

**INTRODUCTION**

The following sections of the Community Development Code apply to the Southwest Employment Area (SWEA). Strikeout text (~~strikeout~~) indicates text to be deleted, and underline text (underline) indicates text to be added. Within the draft, three consecutive asterisks (\*\*\*) indicate where text is omitted because it is not being amended. Explanatory text is provided in comment boxes below key code sections and amendments. This is included for reference as part of the public hearings, and will be deleted as part of the final ordinance adopted by City Council.

**Primary Amendments**

LOC 50.05.008: NEW Southwest Overlay District (this deletes the current Industrial Park Overlay District text in its entirety)

**Secondary Amendments**

LOC 50.02.002.2.b.iii (1): Deletion of reference to Industrial Land Use Policy Element in LOC 50.11.002

LOC 50.02.002.2.c. iv, v, and vi: Deletion of standards applicable to the Boones Ferry Road/Jean Road Site, Jean Way Site, and Boones Ferry Road/Opposite Jean Way Site

LOC 50.11.002 - Appendix B: Deletion of Industrial Land Use Policy Element

**50.05.008 SOUTHWEST OVERLAY DISTRICT**

**COMMENTARY:** LOC 50.050.008 SOUTHWEST EMPLOYMENT OVERLAY DISTRICT replaces in its entirety the code section LOC 50.05.008 INDUSTRIAL PARK OVERLAY DISTRICT. The reason for removing the IP Overlay District as an overlay is due to the fact that it contains *use*-related standards, while all other Lake Oswego overlay codes are used to provide *design* and *development* standards. Use regulations for the area currently designated as the IP Overlay District will be located in LOC 50.03: Use Regulations and Conditions.

The proposed LOC 50.050.008 SOUTHWEST EMPLOYMENT OVERLAY DISTRICT would apply to all properties zoned Industrial Park (IP), General Commercial (GC), and Neighborhood Commercial (NC) as shown on following page in Figure 50.05.008-A.

# PROPOSED DRAFT CODE AMENDMENTS

## 1. PURPOSE

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The purpose of the standards for the Southwest Employment Overlay District ("District") is to:

- a. Provide for employment and industrial uses that are complementary to the surrounding residential and commercial development to create a positive aesthetic and economic impact on the community.
- b. Increase predictability and clarity about standards for development in the District.
- c. Create a consistent and organized development pattern throughout the district.
- d. Provide a safe, efficient and effective transportation network for cars, freight trucks, bicycles, pedestrians, and transit.
- e. Enhance the streetscape to be an inviting place for pedestrians.
- f. Buffer the adjacent residential areas from industrial activities and land uses.

**COMMENTARY:** This section incorporates the goals and objectives of the Draft Southwest Employment Area Plan. It also incorporates the relevant policies of LOC 50.11.002 Appendix B: Industrial Land Use Policy Element, which is proposed for deletion with the adoption of this new Code section.

## 2. APPLICABILITY

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Except as otherwise expressly provided below, development within the District (shown in Figure 50.05.008-A) is subject to the requirements of this section:

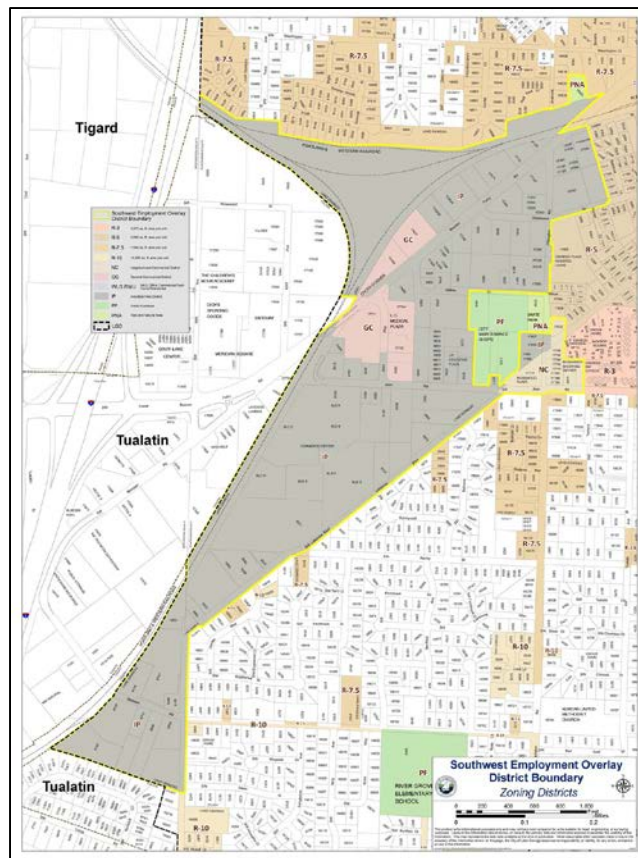
- a. Construction of a new building;
- b. Substantial remodeling of an existing building. For the purposes of this section "substantial remodeling" means:
  - i. Exterior remodeling that changes the appearance of more than 50% of any building elevation; or
  - ii. A building expansion of more than 300 square feet, except where the expansion is solely designed and constructed:
    - (1) To provide for accessibility to the disabled,
    - (2) To provide for energy conservation (e.g., addition of an entry vestibule),
    - (3) To provide for screened recycling or trash storage, or
    - (4) To relocate or screen visible exterior mechanical equipment so that such equipment is no longer visible.

# PROPOSED DRAFT CODE AMENDMENTS

**COMMENTARY:** To provide consistency with other portions of Code, this section uses the same language as LOC 50.05.004 Downtown Redevelopment Design District.

Under these Applicability standards and the 50.01.006.3: Expansion or Change of Nonconformities, even though substantial remodeling may trigger this code, the code only applies to the substantial remodeling part, and does not affect the rest of the untouched building/site. For example, if an existing building is located far back on the lot with parking in front, and is remodeled to change more than 50% of the exterior, this does not relate to the building or parking *location*. Even if the building and parking location did not meet the standards in the Overlay code, they would not need to be changed as long as they didn't become any *more* nonconforming.

**Figure 50.05.008-A: Southwest Employment Area Overlay District Boundary and Zoning**



### **3. RELATIONSHIP TO OTHER DEVELOPMENT STANDARDS**

- a. LOC 50.05.008.4 to 50.05.008.8 supersede LOC 50.06.001.5; Commercial, Industrial, and Multi-Family Development Standards for Approval, in its entirety for developments subject to this overlay district.

Exception: Residential mixed-use development in the NC and GC-zoned portion of the District shown on Figure 50.05.008-A is subject to the discretionary Building Design standards in LOC 50.06.001.5 or clear and objective Building Design standards in LOC 50.06.001.7 in lieu of the SWEA standards in LOC 50.05.008.7: Building Design.

# PROPOSED DRAFT CODE AMENDMENTS

b. Conflicting standards. The building siting and building design standards apply to all development located within the District whose boundaries are set forth in Figure 50.05.008-A within the IP, NC, and GC zones. In the event this section and other Lake Oswego codes, standards and regulations regulate the same matter, the Overlay District standards shall supersede the other Lake Oswego codes, standards, and regulations, even if the Overlay District standards are less restrictive than the other standard.

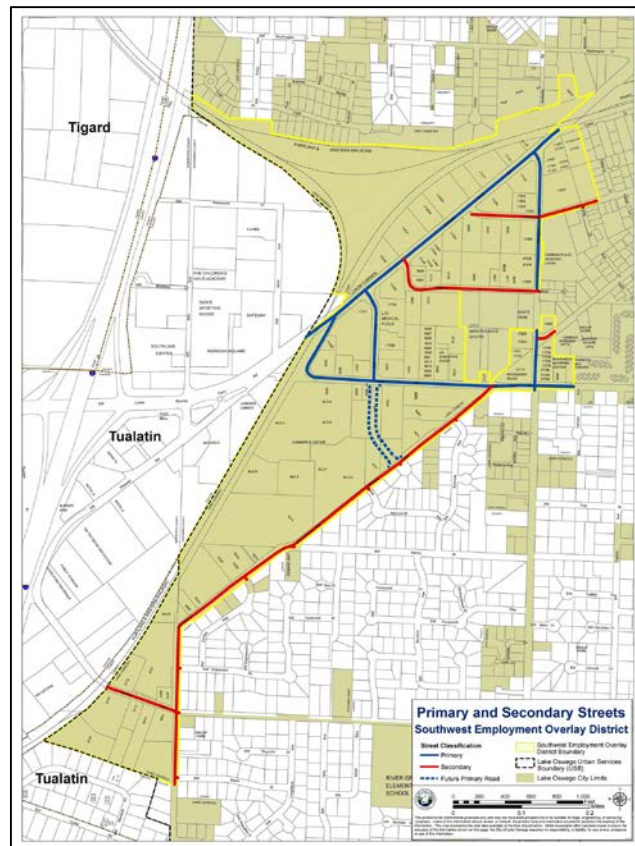
**COMMENTARY:** Proposed changes in the NC and GC-zoned portion of the District include permitting residential mixed-use development, where commercial uses are provided on the ground floor and housing above. For residential mixed-use, an applicant may follow either the Clear and Objective track or discretionary standards identified in a., above.

## 4. BUILDING SITING

### a. Building Orientation

Buildings located on parcels with Primary Street frontage as set forth in **Figure 50.05.008-B: Primary and Secondary Streets**, shall have their front facade oriented to the Primary Street. Buildings located at the intersection of two Primary Streets may orient the front facade to either Primary Street.

Figure 50.05.008-B: Primary and Secondary Streets



# PROPOSED DRAFT CODE AMENDMENTS

## **b. Build-To Line<sup>1</sup>**

i. Buildings shall meet the requirements as set forth in **Table 50.05.008-1** below:

<b>TABLE 50.05.008-1: BUILD-TO LINE STANDARDS</b>	
<b>Zones</b>	<b>Build-To Line</b>
<u>GC</u>	<u>20 ft.</u>
<u>IP</u>	<u>20 ft.</u>
<u>NC</u>	<u>10 ft.</u>

ii. If a parcel is located on a corner, the build-to lines shall apply to both frontages.

iii. On through lots where only one building is proposed, the build-to line applies to one frontage only. Where the through lot is along a Primary Street, the build-to line shall apply to the Primary Street.

iv. The distance of the build-to line from the front property line may be changed as set forth below. The distance shall be the minimum necessary to accommodate the site/development conditions in (1) and (2).

(1) As necessary to preserve existing trees.

(2) In multi-building complexes, where the configuration of the lot prevents locating all buildings within the build-to line.

## **c. Minimum Street Frontage**

i. For buildings on Primary Streets illustrated in **Figure 50.05.008-B**, the building shall occupy a minimum of 50 percent of the lot frontage, measured at the build-to line.

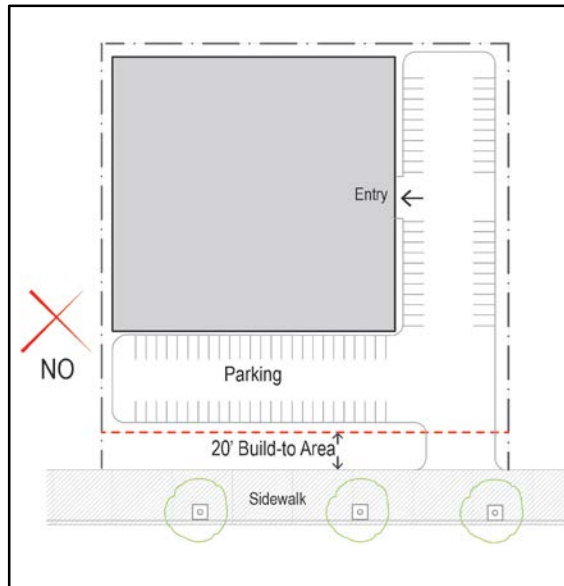
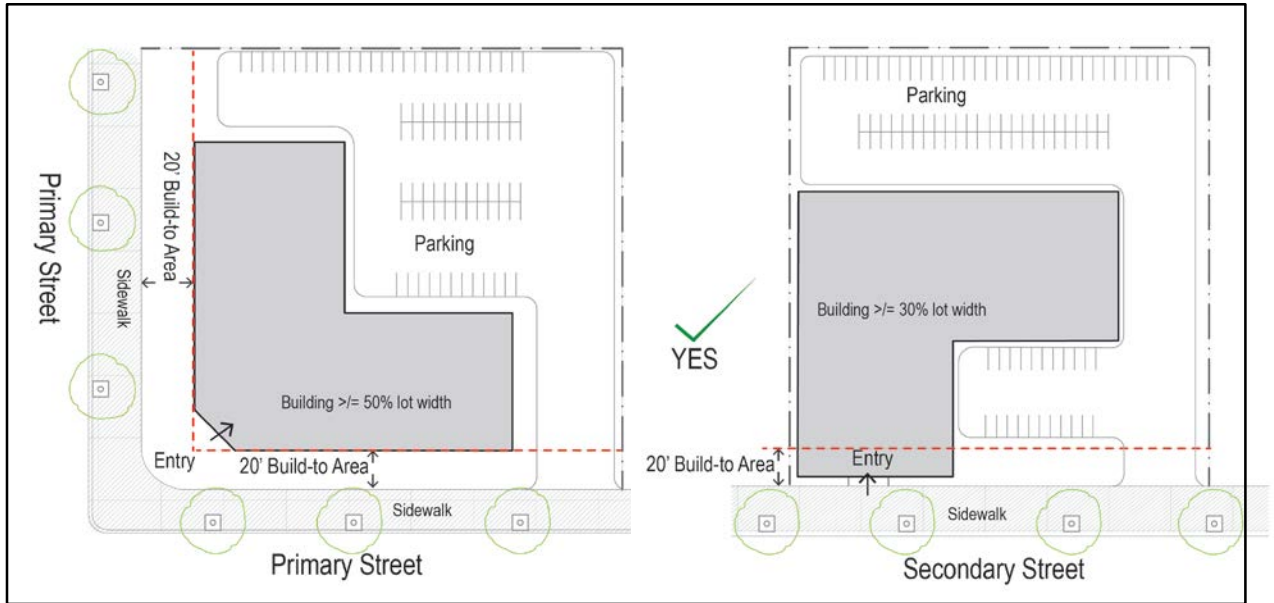
ii. For buildings along Secondary Streets, the building shall occupy a minimum of 30 percent of the lot frontage, measured at the build-to line.

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<sup>1</sup> The following definition for “build-to line” is proposed to be added to the Definitions section of the code (LOC 50.10.003): “The build-to line is the maximum distance a building may be set back from the front property line.” This is the same definition used in the LGVC Overlay.

# PROPOSED DRAFT CODE AMENDMENTS

**Figure 50.05.008-C: Building Siting Examples**



**COMMENTARY:** Building Siting standards included in section 4, above, incorporate the recommendations of the Advisory Committee and community input related to the desire to have a pleasant walkable area along the main roads in the Southwest Employment Area. Pilkington, Jean Way (including future Jean Way Extension), and Jean Road are identified as these main roads, or Primary Streets. The Neighborhood Commercial, General Commercial, and current Industrial Park Overlay District are located along these streets, which include more office and commercial uses than other parts of the SWEA, and which create more pedestrian and transit activity compared to elsewhere in the district.

# PROPOSED DRAFT CODE AMENDMENTS

These standards are also intended to help to create a more visually consistent district over time, with similar building and parking locations among properties. Standards that help create an interesting streetscape for pedestrians include facing the front facade and main entrance toward the public street/sidewalk, and providing buildings close to the street/sidewalk where businesses are more clearly visible rather than pushed back on the lot. The building, rather than parking or storage yard, is intended as the predominant feature on the lot.

## 5. DIMENSIONAL STANDARDS

- a. Development in the GC, NC and IP zones shall conform to the dimensional standards in Table 50.05.008-2.<sup>2</sup>

**COMMENTARY:** The Overlay District Dimensions below are marked to show *proposed modifications from the current dimensional standards*. New text is shown with underline, and deleted text is shown with ~~strikethrough~~.

<b>TABLE 50.05.008-2: Overlay District Dimensions</b>			
	<b>General Commercial (GC)</b>	<b>Neighborhood Commercial (NC)</b>	<b>Industrial Park (IP)</b>
Floor Area Ratio (FAR)	-	<del>0.25:1</del> <u>1:1</u>	<del>1:1</del>
Front setback [1]			
Minimum	0 ft.	0 ft.	<del>20 ft.</del> <u>0 ft.</u>
Side yard setback			
Minimum	0 ft.	0 ft. [2]	<del>10 ft.</del> <u>0 ft.</u>
Rear setback			
Minimum	0 ft.	0 ft. [2]	<del>10 ft.</del> <u>0 ft.</u>
Setbacks adjacent to low- and medium-density residential zones			
Structure	25 ft.	25 ft.	<u>20 ft.</u>
Surface Parking	10 ft.	10 ft.	<u>10 ft.</u>
Vehicular Accessway	5 ft.	5 ft.	<u>5 ft.</u>
Setbacks adjacent to high-density residential zones			
Structure	10 ft.	10 ft.	<u>10 ft.</u>
Surface Parking	10 ft.	10 ft.	<u>10 ft.</u>
Vehicular Accessway	5 ft.	5 ft.	<u>5 ft.</u>
Building height (feet)			
<u>Minimum</u>	<u>20 ft.</u>	<u>20 ft.</u>	<u>20 ft.</u>
Maximum	45 ft.	35 ft.	45 ft.

<sup>2</sup> The Dimensional Standards are included in the draft Overlay District Code to provide a consolidated set of standards for review, rather than locating them in LOC 50.04.001, with citywide dimensional standards.

**PROPOSED DRAFT CODE AMENDMENTS**

<b>TABLE 50.05.008-2: Overlay District Dimensions</b>			
	<b>General Commercial (GC)</b>	<b>Neighborhood Commercial (NC)</b>	<b>Industrial Park (IP)</b>
Building height step back from residential zones	Building height at the setback line shall be a maximum of 25 ft. Height shall be stepped back from the setback line such that one additional foot of height is allowed for every additional foot the building is set back.		
	<del>Structures placed closer than 60 ft. to the property line of a lot which carries any residential zone designation have a maximum height of 28 ft. or 40 ft. minus one ft. for each ft. less than 60 ft. the portion of the structure is from the residential zone, whichever is greater.</del>		
Lot coverage maximum	50%	<del>100%</del> 85%	100%
Residential Density Minimum	<u>20</u>	<u>20</u>	N/A
Maximum	N/A	--	N/A
<p>[1] The <i>maximum</i> front setback is established by the build-to line in <b>Table 50.05.008-1</b>.</p> <p>[2] Residential development is only permitted if part of a mixed used development with commercial uses on the ground floor.</p>			

**COMMENTARY:** In the IP zone, setbacks are adjusted for additional flexibility, for consistency with the requirements in the GC and NC zone, and to work with the proposed build-to line. For IP properties adjacent to residential zones, setbacks are maintained by applying a similar approach to the existing code requirements for the GC and NC zones, where greater setbacks are required adjacent to low-density zones, compared to high-density zones. For the IP zone, this would require a 20 ft. setback along Lakeview Blvd., which is adjacent to the low-density residential R-7.5 zone on the south side of Lakeview. This setback combined with the build-to line would place new structures at 20 ft. from the front property line.

A minimum 20 ft. building height requirement is proposed for all zones to support a consistent streetscape and prominent building pattern. The GC and NC zones currently have a building height step back requirement within 60 ft. of residential zones, intended to provide a transition between commercial and residential properties (the GC zone in the Overlay District is not impacted by this regulation, however the NC zone is). This requirement is proposed to be simplified, and considered for the IP zone as well as the commercial zones.

The NC zone dimensions are proposed to be modified *only* for this Overlay District, to allow lot coverage & building area that is feasible for 2-3 story mixed-use development. A minimum residential density for mixed-use in the NC and GC zones is proposed at a density level consistent with the city's high-density residential R-0 zone, as permitted in five other commercial zones in the city.



# PROPOSED DRAFT CODE AMENDMENTS

## 6. FUTURE JEAN WAY EXTENSION STREET ALIGNMENT

- a. Upon redevelopment, Jean Way shall be extended south from Jean Road to Lakeview Blvd. to implement the district connection shown in **Figure 50.05.008-D**. The following standards apply to parcels including the alignment shown in **Figure 50.05.008-D** to implement the extension of the Jean Road right-of-way:
  - i. Until the right-of-way alignment is approved, no new buildings shall be located within the area identified as the future Jean Way right-of-way extension in **Figure 50.05.008-D**. Surface parking, landscaping, driveways and similar types of development are allowed within the future alignment. Existing development is permitted subject to 50.01.006 Nonconforming Uses, Structures, Lots and Site Features.
  - ii. Upon completion of the right-of-way extension from Jean Road to Lakeview Blvd., this standard shall no longer apply.

**Figure 50.05.008-D: Jean Way Extension Alignment Concept**



**COMMENTARY:** Section 6. Future Jean Road Alignment, describes the general location and alignment of the future connection as described in the Southwest Employment Area Plan, and identifies what can be permitted in the alignment area until the area is redeveloped. To include the new road as part of a redevelopment project, the project will need to be added to the Capital Improvement Plan. Implementation and funding options are discussed in the Draft SWEA Plan.

## 7. BUILDING DESIGN

### a. Ground Floor Fenestration

Street-facing facades along Primary Streets as set forth in **Figure 50.05.008-B**, shall provide windows or doorway openings along a minimum of 50% of the length of the ground floor facade.

## PROPOSED DRAFT CODE AMENDMENTS

### **b. Facade Articulation**

Every 50 linear feet of a street-facing facade must incorporate at least one of the following:

- i. Variation in building materials or treatment.
- ii. Building offset of at least two feet.
- iii. A design feature that reflects the building's structural system.

### **c. Exterior Finish Materials**

- i. Prohibited Exterior Finish Materials. Except as allowed in section ii below, concrete block, plywood, T-111 type plywood, sheet pressboard and vinyl siding are prohibited.
- ii. Foundations. Foundations may be constructed of plain concrete or plain concrete block for no more than two feet in height as measured from the finished grade to the bottom of the exterior cladding material.
- iii. Where there is an exterior alteration to an existing building, the exterior finish materials on the portion of the building being altered or added must be compatible with the materials of the existing building.

### **d. Mixed-Use Buildings within the NC and GC Zones**

For mixed-use development in the NC and GC zones (see **Figure 50.05.008-A**), the discretionary Building Design standards in LOC 50.06.001.5 or clear and objective Building Design standards in LOC 50.06.001.7 shall apply in lieu of the SWEA Building Design standards in LOC 50.05.008.7.

### **e. Entrances**

- i. All primary entries shall be located along the front facade, oriented to the street. On corner lots, primary entrances may face either street, or may be angled at the corner.
- ii. Walkway connection to building entrances. A walkway is required from a building's entrance to a public street. The walkway must be at least six feet wide and be paved with scored concrete or modular paving materials.
- iii. Primary entries may be provided for each business or may be shared for multi-tenant buildings.

### **f. Pedestrian Protection**

At building entrances, a recessed entry, 6-foot deep awning or canopy, or similar weather protection is required. Similar weather protection features shall be required for all facades abutting a public sidewalk. Awnings and canopies shall not be back lit.

# PROPOSED DRAFT CODE AMENDMENTS

## **g. Yard Setback Design**

The front yard must provide landscaping, or a hard-surfaced expansion of the pedestrian walkway that connects the building entrance to the street. If a building abuts more than one street or accessway, the required improvements shall be provided in all yards abutting streets and accessways.

## **h. Gateway Treatments**

Gateway treatments shall be located at the Jean Way/Boones Ferry Road and Pilkington/Boones Ferry Road intersections to create a visual identity for vehicles and pedestrians entering the district and the city. Gateway materials shall be composed of architectural details, signage, or landscaping that create a strong identity and visual landmark.

**COMMENTARY:** Section 5, Building Design, regulates the building form and materials permitted for exterior finishes. Given that this area is primarily light industrial, exterior finish requirements remain generally flexible. Buildings within the overlay district can be quite large and because one goal of the Overlay District is to improve the walkability and visual interest for pedestrians, building facade articulation, percentage of glass, and primary entrance requirements are proposed in the standards above. The standards are intended to provide flexibility in design and construction for employment-oriented uses, while resulting in buildings that are visually appealing and reflect the high quality of employment uses in the district.

## **8. PARKING LOCATION**

- a. Primary Streets.** Parking is not permitted in front of the buildings located along Pilkington Road, Jean Road, Jean Way and the future Jean Way extension, as illustrated in Figure 50.05.008-B.
- b. Secondary Streets.** Parking for buildings located along secondary streets may be located in front of the building for those portions of a structure not meeting the Minimum Street Frontage requirement of this overlay district (50.05.008.4.c).

**COMMENTARY:** Parking location requirements, coupled with the build-to line and minimum street frontage requirement, place the buildings closer to the property line and in the case where a building is adjacent to a corner, ensures that parking is locate away from the corner. These location requirements for parking are intended to improve the pedestrian environment without reducing minimum and maximum parking requirements for permitted uses. Landscaping, Screening and Buffering standards in 50.06.004.1 require parking lot screening and buffering, and parking lot plantings that are designed to allow surveillance of the lot from the street at several points.

# PROPOSED DRAFT CODE AMENDMENTS

## 50.02.002 COMMERCIAL, INDUSTRIAL, MIXED USE ZONES

### 2. SPECIFIC STANDARDS FOR COMMERCIAL, MIXED USE, AND INDUSTRIAL ZONES

#### a. Standards Applicable in Commercial Zones

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#### b. Standards Applicable in Specific Zones

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#### iii. Specific Standards in the Industrial and Industrial Park Zones

- ~~(1) Each industrial area identified on the City's Comprehensive Plan Map also is described in LOC [50.11.002](#): Appendix B. The specific conditions for each area are by this reference made a part of this Code and are conditions and limitations of each zone.~~

**COMMENTARY:** LOC 50.11.002: Appendix B is the Industrial Land Use Policy Element. Appendix B documents past policy discussions related to industrial areas in Lake Oswego, and directs many planning actions that are being implemented through the SWEA Plan. While the above standard calls for proposed development to demonstrate compliance with the policies in Appendix B, their applicability has proven very limited and adds unnecessary work for applicants and staff. This appendix is proposed for deletion because its policies are outdated and no longer applicable, or are being implemented through the SWEA Plan. Additional responses to the deletion of Appendix B are provided with the code amendments for that section.

- (2) Manufacturing, repairing, compounding, processing or storage uses permitted in the I zone shall operate in continuing compliance with the requirements of Oregon Administrative Rules Chapter 340 and City Codes and regulations.
- (3) Research facilities, testing laboratories, manufacturing, processing or assembling of products, and incidental retail uses in the IP zone shall not emit noise, smoke, glare, vibration, fumes or other environmental effects which adversely affect people, property or uses beyond the property lines of the IP site.
- (4) Incidental retail uses in IP sites within 200 ft. of residentially zoned property may be open from 8:00 a.m. to 10:00 p.m. Sunday through Thursday and 8:00 a.m. to 12:00 a.m. on Friday and Saturday.

**COMMENTARY:** Standards (2), (3) and (4) are not proposed for amendment, but it is recommended that these standards be moved to LOC 50.03.003 Use-Specific Standards, as part of the Commercial Code Streamlining amendments.

# PROPOSED DRAFT CODE AMENDMENTS

## c. Standards Applicable to Specific Locations

### i. Mountain Park Town Center Site

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### ii. Monroe/Boones Ferry Site

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### iii. I-5/Kruse Way Highway Commercial Site

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### iv. ~~Boones Ferry Road/Jean Road Site~~

**COMMENTARY:** (Based on the zoning and tax map, the code should identify this site as the Boones Ferry Road/Jean Way Site)

~~The following restrictions and requirements shall apply to the approximately 4.45-acre parcel located at the intersection of Boones Ferry Road and Jean Road (Tax Lot 2400 of Tax Map 2 1E 18BD). The intent of these restrictions and requirements is to create an aesthetically pleasing entry into Lake Oswego. The site and building design shall create an aesthetically pleasing entry by creating a distinct design with features that celebrate entry to the community. The design elements should signal the transition from the city of Tualatin and shall create a sense of separation. Building design elements and landscaping shall communicate a sense of quality, vitality and community. This may be accomplished through the use of visually identifying elements such as building shapes and features, colors, kiosks, flagpoles, signs, landscaping, parking and other design details. Berms and existing mature trees shall be incorporated into the design.~~

**COMMENTARY:** This standard is met through the existing site development, current home to Wal-Mart. The proposed SW Overlay District includes a standard calling for gateway treatments at the Boones Ferry/Jean Road and Boones/Ferry Pilkington intersections to continue this theme if redevelopment occurs.

~~The following specific restrictions and requirements shall apply to the site:~~

~~(1) The uses allowed shall be those allowed in the NC zone, plus the following: adjustment and collection agencies; advertising agencies (including commercial artists); credit agencies; duplicating, addressing, blueprinting, photocopying, mailing and stenographic services; employment agencies; office equipment rental and repair; equipment services and repair places (appliances, small engines); services to building (cleaning, exterminating); financial and banking; regional offices, corporate headquarters; offices of all types of service and membership organizations.~~

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**COMMENTARY:** Use-related standards should be located in the Use Regulations and Conditions section of the Code (LOC 50.03). The Commercial Code streamlining project proposes consolidation of the fine-grained list of permitted uses citywide, and would allow the business service and professional office uses listed above in the NC zone. Limitations on the GC zone uses for this site are the same for other GC-zoned sites in this vicinity and should be listed in LOC 50.03.

~~(2) The retail use building area to be located on the east side of Jean Road (i.e., on the parcel consisting of approximately 1.9 acres) shall not exceed 23,000 sq. ft. The retail use building area to be located on the west side of Jean Road (i.e., on the parcel consisting of approximately 2.5 acres) shall not exceed 31,000 sq. ft., and no one user shall exceed 26,500 sq. ft.~~

**COMMENTARY:** These sites are built out and not considered redevelopable in the next 20 years. Limitations that apply to the use of existing buildings constrain their use and conflict with Comprehensive Plan policy calling for existing buildings to be fully utilized (Economic Vitality policy A-2). For example the 31,000 / 26,500 sq. ft. limitation on the Wal-Mart (formerly Nature's) site prohibits the existing building from being occupied by a single use, even though it is designed as a single store. Removing these limitations allows property owners to better adapt to economic change and serve businesses looking for building space.

~~(3) No building or parking shall be located within 25 ft. of Boones Ferry Road right-of-way or within 15 ft. of the Jean Road right-of-way. In addition, any loading area located to the west of Jean Road shall not be located within ten \_\_\_\_\_ ft. of Jean Road.~~

**COMMENTARY:** The new SW Overlay District proposes site design standards that would apply to the GC-zoned properties. The overlay takes a new approach to building siting compared to this standard, requiring that at least a portion of the building be located within 20 ft of the property line, rather than requiring the building to be setback. The overlay prohibits parking between the building and the public street.

~~(4) Signs shall be limited to monument and wall signs (excluding signs on awnings) only. Monument signs may be located within the 25-ft. setback along Boones Ferry Road and within the 15-ft. setback along Jean Road.~~

**COMMENTARY:** The Sign Code (LOC Chapter 47) should regulate signs; it is potentially confusing to include sign standards elsewhere in the Code.

~~(5) A minimum of 20% of the net developable acre shall be devoted to landscaping.~~

# PROPOSED DRAFT CODE AMENDMENTS

~~(6) All utilities shall be located underground.~~

~~(7) The main access points for the site shall be from Jean Road. A "right-in" only secondary access may be provided from Boones Ferry Road for the west portion of the site (i.e., the approximately 2.5-acre parcel).~~

**COMMENTARY:** These aspects of site development are governed by other sections of the code; deleting the site specific standards would help to simplify the code and allow use of the site based on the most current site usage and analysis.

~~(8) Any evergreen tree with a trunk diameter of more than five in. which is removed pursuant to development of the site shall be replaced by a specimen tree of the same variety. The replacement tree shall be of similar size as the tree removed. If a replacement tree of the size of the tree cut is not reasonably available on the local market or would not be viable, replacement may be provided with more than one tree with no individual tree less than four in. in diameter. The number of replacement trees required shall be determined by dividing the caliper of the tree cut by the caliper of viable replacement trees.~~

**COMMENTARY:** The Tree Code (LOC Chapter 55) provides standards for tree mitigation and should apply to this site. Deleting this standard helps to simplify and clarify the code.

## ~~v. Jean Way Site~~

**COMMENTARY:** The standards for the Jean Way Site and Boones Ferry Road/Opposite Jean Way Site are almost identical to the standards above for the Boones Ferry Road/Jean Road Site. Please see commentary above for rationale on the proposed deletion of the site specific standards in sections v. and vi. Below.

~~The following restrictions and requirements shall apply to the approximately 0.34-acre parcel and the approximately 0.65-acre parcel located at the northeast corner of the intersection of Jean Road and Jean Way. The intent of these restrictions and requirements is to create an aesthetically pleasing entry into Lake Oswego. The sites and building designs shall create an aesthetically pleasing entry by creating a distinct design with features that celebrate entry to the community. The design elements should signal the transition from the city of Tualatin and shall communicate a sense of quality, vitality and community. This may be accomplished through the use of visually identifying elements such as building shapes and features, colors, kiosks, flagpoles, signs, landscaping, parking and other design details. Berms and existing mature trees shall be incorporated into the design.~~

~~The following specific restrictions and requirements shall apply to the sites:~~

## PROPOSED DRAFT CODE AMENDMENTS

- ~~(1) The uses allowed shall be those allowed in the NC zone, plus the following: adjustment and collection agencies; advertising agencies (including commercial artists); credit agencies; duplicating, addressing, blueprinting, photocopying, mailing and stenographic services; employment agencies; office equipment rental and repair; equipment services and repair places (appliances, small engines); financial and banking; regional offices, corporate headquarters; offices of all types of service and membership organizations.~~
- ~~(2) The retail use building area to be located on Jean Way shall not exceed 4,200 sq. ft. for each parcel, or a combined 8,400 sq. ft. for development contained on both parcels.~~
- ~~(3) No building or parking shall be located within 15 ft. of the Jean Way right-of-way.~~
- ~~(4) Signs shall be limited to monument and wall signs (excluding signs on awnings) only. Monument signs may be located within the 15-ft. setback along Jean Way.~~
- ~~(5) A minimum of 20% of the net developable acre shall be devoted to landscaping.~~
- ~~(6) All utilities shall be located underground.~~
- ~~(7) Regardless of the sequence of development of the 0.34 acre or 0.65 parcels, vehicular connectivity shall be provided between the 1.9-acre site to the north, and the development on the 0.34-acre and 0.65-acre parcels. A single, shared point of access shall be provided from Jean Way to serve the 0.34-acre and 0.65-acre parcels.~~
- ~~(8) Any evergreen tree with a trunk diameter of more than five in. which is removed pursuant to the development of the site shall be replaced by a specimen tree of the same variety. The replacement tree shall be of similar size as the tree removed. If a replacement tree of the size of the tree cut is not reasonably available on the local market or would not be viable, replacement may be provided with more than one tree with no individual tree less than four in. in diameter. The number of replacement trees required shall be determined by dividing the caliper of the tree cut by the caliper of viable replacement trees.~~

### **vi. ~~Boones Ferry Road/Opposite Jean Way Site~~**

**COMMENTARY:** The standards for the Jean Way Site and Boones Ferry Road/Opposite Jean Way Site are almost identical to the standards above for the Boones Ferry Road/Jean Road Site. Please see commentary above for rationale on the proposed deletion of the site specific standards in section vi. Below.

~~The following restrictions and requirements shall apply to the approximately 2.84-acre parcel located at the intersection of Boones Ferry Road and Jean Way (Tax Lot 600 of Tax Map 21E18BD). The intent of these restrictions and requirements is to create an aesthetically pleasing entry into Lake Oswego. The site and building design shall create an~~



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~~aesthetically pleasing entry by creating a distinct design with features that celebrate entry to the community. The design elements should signal the transition from the city of Tualatin and shall communicate a sense of separation. Building design elements and landscaping shall communicate a sense of quality, vitality and community. This may be accomplished through the use of visually identifying elements such as building materials and features, colors, flagpoles, signs, landscaping, parking and other design details. Existing mature trees may be incorporated into the design.~~

~~The following specific restrictions and requirements shall apply to the site:~~

- ~~(1) The uses allowed shall be those allowed in the NC zone, plus the following: adjustment and collection agencies; advertising agencies (including commercial artists); credit agencies; duplicating, addressing, blueprinting, photocopying, mailing and stenographic services; employment agencies; office equipment rental and repair; equipment services and repair places (appliances, small engines); services to building (cleaning, exterminating); financial and banking; regional offices, corporate headquarters; offices of all types of service and membership organizations.~~
- ~~(2) The total building area to be located on the site shall not exceed 21,850 sq. ft.~~
- ~~(3) No building or parking shall be located within 25 ft. of the Boones Ferry Road right-of-way.~~
- ~~(4) Signs shall be limited to monument and wall signs (excluding signs on awnings). Monument signs may be located within the 25-ft. setback along Boones Ferry Road.~~
- ~~(5) A minimum of 20% of the net developable acre shall be devoted to landscaping.~~
- ~~(6) All utilities serving any new on-site development shall be located underground.~~
- ~~(7) There shall be two main access points for the site from Boones Ferry Road. One shall be directly across from Jean Way and the other shall be northeast of the wetland. The northeast access may be a shared access with the adjacent property. An applicant for development of the northeast portion shall make a good faith effort to obtain a joint access prior to proposing a separate access. If such an effort is unsuccessful, however, a separate access may be approved.~~
- ~~(8) Any evergreen tree with a trunk diameter of more than five in. which is removed pursuant to the development of the site shall be replaced by a specimen tree of the same variety. The replacement tree shall be of similar size as the tree removed. If a replacement tree of the size of the tree cut is not reasonably available on the local market or would not be viable, replacement may be provided with more than one tree with no individual tree less than four in. in diameter. The number of replacement trees required shall be determined by dividing the caliper of the tree cut by the caliper of viable replacement trees.~~

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## 50.11.002 APPENDIX B – INDUSTRIAL LAND USE POLICY ELEMENT

**COMMENTARY:** This policy element of the Code was originally part of the Comprehensive Plan, but relocated to the Community Development Code in 2002 because it included some regulatory policies that were applicable to specific land use applications. To be consistent with the City’s regulatory framework, and to implement the City Council goal of code streamlining, any policy direction that should continue to apply to development in this zone should be translated into specific development standards that would implement the policy, and be located along with other development standards for the zone.

The background information and policies below are proposed for deletion; they will be superseded by the updated SWEA Plan and Code amendments, which serve to implement relevant remaining policies, or have already been implemented by adopted City Code standards or plans, such as the Foothills District Framework Plan and Comprehensive Plan.

### Background Information

~~Industrial land uses have existed in Lake Oswego all through its history. They originally developed on the Willamette River where proximity to water transportation attracted heavy industry such as iron smelting and now cement production. Light industrial land use developed relatively late in Lake Oswego’s history. In the early 1960s, a light industrial park zone was established by the City on Boones Ferry Road, adjacent to I-5. Despite this expansion of industrial zoning, industrial development remains a relatively insignificant part of Lake Oswego’s overall character. Since 1950, the City’s residential growth has outpaced any other type of development, and Lake Oswego has become a suburban residential community with few local employment opportunities.~~

~~In examining its future through comprehensive planning, the City found major adverse fiscal effects would occur if future growth were solely residential. The high per unit cost of public services for low density residential development and the failure of such development to supply adequate revenues are the causes of this situation. This finding led citizen task forces, Planning Commission, and City Council to conclude that additional industrial development would be desirable. Analysis also showed that public policies are needed to improve existing industrial developments in order to maintain and enhance their value.~~

### Summary of Major Issues

~~Issues related to industrial land use which were resolved through the comprehensive planning process include:~~

- ~~• Could Lake Oswego’s future growth include additional industrial development in order to counteract adverse fiscal effects of residential growth?~~
- ~~• Could additional employment opportunities be provided in the Lake Oswego area to help reduce commuting distances for future residents?~~

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- ~~Could additional area be designated for industrial development without degrading environmental quality in the community?~~
- ~~Could the City take actions to encourage improvements in existing industrial areas?~~

### Summary of Major Conclusions

~~The industrial land use policies are a product of extensive analysis by City staff, recommendations of a citizen task force, and review and modification by the City Council. The emphasis on increasing the amount of industrial development represents a major shift in previous development policies for Lake Oswego.~~

~~Conclusions reached in this process include:~~

- ~~Additional industrial development is needed to help balance the fiscal effects of the community's growth.~~
- ~~Light industrial park development can have a positive aesthetic and economic impact on the community while also not overburdening the transportation system.~~
- ~~Suitable locations for a planned industrial park development exist in the Kruse Way Corridor.~~
- ~~Specific City actions are needed in the existing Lake Grove Industrial Park to stimulate improvement, upgrading, and code compliance.~~

### Summary of Supporting Documents

~~The following list includes supporting documents related directly to the development of the industrial land use policies. For a complete bibliography, refer to supporting documentation.~~

- ~~Lake Oswego Community Goals, 1974~~
- ~~Industrial Task Force Report, 1976~~
- ~~Fiscal Impacts of Urban Development in Lake Oswego, (preliminary findings), 1976~~
- ~~Minutes from Public Meetings of Industrial Task Force, 1976~~
- ~~Lake Oswego Population Study, 1976~~

~~OBJECTIVE: TO ENCOURAGE INDUSTRIAL DEVELOPMENT COMPATIBLE WITH THE COMMUNITY IN ORDER TO INCREASE LOCAL EMPLOYMENT OPPORTUNITIES AND MAINTAIN A HEALTHY LOCAL ECONOMY.~~

### GENERAL POLICIES:

- ~~I. The City will encourage environmentally compatible industrial development located in visually attractive structures in landscaped settings.~~

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~~II.—The City will encourage industrial development by assuring that adequate streets, utilities and public services exist to serve existing and proposed industrial areas.~~

~~III.—The City will encourage industrial development by establishing clear, concise and unified development standards in order to minimize time for processing development applications.~~

~~IV.—The City will encourage industrial development by designating industrial park areas in appropriate locations in the Comprehensive Plan.~~

Specific Policies:

**FOR GENERAL POLICY I:**           ~~Encourage environmentally compatible industrial development.~~

The City will:

~~1.—Establish specific district policies for each industrial district to accommodate the unique conditions existing in each and use these specific district policies as conditions for actual development approval.~~

~~These areas are:~~

~~a.—Lake Grove Industrial Park~~

~~b.—Willamette River Industrial Park~~

~~(Specific Policy c deleted 12/18/85)~~

2. Assure compliance with local, state and federal standard for noise, water quality, air quality, fire hazards, material storage and screening.

3.—Initiate a program of code enforcement for all existing industrial areas to improve the areas' aesthetic quality and protect individual investments in buildings and landscaping.

4.—Establish methods assuring the continued care and maintenance of buildings and grounds in the City's industrial areas.

5.—Establish ordinances enabling the City to monitor and control impacts from changes or expansions in use in industrial districts.

6.—Require all manufacturing operations in industrial parks to be conducted within an enclosed building.

7.—Work with property owners in the Willamette River Industrial Area, in the event any major plant closures occur during the next 20 years, to plan in advance for a transition in land use that is:

a.—Economically feasible for the industrial property owners, and

b.—Compatible with the City's long range plans for the East End Business District.

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- ~~8. Plan adequate stormwater runoff management systems and facilities in industrial districts and require developments to conform to City storm drainage policies.~~
- ~~9. Require exterior lighting in industrial districts to be designed so as not to shine beyond property lines adjacent to residential zones.~~
- 10. Require all outdoor storage in industrial parks to be screened from public view.
- 11. Require preservation of major tree stands wherever feasible.

**FOR GENERAL POLICY II:** Encourage industrial development by assuring adequate streets, utilities and public services.

The City will:

- ~~1. Place high priority on water system improvements which will assure adequate water volumes and pressure for the City's existing and proposed industrial areas.~~
- ~~2. Develop and implement a detailed Lake Grove Industrial Park improvement program in conjunction with property owners.~~
- ~~3. Assure timely completion of the Boones Ferry widening project and integrate this improvement with the local circulation system in Lake Grove Industrial Park.~~

(Specific Policy 4 deleted 12/18/85 — PA 4-85)

**FOR GENERAL POLICY III:** Encourage industrial development by establishing clear development standards to minimize time for processing development applications.

The City will:

- ~~1. Refine design guidelines for industrial park areas to clarify requirements for development review approval. (See Strategies for General Policy I.)~~
- ~~2. Assist industrial park development proposals in obtaining DEQ indirect source permits.~~
- ~~3. Work cooperatively with individual industrial park development proposals to assist in complying with City and state regulations.~~
- ~~4. Review and revise all regulations affecting industrial development in the City and assure they are clear, concise and equitably enforced.~~

**FOR GENERAL POLICY IV:** Encourage industrial development by designating new industrial park areas in appropriate locations in the Comprehensive Plan.

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The City will:

1.—Expand the existing Lake Grove Industrial Park in a manner compatible with neighboring residential areas. (Recommended expansion is shown on map below.)

2.—Require the new Kruse Way Industrial Park to be developed consistent with unified overall plan. Proposals for individual parcel development will not be considered prior to City approval of an overall plan for the total site.

—This overall plan will include, but not be limited to, stream protection, internal circulation plan, and preservation of major open spaces.

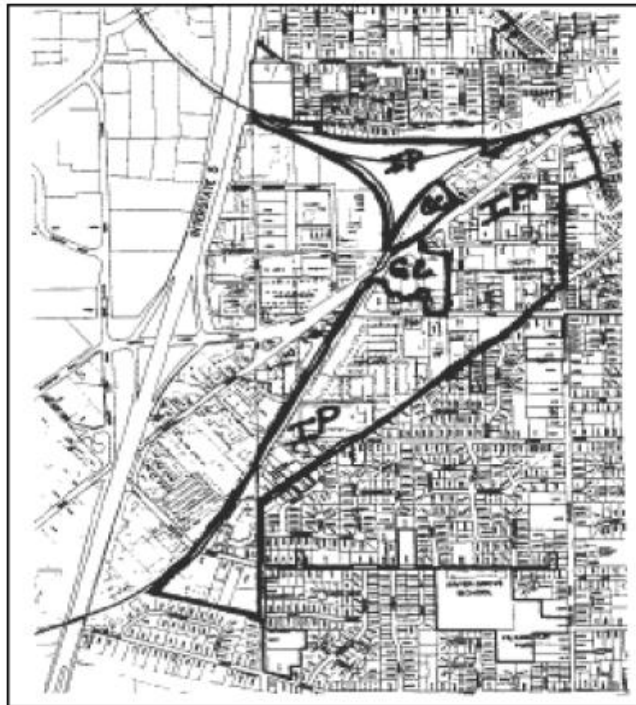
(Specific Policy 2 deleted and 3 renumbered 12/18/85 — PA 4-85)

Specific Policies

Specific Industrial District Policies.

**FOR GENERAL POLICY V:** Encourage environmentally compatible industrial development.

The following three sets of specific district policies will guide development in the existing and proposed industrial districts in the Lake Oswego Urban Service Area. Each district has unique conditions, thus individual policies are needed for each.



**LAKE GROVE INDUSTRIAL PARK DISTRICT**

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1. ~~Lake Grove Industrial Park District Policies.~~

a. ~~Realign the Jean Road/Boones Ferry Road intersection as part of the Boones Ferry Road widening project to assure adequate truck turning radius.~~

b. ~~Initiate measures to solve circulation and drainage problems, enhance the area's general appearance, and identify the southwestern entrance to the City.~~

c. ~~Preserve major stands of trees where feasible.~~

d. ~~Encourage developments on small parcels to develop shared access with adjacent parcels wherever feasible.~~

e. ~~Assure adjacent residential areas are protected from adverse effects of industrial activities and land use.~~

f. ~~Revise the existing "IP zone" statutes in the Lake Oswego Code to require:~~

- ~~• Compliance with the currently adopted noise performance standards and regulations of the Oregon Department of Environmental Quality.~~
- ~~• Levels of maintenance of buildings and grounds.~~



**WILLAMETTE RIVER INDUSTRIAL DISTRICT**

## PROPOSED DRAFT CODE AMENDMENTS

### ~~2. Willamette River Industrial District Policies.~~

- ~~a. Investigate feasibility of moving the Foothills Road/State Street intersection further south to reduce traffic conflicts with the existing railroad crossing.~~
- ~~b. Require all proposed changes in use or expansions in use to provide the City with information on existing and projected truck and auto traffic levels.~~
- ~~c. Work with property owners to determine feasibility of a proposed trail along the Willamette River from Tryon Creek to George Rogers Park.~~
- ~~d. Encourage general improvement of the area's visual quality. (See Willamette River Greenway, Natural Resource policies.)~~
- ~~e. Investigate possibility of new or alternative access points to the Willamette River Industrial District.~~
- ~~f. Coordinate future planning for the East End Business District with the development in Willamette River Industrial Area.~~

### ~~3. Kruse Way Industrial Park District Policies.~~

~~(Kruse Way Industrial Park District Policies and map deleted 12/18/85 — PA-4, 5, 6-85)~~

~~(Ord. 2579, Repealed and Replaced, 03/20/2012)~~