



## NOTICE OF LEGISLATIVE PUBLIC HEARING BEFORE THE PLANNING COMMISSION (LOC 50.07.003.16.d.iii)

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### Hearing Date, Time, and Location:

Monday, September 14, 2015; 6:30 PM  
Council Chamber, 380 A Avenue  
Lake Oswego, Oregon

**Applicant:** City of Lake Oswego, 380 A Avenue, Lake Oswego, OR 97034

**Location of Property:** Citywide

**File Number:** LU 15-0019

### Nature of Proposal and Use or Uses Which Could be Authorized:

A request from the City of Lake Oswego to: 1) Amend the Comprehensive Plan by adopting a new Healthy Ecosystems chapter and replacing Plan provisions under Goal 5 (Open Spaces, Scenic and Natural Resources), Goal 6 (Air Resources Quality), and Goal 15 (Willamette River Greenway); and, 2) Amend the Community Development Code (CDC) to implement reforms to the Sensitive Lands program, consistent with the Comprehensive Plan. The CDC provisions are located in LOC 50.05.010 and LOC 50.07.004.8; Code cross-references contained in LOC 42 (Streets and Sidewalks), LOC 47 (Signs), and LOC 55 Trees are also to be amended for consistency.

### Explanation of Proposal

The proposed Comprehensive Plan amendment addresses changes in the community since the Plan was last updated with respect to natural resources in 1994. The proposed Code amendments are intended to make the City's land use regulations consistent with the updated Plan and implement reforms to the City's Sensitive Lands Program as directed by the City Council

In summary, the Plan and Code changes would accomplish the following:

1. Update and consolidate Comprehensive Plan provisions for Natural Resources, Urban Forest and Vegetation, Open Spaces, Oswego Lake, Air Quality, and Willamette River Greenway.
2. Update and correct the mapping of Resource Protection (RP) Districts (streams and wetlands) presently designated on the City's Comprehensive Plan Map and Zoning Map using current Lidar (Light Detection and Ranging) aerial photography. Lidar mapping provides more accurate representation of resources by depicting wetlands/stream corridors with RP buffers. It also results in some properties being added, and others removed, from the Sensitive Lands Map.
3. Amend the RP District regulations to provide greater flexibility for the use of private property while maintaining current levels of riparian area protection, consistent with Statewide Planning Goals, Metro Title 3, and State of Oregon Department of Environmental Quality (DEQ) Total Maximum Daily Load (TMDL) requirements.
4. Increase protection of tree groves on public and private open spaces (Resource Conservation (RC) Districts), consistent with the Comprehensive Plan Healthy Ecosystems chapter.

5. Replace RC Districts for tree groves on private properties, not including existing open spaces, with a Habitat Benefit Areas (HBA) incentive program for the protection and enhancement of these resources, consistent with the Healthy Ecosystems chapter and Metro Title 13.
6. The City Tree Code (LOC 55), Erosion Control Requirements (LOC 52), and Community Development Code requirements for Geologic Hazards, Drainage, and Hillside Protection (LOC 50) will continue to apply to properties where Sensitive Lands regulations are proposed to be removed.

**Staff Contact:** Scot Siegel, Director of Planning and Building Services  
(503) 699-7474 or [ssiegel@lakeoswego.city](mailto:ssiegel@lakeoswego.city)

**How to Testify:**

The public hearing process will begin with a presentation by staff. Testimony will then be received from the public. Individuals will be allowed up to 5 minutes. Recognized neighborhood associations, homeowner associations, government agencies or other incorporated public interest organizations will be allowed up to 10 minutes. The time limits will not include time taken up by questions from the Commission or responses to such questions. Testimony by attorneys, representatives, and witnesses on behalf of or which are part of the presentation by a person shall be counted within that person's time limit. Any person in attendance may cede his or her time for testimony to another person, but in no case shall any person's testimony be increased to greater than 10 minutes.

The City previously issued two public review drafts of the proposal on April 1 and June 26, and the Planning Commission conducted public work sessions on those drafts April 13, May 11, and July 27. Comments submitted to the City or Planning Commission for a work session are not considered public testimony for purposes of the hearing. To have your written comments or testimony distributed to the Planning Commission for review prior to the hearing, they need to be received by 5 p.m. on Wednesday, September 9, 2015. Bring or mail written comments or testimony to:

Iris McCaleb  
Lake Oswego City Hall, Planning & Building Services  
380 A Avenue, Third Floor  
Post Office Box 369  
Lake Oswego, Oregon 97034  
E-Mail: [imccaleb@lakeoswego.city](mailto:imccaleb@lakeoswego.city)  
(503) 697-6591

Written testimony may also be submitted at the public hearing. Please provide twelve (12) copies for distribution to the Planning Commission and staff. For more information about the hearing procedures, please contact staff.

**How to Obtain Further Information:** All evidence relied on by the applicant is available for review at the above address. The staff report will be available ten days prior to the date of the hearing at the above address. Copies may be obtained at cost.

Information can also be obtained by visiting the City's website at:

<http://www.ci.oswego.or.us/projects>

**(Under "Search" enter LU 15-0019, then press "Submit")**

**Recommendation:** A final recommendation of the Planning Commission shall be forwarded to the City Council. A final decision on this proposal will be made by the City Council.