



SUPPLEMENTAL STAFF REPORT

TO: Planning Commission

FROM: Debra Andreades, AICP, Senior Planner

SUBJECT: Foothills Redevelopment (LU 12-0032); Applicable Lake Oswego Comprehensive Plan Goals and Policies

DATE: October 16, 2012

At the October 8th hearing, a question was raised as to whether all of the applicable Comprehensive Plan goals and policies were addressed. Staff finds the following Lake Oswego Comprehensive Plan goals and policies applicable to this proposal, discussed in detail, below.

Goal 2: Land Use Planning
Section 1, Land Use Policies and Regulations

Lake Oswego shall ensure that:

- a. The City's land use planning processes and policy framework serve as a basis for all decisions and actions related to the use of land; and,*
- b. The City's land use regulations, actions, and related plans are consistent with, and implement the Comprehensive Plan.*

POLICIES

- 1. Require development to be adequately served by the full range of public facilities and services including: water, sanitary sewer, transportation facilities, fire and police protection, parks, open space, and recreation facilities, surface water management and storm drainage facilities, and schools. Services shall be available or committed prior to approval of development.*
- 2. Ensure that required public facilities and services are constructed concurrently with development. System Development Charges (SDCs) and other fees shall be imposed to adequately compensate the City for impacts on other public facilities and services.*
- 3. Require development to conform to all applicable City land use regulations and codes.*
- 4. Require land use regulations to:*
 - a. Ensure the provision of park and open space lands, and protection of natural resources;*
 - b. Promote compatibility between development and existing and desired neighborhood character;*
 - c. Provide for the implementation of adopted neighborhood plans;*
 - d. Provide for necessary public facilities and services;*

- e. Protect life and property from natural hazards;*
 - f. Ensure architectural and site design quality; and,*
 - g. Reduce dependency on the automobile on a per-capita basis.*
- 6. Require dedication or reservation of park lands or open space as part of all major development. The City may, at its discretion, require construction and dedication of recreation facilities when justified by the impacts of proposed development.*
- 7. Ensure that land use regulations have sufficient flexibility to allow developers and the City to propose measures to:*
- a. Adapt development to unique and difficult site conditions;*
 - b. Preserve open space and natural resources; and,*
 - c. Avoid negative impacts on surrounding properties.*
- 10. Allow development at the maximum designated density when it is shown that:*
- a. Adequate public facilities and services can be provided;*
 - b. Negative impacts can be resolved; and,*
 - c. The development is in compliance with all applicable land use regulations.*
- 11. Require that residential densities and allowed land uses within the Lake Oswego Urban Services Boundary not exceed the capacity of planned public facilities and services.*
- 19. Review commercial, industrial, institutional and high density residential development to ensure the quality of building and site design, and overall appearance.*
- 20. Allow major development to be designed and submitted for land use approval as planned unit developments to preserve open space, natural resources, and provide amenities.*
- 21. Allow increased density and clustering of buildings on suitable portions of land proposed for development to preserve natural resources and open space.*
- 27. Require new residential development of four or more units to address all of the following design criteria:*
- a. Preservation of required open space and natural resources;*
 - b. Provision of a street system which provides efficient connection to higher order streets and major activity centers;*
 - c. Development of transit opportunities appropriate to the scale and character of the development;*
 - d. Development of a safe and convenient pedestrian and bicycle circulation system;*
 - e. Management of surface water and storm drainage consistent with the City's Surface Water Management Plan;*
 - f. Assurance of privacy and quiet for future residents and abutting properties;*
 - g. Energy conservation measures such as energy efficient design and solar access, and the preservation of trees and the planting of new trees to provide summer cooling;*
 - h. Buffering and screening from adjacent uses and streets;*
 - i. Building placement and locational relationships;*
 - j. Provision of adequate emergency vehicle access; and,*
 - k. Reduction of dependency on the automobile on a per-capita basis.*

Findings:

The Foothills Special District Plan establishes the overall vision of the Foothills Area as a mixed use (predominately residential), pedestrian-oriented neighborhood. The implementing zone FMU zone and development standard address the same requirements as other high-density residential zones (lot coverages, setbacks, height), and include requirements to address the neighborhood-oriented commercial uses (floor area). Development in the zone must meet the zone and development standards of the Community Development Code. Per LOC 50.06, development

must demonstrate that it complies with the building design, parking, circulation and connectivity, site design, park and open space contributions, geologic hazards and drainage, and utilities standards. A development will be conditioned for approval, to assure that it:

- Provides for and addresses public services or facilities (sewer, water, surface water management, parks, open space, streets, sidewalks, and pathways) created or contributed to by the proposed development;
- Dedicates property, rights-of-way, easements or conservation easements for public facilities such as streets, utilities, pathways, sidewalks, surface water management and street trees, or for protection of tree groves, wetlands, stream corridors or other natural features; and
- Provides for on-site and off-site construction of or improvements to public facilities where necessary to ensure adequate capacity and where service demand will be created or increased by the proposed development. LOC 50.07.003.5.a, b (iii), (iv). The City's system development charges will be applicable to any development in the area.

8. Ensure that development and implementation of the City's land use regulations and Comprehensive Plan minimize pressures to expand the Portland Metropolitan Urban Growth Boundary.

22. Provide opportunities for mixed use commercial and residential development within commercial zones.

In accordance with the Foothills Framework Plan, the Foothills Special District, through the proposed FMU zoning standards, is intended to be a higher-density residential, mixed-use area. Multi-family housing is permitted within the FMU zone; single family detached housing is not permitted.

9. Require preservation of significant inventoried and identified natural resources as conditions of approval for all development.

Findings:

The Foothills area has been inventoried for natural resources; there is an RP resource at the Tryon Creek stream corridor and it will be protected by the current Sensitive Lands Overlay District provisions of LOC 50.05.010.

Goal 2. Land Use Planning

Section 2, Community Design and Aesthetics

GOAL

The City shall maintain and enhance the appearance and design quality of Lake Oswego.

POLICIES

1. Enact and maintain regulations and standards which require:

- a. New development to enhance the existing built environment in terms of size, scale, bulk, color, materials and architectural design;*
- b. Landscaping;*
- c. Buffering and screening between differing land uses; and,*
- d. Measures to foster a safe and interesting transit and pedestrian environment.*

2. Require developers to submit site and building plans for all proposed new development which show building, site and landscape designs for all development phases.

4. Ensure that both public and private development enhance the aesthetic quality of the community.

Findings:

The Foothills Special District Plan, through the standards of the FMU zone, zone, is creating a new high-density residential, mixed-use neighborhood that will be created when properties apply for and are rezoned to FMU. Once the requirements for rezone to FMU is met under the code amendments, new development in the FMU zone will enhance the existing FMU zone development because new development will be evaluated in accordance with the FMU base zone standards and building design development standards. (Development in the FMU zone may not be similar to adjacent properties that are still zoned "Industrial", but the new development will enhance the Foothills Area.)

The Community Development Code amendments conform with Goal 2, Section 2 Community Design and Aesthetics, as the developments in the FMU zone will be subject to the same application procedure as currently existing for ministerial and minor development permits, and imposes height, setback, lot coverage, building orientation, and building design and parking standards. Other existing development standards are also applicable. These standards will result in development that is consistent with the Foothills Special District Plan. The Foothills Special District Plan incorporates the Planning Principles set forth in the Council-approved Planning Principles, Section 2.0, of the Foothills Framework Plan. These principles include Design Quality (#4), Public Open Space (#5), Appropriate Scale and Design (#7), and Balance (#10). The FMU zone standards and development standards will cause the Foothills area to:

"redevelop in a manner that knits Downtown Lake Oswego, Tryon Creek, Old Town, the Willamette River, and Oswego Lake together, and in the process will establish Lake Oswego's next great residential neighborhood. The District will possess a thriving, comfortable and inviting pedestrian environment, with clear and convenient connections to surrounding areas. A mix of uses including a variety of housing options, local retail to support the neighborhood, complimentary office types, and open space and recreational opportunities will provide vital activity not only within the District but also across State Street into Downtown."

Foothills Framework Plan, Vision, pg. 10.

The FMU zone and development standards will cause development in the FMU zone to maintain and enhance the appearance and design quality of Lake Oswego.

Goal 5. Open Spaces, Scenic and Historic Areas and Natural Resources

Section 1, Fish and Wildlife Habitat

GOAL

Lake Oswego shall preserve and restore environments which provide fish and wildlife habitat.

POLICIES

1. *Preserve and restore natural resources and lands which are important to fish and wildlife habitat including:*
 - a. *Wetlands, water bodies, stream corridors and associated vegetation;*
 - b. *The Willamette Greenway and the Urban Service Boundary's (USB) floodplains and floodways;*
 - c. *Surfacewater and groundwater quality;*
 - d. *Tree cover and understory vegetation, including downed trees and nesting snags; and,*
 - e. *Upland areas, especially forested hillsides.*
3. *Preserve and restore fish and wildlife habitat through:*
 - a. *Land and habitat management practices on public and private lands; and,*
 - b. *Providing linkages to various habitats for access and safe passage of wildlife to food, water, nesting and cover.*

4. *Require developers to preserve and restore inventoried and identified fish and wildlife habitat through:*
 - a. *Site design and development standards and construction methods;*
 - b. *Preservation of habitat associated with floodways and floodplains and their meandering channels;*
 - c. *Protection, restoration and buffering of wetlands, stream corridors, water bodies; and,*
 - d. *Protection and restoration of upland habitat, especially forested hillsides.*
5. *Require the preservation or establishment and ongoing maintenance of vegetated buffer areas when development occurs on property adjacent to stream corridors and wetlands.*
6. *Preserve and restore native plant communities to provide wildlife food, cover and nesting opportunities.*
9. *Ensure linkage among wildlife habitat areas as a key component of the Lake Oswego parks, open space and surface water management systems.*
10. *The City shall emphasize protection rather than mitigation of fish and wildlife habitat functions and values.*

Findings:

The Foothills Special District Plan and comprehensive plan map amendments conform with Goal 5, Section 1 Fish and Wildlife Habitat, as all development in the Foothills Special District remains subject to the City's Goal 5 Sensitive Lands Overlay District requirements, as well as the City's Goal 15 Willamette Greenway Overlay District requirements. In all cases, development will also comply with state laws relating to the protection of fish and wildlife habitat.

Section 2, Vegetation

GOAL

The City shall protect and restore the community's wooded character and vegetation resources.

POLICIES

1. *Protect, restore and maintain existing vegetation which has environmental, wildlife habitat and aesthetic qualities, including tree groves and forested hillsides and vegetation associated with wetlands, stream corridors and riparian areas.*
2. *Protect, restore and maintain native plant communities, including identified threatened plant species.*
3. *Require developers to maximize the preservation of trees and to maintain and enhance the cohesive quality of tree groves through:*
 - a. *Site design and construction methods; and,*
 - b. *Open space dedication of areas which contain these resources*
5. *Ensure vegetation is maintained, protected and restored through:*
 - a. *Regulation of tree removal;*
 - b. *Conditions of development approval;*
 - c. *Monitoring of development to ensure compliance with the City's regulations and conditions of development approval; and,*
 - d. *Enforcement of regulations.*
6. *Require landscaping for all development other than individual single family dwellings and duplexes to:*
 - a. *Visually enhance development projects;*
 - b. *Provide buffering and screening between differing land uses;*
 - c. *Reduce surface water runoff, improve water quality and maintain soil stability;*
 - d. *Provide wildlife habitat; and,*
 - e. *Reduce energy use by using vegetation for shade and windbreaks.*

7. *Require the establishment and maintenance of landscaped areas in all new parking lots and expansion of existing lots, to provide shade and visual amenity. Parking lot landscaping shall emphasize:
 - a. *The planting of broad spreading trees for shade and to mitigate the negative visual and environmental impacts of parking lots; and,*
 - b. *Effective screening and buffering between parking lots and adjacent uses.**
8. *Require tree planting for all development other than individual single family homes and duplexes, unless landscape standards are met by existing vegetation. When required, trees shall be planted along the street and throughout the development site.*
9. *Allow innovative site and building design including the clustering of buildings to preserve trees and other vegetation.*
10. *Ensure the continued maintenance of vegetation required pursuant to development approval, within landscaped and common areas.*
11. *Design and construct public works projects to preserve existing vegetation to the extent practical.*
14. *The City shall emphasize protection rather than mitigation of the functions and values of vegetation.*

Findings:

The Foothills Special District Plan, and the implementing code amendments, conform with Goal 5, Section 2 Vegetation, because development will be subject to compliance with the existing development requirements relating to protection of vegetation or Sensitive Lands Overlay District areas. Vegetation will, however, be appropriate to the high density residential, mixed-use character of the Foothills Area.

Section 4, Stream Corridors

GOAL

The City shall protect, restore and maintain stream corridors to maintain water quality and to provide open space and wildlife habitat.

POLICIES

1. *Protect, maintain, enhance and restore the functions and values of stream corridors, including maintenance of water quality, storm and flood water conveyance, fish and wildlife habitat, open space and aesthetic values.*
3. *The City shall emphasize protection rather than mitigation of stream corridor functions and values.*
4. *Enact and enforce standards and ordinances which regulate development, including filling and grading, within delineated stream corridors, stream corridor buffer areas, and buffer edges. These regulations shall require:
 - a. *Preservation of the functions and values of stream corridors;*
 - b. *No net loss of the total inventoried area of stream corridors within Lake Oswego;*
 - c. *That stream corridors which are designated as "distinctive natural areas," or which contain rare or endangered plant or animal species shall have the highest level of protection; and,*
 - d. *Preservation of stream corridors, stream corridor buffer areas and buffer edges through dedication, deed restrictions, covenants and other means as a condition of development approval for properties containing such features.**
5. *Require activities which use stream corridors to be compatible with the preservation of stream corridor functions and values. These activities include uses such as private development, public and private recreation, surface water management and flood control.*
6. *Require the review of any development proposal that could impact stream corridors with the appropriate local, state and federal agencies.*

7. *Require all development proposed within or adjacent to stream corridors to:
 - a. *Incorporate and maintain stream corridor features, functions and values in the project design such as stream banks, riparian vegetation, and fish and wildlife habitat; and,*
 - b. *Dedicate land or easements to preserve stream corridors and adjacent riparian areas.**
8. *Allow development density on parcels containing stream corridors to be transferred to other portions of the development site when stream corridors and the required buffer areas are permanently dedicated as open space.*
9. *Allow innovative site and building design, including the clustering of buildings to preserve stream corridors.*
10. *Prohibit diversion or impoundment of streams from their natural channels, except where:
 - a. *Diversion would return a stream to its original location; or,*
 - b. *A stream channel occupies all or most of a legally created lot; or,*
 - c. *An impoundment is designed to reduce flooding or improve water quality.**
11. *Restore and enhance the environmental quality of streams.*
12. *Design and construct public works projects to preserve existing stream banks and adjacent riparian vegetation.*
13. *The City shall emphasize protection rather than mitigation of the functions and values of stream corridors.*

Findings:

Development in the Foothills Special Plan District will conform with Goal 5, Section 4 Stream Corridors requirements, as all development with proximity to Tryon Creek will be subject to the Sensitive Lands Overlay District and RP Stream Corridor developments standards.

Section 5, Scenic Lands

GOAL

The City shall protect, enhance and maintain the wooded character and natural features of Lake Oswego that are prized by residents.

POLICIES

1. *Protect, enhance, maintain and restore the functions and values of existing and future wetlands, stream corridors, tree groves and other sensitive nature areas, such as:
 - a. *Water and air quality enhancement;*
 - b. *Fish and wildlife habitat;*
 - c. *Community identity benefits;*
 - d. *Open space, passive recreation, and visual enjoyment; and,*
 - e. *Public protection from natural hazards, such as areas subject to flooding, geological instability, or high erosion potential.**
4. *The City shall emphasize protection rather than mitigation of the functions and values of sensitive lands areas.*
5. *Enact and maintain regulations and standards which require:
 - a. *Preservation of the functions and values of sensitive lands;*
 - b. *No net loss in the quantity or volume of wetland or stream corridor functions or values when development is allowed within such resource, buffer or edge. Such development shall only be allowed after an alternatives analysis and a finding that a development cannot practicably be placed entirely outside of the resource and its buffer and edge areas;*
 - c. *Preservation of the most significant resources (i.e. no loss of area, functions, or values);*
 - d. *Protection of sensitive lands designated as RC or RP;**

- e. Establishment and maintenance of buffer and edge areas; and,*
 - f. Establishment of wider buffer areas around the most significant sensitive lands.*
6. *Allow development density on parcels containing sensitive lands overlay zones to be transferred to other portions of the development site.*
7. *Allow innovative site and building design, including the clustering of buildings to preserve sensitive lands.*
8. *Require activities within sensitive lands overlay zones to be compatible with the preservation of resource functions and values. These activities include uses such as public and private development, public and private recreation, surface water management and flood control.*
9. *Require all development proposed within or adjacent to sensitive lands to:*
- a. Incorporate and maintain sensitive lands resource features, functions and values in the project design;*
 - b. Preserve vegetation and provide and maintain buffer areas;*
 - c. Prevent the placement of contaminants or discharge of water pollutants or sediments into sensitive lands and their buffer areas; and,*
 - d. Restore and enhance disturbed sensitive lands with restoration landscaping to match the plant community of the resource.*

Findings:

The Foothills Special District Plan and the code amendments conform with Goal 5, Section 5 Scenic Lands, as all development will be subject to the existing Sensitive Lands Overlay District development requirements and the FMU zone standards have been developed to preserve access to and views of the Willamette River by height limits and placement of streets. See Foothills Framework Plan, Sections 5.4 and 5.8. Development will comply with existing state and local laws relating to the preservation of scenic lands. Development in the Foothills Area will not impact downtown Lake Oswego's views of Mount Hood.

Section 6, Open Space

GOAL

The City shall protect, enhance, maintain and expand a network of open space areas and scenic resources within and adjacent to the Urban Services Boundary.

POLICIES

1. *Establish an open space network within and adjacent to the Urban Services Boundary (USB) which:*
 - a. Preserves natural areas in an intact or relatively undisturbed state;*
 - b. Provides for maintenance of scenic resources and distinctive aesthetic qualities such as views of Mount Hood, Oswego Lake, the Willamette River, the Tualatin Valley and forested ridge lines;*
 - c. Preserves areas valued for community identity benefits such as stands of trees and rock outcroppings;*
 - d. Protects the public from natural hazards, such as areas subject to flooding, geological instability or high erosion potential;*
 - e. Provides buffers between incompatible uses;*
 - f. Preserves fish and wildlife habitat; and,*
 - g. Provides land which meets the open space and recreation needs of the community.*
2. *Preserve open space through dedication, deed restrictions, covenants, or other methods as conditions of development approval which, when possible, shall be consistent with the City's parks, open space and pathways plans.*

3. *Promote an open space network that:*

- a. Maintains the existing tree canopy;*
- b. Provides aesthetic and visual relief from urban development;*
- c. Provides opportunities for pedestrian and bicycle linkage; and,*
- d. Preserves essential natural systems.*

4. *The City shall emphasize protection rather than mitigation of open space functions and values.*

8. *Establish community open space buffers and protected view corridors between Lake Oswego and adjacent communities, for the purpose of defining the edge of the urban area and preserving the open, rural character of lands outside of the city.*

Findings:

The Comprehensive Plan Map amendment preserves the PNA designation for Foothills Park. Development along both Tryon Creek and the Willamette River is subject to the existing Sensitive Lands Overlay Districts, as well as, for development along the Willamette River, the Willamette Greenway Overlay District. Landscaping appropriate for a high-density residential mixed-use zone is required for developments in the Foothills area through the zone and development standards.

Goal 6. Air, Water, and Land Quality

Section 2, Water Resource Quality

GOAL

The City shall:

- a. Reduce water pollution and ensure that future land use activities protect and enhance area water quality, and;*
- b. Protect and enhance the functions and values of the natural ground and surface water drainage systems.*

POLICIES

1. *Protect the natural surface water drainage systems and enhance water quality by treating and controlling run-off and pollution at the source.*

2. *Favor the use of the natural drainage system and other non-structural methods to treat, convey and dispose of run-off.*

3. *Lake Oswego's management of surface water shall:*

- a. Restore, protect and enhance water quality and the physical and biological integrity of rivers, lakes and stream corridors and their associated environmental values including natural vegetation, fish and wildlife habitats;*
- b. Promote public safety and minimize damage to public and private property by surface water run-off; and,*
- c. Educate and involve the community in opportunities to restore, protect and enhance water quality.*

5. *Require all development to:*

- a. Comply with applicable local, state and federal water quality and erosion control standards; and,*
- b. Implement measures to minimize run-off from the development site during and after construction.*

9. *Restore the environmental functions and values of stream corridors as a means to enhance water quality.*

Findings:

The Foothills Special District Plan and the code amendments conform with Goal 6, Section 2 Water Resource Quality because developments in the Foothills Area will be subject to existing drainage (stormwater) development

standards. By allowing a higher intensity of development and use, transportation impacts on stormwater can be minimized. New infrastructure in the Foothills Area will deal more efficiently with stormwater and wastewater, which will in turn protect and preserve Tryon Creek, Foothills Park, and the Willamette River.

Goal 7. Areas Subject to Natural Disasters and Hazards

Section 1, Flood Hazards

GOAL

The City shall protect life and property from flood hazards.

POLICIES

2. Limit new development in the FEMA-regulated floodway, including filling and removal of earth, to the following uses provided there is no increase in base-year flood levels.

- a. Public and private open space and recreational uses;*
- b. Water-dependent structures such as docks, piers, bridges, and floating marinas; and,*
- c. Public facilities including unpaved roads and private access ways.*

3. Review development proposals, including public facilities, filling and grading, within areas subject to flooding to ensure:

- a. Conformance with FEMA and other regulatory agencies;*
- b. Reasonable protection of public facilities;*
- c. The flow, velocity and elevation of flood waters are not changed so as to endanger other property;*
- d. Natural systems such as fish and wildlife habitat, vegetation, wetlands and stream corridors are protected; and,*
- e. Other problems associated with flooding such as ponding, poor drainage, high water tables and unstable soils are addressed.*

5. Allow development density within the flood fringe to be transferred to higher portions of the development site.

8. Ensure that filling in the flood fringe is conducted in accordance with City and applicable state and federal regulations, and is the minimum necessary for development to conform with FEMA standards.

9. Protect, restore and maintain watercourses within the floodplain.

10. Require new or replacement water and sanitary sewer systems within the floodplain, constructed to prevent infiltration of floodwaters and discharge of untreated wastewater during flooding.

Findings:

In the area within the Foothills Special District Plan approximately 27.6 acres are located in the FEMA mapped floodplain. The floodplain acreage is illustrated in Figure 5.3.1 of the Foothills Framework Plan (Exhibit F-4, p. 80).

Under the Foothills Special District Plan, of the 27.6 acres in the floodplain:

- 6.7 acres are currently improved with the Foothills Park – no change from existing development
- 4.8 acres are within the Willamette Greenway boundary, - no change from existing development
- 5.0 acres with the City of Portland’s Tryon Creek Wastewater Treatment Facility – no change from existing development; and

- 9.5 acres with industrial uses including the roadways used to access those uses – proposed to be elevated out of the Flood Management Area by fill.

The effect of the proposed development within the Foothills Special District Plan is found in Section 5.3 of the Foothills Framework Plan (Exhibit F-4), the Vigil Agrimis Feasibility Report (Exhibit F-2) and the final floodplain analysis by Vigil Agrimis, (Exhibit F-5). The proposal includes filling a 9.5 acres portion of the Foothills Area (Industrial area), to elevate it above the base flood level. The area, which currently houses a number of Industrial uses, is proposed to be filled:

With this project, approximately 75,000 cubic yards of fill would be placed within the industrial district below the BFE (Base Flood Elevation).

Federal, State and Local floodplain regulations require that fill placed within the regulatory floodplain will not result in a rise to the BFE. The intent of these regulations is to protect nearby properties and limit the affects of cumulative fill within the regulatory floodplain.

In the Foothills District, the Industrial Area proposed to fill is not located in the floodway. This fill area also has limited direct hydrologic connection to either the Willamette River or Tryon Creek. The Concept Plan shows development and fill located over 200 feet from the OHW of the Willamette. With these factors, the Preferred Concept Plan will likely be able to demonstrate conformance with the ESA (Endangered Species Act).”

Foothills Framework Plan, (Exhibit F-4), p. 79, 80, 82.

The fill area is not located in a FEMA-regulated floodway, Policy 2 is not applicable.

Fill in the Industrial area will comply with the requirements of FEMA and other regulatory agencies, pursuant to Policy 3.a because:

- “FEMA approval is not required to simply fill in the Foothills District. The FEMA process for re-mapping the floodplain post-fill is called a Letter of Map Revision Based on Fill (“LOMR-F”). If we request a LOMR-F, any ESA analysis that was completed for the fill itself would also likely satisfy FEMA requirements for the subsequent LOMR-F.” Exhibit F-4, pg. 83.
- There is “No Rise” in the upstream or downstream waters. See Exhibit F-4, p. 81, and its Appendix B-7, and Exhibit F-2.
- “If floodplain mitigation is needed to compensate for the amount of fill required in the Industrial Area, additional federal regulations will come into play. For example, mitigation projects along the Willamette River may require a Section 404 permit under the Clean Water Act.” Exhibit F-4, p. 82. However, as stated in the Foothills Framework Plan, the fill in the existing developed Industrial area, that would not likely trigger any effect upon migrating fish:

“Since the fill requires no work on or near the river, it is not likely that NOAA Fisheries would find an affect from the fill itself. The analysis would more likely focus on the extent the fill alters the flow or areas of refuge in the river for the fish and in some way harms their ability to migrate in the Willamette River. It is difficult to predict that analysis at this time but the findings that NOAA Fisheries must make to show an affect should serve as guidance for any fill proposal strategy.”

- The proposed amendment to the floodplain standard, LOC 50.05.011.7 to exempt fill in the Industrial Area complies with Metro’s Title 3 (Water Quality and Flood Management) requirement, MC 3.07.330 and .340 for the following reason. Lake Oswego is required by Title 3 to adopt code language that substantially complies with the performance standards in Section 3.07.340 and adopts a flood management map that substantially complies with the Metro flood management area map.

Areas that are “developed or committed to other uses” do not appear on the Flood Management Map. MC 3.07.330.D. The Industrial area is currently “developed or committed to other uses” and was so at the time of adoption of the Metro Flood Management Map. Accordingly, the Metro Flood Management Map erroneously included the Industrial area. Because it should not have included the Industrial area in the first place, exclusion of the Industrial area is in *substantial conformance* with the Metro Flood Management Map.

The code amendment is in substantial conformance with MC 3.07.340 performance standards because those standards are only applicable to areas in the Flood Management Area. Because the *exclusion* of the Industrial area is in substantial conformance with the Metro Flood Management Map, excluding the Industrial Area also from the performance standards applicable to areas within the Metro Flood Management Area is in substantial conformance – by not being applicable -- with MC 3.07.340. [Note: The City is also working with Metro to formalize the exclusion of the Industrial area from the Metro Flood Management Map by amendment of the Metro Flood Management Map, or alternatively, granting an exemption under MC 3.07.840.]

It should be noted that the “no rise” finding (Exhibit F-4, Appendix B-7, and Exhibit F-2) and compliance with the requirement that finished floor elevations of habitable structures be one foot above the base flood level meet two of the three primary requirements of the performance standards. The exclusion of the Industrial area from the “cut and fill” requirement is based upon the exclusion of areas that are “developed and committed to use” from the Flood Management Map. This exclusion for “developed and committed to use” exists because when a flood event occurs, areas that are developed and committed to use do not provide any flood capacity: temporary measures, i.e., sandbagging, plywood barriers (Portland Waterfront, 1996) are placed to prevent flood waters from entering areas that are developed.

Policy 3.a is met by the amendment to the code amendment to the floodplain regulation. Once filled, the Industrial area would not be subject to flooding, based on the 100-year flood.

As to all other policies, development otherwise in the Foothills area will be in compliance with existing development standards, which are in compliance with the floodplain management standards.

Goal 9: Economic Development

Goal 9 calls for diversification and improvement of the economy by providing for a variety of economic opportunities.

GOAL

The City shall provide for economic development opportunities which enhance the prosperity and livability of the community.

POLICIES

1. *Designate adequate commercial and industrial land to:*
 - a. *Supply goods and services to the population within Lake Oswego’s Urban Services Boundary;*
 - b. *Provide close-to-home employment opportunities; and,*
 - c. *Maintain and improve the health of the local economy.*

3. *Require new commercial and industrial development to:*
 - a. *Provide the full range of required public facilities and services and pay commensurate system development charges;*
 - b. *Mitigate adverse impacts such as noise, traffic and visual aesthetics, on adjacent land uses through methods such as buffering, screening, parking controls, height, bulk and scale limits;*
 - c. *Comply with design and aesthetic standards to ensure compatibility with surrounding land uses and Lake Oswego's overall community character;*
 - d. *Participate in the development of a street system which provides efficient connection to higher order streets and to other activity centers;*
 - e. *Develop transit opportunities appropriate to the scale and character of the project;*
 - f. *Provide for a safe and convenient pedestrian and bicycle circulation system to and within the development;*
 - g. *Provide adequate, but not excessive parking for customers and employees; and,*
 - h. *Preserve natural resources and provide required open space.*
4. *Require unified site plans for all new industrial and commercial development which show:*
 - a. *Projects at full development including identification of all phases;*
 - b. *The locational, design and transportation relationships of proposed development with the rest of the business district and with surrounding land uses;*
 - c. *Measures necessary to mitigate adverse impacts on the transportation system and on adjacent land uses; and,*
 - d. *Design compatibility with surrounding land uses in regard to elements such as scale, bulk, materials, colors and landscaping.*
6. *Support redevelopment of existing vacant and underutilized industrial and commercial lands rather than designating additional lands for these purposes.*
7. *Ensure access to commercial and industrial development is taken from the major collector or arterial street system except when public safety requires access to be provided from other streets.*
8. *Prevent further expansion of "strip commercial development" and encourage redevelopment of existing strip commercial areas to become more attractive and oriented toward pedestrians and transit.*
9. *Ensure neighborhood commercial areas are:*
 - a. *Conveniently located and minimize the need for automobile travel;*
 - b. *Developed at a scale and in character with the area to be served; and,*
 - c. *Consistent with applicable and adopted Neighborhood Plans.*
10. *Designate the Downtown and Lake Grove Commercial Districts as the primary centers of general commercial* activity in Lake Oswego.*
11. *Require new commercial development, where possible, to develop joint street access, parking facilities, and pedestrian connections with other businesses to reduce land area requirements, traffic congestion, parking and safety problems.*
12. *Place new utilities, and where possible existing utilities, within commercial and industrial districts, underground.*
13. *Direct commercial and through traffic, other than that generated from adjacent neighborhoods, away from local residential streets.*
14. *Ensure all industrial and commercial uses comply with local, state and federal environmental standards.*
17. *Allow mixed use development within the Downtown and the Lake Grove Business Districts and Foothills Mixed Use District to provide opportunities for commercial, entertainment, professional, cultural, public, and residential activities. Regional draw business other than those providing specialized services and unique goods, shall not be located in these districts.*

18. Limit commercial development in the Grimm's Corner and Rosewood Business Districts and Foothills Mixed Use District to that which is intended to accommodate the frequently recurring needs of the surrounding neighborhoods.

Findings

The inclusion of the Foothills Mixed Use District in Policies 17 and 18 is to fulfill the Council vision as stated in the Foothills Framework Plan. See Foothills Framework Plan, p. iii, and p. 91 (Exhibit F-4). These amendments to the comprehensive plan text for Lake Oswego's new mixed use district is consistent with Goal 9's furthering "economic development opportunities which enhance the prosperity and livability of the community", as well as the Goal 9 policies.

The Foothills Special District Plan, and its implementing FMU zone and development standards, will result in a pedestrian-oriented mixed-use district that will provide for the opportunity of adding up to 1,735 households in a large, mixed-use community, a portion of which is underutilized in the current Industrial area. New development will comply with existing development standards that implement Goal 9 policies. New residents will support Foothills and downtown retail, office, and commercial services, and they will enliven the downtown town center area, creating new opportunities for employment. The FMU parking standards allow for parking integrated with development. All new utilities serving new development will be undergrounded.

Goal 10: Housing

To provide for the Housing needs of Citizens of the State.

The City shall:

- a. Provide the opportunity for a variety of housing types in locations and environments to provide an adequate supply of safe, sanitary, energy efficient housing at price and rent levels appropriate to the varied financial capabilities of present and future city residents;*
- b. Protect the character of existing neighborhoods; and,*
- c. Provide for needed housing while protecting environmentally sensitive areas, using land and public facilities as efficiently as possible, and facilitating greater use of alternative transportation modes.*

POLICIES

- 2. Require design review to determine the actual number of units permitted on a development site through an inventory of site conditions which demonstrates how proposed development is compatible with the site, surrounding uses, other Plan policies and capacity of public facilities.*
- 3. Assure that residential densities are appropriately related to site conditions, including slopes, potential hazards and natural features.*
- 4. Require mitigation of adverse impacts such as noise, traffic and visual aesthetics, on differing, adjacent land uses through site and building design.*
- 5. Require mitigation of adverse impacts such as traffic noise, degraded air quality and congestion, on all residential development along freeways, major and minor arterials and major collectors, through site and building design and other measures.*
- 6. Assure that residential density is appropriately related to the capacity of public facilities, especially residential streets. Developments shall not generate traffic exceeding the capacity of adjacent streets or intersections. (Also see Transportation Chapter, Goal 1, Policy 1, Goal 4 and Figure 16.)*

7. *Provide for safe, comfortable, visually attractive streets in new developments.*
8. *Link housing density and location to reduce automobile travel by locating high density residential (R-0, R-2 and R-3) and mixed use developments within walking distance of bus lines or transit centers, and preferably clustered so as to avoid strip development.*
9. *Encourage energy efficient site and building design, and use of renewable building materials.*
10. *Provide for an interconnected street system to encourage pedestrian, bicycle and transit travel and to reduce vehicle miles traveled to local destinations thus reducing energy use, pollution and congestion.*
11. *Place higher density residential, employment and shopping opportunities and public facilities, such as transit and parks, within close proximity where feasible.*
14. *Provide a wide range of housing types to meet the needs of various lifestyles and family types.*
15. *Provide low to moderate cost housing opportunities to meet Lake Oswego's fair share of local and regional housing needs including single family, multifamily, manufactured housing, special use housing and residential care facilities.*
16. *Assure equal access to housing for all.*
17. *Support public and private actions which increase housing choices and reduce housing construction costs.*

Findings

The FMU zone standards will determine the maximum and minimum residential density on a development site. The actual number of units on the site is dependent upon compliance with the zone and development standards. The development standards assure that the development is compatible with the site, surrounding uses, and capacity of public facilities. The development standards applicable to development in the FMU zone will also assure that existing Goal 10 housing policies are met. The interim building design standards require design review. (It is intended that clear and objective building design standards will be reviewed and adopted in Spring 2013, in coordination with the City's effort to develop clear and objective residential building design standards, in which event it is expected that Policy 2 will also be revised to allow development through clear and objective building design standards.)

Section 2, Stormwater Management

GOAL

The City shall reduce stormwater problems which cause flooding, erosion and water quality problems.

POLICIES

1. *Minimize future storm drainage problems within and adjacent to the Urban Services Boundary (USB).*
2. *Implement measures to protect existing drainage systems and easements.*
3. *Prohibit the encroachment of structures and other permanent improvements over public storm drainage lines and within public storm drainage easements and drainage ways.*
5. *Require new storm drainage facilities to have the capacity to accommodate projected upstream flows within the respective drainage basin in addition to runoff generated by the development served by these facilities.*
6. *Require developers to construct required storm drainage facilities and to pay an appropriate system development charge (SDC).*

9. *Require all storm drainage improvements on private property, and that required as a condition of new development to:*

- a. Accommodate storm drainage flows of development at full build-out; and,*
- b. Be compatible with the City's Storm Drainage Public Facility and Capital Improvement Plans and Surface Water Management Program.*

Findings:

Development in the Foothills Special Plan District, including development in the implementing FMU zone, will comply with the applicable existing drainage and utility development standards, including the obligation of development to mitigate its impact upon public infrastructure, and to install and maintain on-site private infrastructure. In addition, all development will be subject to the existing requirements relating to System Development Charges (SDCs).

Section 3, Water Treatment and Delivery

GOAL

The City shall ensure a reliable and adequate supply of high quality water to meet the existing and future needs of Lake Oswego.

POLICIES

7. *Require developers to:*

- a. Provide water service to meet domestic needs and fire flow requirements to all new development;*
- b. Install all required public fire hydrants;*
- c. Pay a systems development charge and other costs associated with extending service; and,*
- d. Extend adequately sized water lines with sufficient pressure to the boundaries of the subject property where future extension of water service is anticipated or required.*

8. *Require unobstructed access to all public water lines and easements.*

9. *Require all development in Lake Oswego to connect to the municipal water system unless the City and a water provider agree that adequate service can be provided more practically by the provider's facilities.*

Findings:

The existing public utility development standards will be applicable to development within the Foothills Special District Plan, including within the proposed FMU zone. This conforms with the policies of Goal 11, Section 3 Water Treatment and Delivery, by requiring development to adequately and appropriately provide access to clean water from City provided trunk lines. In addition, all development will be subject to the existing requirements relating to System Development Charges (SDCs).

Section 4, Wastewater Collection and Treatment

GOAL

Lake Oswego shall provide an adequate and efficient wastewater collection and treatment system within the Urban Services Boundary which:

- a. Meets the present and future needs of Lake Oswego residents and businesses;*
- b. Complies with federal, state and local clean water requirements; and,*
- c. Is self supporting.*

POLICIES

1. *Require developers to:*
 - a. *Provide adequate sanitary sewers to all new development; and,*
 - b. *Pay an equitable portion of costs associated with extending service.*
2. *Require all new and existing development within the City to connect to the City’s sanitary sewer system and pay a system development charge.*
4. *Control and reduce infiltration and inflow of storm and ground water to the sanitary sewer system.*

Findings:

The existing utility development standards will be applicable to development within the Foothills Special District Plan area, including within the FMU zone, assuring conformance with the policies of Goal 11, Section 4 Wastewater Collection and Treatment. Existing development standards require development to have adequate and appropriate sanitary sewer infrastructure into public right-of-way. In addition, all development will be subject to the existing requirements relating to System Development Charges (SDCs).

Goal 12. Transportation
GOAL 1 - Major Street Systems

Lake Oswego shall develop a major street system consisting of major and minor arterials and major collectors, which will have minimal impact on the City’s air quality, address the mobility needs of residents for all modes of travel and promote energy conservation.

POLICIES

1. *The arterial and major collector street network shall be designed and maintained to service level “E” during peak hours. The design of the roadway system shall also take into consideration:*
 - a. *Balancing roadway size and scale with the need to provide efficient and safe transportation for all modes of travel, including bike, pedestrian and transit,*
 - b. *Giving preference to transportation projects that increase the efficiency, safety, design capacity or level of service of a transportation facility, without increasing corridor width; and*
2. *Direct access onto major streets shall be controlled and consolidated over time through the development review process and the implementation of major street projects. In particular, access to state highways shall be reviewed subject to the regulations of the Oregon Department of Transportation and the City of Lake Oswego. Where regulations conflict, the more restrictive requirements shall apply.*

Findings:

The new Foothills District is intended to be a pedestrian-oriented neighborhood containing a mix of housing, neighborhood-oriented retail and office uses that will support all modes of transportation for all different types of users with different types of needs. Tri-Met provides transit service on State Street adjacent to the district.

The Foothills Special District Plan, as it incorporates the Foothills Framework Plan, provides that transportation facilities in the Foothills Area will:

- Improve and/or realign Foothills Road and B Avenue, including sidewalks to facilitate pedestrian travel.

- Provide for multimodal access to the Foothills Area by means of the planned Willamette Steps, walkways, and open spaces;
- Create pedestrian connections from downtown Lake Oswego through the Foothills Area and to the waterfront.
- Provide for a second access point at the north end of the Foothills Area, to accommodate anticipated traffic to the Foothills Area, and will help prevent congestion along State Street in downtown Lake Oswego.

Findings:

Development of these transportation facilities will be addressed by several requirements: part of the code amendment criteria for a rezone of properties to FMU, as part of a development agreement for a property; existing access development standards; off-site transportation mitigation requirements for transportation impacts of development; and the obligation to pay the requisite System Development Charge for transportation. (In addition, the Foothills Urban Renewal Plan will fund some of the transportation projects.) These code amendments, existing code standards, SDC transportation fees, and the Foothills Urban Renewal Plan will result in adequate and appropriate transportation improvements for development within the Foothills Special District Plan area.

GOAL 4 - Land Use and Transportation Relationships

Amendments to land use designations, densities, and design standards within the Lake Oswego Comprehensive Plan shall be reviewed to ensure that traffic generation does not exceed the present design capacity and function of the planned transportation system.

POLICIES

2. The costs of mitigation of the negative impacts (reduced safety and aesthetics, increased noise, reduced bicycle and pedestrian mobility), resulting from street improvements needed to serve a specific development, shall be paid for by the developer of the property. When street projects are needed to improve the capacity, operation and safety of the street system as a whole, the mitigation of negative impacts shall be paid for by the City and/or appropriate funding agencies.

4. The City shall require that a proposed increase in land use intensity be accompanied by a detailed traffic analysis, using current information, which finds that existing streets and intersections both on and off site will accommodate the projected traffic increases, or; necessary improvements can be constructed which are in conformance with the Comprehensive Plan Transportation Map. Mitigation of negative impacts (noise, aesthetics, safety, bicycle and pedestrian mobility) shall be paid for by the developer of the property.

9. The City shall, for all development projects, evaluate the adequacy of all transportation modes, to, from, and within the development site. The City shall ensure that:

- a. The design and location of driveways provides for safe and efficient property access and does not interfere with the safe flow of traffic or degrade the design capacity and adjacent streets; and*
- b. Alternative transportation modes have been provided for, such as public transit, bicycling and walking.*

10. The City shall require new development, through building and site design measures, to address the needs of the disabled and those who utilize alternative transportation modes such as van and car-pools, bicycles, public transit and walking.

13. The City shall, in conjunction with the neighborhoods, promote the safe and convenient use of walking and bicycling as viable transportation alternatives by:

- a. Developing and implementing a local bicycle and pedestrian circulation plan as part of the Comprehensive Transportation System Plan.*

- b. Working with the neighborhood associations to ensure that pedestrian and bicycle ways are compatible with neighborhood character.*
 - c. Developing a system of off-street recreational pathways which also provide alternative routes to major activity centers.*
 - d. Coordinating with other jurisdictions to promote the development of regional and intercity pathways.*
 - e. Providing for an ongoing City-wide sidewalk and pathway construction and maintenance program.*
- 14. Require building and parking placement for new development to be supportive of pedestrian, bicycle and transit users. Facilities supportive to these transportation modes shall also be required (e.g., bike racks, bus shelters, benches, etc.)*
- 15. The Downtown Town Center and Foothills District shall be considered a Multi-Modal Mixed-Use Area (MMA) for purposes of applying the requirements of the State Transportation Planning Rule. The boundaries of the MMA are depicted in the Comprehensive Plan Goal 12- Figure 21.*

Findings:

As to Policy 4, the transportation needs within and without the Foothills Area have been addressed in the Foothills Framework Plan - Transportation Analysis (Exhibit F-1), which is made a part of the Foothills Special District Plan.

The transportation system was closely considered in relation to the potential land use intensity for the Area, as described in Exhibit F-1.

Development of the transportation facilities will be addressed by several requirements:

- Part of the code amendment criteria for a rezone of properties to FMU, as part of a development agreement for a property;
 - Existing access development standards;
 - Off-site transportation mitigation requirements for transportation impacts of development; and
 - System Development Charge for transportation.
- (In addition, the Foothills Urban Renewal Plan will fund some of the transportation projects.)

Findings:

These code amendments, existing code standards, SDC transportation fees, and the Foothills Urban Renewal Plan will result in adequate and appropriate transportation improvements for development within the Foothills Special District Plan area.

GOAL 6 - Walking

The City shall provide a continuous citywide network of safe and convenient walkways that promotes walking as a mode of travel for short trips.

POLICIES

- 1. Integrate pedestrian access needs into planning, design, construction and maintenance of all transportation projects.*
- 3. Connect local walkways to activity centers such as schools, employment areas, parks, commercial areas, and transit centers and corridors.*

4. *The City shall make the pedestrian environment safe, convenient, attractive and accessible for all users through:
 - a. Planning and developing a network of continuous sidewalks, pathways, and crossing improvements that are accessible per the requirements of the Americans with Disabilities Act (ADA),
 - b. Providing adequate and safe street crossing opportunities for pedestrians, and
 - c. Improving street amenities (e.g., landscaping, pedestrian-scale street lighting, benches and shelters) for pedestrians, particularly near transit centers, town centers, main streets, employment centers, and transit corridors serving the primary transit network.*
5. *Involve citizens in the pedestrian facility planning process as well as in facility design.*
6. *The City shall ensure that planned bike and pedestrian paths are not obstructed as the result of new land development.*
7. *The City shall require developers to provide pathway connections from new development projects to the existing bicycle and pedestrian system.*
8. *The City shall work to preserve existing railroad rights-of-ways and other easements to maintain opportunities for future mass transit, bike and pedestrian paths.*

Findings:

The Foothills Special District Plan and code amendments conform with Goal 12, Goal 6 Walking, as the existing transportation design procedures and code requirements that implement Goal 12, Goal 6 will apply to design and construction of the street and pedestrian facilities within the Foothills Area, and outside of the Foothills Area that are impacted by the Foothills development.

GOAL 7 - Bicycling

The City shall provide a network of safe and convenient bikeways integrated with other transportation modes to increase modal share of bicycle transportation for all trip purposes.

POLICIES

1. *Integrate bicycle access needs into planning, design, construction and maintenance of all transportation projects.*
2. *Connect local bicycle facilities for bicyclists to ride to local and regional destinations, activity centers, connections to other transportation modes and the regional bicycle network.*
4. *Require, as appropriate, and encourage the placement of bicycle lockers and bicycle racks at major destinations and activity centers. Encourage covered bicycle parking whenever possible.*

Findings:

The Foothills Special District Plan and code amendments conform with Goal 12, Goal 7 Bicycling:

- The existing bicycle-compatible transportation facilities (streets; bikeways) design procedures and code requirements that implement Goal 12, Goal 7 will apply to design and construction of the bicycle-compatible transportation facilities within the Foothills Area;
- The bicycle parking code for the Area exceeds the City of Lake Oswego bike parking code; and
- Local streets will also include bike parking.

Findings:

These features will all facilitate bicycle travel in the Foothills Area. Having a strong bicycle network within the Foothills Area will also connect people in downtown Lake Oswego and the waterfront, and this will encourage bicycling as a mode of travel to, in, and around the Foothills Area.

GOAL 11 – Parking

Adequate on-site parking and loading facilities shall be provided for all land uses.

POLICIES

2. When commercial, industrial or institutional uses are changed or intensified, customer and employee parking shall be adjusted commensurately.

3. Commercial and industrial parking shall not intrude into adjacent residential neighborhoods. The impacts on adjacent residential areas of new commercial and industrial parking facilities or increases in the size of existing lots shall be reduced through buffering and screening.

Findings:

The Foothills Special District Plan and code amendments regarding parking conform with Goal 12 Transportation, Goal 11 Parking, as the proposed minimum parking requirements and maximum parking ratios reflect the vision for the Foothills Area to develop as a vital, mixed-use, pedestrian oriented neighborhood. Structured Parking is permitted within the FMU zoned area. See Foothills Framework Plan, Section 5.4, p. 100-102 (Exhibit F-4).

Goal 13. Energy Conservation

GOAL

The City shall conserve energy.

POLICIES

4. Require energy-efficient land use and circulation patterns through mixed use development, promoting high density developments near transit and major employment and shopping opportunities, and design of developments to encourage alternative transportation.

5. Promote energy efficiency through site planning for all types of development including residential subdivisions, multi-family, commercial and industrial projects.

Findings:

The Foothills Special District Plan, with its street pattern, as implemented upon redevelopment by the FMU rezone criteria, and the zone's mixed-use and dimensional standards, result in a compact, energy-efficient land use and circulation pattern that will achieve high standards for sustainable development with minimal impacts on the environment.

Goal 14. Urbanization

GOAL

Lake Oswego shall ensure that the rate, amount, type, location and cost of population growth and development within or outside of the Urban Service Boundary will not diminish the quality of life the City has presently attained.

POLICIES

3. *The cost of serving development within the current Urban Service Boundary shall be equitably allocated to implement adopted public facilities plans.*
4. *The City's quality of life as defined by adopted objective indicators shall not be reduced by new development.*
5. *Support the Metropolitan Area Urban Growth Boundary as a means to:*
 - a. *Reduce urban sprawl and ensure the development of an efficient and compact urban growth form.*
 - c. *Ensure the opportunity for appropriate urban infill and redevelopment.*
 - d. *Control costs and public subsidization of development associated with the unnecessary extension and provision of public facilities and services, and;*
 - e. *Ensure the maximum efficiency of lands within the Urban Growth Boundary existing at the time of this policy's adoption.*
7. *The City shall work to minimize the expansion of the Urban Growth Boundary by:*
 - a. *Providing opportunities to achieve and maintain a compact urban form and targeting public investments to reinforce a compact urban form.*
 - b. *Protecting existing Inner Neighborhoods* by focusing future commercial and medium to high residential growth in and in close proximity to Town Centers* and Main Streets* and along Transit Corridors* that contain commercial, high density residential or mixed use development.*
 - c. *Maintaining livability within the Urban Growth Boundary by providing housing choices with good access to jobs, preserving the natural environment, maintaining and improving access to natural areas, open space and parks, developing a balanced transportation system, which is less dependent on the private automobile and maximizing the efficiency of public facilities and services.*

Findings:

The Foothills Special District Plan, as implemented through the code amendments, conforms with Goal 14 Urbanization, as the Foothills Area will support a mixed-use community that will provide a wide range of housing options. The development will maintain a high level of quality and will integrate and connect well with downtown Lake Oswego and the waterfront. By facilitating a more intense development within the Urban Growth Boundary, this Plan helps prevent sprawl and encourages maximizing the efficiency of developable land and maintaining a compact urban form.

Goal 15. Willamette River Greenway

GOAL

The City shall protect, conserve, enhance and maintain the natural, scenic, historic, economic, and recreational qualities of the Willamette River Greenway.

POLICIES

2. *Require non-water related and non-water dependent structures to be set back from the Willamette River.*
3. *Manage lands within and adjacent to the Greenway to protect and restore natural vegetation.*
4. *Protect, enhance, and restore the fish and wildlife habitat values of the Willamette River and the Greenway.*
5. *Minimize the visual impact of development on the Willamette River and the Greenway through measures such as setbacks, height restrictions, building materials and color choices and landscape screening.*
6. *Protect the water quality of the Willamette River by:*
 - a. *Regulating development to prevent pollutants and soil erosion from entering the River;*
 - b. *Ensuring discharge practices conform to state and federal standards, and other requirements; and,*

c. Protecting and enhancing the natural functions and values of the ground and surface water systems which drain into the River.

7. Preserve significant view corridors to the Willamette River.

Findings:

The Foothills Special District Plan and code amendments conform with Goal 15 Willamette River Greenway, as no development is planned to be located within the Willamette River Greenway. The comprehensive plan map designation for the area of the Greenway within the Foothills Special District Plan is not being changed.

