and to cover the cost of city inspection.

(3) Utilization. In the event the developer fails to carry out provisions of the agreement and the city has unreimbursed cost or expenses resulting from such failures, the city shall call on the financial guarantee for reimbursement.

(a) If the amount of the guarantee exceeds the cost and expense incurred by the city, the city shall release the remainder.

(b) If the amount of the guarantee is less than the cost and expense incurred by the city, the developer shall be liable to the city for the difference.

Statutory Reference: ORS Ch. 197 and 227

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

Chapter 17.14 MR—MULTI-HOUSEHOLD RESIDENTIAL DISTRICT

Sections:

- 17.14.010 Purpose.**
- 17.14.020 Uses allowed outright.**
- 17.14.030 Accessory uses allowed.**
- 17.14.040 Conditional uses allowed.**
- 17.14.050 Dimensional standards.**
- 17.14.055 Cottage cluster standards.**

17.14.010 Purpose.

The purpose of an MR district is to implement the comprehensive plan and to provide land for households desiring to live in an environment of high density residential development with proximity to mass transit, shopping and service facilities.

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

History: Ord. [1131](#) §2 (Part), 1990; Ord. [1515](#) §2 (Exh. B), 2022.

17.14.020 Uses allowed outright.

In an MR zoning district, the following uses and their accessory uses are allowed outright:

- (1) Duplex.
- (2) Multi-family dwellings.

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

History: Ord. [1131](#) §2 (Part), 1990; Ord. [1323](#) §1 (Part), 2002; Ord. [1515](#) §2 (Exh. B), 2022.

17.14.030 Accessory uses allowed.

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

- (1) Buildings. Garages and carports, storage and other buildings, as follows:

(a) Either the side, except a street side, or rear setback may be reduced to zero for one accessory structure provided such structure:

(A) Is detached from other buildings;

(B) Does not exceed a height of one (1) story; and

(C) Does not exceed a floor area of four hundred-fifty (450) square feet;

(b) A wall of rated, fire-resistive construction may be required by the Oregon Structural Specialty Code or its successor.

(c) When more than one accessory structure is present including a portable storage container as defined in Chapter [5.22](#), a setback does not apply to the portable storage container.

(2) Courtyards, Patios and Decks. The minimum side, except street side, and rear setbacks for uncovered courtyards, patios and decks in excess of thirty inches (30") in height shall be five feet (5'). The minimum front and street side setbacks for such courtyards, patios and decks shall be fifteen feet (15'). No setback shall be required for uncovered courtyards, patios and decks thirty inches (30") or less in height. When calculating the height of a courtyard, patio or deck, railings and benches shall be excluded from the calculation.

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

(a) When located between the front lot line and the front building line, fences and walls shall not exceed three feet (3') in height;

(b) Fences and walls not subject to Subsection (3)(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.

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

(5) Swimming Pools, Ponds and Hot Tubs. The minimum side, street side and rear setbacks for swimming pools, ponds and hot tubs shall be three feet (3'). The minimum front setback for ponds no greater than five feet (5') wide and no more than two feet (2') deep shall be three feet (3').

(6) Home Occupations. Home occupations shall be subject to GMC Chapter [17.78](#) (home occupations).

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

History: Ord. [1131](#) §2 (Part), 1990; Ord. [1171](#) §1(F), 1993; Ord. [1323](#) §1, 2002; Ord. [1392](#) § 4, 2007.

17.14.040 Conditional uses allowed. 

In an MR zoning district, the following uses and their accessory uses are allowed subject to GMC Chapter [17.70](#) (Conditional Uses):

- (1) Detached single-household dwelling, triplex, quadplex, townhouse, and cottage clusters.
- (2) Church and associated buildings and structures.
- (3) Community center, day care center, meeting hall.
- (4) Mobile home park.
- (5) Nursing homes and homes for the aged.
- (6) School and associated structures and facilities.
- (7) Utility facility provided no outside storage is involved.
- (8) Local commercial uses listed under GMC Section [17.16.020](#) (uses permitted outright).
- (9) Foster homes.
- (10) Group homes.
- (11) Planned unit development.

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

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1 (Part), 2002; Ord. [1515](#) §2 (Exh. B), 2022.

17.14.050 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 an MR zoning district:

Minimum Lot Area		
Detached single household	5,000 sf	
Duplex	3,000 sf	
Multi-household dwellings	3,000 sf + 1,000 sf per dwelling unit	
Other uses	5,000 sf	Or as established by the Planning Commission, as provided by GMC Chapter 17.70 (Conditional Uses)
Minimum Setbacks		
Front setback	20 ft	Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet into a required setback area. Townhouse projects are allowed a zero-foot side setback for lot lines where townhouse units are attached. Cottage cluster minimum setbacks can be reduced to 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) .
Side setback	5 ft	
Street-side setback	20 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 Vegetation	At least 20 percent of the total area of the	

	lot must be left or planted in trees, lot shrubs, grass, etc.	
Minimum Density		
	80 percent of the maximum number of units allowed under Minimum Lot Area.	In no case shall the minimum density exceed 30 units per net acre. <u>Exception.</u> Where an existing two-household or multi-household development is being altered or expanded, it shall not be required to comply with the minimum density standard provided the alteration or expansion does not result in a net loss of units. Mobile home parks shall provide a minimum density of eight units per net acre.
Maximum Density	None	

(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 large-scale planned unit development, providing 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 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 the achievement of the plan.

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

History: Ord. [1131](#) §2, 1990; Ord. [1289](#) §1, 2000; Ord. [1323](#) §1, 2002; Ord. [1515](#) §2 (Exh. B), 2022.

17.14.055 Cottage cluster standards. 

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

(1) Dimensional Standards

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

(b) Setbacks and Building Separation.

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

(i) Front setbacks: 10 feet

(ii) Side setbacks: 5 feet

(iii) Rear setbacks: 10 feet

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

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

(d) Off-Street Parking.

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

(B) On-Street Credit. If on-street parking spaces meet all the standards in subsections (1)(d)(B)(i) through (iv) of this section, they shall be counted toward the minimum off-street parking requirement.

(i) The space must be abutting the subject site;

(ii) The space must be in a location where on-street parking is allowed by the jurisdiction;

(iii) The space must be a minimum of 22 feet long; and

(iv) The space must not obstruct a required sight distance area.

(2) Design Standards. The following design standards apply to cottage cluster development in the MR zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

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

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

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

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

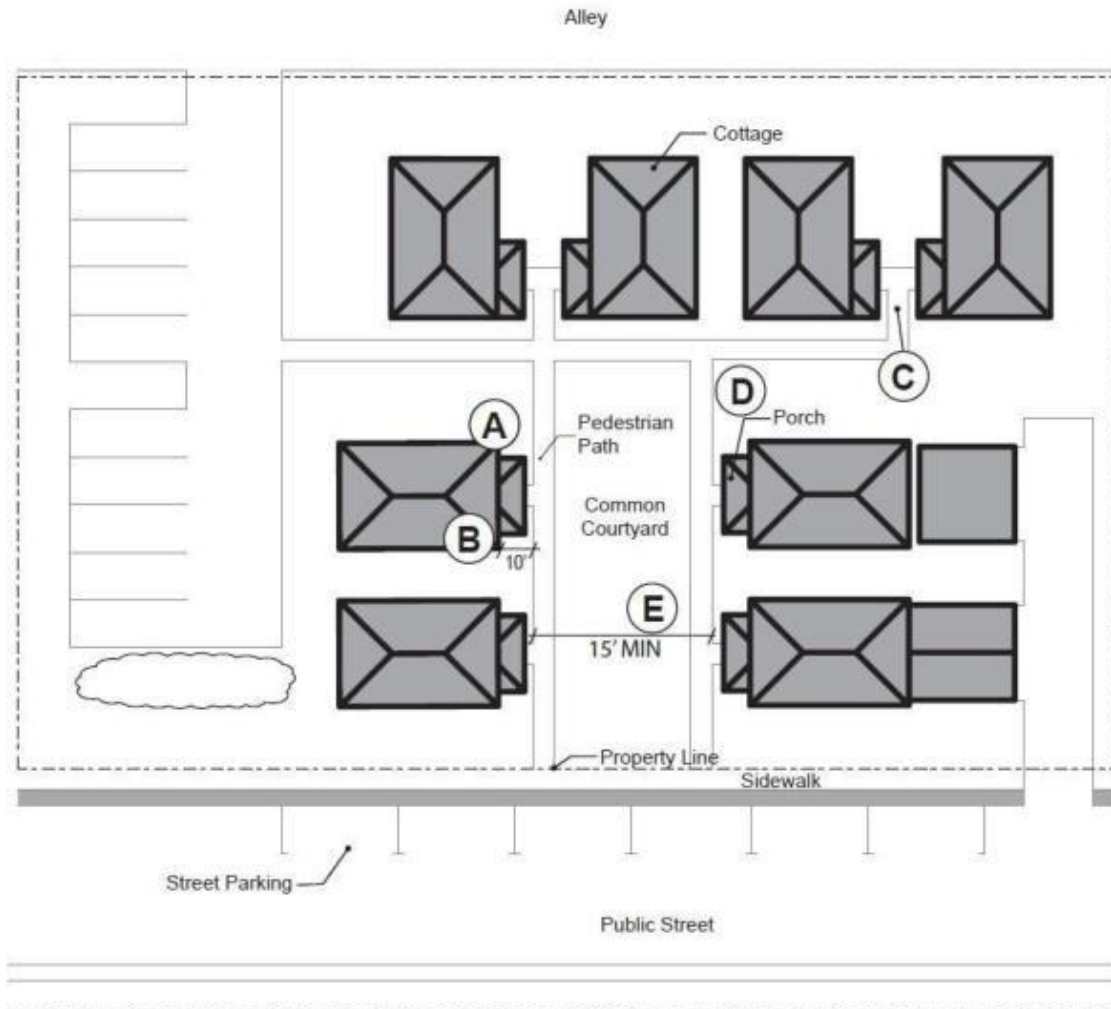
(ii) Be within 10 feet from the common courtyard, measured from the facade of the cottage to the nearest edge of the common courtyard; and

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

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

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

Figure 1. Cottage Cluster Orientation and Common Courtyard Standards



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

- (A) The common courtyard must be a single, contiguous piece.
- (B) The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.
- (C) The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
- (D) The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities.

Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.

(E) Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

(c) Pedestrian Access.

(A) An accessible pedestrian path that is at least four feet wide must be provided that connects the main entrance of each cottage to one or all the following:

(i) The common courtyard;

(ii) Shared parking areas;

(iii) Community buildings; and

(iv) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.

(B) The pedestrian path must be hard-surfaced and a minimum of four feet wide.

(d) Parking Location and Access.

(A) Off-street parking spaces and vehicle maneuvering areas shall not be located:

(i) Within of 20 feet from any street property line, except alley property lines;

(ii) Between a street property line and the front facade of cottages located closest to the street property line. This standard does not apply to alleys.

(B) Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.

(C) Clustered Parking. Off-street parking may be arranged in clusters and separated from common spaces by at least four feet of landscaping.

(e) Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.

(f) Garages and Carports.

(A) Garages and carports (whether shared or individual) must not abut common courtyards.

(B) Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.

(C) Individual detached garages must not exceed 400 square feet in floor area.

(D) Garage doors for attached and detached individual garages must not exceed 20 feet in width.

History: Ord. [1515](#) §2 (Exh. B), 2022.

Chapter 17.70 CONDITIONAL USES*

Sections:

17.70.010 Authorization to grant or deny.

17.70.040 Time limit on permit.

* Prior history:

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

17.70.030 **History:** Ord. [1131](#) §2, 1990; Ord. [292](#) §I, 2000; Repealed by Ord. [1323](#) §1, 2002.

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

17.70.010 Authorization to grant or deny.

(1) Approval Criteria. A conditional use may be approved, pursuant to GMC Division VII (administrative procedures), if the applicant demonstrates that the proposed use:

(a) Is listed as a conditional use in the underlying zoning district or is authorized pursuant to GMC Chapter [17.74](#) (authorization of similar uses);

(b) Is suitable for the proposed site, considering size, shape, location, topography, existence of improvements and natural features;

(c) Is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use;

(d) The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate development of properties in the area and neighborhoods surrounding the subject site.

(e) Satisfies the policies of the comprehensive plan that apply to the proposed use.

(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.

(3) Nonconforming Uses. When a nonconforming use is classified in this title as a conditional use, any change in the use, lot area or a structure associated with the use, shall comply with the requirements of this chapter, except:

- (a) Normal maintenance, as defined in GMC Section [17.70.010\(4\)](#), shall be permitted without conditional use review;
- (b) Nonconforming single family dwellings may be expanded, remodeled, altered or replaced where there is no increase in the number of dwelling units, and where substantial construction of any replacement occurs within one year of destruction, without conditional use review;
- (c) Uses operating between the hours of 12:00 a.m. and 5:00 a.m., prior to the date uses operating between those hours were classified as conditional uses, shall be permitted without conditional use review, unless:

(i) There is a change in the underlying use of the given property. For instance, a restaurant that operated between 12:00 a.m. and 5:00 a.m., prior to the date uses operating between those hours were classified as conditional uses, could continue to operate between those hours after said date, without conditional use review. Furthermore, a restaurant that operated between 12:00 a.m. and 5:00 a.m. prior to said date could be operated as a different restaurant after said date and continue to operate between those hours, without conditional use review. However, a restaurant that operated between 12:00 a.m. and 5:00 a.m. prior to said date could not continue to operate between those hours as a tavern, convenience store, etc., unless conditional use approval was sought and received. The city believes this approach to be rationally related to the city's desire to ensure that any such change in the underlying use of a given property can be made compatible with and have a minimal impact upon surrounding neighborhoods if continued late night operation is desired.

(4) Modifications. With the exception of normal maintenance and the expansion, remodeling, alteration or replacement of a single-family dwelling, modification of an existing conditional use shall comply with the requirements of this chapter. Normal maintenance of structures and premises that are part of a conditional use shall be permitted provided there are no significant use or structural alterations. Normal maintenance may include painting, roofing, siding, interior remodeling, electrical work, plumbing work, repaving 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 approvals of the conditional use. Expansion, remodeling, alteration or replacement of a single-family dwelling shall not qualify for the exception under this subsection if the modification would result in an increase in the number of dwelling units.

(5) Under GMC Sections [17.16.040](#), [17.18.040](#) and [17.20.040](#), a use shall be deemed operating if the use is open for operation to serve the general public, or open for operation to serve a private membership, without limitation.

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

History: Ord. [1131](#) §2, 1990; Ord. [1341](#), 2003; Ord. [1483](#) §2 (Exh. 5), 2017.

17.70.040 Time limit on permit.

(1) Approval of a conditional use shall expire if substantial construction has not occurred within one (1) year—or such lesser time as may be specified as a condition of approval—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.

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

History: Ord. [1131](#) §2, 1990; Ord. [1323](#) §1, 2002; Ord. [1498](#) §1 (Exh. A), 2019.