

ORDINANCE 2760

AN ORDINANCE OF THE CITY OF LAKE OSWEGO AMENDING LOC 50.06.003.4.c.vi; OF CHAPTER 50 (COMMUNITY DEVELOPMENT CODE) TO ADD AN EXCEPTION TO THE STREET CONNECTIVITY STANDARD; AND ADOPTING FINDINGS (LU 17-0053).

WHEREAS, notice of the public hearing for consideration of this Ordinance was duly given in the manner required by law; and

WHEREAS, a public hearing before the Planning Commission was held on October 9, 2017, at which the staff report, testimony, and evidence were received and considered; and

WHEREAS, the Planning Commission has recommended that LU 17-0053 be approved by the City Council; and

WHEREAS, a public hearing on LU 17-0053 was held before the Lake Oswego City Council on December 5, 2017, at which the staff report, testimony, and evidence were received and considered; and

WHEREAS, the Council finds that the Community Development Code should be amended to add a new exception to the Street Connectivity Standard; and

The City of Lake Oswego ordains as follows:

Section 1. The City Council adopts the Findings and Conclusions (LU 17-0053), attached as Attachment 1.

Section 2. The Lake Oswego Code is amended by adding the new text shown in double underlined type and deleting text shown in ~~striketrough~~ type as shown in Attachment 2.

Section 3. Severability. The provisions of this ordinance are severable. If any portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective date. As provided by Section 35.C. of the Lake Oswego Charter, this ordinance shall take effect on the 30th day following enactment.

Enacted at the meeting of the Lake Oswego City Council of the City of Lake Oswego held on the 5th day of December, 2017.


AYES: Mayor Studebaker, Kohlhoff, Buck, O'Neill, Manz, Gudman, LaMotte

NOES: None

ABSENT: None

ABSTAIN: None

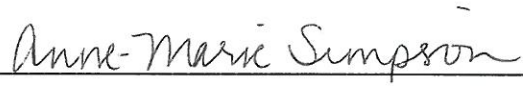
EXCUSED: None



Kent Studebaker, Mayor

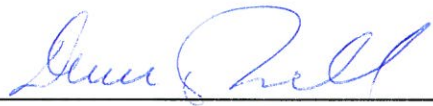
Dated: 12/8/17

ATTEST:



Anne-Marie Simpson, City Recorder

APPROVED AS TO FORM:



David Powell
City Attorney

Title 6: Exception from Compliance, Metro Code Section 3.08.630

C. City of Lake Oswego Comprehensive Plan

Land Use Planning

Policies A-2.a, B-10.b and d

Community Culture

Citizen Involvement Section, Policy 1

Connected Community

Policies: Safety A-1, A-8; Transportation Choices B-3; Efficiency C-7;

Accessibility D-4, D-5; Connectivity E-1, E-2; Livability F-1;

Sustainability G-1

D. City of Lake Oswego Community Development Code

LOC 50.07.003.3.c.	Published Notice for Legislative Hearing
LOC 50.07.003.16a	Legislative Decisions Defined
LOC 50.07.003.16b	Criteria for Legislative Decision
LOC 50.07.003.16c	Required Notice to DLCD
LOC 50.07.003.16.d.iii	Planning Commission Recommendation Required
LOC 50.07.003.16.e	City Council Review and Decision

FINDINGS AND REASONS

As support for its decision, the City Council incorporates the Planning Commission staff report dated September 27, 2017, and the Council Report dated November 20, 2017, with all exhibits, together with the Findings, Conclusions & Order of the Planning Commission.

CONCLUSION

The City Council concludes that LU 17-0053, as recommended by the Planning Commission, complies with all applicable criteria and should be approved. The Council also concludes that proposed Ordinance 2760, which implements LU 17-0053, should be enacted.

PROPOSED CHANGES: Shown as ~~strikeout~~ text for deletions, and underline text for new language. (Changes begin on page 3.)

50.06.003 CIRCULATION AND CONNECTIVITY

////

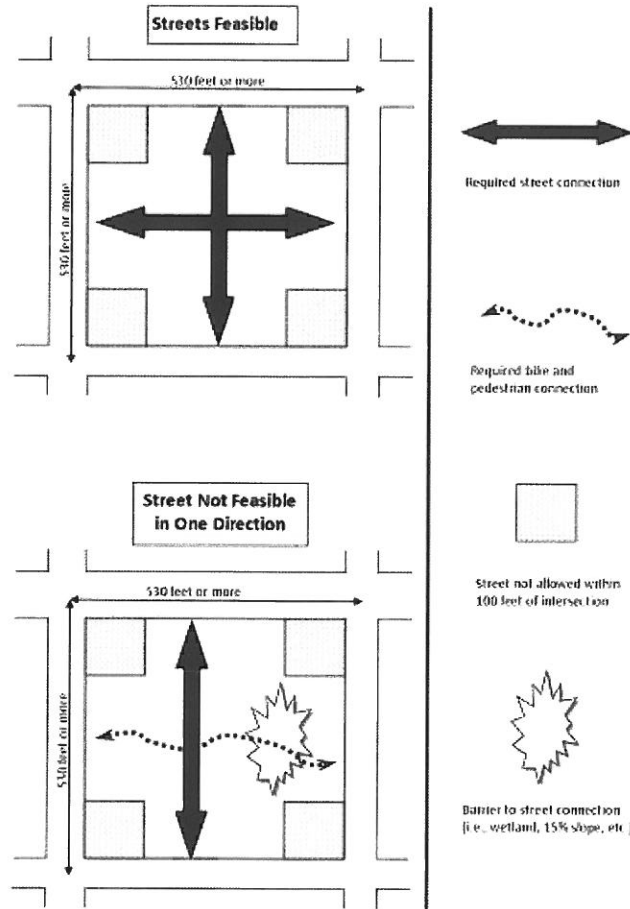
4. STREET CONNECTIVITY

////

c. Standards for Approval of Development Which Requires the Construction of a Street

- i. Local and neighborhood collector streets, access lanes, and residential accessways shall be designed to connect to the existing transportation system to meet the requirements of this standard as determined by the reviewing authority.
- ii. Local and neighborhood collector street design shall provide for full street connections between through streets with spacing of no more than 530 ft., measured between the center of the intersection of two through streets that provide for vehicle traffic movement in generally the same direction ("through street pairs") with the cross street. This requirement shall be applied to all through street pairs which surround the site. If the nearest boundary of the site (or boundaries extended to the street) is more than 100 ft. from the intersection of a through street nearest to the site and the cross street, the provisions of this standard shall be met, except when the provisions of subsection 4.c.vi of this section are met. See Figure 50.06.003-A: Street Connectivity.

Figure 50.06.003-A: Street Connectivity



iii. Streets shall be designed to connect to all existing or approved stub streets which abut the development site.

iv. Cul-de-sacs and permanent closed-end streets shall be prohibited except where (a) the requirements of this standard for street and residential accessway spacing are met and (b) construction of a through street is found to be impracticable. When cul-de-sacs or closed-end streets are allowed under subsection 4.c.vi of this section, they shall be limited to 200 ft. and shall serve no more than 25 dwellings, except where the reviewing authority has determined that this standard is impracticable due to the criteria listed in subsection 4.c.vi of this section.

v. Access lanes may be used to serve up to eight dwellings. They shall be designed to provide connections between properties that develop through the partition process.

vi. The reviewing authority may allow an exception to the review standards of subsections 4.c.i through 4.c.v of this section based on findings that the modification is the minimum necessary to address the constraint and the application of the standards is impracticable due to the following:

(1) Extreme topography (over 15% slope) in the longitudinal direction of a projected automobile route;

(2) The presence of Sensitive Lands as described in LOC 50.05.010, or LOC 50.05.011, Flood Management Area, or other lands protected by City ordinances, where regulations discourage construction of or prescribe different standards for street facilities, unless the nearest through street pairs (see Figure 50.06.003-A: Street Connectivity) surrounding the subject site are more than one-quarter mile apart. The reviewing authority may determine that connectivity is not required under this circumstance, if a benefit/cost analysis shows that the traffic impacts from development are low and do not provide reasonable justification for the estimated costs of a full or limited access street connection;

(3) The presence of freeways, existing development patterns on abutting property which preclude the logical connection of streets or arterial access restrictions;

(4) Where requiring a particular location of a road would result in violation of other City standards, or state or county laws or standards, or a traffic safety issue that cannot be resolved; or

(5) Where requiring streets (full or limited access) or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude required street or accessway connections.

(6) Where there is minimal public benefit of improved vehicular access and circulation, a limited access street connection (in lieu of a full street connection) may be approved provided it does not preclude development of adjacent property and is consistent with the purpose and intent in LOC 50.06.003.4.b. For determining public benefit, the travel needs of existing, proposed and potential future development and emergency vehicle access needs shall be considered. Limited access streets shall conform to the spacing standards in LOC 50.06.003.4.c.vii.

LIMITED ACCESS STREET: This amendment adds an exception for a limited access connection, and specifies the approval criteria.

vii. If the reviewing authority allows an exception to subsection 4.c.ii of this section for full street connections, it shall require residential accessway connections on public easements or rights-of-way so that spacing between bicycle and pedestrian connections shall be no more than 330 ft. measured from the centerline of the nearest bicycle and pedestrian connection intersection with the cross street.

////

e. Standards for Construction

i. Standards for construction of full street and limited access street connections shall be those included in LOC Chapter 42. Where emergency vehicle access is required on

limited access streets, the limited access street shall be 16 feet in width, contain removable bollards where it adjoins other streets, and consist of a driving surface that accommodates emergency vehicle apparatus as approved by the City Engineer.

ii. Standards for construction of access lanes shall be those included in LOC 50.06.003.1.d, Standards for Access Lanes.

iii. Standards for construction of residential accessways shall be those included in LOC 50.06.003.3.c.

iv. Where a temporary street-end is created, it shall be stubbed to the property line with posted notification identifying it as temporary and planned for future extension.