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DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

CLACKAMAS COUNTY BOARD OF COMMISSIONERS
2051 Kaen Road, Oregon City
BCC Hearing Room - 4th Floor

LAND USE HEARING
September 21, 2016
9:30 AM

The item will not begin before time noted. Interested parties may appear and be heard during the testimony phase of any hearing at the above address. If a hearing is set for decision only, the evidence phase has been completed, so interested parties may no longer be heard. Applications or comments may be inspected, and calls or correspondence directed to: Transportation Planning, 150 Beaver Creek Road, Oregon City, OR 97045, (503) 742-4533.

HEARING

File No.: ZDO-258: CRC Connections Project

Applicants: Clackamas County

Proposal: The proposal is a legislative text amendment to the Clackamas County Comprehensive Plan and Zoning and Development Ordinance. The primary purpose of the proposed amendments are to add new transportation system improvements projects to the 20-year Capital Improvement Program that were identified during the Clackamas Regional Center Connections Project. Secondly, staff is proposing a number of changes that are "housekeeping". These policies need to be updated to clarify existing operating standards for arterial and collector roads and to be consistent with State regulation.

Staff Contact: Abbott Flatt, Transportation Planner, 503-742-4533,
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**Board of County Commissioners
Land Use Hearing Item Summary**

File Number: ZDO-258

Staff Contact: Abbot Flatt; Senior Transportation Planner; (503) 742-4533

Board of County Commissioners Hearing Date: September 21, 2016

PROPOSAL:

The proposal is a legislative text amendment to the Clackamas County Comprehensive Plan and Zoning and Development Ordinance (ZDO). The primary purpose of the proposed text amendments are to add new transportation system improvement projects to the 20-Year Capital Improvement Program (CIP) that were identified during the Clackamas Regional Center (CRC) Connections Project. Secondly, staff is proposing a number of changes that are “housekeeping”. These policies need to be updated to clarify existing operating standards for arterial and collector roads and to be consistent with State regulation.

More specifically, adoption of the proposal would:

- 1. Chapter 5, Transportation:** Implement minor policy amendments to the operating standards for arterial and collector roads with exceptions for specific road segments evaluated pursuant to standards in Chapter 10. These minor amendments make the policies more understandable and readable. Add new policy to comply with State regulations. Amend policy to remove language directing staff to pursue a multimodal mixed-use area (MMA) and give direction to study additional performance measures for development review. This is described in greater detail on page 3. Add 15 new transportation system improvement projects to the 20-Year CIP. The projects are a combination of safety, bicycle, pedestrian and auto improvements within the Clackamas Regional Center Design Plan area.
- 2. Chapter 10, Clackamas Regional Center Area Design Plan:** Remove outdated policies that are redundant or inconsistent with Chapter 5. Add 8 non-capital projects to the plan. These projects consist of safety, bicycle, pedestrian and auto improvements and are not capital projects because they are not on County maintained roadways.
- 3. ZDO Section 202 DEFINITIONS:** Add definition for the Clackamas Regional Center boundary.

4. ZDO Section 1007 ROADS AND CONNECTIVITY: Update language to be consistent with Chapter 5 and State regulations. Add new language to be consistent with State regulations.

5. Section 1202 ZONE CHANGES: Update language to be consistent with Chapter 5 and State regulations.

The proposal includes amendments to ZDO Sections 202, 1007 and 1202, Chapter 5 Sections 5.F, 5.O, 5.R, 5.S and 5.DD and Chapter 10 Section XII.

BCC STUDY SESSION:

In June 2016, the Board of County Commissioners (BCC) held a study session on the CRC Connections Project. The BCC had the following concerns regarding the MMA designation:

- Impact to Transportation System
- Impact to Freight Mobility
- Bicycle, Pedestrian and Transit Usage
- Benefit to Developers / Cost to the Transportation System

PLANNING COMMISSION ACTION:

A hearing was held on July 25, 2016 for Planning Commission (PC) consideration of the proposed ZDO text amendments, at which time staff presented the proposed amendments and project findings for discussion and testimony. **Staff did not recommend the MMA for adoption.** The PC discussed the option of adopting the MMA but are recommending the proposal that does not include the MMA boundary.

No one provided testimony regarding the proposal.

The PC recommended approval on a 6-0 vote with one abstention.

CPO, HAMLET AND VILLAGE RECOMMENDATIONS:

No comments were received from the CPOs, Hamlets or Villages.

SIGNIFICANT ISSUES:

There were two significant issues that arose during the course of the CRC Connections Project.

- 1) The MMA's usefulness as a tool for the CRC area.
- 2) Additional transportation performance measure research.

The following outlines the discussion related to the two key issues.

Multimodal Mixed-Use Area:

By the end of the CRC Connections Project, the project management team and working groups found that the MMA is not currently an appropriate tool for the CRC Area and this proposal does not include an MMA boundary. There was much discussion about the usefulness of an MMA within the CRC area. This began in the second Technical Working Group (TWG) meeting where most of the members agreed that an MMA boundary was not needed to further the goals of the CRC area. The Project Management Team (PMT) continued this conversation with the Stakeholder Working Group (SWG) where the members requested that the PMT present more aspects of the benefits and the drawbacks of an MMA.

The PMT found the following:

- An MMA is a tool only used during Comp Plan / zone change proposals.
- Other jurisdictions that have adopted an MMA did so at the time of a proposed zone change. This allowed the jurisdictions to plan for more density without the requirements associated with the mobility standard. The CRC area is already planned for more density and is not proposing a zone change along with the MMA.
- Within the CRC area, it is anticipated that few Comp Plan / zone changes will occur, therefore it is highly unlikely the MMA will be used within the 20-year planning horizon. Additionally, an MMA can be adopted in the future if conditions change.
- Despite how unlikely it is that an MMA will be used, it is still unknown how it will impact requirements for transportation system improvements. Possible transportation system degradation is unknown since the change is unknown.
- Concern that removing the mobility standard will not even allow the opportunity to require bicycle and pedestrian improvements during a Comp Plan / zone change.
- Interim performance standards were adopted since MMA guidelines were developed. The interim mobility standards are less onerous on development.
- We have not heard from the development community that development is being hindered by the mobility standards. We do anticipate exceeding the mobility standard.

In light of all these issues, it is **not** recommended to adopt an MMA boundary. The Planning Commission supports the recommendation to not include the MMA boundary from the proposed amendments.

Performance Measures:

Chapter 5 Section 5.DD.2.B is the policy that drove the CRC Connections Project. It directed staff to develop alternative performance and mobility standards for the CRC area. The CRC Connections Project analyzed over 60 transportation system performance measures for autos, freight, bicycles, pedestrians, transit and safety. These measures were reviewed in context of when and where they are best applied and the County's ability for implementation. The CRC Connections Project team recommended pursuing the top scoring five measures for implementation in development review.

The five measures assess all modes – auto, bicycle, pedestrian and safety. Assessing all modes allows the County to measure system adequacy and understand the impacts of new development on the whole transportation system.

Staff recommends building upon the analysis from the CRC Connections project by testing the recommended performance measures on previous development proposals. Staff will gain understanding of how changing performance measures will impact the development review process. This will inform staff on the impact of changing the measures used during the development review process. Staff will present the findings to stakeholders within the community, the Planning Commission and the BCC. The proposal includes amending policy 5.DD.2.B to reflect this study.

Staff presented an amendment to policy 5.DD.2.B at the PC Hearing. The PC recommended a minor amendment to the staff recommendation for policy 5.DD.2.B. The PC's two concerns were about the scope of the policy (looking at the entire urban area) and that the policy didn't actually need to be in the Comprehensive Plan. The PC resolved their concerns by amending the staff recommendation to develop a study to identify performance measures. Staff will bring the findings of the performance measures study to the PC prior to implementation.

The staff recommendation for the BCC Hearing implements the PC's amendment to policy 5.DD.2.B.

No other issues were raised for this proposal.

STAFF RECOMMENDATION:

Staff recommends approval of ZDO-258 as recommended by the Planning Commission.

ATTACHMENTS

1. PowerPoint presentation to be presented by staff at the July 25, 2016 hearing;
2. Proposed Clackamas County Comprehensive Plan and ZDO amendments;
 - Chapter 5: Transportation System Plan
 - Chapter 10: Community Plans and Design Plans
 - ZDO Section 202: Definitions
 - ZDO Section 1007: Roads and Connectivity
 - ZDO Section 1202: Zone Changes
3. Staff Report and Recommendation to the Planning Commission, dated July 25, 2016;
4. Draft minutes from the July 25, 2016 Planning Commission hearing regarding ZDO-258



ZDO-258: CRC CONNECTIONS

BOARD OF COUNTY COMMISSIONERS

PUBLIC HEARING

September 21, 2016

Presentation Overview

- Proposal Summary
- Background
- Issues
- Analysis & Findings
- Staff Recommendation
- Questions

Proposal Summary

- Amend Chapter 5
 - Clarify operating standards by amending policies
 - Add new policy
 - Add new projects
- Amend Chapter 10
 - Remove outdated policies
 - Add transportation improvement projects
- Amend ZDO: sections 202, 1007, and 1202

Background

- TSP policy guided CRC Connections project
- Desire to provide flexibility to the development community and not burden them with unreasonable costs
- Interest in looking at tools provided by the State that changes the way impacts to the transportation system are measured

CRC Connections Project

- Review of appropriateness of multimodal mixed-use area (MMA) designation
- Review of existing transportation system
- Review of system performance measures

Working Groups

- **Technical Working Group:** Advise County and Stakeholder Working Group on technical issues
- **Stakeholder Working Group:** Advise County staff on issues of concern to communities, interest groups and public agencies

Issues from BCC June 28 Study Session

- Impact to Transportation System
- Impact to Freight Mobility
- Bicycle, Pedestrian and Transit Usage
- Consequences of MMA

July 25 Planning Commission Hearing

- MMA boundary not included in staff recommendation, but Planning Commission was given the option to include
- Amendment to Comprehensive Plan policy 5.DD.2.B

Analysis & Findings

- ZDO Section 1307 compliance
 - Procedural requirements for legislative amendments
- Comprehensive Plan, Chapter 11 compliance
 - Coordination and notification requirements
- Statewide Planning Goals compliance
 - Goals 1 & 12
- Metro Urban Growth Management functional Plan (UGMFP) compliance
 - Title 6

Staff Recommendation

- Adopt new projects that improve safety, pedestrian access, auto connectivity and bicycle access
- Adopt Comprehensive Plan / ZDO changes that are housekeeping / clarification of existing policies
- Update Chapter 5 DD.2.B to reflect Planning Commission recommendation
- Do NOT adopt MMA boundary

Chapter 5 Amendments

- Edit text to clarify policies
- Move policies to more appropriate locations
- Updated to reflect outcomes of this project
- Amend Tables and Maps
 - Table 5-3a: 20-Year Capital Projects
 - Table 5-3d: Regional Projects
 - Map 5-11a: Capital Improvement Plan

Chapter 10 Amendments

- Remove duplicative/conflicting language
- Add reference to new Table 10-1
- Amendments to Tables and Maps
 - Table 10-1: Non-Capital Projects
 - Map X-CRC-4: Transportation Network
 - Map X-CRC-7: Pedestrian and Bicycle Circulation Network
 - Map X-CRC-7a: Walkway Network

Amendments to ZDO

- Add definition for CRC
- Edit text to clarify policies and processes
- Add policy and modify policies to reflect State regulations
- Text edits for readability
- Add policy providing definition of “adequacy” and cross reference Comprehensive Plan

QUESTIONS?

**File ZDO-258
Proposed Comprehensive Plan Amendments
Draft Date 9/12/16**

Text to be added is underlined. Text to be deleted is ~~strikethrough~~.

Chapter 5: TRANSPORTATION SYSTEM PLAN

The Clackamas County Transportation System Plan (TSP) will guide transportation related decisions and identify the transportation needs and priorities in unincorporated Clackamas County from 2013 to 2033. The TSP has been created in coordination with the County's 16 cities, the State of Oregon, area transit providers, and other affected agencies and has been vetted through an extensive public process, including a series of public outreach events and twelve Public Advisory Committee meetings. The public and county staff worked together to develop the following vision for the TSP and six goals to guide implementation of this vision:

Building on the foundation of our existing assets, we envision a well-maintained and designed transportation system that provides safety, flexibility, mobility, accessibility and connectivity for people, goods and services; is tailored to our diverse geographies; and supports future needs and land use plans.

TSP GOALS

- Goal 1: Provide a transportation system that optimizes benefits to the environment, the economy and the community
- Goal 2: Plan the transportation system to create a prosperous and adaptable economy and further the economic well-being of businesses and residents of the County.
- Goal 3: Tailor transportation solutions to suit the diversity of local communities.
- Goal 4: Promote a transportation system that maintains or improves our safety, health, and security.
- Goal 5: Provide an equitable transportation system.
- Goal 6: Promote a fiscally responsible approach to protect and improve the existing transportation system and implement a cost-effective system to meet future needs.

BACKGROUND AND ISSUES

The County's transportation system includes an extensive network of public and private transportation facilities, including roads, railways, airports, pipelines, waterways, and multi-use paths. The system is intended to allow people to travel where they need to go safely and

efficiently, while also providing for efficient movement of goods. The County's transportation system is also intended to support sustainable land use patterns and policies to serve a multitude of public needs without sacrificing air and water quality or creating noise pollution.

Government agencies, public and private service providers, and developers are involved in building and maintaining the County's transportation system. Metro, Portland's metropolitan planning organization, sets general policy guidelines for design, distributes regional funding for certain types of projects within its boundary, and sets standards for the operation of the transportation system located within the Portland Metropolitan Urban Growth Boundary (UGB). All transportation facilities must conform to standards and guidelines outlined by federal, state and, in some cases, Metro regulatory documents.

Clackamas County faces several challenges as it attempts to continue to develop and maintain a safe and integrated transportation system, appropriate for and accessible to all potential users.

- Limited funding: Funding levels for roads, the backbone of the transportation system, have not kept pace with the mobility needs of our society. Limited funding makes it a challenge to balance the need for maintenance and management of existing facilities with the need for building new facilities to accommodate increased trip demand. As a result, the backlog of needed road maintenance and construction projects has grown larger.
- Reducing congestion: Community members help reduce traffic congestion when they choose to take the bus, join a carpool, or bicycle and walk to destinations. Reducing congestion decreases the need for costly road construction projects while improving air quality, neighborhood livability and access to goods, services and employment.

Improving the relationship between land uses and transportation can also decrease reliance on automobiles and reduce congestion. Some ways to improve this relationship are to: alter the site design of new construction at or near major transit stops; increase connectivity in transportation systems; provide better pedestrian and bicycle facilities; use land more efficiently; and encourage mixed-use developments.

- Balancing needs: All land-based modes of travel, except rail and pipeline, must share the public rights-of-way. These modes includes autos, trucks, buses, bicycles, pedestrians and, in some localities, equestrians. Balancing the need for mobility (through movement of traffic) with the need for local movement and access to individual properties often creates design and safety challenges for roadways.
- Safety: From 2005 to 2009, there were approximately 160 fatalities and 1,245 serious injuries in Clackamas County due to traffic crashes. One of the County's goals is to improve the safety of its system for all users and reduce the number and severity of crashes for future years. Developing facilities to accommodate all modes of travel will help reduce conflicts that lead to safety problems for some users. The adopted Transportation Safety Action Plan calls for a 50 percent reduction of fatal and serious injury crashes by 2022.
- Fostering economic growth: Monitoring the effects of transportation on employment and economic activity is important during both good and bad economic times. Of particular

significance are the ways transportation can be used as a tool to sustain and promote economic development both in the urban industrial and commercial centers and within the county's distinctive rural economy, including agriculture, forestry and equestrian facilities.

- **Addressing environmental impacts:** Development of transportation infrastructure needs to be sensitive to potential impacts to neighborhoods and to the natural environment, in order to create and maintain livable communities, preserve air and water quality, and conserve energy.

The northwest urban area of the County is within a designated Air Quality Maintenance Area (AQMA). Presently the AQMA meets state and federal air quality standards, but federal law requires the region to implement measures to maintain federal air quality standards. Federal law also prohibits significant degradation of air quality in the Mt. Hood Wilderness.

- **Ensuring accessibility:** In many areas of the County, transportation disadvantaged populations, such as the elderly, disabled or low-income residents, need improved access to public transit and special transportation services. Clackamas County will ensure that new and rebuilt roads are planned and designed to perform all necessary functions, including being accessible to those who choose not to drive or cannot drive.
- **Maintaining and improving rural area roads:** Clackamas County also is challenged by the responsibility to maintain and develop a safe and functional road network in rural areas. Upgrades to aging rural roadways are needed to enhance safety and accommodate different modes of travel.

TSP ORGANIZATION

To implement the vision and goals and to address the issues identified above, a series of policies have been created to direct the County in its efforts to build and maintain a multi-modal transportation system. Under each policy category, the countywide policies are listed first, followed by the urban policies, and the rural policies.

The policies are presented in this chapter by major topic or transportation mode as follows:

- **Foundation and Framework:** includes policies relating to coordination; safety; equity, health and sustainability; intelligent transportation systems; and transportation demand management
- **Land Use and Transportation:** includes policies relating to the integration of land use and transportation; parking; rural tourism; and scenic roads.
- **Active Transportation:** includes policies relating to pedestrian and bicycle facilities and multi-use paths.
- **Roadways:** includes policies relating to functional classification; urban and rural roadway considerations; project development; improvements to serve development; and performance evaluation and access standards.
- **Transit:** includes policies relating to transit and transit-supportive amenities.

- **Freight, Rail, Air, Pipeline and Water Transportation:** includes policies relating to general freight movement; freight trucking; rail; airports; pipelines; and water transportation.
- **Finance and Funding:** includes policies relating to funding capital transportation improvements and maintenance.
- **Transportation Projects and Plans:** includes policies relating to the 20-year and five-year capital improvement plans. Also identifies Special Transportation Plans that are adopted by reference as refinements of the TSP and plans or studies that need to be completed in the future to support the TSP.
- **Definitions:** relevant definitions for use within this chapter.

The TSP also contains the following components:

- The County's **20-year Capital Improvement Plan:** a complete list of needed transportation-related projects to address gaps and deficiencies in the transportation network (Tables 5-3[a-d]).
- **Tables, Maps and Figures** illustrating the transportation system and street cross sections, and presenting guidelines and standards for developing the system.
- **Background documents** including detailed findings and conclusions relating to the various components of the transportation system (Appendix B).

FOUNDATION AND FRAMEWORK

Clackamas County's transportation networks serve local communities and also tie into regional networks. Creating a transportation system that is safe and accessible for all users must be done within the context of federal, state, and regional regulations. The system needs to be responsive to new initiatives adopted by these regulatory bodies to ensure the development of a complete and sustainable transportation system. It needs to be responsive to new approaches, techniques and measures developed for assessing the performance of the system. Intelligent Transportation Systems (ITS) and Travel Demand Management (TDM) techniques are two such tools that can be effective in managing the costs of the system and enabling better performance.

Safety is consistently mentioned by citizens as one of the highest concerns related to the transportation system, regardless of individuals' preferred methods of travel. The accessibility of the transportation system for all individuals is also a primary concern. Therefore, prioritizing safety and accessibility is essential in the planning, design, operation and maintenance of the transportation system.

5.A. Compliance and Coordination Policies

- 5.A.1 Support intergovernmental partnerships needed to promote coordination and address multi-jurisdictional transportation needs.
- 5.A.2 Work collaboratively with federal, state, regional, and local agencies and with County residents to pursue the County's road safety programs and plans.
- 5.A.3 Work with state and local partners to implement the Oregon Transportation Safety Plan.
- 5.A.4 Coordinate with the Oregon Department of Transportation (ODOT) in implementing the Oregon Transportation Plan (OTP), Oregon Highway Plan (OHP), Statewide Transportation Improvement Program (STIP), and with other state transportation planning policies, guidelines and programs.
- 5.A.5 Work with the Oregon Office of Emergency Management to ensure that the TSP supports effective responses to natural and human-caused disasters and emergencies and other incidents, and access during these incidents.
- 5.A.6 **Urban** Coordinate with Metro and local governments to implement the Regional Transportation Plan (RTP), Regional Transportation Functional Plan (RTFP), Urban Growth Management Functional Plan (UGMFP), and local transportation plans.
- 5.A.7 **Rural** Pursue formation of an Area Commission on Transportation (ACT) for the portions of Clackamas County outside the Portland Metropolitan Urban Growth Boundary to facilitate a coordinated approach to addressing issues on the state transportation system.

5.B. Road Safety Policies

- 5.B.1 Update the Clackamas County Transportation Safety Action Plan (TSAP) every five years to include necessary changes and document the progress toward the plan's goal of a 50 percent reduction in fatal and serious injury crashes by 2022.
- 5.B.2 Identify transportation system safety improvements that will reduce fatal and injury crashes for all modes of travel and meet the TSAP goal.
- 5.B.3 Address the County's top three crash cause factors of Aggressive Driving, Young Drivers (ages 15-25) and Roadway Departure utilizing education, emergency medical services, enforcement, engineering and evaluation.
- 5.B.4 Support programs, policies, regulations and actions that increase awareness and education about the safety of the transportation system for all users.
- 5.B.5 Support programs that utilize data-driven approaches to improve safety of the transportation system.
- 5.B.6 Align County departments, external safety groups, and other public agencies toward common transportation safety goals.
- 5.B.7 Integrate roadway, safety and traffic data management, health and emergency services data sources.
- 5.B.8 Integrate Highway Safety Manual (HSM) principles into the planning, engineering, design, operation and maintenance of the transportation system.

5.C. Equity, Health and Sustainability Policies

- 5.C.1 Support programs and projects, such as pedestrian and bike connections to transit stops, that expand and improve transportation options for residents in areas with identified transportation-disadvantaged populations.
- 5.C.2 Protect neighborhoods, recreation areas, pedestrian facilities, bikeways and sensitive land uses (such as schools, daycare centers and senior centers whose users are more vulnerable to pollution) from transportation-related environmental degradation. Coordinate transportation and land use planning and use mitigation strategies, such as physical barriers and design features, to minimize transmission of air, noise and water pollution from roads to neighboring land uses.
- 5.C.3 Work with public agencies, private businesses and developers to increase and improve infrastructure necessary to support use of vehicles that use alternative fuels.
- 5.C.4 Ensure that programs to encourage and educate people about bicycle, pedestrian, and transit transportation options are appropriate for all County residents, particularly transportation-disadvantaged populations.

- 5.C.5 Build working partnerships between the County’s Public Health and Transportation Divisions and utilize tools, such as health impact assessments, to better connect the effects of transportation projects with the health of communities.
- 5.C.6 Support the continued provision of public transportation services to County populations that are un-served or under-served, as well as the network of community-based, transportation services for seniors and persons with disabilities.

5.D. Intelligent Transportation Systems (ITS) Policies

- 5.D.1 Implement a wide range of ITS strategies aligned with the TSP vision and goals by ensuring safe, efficient, and equitable mobility for people and goods.
- 5.D.2 Update the ITS Action Plan every five years as part of the County’s 5-Year Capital Improvement Program.

5.E. Transportation Demand Management (TDM) Policies

- 5.E.1 Implement Transportation Demand Management techniques—including education, encouragement, and enforcement—appropriate for all County residents , in order to increase efficient use of existing transportation infrastructure and minimize congestion and safety concerns by offering choices of mode, route, and time.
- 5.E.2 Support and participate in efforts by Metro, the Department of Environmental Quality (DEQ), transit providers, and any area Transportation Management Associations (TMAs) to develop, monitor and fund regional TDM programs.
- 5.E.3 Provide adequate bicycle and pedestrian facilities to employment areas to encourage use of bicycles or walking for the commute to work and to improve access to jobs for workers without cars.
- 5.E.4 Support programs that work with schools to identify safe bicycle and pedestrian routes to connect neighborhoods and schools. Seek partnerships and funding to support improvement of these routes.
- 5.E.5 **Urban** Work with County employers located in concentrated employment areas to develop Transportation Management Associations (TMAs) to coordinate and support private-sector TDM efforts and to work toward mode share targets (Table 5-1) adopted in this Plan.

5.E.6 **Urban** Establish the following year 2040 non-drive-alone targets for growth concept design types (as identified on Map 4-8):

TABLE 5-1
Year 2040 Non-Drive-Along Modal Targets

Design Type	Non-Drive-Along Modal Target
Regional Centers Station Communities Corridors	45-55% of all vehicle trips
Industrial Areas Employment Areas Neighborhoods Regionally Significant Industrial Areas	40-45% of all vehicle trips

5.E.7 **Rural** Encourage employers and schools outside urban growth boundaries to implement a range of TDM policies to help their employees and students reduce vehicle miles traveled, maximize use of existing transportation facilities, and increase walking, biking and transit use.

LAND USE AND TRANSPORTATION

Integrating transportation plans with land use plans is a key element in effective management and operation of the entire transportation system. Roads support the wide range of land activities that take place in both the urban and rural areas. Because of the diverse nature of activities and land use types found in Clackamas County, it is of particular importance that the transportation systems are designed to accommodate both urban networks and the different needs of rural area users, including providing safe routes for users of all modes to enjoy the rural area's scenic beauty, and for those participating in agri-tourism and activities related to forestry.

Planning for appropriate amounts of parking supports efficient development of the land within communities. Accommodating on-street parking and planning for off-street parking needs are Transportation System Management (TSM) techniques that are consistent with the Metro Region's 2040 Growth Concept, meet the objectives of the Transportation Planning Rule (TPR), and comply with DEQ's Air Quality Maintenance Plan.

5.F. Integration of Land Use and Transportation Policies

- 5.F.1 Land use and transportation policies shall be integrated consistent with state law regarding preservation of farm and forest lands.
- 5.F.2 Support efforts to enhance and maintain the function of State highways and County arterials through land use policies, access management strategies, and roadway improvements.
- 5.F.3 Support and promote an integrated approach to land use and transportation planning and implementation that encourages livable and sustainable communities, decreases average trip length and increases accessibility for all modes.
- 5.F.4 Support and promote transportation investments that support complete and sustainable communities as a long-term strategy to reduce reliance on long commutes out of the County to employment destinations.
- 5.F.5 Recognize the County's rural economic engine and the importance of moving goods from rural businesses (including farms, nurseries, livestock, and lumber) to distribution centers.
- 5.F.6 Require changes in land use plan designation and zoning designation to comply with the Transportation Planning Rule [Oregon Administrative Rules (OAR) 660-012-0060].
- 5.F.7 Urban Require changes in land use plan designation within the Interchange Management Areas identified on Map 5-7 to be consistent with the Transportation Planning Rule (OAR 660-012-0060). If the land uses allowed by the new land use plan designation would cause the interchange mobility standards to be exceeded, either the

change shall be denied or improvements shall be made such that the mobility standards are met.

5.G. Parking Policies

- 5.G.1 Set minimum and, where appropriate, maximum limits on allowed off-street parking of motor vehicles relative to building size, location and use, and to adjacent land uses. In the urban area, parking standards shall be coordinated with regional parking requirements.
- 5.G.2 Require new multi-family, commercial and institutional development to provide bicycle parking.
- 5.G.3 Allow shared parking and, where appropriate, on-street parking to be used to comply with parking standards.
- 5.G.4 **Urban** Allow the removal of existing, on-street parking along arterials and collectors to create bikeways, construct travel or turning lanes, or increase sight distance.
- 5.G.5 **Urban** Increase area for on-street parking in residential zoning districts by minimizing the width of driveway accesses.
- 5.G.6 **Urban** Encourage off-street parking in commercial, industrial, and high density residential areas to be located at the sides or rear of buildings, where practical.
- 5.G.7 **Urban** Consider allowing for decreased parking area requirements for development along transit routes, if the development provides pedestrian, bicycle and transit amenities. See Map 5-8a.
- 5.G.8 **Urban** Consider requiring shared parking within mixed-use development and where adjacent land uses are compatible.

5.H. Rural Tourism Policies

- 5.H.1 **Rural** Encourage agri-tourism and other commercial events and activities that are related to and supportive of agriculture, in accordance with the provisions of ORS 215. Mitigation of traffic impacts and other event impacts may be required to reduce the effects of these limited land uses on the County road system.

5.I. Rural Scenic Roads Policies

- 5.I.1 Implement a County Scenic Road System that is safe and attractive for all users.
- 5.I.2 Promote the protection of recreation values, scenic features and an open, uncluttered character along designated scenic roads.

Developments adjacent to scenic roads shall be designed with sensitivity to natural conditions and:

- a) Scenic roads shall have strict access control on new developments.

- b) Scenic roads should have shoulders wide enough for pedestrians or bicycles, or a separated path where feasible and when funding is available.
- c) Turnouts shall be provided where appropriate for viewpoints or recreational needs.
- d) Design review of developments adjacent to scenic roads shall require visual characteristics and signing appropriate to the setting.
- e) Buildings shall be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer zone.
- f) Parking areas adjacent to scenic roads shall be separated from the right-of-way by a landscaped buffer.
- g) Any frontage roads adjacent to scenic roads shall be separated by a vegetative buffer where feasible
- h) Underground placement of utilities shall be encouraged.

5.1.3 The following facilities shall be designated scenic roads: *(see Map 5-1 Scenic Roads)*

- Wilsonville Road
- Stafford Road (City of Lake Oswego to Mountain Road)
- Schaeffer Road
- Pete’s Mountain Road (Schaeffer Road to the Tualatin River)
- SW Mountain Road, Canby Ferry Road, N. Locust, NE 37th, and Holly Street
- Canby-Marquam Highway (City of Canby to Hwy 211)
- Clackamas River Drive
- Springwater Road (Clackamas River Drive to Hayden Road)
- Hayden Road
- Redland Road
- Fischer’s Mill Road
- Marmot Road/Barlow Trail Road/
- Ten Eyck Road/SE Lusted Road from Ten Eyck Road to the County line.
- Lolo Pass Road
- Salmon River Road
- Still Creek Road
- Timberline Road and West Leg Road
- I-205 west of the Willamette River
- Highway 99E from Oregon City to New Era Rd
- Oregon City Bypass (Newell Creek Canyon segment)
- Highway 211 (Canby-Marquam Highway to Estacada)
- Highway 224 (Carver to Barton and south of Estacada)
- Highway 26 east of the City of Sandy
- Highway 35/Forest Service Road 386

5.1.4 Support implementation of the Oregon Scenic Byway System, including the Mt. Hood Scenic Byway and the West Cascades Scenic Byway.

ACTIVE TRANSPORTATION

Recognizing the increasing importance of having multiple ways to travel through a community and through the region has led to an increased awareness for designing transportation systems to safely enhance active transportation modes. “Active Transportation” is defined to include walking, bicycling and horseback riding.

The County completed transportation systems planning for pedestrian and bicycle modes in 1995 to implement the state’s Transportation Planning Rule (TPR), particularly the following TPR principles:

1. Land use and transportation are intimately related.
2. Over reliance should not be placed on any one transportation mode.
3. Walking and bicycling reduce the number of motorized vehicle trips.
4. Compact, mixed-use development encourages the use of non-motorized modes.
5. Well-planned, properly designed facilities will encourage people to make trips by non-motorized modes.
6. Facilities for these non-motorized modes are essential for people not having access to an automobile, and constitute desirable elements in a well-designed community that are enjoyed by people who can drive, but choose to walk or bicycle.

These principles underlie the development of the Clackamas County Pedestrian Master Plan and the Clackamas County Bicycle Master Plan, both of which are adopted by reference. Both master plans were prepared under the guidance of the Clackamas County Pedestrian and Bikeway Advisory Committee, which was guided by the following vision:

Create an environment which encourages people to bicycle and walk on networked systems that facilitate and promote the enjoyment of bicycling and walking as safe and convenient transportation modes.

The Clackamas County Active Transportation Plan (ATP), adopted by reference in Appendix A, contains priority routes connecting communities in both the urban and rural portions of the County. Development of the principal active transportation routes described in the ATP would provide opportunities for residents to safely bicycle or walk to schools, parks, shopping, and employment centers.

5.J. General Active Transportation Policies

- 5.J.1 Coordinate the implementation of pedestrian facilities and bikeways with neighboring jurisdictions and jurisdictions within the county.

- 5.J.2 Ensure an opportunity for a diverse and representative citizen involvement in the county pedestrian and bicycle planning process by sponsoring the Clackamas County Pedestrian and Bikeway Advisory Committee (CCPBAC) as a forum for public input. Recruit representatives of transportation disadvantaged populations as part of this process.
- 5.J.3 Monitor and update the Clackamas County Pedestrian Master Plan, Bicycle Master Plan, and Active Transportation Plan through data collection and evaluation, and review activities necessary to maintain and expand the programs established in these plans.
- 5.J.4 Support bicycle, pedestrian and transit projects that serve the needs of transportation disadvantaged populations.
- 5.J.5 Coordinate with pedestrian, bicycle, and trail master plans, and with special transportation plans of the County, Oregon Department of Transportation, the United States Forest Service, Metro, and parks providers to achieve safe and convenient off-road, multi-use path and trail systems connecting to on-road pedestrian facilities and the bikeway networks.
- 5.J.6 Support the continuation of the “Bikes on Transit” program on all public transit routes.
- 5.J.7 Inform property owners of their responsibilities for the maintenance of sidewalks and pedestrian pathways.
- 5.J.8 Identify low traffic volume streets that are appropriate for signing as bicycle routes to enhance safety and connectivity and to supplement the system of bikeways found on the major street system.
- 5.J.9 **Rural** Support bicycle and pedestrian projects that improve access to public transit stops and provide connections to significant local destinations.

5.K. Design Policies

- 5.K.1 Require bikeways and pedestrian facilities for all new roadway construction or substantial reconstruction, allowing for flexibility to accommodate characteristics of terrain, scenic qualities, existing development, and environmental constraints.
- 5.K.2 Design and implement innovative bicycle and pedestrian facilities that improve the convenience and safety of these facilities. Use facility types described in the Active Transportation Plan as a reference.
- 5.K.3 Improve the safety and appeal of walking and biking by supporting the development of bikeways and pedestrian facilities and networks on low volume or local roads and off of existing street rights-of-way.
- 5.K.4 **Urban** Identify pedestrian facilities and bikeway improvements necessary to ensure direct and continuous networks of pedestrian facilities and bikeways on the county road system.

- 5.K.5 **Urban** Identify locations where bicycle and pedestrian access is blocked by rivers and other natural barriers and encourage the creation of bicycle and pedestrian facilities to extend across these barriers.
- 5.K.6 **Urban** Review development plans to ensure that they provide bicycle and pedestrian access.
- 5.K.7 **Urban** Create a networked system of pedestrian facilities and bikeways connecting cities, neighborhoods, commercial areas, community centers, schools, recreational facilities, employment centers, other major destinations, regional and city bikeways and pedestrian facilities, and other transportation modes. Utilize separate accessways for pedestrian facilities and bikeways where street connections are impractical or unavailable.
- 5.K.8 **Rural** Support the safe movement of equestrians in rural areas.

5.L. Construction Policies

- 5.L.1 Construct all pedestrian facilities, bikeways, and multi-use paths according to the current County design standards and to the applicable cross section, allowing for flexibility to accommodate characteristics of terrain, scenic qualities, existing development, and environmental constraints, and different designs identified in adopted Special Transportation Plans.
- 5.L.2 Construct all pedestrian facilities, bikeways, and multi-use paths designated on the Planned Bikeway Network (Maps 5-2a and 5-2b); the Essential Pedestrian Network (Map 5-3); and the Active Transportation Plan (Maps 5-12a and 5-12b).
- 5.L.3 Construct interim pedestrian facilities and bikeways, as appropriate, on existing streets that are not built to the applicable cross section and where the construction of full street improvements is not practicable or imminent as determined by the County Planning Director and County Road Official or County Engineer.
- 5.L.4 **Urban** Require that new development include construction of walkways and accessways within the development and between adjacent developments, where appropriate.
- 5.L.5 **Rural** In Unincorporated Communities, construct walkways adjacent to or within areas of development (such as schools, businesses, or employment centers) and at rural transit stops.

5.M. Facilities Policies

- 5.M.1 Encourage the provision of appropriate, supportive facilities and services for bicyclists, including showers, lockers, bike racks on buses, bike repair and maintenance information/clinics, and secure bicycle parking.
- 5.M.2 Establish and maintain way-finding systems to facilitate bicycle travel.
- 5.M.3 Install and maintain the signage and bicycle amenities identified in the Active Transportation Plan.
- 5.M.4 **Urban** Encourage the provision of street lighting to increase the visibility and personal security of pedestrians and bicyclists.

5.N. Multi-Use Path Policies

- 5.N.1 Support acquisition and development of multi-use paths on abandoned public and private rights-of-way.
- 5.N.2 Collaborate with the appropriate service providers, such as park providers, to plan for multi-use paths that accommodate equestrian facilities where possible.
- 5.N.3 **Rural** Consider multi-use paths where travel lanes or wide paved shoulders along roadways may not provide adequate safety for pedestrians or bicyclists.
- 5.N.4 **Rural** Consider equestrian uses when designing and constructing multi-use paths. Work with local communities and interest groups to plan, develop and maintain multi-use paths that also provide equestrian features. Plan for parking areas at such multi-use paths that support parking needs of equestrians, as well as needs of other path users.
- 5.N.5 **Rural** Establish a program to plan, develop, and maintain multi-use paths in the rural part of the County.

ROADWAYS

The County's road system permits the movement of goods and people between communities and regions, using any of a variety of modes of travel. Roads provide access to virtually all property. They support established communities and serve new development. They connect rural communities and urban neighborhoods. Roads give structure to our urban form, define our commuting patterns and influence our perceptions of what is far away or close at hand.

Creating and maintaining a safe, continuous County-wide road system, which accommodates movement by all travel modes, means setting standards for development of new roads and redevelopment of existing roads, including design and access standards for urban and rural roads. To ensure roads continue to meet the transportation demands of the County, a method to measure the ongoing performance of the system is essential. In response to new technologies and financial constraints, recent changes have been made to these standards on the state and regional levels. These changes are reflected in this TSP.

5.O. Functional Classification and Design Policies

- 5.O.1 Designate and develop roadways according to the functional classifications and guidelines illustrated in the County Road Typical Cross Sections (Figures 5-1a through 5-1f, and Figures 5-2a through 5-2f) while allowing flexibility to accommodate characteristics of terrain, scenic qualities, environmental constraints, existing development, and adopted Special Transportation Plans.
- 5.O.2 Designate freeways, arterials, collectors and connectors as shown on Map 5-4a and Map 5-4b. Roadways that do not presently exist but are shown on these maps are shown in approximate locations.
- 5.O.3 Maintain and improve roads consistent with their functional classification, and reclassify roads as appropriate to reflect function and use.
- ~~5.O.4 Require changes in Comprehensive Plan designation and zoning designation to comply with the Transportation Planning Rule (OAR 660-12). Evaluations of the transportation system for this purpose shall rely on existing transportation facilities and on planned facilities found in the 20-Year Capital Projects list (Table 5-3a). State transportation facilities shall be evaluated according to the Oregon Highway Plan, Regional Transportation Plan, Transportation Planning Rule, and other applicable state requirements.~~
- 5.O.45 Develop and implement traffic calming strategies, appropriate for the road functional classification, that will improve the safety and convenience of travel by all modes, particularly in areas with high crash rates or high rates of bicycle and/or pedestrian activity.

- 5.O.~~56~~ **Urban** Consider the Metro Regional Street Design Classifications when designing new county roads or redesigning existing county roads, prior to construction or reconstruction. Map 5-5 shows which roads are designated by each Design Classification.
- 5.O.~~67~~ **Urban** Minimize impacts of managing storm water by allowing for Metro’s alternative street standards, such as “green streets,” as design alternatives.
- 5.O.~~78~~ **Urban** Design arterials and collectors to allow safe and convenient passage of buses, bicycles, and pedestrians.
- 5.O.~~89~~ **Urban** Streets, alleys, bikeways, pedestrian facilities, multi-use paths, trails and transit stops are allowed uses in all urban zoning districts. Consider all state and County policies relating to these facilities when widening, improving or constructing new transportation infrastructure.
- 5.O.~~910~~ **Rural** Plan to support the existing development pattern and through traffic needs of the rural communities, and not to support or promote urbanization.
- 5.O.~~101~~ **Rural** Consistent with ORS 215.283(3) and OAR 660, Division 12, County road capital improvement projects may be designed and constructed to improve safety and bring roads up to county standards outside the UGB. If the road capital improvement project is not otherwise allowed and would require expansion of right-of-way exceeding the road improvements allowed in the Agriculture or Forest districts, a goal exception would be required for such a project, as provided for in ORS 215.283(3).
- 5.O.~~112~~ **Rural** Streets, alleys, bikeways, pedestrian facilities, multi-use paths, trails and transit stops are allowed uses in all rural zoning districts with the exception of Agricultural and Forest Districts in which they are conditionally allowed by ORS 215.213, 215.283 or OAR Chapter 660, Division 6 (Forest Lands).
- 5.O.~~123~~ **Rural** Recognize the importance of resource-related uses such as agriculture and forestry to the local economy, and the need to maintain a transportation system that provides opportunities to harvest agricultural and forest products and deliver them to market.
- 5.O.~~134~~ **Rural** Design, construct and reconstruct rural arterials and collectors to allow safe and convenient passage of trucks, buses, pedestrians and bicyclists.
- 5.O.~~145~~ **Rural** Support the safe movement of agricultural equipment in rural areas by improving existing roads to county standards and considering design features such as signs, pull-outs for slow-moving vehicles, reduced speeds, and limiting curbs where equipment may move to the shoulder or out of the right-of-way.

5.P. Project Development Policies

- 5.P.1 Before building new roads or adding capacity to existing roads, consider Transportation System Management (TSM) strategies for using the existing road system, including associated pedestrian and bicycle facilities, and system capacity most efficiently.

TSM strategies include:

1. Access Management;
2. Alternative/Modified Standards (Performance and/or Design Standards);
3. Intelligent Transportation System (ITS) applications;
4. Operational Improvements;
5. Parking Standards;
6. Enhanced Bicycle and Pedestrian Facilities; and,
7. Road Diet (*For example, restriping a low volume, 4-lane road to a 3-lane configuration with bicycle and pedestrian facilities*).

5.Q. Access Standard Policies

- 5.Q.1 Ensure safe and convenient access for bicyclists, pedestrians, and transit users for land uses that are open to the public. Apply access management in a flexible manner to allow reasonable access and balance the needs of all roadway users.
- 5.Q.2 Improve multimodal operations and safety by ensuring that Interchange Management Areas and other access plans and projects are coordinated with multimodal connectivity standards and are designed to support safe and convenient access and travel for all modes, when appropriate.
- 5.Q.3 Support the implementation of state access management standards (OAR Chapter 734, Division 51, as amended, and the Oregon Highway Plan) on state highway facilities and within Interchange Management Areas. Coordinate with the Oregon Department of Transportation for access control on state highways.
- 5.Q.4 If feasible, allow only collectors, connectors, or other arterials to intersect arterials.
- 5.Q.5 Access Standards shall be implemented through the Zoning and Development Ordinance and the County Roadway Standards. Where access management standards are adopted by the County in Special Transportation Plans, those standards shall apply.
- 5.Q.6 Developments should be designed to place driveway accesses on streets with the lowest functional classification or the lowest traffic volume.

5.R. Policies on Improvements to Serve Development

- 5.R.1 Require new development to be served by adequate transportation facilities and access points that are designed and constructed to safely accommodate all modes of travel.
- 5.R.2 For new developments and land divisions, require right-of-way dedication, on-site frontage improvements to the applicable standards as shown in the roadway Cross

Sections (Figures 5-1a through 5-1f and Figures 5-2a through 5-2f) and the County Roadway Standards, and off-site improvements necessary to safely handle expected traffic generated by the development and travel by active modes. Where roadway standards are adopted by the County in Special Transportation Plans, those standards shall apply.

- 5.R.3 Assess anticipated off-site traffic impacts caused by new developments. The developer may be required to participate financially or otherwise in the provision of off-site improvements, dedications or other requirements.
- 5.R.4 For new development proposed on a site identified on Map 5-6 (*Potentially Buildable Residential Sites >5 Acres in UGB*), require a conceptual street plan that is consistent with requirements of this section and provides for full street connections at intervals of no more than 530 feet, where feasible.
- 5.R.5 Require new development that will require construction of new streets to provide full street connections at intervals of no more than 530 feet, where feasible. If full street connections are not feasible at such intervals, require accessways for pedestrians, bicyclists or emergency vehicles at intervals of no more than 330 feet. Exceptions may be made where there are barriers, including topography, railroads, freeways, pre-existing development, existing easements, or environmental constraints such as streams and wetlands.
- 5.R.6 New development shall accommodate on-site traffic circulation within the boundaries of the site, not by circulating vehicles on and off the site through multiple access points using the public road system. Internal circulation plans should avoid relying on "backing out" maneuvers for new driveways onto all rural arterials and collectors.
- 5.R.7 **Urban** Require implementation of a road network for undeveloped sites illustrated on Map 5-6. Existing roads shall be extended to provide a direct, connected system.
- 5.R.8 **Urban** Where appropriate, develop and implement neighborhood traffic circulation plans for all modes intended to improve circulation while minimizing safety concerns and exposure to air and noise pollution.
- 5.R.9 **Urban** Discourage motor vehicle through-trips on local, connector and collector roads, and encourage bicycle and pedestrian travel on these roads.
- 5.R.10 **Urban** Allow flexible criteria and standards for local streets that are less than 200 feet in length, are expected to carry very low traffic volumes, and are not capable of being extended.
- 5.R.11 **Urban** Private streets may be appropriate in areas with topographic constraints that make construction of a road to County standards not feasible. Private roads are not classified as local roads and are not maintained by the County.

~~5.R.12 **Urban** Require that changes to Comprehensive Plan land use designations within the Interchange Management Areas identified on Map 5-7 be consistent with Oregon Administrative Rules 660-012-0060. If the land uses allowed by the new Comprehensive Plan land use designation would cause the interchange mobility standards to be exceeded, either the change shall be denied or improvements shall be made such that the mobility standards are met.~~

5.R.12 **Rural** Discourage through trips on rural local roadways.
3

5.S. System Performance Evaluation Measure Policies

5.S.1 For County roads, evaluate transportation system performance and the impact of new development. Use the evaluation methodology in the establish the method of calculating roadway capacity and the impact of new development on that capacity in the County Roadway Standards.

5.S.2 Evaluate motor vehicle capacity needs for roadways within the urban area using the standards~~Regional Motor Vehicle Performance Measures~~ shown in Table 5-2a, except as established below. ~~All capital construction shall be designed not to exceed the maximum V/C ratio.~~

Table 5-2a
MOTOR VEHICLE CAPACITY PERFORMANCE EVALUATION STANDARDS MEASURES
FOR THE URBAN AREA
Weekday Mid-day and Weekday PM Peak Periods

ODOT Roadways Federal and State Principal Arterial Street Segments and Intersections	Maximum Volume to Capacity (V/C) Ratio		
	Mid-day One-Hour Peak	1 st Hour, PM Peak	2 nd Hour, PM Peak
OR 99E from OR 224 interchange north to county line <u>OR 213 within the Clackamas Regional Center and the Fuller Road Station Community</u>	0.99	1.1	0.99
I-205 I-5 OR 212 OR 224 OR 213	0.90	0.99	0.99
County Roadways Street Segments and Intersections by Metro Urban Design Type <i>See Comprehensive Plan Map 4-8</i>			
Regional Centers Town Centers Main Streets Station Communities	0.99	1.1	0.99
Corridors Neighborhoods Employment Areas Industrial Areas <u>Regionally Significant Industrial Areas</u> <u>All Other Areas Outside of City Limits</u> <u>Intermodal Facilities</u>	0.90	0.99	0.99

5.S.3 Exceptions to the motor vehicle capacity performance evaluation standards measures for review of development proposed on property within Metro’s boundary are established as follows:

5.S.3.1 Within the Clackamas Industrial Area, no motor vehicle capacity performance evaluation standards measures shall apply.

5.S.3.2 For the intersections of SE Park Avenue/OR 99E, SE Park Avenue/SE Oatfield Road, and SE Park Avenue/SE 27th Street, motor vehicle capacity performance evaluation standards measures of the Station Community Design Type shall apply.

5.S.4 Evaluate motor vehicle capacity needs for roadways in the rural area using the performance evaluation standards measures shown in Table 5-2b.

Table 5-2b
MOTOR VEHICLE CAPACITY PERFORMANCE EVALUATION STANDARDS MEASURES FOR
THE RURAL AREA
Weekday, AM and PM Peak Periods

	Maximum Volume to Capacity (V/C) Ratio	
	1 st Hour, PM Peak Period	2 nd Hour, PM Peak Period
County Roads and ODOT Roadways Facilities and Intersections (based on posted speed and highway classification) ¹		
Unincorporated areas i nside city UGBs	0.80 to 0.95	0.80 to 0.95
Inside Unincorporated Communities	0.70 to 0.80	0.70 to 0.80
All other r Rural areas	0.70 to 0.75	0.70 to 0.75
County rural road Roadways and i ntersections and road segments outside of rural area Cities	Minimum Level of Service (LOS) or Maximum Volume/Capacity Ratio; Weekday Peak Periods	
	AM Peak Hour	PM Peak Hour
Road segments and u nsignalized i ntersections	LOS E	LOS E
Signalized and r oundabout i ntersections	0.90	0.90

¹ See Oregon Highway Plan for details.

5.S.5 Exception to the motor vehicle capacity performance evaluation standards measures for review of development proposed on property in the rural area is established as follows:

5.S.5.1 Within Government Camp Village, no motor vehicle capacity performance evaluation ~~operating~~ standards shall apply.

- 5.S.6 The maximum volume to capacity ratio for the ramp terminals of interchange ramps shall be v/c 0.85. (1999 Oregon Highway Plan, OHP Policy 1F Revisions, Adopted by OTC: Dec. 21, 2011).
- 5.S.7 Where more than one motor vehicle capacity performance standard measure would apply at an intersection, the standard measure allowing the higher level of congestion will be used, except for ramp terminal intersections.
- ~~5.S.8 Evaluate transitioning from transportation concurrency to safety analysis when a traffic impact study (TIS) is required of new development.~~
- ~~5.S.9 The County will work with Metro and ODOT over five years to develop Alternate Road Capacity Performance Standards, required by the Oregon Highway Plan Policy 1.F., to address the following five intersections. These intersections were forecast not to meet the Capacity Performance Standards adopted in the 2013 TSP and there were no projects identified that could make the intersections meet the standards.~~
- ~~• SE Harmony Road/SE Linwood Avenue~~
 - ~~• OR 212/SE 172nd Avenue – ODOT Intersection~~
 - ~~• OR 212/SE 282nd Avenue – ODOT Intersection~~
 - ~~• OR 213/S. Henrici Road – ODOT Intersection (traffic signal or roundabout)~~
 - ~~• OR 224/SE Lake Road/SE Webster Road – ODOT Intersection~~

TRANSIT

Public transit service is essential for the mobility of many County residents, and provides an affordable option for others who prefer to use it. The County contains five major public transportation systems. Tri-County Metropolitan Transportation District of Oregon (TriMet), the state's largest transit provider, serves generally the western, more urbanized part of the county. The County also is home to four rural transit providers: South Clackamas Transportation District (SCTD) serving the Molalla area, Sandy Area Metro (SAM), Canby Area Transit (CAT) and Wilsonville's South Metro Area Transit (SMART). Clackamas County also directly supports the Mountain Express service which provides public transit to the Hoodland area along the Highway 26 corridor east of the City of Sandy. All of these services provide public transit as well as specialized services for seniors and persons with disabilities (paratransit) as mandated by the American with Disabilities Act.

Clackamas County participates in the development and implementation of the Coordinated Human Services Transportation Plan which addresses the services available to vulnerable populations throughout the Portland metropolitan area.

The County can influence the type of service provided and the way new developments interface with transit and provide amenities for transit riders. Busses operated by the six districts, as well as each of the school districts in the county must safely share the county's roads with all other users.

5.T. Transit Policies

- 5.T.1 Work with transit agencies to identify existing transit deficiencies in the County, needed improvements, and additional park-and-ride lots needed to increase the accessibility of transit services to all potential users.
- 5.T.2 Emphasize corridor or roadway improvements that help ensure reliable and on-time transit service in the County.
- 5.T.3 Encourage transit providers to restructure transit service to efficiently serve local as well as regional needs.
- 5.T.4 Emphasize transit improvements that improve east-west connections; improve service between the County's industrial and commercial areas and neighborhoods; and best meet the needs of all County residents, employees and employers, regardless of race, age, ability, income level and geographic location.
- 5.T.5 Coordinate with all applicable transit agencies on all new residential, commercial and industrial developments to ensure appropriate integration of transit facilities and pedestrian access to transit facilities.
- 5.T.6 Require major developments and road construction projects along transit routes to include provisions for transit shelters, pedestrian access to transit and/or bus turnouts, where appropriate.

- 5.T.7 Promote park-and-ride lots, transit shelters and pedestrian/bikeway connections to transit. Coordinate the location of these facilities with other land uses to promote shared parking and bicycle/ pedestrian-oriented transit nodes.
- 5.T.8 Coordinate and cooperate with transit agencies to provide transportation for seniors, people with disabilities, and other transportation-disadvantaged populations. Provide continued support for paratransit services as required within a three-quarter-mile distance from fixed-route transit stops.
- 5.T.9 Coordinate transit-supportive, roadway improvements with transit-providers to ensure financing and implementation of such improvements.
- 5.T.10 **Urban** Require pedestrian and transit-supportive features and amenities and direct access to transit for new development.
- Pedestrian and transit supportive amenities may include pedestrian/bikeway facilities, street trees, outdoor lighting and seating, landscaping, shelters, kiosks, strict standards for signs, and visually aesthetic shapes, textures and colors. Buildings measuring more than 100 feet along the side facing the major pedestrian/transit access should have more than one pedestrian entrance. Pedestrian access should be provided to connect transit centers or transit stops on bus routes with centers of employment, shopping or medium-to-high density residential areas within one-quarter mile of these routes.
- 5.T.11 **Urban** Coordinate with transit providers to achieve the goal of transit service within one-quarter mile of most residences and businesses within the Portland Metropolitan UGB. Support more frequent service within Regional Centers, Town Centers, Station Communities, and Corridors and Main Streets.
- 5.T.12 **Urban** Work with federal, state and regional agencies to implement high capacity transit in the regional High Capacity Transit (HCT) System Plan in order to help relieve traffic congestion, provide for transportation alternatives to the automobile, and promote the County's economy. See Map 5-8c for the HCT network in the County.
- 5.T.13 **Urban** Site new commercial, institutional, and multi-family buildings at major transit stops as close as possible to transit, with a door facing the transit street or side street, and with no parking between the building and front lot lines.
- 5.T.14 **Rural** Focus safety improvements near existing or planned transit stops.

FREIGHT, RAIL, AIR, PIPELINE AND WATER TRANSPORTATION

In 2009, Clackamas County adopted “Open for Business – Economic Development Plan (EDP).” This plan provides a comprehensive guiding policy document for the County to improve, diversify and grow the economy in Clackamas County. Crucial to economic development is the infrastructure that supports the businesses and the employees that work in those businesses. Specific goals and actions called out by the Economic Development Plan include:

- Maintain mobility for people and freight in the face of expected growth; and
- Respond to the opportunities and challenges faced by its cities and rural areas, and support them in their efforts to develop quality jobs and businesses,

Freight, rail, air, pipelines and water transportation make significant contributions to the movement of people and goods; improve the quality of life; and support economic development in Clackamas County.

Policies relating to the movement of freight via roads, rail, air, pipelines or water transportation must also respond to new regulations to ensure the highest level of safety.

5.U. General Freight Policies

- 5.U.1 Coordinate the planning, development, maintenance and operation of a safe and efficient freight system for all freight modes in Clackamas County with the private sector, ODOT, Metro, the Port of Portland and the cities of Clackamas County.
- 5.U.2 Promote an inter-modal freight transportation strategy and work to improve multi-modal connections among rail, industrial areas, airports and regional roadways to promote efficient movement of people, materials, and goods.
- 5.U.3 Work with the private transportation industry, Oregon Economic Development Department, Port of Portland and others to identify and realize investment opportunities that enhance freight mobility and support the County, regional and state economy.
- 5.U.4 Make freight investments that, in coordination with the County’s economic development strategies, help retain and grow the County’s job base and strengthen the County’s overall economy.
- 5.U.5 Ensure that freight rail lines and truck routes do not have disproportionately negative impacts on sensitive land uses (places where people with increased risk of adverse impacts from exposure to noise and air pollution are likely to gather, such as schools, senior centers, hospitals, parks, housing). Prioritize mitigation efforts for current sensitive land use areas near freight rail lines and truck routes. Mitigate impacts to sensitive land uses by using vegetative buffers, establishing rail "quiet zones," and coordinating land use plans.

5.V. Freight Trucking Policies

- 5.V.1 Support the Truck Freight Route System, while not prohibiting the use of other roads for local pickup and delivery of goods and services. (See Maps 5-9a and 5-9b).
- 5.V.2 Improve and maintain the countywide Truck Freight Route System, the Regional Transportation Plan Freight Routes and Oregon Freight Plan Routes, as shown on Maps 5-9a and 5-9b.
- 5.V.3 Consider Heavy and Oversize Freight Movement requirements on State and County facilities when developing plans for transportation improvements and land use changes along freight routes designated as ORS 366.215 Corridors, as shown on Maps 5-9c and 5-9d.
- 5.V.4 Consider the safety of all travel modes that use the Truck Freight Route System when designing improvements to this system.
- 5.V.5 Accommodate freight travel on the Truck Freight Route System by improving facility design and operations.
- 5.V.6 Identify street improvements to reduce delays and to improve travel time reliability on roadways in the Truck Freight Route system
- 5.V.7 Work to improve the safety of Truck Freight Routes for all transportation modes.
- 5.V.8 Support the development of truck layover facilities/staging areas to reduce the conflicts between parked vehicles and adjoining land uses.
- 5.V.9 Utilize Intelligent Transportation Systems (ITS) solutions to improve safety and operations of freight movement.

5.W. Rail Policies

- 5.W.1 Support the safe and efficient movement of goods by rail.
- 5.W.2 Support the reduction of the number of at-grade crossings of arterial and collector streets on main rail lines to reduce conflicts between rail use and other transportation modes, and improve safety.
- 5.W.3 On new or reconstructed arterials and urban collectors, prohibit at-grade crossings of main rail lines without traffic restrictive safety devices.
- 5.W.4 Support expansion and maintenance needed to establish reliable, higher speed (110-125 mph) freight rail service and intercity rail passenger service in the Willamette Valley.
- 5.W.5 Encourage the development of rail-accessible land uses within industrial areas adjacent to main rail lines.

- 5.W.6 Support the development of convenient inter-modal facilities such as ramp, terminal and reload facilities for transfers from truck to rail for long-haul freight movement.
- 5.W.7 Improve the safety and operations of rail transport at at-grade rail crossings and ensure that all at-grade crossings meet the best practices for facilitating safe, multi-modal crossings, as identified in the most recent version of the “Railroad-Highway Grade Crossing Handbook” (Federal Highway Administration [FHWA]).
- 5.W.8 Identify and protect existing and abandoned rail rights-of-way for future transportation facilities and services.

5.X. Airport Policies

- 5.X.1 Coordinate with the Port of Portland, the Oregon Department of Aviation, and other affected agencies to implement the Mulino Airport Plan.
- 5.X.2 Coordinate with Marion County, the City of Wilsonville, the Oregon Department of Aviation, and other affected agencies to develop and implement the Aurora Airport Plan.
- 5.X.3 Allow new airports as conditional uses in appropriate zoning districts. Require new public use airports to be located within:
 - one mile of an arterial roadway, and
 - at least one mile away from urban residential areas.
- 5.X.4 Cooperate with the Oregon Department of Environmental Quality, Oregon Department of Aviation and Federal Aviation Administration to minimize conflicts between airports and uses of surrounding lands.
- 5.X.5 Require that new airports, airport expansions, or expansions of airport boundaries, except those limited to use by ultra-lights and helicopters, have a runway at least 1,800 feet long and control at least enough property at the end of each runway through ownership, aviation easement, or long term lease to protect their approach surfaces until the approach surfaces are 50 feet above the terrain. Require the runway to be located so as to achieve at least a 20-foot clearance of the approach surface over a county, city or public road.
- 5.X.6 Apply a Public-Use Airport and Safety overlay zoning district to public-use airports, consistent with ORS 836.600 through 836.630, and as shown on Map 5-10.
- 5.X.7 Apply a Private-Use Airport and Safety overlay zoning district to privately-owned, private-use airports that served as the base for three or more aircraft, consistent with ORS 836.600 through 836.630, and as shown on Map 5-10.
- 5.X.8 Recognize privately-owned, private-use airports that served as the base for one or two aircraft on December 31, 1994, as shown in the records of the Oregon Department of Transportation and as shown on Map 5-10.

- 5.X.9 Encourage establishment of heliports in industrial areas in conjunction with state and federal standards for heliport design and location.
- 5.X.10 Support the role Clackamas County airports serve in supporting emergency response and disaster assistance.

5.Y. Pipeline Policy

- 5.Y.1 Work with state and federal regulatory agencies, affected communities and pipeline companies to provide safe, quiet, environmentally sensitive, and efficient transport of bulk commodities.

5.Z. Water Transportation Policies

- 5.Z.1 Maintain safe and convenient, multi-modal land access to the Canby ferry, and to public and commercial docks and boat ramps
- 5.Z.2 Support efforts to minimize noise and negative impacts caused by river transportation on air and water quality and to habitat for fish migration.
- 5.Z.3 Support the continued operation and maintenance of the Willamette Falls Locks to facilitate water transportation on the Willamette River.

FINANCE AND FUNDING

The vast majority of surface transportation funding in the United States is derived from public sources at the federal, state, and local levels and primarily includes gas and vehicle taxes and fees. For a variety of reasons, including more efficient vehicles, trends toward shortening commutes or carpooling, and a general unwillingness to raise gas tax rates, jurisdictions across the nation are facing decreasing levels of available funding for transportation projects. That, combined with rising construction costs, leads to increasing challenges in finding available funds for all the improvements that are needed to the transportation system.

One way to control costs is to spend wisely by focusing on using and maintaining the transportation systems that exist. The County also is committed to identifying and pursuing potential new funding sources for transportation improvements.

5.AA. General Finance and Funding Policies

- 5.AA.1 Support continuation of current (or equivalent) federal, state, and local funding mechanisms to construct and maintain County transportation projects. Identify and pursue new, permanent funding mechanisms to construct and maintain County transportation facilities and to support programs and projects identified in the TSP.
- 5.AA.2 Seek dedicated funding sources to implement active transportation projects.
- 5.AA.3 Establish funding for bicycle, pedestrian and transit projects that serve the needs of transportation disadvantaged populations.
- 5.AA.4 Consider a transportation system development charge methodology that calculates person trips to allow pedestrian, transit, and bicycle projects, as well as motor vehicle projects, to be funded by TSDCs.
- 5.AA.5 To the extent practical, invest unrestricted funding sources in a balanced manner between rural and urban areas.
- 5.AA.6 **Urban** Study creating a transportation facility funding program that establishes a "fee in lieu of" process that may be used by developers to pay for all on-site and off-site transportation facilities required as part of the land development process.

5.BB. Maintenance Policies

- 5.BB.1 Emphasize maintenance of existing rights-of-way, with improvements where appropriate, to improve traffic flow and safety for all transportation modes at a reasonable cost.
- 5.BB.2 Determine road maintenance needs and priorities and develop an effective and efficient road maintenance program.
- 5.BB.3 Develop routine maintenance standards and practices for the transportation system, including traffic control devices.

TRANSPORTATION PROJECTS AND PLANS

The County's Capital Improvement Plan (CIP) includes a 20-year plan for needed transportation improvements and the 5-year programmed projects. The CIP was developed through concentrated and intense scrutiny by County staff and several advisory groups. Needed transportation projects were reviewed and analyzed with respect to how the transportation system is expected to function in 2035; how well each reflected the TSP vision and goals; and based on feedback from the public and several advisory committees. The Public Advisory Committee (PAC) developed the final recommendation to the Planning Commission on the project prioritization.

The purpose of the project prioritization was to identify a set of project that could reasonably be expected to be funded over the next 20 years. The funding forecast completed in 2012 indicates that only around 15% of the funding will be available to construct the needed projects. Therefore, the Capital Improvement Plan is divided into three project lists:

- 20-Year Capital Projects: contains the prioritized list of needed transportation projects that can reasonably be undertaken given the current estimates of available funding.
- Preferred Capital Projects: contains a second group of needed, prioritized transportation projects that the County would undertake if additional funding becomes available during the next 20 years.
- Long-Term Capital Projects: contains the remainder of the needed transportation projects. Although these projects will be needed to meet the transportation needs of the County in the next 20 years, they are not expected to be funded or constructed by the County.

The CIP will be updated as needed, and additional studies will be completed to optimize the work completed in this TSP by finding new ways to address known problems that cannot be solved by the current CIP. Special Transportation Plans include policy recommendations for a specific geographic areas or transportation facilities within the County Where conflicts exist between provisions of Special Transportation Plans and provisions of Chapter 5, provisions in the Special Transportation Plans take precedence.

5.CC. Capital Improvement Plan Policies

- 5.CC.1 Fund and build the transportation improvement projects identified as needed to accommodate and appropriately manage future transportation needs. These projects are found in the following lists: 20-Year Capital Projects (Table 5-3a); Preferred Capital Projects (Table 5-3b); and Long-Term Capital Projects (Table 5-3c). Project locations are shown on Maps 5-11a through 5-11f.

- 5.CC.2 Maintain a current and complete 5-Year Capital Improvement Program (CIP), which contains the programmed transportation projects in priority order, with estimated costs and assigned responsibility for funding. Update and adopt the 5-Year Capital Improvement Program periodically.
- 5.CC.3 Support the construction of prioritized, major transportation improvements in the County as identified by other jurisdictions including the Oregon Department of Transportation, Metro, cities, transit agencies and park providers. The list of needed transportation projects to be built by other jurisdictions is located in Table 5-3d. The project locations are shown on Maps 5-11a through 5-11f.

5.DD. Special Transportation Plans and Studies

- 5.DD.1 Designate the following as Special Transportation Plans:
 - A. The SE 172nd Avenue/190th Drive Corridor Management Plan, adopted by reference in Appendix A;
 - B. The Clackamas County Pedestrian Master Plan, adopted by reference in Appendix A;
 - C. The Clackamas County Bicycle Master Plan, adopted by reference in Appendix A;
 - D. The Clackamas County Airport Plan, adopted by reference in Appendix A;
 - E. Transportation elements of the Community Plans and Design Plans included in Chapter 10;
 - F. The Exception to Statewide Planning Goal 3 (Agricultural Lands), Goal 11 (Public Facilities & Services) and Goal 14 (Urbanization), pursuant to OAR 660, Division 12, to allow for the Arndt Road improvement, which is substantially complete; (For findings of fact and statement of reasons, see Board Order 2003-76.)
 - G. The Exception to Statewide Planning Goal 3 (Agricultural Lands), Goal 11 (Public Facilities & Services) and Goal 14 (Urbanization), pursuant to OAR 660, Division 12, to allow for the Arndt Road improvement listed as project number 2029 on Table 5-3b and shown on Map 5-11e; (For findings of fact and statement of reasons, see Board Order 2003-104.)
 - H. The Clackamas County Active Transportation Plan, adopted by reference in Appendix A; and
 - I. The Clackamas Regional Center Pedestrian/Bicycle Plan, adopted by reference in Appendix A.
- 5.DD.2 Complete the following studies to develop solutions to previously identified problems ~~that were identified during the existing and future conditions analysis of the transportation system, but could not be solved within the scope of the TSP update.~~

- A. Conduct an alternatives analysis and land use study to identify and consider roadway improvements to address access to I-5 within the southwest portion of the County and capacity deficiencies along Arndt Road (project #1106).
- B. For the urban unincorporated area, develop a study to identify potential pedestrian, bicycle, and safety alternative performance standards for use during development review intersections and alternative mobility standards within the Clackamas Regional Center design plan area. Determine if this area should be designated as a multimodal, mixed-use area (MMA) as provided in the Transportation Planning Rule (OAR 660-012-0060). (project #1017)
- C. Develop a circulation study for the area west of the Clackamas Town Center and conduct a Transportation Infrastructure Analysis. (project #1018)
- D. Study the I-205 Multi-use Path gap to identify near term solutions for completing the path. (project #1026)
- E. Identify bicycle and pedestrian improvements to better connect OR 224 to the Clackamas Regional Center along 82nd Avenue. (project #1032)
- F. Work with ODOT, the City of Happy Valley and the City of Damascus to review the future need for the Sunrise Unit 2 (parallel to Highway 212, between 172nd Avenue and US 26), identified as a future, planned highway corridor.
- G. Work with ODOT, Metro, Oregon City, West Linn and any other affected jurisdiction to analyze and develop a solution to the transportation bottleneck on I-205 between Oregon City and the I-205 / Stafford Road Interchange. This process may include undertaking an Environmental Impact Statement to identify a preferred alternative that addresses the transportation congestion and facility operations issues on this portion of the I-205 corridor.
- H. Evaluate transitioning from transportation concurrency to safety analysis when a traffic impact study (TIS) is required of new development.

I. Work with Metro and ODOT over five years to develop Alternate Road Capacity Performance Standards, required by Oregon Highway Plan Policy 1.F., to address the following five intersections. These intersections were forecast not to meet the capacity performance standards adopted in the 2013 TSP, and there were no projects identified that could make the intersections meet the standards.

- SE Harmony Road/SE Linwood Avenue
- OR 212/SE 172nd Avenue – ODOT Intersection
- OR 212/SE 282nd Avenue – ODOT Intersection
- OR 213/S. Henrici Road – ODOT Intersection (traffic signal or roundabout)
 - OR 224/SE Lake Road/SE Webster Road – ODOT Intersection

DEFINITIONS

The following definitions apply to usage within Chapter 5.

Airport, Private Use: An airport restricted, except for aircraft emergencies, to use by the owner and his invited guests. The determination as to whether an airport is private or public use is made by the Oregon Department of Aviation.

Airport, Public Use: An airport that is open to use by the flying public, with or without a request to use the airport.

Bikeway: A paved facility provided for use by cyclists. There are five categories of bikeways.

- **Shared Roadway:** A type of bikeway where motorists and cyclists occupy the same roadway area. Shared lane markings should be provided in the roadway to designate the shared use of the roadway by bicyclists and motorists. On shared roadway facilities, bicyclists may use the full travel lane. Two types of shared roadway facilities are:
 - **Bicycle Boulevard:** A bicycle facility in a network of connected low volume and low speed roads (typically local or connector roadways) where bicycles share the roadway with vehicles but bicycle movements are prioritized over vehicle movements.
 - **Advisory Lanes:** A bicycle facility where the center travel lane is shared by two-way automobile traffic and shoulder bikeways or bike lanes are provided on each side of the center lane. Vehicles may use the shoulder bikeways/bike lanes for passing but must yield to bicyclists and oncoming motorists.
- **Shoulder Bikeway:** A bikeway which accommodates cyclists on paved roadway shoulder.
- **Bike Lane:** There are three types of bike lanes:
 - **Buffered Bike Lane:** Bicycle lanes with a striped buffer providing greater separation from vehicles than a typical bike lane.
 - **Protected Bike Lane:** Bicycle lanes parallel to the roadway and separated from traffic by a buffer as well as by a barrier such as a landscaped buffer, parked cars, or flexible bollards.
 - **Conventional Bike Lane:** A section of roadway designated for exclusive bicycle use, at the same grade as the adjacent roadway.
- **Bike Path:** A bike lane constructed entirely separate from the roadway.
- **Cycle Track:** An exclusive “grade-separated” bike facility elevated above the street level using a low-profile curb and a distinctive pavement material. Two-way cycle tracks are physically separated cycle tracks that allow bicycle movement in both directions on one side of the road.

Truck Freight Route System: A set of identified arterials, collectors and State facilities that support the efficient movement of goods throughout the County.

Functional Classification: The process by which streets and highways are grouped into classes, or systems, according to the character of traffic service that they are intended to provide. Functional classifications found in Clackamas County and typical characteristics of each classification follow:

- **Principal Arterials:** (Freeway/Expressway and other designated Principal Arterials). Serves interregional and intraregional trips and carries heavy volume at high speed. Primarily Interstate Freeways and State Highways but also includes other roads designated as Principal Arterials. These roads make up the National Highway System.
- **Major Arterial:** Carries local and through traffic to and from destinations outside local communities and connects cities and rural centers. Moderate to heavy volume; moderate to high speed.
- **Minor Arterial:** Connects collectors to higher order roadways. Carries moderate volume at moderate speed.
- **Collector:** Principal carrier within neighborhoods or single land use areas. Links neighborhoods with major activity centers, other neighborhoods, and arterials. Generally not for through traffic. Low to moderate volume; low to moderate speed.
- **Connector:** Collects traffic from and distributes traffic to local streets within neighborhoods or industrial districts. Usually longer than local streets. Low traffic volumes and speeds. Primarily serves access and local circulation functions. Not for through traffic in urban areas.
- **Local:** Provides access to abutting property and connects to higher order roads. New local roads should intersect collectors, connectors, or, if necessary, minor arterials. Not for through traffic.
- **Alley:** May be public or private, to provide access to the rear of property. Alleys should intersect local roads or connectors. Not for through traffic

Level of service (LOS): A performance measure that represents quality of service of an intersection or roadway segment, measured on an A–F scale, with LOS A representing the best operating conditions from the traveler’s perspective and LOS F the worst.

Major Transit Stop: A transit center, major bus stop, or light rail stop, as identified on Comprehensive Plan Map 5-8a, *Transit, Urban*.

Major Transit Street: A street with a Frequent Service Bus Line, as identified on Comprehensive Plan Map 5-8a, *Transit, Urban*; existing or planned High Capacity Transit, as identified on Comprehensive Plan Map 5-8c, *High Capacity Transit (HCT) System Plan*; or both.

Mode (also “travel mode”): A particular form of travel, for example, walking, bicycling, traveling by automobile, or traveling by bus.

Multi-use Path: A paved path built for bicycle and pedestrian traffic that is physically separated from motor vehicle traffic, and can be either within the road right-of-way or within an independent right-of-way.

Pedestrian Facilities: Sidewalks, pedestrian pathways, or other facilities that are designed specifically for pedestrian use, as identified by functional classification in cross sections (Figures 5-1 through 5-3) or as determined appropriate by the County Planning Director and the County Road Official or County Engineer.

Principal Active Transportation (PAT) Route: Priority routes for pedestrian and bikeway facilities which form the “spine” of the County active transportation network that have been identified in the Active Transportation Plan. PAT Routes provide connection to key county destinations, link rural and urban communities, and connect to Parkways and Bikeways as identified in the Metro Regional Active Transportation Plan. Specifics about the appropriate bikeway and/or pedestrian facility treatments for the PAT Routes are included in the Active Transportation Plan.

Trail: A hard- or soft-surfaced facility for pedestrians, bicyclists, or equestrians that is separate from vehicular traffic. Trails often go through natural areas and are designed to have a minimal impact on the natural environment.

Transportation Demand Management (TDM): Strategies to achieve efficiency in the transportation system by reducing demand.

Transportation Disadvantaged: Persons who, because of physical or mental disability, income status, or age, are unable to transport themselves or to purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities, or children who are handicapped or high-risk or at-risk.

Road: A public or private way created to provide ingress to, or egress from, one or more lots, parcels, areas or tracts of land, or that provides for travel between places by vehicles. A private way created exclusively to provide ingress and egress to land in conjunction with a forest, farm or mining use is not a “road.” The terms “street,” “access drive” and “highway” for the purposes of this Plan shall be synonymous with the term “road.”

Roadway: That portion of a road or alley that has been improved for vehicular and pedestrian traffic.

Rural: Outside the Portland Metropolitan Urban Growth Boundary and outside city limits

Urban: Inside the Portland Metropolitan Urban Growth Boundary

Volume-to-Capacity (v/c) Ratio: A volume-to-capacity ratio compares vehicle volumes (the roadway demand) with roadway supply (carrying capacity). Volume refers to the number of vehicles using a roadway at a specific time period (and length of time), while capacity is the road's ability to support that volume based on its design and number of lanes.

File ZDO-258
Proposed Comprehensive Plan Amendments
Draft Date 7/18/16

Text to be added is underlined. Text to be deleted is ~~strikethrough~~.

CLACKAMAS REGIONAL CENTER AREA DESIGN PLAN

No changes are proposed to any of the preceding sections of the Clackamas Regional Center Area Design Plan.

TRANSPORTATION POLICIES

XII. ROADS AND STREETS SYSTEM POLICIES

- 1.0 Construct all roadway improvements identified in Map X-CRC-4 to maintain regional accessibility to the Regional Center and provide a network for all transportation modes that interconnects neighborhoods and districts, the Station Community, commercial areas, community centers, parks, libraries, employment places, other major activities, off-street pedestrian linkages, regional multi-use paths, and area greenway trails.

- 2.0 Street Connectivity Policies
 - 2.1 Develop a block and grid street network that serves all transportation modes with short and direct public right-of-way routes.

 - 2.2 In all new developments adjacent to corridor arterial streets, require public street, private street, or private driveway connections to provide traffic flow parallel to the arterial.

 - 2.3 On major arterial streets, encourage public or private street connections at intervals of no more than 660 feet. Encourage more frequent public or private connections on other streets, especially those in areas planned for mixed-use or dense development.

[10-CRC-1]

- 2.4 To reduce the number of local trips using 82nd Avenue, require and develop local street and commercial driveway connections on the east side of 82nd Avenue from Causey Avenue to Otty Road. These public or private connections shall be open to public access, and may be indirect if appropriate direct routes are not feasible. This policy applies to all land use, transportation, and development permits.
- 3.0 Require public local streets, private streets, and driveway connections between developments to provide public access and circulation between land uses and reduce local trips on collectors and arterials. This policy applies to all land use, transportation, and development permits.
- 4.0 In the Station Community, a network of public and private streets, including arterial, collector, and local streets, will provide excellent connectivity and pedestrian access to support transit access and utilization. Generally blocks will be no more than 450 feet in length.

~~5.0 Performance evaluation measures for portions of streets located within the Regional Center boundary or Fuller Road Station Community boundary (consistent with Metro Regional Transportation Plan standards for Centers and Station Communities) shall be as follows:~~

~~**Performance Evaluation Measures
Clackamas Regional Center or Fuller Station Community
Weekday Mid-day and PM Peak Periods**~~

	Maximum Volume to Capacity (V/C) Ratio by Weekday Peak Periods		
	Mid-day, One-Hour Peak	1st Hour, PM Peak Period	2nd Hour, PM Peak Period
All street segments and intersections	0.99	1.1	0.99

~~6.0 Performance evaluation measures for portions of streets located within the Clackamas Regional Center Design Plan Area, but outside the Regional Center boundary and the Fuller Road Station Community boundary, shall be as follows:~~

~~**Performance Evaluation Measures
Clackamas Regional Center Design Plan Area (outside the Center and
Station Community)
Weekday Mid-day and PM Peak Periods**~~

[10-CRC-2]

	Maximum Volume to Capacity (V/C) Ratio by Weekday Peak Periods		
	Mid-day, One-Hour Peak	1 st Hour, PM Peak Period	2 nd Hour, PM Peak Period
All street segments and intersections	0.99	0.99	0.99

~~7.0 — Monitor transportation conditions in the 82nd Avenue Corridor to determine if Comprehensive Plan strategies are contributing to the attainment of performance evaluation measures as identified in Policies 5.0 and 6.0, above.~~

~~8.0 — Provide for roadway and infrastructure improvements sufficient to support minimum planned development intensity and density.~~

~~8.1 — The Clackamas Regional Center Area Design Plan includes transportation and infrastructure planning that identifies certain needed roadway and infrastructure improvements necessary to support future development in the Regional Center.~~

~~8.2 — These improvements, in conjunction with frontage improvements normally and legally exacted concurrent with development, are sufficient to support the minimum planned development intensity and density within the Regional Center. Developers in the Regional Center are entitled to rely on the improvements that are listed as funded in the Five-Year Capital Improvement Plan, as if they are already in place when submitting a master plan at the minimum densities and for approval of each phase of a multi-phase development project.~~

~~8.3 — Amendments to the Comprehensive Plan or Zoning and Development Ordinance or changes in the land use plan designation or zoning district designation for property within the Regional Center shall not be authorized unless it is demonstrated that the improvements described in Policies 8.1 and 8.2 will remain adequate to support planned development intensity and density for the Regional Center.~~

XIII. TRANSIT POLICIES

[10-CRC-3]

- 1.0 Coordinate with Tri-Met to implement Clackamas Regional Center Area transit service improvements planned in the Tri-Met Primary Transit Network and Tri-Met Choices for Livability, and implement additional transit improvements identified on Map X-CRC-6.
- 2.0 Coordinate with Tri-Met, Metro, the Oregon Department of Transportation, and other agencies in funding and implementing the planned Clackamas Regional Center Area transportation improvements identified on Map X-CRC-6.
- 3.0 Coordinate with Tri-Met in evaluating a fareless square for the Clackamas Regional Center Area.
- 4.0 Coordinate with a Transportation Management Association (TMA) to develop and operate a frequent, fareless or low-fare Loop Shuttle Service. A conceptual alignment for the shuttle service is indicated on Map X-CRC-6; the actual alignment is to be determined by Tri-Met and the TMA.
- 5.0 Establish park-and-ride lots at the periphery of the Regional Center. Future shuttle bus routes should include stops at potential park-and-ride sites and employer locations.
- 6.0 To improve transit speed and the capacity of 82nd Avenue, add bus queue bypass lanes which allow buses to bypass auto traffic at traffic signals.
- 7.0 Coordinate with Tri-Met to encourage and support development of structured park-and-ride lots at high-capacity transit stations. When surface parking facilities are provided, encourage TriMet to re-use these sites for transit-oriented development.

XIV. PEDESTRIAN AND BIKEWAY NETWORK POLICIES

- 1.0 Construct all pedestrian and bikeway network improvements identified on Maps X-CRC-3, X-CRC-7, and X-CRC-7a, [in Table 10-1](#) and in the Clackamas Regional Center Pedestrian/Bicycle Plan adopted by reference in Appendix A, in order to provide a network connecting Clackamas Regional Center Area neighborhoods and districts with transit stops, commercial areas, community centers, parks, libraries, employment places, other major activities, off-street pedestrian linkages, regional multi-use paths, and area greenway trails. Other local pedestrian and bikeway network improvements may be identified and developed during land use review and as part of public improvements.

[10-CRC-4]

- 2.0 Collaborate with public agencies and private property owners, as appropriate, to implement the sign plan element of the Clackamas Regional Center Pedestrian/Bicycle Plan adopted by reference in Appendix A.
- 3.0 Consider the prioritized list of projects identified in the Clackamas Regional Center Pedestrian/Bicycle Plan adopted by reference in Appendix A, when allocating public funds for pedestrian and bicycle network improvements in the Regional Center.
- 4.0 In the development review process, new residential and mixed-use developments within the Station Community, Corridors, and Regional Center shall encourage pedestrian and bicycle travel by:
 - 4.1 Providing direct and convenient public right-of-way routes connecting residential uses with planned commercial uses, schools, parks, and other neighborhood facilities.
 - 4.2 Providing bike and pedestrian connections on public easements or right-of-way when full street connections are not possible, with connection spacing of no more than 330 feet, except where topography, barriers such as freeways, railroads, or environmental constraints such as streams, rivers, slopes, or environmentally sensitive areas prevent street extension.
- 5.0 Sidewalks shall be constructed on all public and private streets in the Clackamas Regional Center Area, subject to topography and environmental constraints.

XV. TRANSPORTATION DEMAND MANAGEMENT

- 1.0 Work with Clackamas Regional Center Area employers and businesses to develop strategies that will reduce vehicle miles traveled to decrease congestion and improve air quality. Strategies to be considered include, but are not limited to, the following:
 - 1.1 Employer strategies that increase vehicle occupancy, encourage work trips outside peak travel times, and promote telecommuting.
 - 1.2 Facility improvements to encourage non-auto transportation modes, including:
 - building the area bike/pedestrian network;

[10-CRC-5]

- implementing transit preference systems that give buses advantage over other vehicles;
- providing transit and pedestrian amenities such as covered bus stops and lighting; and
- providing on-site shower and dressing areas.

1.1 Identifying County resources and incentives needed to promote and develop transportation demand management (TDM) programs for 82nd Avenue employers, and monitor the performance of 82nd Avenue corridor TDM programs conducted by employers.

2.0 Develop a Transportation Management Association (TMA) with businesses within the Clackamas Regional Center Area and Tri-Met to manage TDM strategies and operate a Loop Shuttle Service.

3.0 Work with employers and businesses within the Regional Center boundary and other targeted TDM areas to initiate a TMA to manage area TDM strategies and operate a Loop Shuttle Service.

XVI. ACCESS MANAGEMENT

1.0 Implement the following access management standards on 82nd Avenue within the Clackamas Regional Center Area.

1.1 Consolidate driveways/accesses to the targets shown on Map X-CRC-8.

1.2 Reduce signal spacing requirements from 1,320 feet to 500 feet, contingent on maintaining adequate signal progression.

1.3 Coordinate with the Oregon Department of Transportation to reassess 82nd Avenue access management standards if the balance of efficient traffic flow with local access needs changes as adjacent land uses develop to the Corridor and Boulevard designs.

2.0 Develop Clackamas Regional Center Area access management standards for the other areas of the Clackamas Regional Center Area that:

2.1 Require driveway/access spacing to support the County functional classification of the road.

[10-CRC-6]

- 2.2 Require new driveways/accesses to line up with driveways/accesses or public streets on the opposite side of the Corridor to promote safety and efficient access and egress.
 - 2.3 Encourage shared driveways/accesses with adjacent properties to meet minimum driveway access spacing standards that support the functional classification of the road.
 - 2.4 Encourage connecting driveways/accesses with adjacent properties.
 - 2.5 Require developments to provide rear access to public streets whenever feasible.
- 3.0 Other than the new public street access identified on Map X-CRC-8, do not allow additional access on Johnson Creek Boulevard between 82nd Avenue and I-205.

XVII. PARKING STANDARDS

- 1.0 Encourage more efficient land use, promote non-auto trips, and improve air quality within the Clackamas Regional Center Area by establishing, by zoning, minimum and maximum parking ratios.
- 2.0 Encourage parking on all local and collector street classifications to provide a buffer between pedestrians and vehicle traffic, and provide public shared parking.

[10-CRC-7]

No changes are proposed to any of the subsequent sections of the Clackamas Regional Center Area Design Plan.

[10-CRC-8]

File ZDO-258
Proposed Zoning and Development Ordinance Amendments
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Text to be added is underlined. Text to be deleted is ~~strikethrough~~.

202 **DEFINITIONS**

ACCESSORY BUILDING OR USE: A subordinate building or use, the function of which is clearly incidental to that of the main building or use on the same lot.

ACCESSWAY: A public right-of-way, a portion of which is hard surfaced, for use by pedestrians and bicyclists providing a direct route where public roads require significant out of direction travel.

ACCESS DRIVE: A private way, with a travel surface generally no more than 12 feet in width, created by deed or easement to provide vehicular ingress to, or egress from not more than two lots or parcels.

ACTIVE RECREATIONAL AREA: An area such as a park, sports field, or golf course, where turf provides a playing surface that is dedicated to active play.

ADJOINING: Contiguous or abutting exclusive of street width. It shall include the terms adjacent, abutting or contiguous.

ADULT BUSINESS: A range of commercial activities characterized by live, closed circuit, or reproduced material which has an emphasis on nudity and/or specified sexual activity. Such businesses generally limit their patrons to persons at least 18 years of age. Adult businesses include the following types of establishments: adult bookstores, adult theaters, adult arcades, adult cabarets, and adult paraphernalia shops, as defined below, and other establishments which feature any combination of activity or merchandise described below which collectively account for 25 percent, or more, of the establishment's activity or merchandise. These definitions shall not be construed to allow uses or activities which are unlawful under State criminal laws.

"Adult bookstore" is an establishment having as 25 percent or more of its merchandise for sale, rent, or viewing on the premises, such items as books, magazines, other publications, films, video tapes or video discs which are distinguished by their emphasis on specified sexual activities, as defined in this ordinance.

"Adult theater" is an establishment used for more than 25 percent of showtime for presenting material (either live, closed circuit, or prerecorded) for observation by patrons therein which has as a dominant theme an emphasis on nudity and/or specified sexual activities, as defined in this ordinance.

"Adult arcade" is an establishment offering viewing booths or rooms for one or more persons in which 25 percent, or more, of the material presented (either live, closed circuit, or reproduced) is characterized by an emphasis on nudity and/or specified sexual activities, as defined in this ordinance.

"Adult cabaret" is an establishment having as its primary attraction live exhibitions (either for direct viewing, closed circuit viewing, or viewing through a transparent partition) for patrons, either individually, or in groups, where the exhibition material presented is characterized by an emphasis on nudity and/or specified sexual activities, as defined in this ordinance.

"Adult paraphernalia shop" is an establishment having as 25 percent or more of its merchandise objects which stimulate human genitalia and/or objects designed to be used to substitute for or be used with human genitalia while engaged in specified sexual activities, as defined in this ordinance.

AIRPORT, PERSONAL-USE: An airstrip restricted, except for aircraft emergencies, to use by the owner and, on an infrequent and occasional basis, by his invited guests, and to commercial activities in connection with agricultural operations only.

AIRPORT, PRIVATE USE: An airport restricted, except for aircraft emergencies, to use by the owner and his invited guests. The determination as to whether an airport is private or public-use is made by the Oregon Department of Aviation.

AIRPORT, PUBLIC-USE: An airport that is open to use by the flying public, with or without a request to use the airport.

ALLEY: A travel way that is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

ALTERATION, CULTURAL RESOURCE: Any exterior change or modification, through public or private action, of any cultural resource or of any property located within an historic district including, but not limited to, exterior changes to or modification of structure, architectural details or visual characteristics such as paint color and surface texture, grading, surface paving, new structures, cutting or removal of trees and other natural features, disturbance of archaeological sites or areas, and the placement or removal of any exterior objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, plantings and landscape accessories affecting the exterior visual qualities of the property.

ANTIQUES: Goods that, by virtue of their age or unusual quality, are generally considered to be of historical and/or artistic interest, ordinarily such items are in good state of preservation or are restorable to their original conditions.

ARCHITECTURAL FEATURES: Features include, but are not limited to cornices, canopies, sunshades, gutters, chimneys, fireplaces, flues and eaves. Architectural

features shall not include any portion of a structure built for the support, occupancy, shelter or enclosure of persons or property of any kind.

ARCHITECTURAL FEATURES, CULTURAL RESOURCE: The architectural elements embodying style, design, general arrangement and components of all of the outer surfaces of an improvement, including, but not limited to, the kind, color, texture of the building materials and type and style of all windows, doors, lights, signs and other fixtures appurtenant to such improvements.

AUTOMATIC IRRIGATION CONTROLLER: An automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.

BABYSITTER: A person who goes into the home of a child to give care during the temporary absence of the parent or legal guardian or custodian.

BASEMENT: A portion of a building which has less than one-half of its height measured from finished floor to finished ceiling above the average elevation of the adjoining ground, but not an "underground structure" as defined in this ordinance.

BEACON: Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same site as the light source; also, any light with one or more beams that rotate or move.

BED AND BREAKFAST ESTABLISHMENT: A use carried on in a structure designed for a single-family dwelling, except as provided under Section 832, which provides rooms for rent on a daily basis to the public and which includes a breakfast meal as part of the cost of the room. Bed and breakfast establishments do not include other similar uses, such as motels, health or limited care facilities, boarding houses, group quarters, hostels, or rescue missions. All bed and breakfast establishments require tourist facility licensing by the appropriate agency. Bed and breakfast residences and inns, as defined below, must also satisfy the State Health Division requirements. Three levels of bed and breakfast establishments are as follows:

"Bed and Breakfast Homestay" provides overnight accommodations plus breakfast in an owner-occupied dwelling that provides one or two guest rooms for occasional bed and breakfast guests, not exceeding five guests at one time. Primary use of the dwelling remains as a dwelling, not as a lodging establishment. All reservations are made in advance. Income derived from bed and breakfast activity does not generally represent a primary source of income. Bed and breakfast homestays are major home occupations, subject to Section 822.

"Bed and Breakfast Residence" provides overnight accommodations plus breakfast and occasional family-style meals for guests, in an operator- or owner-occupied dwelling that provides up to five rooms on an occasional or regular basis. Income derived from the bed and breakfast activity may represent a

primary source of income. Bed and breakfast residences are subject to Section 832, and all requirements of the underlying district.

"Bed and Breakfast Inn" provides accommodations plus breakfast on a daily or weekly basis in an operator- or owner-occupied dwelling that is primarily used for this purpose. This use is operated as a commercial enterprise, encourages direct bookings from the public, and is intended to provide a major source of income to the proprietors. This level includes inns that operate restaurants offering meals to the general public as well as to overnight guests. Bed and breakfast inns are subject to Section 832 and all requirements of the underlying district.

BICYCLE RACK: An apparatus designed to support the central frame of a bicycle and allow locking of both wheels, without the removal of wheels.

BIKEWAY: A paved facility provided for use by cyclists. There are five types of bikeways.

Shared Roadway: A type of bikeway where motorists and cyclists occupy the same roadway area. Shared roadways are allowed on neighborhood streets and on rural roads and highways.

Shoulder Bikeway: A bikeway which accommodates cyclists on paved roadway shoulder.

Bike Lane: A section of roadway designated for exclusive bicycle use, at the same grade as the adjacent roadway.

Bike Path: A bike lane constructed entirely separate from the roadway.

Cycle Track: An exclusive "grade-separated" bike facility elevated above the street level using a low-profile curb and a distinctive pavement material.

BLANKETING: The visual blocking of one sign by another as seen by a motorist traveling a street or highway.

BLOCK: A parcel of land bounded by streets, railroad rights-of-way, waterways, parks, unsubdivided acreage, or a combination thereof.

BUILDING: Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING ENVELOPE: The three dimensional space which is to be occupied by a building.

BUILDING LINE: A straight line that is parallel and adjacent to the front side of the main building and parallel to the front lot line.

BUILDING OR STRUCTURE HEIGHT: The term "height of building" shall be

calculated by the methods identified in the State of Oregon Structural Specialty Code or the State of Oregon One and the Two Family Dwelling Specialty Code, as applicable.

BULK PLANT: Hazardous substances at the bulk plant level are manufactured, collected, repackaged, stored, or distributed, but are generally not used on the site. The primary emphasis of uses at the bulk plant level is on hazardous substances. Materials are stored in large permanent tanks. Bulk plant quantities are larger than amounts transported in or out in any single shipment. Processors of hazardous substances will generally be at this level. Uses which produce hazardous substances as a by-product or accessory to another product are not in this category.

CANNABINOID: Any of the chemical compounds that are the active constituents of marijuana.

CANNABINOID CONCENTRATE: A substance obtained by separating cannabinoids from marijuana by a mechanical extraction process; a chemical extraction process using a nonhydrocarbon-based or other solvent, such as water, vegetable glycerin, vegetable oils, animal fats, isopropyl alcohol, or ethanol; a chemical extraction process using the hydrocarbon-based solvent carbon dioxide, provided that the process does not involve the use of high heat or pressure; or any other process identified by the Oregon Liquor Control Commission, in consultation with the Oregon Health Authority, by rule.

CANNABINOID EDIBLE: Food or potable liquid into which a cannabinoid concentrate, cannabinoid extract, or dried marijuana leaves or flowers have been incorporated.

CANNABINOID EXTRACT: A substance obtained by separating cannabinoids from marijuana by a chemical extraction process using a hydrocarbon-based solvent, such as butane, hexane or propane; a chemical extraction process using the hydrocarbon-based solvent carbon dioxide, if the process uses high heat or pressure; or any other process identified by the Oregon Liquor Control Commission, in consultation with the Oregon Health Authority, by rule.

CANNABINOID PRODUCT: A cannabinoid edible and any other product intended for human consumption or use, including a product intended to be applied to the skin or hair, that contains cannabinoids or dried marijuana leaves or flowers. Cannabinoid product does not include usable marijuana by itself, a cannabinoid concentrate by itself, a cannabinoid extract by itself, or industrial hemp as defined in Oregon Revised Statutes 571.300.

CARE: The provision of room and board and other services as needed to assist in activities of daily living, such as assistance with bathing, grooming, eating, medication management, money management, or recreation.

CLACKAMAS REGIONAL CENTER: *The regional center identified on Comprehensive Plan Map X-CRC-1, Regional Center, Corridors, and Station Community, excluding the portion in the City of Happy Valley.*

COGENERATION FACILITY: A facility that produces, through the sequential use of energy, electric energy and useful thermal energy including but not limited to heat or steam, used for industrial, commercial, heating, or cooling purposes; and is more than 50 percent owned by a person who is not an electric utility, an electric holding company, an affiliated interest, or any combination thereof.

COMMERCIAL USE: The use of land and/or structures for the conduct of retail, service, office, artisan, restaurant, lodging, daycare, entertainment, private recreational, professional, and similar uses.

COMMON OWNERSHIP: Land commonly owned to include open space lands dedicated in planned unit developments and lands dedicated for open space which are owned by homeowners associations.

COMMUNITY GARDEN: A site where any kind of plant, except marijuana, is grown, and several individuals or households cultivate the site. The site may be divided into individual allotments, or gardeners may work together to cultivate the entire property. The land may be publicly or privately owned. The plants are grown for personal use by the gardeners, or for donation, and sales are prohibited.

COMPOSTING: The managed process of controlled biological decomposition of green feedstocks. It does not include composting for the purposes of soil remediation.

COMPOSTING FACILITY: A site or facility, excluding home composting areas as described in Section 202 and agricultural composting conducted as a farm use, which utilizes green feedstocks to produce a useful product through a managed process of controlled biological decomposition. Composting may include amendments beneficial to the composting process. Vermiculture and vermicomposting are considered composting facilities. Composting facilities or sites may include sales of the finished product, as well as accessory products limited to topsoil, barkdust and aggregate commonly used in landscaping to wholesale and retail customers. The area utilized for the sale of said accessory products shall not exceed 10% of the area used for composting, or two (2) acres, whichever is less subject to the provisions of Subsection 834.03 and 834.04.

CONGREGATE HOUSING FACILITY: A building that contains more than one dwelling unit and provides common facilities and services for residents who require or desire a more supportive living environment than typically afforded to residents in multifamily, three-family, two-family, or single-family dwellings. Regular on-premise supervision by a registered physician, registered nurse, or other health care provider may be included.

CULTURAL RESOURCE: Improvements, buildings, structures, signs, features, sites, places, areas or other objects of scientific, aesthetic, educational, cultural, architectural, or historical significance to the citizens of the county.

CULTURAL RESOURCE INVENTORY: The official list of designated cultural features, sites, districts subject to the provisions of Section 707, Cultural Resources.

CULTURAL RESOURCES OBJECT: A material thing of functional, aesthetic, cultural, symbolic or scientific value, usually by design or nature movable.

DAYCARE FACILITY: A facility that provides regular daycare services to children under 13 years of age, including a day nursery, nursery school group, or similar unit operating under any name. A daycare facility shall not include services provided by a physician or nurse, or facilities operated primarily for education or supervised training or instruction, or daycare provided by a "babysitter" or "family daycare provider".

DEDICATION: The designation of land by its owner for any general or public use.

DESIGNATED SITE (historic site, cultural resource site, landmark site): A parcel or part thereof on which a cultural resource is situated, and any abutting parcel or part thereof constituting part of the premises on which the cultural resource is situated, and which has been designated pursuant to this Ordinance.

DESIGNATED STRUCTURE (landmark, cultural resource, historic structure): Any improvement that has special historical, cultural, aesthetic or architectural character, interest or value as part of the development, heritage or history of the county, the State of Oregon, or the nation and that has been designated pursuant to this ordinance.

DIMENSIONAL STANDARD: A numerical measurement for a distance or area standard of this Ordinance, such as building height, lot size, or yard depth; or a percentage of a distance or area measurement of this Ordinance, such as lot coverage or landscaped area.

DIRECT ROUTE: The shortest reasonable route between two points. A route is considered direct if it does not involve significant out of direction travel that could be avoided. Out of direction travel is significant if it is more than 50 percent longer than the straight line between two points.

DISTINCTIVE URBAN FOREST: Forested or woodland areas which are visually prominent or contain unique or rare tree and plant communities. These areas are usually found in association with other open space resources within the urban area.

DRIP IRRIGATION: Any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour.

DRIP LINE: The outermost edge of a tree's canopy; when delineating the drip line on the ground, it will appear as an irregularly shaped circle defining the canopy's perimeter.

DROUGHT-TOLERANT PLANTS: Plants that will survive in the typical or somewhat less than typical amount of rainfall in the Willamette Valley, and therefore require very little or no supplemental water once established.

DWELLING: A building, or portion thereof, which contains one or more dwelling units. A dwelling may be a residential trailer or a manufactured dwelling but not a recreational vehicle.

DWELLING, ATTACHED SINGLE-FAMILY: A building, or portion thereof, that contains only one dwelling unit; shares at least one wall, or portion thereof, with another attached single-family dwelling; and is located on a separate lot of record from any other dwelling, except where otherwise permitted for an accessory dwelling unit. A manufactured dwelling or residential trailer is not an attached single-family dwelling.

DWELLING, DETACHED SINGLE-FAMILY: A building, or portion thereof, that contains only one dwelling unit and is detached from any other dwelling, except where otherwise permitted for an accessory dwelling unit. A manufactured dwelling or residential trailer is not a detached single-family dwelling.

DWELLING, MULTIFAMILY: A building, or portion thereof, that contains four or more dwelling units.

DWELLING, THREE-FAMILY: A building, or portion thereof, that contains three dwelling units.

DWELLING, TWO-FAMILY: A building, or portion thereof, that contains two dwelling units, both of which are located on the same lot of record. If one of the two dwelling units is an accessory dwelling unit, the building, or portion thereof, is not a two-family dwelling.

DWELLING UNIT: A building, or portion thereof, with one or more rooms designed for residential occupancy by one family.

DWELLING UNIT, ACCESSORY: A dwelling unit located on the same lot of record as a primary dwelling. The primary dwelling may be an attached or detached single-family dwelling, as specified in the underlying zoning district provisions.

EASEMENT: A right of usage of real property granted by an owner to the public or to specific persons, firms, and corporations.

EDIBLE GARDEN: A garden that contains plants that produce food for human consumption.

ELECTRIC VEHICLE CHARGING STATION: A location where a vehicle can plug into an electrical source to re-charge its batteries.

EQUINE FACILITY: Premises that are used for the stabling or training of equines, including, but not limited to, providing riding lessons, training clinics, and schooling shows.

FAMILY: Any individual or group of persons, regardless of relationship but not exceeding 15 persons, living together as a single housekeeping unit within a dwelling unit.

FAMILY DAYCARE PROVIDER: A daycare provider who regularly provides daycare to 16 or fewer children, or as amended by ORS 657A.440, including the children of the provider, regardless of full-time or part-time status, in the provider's home in the family living quarters. Provision of daycare to more than 16 children, including the children of the provider, regardless of full-time or part-time status, in the provider's home in the family living quarters shall constitute the operation of a "daycare facility" and shall be subject to the requirements of this Ordinance for daycare facilities.

FARMERS' MARKET: An organized seasonal outdoor market dedicated to the direct sales by growers of agricultural goods, including plants, produce, meats, and other animal products (e.g. eggs, cheese, honey), but excluding marijuana.

FLAG: Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols.

FLAG LOT: A lot or parcel which has access to a road, street or easement, by means of a narrow strip of lot or easement.

FLOOR AREA: The area included within the surrounding exterior walls of a building or portion thereof, exclusive of porches and exterior stairs, multiplied by the number of stories or portion thereof. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. Floor area shall not include portions of buildings used for parking of vehicles, except the square footage of commercial uses in parking structures can be counted as part of the total floor area.

FLOOR AREA RATIO (FAR): A measurement of density expressed as the ratio of square footage of building floor area to the square footage of the net site area. The greater the ratio, the greater the density. For example, a building occupying one-fourth of the net site area has a FAR of .25: 1, or .25; adding a second floor to the same building increases the FAR to .50:1, or .5.

FRATERNITY OR SORORITY HOUSE: A building occupied by and maintained exclusively for students affiliated with a school or college.

GOVERNMENT CAMP: The unincorporated community of Government Camp, as identified on Comprehensive Plan Map X-MH-4, *Government Camp Village Plan, Land Use Plan & Boundary*.

GRADE: The line of the street or ground surface deviation from the horizontal.

GREEN FEEDSTOCKS: Are defined as including yard debris, non-treated wood waste, vegetative food waste, produce waste, vegetative restaurant waste, vegetative food processor by-products, crop waste and livestock manure. For the purpose of these provisions, "non-treated wood waste" excludes wood waste treated with paint, varnish or other chemicals or preservatives.

GREEN ROOF: A vegetated roof designed to treat storm runoff.

GUEST HOUSE/STUDIO: A guest house or studio is a separate accessory structure, or portion thereof, which is built to residential (R-3 occupancy) building code requirements and which is used by members of the family residing in the primary dwelling or their nonpaying guests or employees on the premises. A "guest house" or "studio" shall be a temporary living area, and shall not be used for boarders or lodgers.

HARDSCAPES: In the practice of landscaping, refers to the inanimate, manmade, non-planted, outdoor areas where the soil is no longer exposed and that are surfaced with pervious or non-pervious durable materials such as masonry, wood, stone, paving, tile, or similar material to create patios, walkways, water fountains, benches, gazebos, etc.

HAZARDOUS SUBSTANCE, MATERIAL OR WASTE: Any hazardous substance, material or waste listed in the following federal regulations:

- A. Superfund Amendments and Reauthorization Act (SARA) of 1986, Section 302 Extremely Hazardous Substances List (40 C.F.R 355, App. A and B);
- B. Comprehensive Environmental Response Compensation & Liability Act Superfund (CERCLA) of 1980, Hazardous Substances List (40 C.F.R 302, Table 302.4);
- C. SARA of 1986, Section 313, Toxic Chemicals List (40 C.F.R Section 372.65);

D. Resource Conservation and Recovery Act (RCRA) of 1976 and 1984 Amendments, Hazardous Wastes List (P & U Categories) (40 C.F.R Section 261.33(e) and (f)); and

E. DOT Hazardous Materials Table (49 C.F.R Part 172.101).

HISTORIC AREA: Any area containing improvements which have a special character, historical interest or aesthetic value or which represent one or more architectural periods or styles typical of the history of the County and which improvements constitute a distinct section of the County that has been designated a cultural resource district pursuant to this ordinance.

HOME COMPOSTING: A composting area operated and controlled by the owner or person in control of a single family dwelling unit and used to dispose of vegetative waste, garden wastes, weeds, lawn cuttings, leaves and prunings generated from that property.

HOME OCCUPATION: An occupation or business activity which results in a product or service; is conducted, in whole or in part, in a dwelling and/or an accessory building normally associated with primary uses allowed in the underlying zoning district; is conducted by at least one family member occupying the dwelling; and is clearly subordinate to the residential use of the subject property. Home occupations do not include garage sales, yard sales, holiday bazaars, or home parties which are held for the purpose of the sale or distribution of goods or services unless such sales and/or parties are held more than six times in a calendar year or operate in excess of 24 total days in a calendar year.

HOMEOWNERS ASSOCIATION: The grouping or uniting of persons residing within a defined area, such as a subdivision, into an incorporated entity for the prosecution of a common enterprise.

HOSPITAL, ANIMAL: A building or premises for the medical or surgical treatment of domestic animals or pets, including dog, cat, and veterinary hospitals.

HOTEL: A building which is designed or used to offer short-term lodging for compensation, with or without meals, for six or more people. A facility that is operated for the purpose of providing care beyond that of room and board is not a "hotel".

HOUSEKEEPING UNIT: A living arrangement within a dwelling unit in which the kitchen, living and dining rooms, and other general living areas of the dwelling unit are shared in common, and the duties, rights, and obligations associated with the performance of domestic tasks and management of household affairs, are shared by the residents by virtue of legal relationship or mutual agreement. Such a living arrangement also may include the provision of food, shelter, personal services, care, and when appropriate, a planned treatment or training program of counseling, therapy, or other rehabilitative social service, for persons of similar or compatible

conditions or circumstances who are members of the resident family.

HYDROELECTRIC FACILITY: Any facility relating to the production of electricity by waterpower, including, but not limited to the power generating plant, associated dams, diversions, penstocks, navigation locks, fish ladders, fish screens, reservoirs and detention areas, recreation facilities, interconnecting transmission lines, substations, access roads, offices or commercial and industrial structures proposed to be built in connection with the energy facility; and activities involved in their construction and operation.

IMPROVEMENT: Any building structure, parking facility, fence, gate, wall, work of art or other object constituting a physical betterment of real property, or any part of such betterment.

INDIRECT ILLUMINATION: A nonelectric sign illuminated by an indirect or separate light source.

INDUSTRIAL USE: The use of land and/or structures for the manufacturing or processing of primary, secondary, or recycled materials into a product; warehousing and associated trucking operations; wholesale trade; and related development.

INSTITUTIONAL USE: The use of land and/or structures for activities such as daycare and pre-school facilities, public and private schools, colleges, universities, art, music, trade and other educational and training facilities, convalescent care facilities, nursing homes, hospitals, places of worship, fraternal lodges, municipal and civic buildings, transit centers and park-and-ride facilities, parks, swimming pools and other recreational facilities open to the public or a membership group, senior and community centers, libraries, museums, cemeteries and mausoleums, utility facilities, and similar public and private uses.

INVASIVE NON-NATIVE OR NOXIOUS VEGETATION: Plant species that are listed in the Oregon Department of Agriculture's Noxious Weed Policy and Classification System.

KENNEL: Any lot or premises on which four or more dogs, more than six months of age or with permanent canine teeth, are kept for purposes other than a veterinary clinic.

KIOSK: A small structure used as a newsstand, information booth, refreshment stand, bandstand, or display of goods, etc.

KITCHEN, ACCESSORY: A kitchen that complies with all of the following standards:

- It shall be incidental to a primary dwelling.
- It shall be located in a room that is approved for residential occupancy and used for a purpose in addition to that of a kitchen (e.g., a recreation room, a bedroom).

- It shall not be located in a detached accessory building.
- Any of the following features shall be located within a contiguous area that is no more than 30 inches deep and 10 feet long: cooking appliances, sinks, refrigerators, dishwashers, counters, and cabinets.

LANDSCAPING: Areas of land planted with groundcover, grasses, shrubs, annuals, perennials, or trees.

LIMITED USE: A use allowed in a district on a limited basis and subject to conditions specified therein which are generally more restrictive than the conditions placed on primary or accessory uses within the same district.

LIVESTOCK: One or more domesticated animals raised in an agricultural setting to produce commodities such as food, fiber, and labor. The term "livestock" includes miniature livestock, poultry, and farmed fish.

LOT: A unit of land created by a subdivision of land. For the purposes of this Ordinance, lot includes parcel and lot of record unless otherwise specified in the context of the specific provisions.

LOT AREA: The total horizontal area within the lot lines of a lot.

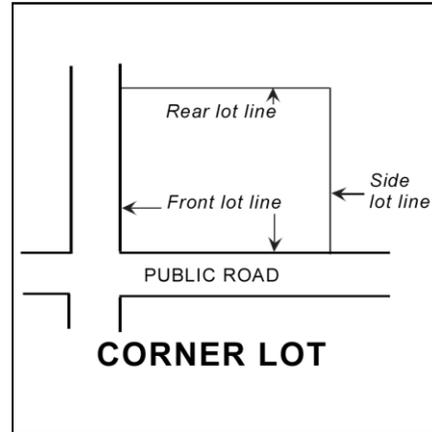
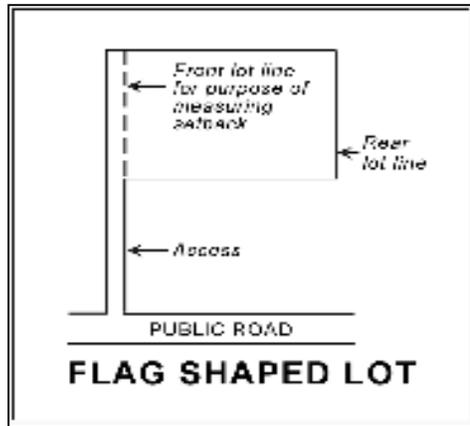
LOT, CORNER: A lot with street frontage on two streets intersecting at a corner of the lot. A lot within the radius curve of a single street is not a corner lot. A lot with access limited to, and frontage on, a state, County, public or private road and also with frontage on an intersecting private road or access drive is not a corner lot for the purpose of determining setbacks provided that the lot does not take access onto the latter abutting private road or access drive. In such a case, the frontage on the latter private road or access drive shall be treated as a side lot line.

LOT COVERAGE: The area of a lot covered by a building or buildings expressed as a percentage of the total lot area.

LOT DEPTH: The "lot depth" is the mean horizontal distance between the front line and the rear lot line of a lot.

LOT, DOUBLE FRONTAGE: A lot with street frontage along two opposite boundaries. See also "LOT, REVERSE FRONTAGE" AND "LOT, THROUGH".

LOT LINE, FRONT: Any boundary line separating the lot from a County, public, state or private road, or access drive. Except as otherwise provided in Subsection 903.07 of this Ordinance, the front lot line of a flag lot, for the purpose of determining setbacks, shall be within the boundaries of the lot by a distance equal to the width of the narrow strip or easement providing access to the lot. The front lot line shall be parallel to the lot line extending from the road to the lot line opposite and most distant from the road. (See following illustration for flag shaped lot).



LOT LINE, REAR: Any boundary line opposite and most distant from the front lot line, and not intersecting a front lot line. In the case of a corner lot, the rear lot line shall be any one of the boundary lines opposite the front lot lines. Any other opposite boundary line shall be a side lot line (see illustration above for corner lot). In the case of a triangular-shaped lot, there shall be no rear lot line for setback purposes.

LOT LINE, SIDE: Any boundary line not a front or rear lot line.

LOT OF RECORD: A lot, parcel, other unit of land, or combination thereof, that conformed to all zoning and Subdivision Ordinance requirements and applicable Comprehensive Plan provisions, in effect on the date when a recorded separate deed or contract creating the lot, parcel or unit of land was signed by the parties to the deed or contract; except:

- A. Contiguous lots under the same ownership when initially zoned shall be combined when any of these lots, parcels or units of land did not satisfy the lot size requirements of the initial zoning district, excluding lots in a recorded plat.
- B. A unit of land created solely to establish a separate tax account, or for mortgage purposes, that does not conform to all zoning and Subdivision Ordinance requirements and applicable Comprehensive Plan provisions, in effect on the date when a recorded separate deed, tax account or contract creating it was signed by the parties to the deed or contract, unless it is sold under the foreclosure provisions of Chapter 88 of the Oregon Revised Statutes.

LOT, REVERSE FRONTAGE: A double-frontage lot for which the boundary along one of the streets is established as the rear lot line. The rear lot line of the lot shall be that boundary abutting a primary arterial, railroad right-of-way or other feature which shall preclude access. See also “LOT, DOUBLE FRONTAGE” AND “LOT, REVERSE FRONTAGE”.

LOT, THROUGH: Lots, other than corner lots, that abut on two or more streets. See

also “LOT, DOUBLE FRONTAGE” AND “LOT, REVERSE FRONTAGE”.

LOT WIDTH: The "lot width" is the mean horizontal distance between the side lot lines of a lot measured within the lot boundaries.

LOT, ZONING: A "zoning lot or lots" is a single tract of land located within a single block, which (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon as a unit under single ownership or control. Therefore, a "zoning lot or lots" may or may not coincide with a lot of record.

LOW VOLUME IRRIGATION: The application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

MAJOR TRANSIT STOP: A transit center, major bus stop, or light rail stop, as identified on Comprehensive Plan Map 5-8a, *Transit, Urban*.

MAJOR TRANSIT STREET: A street with a Frequent Service Bus Line, as identified on Comprehensive Plan Map 5-8a, *Transit, Urban*; existing or planned High Capacity Transit, as identified on Comprehensive Plan Map 5-8c, *High Capacity Transit (HCT) System Plan*; or both.

MANUFACTURED DWELLING: A mobile home or manufactured home, but not a residential trailer or recreational vehicle.

MANUFACTURED HOME: A structure constructed on or after June 15, 1976, for a movement on the public highways that has sleeping, cooking and plumbing facilities, that is designed, intended to be and/or being used for human occupancy by a family for residential purposes, and constructed in accordance with Federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

MANUFACTURED HOME PARK: Any place where four or more manufactured homes are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent, lease or barter the use of such facilities. A manufactured home park does not include a lot or lots located within a subdivision.

MARIJUANA: The plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae, and the seeds of the plant Cannabis family Cannabaceae. Marijuana does not include industrial hemp as defined in Oregon Revised Statutes 571.300.

MARIJUANA ITEMS: Marijuana, cannabinoid products, cannabinoid concentrates, and cannabinoid extracts.

MARIJUANA PROCESSING: The processing, compounding, or conversion of marijuana into cannabinoid products, cannabinoid concentrates, or cannabinoid extracts, provided that the marijuana processor is licensed by the Oregon Liquor Control Commission or registered with the Oregon Health Authority.

MARIJUANA PRODUCTION: The manufacture, planting, cultivation, growing, trimming, harvesting, or drying of marijuana, provided that the marijuana producer is licensed by the Oregon Liquor Control Commission, or registered with the Oregon Health Authority and a “person designated to produce marijuana by a registry identification cardholder.”

MARIJUANA RETAILING: The sale of marijuana items to a consumer, provided that the marijuana retailer is licensed by the Oregon Liquor Control Commission or registered with the Oregon Health Authority.

MARIJUANA WHOLESALING: The purchase of marijuana items for resale to a person other than a consumer, provided that the marijuana wholesaler is licensed by the Oregon Liquor Control Commission.

MASTER PLAN: A sketch or other presentation showing the ultimate development layout of a parcel of property that is to be developed in successive stages or subdivisions. The plan need not be completely engineered but shall be of sufficient detail to illustrate the property's inherent features and probable development pattern.

MILL SITE, ABANDONED OR DIMINISHED: A mill, plant, or other facility engaged in the processing or manufacturing of wood products, including sawmills and facilities for the production of plywood, veneer, hardboard, panel products, pulp, and paper, that is located outside of urban growth boundaries; was closed after January 1, 1980, or has been operating at less than 25 percent of capacity since January 1, 2003; and contains or contained permanent buildings used in the production or manufacturing of wood products.

MIXED USE: A mix of uses located within a single building, such as retail on the first floor and residential or office uses on the upper floors.

MOBILE HOME: A structure constructed between January 1, 1962 and June 15, 1976, for movement on the public highways that has sleeping, cooking and plumbing facilities, that is designed, intended to be and/or being used for human occupancy by a family for residential purposes and met the construction requirements of Oregon mobile home law in effect at the time of construction.

MOBILE VENDING UNIT: A vehicle that is used in selling and dispensing goods or services to the customer. Notwithstanding this definition, a mobile vending unit shall not be used in selling and dispensing marijuana items. As used in this definition, a vehicle is motorized or non-motorized transportation equipment containing an axle and intended for use on public roads, including, but not limited to, a car, van, pickup, motorcycle, recreational vehicle, bus, truck, detached trailer, or a

truck tractor with no more than one trailer.

MOTEL: A building or series of buildings in which lodging only is offered for compensation and which may have more than five sleeping rooms or units for this purpose and which is distinguished from a hotel primarily by reason of providing direct independent access to and adjoining parking for each rental unit designed primarily for automobile tourists and transient persons. The term includes auto courts, tourist courts, tourist homes, and motor lodges.

MULTI-USE DEVELOPMENT: A Multi-Use Development is a development which includes a number of distinct categories of uses, one or more of which is not allowed as a primary or accessory use in the underlying zoning district. Multi-Use Developments are allowed as conditional uses subject to the procedures and standards set forth in Section 1016 of this Ordinance.

NATIVE PLANTS: Any indigenous or resident species currently or historically found in the Willamette Valley.

NATURAL AREA: An area of land or water that has substantially retained its character and functions as an important habitat for plant and animal life.

NONCONFORMING DEVELOPMENT: An element of development, such as landscaping, parking, height, signage, or setbacks that was created in conformance with development regulations which, due to a change in the zone or zoning regulations, is no longer in conformance with the current applicable regulations.

NONCONFORMING USE: A use of any building, structure or land allowed by right when established or that obtained a required land use approval when established but, due to a change in the zone or zoning regulations, is now prohibited in the zone.

NUDITY OR NUDE: Being devoid of a covering for the male or female genitalia consisting of an opaque material which does not simulate the organ covered and, in the case of a female, exposing to view one or both breasts without a covering over the nipple that is at least three inches in diameter and does not simulate the organ covered.

NURSERY: The propagation of trees, shrubs, vines or flowering plants for transplanting, sale, or for grafting or budding; planting of seeds or cuttings; grafting and budding one variety on another; spraying and dusting of plants to control insects and diseases, and buying and selling the above plant stock at wholesale or retail. Help and seasonal labor may be employed. The term "nursery" contemplates the sale of a product of such nursery. The conduct of a nursery business presumes parking places for customers, the keeping of sales records, and quarters for these functions. However, the use does not include the business of reselling goods purchased off the premises, except plant stock, or the establishment of a roadside stand.

NURSING HOME: A nursing, convalescent, or rest home facility licensed by the

State under ORS chapters 441 and 442, or an assisting living facility licensed under ORS 443, which provides, for a period exceeding 24 hours, the continuous services of licensed nursing personnel to care for chronically ill or infirm patients, exclusive of those patients related to the owner or facility administrator by blood or marriage. Such nursing, convalescent, or rest home must provide nursing services to those patients who, in the judgment of a physician, registered nurse, or facility administrator, require remedial, restorative, supportive, or preventive nursing measures.

OPEN SPACE: Land within a development which has been dedicated in common to the ownership within the development or to the public specifically for the purpose of providing places for recreational uses or for scenic purposes. Open space shall be used as such in perpetuity.

OVERBURDEN: Earth that lies above a natural deposit of a mineral.

OVERHEAD SPRINKLER IRRIGATION SYSTEMS: Systems that deliver water for irrigation from spray heads, rotors or other above-ground emitters that send water through the air.

OWNER: Person or persons holding fee title to a parcel, lot or tract of land, except in those instances when the land is being sold on contract, the contract purchaser shall be deemed the owner.

PARCEL: A unit of land created by a partition of land. For the purposes of this Ordinance, parcel includes lot and lot of record unless otherwise specified in the context of the specific provisions.

PARKING STRUCTURE: A structure having at least two levels which is designed and used for parking vehicles, or a structure having one level of covered parking area under an open space or recreational use. A one level surface parking area, garage or carport shall not be considered a "parking structure" for purposes of this Ordinance.

PARTITION: To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. "Partition" does not include divisions of land resulting from lien foreclosures, divisions of land resulting from foreclosure of recorded contracts for the sale of real property and divisions of land resulting from the creation of cemetery lots; and "partition" does not include any adjustment of a lot line by the relocation of a common boundary where an additional parcel is not created. "Partition" does not include the sale of a lot in a recorded subdivision, even though the lot may have been acquired prior to the sale with other contiguous lots or property by a single owner.

PEDESTRIAN AMENITIES: Outdoor improvements directly visible and accessible to pedestrians that promote and facilitate pedestrian use, including plazas, pocket parks, courtyards, awnings or other weather protection, kiosks or gazebos, water

features, drinking fountains, sculpture, outside seating areas, landscape planters, trellises, and street furniture.

PEDESTRIAN PATHWAY: A hard-surfaced or permeable hard-surfaced pedestrian facility adjacent to a public roadway where there is no curb, but is protected from vehicular traffic or set back behind a planting strip.

PEDESTRIAN-SCALE LIGHTING: Street lights designed to illuminate sidewalks to provide security for nighttime use by pedestrians. Pedestrian scale lighting includes ornamental lighting with a 14- to 25-foot mounting height and which meets the Illumination Society guidelines for Commercial Collector roadways.

PENNANT: Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended, usually in series, from a rope, wire, or string, and designed to move in the wind.

PERSON DESIGNATED TO PRODUCE MARIJUANA BY A REGISTRY IDENTIFICATION CARDHOLDER: A person designated to produce marijuana by a registry identification cardholder under Oregon Revised Statutes 475.304 who produces marijuana for a registry identification cardholder at an address other than the address where the registry identification cardholder resides or at an address where more than 12 mature marijuana plants are produced.

PERVIOUS: Any surface or material that allows the passage of water through the material and into the underlying soil.

PLAT, FINAL: A final map and other writing containing all the descriptions, locations, specifications, dedications, provisions, and information concerning a partition or subdivision and recorded as required by Oregon Revised Statutes Chapter 92.

PLAT, PRELIMINARY: A clearly legible and approximate drawing of the proposed layout of streets, blocks, lots and other elements of a subdivision or partition which shall help furnish a basis for the approval or disapproval of the general layout of a partition or subdivision. As used in this Ordinance, preliminary plat shall be synonymous with tentative plan as used in Oregon Revised Statutes Chapter 92.

POROUS PAVEMENT: Surface to walk, drive or park on that may reduce stormwater runoff by allowing water to soak into the ground. Examples are permeable pavers, pervious concrete, porous asphalt, and gravel.

PREMISES: A lot, building, or portion of a lot or building, occupied by a use with its appurtenances.

PRESERVATION, CULTURAL RESOURCES: The identification, study, protection, restoration, rehabilitation or enhancement of cultural resources.

PRIMARY BUILDING WALL: Exterior building wall which contains a public

entrance to the occupant's premises and faces either a street or a parking area.

PRODUCE STAND: A table, bench (or similar), cart, or structure, any of which may be covered, that is located or erected for the purpose of direct sales by growers of agricultural goods, including vegetables, fruits, flowers, bulbs, herbs, plants, honey, and similar products as determined by the Planning Director, but not including marijuana or processed foods such as jams or jellies, that are produced on the same site at which the produce stand is located.

PROFESSIONAL SERVICES: Activities such as those offered by a physician, surgeon, dentist, lawyer, architect, engineer, accountant, artist, teacher, real estate agent, and insurance agent.

PROPERTY LINE ADJUSTMENT: A relocation of a common property line between two abutting lots of record that does not create an additional lot of record. As used in this definition, a property line is a boundary between two abutting lots of record.

PUBLIC OWNERSHIP: Land owned by federal, state, regional, or local government, or governmental agency.

PUBLIC UTILITY: A utility regulated by the Public Utility Commission under ORS 757 or any other utility that provides electrical energy directly to consumers within the State of Oregon, including, but not limited to, municipalities, cooperatives and people's utility districts.

PUBLIC WATER SYSTEM: A system for the provision to the public of piped water for human consumption, if such system has more than three service connections and is a facility licensed by the State of Oregon Health Division.

RAINWATER COLLECTION SYSTEM: A system of pipes, container (rain barrel, rainwater tank, pond, or rainwater reservoir), valves and associated apparatus for collecting and storing harvested rainwater runoff, typically from rooftops via rain gutters, but also from ground catchment systems.

RECREATIONAL VEHICLE: A vehicle licensed by the Oregon State Department of Motor Vehicles, with or without motive power, which is designed, intended to be and/or used for temporary human occupancy for recreation, seasonal or emergency purposes, and has a gross floor area not exceeding 400 square feet in the set-up mode. These shall include but are not limited to park trailers, travel trailers, pickup campers, motor homes, fifth wheel trailers, camping and tent trailers.

RECYCLABLE DROP-OFF SITE: A convenient location not within a public right-of-way where mobile depots or drop boxes may be sited as a recyclable material collection point for nearby residents prior to delivery to a broker or user of such materials.

RECYCLE/RECYCLING: A process by which solid waste materials are transformed into new products in such a manner that the original products may lose their identity. It shall also include the collection, transportation, or storage of products by other than the original user or consumer, giving rise to the product's being in the stream of commerce for collection, disposal, recycling, reuse, resource recovery, or utilization.

RECYCLING CENTER: A facility that primarily purchases for recycling or reuse principal recyclable materials which have been source-separated by type, such as vegetative yard debris, paper, glass, and metal, by the person who last used the unseparated solid wastes, but not a salvage or junk yard. Principal recyclable materials are those items defined as such by the Oregon Department of Environmental Quality.

RELATIVE: A parent, child, brother, sister, grandparent or grandchild of a person or person's spouse.

REPLAT: The act of platting the lots, parcels, tracts, or easements in a final plat to achieve a reconfiguration of the existing final plat or to increase or decrease the number of lots or parcels.

RESERVE STRIP: A strip of land, usually one foot in width, across the end of a street or alley which shall be under the ownership of the County to insure street extensions where needed.

RESIDENTIAL TRAILER: A structure constructed prior to January 1, 1962, for movement on the public highways that has sleeping, cooking and plumbing facilities, that is designed, intended to be and/or being used for human occupancy by a family for residential purposes and that was constructed in accordance with Federal Manufactured housing construction and safety standards and regulations in effect at the time of construction and is greater than 400 square feet and less than 700 square feet.

RESOURCE RECOVERY FACILITY: Any facility at which solid waste is processed for the purpose of extracting, converting to energy, or otherwise separating and preparing solid waste for reuse, but not a salvage or junk yard.

RHODODENDRON: The unincorporated community of Rhododendron, as identified on Comprehensive Plan Map IV-7, *Non-Urban Area Land Use Plan, Mt. Hood Corridor Land Use Plan.*

RIGHT-OF-WAY: A passageway conveyed for a specific purpose.

ROAD: A public or private way created to provide ingress to, or egress from, one or more lots, parcels, areas or tracts of land, or that provides for travel between places by vehicles. A private way created exclusively to provide ingress and egress to land in conjunction with a forest, farm or mining use is not a "road:". The terms "street", "access drive" and "highway" for the purposes of this Ordinance shall be

synonymous with the term “road”.

ROAD, COUNTY: A public way under County jurisdiction which has been accepted into the County road maintenance system by order of the Board of County Commissioners.

ROAD, PRIVATE: A private way created by deed or easement to provide vehicular ingress to, or egress from, three or more lots or parcels.

ROAD, PUBLIC: A public way dedicated or deeded for public use but not accepted into the County road maintenance system, intended primarily for vehicular circulation and access to abutting properties.

ROADWAY: That portion of a road or alley that has been improved for vehicular and pedestrian traffic.

SALVAGE: Separating, collecting or retrieving reusable solid waste for resale.

SALVAGE, JUNK YARD: A location on which solid wastes are separated, collected, and/or stored pending resale.

SCHOOL, COMMERCIAL: A building where instruction is given to pupils in arts, crafts, or trades, and operated as a commercial enterprise as distinguished from schools endowed and/or supported by taxation.

SCHOOL, PRIVATE: Includes private kindergartens, nurseries, play schools, and church-related schools.

SCREENING: Sight-obscuring fence, or sight-obscuring planting.

SERVICE STATION: A commercial establishment with sales and services limited to the sale of motor fuels and supplying goods and service generally required in the operation and maintenance of automotive vehicles and fulfilling a motorist's needs. These may include sale of petroleum products; sale and servicing of tires, batteries, automotive accessories and replacement items; washing and lubricating services; the performance of minor automotive maintenance and repair, and the supplying of other incidental customer services and products. Major automotive repairs, painting and fender work are excluded. An electric vehicle charging station is not a service station.

SHARED PARKING: Parking spaces used jointly by two or more uses within the same development, or separate adjacent developments, which either have peak hours of operation that do not overlap, or typically provide services to many of the same patrons (i.e. restaurant in an office complex or hotel providing lodging for convention participants within the same development), provided satisfactory legal evidence is presented in the form of deeds, leases, or contracts securing full access to such parking spaces for all parties jointly using them.

SIDEWALK: A concrete pedestrian facility adjacent to a curb along a public road or setback from the curb behind a planting strip.

SIGHT-OBSCURING FENCE: Any fence or wall which conceals or makes indistinct any object viewed through such fence or wall.

SIGHT-OBSCURING PLANTING: A dense perennial evergreen planting with sufficient foliage to obscure vision and which will reach a height of at least six feet within 30 months after planting.

SIGN: A presentation or representation, other than a house number, by words, letters, figures, designs, pictures or colors displayed out of doors in view of the general public so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid or other type of identification. This definition specifically includes billboards, ground signs, freestanding signs, wall signs, roof signs, logo signs, and signs on the following: marquees, awnings, canopies, street clocks and furniture and includes the surface upon which the presentation or representation is displayed.

SIGN, ANIMATED: Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

SIGN AREA, OR SURFACE AREA: The area, on the largest single face of a sign, within a perimeter which forms the outside shape of a sign. If the sign consists of more than one module, the total area of all modules will constitute the sign area. The area of a sign having no such perimeter or boarder shall be computed by enclosing the entire copy area within the outline of either a parallelogram, triangle, circle or any other easily recognized geometric shape and then computing the area. Where a sign is of a three-dimensional, round or irregular shape, the largest cross section shall be used in flat projection for the purpose of computing sign area.

SIGN, BUILDING: Any sign attached to any part of a building, as contrasted to a freestanding sign.

SIGN, CHANGEABLE COPY: A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance.

SIGN, COMMERCIAL: Any sign associated with a commercial activity.

SIGN, DIRECTORY: An onsite sign that identifies and directs traffic to a number of tenants, uses, or buildings within a development.

SIGN, ELECTRONIC MESSAGE CENTER: A sign, display or device, or portion thereof, whose message may be changed by electronic process or remote control, and

includes electronic time and temperature displays and the device known in the advertising industry as a commercial electronic variable message sign.

SIGN, FREESTANDING: A sign not attached to a building.

SIGN, INCIDENTAL: A sign, generally informational, that has a purpose secondary to the use of the site on which it is located, such as "no parking," entrance," "loading only," "telephone," and other similar directives.

SIGN, INTEGRAL ROOF: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

SIGN, LOGO: A sign consisting of a trademark or symbol.

SIGN, MESSAGE: Anything displayed on an electronic message center sign, including copy and graphics.

SIGN, MONUMENT: A sign which extends from the ground or which has a support which places the bottom thereof less than two feet from the ground.

SIGN, OFF-PREMISES: A sign which advertises goods, products or services which are not sold, manufactured, or distributed on or from the premises or facilities on which the sign is located.

SIGN, POLE: A sign erected and maintained on a freestanding frame, mast or pole and not attached to any building but does not include ground-mounted signs.

SIGN, PORTABLE: Any sign not permanently attached to the ground or other permanent structure, and/or designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used as other than a sign in the normal day-to-day operations of the business for transportation of goods and/or personnel.

SIGN, PROJECTING: Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

SIGN, PUBLIC SERVICE INFORMATION: Any sign, or message on an electronic message center sign, which provides the time, date, temperature, weather, or information concerning civic, charitable or other noncommercial activities.

SIGN, RESIDENTIAL: Any sign associated with a dwelling.

SIGN, ROOF: Any sign erected and constructed wholly on and on top of the roof of

a building, supported by the roof structure.

SIGN, SEGMENTED MESSAGE: Any message or distinct subunit of a message presented by means of at least one display change on an electronic message center sign.

SIGN, TEMPORARY: Any sign that is normally considered to be of temporary duration and is not permanently mounted. Examples include, but are not limited to: commercial signs for limited term events, election signs, real estate signs, etc.

SIGN, TRAVELING MESSAGE: A message which appears to move across an electronic message center sign.

SIGN, WALL: Any sign parallel to, and attached within six inches of a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

SIGN, WINDOW: Any sign, pictures, symbol, or combination thereof, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

SIGNIFICANT NATURAL AREAS: Natural areas as defined in "Oregon National Areas - Clackamas County Data Summary" published by The Nature Conservancy. This list of natural areas may be amended by the County as additional areas are identified.

SMALL POWER PRODUCTION FACILITY: A facility that produces energy primarily by use of biomass, waste, solar energy, wind power, water power, geothermal energy, or any combination thereof; is more than 50 percent owned by a person who is not an electric utility, an electric utility holding company, an affiliated interest, or any combination thereof; and has a power production capacity that, together with any other small power production facility located at the same site and owned by the same person, is not greater than 80 megawatts.

SNOW SLIDE AREA: The area around a building that may be subject to snow buildup as a result of snow sliding from the sloped roof of the building.

SOIL MOISTURE SENSING DEVICE OR SOIL MOISTURE SENSOR: A device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.

SOLAR ENERGY SYSTEM: Any solar collector, or other solar energy device, the primary purpose of which is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, water heating, or electricity. The power generating capacity of a "solar energy system" is limited to power consumed by the development to which the system is accessory, or—if the system feeds power into the

grid of a public utility company—to an amount equivalent to no more than the annual usage of the development to which the system is accessory.

SOLID WASTE: Solid waste shall include all putrescible and non-putrescible waste, including, but not limited to: garbage; compost; organic waste; yard debris; brush and branches; land clearing debris; sewer sludge; residential, commercial and industrial building demolition or construction waste; discarded residential, commercial and industrial appliances, equipment and furniture; discarded, inoperable or abandoned vehicles or vehicle parts and vehicle tires; special vehicles and equipment that are immobile and/or inoperable; manufactured dwellings or residential trailers which are dilapidated, partially dismantled or fire damaged; manure; feces; vegetable or animal solid and semi-solid waste and dead animals; and infectious waste. Waste shall mean useless, unwanted or discarded materials. The fact that materials which would otherwise come within the definition of Solid Waste may, from time to time, have value and thus be utilized shall not remove them from the definition. The terms “solid waste” or “waste” do not include:

- A. Environmentally hazardous wastes as defined in ORS 466.055;
- B. Materials used for fertilizer or for other productive purposes on land in agricultural operations in the growing and harvesting of crops or the raising of fowl or animals. This exception does not apply to the keeping of animals on land which has been zoned for residential non-agricultural purposes;
- C. Septic tank and cesspool pumping or chemical toilet waste;
- D. For purposes of Article V of this Ordinance, reusable beverage containers as defined in ORS 459A;
- E. Source separated, principal recyclable materials as defined in ORS 459A and the Rules promulgated thereunder and under this Ordinance, which have been purchased or exchanged for fair market value, unless said principal recyclable materials create a public nuisance pursuant to Article II of this Ordinance;
- F. Applications of industrial sludges or industrial waste by-products authorized through a Land Use Compatibility Statement of Management Plan approval and that have been applied to agricultural lands according to accepted agronomic practices or accepted method approved by the Land Use Compatibility Statement or Management Plan, but not to exceed 100 dry tons per acre annually;
- G. Stabilized municipal sewage sludge applied for accepted beneficial uses on land in agricultural, non-agricultural, or silvicultural operations;
- H. Sludge derived products applied for beneficial uses on land in landscaping projects.

SPECIFIED SEXUAL ACTIVITIES: Real or simulated acts of human sexual intercourse, human/animal sexual intercourse, masturbation, sadomasochism abuse (as defined on ORS 167.060), sodomy, or the exhibition of human sexual organs in a stimulated state, or the characterization thereof in printed form. This definition shall not be construed to allow uses or activities which are unlawful under State criminal laws.

STORY: A portion of a building included between a floor and the ceiling next above it, exclusive of a basement.

STREAM: A body of perennial running water, together with the channel occupied by such running water.

STREAM CORRIDOR AREA: An area including the streambed and a required strip or buffer of land on each side of the streambed necessary to maintain streamside amenities and existing water quality. The width of the stream corridor area varies with the site conditions and shall be determined by on-the-ground investigation, as provided under Subsection 1002.05(B). The intent of the stream corridor area shall be to preserve natural environmental qualities and the function of land to purify water before it reaches the stream but not to prohibit timber management activities pursuant to the State Forest Practices Act.

STREET FRONTAGE: The entire linear distance of a lot abutting a street. Toe strips or flair strips shall not be used to satisfy the minimum street frontage requirements of the Ordinance.

STREET: See “ROAD”.

STREET FURNITURE: Any structural element other than residential, industrial or commercial buildings, streets, sidewalks and curbs shall be considered street furniture including, but not limited to, benches, bus shelters, newsstands, bulletin boards, kiosks, drinking fountains, bicycle stalls, etc.

STRUCTURE: Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground.

SUBDIVIDE: To divide an area or tract of land into four or more lots within a calendar year when such area or tract exists as a unit or contiguous units, under a single ownership at the beginning of such year, whether or not that area or tract of land is divided by a water course or a road right-of-way.

SUBDIVISION: A division of property creating four or more lots in the same calendar year.

SUBDIVISION, MAJOR: A division of property creating 11 or more lots in the same calendar year.

SUBDIVISION, MINOR: A division of property creating four to 10 lots in the same calendar year.

SURFACE MINING: Includes the mining of minerals by removing overburden and extracting a natural mineral deposit thereby exposed, or simply such extraction. Surface mining includes open-pit mining, auger mining, production of surface mining waste, prospecting and exploring that extracts minerals or affects land, processing to include rock crushing and batch plant operations, and excavation of adjacent offsite borrow pits other than those excavated for building access roads.

SURFACE MINING, MINERALS: Includes soil, clay, stone, sand, gravel, and any other inorganic solid excavated from a natural deposit in the earth for commercial, industrial, or construction use.

SURFACE MINING, NONAGGREGATE MINERALS: Coal and metal-bearing ores, including but not limited to ores that contain nickel, cobalt, lead, zinc, gold, molybdenum, uranium, silver, aluminum, chrome, copper or mercury.

SURFACE MINING, OPERATOR: A legal entity engaged in surface mining or in an activity at a surface mining site preliminary to surface mining.

SURFACE MINING, RECLAMATION: Procedures designed to minimize the disturbance from surface mining and to provide for the rehabilitation of surface resources through the use of plant cover, soil stabilization, and other procedures to protect the surface and subsurface water resources, and other measures appropriate to the subsequent beneficial use of mined lands.

SUSTAINABILITY: Using, developing, and protecting resources in a manner that enables people to meet their current needs and also provides that future generations can meet their own needs. Sustainability requires simultaneously meeting environmental, economic, and community needs.

TRACT: One or more contiguous lots of record under the same ownership. Notwithstanding the preceding definition, as used in Sections 706, *Habitat Conservation Area District*, 709, *Water Quality Resource Area District*, 1013, *Planned Unit Developments*, and 1105, *Subdivisions, Partitions, Replats, Condominium Plats, and Vacations of Recorded Plats*, a tract is a unit of land (other than a lot or parcel) created by a subdivision, partition, or replat.

TRAIL: A hard- or soft-surfaced facility for pedestrians, bicyclists, or equestrians that is separate from vehicular traffic. Trails often go through natural areas and are designed to have a minimal impact on the natural environment.

TRANSFER STATION: A fixed or mobile facility used as part of a solid waste collection and disposal system or resource recovery system, between a collection route and a processing facility or a disposal site, including but not limited to drop

boxes made available for general public use. This definition does not include solid waste collection vehicles.

TRANSIT STOP: Any posted bus or light rail stop.

TURF LAWN: A ground-cover surface made up of thick, closely mowed, cultivated grass.

UNDERGROUND STRUCTURE: A structure in which more than 50 percent of the cubic footage of the enclosed, covered space is (1) constructed below the highest elevation of the ground adjoining the structure site prior to excavation; and (2) covered over by ground materials, such as soil, sod, sand or exterior paving, which are continuous on at least one side of the structure with contiguous surface ground materials. Conventional roofing materials may be used to cover any portion of the structure which extends above ground elevation. For an underground structure to be a "dwelling unit" access must be provided to outdoor space at floor level (within two feet of elevation) equal to at least 20 percent of the square footage of the enclosed, covered area of the structure.

Underground structures must meet all appropriate Uniform Building Code regulations and the requirements of the subject zoning district, except as provided in Section 904 of this Ordinance.

UNINCORPORATED COMMUNITY: A settlement that conforms to the definition set forth in Chapter 660, Division 22 of the Oregon Administrative Rules. The County's unincorporated communities are identified in Chapter 4 of the Comprehensive Plan and shown on Map IV-7 of the Comprehensive Plan.

USE: The purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied.

UTILITY CARRIER CABINETS: A small enclosure used to house utility equipment intended for offsite service, such as electrical transformer boxes, telephone cable boxes, cable TV boxes, fire alarm boxes, police call boxes, traffic signal control boxes, and other similar apparatus.

VEHICLE, COMMERCIAL: A commercially licensed and operated vehicle exceeding the capacity of one ton.

VISUALLY SENSITIVE AREAS: Prominent natural landscape features such as hillsides, forests, and waterways; historic district; visual corridors along major highways and rivers. Natural landscapes that occur within the urban area and along traffic corridors are of higher visual significance.

WALKWAY: A hard-surfaced facility for pedestrians, within a development or between developments, distinct from surfaces used by motor vehicles. A walkway is distinguished from a sidewalk by its location on private property.

WASTE-RELATED USES: Waste-related uses are characterized by uses that receive solid or liquid wastes from others for disposal on the site for transfer to another location, uses which collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material. Waste-related uses also includes uses which receive hazardous wastes from others and which are subject to the regulations of OAR 340.100-110, Hazardous Waste Management.

WEMME/WELCHES: The unincorporated community of Wemme/Welches, as identified on Comprehensive Plan Map IV-7, *Non-Urban Area Land Use Plan, Mt. Hood Corridor Land Use Plan.*

WETLANDS: Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

YARD: The open space, on a lot, between a structure or structures and any lot line. The minimum horizontal distance between any point on a lot line and the nearest part of any structure or building is the yard depth.

YARD, FRONT: Any yard abutting a state highway, County road, public road, private road, or access drive, except as modified by Subsections 903.01 and 903.07 or this Ordinance.

YARD, REAR: Any yard abutting a rear lot line.

YARD, SIDE: Any yard abutting a side lot line.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-232, 3/12/12; Amended by Ord. ZDO-234, 6/7/12; Amended by Ord. ZDO-243, 9/9/13; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-248, 10/13/14; Amended by Ord. ZDO-252, 6/1/15; Amended by Ord. ZDO-253, 6/1/15; Amended by Ord. ZDO-254, 1/4/16 and 3/1/16]

File ZDO-258
Proposed Zoning and Development Ordinance Amendments
Draft Date 7/18/16

Text to be added is underlined. Text to be deleted is ~~strikethrough~~.

1007 ROADS AND CONNECTIVITY

1007.01 PURPOSE

Section 1007 is adopted to:

- A. Provide for safe, efficient, convenient, and economical movement of vehicles, freight, transit, bicycles, and pedestrians on a balanced and sustainable transportation system network;
- B. Implement the provisions of Chapters 5 and 10 of the Comprehensive Plan pertaining to the design and construction of necessary transportation system improvements required in conjunction with new development;
- C. Protect public safety through functional, efficiently designed improvements addressing the impact of new development upon the roadway system;
- D. Support sustainable development by efficient utilization of land and resources;
- E. Facilitate and encourage the use of non-auto modes of transportation, such as transit, walking, and bicycling;
- F. Provide a highly interconnected transportation system with suitable access and route choices for pedestrians, bicyclists, and drivers;
- G. Support improved public health by providing safe and attractive pedestrian and bicycle facilities;
- H. Reduce vehicle miles traveled;
- I. Create walkable centers, corridors, and neighborhoods with pedestrian, bicycle, and vehicular connections within and between destinations;
- J. Reduce impacts from the transportation system on vegetation, natural features, neighborhoods, and public facilities; and
- K. Recognize and support the importance of streets and streetscapes as an ubiquitous aspect of the public realm in our landscape, and build streets that support and enhance community interaction.

1007.02 APPLICABILITY

Section 1007 applies to the design of new and reconstructed transportation improvements in public rights-of-way, private roads, and accessways required through development permit approvals that are subject to Section 1007.

1007.03 GENERAL PROVISIONS

- A. The location, alignment, design, grade, width, and capacity of all roads shall be planned, coordinated, and controlled by the Department of Transportation and Development and shall conform to Section 1007, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards. Where conflicts occur between Section 1007, the Comprehensive Plan, and the Clackamas County Roadway Standards, the Comprehensive Plan shall control.
- B. Right-of-way dedications and improvements shall be required of all new developments, including partitions, subdivisions, multifamily dwellings, two- and three-family dwellings, condominiums, single-family dwellings, and commercial, industrial, and institutional uses, as deemed necessary by the Department of Transportation and Development and consistent with Section 1007, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards.
- C. New developments shall have access points connecting with existing private, public, county, or state roads.
 1. Intersection spacing and access control shall be based on Subsection 3.08.110(E) of the Metro Code (*Regional Transportation Functional Plan*); Chapters 5 and 10 of the Comprehensive Plan; and the Clackamas County Roadway Standards.
 2. For development on any portion of a contiguous site identified on Comprehensive Plan Map 5-6, *Potentially Buildable Residential Sites > 5 Acres in UGB*, the applicant shall provide a conceptual map of new streets for the entire site. The map shall identify street connections to adjacent areas to promote a logical, direct, and connected system of streets; demonstrate opportunities to extend and connect new streets to existing streets, and provide direct public right-of-way routes. Closed-end street designs shall be limited to circumstances in which barriers prevent full street extensions. Closed-end streets shall not exceed 200 feet in length and shall serve no more than 25 dwelling units. Subsequent development on the site shall conform to the conceptual street map, unless a new map is approved pursuant to Subsection 1007.03(C)(2).
 3. Access control shall be implemented pursuant to Chapter 5 of the Comprehensive Plan and the Clackamas County Roadway Standards considering best spacing for pedestrian access, traffic safety, and similar

factors as deemed appropriate by the Department of Transportation and Development.

4. Approaches to public and county roads shall be designed to accommodate safe and efficient flow of traffic and turn control where necessary to minimize hazards for other vehicles, pedestrians, and bicyclists.
 5. Joint access and circulation drives utilizing reciprocal easements shall be utilized as deemed necessary by the Department of Transportation and Development. In the NC District, joint street access for adjacent commercial developments shall be required.
 6. Access to state highways shall require a road approach permit issued by the Oregon Department of Transportation pursuant to Oregon Revised Statutes Chapter 374.
 7. In the SCMU District, driveways shall be spaced no closer to one another than 35 feet, measured from the outer edge of the curb cut, unless compliance with this standard would preclude adequate access to the subject property as a result of existing off-site development or compliance with the Clackamas County Roadway Standards.
- D. Street alignments, intersections, and centerline deflection angles shall be designed according to the standards set forth in Chapters 5 and 10 of the Comprehensive Plan and the Clackamas County Roadway Standards.
- E. All roads shall be designed and constructed to adequately and safely accommodate vehicles, pedestrians, and bicycles according to Chapters 5 and 10 of the Comprehensive Plan and the Clackamas County Roadway Standards. Development-related roadway adequacy and safety impacts to roadways shall be evaluated pursuant to the Clackamas County Roadway Standards and also to Oregon Department of Transportation standards for state highways.
- F. Roadways shall be designed to accommodate transit services where transit service is existing or planned and to provide for the separation of motor vehicles, bicycle, and pedestrian traffic, and other modes as appropriate.
- G. The needs of all modes of transportation shall be balanced to provide for safe and efficient flow of traffic. Where practical, pedestrian crossing lengths shall be minimized and the road system shall be designed to provide frequent pedestrian connections.

1007.04 PUBLIC AND PRIVATE ROADWAYS

- A. All roadways shall be developed according to the classifications, guidelines, tables, figures, and maps in Chapters 5 and 10 of the Comprehensive Plan and the provisions of the Clackamas County Roadway Standards.

1. Development along streets with specific design standards specified in Chapter 10 of the Comprehensive Plan shall improve those streets as shown in Chapter 10.
2. Development along streets identified as Regional or Community Boulevards on Comprehensive Plan Map 5-5, *Metro Regional Street Design Classifications*, shall provide pedestrian, bicycle, transit, and visual amenities in the public right-of-way. Such amenities may include, but are not limited to, the following: street trees, landscaping, kiosks, outdoor lighting, outdoor seating, bike racks, bus shelters, other transit amenities, pedestrian spaces and access to the boulevard, landscaped medians, noise and pollution control measures, other environmentally sensitive uses, aesthetically designed lights, bridges, signs, and turn bays as appropriate rather than continuous turn lanes.
3. Development adjacent to scenic roads identified on Comprehensive Plan Map 5-1, *Scenic Roads*, shall conform to the following design standards, as deemed appropriate by the Department of Transportation and Development:
 - a. Road shoulders shall be improved to accommodate pedestrian and bicycle traffic; and
 - b. Turnouts shall be provided at viewpoints or for recreational needs.
4. In centers, corridors, and station communities, as identified on Comprehensive Plan Map IV-8, *Urban Growth Concept*, roads shall be designed to minimize the length of street crossings and to maximize connectivity for pedestrians as deemed appropriate by the Department of Transportation and Development. Other streetscape design elements in these areas include:
 - a. On-street parking;
 - b. Street trees;
 - c. Street lighting;
 - d. Pedestrian amenities; and
 - e. Truck routes shall be specified for deliveries to local businesses.
5. In centers, corridors, and station communities, as identified on Comprehensive Plan Map IV-8, on local streets within the Portland Metropolitan Urban Growth Boundary (UGB), and in unincorporated communities, when conflicts exist between the dimensional requirements for vehicles and those for pedestrians, pedestrians shall be afforded additional consideration in order to increase safety and walkability. In industrial areas, the needs of vehicles shall take precedence.

6. In the NC, OA, VCS, and VO Districts, landscaping, crosswalks, additional lighting, signalization, or similar improvements may be required to create safe and inviting places for pedestrians to cross streets.
- B. The layout of new public and county roads shall provide for the continuation of roads within and between the development and adjoining developments when deemed necessary and feasible by the Department of Transportation and Development.
1. When public access to adjoining property is required, this access shall be improved and dedicated to the County.
 2. Street stubs shall be provided to allow for future access to adjacent undeveloped property as deemed necessary by the Department of Transportation and Development.
 3. These standards may be deviated from when the County finds that safe and efficient alternate designs would better accommodate:
 - a. Sustainable development features such as “Green Streets” as described in Metro’s *Green Streets: Innovative Solutions for Stormwater and Street Crossings (2002)*, which shall be allowed within the UGB and in unincorporated communities;
 - b. Sustainable surface water management solutions such as low infiltration planters and basins, swales, ponds, rain gardens, trees, porous pavement, and minimal disruption to natural drainage systems;
 - c. Preservation of existing significant trees and native vegetation;
 - d. Preservation of natural terrain and other natural landscape features;
 - e. Achievement of maximum solar benefit for new development through orientation and block sizing;
 - f. Existing forest or agricultural uses;
 - g. Existing development;
 - h. Scenic qualities;
 - i. Planned unit developments;
 - j. Local access streets less than 200 feet in length which are not extendible; and
 - k. Interior vehicular circulation for multifamily, commercial, institutional, and industrial developments.

- C. New county and public roads terminating in cul-de-sacs or other dead-end turnarounds are prohibited except where natural features (such as topography, streams, or wetlands), parks, dedicated open space, or existing development preclude road connections to adjacent properties, existing street stubs, or existing roads.
- D. Developments shall comply with the intersection sight distance and roadside clear zone standards of the Clackamas County Roadway Standards. In addition:
 - 1. No planting, signing, or fencing shall be permitted which restricts motorists' vision; and
 - 2. Curbside parking may be restricted along streets with visibility problems for motorists, pedestrians, and/or bicyclists as deemed appropriate by the Department of Transportation and Development.
- E. New developments, subdivisions, and partitions may be required to dedicate land for right-of-way purposes and/or make road frontage improvements to existing rights-of-way as deemed necessary by the Department of Transportation and Development and consistent with Section 1007, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards.
- F. Road frontage improvements within the UGB and in Mt. Hood urban villages shall include:
 - 1. Surfacing, curbing, or concrete gutters as specified in Section 1007, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards;
 - 2. Pedestrian, bikeway, accessway, and trail facilities as specified in Subsection 1007.06;
 - 3. Transit amenities as specified in Subsection 1007.07; and
 - 4. Street trees as specified in Subsection 1007.08.
- G. Within public and county rights-of-way, the following uses may be permitted, subject to compliance with the Clackamas County Roadway Standards:
 - 1. Solar energy systems owned and operated by a public entity or utility;
 - 2. Electric vehicle charging stations owned and operated by a public entity or utility; and
 - 3. On-street parking within the UGB.

1007.05 PRIVATE ROADS AND ACCESS DRIVES

- A. Private roads and access drives shall be developed according to classifications and guidelines listed in Section 1007, Comprehensive Plan Figures 5-1 through 5-3, *Typical Roadway Cross Sections*, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards, except:
1. When easements or “flag-pole” strips are used to provide vehicular access to lots or parcels, the minimum width shall be 20 feet, unless a narrower width is approved by the Department of Transportation and Development and the applicable fire district’s Fire Marshal;
 2. Where the number of lots served exceeds three, a wider width may be required as deemed appropriate or necessary by the Department of Transportation and Development consistent with other provisions of Section 1007, the Comprehensive Plan, and the Clackamas County Roadway Standards;
 3. Access easements or “flag-pole” strips may be used for utility purposes in addition to vehicular access;
 4. The standards listed above may be deviated from when deemed appropriate by the Department of Transportation and Development to accommodate one-half streets or private common access drives and roads within developed urban areas providing access to not more than seven lots; and
 5. The intersection of private roads or access drives with a public or county road and intersections of two private roads or access drives shall comply with the sight distance and clear zone standards pursuant to Subsection 1007.04(D).

1007.06 PEDESTRIAN AND BICYCLE FACILITIES

- A. General Standards: Pedestrian and bicycle facilities shall be developed according to the classifications and guidelines listed in Section 1007, Comprehensive Plan Figures 5-1 through 5-3, *Typical Roadway Cross Sections*, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards.
- B. Pedestrian and Bicycle Facility Design: Pedestrian and bicycle facilities shall be designed to:
1. Minimize conflicts among automobiles, trucks, pedestrians, and bicyclists;
 2. Provide safe, convenient, and an appropriate level of access to various parts of the development and to locations such as schools, employment centers, shopping areas, adjacent developments, recreation areas and open space, and transit corridors;

3. Allow for unobstructed movements and access for transportation of disadvantaged persons; and
 4. Be consistent with Chapters 5 and 10 of the Comprehensive Plan; Comprehensive Plan Maps 5-2a, *Planned Bikeway Network, Urban*, 5-2b, *Planned Bikeway Network, Rural*, and 5-3, *Essential Pedestrian Network*; North Clackamas Parks and Recreation District's (NCPRD) Park and Recreation Master Plan; and Metro's Regional Trails and Greenways Map.
- C. Requirements for Pedestrian and Bicycle Facility Construction: Within the Portland Metropolitan Urban Growth Boundary (UGB), sidewalks, pedestrian pathways, and accessways shall be constructed as required in Subsection 1007.06 for subdivisions, partitions, multifamily dwellings, three-family dwellings, attached single-family dwellings where three or more dwelling units are attached to one another, and commercial, industrial, or institutional developments, except that for structural additions to existing commercial, industrial, or institutional buildings, development of such facilities shall be required only if the addition exceeds 10 percent of the assessed value of the existing structure, or 999 square feet.
- D. Requirement for Sidewalk Construction: Within the UGB, sidewalks shall be constructed, as required in Subsection 1007.06(F), for two-family dwellings, detached single-family dwellings, attached single-family dwellings where two dwelling units are attached to one another, and manufactured dwellings outside a manufactured dwelling park.
- E. Sidewalks or Pedestrian Pathways in Unincorporated Communities: In an unincorporated community, either a sidewalk or a pedestrian pathway shall be constructed on arterial or collector street frontage(s) of a lot upon which a subdivision, partition, multifamily dwelling, three-family dwelling, attached single-family dwelling where three or more dwelling units are attached to one another, or a commercial, industrial, or institutional development is proposed.
- F. Sidewalk Location: Sidewalks required by Subsection 1007.06(C) or (D) shall be constructed on:
1. Both sides of a new or reconstructed road, except that sidewalks may be constructed on only one side of the road if:
 - a. The road is not a through road;
 - b. The road is 350 feet or less in length and cannot be extended; or
 - c. In consideration of the factors listed in Subsection 1007.04(B)(3).

2. The street frontage(s) of a lot upon which a subdivision, partition, multifamily dwelling, three-family dwelling, attached single-family dwelling where three or more dwelling units are attached to one another, or a commercial, industrial, or institutional development is proposed; and
 3. Local or collector road street frontage(s) of a lot upon which a two-family dwelling, a detached single-family dwelling, an attached single-family dwelling where two dwelling units are attached to one another, or a manufactured dwelling is proposed. This requirement shall be imposed as a condition on the issuance of a conditional use permit, building permit, or manufactured dwelling placement permit, but
 - a. The requirement shall be waived if the dwelling is a replacement for one destroyed by an unplanned fire or natural disaster; and
 - b. The sidewalk requirement shall apply to no more than two street frontages for a single lot.
- G. Pedestrian Pathways: Within the UGB, a pedestrian pathway may be constructed as an alternative to a sidewalk on a local or collector road when it is recommended by the Department of Transportation and Development; the surface water management regulatory authority approves the design; and at least one of the following criteria is met:
1. The site has topographic or natural feature constraints that make standard sidewalk construction unusually problematic;
 2. No sidewalk exists adjacent to the site;
 3. Redevelopment potential along the road is limited; or
 4. The road is identified for a pedestrian pathway by the River Forest Neighborhood Plan adopted by the City of Lake Oswego.
- H. Sidewalk and Pedestrian Pathway Width: Sidewalks and pedestrian pathways shall be constructed to the minimum widths shown in Table 1007-1, *Minimum Sidewalk and Pedestrian Pathway Width*, and be consistent with applicable requirements of Chapters 5 and 10 of the Comprehensive Plan.

Table 1007-1: Minimum Sidewalk and Pedestrian Pathway Width

Street Type	Residential Sidewalk	Commercial or Institutional Sidewalk	Industrial Sidewalk
Local	5 feet	7 feet	5 feet
Connector	5 feet	7 feet	5 feet
Collector	5 feet	8 feet	5 feet
Arterial	6 feet	8 feet	6 feet

1. The entire required width of sidewalks and pedestrian pathways shall be unobstructed.
2. Sidewalks and pedestrian pathways at transit stops shall be a minimum of eight feet wide for a distance of 20 feet centered on the transit shelter or transit stop sign.
3. A sidewalk set back from the curb by at least five feet may be one foot narrower (but not less than five feet) than the standard listed above. This five-foot separation strip shall be landscaped and shall be maintained by the adjacent property owner. The landscape strip may contain fixed objects provided that sight distance and roadside clear zone standards are satisfied pursuant to the Clackamas County Roadway Standards.
4. Uses located in the Campus Industrial, Light Industrial, General Industrial, or Business Park District and containing over 5,000 square feet of office space shall comply with the requirements for Commercial and Institutional uses.
 - I. Accessways: Accessways shall comply with the following standards:
 1. Accessways shall be required where necessary to provide direct routes to destinations not otherwise provided by the road system and where topography permits. Developments shall not be required to provide right-of-way for accessways off-site to meet this requirement. If right-of-way is available off-site, the developer may be required to improve an accessway off-site up to 150 feet in length.

2. Accessways shall provide safe, convenient access to facilities generating substantial pedestrian or bicycle trips, such as an existing or planned transit stop, school, park, church, daycare center, library, commercial area, or community center. Facilities such as these shall be accessible from dead-end streets, loops, or mid-block locations. Where required, accessways shall be constructed at intervals of no more than 330 feet, unless they are prevented by barriers such as topography, railroads, freeways, pre-existing development, or environmental constraints such as streams and wetlands.
 3. An accessway shall include at least a 15-foot-wide right-of-way and an eight-foot-wide hard surface. For safety, accessways should be as straight as practicable and visible from an adjacent use if practicable. Removable bollards or other large objects may be used to bar motor vehicular access.
 4. So that they may be safely used at night, accessways shall be illuminated by street lights or luminaires on shorter poles. Separate lighting shall not be required if existing lighting adequately illuminates the accessway.
 5. Fences are not required, but the height of a fence along an accessway shall not exceed six feet.
 6. Ownership and maintenance responsibility for accessways shall be resolved during the development review and approval process.
- J. Accessways in Sunnyside Village: The following standards apply in Sunnyside Village, as identified on Comprehensive Plan Map X-SV-1, *Sunnyside Village Plan Land Use Plan Map*, hereinafter referred to as Sunnyside Village. Where these standards conflict with Subsection 1007.06(I), Subsection 1007.06(J) shall take precedence.
1. A system of interconnecting accessways shall be provided from subdivisions and multifamily developments to commercial facilities and public amenities such as existing or planned transit stop or facility, school, park, church, daycare facility, children's play area, outdoor activity areas, plazas, library, or similar facility and to a dead-end street, loop, or mid-block where the block is longer than 600 feet.
 - a. An accessway shall include at least 15 feet of right-of-way and a 10-foot-wide paved surface.
 - b. Accessways shall be illuminated so that they may be safely used at night.
 - c. The maximum height of a fence along an accessway shall not exceed four feet.
 - d. Bollards or other similar types of treatment may be required in order to prevent cars from entering the accessway.

- e. The designated east-west pedestrian accessway shall include a minimum 10-foot-wide concrete surface within a 10-foot-wide right-of-way, easement, or other legal form satisfactory to the County. Planting areas adjacent to the easement with street trees should be provided along at least one side of this accessway. However, alternatives to this standard may be considered through design review pursuant to Section 1102. If the accessway is within a parking area, it shall be lined by parking lot trees planted at a maximum of 30 feet on center along both sides.

K. Bikeways: Bikeways shall be required as follows:

1. Shoulder bikeways, bike lanes, bike paths, or cycle tracks shall be included in the reconstruction or new construction of any street if a bikeway is indicated in Chapters 5 and 10 of the Comprehensive Plan and on Comprehensive Plan Map 5-2a or 5-2b; NCPRD's Park and Recreation Master Plan; or Metro's Regional Trails and Greenways Map.
2. Shoulder bikeways, bike lanes, bike paths, or cycle tracks shall be considered in the reconstruction or new construction of any other arterial or collector.
3. Within urban growth boundaries, shoulder bikeways, bike lanes, bike paths, or cycle tracks shall be constructed from new public or private elementary, middle school, and high school facilities to off-site bikeways to provide continuous bicycle route connections within and between surrounding developments, unless precluded by existing development.

L. Trails: Trail dedications or easements shall be provided and developed as shown on Comprehensive Plan Map IX-1, *Open Space Network & Recreation Needs*; the Facilities Plan (Figure 4.3) in NCPRD's Park and Recreation Master Plan; and Metro's Regional Trails and Greenways Map.

M. Trails and Pedestrian Connections in Sunnyside Village: The following standards apply in Sunnyside Village. Where these standards conflict with other provisions in Section 1007, Subsection 1007.06(M) shall take precedence.

1. An interconnecting system of trails and accessways throughout Sunnyside Village shall be provided. The general trail locations are shown on Comprehensive Plan Map X-SV-1. The location of the trails shall be set at the time a land use application is approved. The locations of the trails are based on achieving connections to streets and/or pedestrian ways and protection of the significant features of the resource protection areas.
2. The trail system will generally occur along the creeks and resource protection areas. The accessways and/or trail system will provide connections to parks, the elementary school, and to adjacent commercial and residential developments.

3. There also shall be an east-west accessway between 142nd Avenue and 152nd Drive, south of Sunnyside Road and north of Oregon Trail Drive.
4. The trail system shall be designed to provide multiple access points for the public. The trails shall be constructed by the developer.
5. All trails and accessways within the resource protection areas shall either be dedicated or an easement granted to NCPRD in conjunction with development. These connections shall be maintained by and constructed to the standards established by NCPRD.
6. The maintenance of all pedestrian connections and trails located outside the resource protection areas as identified on Comprehensive Plan Map X-SV-1 shall be the responsibility of the property owner.

N. Pedestrian and Bicycle Circulation: The pedestrian and bicycle circulation connections shown on Comprehensive Plan Maps X-CRC-3, *Clackamas Regional Center Area Design Plan Urban Design Elements*, X-CRC-7, *Clackamas Regional Center Area Design Plan Pedestrian and Bicycle Circulation Network*, and X-CRC-7a, *Clackamas Regional Center Area Design Plan Walkway Network*, shall be provided.

1007.07 TRANSIT AMENITIES

All residential, commercial, institutional, and industrial developments on existing and planned transit routes shall be reviewed by Tri-Met or other appropriate transit provider to ensure appropriate design and integration of transit amenities into the development. The design shall not be limited to streets, but shall ensure that pedestrian/bikeway facilities and other transit-supportive features such as shelters, bus pull-outs, park-and-ride spaces, and signing will be provided. The designs shall comply with Tri-Met standards and specifications.

1007.08 STREET TREES

A. Within the Portland Metropolitan Urban Growth Boundary, street trees are required on all road frontage—except frontage on private roads or access drives--for subdivisions, partitions, multifamily dwellings, three-family dwellings, attached single-family dwellings where three or more dwelling units are attached to one another, and commercial, industrial, or institutional developments, except that for structural additions to existing commercial, industrial, or institutional buildings, street trees are required only if the addition exceeds 10 percent of the assessed value of the existing structure, or 999 square feet. Street trees shall comply with the following standards:

1. Partial or complete exemptions from the requirement to plant street trees may be granted on a case-by-case basis. Exemptions may be granted, for example, if the exemption is necessary to save existing significant trees which can be used as a substitute for street trees.
2. Street trees to be planted shall be chosen from a County-approved list of street trees (if adopted), unless approval for planting of another species is given by the Department of Transportation and Development. Trees listed in Table 1007-2, *Prohibited Street Trees*, shall not be planted as street trees.
3. Location and planting of street trees may be influenced by such conditions as topography, steep terrain, soil conditions, existing trees and vegetation, preservation of desirable views, and solar access.
4. Planting of street trees shall be coordinated with other uses which may occur within the street right-of-way, such as bikeways, pedestrian paths, storm drains, utilities, street lights, shelters, and bus stops.
5. Street trees at maturity shall be of appropriate size and scale to complement the width of the street or median area.

Table 1007-2: Prohibited Street Trees

Scientific Name	Common Name	Reason for Prohibition
Acer macrophyllum	Big-leaf Maple	Leaves block drainage; Roots buckle sidewalks
Acer negundo	Box Elder	Insect prone; Weak wood
Acer saccharinum	Silver Maple	Shallow roots; Weak wood
Aesculus hippocastanum	Common Horsechestnut	Messy fruits
Betulus species	Birches	Insect prone; Weak wood
Carya species	Hickories	Fruits cause litter and safety problems
Catalpa species	Catalpas	Seed pods cause litter problem
Corylus species	Filberts	Fruits cause litter and safety problems

Scientific Name	Common Name	Reason for Prohibition
Crataegus species	Hawthorns	Thorns; Fruits cause litter and safety problems
Fraxinus species	Ashes	Seed pods cause litter problem
Gleditsia triacanthos	Honey Locust (species, does not include horticultural variants)	Seed pods cause litter problem
Juglans species	Walnuts	Fruits cause litter problem
Morus species	Mulberries	Fruits cause litter and safety problems
Populus species	Poplars	Shallow roots; Weak wood
Robinia species	Locusts	Weak wood; Suckers
Salix Species	Willows	Shallow roots; Weak wood
Ulmus fulva	Slippery Elm	Insect prone; Shallow roots; Weak wood
Ulmus pumila	Siberian Elm	Shallow roots; Weak wood

B. Street trees required for developments in the Clackamas Regional Center Area, as identified on Comprehensive Plan Map X-CRC-1, *Clackamas Regional Center Area Design Plan Regional Center, Corridors, and Station Community*, shall comply with the following standards:

1. Street trees are required along all streets, except for drive aisles in parking lots.
2. When determining the location of street trees, consideration should be given to accommodating normal retail practices in front of buildings such as signage, outdoor display, loading areas, and pullout lanes.
3. Street trees are required along private access streets under the following conditions:
 - a. On both sides when the access point is a signalized intersection;

- b. On both sides when the street section has four or more lanes at the access point;
 - c. On both sides when the private street is developed to comply with building orientation standards;
 - d. On a minimum of one side when the street section has one or two lanes, and the street is not at a signalized intersection or is not used to meet the structure orientation standards of Subsections 1700.03(C) and 1700.04(B); and
 - e. On a minimum of one side of the street when access is shared with adjacent property. Adjoining property shall be required to install trees on its side of the access street when the property is developed.
4. In the Fuller Road Station Community, as identified on Comprehensive Plan Map X-CRC-1, street trees are required along both sides of all street types, and as shown in Comprehensive Plan Figure X-CRC-11, *Clackamas Regional Center Area Design Plan Fuller Road Station Community, Type "E" Pedestrian/Bicycle Connection*, for Type E pedestrian/bicycle connections. Street trees shall be spaced from 25 to 40 feet on center, based on the selected tree species and any site constraints. Street trees shall otherwise comply with the other provisions of Subsections 1007.08(A) and (B).
- C. In the Business Park District, street trees are required at 30- to 40-foot intervals along periphery and internal circulation roads, except where significant trees already exist.
- D. Street trees are required for developments in the Sunnyside Village Community Plan area, as identified on Comprehensive Plan Map X-SV-1, *Sunnyside Village Plan Land Use Plan Map*, along both sides of all connector and local streets, and as set forth in Subsection 1007.11. In addition:
- 1. One to two street trees are required per interior lot, and two to four for corner lots depending on the canopy of the tree species proposed. If a small canopy (less than or equal to 25 feet in diameter at maturity) is proposed, then two per interior lot and four per corner lot are required. If a larger canopy (greater than 25 feet in diameter at maturity) is proposed, then one per interior lot and two per corner lot are required.
 - 2. As each portion of a project is developed, a specific species of street tree will be chosen for each street. The developer may choose the species of street tree to be planted so long as the species is not known to cause sidewalks to buckle, does not have messy fruits or pods, is not prone to insects or having weak wood, and is not on the list of prohibited trees. The County will have final approval regarding the type of street tree to be planted.

3. Along connector streets or streets with a higher classification, metal grating, non-mortared brick, grasscrete, or similar material shall be installed at grade over the planting area around street trees, or raised planters shall be constructed to prevent soil compaction and damage to the trunk. Landscape strips or tree wells are required along streets with a classification below connector status.

1007.09 TRANSPORTATION FACILITIES CONCURRENCY

- A. The purpose of Subsection 1007.09 is to ensure that transportation infrastructure is provided concurrently with the new development it is required to serve or, within a reasonable period of time following the approval of new development.
- B. Subsection 1007.09 shall apply to the following development applications: design review, subdivisions, partitions, and conditional uses.
- C. Approval of a development shall be granted only if the capacity of transportation facilities is adequate or will be made adequate in a timely manner. The following shall be exempt from this requirement:
 1. Development that is located:
 - a. In the Light Industrial, General Industrial, or Business Park District; and
 - b. North of the Clackamas River; and
 - c. West of Highway 224 (south of Highway 212) or 152nd Drive (north of Highway 212); and
 - d. South of Sunnyside Road (east of 82nd Avenue) or Harmony Road (west of 82nd Avenue) or Railroad Avenue (west of Harmony Road); and
 - e. East of Interstate 205 (south of Milwaukie Expressway) or the city limits of Milwaukie (north of the Milwaukie Expressway).
 2. Modification or replacement of an existing development (or a development that has a current land use approval even if such development has not yet been constructed) on the same property, provided that an increase in motor vehicle traffic does not result;
 3. Unmanned utility facilities, such as wireless telecommunication facilities, where no employees are present except to perform periodic servicing and maintenance;
 4. Mass transit facilities, such as light rail transit stations and park-and-ride lots;

5. Home occupations to host events, which are approved pursuant to Section 806; and
 6. Development in ~~the Government Camp Village, as shown on Comprehensive Plan Map X-MH 4, Government Camp Village Plan Land Use Plan & Boundary,~~ that is otherwise consistent with the Comprehensive Plan land use plan and zoning designations and zoning for Government Camp~~the Village~~.
- D. As used in Subsection 1007.09(C), “adequate” means a maximum volume-to-capacity ratio (v/c), or a minimum level of service (LOS), as established by Comprehensive Plan Tables 5-2a, Motor Vehicle Capacity Performance Evaluation Standards Measures for the Urban Area, and 5-2b, Motor Vehicle Capacity Performance Evaluation Standards Measures for the Rural Area.
- E. For the purpose of calculating capacity as required by Subsections 1007.09(C) and (D), the following standards shall apply:
1. The methods of calculating v/c and LOS are established by the Clackamas County Roadway Standards, ~~except that the method of calculating capacity on state facilities is established by the Oregon Highway Plan.~~
 2. The ~~adequacy minimum capacity~~ standards shall apply to all roadways and intersections within the impact area of the proposed development. The impact area shall be identified pursuant to~~established by~~ the Clackamas County Roadway Standards.
 - ~~3. Capacity shall be evaluated for motor vehicle traffic only.~~
- F. As used in Subsection 1007.09(C), “timely” means:
1. For facilities under the jurisdiction of the County, necessary improvements are included in the Five-Year Capital Improvement Program, fully funded, and scheduled to be under construction within three years of the date land use approval is issued;
 2. For facilities under the jurisdiction of the State of Oregon, necessary improvements are included in the Statewide Transportation Improvement Program Plan (STIP) and scheduled to be under construction within four years of the date land use approval is issued;
 3. For facilities under the jurisdiction of a city or another county, necessary improvements are included in that jurisdiction’s capital improvement plan, fully funded, and scheduled to be under construction within three years of the date land use approval is issued.

4. Alternatively, “timely” means that necessary improvements will be constructed by the applicant or through another mechanism, such as a local improvement district. Under this alternative:
 - a. Prior to issuance of a certificate of occupancy for a conditional use or a development subject to design review and prior to recording of the final plat for a subdivision or partition, the applicant shall do one of the following:
 - i. Complete the necessary improvements; or
 - ii. For transportation facilities under the jurisdiction of the County, the applicant shall provide the county with a deposit, letter of credit, performance bond, or other surety satisfactory to county staff pursuant to Section 1311, *Completion of Improvements, Sureties, and Maintenance*. For transportation facilities under the jurisdiction of the state, a city, or another county, the applicant shall comply with the respective jurisdiction’s requirements for guaranteeing completion of necessary improvements. This option is only available if the jurisdiction has a mechanism in place for providing such a guarantee.
5. For a phased development, the first phase shall satisfy Subsections 1007.09(F)(1) through (4) at the time of land use approval. Subsequent phases shall be subject to the following:
 - a. At the time of land use approval, necessary improvements shall be identified and the phase for which they are necessary shall be specified.
 - b. Necessary improvements for a particular phase shall either:
 - i. Comply with Subsections 1007.09(F)(1) through (3) at the time of building permit approval, except that the improvements shall be scheduled to be under construction within three years of building permit approval rather than within three years of land use approval; or
 - ii. Comply with Subsection 1007.09(F)(4), in which case the improvements shall be completed or guaranteed prior to issuance of a certificate of occupancy or recording of the final plat for the applicable phase.

G. As used in Subsection 1007.09(F), “necessary improvements” are:

1. Improvements identified in a transportation impact study as being required in order to comply with the adequacy standard identified in Subsection 1007.09(D).

- a. A determination regarding whether submittal of a transportation impact study is required shall be made based on the Clackamas County Roadway Standards, which also establish the minimum standards to which a transportation impact study shall adhere.
- b. If a transportation impact study is not required, County traffic engineering or transportation planning staff shall identify necessary improvements or the applicant may opt to provide a transportation impact study.

H. Notwithstanding Subsections 1007.09(E) and (G)(1)(a), motor vehicle capacity calculation methodology, impact area identification, and transportation impact study requirements are established by the ODOT Transportation Analysis Procedures Manual for roadways and intersections under the jurisdiction of the State of Oregon.

II. As an alternative to compliance with Subsection 1007.09(C), the applicant may make a voluntary substantial contribution to the transportation system.

1. As used in this subsection, “substantial contribution” means construction of a roadway or intersection improvement that is all of the following:
 - a. A complete project or a segment of a roadway identified in Comprehensive Plan Table 5-3a, *20-Year Capital Projects*, 5-3b, *Preferred Capital Projects*, or 5-3c, *Long-Term Capital Projects*; the ~~Statewide Transportation Improvement Plan (STIP)~~; or the capital improvement plan (CIP) of a city or another county.
 - i. For a segment of a roadway to qualify as a substantial contribution, the roadway shall be on or abutting the subject property; no less than the entire segment that is on or abutting the subject property shall be completed; and there shall be a reasonable expectation that the entire project—as identified in Comprehensive Plan Table 5-3a, 5-3b, or 5-3c; the STIP; or the CIP of a city or another county—will be completed within five years;
 - b. Located within the impact area of the proposed development. The impact area shall be established by the Clackamas County Roadway Standards;
 - c. Estimated to have a minimum construction cost of \$527,000 in year 2004 dollars. The minimum construction cost shall on January 1st of each year following 2004 be adjusted to account for changes in the costs of acquiring and constructing transportation facilities. The adjustment factor shall be based on the change in average market value of undeveloped land, except resource properties, in the County according to the records of the County Tax Assessor, and the change in construction costs according to the Engineering News Record (ENR) Northwest (Seattle, Washington) Construction Cost Index; and shall be determined as follows:

- i. $\text{Change in Average Market Value} \times 0.50 + \text{Change in Construction Cost Index} \times 0.50 = \text{Minimum Construction Cost Adjustment Factor}$
 - ii. After the adjustment factor is applied to the previous year's minimum construction cost, the result shall be rounded to the nearest thousand.
- 2. Prior to issuance of a certificate of occupancy for a conditional use or a development subject to design review and prior to recording of the final plat for a subdivision or partition, the applicant shall do one of the following:
 - a. Complete the substantial contribution; or
 - b. For transportation facilities under the jurisdiction of the County, the applicant shall provide the county with a deposit, letter of credit, performance bond, or other surety satisfactory to county staff pursuant to Section 1311. For transportation facilities under the jurisdiction of the state, a city, or another county, the applicant shall comply with the respective jurisdiction's requirements for guaranteeing completion of necessary improvements. This option is only available if the jurisdiction has a mechanism in place for providing such a guarantee.

1007.10 FEE IN LIEU OF CONSTRUCTION

For all or part of the road frontage improvements required by Section 1007; located within the Portland Metropolitan Urban Growth Boundary (UGB) and required for a partition, a two- or three-family dwelling (where no more than one such dwelling is proposed), an attached or detached single-family dwelling, or a manufactured dwelling; the developer may elect to pay a fee in lieu of construction as follows.

- A. The fee in lieu of construction may be paid if the road frontage improvements are located on a local or collector road that is not identified on Comprehensive Plan Map 5-3, *Essential Pedestrian Network*, and payment of the fee is deemed by the Department of Transportation and Development to be an acceptable alternative to construction of the required improvements; or
- B. The fee in lieu of construction may be paid if the road frontage improvements are located on a road that is identified on Comprehensive Plan Map 5-3; payment of the fee is deemed by the Department of Transportation and Development to be an acceptable alternative to construction of the required improvements; and at least one of the following criteria is met:
 - 1. The improvements are included in the Five-Year Capital Improvement Program;
 - 2. The improvements are located on a road where significant topographical or natural feature constraints exist; or

3. The improvements are located on a local or collector road where a sidewalk or pathway does not exist within 200 feet of the required improvements.
- C. For a two-family dwelling, a detached single-family dwelling, an attached single-family dwelling where two dwelling units are attached to one another, or a manufactured dwelling, the fee in lieu of construction shall be \$25.00 per lineal foot of frontage. The fee shall be adjusted annually to account for the change in construction costs according to the Engineering News Record (ENR) Northwest (Seattle, Washington) Construction Cost Index. The annual adjustment shall be made in January on the date that the ENR publishes its first index of the year.
 - D. For a partition, a three-family dwelling, or an attached single-family dwelling where three or more dwelling units are attached to one another, the fee in lieu of construction shall be equal to the estimated cost of constructing the required frontage improvements and shall be calculated as follows.
 1. A frontage improvement cost construction estimate acceptable to the Department of Transportation and Development shall be completed by an engineer who is registered by the State of Oregon.
 2. The elements to be considered when calculating the fee shall include, but shall not necessarily be limited to, mobilization/start-up, grading, rock, drainage, asphalt, curb, sidewalk, and retaining wall.
 - E. All fees in lieu of improvements collected, and interest thereon, shall be placed in a "Sidewalk Improvement Fund." Fees shall be spent on sidewalk or pedestrian pathway construction on local or collector roads within the UGB.

1007.11 STREETS AND SIDEWALKS IN SUNNYSIDE VILLAGE

The following standards apply in Sunnyside Village. Where these standards conflict with other provisions in Section 1007, Subsection 1007.11 shall take precedence.

- A. Connector streets with bike lanes shall include two 10-foot-wide travel lanes, two six-inch-wide standard curbs, two seven-foot-wide parking strips, two four- to five-foot-wide planting strips, two four-foot-wide bike lanes, and two five-foot-wide sidewalks. The minimum right-of-way width shall be 61 to 63 feet, depending on the planting strip width. If commercial/retail are adjacent to the site, then nine-foot-wide sidewalks are required. (See Comprehensive Plan Figure X-SV-1, *Sunnyside Village Plan Connector Street with Planting Strips and Bike Lanes*.)
- B. Connector streets without bike lanes shall include two 10-foot-wide travel lanes, two six-inch-wide standard curbs, two seven-foot-wide parking strips, two four- to five-foot-wide planting strips, and two five-foot-wide sidewalks. The minimum right-of-way width shall be 53 to 55 feet, depending on the planting strip width. If commercial/retail is adjacent to the site, then nine-foot-wide

sidewalks are required. (See Comprehensive Plan Figure X-SV-2, *Sunnyside Village Plan Connector Street with Planting Strips.*)

- C. Local streets shall include two eight-to-nine-foot-wide travel lanes, two six-inch-wide standard curbs, one eight-foot-wide parking strip, two five-foot-wide sidewalks, and two four-foot-wide tree planting strips. The right-of-way width shall be 43 to 45 feet. (See Comprehensive Plan Figure X-SV-5, *Sunnyside Village Plan Local Street with Planting Strips.*)

Cul-de-sacs are permitted only when topographic conditions or existing street patterns preclude extension of streets. The maximum radius shall be 40 feet.

- D. All streets adjacent to resource protection areas shall have at least one five-foot-wide sidewalk along one side of the street. If there are no significant trees (at least eight inches in diameter) along the resource protection area adjacent to the street, then a minimum four-foot-wide planting strip is required along both sides of the street. If it is determined that a unique view is to be preserved, then the Planning Director will determine if street trees are required.
- E. New street connections and private access driveways should be located along arterial and collector roadways within Sunnyside Village to provide safe and efficient traffic operations. New street connections along arterial streets are shown on Comprehensive Plan Map X-SV-3, *Sunnyside Village Plan Street Classifications*. New street connections to collector roadways shall be a minimum of 150 feet apart, measured road centerline to centerline.

New individual driveway connections shall not be permitted along arterial and collector roadways. The removal and/or consolidation of existing private driveways on arterial and collector streets should be investigated as redevelopment of properties occurs.

At existing or future major street intersections (existing or proposed traffic signals), no new driveways or street connections shall be allowed within the influence area of the intersection. The influence area is defined as the distance that vehicles will queue from the signalized intersection. The influence area shall be based upon traffic volumes summarized in the Sunnyside Area Master Plan (November 1994) or based upon information acceptable to the County Engineering Division. This influence area shall include an additional 100 feet beyond the queue length for back-to-back left turns.

The preferred minimum intersection spacing on minor arterials is 500 feet, measured road centerline to centerline. Major arterial intersection spacing is preferred to be between 600 feet and 1,000 feet, measured road centerline to centerline.

- F. The interior angles at intersection roadways shall be as near to 90 degrees as possible, and in no case shall it be less than 80 degrees or greater than 100

degrees. Minimum centerline radius for local roadways shall be 100 feet unless the alternative horizontal curve illustrated on Comprehensive Plan Figure X-SV-9, *Sunnyside Village Plan Alternative Horizontal Curve for Local Streets*, is used.

- G. Alleys shall be private streets with rights-of-way of 16 feet. (See Comprehensive Plan Figure X-SV-6, *Sunnyside Village Plan Alleys*.)
- H. A traffic circle will mark the heart of Sunnyside Village and will provide suitable geometrics for the five radial streets that converge at this point. Travel on the circle shall occur in one direction. This shall be facilitated by traffic diverters that guide vehicles but still allow comfortable pedestrian movement. The raised diverters should consist of low raised curbs and/or special paving. The travel lane within the circle should allow for easy merging.

Special paving shall demark crosswalks. Bike lanes shall be clearly marked and shall occur at the edge of the travel lane and define the inner boundary of the crosswalks and bus loading areas. The bus loading areas shall be located adjacent to the Village Commercial area. On the other side of the circle, this added dimension shall be used for planting strips with street trees, adjacent to nine-foot-wide sidewalks.

The center island shall have a radius of at least 30 feet and shall be landscaped. A vertical feature or monument identifying the entrance to Sunnyside Village should mark the center of the circle and shall be framed by blossoming trees.

- I. Intersection dimensions should be minimized to reduce pedestrian crossing-distances and slow vehicles. Curb radiuses should not exceed 25 feet at corners.
- J. For properties with frontage along 152nd Drive, adjacent to the proposed realignment of 152nd Drive, the applicant's share of costs associated with the realignment of 152nd Drive shall be limited to the dedication of required on-site right-of-way for the realignment of 152nd Drive as a collector street, and the guarantee of financing for the required on-site improvements, to collector-street standards, according to the requirements of the County Engineering Division.

1007.12 VACATIONS

Road and Access Easement Vacations: In the RTL and CC Districts, road vacations shall be prohibited in developments unless replaced with a new road or walkway that serves the same function. The replacement does not have to be in the same alignment as long as it provides access to the same areas the vacated road would have if constructed.

1007.13 TRAFFIC MANAGEMENT PLANS

In the OA and VO Districts, a traffic management plan shall be submitted with each development application. The plan shall address, but is not limited to, the following traffic management mechanisms:

- A. Physical site controls on existing traffic;
- B. P.M. peak hour existing traffic limitations;
- C. Traffic monitoring;
- D. Restrictions on the number of parking spaces;
- E. Transportation/transit information center;
- F. Flextime, staggered working hours; and
- G. Carpool and vanpool spaces and similar ride share programs.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11; Amended by Ord. ZDO-232, 3/12/12; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-250, 10/13/14; Amended by Ord. ZDO-253, 6/1/15]

File ZDO-258
Proposed Zoning and Development Ordinance Amendments
Draft Date 7/18/16

Text to be added is underlined. Text to be deleted is ~~strikethrough~~.

1202 ZONE CHANGES

1202.01 PURPOSE AND APPLICABILITY

Section 1202 is adopted to provide standards, criteria, and procedures under which a change to the zoning maps (hereinafter referred to as a zone change) may be approved.

1202.02 SUBMITTAL REQUIREMENTS

In addition to the submittal requirements identified in Subsection 1307.07(C), an application for a zone change shall include a site plan of the subject property showing existing improvements, and a vicinity map showing the relationship of the subject property to the surrounding area. An application for a zone change to NC District also shall include:

- A. The requirements listed in Subsection 1102.02;
- B. A vicinity map, drawn to scale, showing the uses and location of improvements on adjacent properties and properties across any road; and
- C. A site plan, drawn to scale, showing the following:
 - 1. Property dimensions and area of property;
 - 2. Access to property;
 - 3. Location and size of existing and proposed improvements showing distance from property lines and distance between improvements;
 - 4. Location of existing and proposed parking; and
 - 5. Location of existing and proposed pedestrian and bicycle facilities, including pedestrian rest and gathering areas.

1202.03 GENERAL APPROVAL CRITERIA

A zone change requires review as a Type III or IV application pursuant to Section 1307, *Procedures*, and shall be subject to the following standards and criteria:

- A. The proposed zone change is consistent with the applicable goals and policies of

the Comprehensive Plan.

- B. If development under the proposed zoning district designation has a need for any of the following public services, the need can be accommodated with the implementation of the applicable service provider's existing capital improvement plan: sanitary sewer, surface water management, and water. The cumulative impact of the proposed zone change and development of other properties under existing zoning designations shall be considered.
- C. The transportation system is adequate, ~~as defined in Subsection 1007.09(D)~~, and will remain adequate with approval of the proposed zone change. ~~Transportation facilities that are under the jurisdiction of the State of Oregon are exempt from Subsection 1202.03(C)~~. For the purpose of this criterion:
- ~~1. Adequate means a maximum volume-to-capacity ratio (v/c), or a minimum level of service (LOS), as established by Comprehensive Plan Tables 5-2a, Motor Vehicle Capacity Evaluation Standards for the Urban Area, and 5-2b, Motor Vehicle Capacity Evaluation Standards for the Rural Area.~~
 - ~~2. The evaluation of transportation system adequacy shall be conducted pursuant to the Transportation Planning Rule (Oregon Administrative Rules 660-012-0060) include both the impact of the proposed zone change and growth in background traffic for a 20-year period beginning with the year that a complete zone change application is submitted pursuant to Section 1307.~~
 - ~~2. It shall be assumed that all improvements identified in Comprehensive Plan Table 5-3a, 20-Year Capital Projects; the Statewide Transportation Improvement Plan; and the capital improvement plans of other local jurisdictions are constructed.~~
 3. It shall be assumed that the subject property is developed with the primary use, allowed in the proposed zoning district, with the highest motor vehicle trip generation rate.
 - ~~4. The methods of calculating v/c and LOS are established by the Clackamas County Roadway Standards.~~
 - ~~5. The adequacy standards shall apply to all roadways and intersections within the impact area of the proposed zone change. The impact area shall be identified pursuant to the Clackamas County Roadway Standards.~~
 - ~~4. Transportation facility capacity shall be calculated pursuant to Subsection 1007.09(E).~~
 65. A determination regarding whether submittal of a transportation impact study is required shall be made based on the Clackamas County Roadway Standards, which also establish the minimum standards to which a transportation impact study shall adhere.

7. Notwithstanding Subsections 1202.03(C)(4) through (6), motor vehicle capacity calculation methodology, impact area identification, and transportation impact study requirements are established by the ODOT Transportation Analysis Procedures Manual for roadways and intersections under the jurisdiction of the State of Oregon.

~~D. The proposed zone change, as it relates to transportation facilities under the jurisdiction of the State of Oregon, complies with the Oregon Highway Plan.~~

DE. Safety of the transportation system is adequate to serve the level of development anticipated by the proposed zone change.

1202.04 NC DISTRICT APPROVAL CRITERIA

If the application requests a zone change to NC District, approval of the zone change shall include approval of a specific use for the subject property, including a specific site development plan.

- A. In addition to the standards and criteria in Subsection 1202.03, a zone change to NC District shall be subject to the following standards and criteria:
 - 1. The characteristics of the subject property are suitable for the proposed use considering size, shape, location, topography, existence of improvements, and natural features.
 - 2. The proposed 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 allowed in the zoning district(s) in which surrounding properties are located.
 - 3. The proposed use complies with any applicable requirements of the NC District and any overlay zoning district(s) in which the subject property is located, Section 800, *Special Use Requirements*, and Section 1000, *Development Standards*.
- B. Design review pursuant to Section 1102, *Design Review*, is not required for a use approved through a zone change to NC District. Modifications to the approved use, including the approved site development plan, shall be processed pursuant to Subsection 1307.16(M) or Section 1309, *Modification*.

1202.05 ALTERNATE ZONING DISTRICT DESIGNATION

An application for a zone change may include a request for the approval of an alternate zoning district designation if it is found that the applicant's preferred designation does not comply with the approval criteria but the alternate designation does.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-250, 10/13/14; Amended by Ord. ZDO-248, 10/13/14; Amended by Ord. ZDO-253, 6/1/15]



M. BARBARA CARTMILL
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

STAFF REPORT

TO: Planning Commission
FROM: Abbot Flatt, Senior Transportation Planner
DATE: July 25, 2016
RE: ZDO-258, Clackamas Regional Center Connections Project

I. PROPOSAL

ZDO-258 includes the Comprehensive Plan and ZDO changes required to implement the Clackamas Regional Center (CRC) Connections Project. These amendments implement a Multimodal Mixed-use Area (MMA) boundary within the Clackamas Regional Center area, add projects to the 20-year Capital Improvement Plan (CIP) and include several “housekeeping” policy amendments. See Section VIII for more details on the Comprehensive Plan and ZDO changes.

II. BACKGROUND

The CRC Connections Project was initiated in response to issues identified in the 2013 Transportation System Plan (TSP) Update. At the time the TSP was updated there were concerns that within the Clackamas Regional Center, congestion at intersections would limit future development and the developer’s ability to mitigate impacts to the roadway system. Policy 5.DD.2.B was adopted which directed staff to:

“Develop alternative performance standards for intersections and alternative mobility standards within the Clackamas Regional Center design plan area. Determine if this area should be designated as a multimodal, mixed-use area (MMA) as provided in the Transportation Planning Rule (OAR 660-012-0060). (project #1017)”

The purpose of CRC Connections Project is to address TSP Policy 5.DD.2.B. In May of 2014, the County was awarded a grant from the Metro through the Construction Excise Tax (CET) program and approved by the County Board on March 27, 2014.

The intent of an MMA boundary is to remove barriers to development that may exist due to unnecessarily onerous vehicular congestion standards in areas envisioned for dense mixed-use development.

III. PROJECT STUDY AREA AND PUBLIC INVOLVEMENT

The project area is Clackamas Regional Center Design Plan Area (CRCDPA), which is the major hub for commercial development, business and jobs in Clackamas County. See Figure 1. During course of the project, staff worked with a Technical Working Group (TWG) and a Stakeholder Working Group (SWG) to review materials, develop proposals and provide recommendations related to the Multimodal Mixed-use Area designation. Six TWG and SWG meetings were held with the following members:

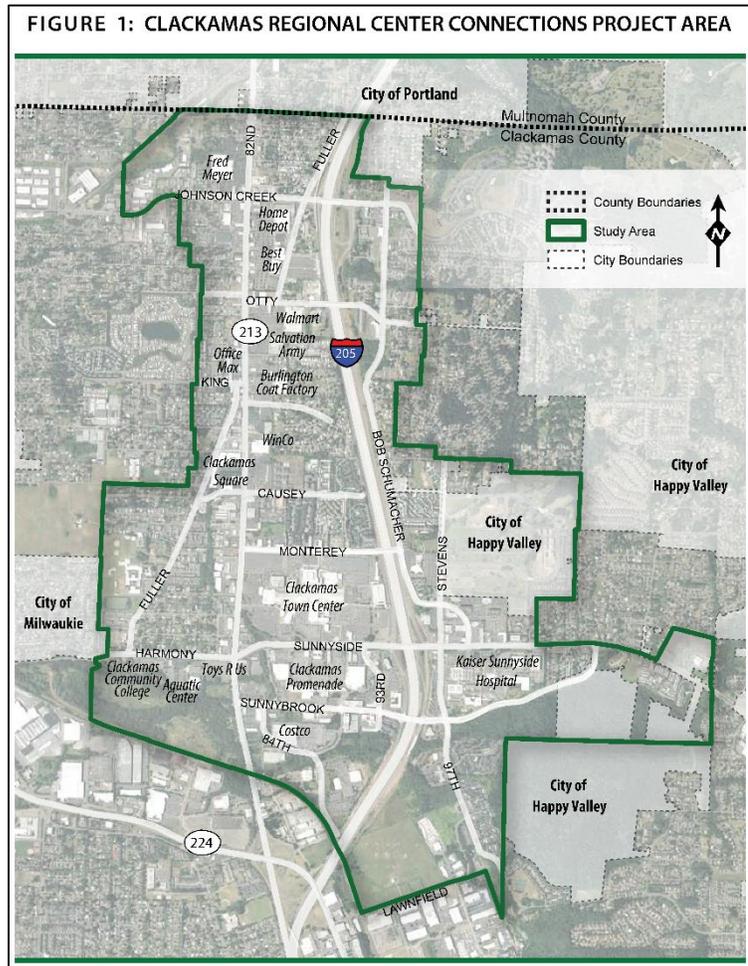


FIGURE 1: CLACKAMAS REGIONAL CENTER CONNECTIONS PROJECT AREA

- Stakeholder Working Group:** Planning Directors from the City of Happy Valley and the City of Milwaukie; Clackamas County Bike/Ped Advisory Committee (past member); Oregon Child Development Coalition; Sunnyside United Neighbors CPO and North Clackamas CPO; East Side Athletic Club; North Clackamas Chamber of Commerce; Clackamas Town Center; Clackamas Fire District #1; North Clackamas School District #12; Clackamas Community College; and North Clackamas Urban Watersheds Council; and Geller Silvis & Associates and Doug Bean & Associates.
- Technical Working Group:** City of Happy Valley (Carol Earle); Clackamas County Transportation Engineering (Joe Marek; Rick Nys and Lori Mastrantonio); Clackamas County DA (Dave Queener); Clackamas County DTD (Jimmy Thompson); Clackamas County Business and Economic Development (Cindy Hagen); Clackamas County Business and Community Services (Katie Dunham); DLCD (Jennifer Donnelly and Bill Holmstrom); Metro (Chris Myers); ODOT (Lidwien Rahman; Joseph Auth and Avi Tayar) (Project Team: Clackamas County (Karen Buehrig and Abbot Flatt); Consultants DKS Associates (Carl Springer and Ray Delahanty); JLA Public Involvement (Sylvia Ciborowski); Henderson Young & Co (Randy Young).

In addition, there was an online open house, tabling events and stakeholder interviews. The Project Management Team (PMT) received feedback from 101 people.

The purpose of this outreach was to:

- Confirm the general vision for the CRC area as a mixed-use, multimodal, vibrant regional center.
- Solicit input on the boundary for prioritizing multimodal improvements.
- Solicit input on what is important to measure for each travel mode, to help guide development of alternative performance measures.

Participants generally agreed with the vision of the Clackamas Regional Center Connections Project. They described their vision of the area as a safe and accessible place, with efficient transportation options. Many echoed the desire for increased walkability, bike-ability, and public transportation options.

Where participants supported multimodal improvements throughout the entire boundary, participants most supported improvements around 82nd Ave and Clackamas Town Center. Some also supported improvements around transit centers. Fewer supported improvements around Kaiser Medical Center and I-205.

Participants were provided with a list of transportation performance goals (see below) that would be used as a basis for developing transportation performance measures for development review. 78 people (89%) said that it makes sense to use these goals to develop measures, and ten (11%) said that they have changes or additions. Some of those comments suggested prioritizing bike, transit, and walking measures over vehicle-related measures.

Transportation Performance Goals:

- Less **traffic congestion**
- Faster **travel times**
- Improved safety for **drivers**
- Improved safety and comfort for **pedestrians**
- Improved safety and comfort for **bicycles**
- More interconnected **bike lanes and bike boulevards**
- More **sidewalks that are connected to each other**
- More **crosswalks and safer street crossing options**
- More **bus stops**, so that more people live within walking distance of a stop or station
- Fewer **vehicle related crashes**
- Slower **traffic speeds** in neighborhoods

The feedback helped guide the PMT, TWG and SWG towards the final recommendations on the MMA within the study area.

The PMT worked closely with agency partners to create a process for how Oregon Department of Transportation (ODOT) roadways will be addressed during a zone change or Comprehensive Plan change proposal. In summary, the impact to ODOT roadways within the MMA boundary will be calculated through a vehicular queuing analysis. The details of this agreement are in Exhibit A: Memorandum of Understanding.

IV. WHAT IS A MULTIMODAL MIXED-USE AREA (MMA)?

The primary questions addressed during the project were:

- Is the area suitable for the implementation of the MMA designation?
- Should “alternative transportation system performance measures” be adopted within the MMA boundary since the volume-to-capacity standard would no longer be applicable during zone and Comprehensive Plan changes?
- What changes to the Clackamas County Comprehensive Plan and Zoning Development Ordinance are needed to support an MMA?

In the context of this project, an MMA is a specific designation outlined in the Oregon Administrative Rule 666-012-0060 – also known as the Transportation Planning Rule (TPR). The TPR provides guidelines used during transportation system planning process and when zone changes or Comprehensive Plan changes are requested. The TPR’s purpose is to implement the Statewide Planning Goal #12: Transportation, which is to encourage a safe, convenient and economic transportation system.

The intent of the TPR designation of an MMA is to have defined areas where applicants who are requesting Comprehensive Plan and zone changes would not be required to meet the performance standards related to motor vehicle traffic congestion.

The MMA designation is appropriate for areas with the following characteristics:

- High-quality connectivity to and within the area by modes of transportation other than the automobile;
- A denser level of development of a variety of commercial and residential uses than in surrounding areas;
- A desire to encourage these characteristics through development standards; and
- An understanding that there will be automobile congestion within and around the MMA.

While, within an MMA the vehicular performance standards would no longer apply during to the review of zone and plan amendments, there is a potential trade-off in accepting more traffic congestion. In addition, low intensity and automobile-related types of development are limited or no longer permitted within the MMA in favor of pedestrian and transit oriented development.

V. THE “HOW” AND “WHY” OF PERFORMANCE MEASURES

The vehicular performance standards that are used during Comprehensive Plan and zone changes are found in the Clackamas County Comprehensive Plan Chapter 5: Transportation System Plan, Section 5.S. Performance Evaluation Measure Policies, and are implemented through Section 1202 of the Zoning Development Ordinance.

The TPR sets forth the requirement that transportation system performance must be measured during the Comprehensive Plan and zone change process to identify if the proposed changes will “degrade the performance” of an existing transportation facility. The applicant is required to look out to the 20-year

The BCC also expressed a desire to better understand the consequences of adopting an MMA. If the tradeoff of an MMA is greater congestion and increased development, what is the actual impact of an MMA? Would the benefit of development be greater than the cost to the transportation system performance?

VII. SHOULD “ALTERNATIVE PERFORMANCE MEASURES” BE ADOPTED TO REPLACE THE VEHICULAR PERFORMANCE STANDARD?

During the project, many types of performance measures were reviewed. These included measures that looked at pedestrian, bicycle, transit and safety measures. If an MMA designation is applied and existing vehicular measures are removed, it is proposed that safety measures are used instead. Using the safety measure in the zone and Comprehensive Plan change process will inform the developer of safety issues that may prohibit development at the development review stage. It will also inform the developer of their requirements to mitigate safety issues. Switching from a mobility to safety measure prioritizes safety.

At the June 28, 2016 Board of County Commissioners (BCC) study session, the Commissioners encouraged the PMT to consider the impact of an MMA to the broader area. Residents from around the County rely on the I-205 / Sunnyside Road interchange to access jobs all around the region. It is important to consider the impact of congestion to this area. Additionally, freight movement is important and congestion can have a negative impact to the business community. With the potential impacts to congestion, it's important to know how many people walk, bike and take transit so the impacts to all modes of travel can be understood.

After extensive discussion with technical staff, it was recommended that the pedestrian, bicycle and vehicular measures are more appropriate to apply during the development review process and not during zone and Comprehensive Plan change process. The development review process requires the developer to analyze their impacts to the transportation system of their particular development instead of the impacts of a change to the zone or Comprehensive Plan.

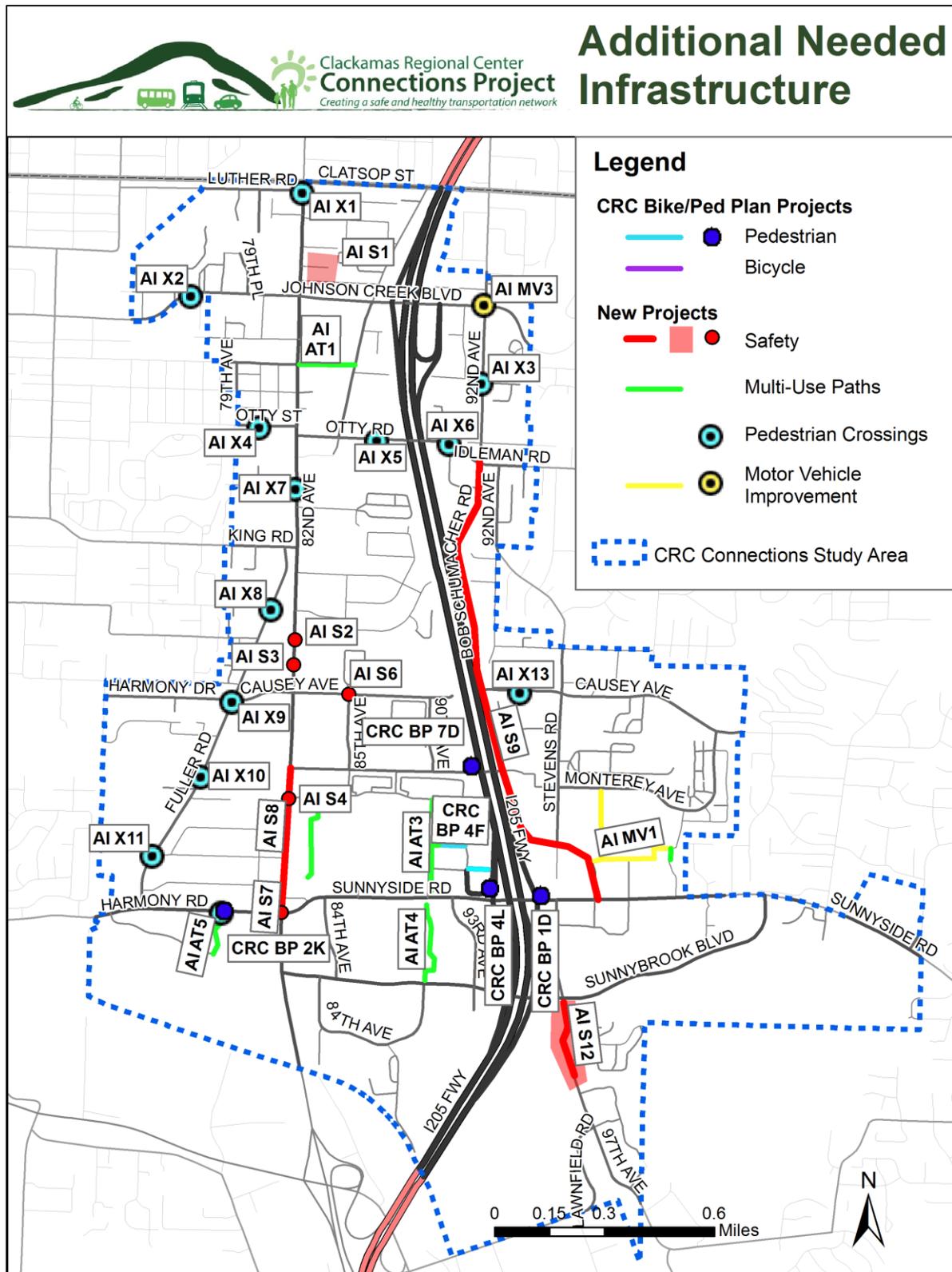
Instead of adopting specific alternative performance measures as a tool to influence the investment in the pedestrian, bikeway and access to transit, during the Comprehensive Plan and zone change process, the existing networks were reviewed closely and additional needed infrastructure was identified. Adding these projects to the 20-year Capital Improvement Plan will support the pedestrian, bicycle and transit system, by making it more complete and safer for all users. Table 1 and Figure 3 show the details. The projects were created to directly address the connectivity requirement from the TPR and the comments provided by the TWG, SWG and public.

Table 1: Additional Needed Infrastructure

ID	Location	Project Description
Projects previously identified in the Clackamas Regional Center Bicycle and Pedestrian Plan		
CRC BP 4L	Sunnyside Road	Travelling south on the I-205 multi-use path, install a pedestrian signal to cross the I-205 southbound/Sunnyside intersection across the right turn lane. Perform traffic analysis as needed to evaluate potential vehicle queuing impacts. Modifications subject to ODOT approval. (Needs Report 1.k.)
CRC BP 1D	Sunnyside Road	Construct sidewalk extension/bulb to accommodate pedestrians and cyclists around signal pole at the Sunnyside Road/I-205 northbound interchange. (Needs Report 1.j.) To be refined in Sunnyside/Stevens design.
CRC BP 7D	I-205 Multi-Use Path	Install parabolic mirror and/or signage to resolve limited sight distance issue at the intersection of the I-205 multi-use path and the path extension at Monterey Avenue. (Needs Report 3.m.)
CRC BP 2K	Harmony Road	Provide safer left turn movement for cyclists from Harmony Road to the CCC Harmony Campus. (Needs Report 6.j.)
CRC BP 1C	Clackamas Town Center	Construct walkway from Max Green Line platform directly south through existing fence along eastern edge of Clackamas Town Center property to the I-205 multi-use path via stairway and/or to Sunnyside Road. (Needs Report 1.a.)
CRC BP 4F	Clackamas Town Center	Install pedestrian safety devices (e.g. pedestrian signal, signage) for the crosswalk at the Max Green Line Park & Ride to JC Penney. (Needs Report 3.p.)
Additional Safety (S) Projects		
AI S1	82 nd Avenue	Install traffic separator on 82 nd Avenue to convert accesses at SE Hinckley at Columbia Bank/Union 76 on east side of 82 nd Avenue to right-in/right-out. Create new circulation to route traffic to signal at SE Lindy.
AI S2	82 nd Avenue	In the vicinity of MP 8.50 put in enhanced pedestrian crossing to connect east side pedestrian ramp with walkway to neighborhood to west.
AI S3	82 nd Avenue	Work with TriMet and ODOT to evaluate the Business Access Transit lane and identify projects / approaches to improve safety and enhance transit operation.
AI S4	82 nd Avenue	North entrance to Clackamas Town Center on 82 nd make right in, right out only and remove signal. Perform traffic analysis as needed to evaluate traffic diversion to adjacent roadways and intersections.
AI S5	82 nd Avenue	Install double left, westbound Sunnyside to southbound 82 nd Ave (east to south). Add median island for pedestrian crossing. Standardize NB right-turn lane 82 nd to Sunnyside, including bike lane.
AI S6	Causey Avenue	Pedestrian Safety Audit - verify lighting, crosswalk striping, signing, at Causey Ave/85 th Ave
AI S7	82 nd Avenue	Install traffic separator from Sunnyside Rd to Sunnyside Dr (MP 9.15), advance street names.
AI S8	82 nd Avenue	Traffic separator Monterey to Harmony/Sunnyside.
AI S9	Bob Schumacher Road	Investigate improved striping, including centerline rumble stripe.
AI S12	97 th Avenue	Investigate improved striping including outside fog lines, and rumble striping. Verify lighting, drainage, surface friction. From Sunnybrook Blvd to Mather Rd
Additional Pedestrian Crossing (X) Projects (LOCATIONS SHOWN ARE APPROXIMATE)		
AI X1	82 nd Avenue	Pedestrian crossing treatment on 82 nd Avenue in the vicinity of SE Luther. Crossing treatment will require ODOT approval.
AI X2	Johnson Creek Boulevard	Pedestrian crossing treatment on Johnson Creek Boulevard in the vicinity of SE 77 th Ct
AI X3	92 nd Avenue	Pedestrian crossing treatment on 92 nd Avenue in the vicinity of SE Phillips
AI X4	Otty Street	Pedestrian crossing treatment on Otty Street in the vicinity of SE 80 th
AI X5	Otty Road	Pedestrian crossing treatment on Otty Road in the vicinity of retail access point

AI X6	Otty Road	Pedestrian crossing treatment on Otty Road in the vicinity of SE Old Town Ct
AI X7	82 nd Avenue	Pedestrian crossing treatment on 82 nd Avenue in the vicinity of SE Glencoe. Crossing treatment will require ODOT approval.
AI X8	Fuller Road	Pedestrian crossing treatment on Fuller Road in the vicinity of SE Boyer
AI X9	Fuller Road	Pedestrian crossing treatment on Fuller Road in the vicinity of SE Causey
AI X10	Fuller Road	Pedestrian crossing treatment on Fuller Road in the vicinity of SE Monterey
AI X11	Fuller Road	Pedestrian crossing treatment on Fuller Road in the vicinity of SE Southgate
AI X12	Harmony Road	Pedestrian crossing treatment on Fuller Road in the vicinity of the Community College access
AI X13	Causey Avenue	Pedestrian crossing treatment on Causey Avenue in the vicinity of Mt. Scott Elementary path and open access to development on south side of Causey
Additional Active Transportation (AT) Projects		
AI AT1	Overland Street	Bike/ped connection between 82 nd and Fuller on Overland alignment
AI AT2	Clackamas Town Center	North-south bike-ped connection through Town Center connecting SE 85 th and Promenade
AI AT3	Clackamas Town Center	North-south bike-ped connection through Town Center connecting SE 90 th with Promenade
AI AT4	Clackamas Town Center	North-south bike-ped connection through Promenade connecting to Oak Bluff Road on the south
AI AT5	Harmony Road	North-south bike-ped connection connecting Sunnybrook path with Harmony Road, west of Aquatic Center, between Clackamas Community College and Chamber of Commerce building
AI AT6	High Creek Road	North-south bike-ped connection from High Creek Road to 104 th Court
Additional Motor Vehicle (MV) Projects		
AI MV1	Stevens Road	East-west roadway connecting Stevens Road to High Creek Road. Include sidewalk and bike lanes
AI MV2	Monterey Ave	North-south roadway between project AI MV1 and Monterey Ave
AI MV3	Johnson Creek Boulevard	Turn lane improvements at 92 nd /Johnson Creek Boulevard

Figure 3: Additional Needed Infrastructure



VIII. SUMMARY OF PROPOSED PLAN AND ZONING CODE AMENDMENTS

To implement the MMA and add additional projects, the following text amendments would be needed:

Comprehensive Plan Amendments

- 1) Chapter 5, Transportation: Amend policies to clarify operating standards for arterials and collectors roads with exceptions for specific road segments evaluated pursuant to standards in Chapter 10.
 - a) 5.F Integration of Land Use and Transportation policies
 - 5.F.6 “Require changes in land use plan designation and zoning designation to comply with Transportation Planning Rule [Oregon Administrative Rules (OAR) 660-012-0060].
 - ◆ New policy for compliance with State regulations.
 - 5.F.7 “Urban Require changes in land use plan designation within the Interchange Management Areas identified on Map 5-7...”
 - ◆ Policy moved from 5.R.12.
 - b) 5.O Functional Classification and Design Policies
 - 5.O.4 “Require changes in Comprehensive Plan designation and zoning designation to comply with the Transportation Planning Rule (OAR 660-012).”
 - ◆ Delete policy as it contradicts State regulations.
 - c) 5.R Policies on Improvements to Serve Development
 - 5.R.12 “Urban Require that changes to Comprehensive Plan land use designations within the Interchange Management areas. . .”
 - ◆ Policy moved to 5.F.7.
 - d) 5.S Performance Evaluation Measure Policies
 - 5.S.1 Edit text to provide clearer direction concerning evaluation methodology.
 - 5.S.2 Edit text to provide clearer direction concerning evaluation methodology.
 - 5.S.3 Edit text for consistency.
 - 5.S.4 Edit text to provide clearer direction concerning evaluation methodology.
 - 5.S.5 Edit text for consistency.
 - 5.S.7 Edit text for consistency.
 - 5.S.8 “Evaluate transitioning from transportation concurrency to safety analysis when a traffic impact study (TIS) is required of new development.”
 - ◆ Policy moved to 5.DD.2.H.

- 5.S.9 “The County will work with Metro and ODOT over five years to develop Alternate Road Capacity Performance Standards, required by OHP Policy 1.F., to address the following five intersections.”
 - ◆ Policy moved to 5.DD.2.I.
- e) 5.DD Special Transportation Plans and Studies
- 5.DD.2.B Develop alternative performance standards for intersections and alternative mobility standards within the Clackamas Regional Center design plan area.”
 - ◆ Updated policy to reflect the outcomes from the CRC Connections Project.
 - 5.DD.2.H Policy moved from 5.S.8
 - 5.DD.2.I Policy moved from 5.DD.2.I
- f) Map 5-11a *Capital Improvement Plan (Greater Clackamas Regional Center/Industrial Area)*. Added applicable projects from the Additional Needed Infrastructure projects identified in the CRC Connections project.
- g) Table 5-3a *20 Year Capital Projects*. Added applicable projects from the Additional Needed Infrastructure projects identified in the CRC Connections project.
- h) Table 5-3d *Regional Capital Projects*. Added applicable projects from the Additional Needed Infrastructure projects identified in the CRC Connections project.
- 2) Chapter 10, Clackamas Regional Center Area Design Plan: Add definition of Multimodal Mixed-Use Area as well as MMA policies
- a) TRANSPORTATION POLICIES (XII. ROADS AND STREETS SYSTEM POLICIES)
- Policy 5.0: Delete existing language and table, and replace with new policy language to designate the Regional Center as an MMA.
 - New Policy 5.1: Add a policy to waive the performance evaluation standards for transportation facilities in the MMA, except as established by new Policy 5.2.
 - New Policy 5.2: Add a policy to apply alternative performance evaluation measures for plan amendments and zone changes in the MMA, as detailed in the Roadway Standards.
 - Existing Policy 6.0: Delete as redundant with Chapter 5.
 - Existing Policy 7.0: Delete existing outdated language.
 - Existing Policy 8.0: Delete as redundant with Chapter 5.
 - Existing Policy 8.2: Delete as inconsistent with concurrency standards for development review.
 - Existing Policy 8.3: Delete as it conflicts with MMA amendments.
- b) Map Amendments for Clackamas Regional Center (CRC) Area Design Plan:

- Map 10-CRC-4 *Transportation Network (public and private)*. Added applicable projects from the Additional Needed Infrastructure projects identified in the CRC Connections Project.
 - Map 10-CRC-7 *Pedestrian and Bicycle Circulation Network*. Added applicable projects from the Additional Needed Infrastructure projects identified in the CRC Connections Project.
 - Map 10-CRC-7a *Walkway Network (in CTC, adopted Oct. 2012)*. Added applicable projects from the Additional Needed Infrastructure projects identified in the CRC Connections Project.
- c) Table Amendments for Clackamas Regional Center (CRC) Area Design Plan:
- Table 10-CRC-1 *Additional Projects*: New table showing the projects added through the CRC Connections Project.

Zoning and Development Ordinance Amendments

1) Section 202 DEFINITIONS

- a) Add definition for the Clackamas Regional Center boundary.

2) Section 1007 ROADS AND CONNECTIVITY

a) Subsection in 1007.09 TRANSPORTATION FACILITIES CONCURRENCY

- Subsection 1007.09(D) Update language to be consistent with proposed changes in Chapter 5.
- Subsection 1007.09(E) Update language to be consistent with State regulations and changes in Chapter 5.
- Subsection 1007.09(H) New policy to comply with State regulations.

3) Section 1202 ZONE CHANGES

a) Subsection in 1202.03 GENERAL APPROVAL CRITERIA

- Subsection 1202.03(C) Add language that, in proposed zone changes, transportation facilities within the CRC are exempt from subsection 1202.03(C). Include language ensuring consistency with State regulation and providing direction to the Roadway Standards.
- Subsection 1202.03(D) Add language to exempt transportation facilities in the CRC from the standard in 1202.03(D) and that they shall, instead, comply with the Roadway Standards.

IX. ANALYSIS AND FINDINGS

A. Legislative amendments

The proposed text and map amendments are legislative. ZDO Section 1307 *Procedures* establishes procedural requirements for legislative amendments, which have been or are being followed in this

case. However, the ZDO contains no review criteria that must be applied when considering an amendment to the text of the ZDO or the Plan.

B. Coordination with Cities, Districts and Agencies

Comprehensive Plan Chapter 11 *The Planning Process* contains a section on coordination with cities, special districts and other agencies. The Oregon Department of Transportation, the Oregon Division of State Lands, Clackamas River Water District, and cities within the county are on a standing list to receive notice of all proposed amendments. This level of notification furthers the goals and policies of this section of the Plan.

Chapter 11 of the Plan also contains a section entitled Amendments and Implementation. This section contains procedural standards for Plan amendments, requires the Plan and the ZDO to be consistent with Statewide Planning Goals and Guidelines and with Metro's Urban Growth Management Functional Plan, and requires the ZDO to be consistent with the Plan.

Policy 3.0 establishes the procedural standards. The process followed for this Plan and zone amendment is compliant with these standards. Specifically, notice was mailed to all recognized Community Planning Organizations, Hamlets and Villages at least 35 days before the scheduled public hearing, and the Department of Land Conservation and Development and Metro were provided with an opportunity to review and comment on the proposed amendments.

Advertised public hearings are scheduled before the Planning Commission and the Board of County Commissioners to consider the proposed amendments. Amendments to the Plan are proposed to support the proposed implementation standards in the ZDO, thereby complying with the requirement that the ZDO be consistent with the Plan. The Statewide Planning Goals and Guidelines and the Urban Growth Management Functional Plan are addressed below.

C. Statewide Planning Goals and Guidelines

Goal 1. Citizen Involvement. Not applicable because the amendments do not propose to change the structure of the county's citizen involvement program. Notice of the proposed amendment was provided to Community Planning Organizations, Hamlets and Villages and a list of interested parties. Also, notice of the Planning Commission and Board of County Commissioners hearings was published in the newspaper.

Goal 2. Land Use Planning. Not applicable because the amendments do not propose to change the county's land use planning process. The county will continue to have a comprehensive land use plan and implementing regulations that are consistent with the plan. No exceptions from the Goals are required.

Goal 3. Agricultural Lands. Not applicable because the amendments do not propose to change the county's Plan policies or implementing regulations for agricultural lands.

Goal 4. Forest Lands. Not applicable because the amendments do not propose to change the county's Plan policies or implementing regulations for forest lands.

Goal 5. Open Spaces, Scenic and Historic Areas, and Natural Resources. Not applicable because the amendments do not propose to change the county's Plan policies or implementing regulations for Goal 5 open spaces, scenic and historic areas, and natural resources.

Goal 6. Air, Water and Land Resources Quality. Not applicable because the amendments do not propose to change the county's Plan policies or implementing regulations for Goal 6.

Goal 7. Areas Subject to Natural Disasters and Hazards. Not applicable because the amendments do not propose to change the county's Plan or implementing regulations regarding natural disasters and hazards.

Goal 8. Recreational Needs. Not applicable because the amendments do not propose to change the county's Plan or implementing regulations regarding recreational needs.

Goal 9. Economy of the State. Not applicable because the amendments do not propose to change the county's Plan or implementing regulations regarding the economy of the state.

Goal 10. Housing. Not applicable because the amendments do not propose to change the county's Plan or zoning regulations regarding housing. The existing plan and zone designations meet Goal 10.

Goal 11. Public Facilities and Services. Not applicable because the amendments do not propose to change the county's Plan or implementing regulations regarding public facilities and services.

Goal 12. Transportation. The Transportation Planning Rule implements Goal 12 and is set forth in OAR Chapter 660, Division 12 (OAR 660-012). "Plan and Land Use Regulation Amendments" Subsections 660-012-0060(8) and (10) are the standards to address in support of the proposed adoption of an MMA:

(10)(b)(A) Requires the MMA to be an area "With a boundary adopted by a local government as provided in subsection (d) or (e) of this section and that has been acknowledged."

Response: The proposed boundary of the Clackamas Regional Center MMA is shown on MAP X-CRC-1. The MMA encompasses the Clackamas "Regional Center," a 2040 Design Type, adopted in Clackamas County's Comprehensive Plan. This requirement will be met when the MMA boundary is adopted into Comprehensive Plan Chapter 10, *CRCA Design Plan*.

(10)(b)(B) Requires MMAs to be located "Entirely within an urban growth boundary."

Response: The Clackamas Regional Center is entirely within the Portland Metropolitan Urban Growth Boundary.

(10)(b)(C) Requires MMAs to have "adopted plans and development regulations that allow the uses listed in paragraphs (8)(b)(A) through (C) of this rule and that require new development to be consistent with the characteristics listed in paragraphs (8)(b)(D) through (H) of this rule."

Response: The plan and zoning designations for the Clackamas Regional Center -- the MMA boundary - were adopted in a major Plan amendment in 1999, with the express goal of implementing the Regional Center design standards for higher density and intensity of mixed uses. Plan/zone designations adopted to implement these standards include Regional Center High Density Residential (RCHDR); Regional Center Commercial (RCC); Regional Center Office (RCO); and Planned Mixed Use (PMU). A few parcels retained zoning of High Density Residential (HDR) and Office Commercial (OC). Development Standards provided in the County's *Zoning and Development Ordinance* require the desired characteristics for development in an MMA. (ZDO Section 1005 *Sustainable Site and Building Design*; Section 1007 *Roads and Connectivity*; Section 1009 *Landscaping*; Section 1012 *Density*; and Section 1015 *Parking and Loading*.)

(8)(b)(A) Requires MMAs to include “A concentration of a variety of land uses in a well-defined area, including the following:”

(8)(b)(A)(i) “Medium to high density residential development (12 or more units per acre).”

Response: The zones in the proposed MMA support both residential-only development and mixed-use development, and all have minimum residential densities exceeding 12 units per acre. In RCHDR, RCC, RCO and PMU, the minimum density is 30 dwelling units per net acre. In the HDR and OC zones, the density is 25 dwellings per net acre, with a minimum of 90% of the base density.

(8)(b)(A)(ii) Requires MMAs to allow “Offices or office buildings.”

Response: Offices are Primary Uses in RCC, RCO, PMU, and OC zones. In the RCHDR, offices are Limited Uses if the minimum residential density is met. In the HDR zone, offices are Limited Uses or Conditional Uses.

(8)(b)(A)(iii) Requires MMAs to allow “Retail stores and services.”

Response: Retail and service uses are Primary Uses in RCC and PMU; Limited Uses in RCHDR, HDR and RCO; Conditional uses in OC; and Limited or Conditional Uses in HDR.

(8)(b)(A)(iv) Requires MMAs to allow “Restaurants”

Response: Restaurants are Primary Uses in RCC, PMU, and RTL; Limited Uses in RCHDR and RCO, and Limited or Conditional Uses in HDR and OC.

(8)(b)(A)(v) Requires MMAs to allow “Public open space or private open space which is available for public use, such as a park or plaza.”

Response: The commercial, office and mixed-use zones (RCC, RCO, PMU, RTL and OC) provide for open space, such as parks and outdoor plazas. The residential zones, RCHDR and HDR, provide for outdoor space as an Accessory Use to the residential development.

(8)(b)(B) Requires MMAs to “Generally include civic or cultural uses.”

Response: Civic and cultural uses are Primary Uses in the commercial, office and mixed use zones (RCC, RCO, PMU, RTL and OC); Limited Uses in RCHDR; and Limited or Conditional Uses in HDR, if the residential density has been met.

(8)(b)(C) Requires MMAs to allow “A core commercial area where multi-story buildings are permitted.”

Response: The proposed MMA is the area of the designated Regional Center which focuses on the Clackamas Town Center, a core commercial area. The Clackamas Town Center is zoned PMU so has no zoning restrictions on the height of buildings. (ZDO Section 510, Table 510-2: Dimensional Standards in the Urban Commercial and Mixed-Use Zoning Districts.)

(8)(b)(D) Requires MMAs to have development standards where “buildings and building entrances oriented to streets.”

Response: ZDO Section 1005 *Sustainable Site and Building Design* provides requirements for building siting and entrance orientation. Inside the UGB, except for industrial developments, a minimum of 50 percent of the street frontage of the development site shall have buildings located at the minimum front yard depth line [Subsection 1005.03(G)]. The code further requires that primary building entrances face the street; be located at an angle facing both the street and a parking lot; or be located

to the side of the building, provided that the walkway connecting to the street is a minimum of eight feet wide and is developed with landscaping and pedestrian amenities. [Subsection 1005.03(G)(2)(a-c)]

Along major transit streets, new retail, office, mixed use, and institutional buildings have at least one public entrance facing the major transit street, or to the street intersecting a major transit street [Subsection 1005.03(K)].

(8)(b)(E) Requires MMAs to have “street connections and crossings that make the center safe and conveniently accessible from adjacent areas.”

Response: The proposed MMA is "conveniently accessible" from SE 82nd Avenue (a state highway) and I-205, which are the major north-south connections through the area. SE Sunnyside Road is the major east-west connection to adjacent areas, and has an interchange on I-205. The area has more connector and collector street connections of SE Fuller Road, and Causey Avenue, Monterey Avenue and Sunnybrook Boulevard.

(8)(b)(F) Requires MMAs to have “a network of streets and, where appropriate, accessways and major driveways that make it attractive and highly convenient for people to walk between uses within the center or neighborhood, including streets and major driveways within the center with wide sidewalks and other features, including pedestrian-oriented street crossings, street trees, pedestrian-scale lighting and on-street parking.”

Response: Comprehensive Plan, Chapter 10 Clackamas Regional Center Area Design Plan sets the policies to meet requirements of (8)(b)(F) in two elements: URBAN DESIGN, PUBLIC AMENITIES, AND OPEN SPACE POLICIES (VII. *Urban Design Elements*, policies 1.0 through 8.0) and TRANSPORTATION POLICIES (XII. *Roads and Street System Policies* and XIV. *Pedestrian and Bikeway Network Policies*).

VII. *Urban Design Elements* include having design and dimensional standards to provide pedestrian oriented streets, building, and public spaces; provide for streetscape improvements including pedestrian zones, landscape strips, lighting, street streets; and key urban design elements (such as landscaped medians, pedestrian crossing improvements, sidewalks separated from the street by landscape strips, street trees, street lights and pedestrian lighting), on-street parking, and bike lanes for boulevards and main streets; a local street grid; off-street pedestrian linkages; and multi-use paths. The design elements also support transit-oriented design standards to ensure that streets and buildings support pedestrian, bicycle and transit trips.

XII. *Roads and Street System Policies*: Street connectivity policies support development of a block and grid street network that serves all transportation modes; public street, private street, or private driveway connections for traffic flow parallel to the arterial; public or private street connection at intervals of no more than 660 feet on major arterials, but more frequent public or private connection on other streets (especially those in areas of mixed-use or dense development); and public local streets, private street, and driveway connections between development to provide public access and circulation between land uses.

XIV. *Pedestrian and Bikeway Network Policies* direct development to participate in providing a network of pedestrian and bike ways to make connections throughout the CRCA. New development is to encourage pedestrian and bicycle travel by providing direct and convenient public right-of-way routes, and connection spacing of no more than 330 feet where full street connections are not possible.

Zoning & Development Ordinance: As noted under (8)(b)D), ZDO Subsection 1005.03(G)(2) requires that Primary building entrances to face the street; be located at an angle facing both the street and a parking lot; or be located to the side of the building, provided that the walkway connecting to the street is a minimum of eight feet wide and is developed with landscaping and pedestrian amenities. [Subsection 1005.03(G)(2)(a-c)]

CRC Pedestrian/Bicycle Connections Plan. In support of these policies, in 2012 the County completed the "CRC Pedestrian/Bicycle Connections Plan" to provide greater depth and evaluation of pedestrian/bike systems in the CRC. The study inventoried gaps in the networks that connect the light rail station to area businesses and services, including Clackamas Community College, NCAC, Promenade, Kaiser Permanente, the Clackamas Town Center and Eagle Landing mixed use development on the east side of I-205. The result was a priority set of pedestrian and bicycle connected need to provide access to and through the CRC.

This plan directly supports ZDO Subsection 1005.03(F) *GENERAL SITE DESIGN STANDARDS* that "a continuous, interconnected, on-site walkway system" be provided that is a continuous, interconnected walkway system to adjoining development and to outdoor activity areas, including parking lots, transit stops, children's play areas and plazas.

(8)(b)(G) Requires MMAs to have "one or more transit stops (in urban areas with fixed route transit service)."

Response: TriMet serves the Regional Center via the Green Line light rail with a station, multi-story park-and-ride lot and major transit transfer center located at the east end of the Clackamas Town Center. Bus service from 10 lines is provided along Harmony Road, Kind Road, Monterey Avenue, Sunnyside Boulevard and SE 82nd Avenue.

(8)(b)(H) Requires regulations within MMAs to "limit or do not allow low-intensity or land extensive uses, such as most industrial uses, automobile sales and services, and drive-through services."

Response: The zones in the proposed MMA support the high intensity and density of a Regional Center. The commercial zoning designations (RCC, RCO, PMU and OC) do not allow industrial uses, prohibit or limit auto sales and service only as indoor uses, and have prohibitions or limits on outdoor storage. Drive-throughs are limited to being accessory uses to financial institutions in PMU, RCO, and OC, and are prohibited in these zones and in the RCC zone along the designated Main Streets. Subsection 1005.09(E) *Regional Center Design Standards* provides that "internal streets and driveways are prohibited between buildings and the street to which building entrances are oriented" to address pedestrian needs in locations of drive-throughs and ensure that the priority is for safe and direct pedestrian access to businesses.

(10)(b)(D) Requires MMAs to have "land use regulations that do not require the provision of off-street parking, or regulations that require lower levels of off-street parking than required in other areas and allow flexibility to meet the parking requirements (e.g. count on-street parking, allow long-term leases, allow shared parking)."

Response: ZDO Section 1015 *PARKING AND LOADING* addresses parking requirements by land use category. Table 1015-2 *Automobile Parking Space Requirements* provides for a lower minimum number of parking spaces for retail/commercial uses within the Clackamas Regional Center Area, thereby reducing the onsite parking in the proposed MMA.

Subsection 1015.04(E) *Parking Maximums* (1) implements lower parking maximums for "Urban Area A" which are areas within the UGB that have 20-minute peak hour transit service within one-quarter mile walking distance for bus transit or one-half mile walking distance for light rail transit.

Subsection 1015.04(F) *Exceptions to Parking Requirements* (2) reduces parking minimums up to 20% when shared parking is used and reduces parking minimums by the number of on-street parking spaces on a development's street frontage.

(10)(b)(E) Requires the MMA to be "located in one or more of the categories below:

(i) At least one-quarter mile from any ramp terminal intersection of existing or planned interchanges;

(ii) Within the area of an adopted Interchange Area Management Plan (IAMP) and consistent with the IAMP; or

(iii) Within one-quarter mile of a ramp terminal intersection of an existing or planned interchange if the mainline facility provider has provided written concurrence with the MMA designation as provided in subsection (c) of this section."

Response: Most of the Regional Center is within one-quarter mile of ramp terminal intersections of the I-205/Sunnyside interchange (and maybe I-205/Sunnybrook interchange), so written concurrence with the MMA designation will be needed from the Oregon Department of Transportation (ODOT), the mainline facility provider. If the MMA is adopted, Exhibit A will be signed and act as written concurrence.

Goal 13. Energy Conservation. Not applicable because the amendments do not propose to change the county's Plan or implementing regulations regarding energy conservation.

Goal 14. Urbanization. Not applicable because the amendments do not propose to change the county's Plan or implementing regulations regarding urbanization.

Goal 15. Willamette River Greenway. Not applicable because the amendments do not propose to change the county's Plan or implementing regulations regarding the Willamette River Greenway.

D. Urban Growth Management Functional Plan

Title 1. Housing Capacity. Not applicable because the proposed amendments would not decrease the amount of land zoned for residential or commercial/industrial use, affect design type boundaries, alter permitted densities or prohibit accessory dwelling units.

Title 2. Regional Parking Policy. *Repealed*

Title 3. Water Quality and Flood Management. Not applicable because the proposed amendments would not change the county's Plan or implementing regulations regarding water quality or flood management.

Title 4. Industrial and Other Employment Areas. Not applicable because the proposed amendments would not change the county's Plan or implementing regulations concerning designation of industrial and other employment areas, minimum lot sizes in these areas, or permitted uses in these areas.

Title 5. Neighbor Cities and Rural Reserves. *Repealed*

Title 6. Centers, Corridors, Station Communities and Main Streets. The proposed text and map amendments to adopt a Multimodal Mixed-Use Area (MMA) for the Clackamas Regional Center are

consistent with Title 6 by developing a "plan of action" to enhance the Center through standards to eliminate, overcome or reduce regulatory and other barriers to mixed-use, pedestrian friendly and transit-supportive development. [Section 3.07.620(d)]

Title 7. Housing Choice. Not applicable because the proposed amendments would not change the County's Plan or implementing regulations related to housing in the Regional Center.

Title 8. Compliance Procedures. Not applicable. This Title is administrative and relates to Metro's process for ensuring local government compliance with the Functional Plan.

Title 9. Performance Measures. *Repealed.*

Title 10. Functional Plan Definitions. Not applicable as this Title contains definitions only.

Title 11. Planning for New Urban Areas. Not applicable because the proposed amendments would not change the county's Plan or implementing regulations concerning planning for new urban areas.

Title 12. Protection of Residential Neighborhoods. Not applicable because the proposed amendments would not change the county's Plan or implementing regulations concerning residential density, designation of neighborhood centers or access to parks and schools.

Title 13. Nature in Neighborhoods. Not applicable because the proposed amendments would not change the county's Plan or implementing regulations regarding Habitat Conservation or Riparian Areas.

Title 14. Urban Growth Boundary. Not applicable because the proposed amendments do not impact the criteria or procedures for amendments to the urban growth boundary.

X. STAFF RECOMMENDATION

Since the initial recommendation that was brought forward to the Stakeholder Working Group, additional questions have arisen regarding the impact of the MMA designation to the surrounding communities and to the movement of freight. While there is a need for additional investments in the transportation infrastructure for all modes, removing the vehicular performance standard during Comprehensive Plan and zone changes does not solve that issue. Also, there is no current evidence that the vehicular performance standard that is applied during zone change and Comprehensive Plan applications is impacting economic development.

Therefore, staff recommends that the Planning Commission recommend approval of

1. The changes needed to add the additional needed infrastructure (Table 1 and Figure 3) into the Comprehensive Plan.
2. The Comprehensive Plan and ZDO changes that are housekeeping and clarify existing policy language.

The amendments needed to adopt the additional needed infrastructure and policy and code housekeeping are included in Exhibit B, Option A.

Staff does not recommend approval of the amendments needed to implement the MMA boundary. If the Planning Commission does move forward with recommending approval for the MMA, the changes outlined in Exhibit B, Option B will need to be adopted as well.

This staff recommendation is based on several components:

1. Interim adopted performance measures currently allow for greater congestion than prior to 2013.

At the time the TSP was adopted in 2013, Metro guided the County to adopt interim performance measures. These measures allowed for more congestion than what was previously allowed. This change removed some of the barriers to development that were the genesis for the CRC Connections project.. The region is currently working to provide more guidance on performance measure in the 2018 Regional Transportation Plan. Additionally, ODOT has been working to refine the way performance measures are used on ODOT facilities. It is anticipated that both Metro and ODOT will provide guidance to local jurisdictions before Clackamas County updates the TSP again.

As mentioned previously, it is possible to adopt an MMA boundary in the future but for now, it makes more sense to wait for regional guidance which may provide different tools and solutions to the problem of congestion restricting development.

2. Performance measures for all travel modes (driving, walking and biking) are more appropriately applied at the time of development review.

Through the CRC Connections Project, staff found that there is interest and need to measure the performance of all modes of travel. This includes vehicular congestion, safety and bike and pedestrian system completeness. Establishing criteria for multiple modes maintains or improves the quality of the entire transportation system, not just the vehicular network. The methodology for this criteria can be based on the trips per mode (bike, pedestrian and vehicle) produced for each development. This means that the County will have the tools to require a developer to mitigate impacts to the entire transportation system based on how cars, bikes and pedestrians use the system. Staff proposes to implement policy language guiding development of new performance measures for development review. See policy 5.DD.2.B.

EXHIBIT A

MEMORANDUM OF UNDERSTANDING

Between

OREGON DEPARTMENT OF TRANSPORTATION

And

CLACKAMAS COUNTY

This Memorandum of Understanding (“MOU”) is entered into between the State of Oregon, acting by and through its Department of Transportation (“ODOT”), and Clackamas County, acting by and through its Department of Transportation and Development (“County”). The below items have been discussed and agreed upon by the parties:

RECITALS

1. Designation of a Multimodal Mixed-Use Area (“MMA”) will provide the County with flexibility by lifting certain requirements found in Oregon Administrative Rule Chapter 660, Division 12, otherwise known as the Transportation Planning Rule (“TPR”), for considering automobile congestion standards during County review of certain land use actions, such as Comprehensive Plan amendments and zone changes.
2. According to the Oregon Department of Land Conservation and Development¹, the attributes of an MMA are generally as follows:
 - a. High-quality connectivity to and within the area by modes of transportation other than the automobile;
 - b. A denser level of development of a greater variety of residential, office, retail, restaurants, public open space, civic and cultural uses than in surrounding areas;
 - c. A plan and implementing measures to encourage and maintain these multimodal mixed-use characteristics through development standards; and
 - d. An understanding that increased automobile congestion within and around the MMA is acceptable as a potential trade-off for achieving these multimodal mixed use characteristics.
3. OAR 660-012-0060(10)(b)(E)(iii) requires ODOT to provide written concurrence where any proposed MMA designation is located within a quarter mile of any interchange ramp.

¹ *Information and Guide for Local Governments*. ODOT & DLCD. December 2012.

4. ODOT's concurrence must be based on the factors set forth in OAR 660-012-0060(10)(c)(A) to determine whether there is the potential for operational or safety effects to the interchange area and the mainline highway.
5. Where there are operational or safety effects to the interchange area and the mainline highway, OAR 660-012-0060(10)(c)(B) allows for the effects of the MMA designation to be addressed by an agreement between the local government and ODOT regarding traffic management plans to direct traffic away from the interchanges(s) and to facilitate clearing traffic queues on the exit ramps.
6. In its review of the potential effects of this MMA designation, ODOT, the County identified connectivity, operational and safety concerns. The parties desire to add specific projects to address safety for all modes and to improve pedestrian, bicycle, and transit connectivity to the County's Transportation System Plan ("County TSP"). See Exhibit A: *Additional Needed Infrastructure* (map) and Exhibit B: *Additional Needed Infrastructure* (table) for details.

COOPERATION AND UNDERSTANDING

1. The parties agree that the MMA area shall be as set forth in Exhibit C, which is attached hereto and incorporated herein.
2. The parties agree that safety risks to the State Highway system posed by proposed plan amendments or safety risks identified during updates to the TSP should be mitigated. For purposes of this MOU, the safety factor for determining when a County land use action triggers review ("significant effect") under the TPR (OAR 660-012-0060) will be defined as the potential for 95th percentile traffic queues on interchange exit ramps to extend onto the mainline highway or the portion of the exit ramp needed to safely accommodate deceleration. In cases where queues already exceed this threshold, queues shall not get longer as a result of these land use actions.
3. The parties understand that, within the MMA designated area, automobile congestion (as measured by V/C ratios) will not be a factor when a County land use action triggers review under the TPR (OAR 660-012-0060).

COUNTY OBLIGATIONS

1. County will continue to maintain and enhance the mixed-use land use character and the multimodal transportation system in and around the MMA to create benefits for safety as well as multimodal access and mobility. This is consistent with County goals expressed in the Comprehensive Plan, TSP and Transportation Safety Action Plan.
2. County will continue requiring safety analysis for Development Review applications on State of Oregon facilities, using Clackamas County Roadway Standards and ODOT design and analysis requirements.
3. County acknowledges the system deficiencies for all modes in the study area and will work in good faith to improve the access and safety of all modes.

4. The County agrees to add those specific projects set forth in Exhibit A: *Additional Needed Infrastructure* (table) and Exhibit B: *Additional Needed Infrastructure* (map) to the County TSP to address safety for all modes and to improve pedestrian, bicycle, and transit connectivity.

ODOT OBLIGATIONS

1. ODOT agrees that this MOU shall serve as ODOT’s written concurrence, as required under OAR 660-012-0060(10)(b)(E)(iii) for the proposed Clackamas Regional Center MMA designation by the County.
2. ODOT acknowledges the system deficiencies for all modes in the study area and will work in good faith to improve the access and safety of all modes.

TERM OF AGREEMENT AND TERMINATION

This MOU becomes effective the date that it is fully executed and shall continue until such time as it may be terminated, as provided herein.

Any party may terminate this MOU in the event of a breach of the Agreement by another party. Prior to such termination however, the party seeking the termination shall give the other party written notice of the breach and of the party’s intent to terminate. If the breaching party has not entirely cured the breach within fifteen (15) days of deemed or actual receipt of the notice, then the party giving notice may terminate the MOU at any time thereafter by giving written notice of termination state the effective date of the termination.

State of Oregon

Clackamas County

Department of Transportation

Department of Transportation and Development

By:

By: M. Barbara Cartmill

Its:

Its: Director

Date

Date

EXHIBIT B

**PLANNING COMMISSION
MINUTES**

July 25, 2016
6:30 p.m., DSB Auditorium

Commissioners present: Mark Meek, Michael Wagner, Norm Andreen, John Drentlaw, Tom Peterson, John Gray, Mark Fitz.

Commissioners absent: Brian Pasko, Gail Holmes.

Staff present: Jennifer Hughes, Karen Buehrig, Abbot Flatt, Darcy Renhard.

1. Commission Chair Meek called the meeting to order at 6:33 p.m.

Glen Hamburg, the new Planner 1 in the Planning Division, introduced himself to the Planning Commission.

2. The public hearing tonight is for consideration of ZDO-258, a Comprehensive Plan and Zoning & Development Ordinance amendment related to the Clackamas Regional Center (CRC) connectivity Plan.

Abbot Flatt provided a refresher of the information that was discussed at the May 23rd study session as well as lessons from the BCC study session. The CRC has a lot of mixed uses within the area, as well as higher density than other parts of the County. Staff started work on this project because of an analysis of the Transportation System Plan (TSP) that was done in 2013. Staff discovered during this analysis that there are areas that would cause concern in the future. We used performance measures to track transportation system operations and status, and used a tool to insure opportunities for new growth. These tools were used at the time of development to make sure that the transportation system continues to perform at the desired levels. There were several issues raised at the May 23rd study session. One was the queuing issues on 82nd Avenue, which Karen Buehrig stated could be addressed. There are actually some projects within the TSP right now that address queuing issues. If the multimodal mixed-use area (MMA) boundary is adopted, we would be looking at queuing rather than volume issues. The traffic safety engineers review and analyze data on the queuing issues with respect to safety. The engineer who would be doing the review at the time makes a determination on the safety rather than there being a set standard. Staff has compiled all of the projects together within the CRC DPA on a map as requested by the Planning Commission (see handout).

Issues that came up during the BCC study session were: what are the larger system impacts, freight mobility, the number of walkers, bikers, and transit riders in the area, and what would be the consequences of applying an MMA boundary. The BCC asked how the whole TSP would be impacted by changes within the CRC (i.e., from Happy Valley to Portland). Regarding freight mobility, the area is not on our freight route map, but obviously freight is needed in this area. We do have data that we collected on number of walkers, riders, and transit users. There are about 60,000 transit boardings and disembarkings within the Clackamas Town Center in a week. Twenty-five percent of trips are by people who are walking within the area, and about ten percent of those are people who are just going through the area. If an MMA is adopted, queuing analysis is a tool that would be used at the time of a zone change or comp plan change instead of volume-to-capacity analysis for congestion. Congestion measures would still be applied at the time of development review. We have always anticipated that there would be higher densities in this area. From the time we adopted a policy to do this project until now, the staff assessment is that there would be minimal impact.

Abbot explained that based on staff analysis and findings, the proposal complies with Section 1307, Comp Plan Chapter 11, Statewide Planning Goals 1 & 2, and the Metro Urban Growth Management Functional Plan-Title 6. There are specific criteria where you can apply an MMA under Goal 12. Ultimately staff is recommending approval of the proposed changes, but is not recommending the adoption of the MMA boundary because the actual impact is hard to determine, even though they expect it would be very minimal. The benefit to economic development is not greater than the potential negative impact. Staff has not heard that people are being hindered by the current performance measures and requirements. In fact what we are hearing is that there is support for the infrastructure, and that we should improve safety for all modes of travel. The MMA is not necessarily the perfect solution. The other jurisdictions who have used the MMA designation have also gone through a zone change at the

same time, but the CRC is already planned with a variety of different zones for high density. Option B in the packet is the language that would be adopted if the MMA was implemented. During this process, staff looked at all kinds of different tools to address issues. What they found was that at the time development review comes in, you can get a better idea about assessing the system with regard to pedestrians, bicycles and safety. Right now we have a performance measure for vehicles that is applied at the time of development of a site. This project has found that it would be beneficial to study performance standards for bicycle, pedestrian and safety as well.

Commissioner Andreen is very concerned that this proposal appears to affect all areas in the unincorporated County, not just the areas in the proposed MMA. Karen confirmed that this was correct. Commissioner Fitz said that the light rail stops aren't shown, which is an important component of the multi-mode transportation. Commissioners Wagner and Andreen do not feel that it is necessary to write this proposal into the Comp Plan since any of the necessary studies could be done without Planning Commission approval. They feel that the requirement should be that there is a study initiated to look at what the ped/bike and safety standards should be at the time of development. It is challenging to just say you need to build a sidewalk in a certain place. Maybe it could be an assessment, like a FILO. We currently have a vehicular performance standard but not a similar standard for pedestrians or bicycles. Commissioner Andreen doesn't have an issue with doing the study, he just does not feel that it belongs in the Comp Plan. Commissioner Wagner doesn't have a problem with staff doing the study to determine what is needed. Commissioner Gray asked how the proposal relates to the adjacent municipalities and their plans. Karen answered that we did look at the entire 82nd corridor all the way up to the Multnomah County line, but not beyond. On this particular project, we coordinated more with Happy Valley and Milwaukie, but in the big picture there is coordination for long term projects.

Commissioner Meek closed the public portion of the hearing.

Commissioner Andreen said that he doesn't have a problem with this, but he would like to have "study" added to the language so that it is clear that is what we would be doing rather than implying that we are setting new standards. Commissioner Drentlaw said that the language should read "A study to identify potential performance standards for use during development review" in 5.DD.2.B.

Commissioner Andreen moved to adopt the new projects identified in the study and housekeeping issues, with changes as recommended to 5.DD.2.B., and to NOT recommend the MMU designation. Commissioner Drentlaw seconded the motion. *Ayes=6; Nays=0; Abstain=1 (Gray). Motion passes. Ayes=7; Nays=0.*

3. There is no meeting on August 8th. Commissioner Andreen will be absent on August 23rd.

There being no further business, the meeting was adjourned at 7:48 p.m.