

**ORDINANCE 2893**

**AN ORDINANCE OF THE LAKE OSWEGO CITY COUNCIL AMENDING LOC CHAPTER 50 (COMMUNITY DEVELOPMENT CODE) TO REMOVE THE SPECIAL STREET SETBACK ALONG A SECTION OF SOUTH SHORE ROAD; AND, ADOPTING FINDINGS (LU 22-0004).**

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 March 18, 2022, at which the staff report, testimony, and evidence were received and considered; and

WHEREAS, the Planning Commission has recommended that LU 22-0004 be approved by the City Council; and

WHEREAS, a public hearing on LU 22-0004 was held before the City Council of the City of Lake Oswego on May 3, 2022, at which the staff report, testimony, and evidence were received and considered; and

WHEREAS, these amendments to the Lake Oswego Code, Chapter 50 (Community Development Code) are intended to remove ambiguous and conflicting language, correct the text, and add clarifying text which is consistent with past interpretations;

The City of Lake Oswego ordains as follows:

**Section 1.** The City Council hereby adopts the Findings and Conclusions (LU 22-0004), attached as Attachment 1.

**Section 2.** The Lake Oswego Code, Chapter 50 (Community Development Code) is hereby amended by adding new text shown in double underlined type, in Attachment 2. (Sections or subsections within LOC Chapter 50 that are omitted in Attachment 2, and not marked for deletion or addition, are neither amended nor deleted by this Ordinance.)

**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.

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**Section 4.** Effective Date. As provided in Section 35C of Chapter VII of the Lake Oswego Charter, this ordinance shall take effect on the thirtieth day following enactment.

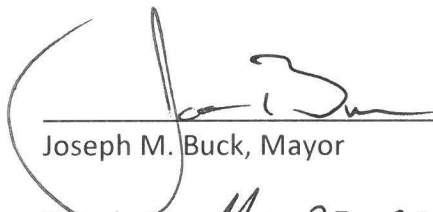
Enacted at the meeting of the City Council of the City of Lake Oswego held on the 17th day of May 2022.

AYES: Mayor Buck, Wendland, Nguyen, Verdick, Rapf, Manz, Mboup

NOES: None

ABSTAIN: None

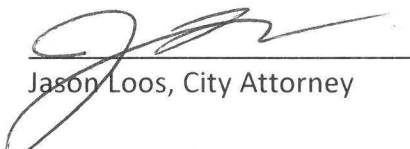
EXCUSED: None

  
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Joseph M. Buck, Mayor  
Dated: May 20, 2022

ATTEST:

  
\_\_\_\_\_  
Kari Linder, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Jason Loos, City Attorney



1 Community Culture  
Citizen Involvement Section, Policy 1  
2 Complete Neighborhoods & Housing  
Housing Location and Quality, Policy A-5  
3 Connected Community  
Policies: Safety A-1; Transportation Choices B-3; Efficiency C-7; Accessibility D-5;  
4 Connectivity E-1

5 D. City of Lake Oswego Community Development Code

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

9 **FINDINGS AND REASONS**

10 The City Council incorporates the Planning Commission Staff Report dated March 18,  
11 2022 (Exhibit D-1) for LU 22-0004, with all exhibits, and the Findings and Conclusions in the  
12 Commission’s April 11, 2022 Findings, Conclusions and Order, and the staff Council Report  
13 dated April 22, 2022, as support for the Council’s decision.

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15 **CONCLUSION**

16 The City Council concludes that LU 22-0004, as recommended by the Planning  
17 Commission, complies with all applicable criteria and should be approved. The Council also  
18 concludes that proposed Ordinance 2893, which implements LU 22-0004, should be enacted.

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20 AYES: Mayor Buck, Wendland, Nguyen, Verdick, Rapf, Manz, Mboup

21 NOES: None

22 ABSENT: None


23 ABSTAIN: None


24 EXCUSED: None

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26 DATED this 17<sup>th</sup> day of May, 2022.

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ATTEST:

  
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Joseph M. Buck, Mayor

  
\_\_\_\_\_  
Kari Linder, City Recorder

# SPECIAL STREET SETBACK CODE AMENDMENT

## 50.04.002 SPECIAL STREET SETBACKS

### 1. PURPOSE

To assure an adequate front yard setback is available in the event of possible future street improvements, such as additional lanes, pedestrian and bicycle facilities, transit facilities, drainage management improvements, lighting, and street landscaping.

### 2. ESTABLISHMENT OF SPECIAL STREET SETBACK REFERENCE LINE

The City Engineer establishes the centerline from which the special street setback reference line is measured, pursuant to LOC 50.04.002.3.

### 3. METHOD OF MEASUREMENT

The special street setback (SSS) shall be measured from the SSS reference line (as established pursuant to LOC 42.03.135), the prescribed special setback distance in LOC 50.04.002.5. On these streets, the front yard begins at either the front lot line or the SSS, whichever is furthest from the reference line.

### 4. PRIORITY OF OTHER PLANS

Special street setbacks are minimums. If a greater amount of additional right-of-way is warranted by improvements identified in a traffic impact study, corridor study, or transportation system plan, then the greater amount shall prevail.

### 5. SPECIAL STREET SETBACK LIST

The special street setbacks set forth in Table 50.04.002-1 shall not be reduced, except as provided in the table.

TABLE 50.04.002-1: SPECIAL STREET SETBACKS			
Affected Streets	From	To	Special Setback
Bangy Rd.	South of Alyssa Terrace		30 ft.
Bergis Rd.	Cornell St.	Stafford Rd.	30 ft.
Bergis Rd.	Cornell St.	Skylands Rd.	25 ft.
Boones Ferry Rd.	Mercantile Dr.	Madrona St.	50 ft., unless reduced by the City Engineer, finding that the purpose is met by a lesser amount.

<b>TABLE 50.04.002-1: SPECIAL STREET SETBACKS</b>			
<b>Affected Streets</b>	<b>From</b>	<b>To</b>	<b>Special Setback</b>
Boones Ferry Rd.	Madrona St.	West Sunset Dr.	50 ft.
Bonita Rd.			30 ft.
Bryant Rd.	Boones Ferry Rd.	Lake View Blvd.	40 ft.
Bryant Rd.	Lake View Blvd.	Childs Rd.	30 ft.
Burma Rd.			25 ft.
"C" Ave.	State St. alley	Country Club Rd.	30 ft.
Carman Drive		South and west of Kruse Way	40 ft.
Cornell St.	Larch St.	Bergis Rd.	30 ft.
Egan Way	East/west leg only		20 ft.
Fielding Rd.			20 ft.
Firwood Road			30 ft. between Boones Ferry Rd. and Waluga Dr.; 20 ft. west of Waluga Dr.
Gassner Ln.			20 ft.
Inverurie Rd.	North of Washington Ct.		20 ft.
Knaus Rd.			30 ft.
Lake Grove Ave.			20 ft.
Lake View Blvd.	Bryant Rd.	Iron Mt. Blvd.	25 ft., except between South Shore Blvd. and Summit Ct.
Lamont Way			20 ft.
Lanewood St.		Through south leg of Douglas Circle	20 ft.
Laurel St.	Dyer St.	Hallinan St.	30 ft.
Lower Dr.			25 ft.

TABLE 50.04.002-1: SPECIAL STREET SETBACKS			
Affected Streets	From	To	Special Setback
McVey Ave.	State St.	South Shore Blvd.	40 ft.
Madrona St.			25 ft.
North Shore Rd.	Abutting the railroad right-of-way		30 ft. measured from the south line of the railroad right-of-way
Oakridge Rd.	Quarry Rd.	Bonaire Ave.	25 ft.
Oakridge Rd.	Quarry Rd.	Boones Ferry Rd.	30 ft.
Overlook Dr.			30 ft.
Pilkington Road	South of Rosewood St.		Special street setback line shall be measured 30 ft. from the east line of Rosewood Plat.
Quarry Rd.	Boones Ferry Rd.	Galewood St. and extension to Carman Dr.	30 ft.
Reese Rd.	Boones Ferry Rd.	Upper Dr.	30 ft.
Rosewood St.	Pilkington Rd.	Tualatin St.	25 ft.
South Shore Blvd.			40 ft., <u>except between Lakeview Blvd. and Blue Heron Road.</u>
Stafford Rd.			40 ft.
State Street			50 ft., unless reduced by the City Engineer through the minor development procedure, finding that applicable ODOT standards and the purpose in LOC <a href="#">50.04.002.1</a> are met by a lesser amount.
Summit Dr.	Lake View Blvd.	Ridgewood Rd.	20 ft.
Sunset Dr.			20 ft.
Tualatin St.			20 ft.
Twin Fir Rd.	Boones Ferry Rd.	Upper Dr.	30 ft.



TABLE 50.04.002-1: SPECIAL STREET SETBACKS			
Affected Streets	From	To	Special Setback
Upper Dr.			25 ft.
Waluga Dr.	South of Oakridge Rd.	North of Madrona St.	20 ft.
West Sunset Dr.	West of West Lake Grove Design District Boundary		20 ft.