



**CITY OF MOLALLA
PLANNING COMMISSION MEETING PLANNING COMMISSION
AGENDA**

Molalla Civic Center 315 Kennel Ave Molalla, OR 97038
Wednesday, January 7, 2026 | 6:30 PM

NOTICE: Planning Commission Meeting will hold this meeting in-person and through Live-Streaming on the City's YouTube channel, City of Molalla | Oregon. Written comments may be delivered to City Hall or emailed to recorder@cityofmolalla.com. Submissions must be received by 12:00 p.m. the day of the meeting.

This institution is an equal opportunity employer.

- 1. CALL TO ORDER & FLAG SALUTE**
- 2. ROLL CALL**
- 3. PRESENTATIONS, PROCLAMATIONS & CEREMONIES**
- 4. CONSENT AGENDA**
 - a. Meeting minutes – October 15, 2025
- 5. PUBLIC COMMENT & WRITTEN COMMUNICATIONS**

Citizens are allowed up to 3 minutes to present information relevant to the city but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the support staff. The Planning Commission does not generally engage in dialog with those making comments but may refer the issue to the Community Development Director. Complaints shall first be addressed at the department level prior to addressing the Planning Commission.

- 6. PUBLIC HEARINGS**
 - a. SDR02-2024 – Commercial Use Expansion at 220 W Main Street (Davis)
 - b. CUP01-2025 – New Auto Sales Use at 709 W Main ST (Zinder)
- 7. GENERAL BUSINESS**
 - a. New Planning Commission Appointment for Chairman & Vice-Chairman (Wirth)
- 8. STAFF COMMUNICATION**
- 9. COMMISSION COMMUNICATION**
- 10. ADJOURN**

Agenda posted on the City Website at <http://www.cityofmolalla.com/meetings>. This meeting location is wheelchair accessible. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the Community Development Office at 503-759-0243.



City of Molalla
Planning Commission - Regular Meeting Minutes
October 15, 2025
Molalla Civic Center | 315 Kennel Ave. | Molalla, OR

CALL TO ORDER

The Molalla Planning Commission Meeting of October 15, 2025 was called to order by Chairman Doug Eaglebear at 6:31 pm.

COMMISSIONER ATTENDANCE

Present: Commission Chair Doug Eaglebear, Commissioner Connie Sharp, Commissioner Clint Ancell, Commissioner Martin Ornelas, Commissioner David Potts, Commissioner Brady Rickey.

Absent: None.

STAFF IN ATTENDANCE

Present: Community Development Technician, Jessica Wirth, Planning Manager, Dan Zinder, and Assistant City Manager, Mac Corthell, Engineering Section Manager, Sam Miller, Associate Planner, Claressa Davis.

Absent: Engineer Technician, Landon Shekard.

CONSENT AGENDA

A. Planning Commission Meeting Minutes – September 3, 2025

ACTION:

Commissioner Ancell moved to approve the Consent Agenda for September 3, 2025 Meeting Minutes with corrections; Commissioner Potts seconded.

AYES: Sharp, Ancell, Ornelas, Potts, Eaglebear, Rickey. **Motion passed 6-0-0.**

NAYS: None.

ABSENTIONS: None.

PUBLIC COMMENT

None.

PUBLIC HEARING

SDR02-2025 & V01-04-2025 – Site Design Review and Variances for a new Molalla Middle School

Applicant: Molalla River School District

Location: 318 Leroy Ave

Commission Chairman Eaglebear reviewed the quasi-judicial hearing procedures, applicable criteria, and Oregon land use requirements.

No conflicts of interest or ex parte contacts were disclosed.

No challenges from the audience.

STAFF REPORT – Dan Zinder, Planning Manager

Staff presented the Site Design Review application and four associated variances. Key points included:

- Construction of a **new 115,000 sq. ft. middle school** on the northern portion of the parcel
- Existing school to be demolished
- Updated access:
 - Staff access from Linn Lane
 - Parent drop-off from Leroy Avenue
 - Bus and event access from Hezzie Lane
- Required frontage improvements along all bounding streets
- Supplemental traffic analysis at **Leroy Avenue & OR-211**; signal warrants not met
- Review of all requested variances:
 - **V01–V02:** Reduced glazing requirements
 - **V03:** Reduced articulation requirements
 - **V04:** Increase in maximum pole height for parking lot lighting (20 ft → 25 ft)

Staff recommended **approval with conditions**, including adjusting the timing of Hessa Lane improvements to **prior to occupancy**.

APPLICANT TESTIMONY:

Representative: **Mercedes Serra, 3J Consulting**

Applicant described the design, circulation improvements, building materials, lighting plan, and the rationale for the four variances. Applicant supported adjusting conditions related to the land swap timeline.

PUBLIC TESTIMONY:

In Support: None

Opposed:

- **Resident at 413 Leroy Avenue** expressed concerns about nighttime lighting, window glow, and electronic sign illumination.

Neutral: None

APPLICANT REBUTTAL

Applicant addressed lighting concerns, noting interior lights will be on timers, site lighting is fully downcast, and signage must meet current lighting standards.

Chairman closed the hearing at 7:19pm.

No request to keep the record open.

COMMISSION DELIBERATION:

The Commission discussed glazing reductions, articulation standards, lighting design, variance precedents, and the need for complete photometric information.

Staff clarified that variances are **case-by-case** and do not establish precedent.

ACTION:

Commissioner Ancell moved to approve Variance V01-2025 (street-facing glazing); Commissioner Sharp seconded.

AYES: Sharp, Ancell, Ornelas, Potts, Eaglebear, Rickey. **Motion passed 6-0-0.**

NAYS: None.

ABSENTIONS: None.

ACTION:

Commissioner Ancell moved to approve Variance V02-2025 (non-street-facing glazing); Commissioner Sharp seconded.

AYES: Sharp, Ancell, Ornelas, Potts, Eaglebear, Rickey. **Motion passed 6-0-0.**

NAYS: None.

ABSENTIONS: None.

ACTION:

Commissioner Ancell moved to approve Variance V03-2025 (articulation requirements); Commissioner Sharp seconded.

AYES: Sharp, Ancell, Ornelas, Potts, Eaglebear, Rickey. **Motion passed 6-0-0.**

NAYS: None.

ABSENTIONS: None.

ACTION:

Commissioner Ancell moved to approve Variance V04-2025 (light pole height increase to 25ft); Commissioner Sharp seconded.

AYES: Sharp, Ancell, Ornelas, Potts, Eaglebear, Rickey. **Motion passed 6-0-0.**

NAYS: None.

ABSENTIONS: None.

ACTION:

Commissioner Ancell moved to approve Site Design Review SDR02-2025 (full application) with the following modifications;

- Inclusion of all approved variances.
- Added condition for a **photometric lighting plan**.
- Modification of Hessa Lane improvement timing to **prior to occupancy**.
- Adjustment of demolition timing for the existing school to **prior to occupancy**.

Commissioner Potts seconded.

AYES: Sharp, Ancell, Ornelas, Potts, Eaglebear, Rickey. **Motion passed 6-0-0.**

NAYS: None.

ABSENTIONS: None.

STAFF COMMUNICATION

- Introduction of new staff; Associate Planner Claressa Davis.

Staff provided updates on:

- Water intake project funding
- Aquifer Storage & Recovery (ASR) study
- PFAS treatment planning
- Wastewater treatment construction progress
- Progress at Fox Park, Strawberry Park, and Molalla Forest Road
- Bear Creek updated crosswalk & right-of-way coordination
- Police facility nearing occupancy
- Future use of existing Police/City Hall building
- City Hall and library planning
- Upcoming Chamber events (Halloween, Christmas Tree Lighting, Christmas Parade)

COMMISSION COMMUNICATION

- **Commissioner Ancell**, nothing to report.
- **Commissioner Sharp**, Halloween is coming, the Chamber of Commerce is doing a trick or treat event at City Hall & Cindy's Café will be open.
- **Commissioner Ornelas**, nothing to report.
- **Commissioner Potts**, nothing to report.
- **Chair Eaglebear**, Chair Eaglebear reminded the commissioners about the joint session in November 19th.

ADJOURNMENT

Chair Eaglebear adjourned the meeting at 8:07pm.

**PLANNING COMMISSION MEETINGS CAN BE VIEWED IN ITS ENTIRETY ON YOUTUBE
"MOLALLA PLANNING COMMISSION – OCTOBER 15, 2025"**

Doug Eaglebear, Planning Commission Chair

Date

Submitted by: _____
Jessica Wirth, Community Development Technician

Date

Attest: _____
Mac Corthell, Assistant City Manager

Date

Staff Report



Planning & Community Dev.
117 N Molalla Avenue
PO Box 248
Molalla, Oregon 97038
Phone: (503) 759-0205
communityplanner@cityofmolalla.com

CITY OF MOLALLA STAFF REPORT SDR02-2024 – 220 W Main – B&I Construction

Date: December 30, 2025, for January 7th, 2026, Planning Commission Meeting

File No.: SDR02-2024

Proposal: Site Design Review for the renovation of an existing building located at 220 W Main Street.

Address: 220 W Main Street

Tax Lots: 52E08DD09200

Applicant: B&I Construction Inc
PO Box 246
Molalla, OR 97381

Property Owners: B&I Construction, Attn. Ignaty Egoroff

Applicable Standards: Molalla Municipal Code, Title 17, Development Code

Division II, Zoning Regulations

Section 17-2.2.030 Allowed Uses

Section 17-2.2.040 Lot and Development Standards

Division III, Community Design Standards

Section 17-3.2.040 Non-Residential Buildings

Chapter 17-3.3 Access and Circulation

Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting

Chapter 17-3.5 Parking and Loading

Chapter 17-3.6 Public Facilities

Division IV, Application Review Procedures and Approval Criteria

Chapter 17-4.1.040 Type III Procedure (Quasi-Judicial Review – Public Hearing)

TABLE OF CONTENTS:

- I. Executive Summary
- II. Recommendations
- III. Conditions of Approval

EXHIBITS:

- EXHIBIT A: Findings of Fact for SDR02-2024
 - EXHIBIT B: Application Package for SDR02-2024
 - EXHIBIT C: Molalla Engineering Comments
 - EXHIBIT D: Molalla Fire Department Comments
 - EXHIBIT E: Oregon Department of Transportation Comments
-

I. EXECUTIVE SUMMARY

Proposal:

The Applicants seek to acquire land use approval for a site design to renovate the existing building and parking lot located on tax lot 52E08DD09200, addressed as 220 W Main Street. This property fronts OR-211, and must follow ODOT procedures and requirements for any updates to that frontage. City Engineering is the managing agency for Hart Avenue, and the applicant must follow all City standards and specifications for that frontage.

Site Description:

The subject lot is 23,058 square feet with an existing building with a footprint of 9,000 square feet. The site is zoned C-2, general commercial and no zone change is proposed. The applicant is applying for a site design review to renovate the building to include 3,157 square feet of retail space, 6,421 square feet of office space, 2,837 square feet of multi-use space, and 1,306 square feet of common area. After the renovation, there will be 8 tenant spaces in the building. The renovation will include creating five entrances off OR-211 and two entrances from the rear. The applicant also plans to resurface and reconfigure the existing parking lot and update the access from Hart Avenue.

Surrounding Zoning and Land Uses:

The properties to the east and south are C-2. The property to the east is occupied by auto repair and the lot to the south is vacant. The properties to the north and west are C-1. The property to the west is vacant and the property to the north is occupied by a lumber store (across OR-211).

Public Agency Responses:

Staff circulated notice of the project to the City Engineering, Fire Marshal, and ODOT on October 29, 2025. The City has included agency responses as Exhibits C, D, and E respectively, and integrated their comments into the proposed findings and conditions of this decision.

Public Notice and Comments:

Per MMC 17-4.1.040, notice of the public hearing was sent to all property owners within 300 feet of the subject properties and to a group of interested parties on December 1, 2025. Notice was published in the Molalla Pioneer on December 10, 2025, and on the City's website on December 1, 2025. Signage containing public notice information was posted on the property on December 17, 2025. As of December 30, 2025, Staff had received no public comments on the application.

I. Recommendation

Based on the application materials and findings demonstrating present or conditioned compliance with the applicable criteria, staff recommends approval of Site Design Review SDR02-2024, subject to the conditions of approval to follow. This approval is based on the Applicant's written narrative, site plans, and supplemental application materials. Any modifications to the approved plans other than those required by the conditions of this decision will require a new land use application and approval.

II. Conditions of Approval

1. Building Permits, Engineering Plan Approvals, and Certificate of Occupancy Required:

- A. Per Molalla Municipal Code (hereinafter MMC) 17-4.2.070 and the State of Oregon Structural Specialty Code, upon approval of this Site Design Review, the applicant must submit for building permit authorization from Molalla Planning Staff and Engineering Plan Review from Molalla Public Works. Per MMC 17-4.2.070, this site design review has an approval period of 1-year from the date of approval.
- B. As a condition of approval, the Applicant/owner shall submit for both Building Permit Authorization for all proposed improvements through the City of Molalla Planning Department and Civil Plan Review through the City of Molalla Public Works Department within the 1-year approval period. Extension requests for the 1-year period are subject to the Code provisions of MMC 17-4.2.070, B.
- C. Per MMC 17-4.9.020 and the State of Oregon Structural Specialty Code, upon approval of this Site Design Review (change of use), the applicant must obtain a Certificate of Occupancy from the Clackamas County Building Official. As a condition of approval, the Applicant/owner shall obtain a Certificate of Occupancy through the Clackamas County Building Official for all onsite occupants prior to operation of the new, proposed use/occupancy.

Note: City approval is required for all Certificates of Occupancy.

2. Conditions Requiring Resolution Prior To Submitting Building Permit Applications to the Molalla Planning Department:

- A. This application is based on the lot created by PLA03-2024. PLA03-2024 must be recorded with the County Surveyors. Applicants will need to submit proof of recording at time of building permit authorization submittal.
- B. Applicant shall conform to all emergency access, building, and fire code standards, as applicable at the time of building permit submittal.
- C. The applicant shall remove the fence fronting OR-211 or demonstrate that there have been prior approvals for the fence.

- D. The applicant's building permit authorization submittals shall either provide a cost estimate to show that their proposed improvements meet the civic space exemption criteria for 17-3.2.050 C 3 or modify their site plan to provide civic space..
- E. If the applicant chooses to install new lighting, they shall submit a light plan in conformance with MCC 17-3.4.050.C.
- F. The applicant shall submit a landscaping plan that shows conformance with MMC 17-3.4.030.
- G. The pedestrian area outside the rear entrances shall be marked and clearly designated from driving surfaces.
- H. The applicant shall meet all accessibility requirements where they coincide with an accessible route and provide parking consistent with ADA requirements (MMC 17-3.5.030 H).
- I. The applicant shall show screening of the 9 parking stalls facing Hart Avenue in compliance with MCC17-3.4.030.E.2.
- J. The proposed location for the bike racks may not be optimal for convenience or usage and may create conflicts with interior pedestrian circulation. Staff offers the opportunity to work with the applicant for an alternative placement.
- K. Applicant shall submit a performance bond, irrevocable stand-by letter of credit, or a cash deposit that meets the requirements in MSSPW section 1.15.9 for public improvements, in a form and substance satisfactory to the City.
- L. Separate engineering drawings reflecting the installation of public utilities will be required. Civil plans must be accepted prior to building permit authorization by the City. No building permit may be issued until all required public facility improvements are in place and approved by the City Engineer, or otherwise bonded, in conformance with the provisions of this Code and the Public Works Design Standards. If applicant chooses improvement bonding applicant shall submit a performance bond, irrevocable stand-by letter of credit, or a cash deposit that meets the requirements in MSSPW section 1.15.9 for public improvements, in a form and substance satisfactory to the City.

No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, bonding, right-of-way and easements have been obtained and approved by staff. Performance Bond shall be in place prior to issuance of permit and before any public construction begins. The sum of the Performance Bond will be based on Engineering Cost Estimates provided at the time of application submittal. All public improvements shall be completed and accepted by the Public Works Division prior to issuance of any occupancy (MMC 17-3.6.080).

For commercial and industrial development projects, no building permit may be issued until all required public facility improvements are in place and approved by the City Engineer, or otherwise bonded, in conformance with the provision of the Code and the Public Works Design Standards in accordance with MMC 17-3.6 Public Facilities. All public facilities shall be completed and accepted by the Public Works Division prior to issuance of final occupancy. Staff reserves the right to require revisions/modifications to the public improvement construction plans and completed street improvements if additional modifications or expansion of the sight distance onto adjacent streets is required (MMC 17-3.6.080).

A. Street:

1. The proposal development with lot line adjustment has submitted a Traffic Analysis Letter (TAL) and will not require a City traffic impact analysis update. However, applicant will need to verify that an impact analysis is not required by ODOT. The proposed development will add a total of 23 trips and the threshold for a traffic impact analysis is 25 AM or PM PH trips.
2. OR 211: OR 211 is an arterial street under Oregon Department of Transportation (ODOT) jurisdiction. Current right-of-way width varies from 65-70 feet and approximate pavement width of 48 feet. Applicant will be required to construct frontage improvements along the site's Main St. frontage consistent with Molalla arterial (downtown district) cross sections to include sidewalk with street parking and convert the right turn lane onto Metzler Ave into on street parking in accordance with ODOT requirements. Applicant will be required to close existing unused driveways to the highway fronting the building. Applicant will also be required to dedicate the sidewalk along the property frontage to be within ODOT right-of-way and 10-foot wide Public Utility Easement across the frontage of 220 W. Main (Hwy 211). Roadway lighting is required on all new development. Applicant shall be required to install roadway lighting. Location and number shall be determined during design review. See also ODOT comments about right of way width and left turn warrants. Applicant shall dedicate a 10-foot wide Public Utility Easement along OR 211 to the extent the property frontage adjacent to the ROW edge that does not contain a building.
3. Hart Ave: Hart Ave is a local street under City of Molalla jurisdiction. Current right-of-way width is 40 feet and approximate pavement width is 34 feet. Local streets (w/ PK) require 50 feet of right-of-way and 34 feet of pavement. Applicant will be required to dedicate 5 feet of right-of-way, 10-foot Public Utility Easement and construct road improvements to City standards for 17 feet of pavement (CL to face of curb), curb and gutter, and 6-foot curb tight sidewalk. Applicant will be required to bring the southeast corner of the intersection at Hart Ave and W. Main St (Hwy 211) up to ODOT ADA standards and submit plans to be reviewed by ODOT for ADA compliance. The applicant shall redesign and construct the driveway approach from Hart Ave in accordance with the Molalla Public Works Standards.
4. Right-of-way Dedications/Donations: If right of way dedication fronts streets under the jurisdiction of the City of Molalla, Applicant shall submit dedication on formats approved by the Public Works Department. On ODOT rights of way, applicant will be required to donate sufficient right-of-way along variable width improvements and construct sidewalk widening to ODOT standards. ODOT requires donations of right-of-way to follow the requirements of Chapter 5.322. Developer Mitigation Donation in the ODOT Right-of-Way Manual. Applicant is advised that donation must be completed and recorded prior to submission of final subdivision plat or final partition plat in order for Public Works to process plat documents.

5. Proposed Street “Hart Ave”: Applicant has opted to dedicate 5 feet of right-of-way and construct a half/full street improvement. Improvements shall consist of 17 feet of pavement, curb and gutter, and 6-foot curb and sidewalk. Curb radius connecting to W. Main (Hwy211) Street shall be 25 feet and internal street shall be 15 feet minimum. Street shall be signed no parking on both sides until street is improved to full width.
6. Access to public streets (Hart Street) shall be limited to the following location and all access shall be constructed in such a manner as to eliminate turning conflicts. Access spacing shall conform to the Transportation Systems Plan. The proposed width of accesses shall meet the Molalla Standard Specifications for Public Works Construction.
7. Transportation SDC’s – In accordance with MMC 13.14 this development does increase the impacts to the public improvement facility and is therefore not exempt from transportation SDC charges. SDC’s shall be calculated in accordance with the SDC methodology.

B. Storm:

1. City Streets: A 12-inch storm main exists approximately 50 feet to the west of the project on Hart Ave. Storm main is approximately 3 feet in depth and will serve this development. Applicant is also required to verify that the storm main in Hart Ave is connected to W Main St storm system. If not, the applicant will be required to make such connection to facilitate their storm runoff.
2. Applicant proposes to collect and detain all stormwater onsite and discharge to City facilities. Connection to City facilities shall comply with all City requirements. Onsite private storm system shall comply with plumbing code requirements. The detention and flow control facilities shall be reviewed, permitted, and inspected by Public Works. The onsite storm conveyance system shall be reviewed and inspected by Clackamas County Building under a plumbing permit. The connection to the ODOT facilities shall be reviewed and permitted by ODOT including water quality requirements.
3. ODOT Streets: Storm improvements shall meet ODOT requirements.
4. Stormwater SDC’s – In accordance with MMC 13.14 this development does increase the impacts to the public improvement facility and is therefore not exempt from stormwater SDC charges. SDC’s shall be calculated in accordance with the SDC methodology.

C. Sanitary:

1. The property is currently served by an existing sewer service lateral connection off City sanitary main line located in W Main Street. Applicant is proposing to utilize the existing lateral as their main connection to City sanitary system. Any new service or modification to the existing service lateral. Applicant shall be designed and constructed in conformance with Molalla Public Standards and in accordance with Oregon state plumbing laws, the rules of the Oregon DEQ, and City Standards.
2. Sanitary SDC’s – In accordance with MMC 13.14 this development does increase the impacts to the public improvement facility and is therefore not exempt from sanitary SDC charges...this development is not exempt from sanitary SDC charges. SDC’s shall be calculated in accordance

with the SDC methodology.

D. Water:

1. The property is currently served by an existing water service lateral connection off City water main line located on Hart Ave. Applicant is proposing to utilize the existing lateral as their main connection to City water system. Any new service or modification to the existing service lateral. Applicant shall design and construct in conformance with Molalla Public Standards and in accordance with Oregon state plumbing laws.
2. Should Fire Department regulations require additional fire flow that results in looping the water line through the site, then the applicant's engineer shall coordinate with Public Works for the extension of the public waterline. Public waterline shall be sized appropriately to meet fire flows, and meet City of Molalla Public Works Standards, and all public water lines and hydrants shall be within a public utility easement approved by the Public Works Department. Looping of the water line may impact the existing 6-inch water main within Lynn Lane at which time the development shall upsize the waterline to meet fire flow or as advised by the City.
3. Water SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from water SDC charges. SDC's shall be calculated based on domestic water meter size in accordance with the SDC methodology.

E. Parks:

1. Parks SDC's – In accordance with SMC 13.70.110 this commercial/industrial design review is exempt from parks SDC charge and is exempt from parks SDC charges.

F. Utility Services:

1. Underground utilities: All utilities for the project shall be served by underground services. No overhead crossings of public right of way shall be approved by the City.
2. Connection to Water, Sewer, Storm: Prior to connection to the listed utilities, the applicant must gain approval from the City of Molalla Engineering Section.

G. Detention and water quality standards are not triggered by the proposed improvements, however, a balance of 2,500 square feet of impervious surface shall be applied to impervious surface calculation for future applications on the subject parcel (MMC 17-3.6.050).

H. Portions of the subject site where the applicant has proposed landscaping shall be brought to current standards prior to City Approval of Occupancy (MMC 17-3.4.030 C, 1-17).

I. The applicant shall complete landscaping in accordance with the approved plan prior to City Approval of Occupancy.

J. The applicant shall remove any outdoor storage on the property prior to the City granting occupancy.

- K. The applicant shall design and construct stormwater facilities, in conjunction with required and voluntary improvements, that comply with the City's stormwater master plan and public works design standards as well as any other applicable state or federal law or rule.
- L. All utilities for the project shall be served by underground services. No overhead crossings of public right of way shall be approved by the City.

3. Conditions to be Met During Construction:

- A. An ODOT Miscellaneous Permit must be obtained for all work in the ODOT owned highway right of way. When the total value of improvements within the ODOT right of way is estimated to be \$100,000 or more, an agreement with ODOT is required to address the transfer of ownership of the improvement to ODOT. An Intergovernmental Agreement (IGA) is required for agreements involving local governments and a Cooperative Improvement Agreement (CIA) is required for private sector agreements. The agreement shall address the work standards that must be followed, maintenance responsibilities, and compliance with ORS 276.071, which includes State of Oregon prevailing wage requirements (MMC 17-3.6.020).
- B. For all work within City right-of-way, the applicant shall apply for a Public Works Permit in accordance with Section 1.15 Developments Process Requirements of Molalla standards. No work will be performed, not materials stored, nor encroachment made on or within a right-of-way, public easement, or public utility easement until all requirements have been met and permit has been issued.
- C. Any temporary driveway providing access to the site during construction shall be paved or graveled to prevent tracking of mud onto adjacent paved streets (MMC 17-3.3.030 D, 20).
- D. Performance Bond shall be in place prior to issuance of permit and before any public construction begins.

4. Conditions to be Met Prior To Occupancy

- A. All public facility improvements shall be completed and accepted by the City of Molalla prior to issuance of final occupancy.
- B. Warranty Bond shall be in place prior to final completion and acceptance of the project and meeting the requirements in subsection 1.15.9 of the Molalla Standards and subject to all easements and legal documents have been recorded with the County.

4. Ongoing Conditions:

- A. No visual obstructions shall be placed in vision clearance areas (MMC 17-3.3.030 G).
- B. Additional modifications to the subject site in excess of 50% will require the entire lot to be brought to full conformity with parking landscaping standards (MMC 17-3.4.030 E, 1).

- C. All landscaping shall be maintained in good condition, or otherwise replaced by the property owner (MMC 17-3.4.030 G).
- D. Fences and walls shall be maintained in good condition, or otherwise replaced by the property owner (MMC 17-3.4.040 F).

Exhibit A:
City Staff's Findings of Fact for SDR02-2024

A. The application is complete, in accordance with Section 17-4.2.040;

Findings: The City received the Applicant’s proposal on December 18, 2024. The application was deemed incomplete on January 6, 2025. The application was deemed complete on June 16, 2025. The applicant requested an extension to the 120-day processing timeline which concludes on February 16, 2026.

B. The application complies with all of the applicable provisions of the underlying Zoning District (Division II), including, but not limited to, building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards;

Findings: Applicable Criteria under Division II. Community Design Standards for this project include Section 17-2.2.030 Allowed Uses and Section 17-2.2.040 Lot and Development Standards. These standards are addressed below.

17-2.2.030 Allowed Uses

Findings: The Applicant’s submitted application is for a Site Design Review to remodel the existing building. Per MMC Table 17-2.2.030, Commercial Retail Sales and Services and offices are permissible within the C-2 zone. This standard is met.

17-2.2.040 Lot and Development Standards

Findings:

Minimum Lot Area

There are no minimum lot area requirements in the C-2 zone. This standard is met.

Minimum Lot Width and Depth

There are no minimum lot width or depth requirements in the C-2 zone. This standard is met.

Building and Structure Height

Maximum building height in the C-2 zone is 55 feet. The proposed building height after remodel is 28’4”. This standard is met.

Fences and non-building walls

Maximum Height, Front Yard - 4 ft
Maximum Height, Interior Side - 6 ft
Maximum Height, Rear Yard - 6 ft
Maximum Height, Street-Side or
Reverse Frontage Lot (rear) - 4 ft, or 6
ft with 5 ft landscape buffer

There is an existing fence on the street facing side of the property greater than 4’ tall, in excess of this standard. The applicant shall remove the fence prior to building permit submittals or demonstrate that there have been prior approvals for the fence.

Maximum Lot Coverage

Maximum foundation plane coverage in the C-2 zone is 100%. This standard is met.

Minimum Landscape Area % (includes required parking lot, landscaping, and required screening)

Minimum landscaped area in the C-2 zone is 5%. The applicant shows 1,431 square feet of landscaping to be added to the lot. The square footage of the main lot is 23,058. The proposed landscaping is over the required 5%.

Minimum Setbacks -

Front, Street-Side, Interior Side, and Rear property lines, except garage or carport, or as required by other code provisions - 0 ft

Garage or Carport Entry, set back from street - 20 ft

Alley - 3 ft

Adjacent to R Districts - 10 ft

The property does not abut any alleys or residential zones, nor is it directly adjacent to any residential districts. There are no front, interior side, and rear setbacks.

As a condition of approval, prior to building permit submittals the applicant shall remove the fence fronting OR-211 or demonstrate that there have been prior approvals for the fence. With the proposed condition of approval, this standard could be met.

C. The proposal includes required upgrades, if any, to existing development that does not comply with the applicable zoning district standards, pursuant to Chapter 17-1.4 Nonconforming Situations;

Findings: The existing and proposed uses are conforming. The renovation will bring the buildings' front façade into greater conformance with City standards. Additional improvements to pedestrian access and circulation, parking striping and surfacing, bicycle parking, fences, and landscaping will be made and move the site towards greater conformance with City code. No aspect of the proposal increase the non-conformity of existing non-conforming elements on the property.

D. The proposal complies with all the Development and Design Standards of Division III, as applicable:

Findings: Applicable Criteria under Division III. Community Design Standards for this proposal include:

Section 17-3.2.040 Non-Residential Buildings

Chapter 17-3.3 Access and Circulation

Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting

Chapter 17-3.5 Parking and Loading

Chapter 17-3.6 Public Facilities

These standards are addressed in this staff report. With the proposed conditions of approval, these standards can be met.

Chapter 17-3.2 Building Orientation and Design

17-3.2.040 Non-Residential Buildings

- a. **Purpose and Applicability.** The following requirements apply to non-residential development, including individual buildings and developments with multiple buildings such as shopping centers, office complexes, mixed-use developments, and institutional campuses. The standards are intended to create and maintain a built environment that is conducive to pedestrian accessibility, reducing dependency on the automobile for short trips, while providing civic space for employees and customers, supporting natural surveillance of public spaces, and creating human-scale design. The standards require buildings placed close to streets, with storefront windows (where applicable), with large building walls divided into smaller planes, and with architectural detailing.

Findings: The Applicant's proposal qualifies as non-residential development and thus triggers review of Section 17-3.2.040.

- b. **Building Orientation.** The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

Findings: The Applicant's proposal is to remodel an existing building within its existing footprint. As the applicant is not adding any building additions, the Applicant is not required to make any changes to the façade. However, any changes that the Applicant proposes must bring the building design closer to conformance. The changes that the Applicant proposes bring the proposal into greater conformance with these standards, including creating a unified architectural design through the detailing and materials, adding four more pedestrian entrances, increasing the amount of window coverage, and creating defined upper stories through the use of fenestration.

- i. Buildings subject to this section shall conform to the applicable build-to line standard in Table 17-2.2.040.E, as generally illustrated in Figure 17-3.2-6. The standard is met when at least 50 percent of the abutting street frontage has a building placed no farther from at least one street property line than the build-to line in Table 17-2.2.040.E; except in the Central Commercial C-1 zone, at least 80 percent of the abutting street frontage shall have a building placed no farther from at least one street property line than the required build-to-line. The Planning Official, through Site Design Review, may waive the build to line standard where it finds that one or more of the conditions in subdivisions a through g occurs.

Findings: The existing building is flush with the existing sidewalk and supports direct pedestrian access that meets the build-to-line standard. Additional discussion of ensuring public access to the existing pedestrian walkway can be found in Staff findings for 17-3.6.

- ii. Except as provided in subsections C.5 and 6, all buildings shall have at least one primary entrance (i.e., tenant entrance, lobby entrance, breezeway entrance, or courtyard entrance) facing an abutting street (i.e., within 45 degrees of the street property line); or if the building entrance must be turned more than 45 degrees from the street (i.e., front door is on a side or rear

elevation) due to the configuration of the site or similar constraints, a pedestrian walkway must connect the primary entrance to the sidewalk in conformance with Section [17-3.3.040](#).

Findings: As shown on the submitted elevations, there will be five pedestrian entrances along the pedestrian walkway within/abutting the OR-211 right-of-way. This standard does not apply but is met.

- iii. Off-street parking, trash storage facilities, and ground-level utilities (e.g., utility vaults), and similar obstructions shall not be placed between building entrances and the street(s) to which they are oriented. To the extent practicable, such facilities shall be oriented internally to the block and accessed by alleys or driveways.

Findings: As shown on the site plan, parking is located on the west and south sides of the building and trash is in a fenced trash enclosure to the rear of the building. No mechanical equipment exists, nor is proposed, between the street and the building. This standard does not apply but is met.

- iv. Off-street parking shall be oriented internally to the site to the extent practicable, and shall meet the Access and Circulation requirements of Chapter [17-3.3](#), the Landscape and Screening requirements of Chapter [17-3.4](#), and the Parking and Loading requirements of Chapter [17-3.5](#).

Findings: As shown on the site plan, off-street parking is located on west and south sides of the existing building. Access and Circulation, Landscape and Screening, and Parking and Loading are addressed later in this staff report.

- v. Where a development contains multiple buildings and there is insufficient street frontage to meet the above building orientation standards for all buildings on the subject site, a building's primary entrance may orient to plaza, courtyard, or similar pedestrian space containing pedestrian amenities and meeting the requirements under Section [17-3.2.050](#), subject to Site Design Review approval. When oriented this way, the primary entrance(s), plaza, or courtyard shall be connected to the street by a pedestrian walkway conforming to Section [17-3.3.040](#).

Findings: This development does not contain multiple buildings, and the building is already oriented to the street. This standard does not apply.

- c. **Large-Format Developments.** Plans for new developments, or any phase thereof, with a total floor plate area (ground floor area of all buildings) greater than 35,000 square feet, shall meet all of the following standards in subsections C.1 through 9, as generally illustrated in Figure 17-3.2-7. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

Findings: The building on the site has a total floor plate area of 9,000 square feet and is the only building within this development. As this is less than 35,000 square feet, these standards do not apply.

- d. **Primary Entrances and Windows.** The following standards, as generally illustrated in Figures 17-3.2-8 and 17.3.2-9, apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

- e. **Articulation and Detailing.** The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.
- f. **Pedestrian Shelters.** The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

Findings: The Applicant's proposal is to remodel an existing building within its existing footprint; thus, standards of subsections D, E, and F do not apply to this proposal. Future onsite buildings and/or additions to the existing building shall trigger full review for orientation and design standards of subsections B, D, E, and F.

The Applicant's proposal brings the building façade into greater conformance with the provisions of Section 17-3.2.040. Notably, the Applicant's proposal substantially increases total window coverage and creates horizontal and vertical breaks. Additionally, there will be 4 new entrances along the Main Street frontage (for a total of 5 entrances). The applicant is proposing to replace the existing metal siding with a mix of fiber cement and metal siding to achieve a modern look. These elements bring the existing building into greater conformance with these criteria.

g. **Mechanical Equipment.**

- i. **Building Walls.** Where mechanical equipment, such as utility vaults, air compressors, generators, antennae, satellite dishes, or similar equipment, is permitted on a building wall that abuts a public right-of-way or civic space, it shall be screened pursuant to Chapter 17-3.4. Standpipes, meters, vaults, and similar equipment need not be screened but shall not be placed on a front elevation when other practical alternatives exist; such equipment shall be placed on a side or rear elevation where practical.
- ii. **Rooftops.** Except as provided below, rooftop mechanical units shall be set back or screened behind a parapet wall so that they are not visible from any public right-of-way or civic space. Where such placement and screening is not practicable, the Planning Official may approve painting of mechanical units in lieu of screening; such painting may consist of colors that make the equipment visually subordinate to the building and adjacent buildings, if any.
- iii. **Ground-Mounted Mechanical Equipment.** Ground-mounted equipment, such as generators, air compressors, trash compactors, and similar equipment, shall be limited to side or rear yards and screened with fences or walls constructed of materials similar to those on adjacent buildings. Hedges, trellises, and similar plantings may also be used as screens where there is adequate air circulation and sunlight, and irrigation is provided. The City may require additional setbacks and noise attenuating equipment for compatibility with adjacent uses.

Findings: In the Applicant's narrative, they state that equipment will be placed in the rear and screened accordingly. On 12/15/25, Associate Planner had a phone conversation with applicant during which they stated that they did not have any specialized mechanical equipment and intended to install mini-splits inside of the building. These standards are met.

- h. **Civic Space.** Commercial development projects shall provide civic space pursuant to Section 17-3.2.050.

Findings: The Applicant's proposal is to remodel a building to have a total of 13,721 square feet. The proposal is in excess of the 10,000 SF minimum building area that triggers the development of civic space with commercial and mixed-use development. Applicant did not show civic space on their submitted application. Section 17-3.2.050(c) provides an exception for minor projects where the estimated cost of the proposed building improvement is less than 50% of the existing assessed value of the improvements on the subject site. Cost estimates are based on those used to estimate building permit fees, or other independent and credible source, subject to review and approval by the Planning Official. Assessed values shall be the market value of record at the Clackamas County Assessor's Office. As a condition of approval, the applicant's building permit authorization submittals shall either provide a cost estimate to show that their proposed improvements meet the civic space exemption criteria for 17-3.2.050 C 3 or modify their site plan to provide civic space.. With the proposed condition of approval, this standard could be met.

- i. **Drive-Up and Drive-Through Facilities.** Drive-up and drive-through facilities shall comply with the requirements of Section 17-3.2.060. (Ord. 2017-08 §1)

Findings: The Applicant's proposal does not include a drive-up or drive-through facility. These standards do not apply.

Chapter 17-3.3 Access and Circulation

17-3.3.030 Vehicular Access and Circulation

- A. **Purpose and Intent.** Section 17-3.3.030 implements the street access policies of the City of Molalla Transportation System Plan. It is intended to promote safe vehicle access and egress to properties, while maintaining traffic operations in conformance with adopted standards. “Safety,” for the purposes of this chapter, extends to all modes of transportation.
- B. **Permit Required.** Vehicular access to a public street (e.g., a new or modified driveway connection to a street or highway) requires an approach permit approved by the applicable roadway authority.

Findings: The applicant has existing accesses off of OR-211 and Hart Avenue. OR-211 is under the jurisdiction of the Oregon Department of Transportation (ODOT) and Hart Avenue is under the jurisdiction of the City of Molalla. As a condition of approval, the Applicant shall obtain a miscellaneous permit from ODOT and the Right-of-Way permit from the City of Molalla prior to public improvement construction. With the proposed condition of approval, this standard could be met.

- C. **Traffic Study Requirements.** The City, in reviewing a development proposal or other action requiring an approach permit, may require a traffic impact analysis, pursuant to Section 17-3.6.020, to determine compliance with this Code.

Findings: The Applicant submitted a Traffic Analysis Letter prepared by a Registered Engineer addressing the appropriate intersection impacts as part of the application package. Additional comments regarding the submitted TAL are found in response to section 17-3.6.020. This standard is met.

- D. **Approach and Driveway Development Standards.** Approaches and driveways shall conform to all of the following development standards:

- 1. The number of approaches on higher classification streets (e.g., collector and arterial streets) shall be minimized; where practicable, access shall be taken first from a lower classification street.

Findings: Per the Molalla Transportation System Plan, ODOT standards supersede local standards along OR-211. ODOT requires closure of existing accesses along OR-211. As a condition of approval, the applicant shall remove the existing access from OR-211 to the property and construct curb tight sidewalks in accordance with to Molalla Public Works Standards and Molalla Transportation Systems Plan in place of the closed accesses. With the proposed condition of approval, this standard could be met.

- 2. Approaches shall conform to the spacing standards of subsections E and F, below, and shall conform to minimum sight distance and channelization standards of the roadway authority.

Findings: The subject site has a pre-existing access on Hart Avenue. As this access is located on Hart Avenue, it is held to the local street and private drive spacing standard in the Molalla Transportation System Plan, which requires 50 feet between an intersection and a private drive. The access is located 65 feet away from the intersection, this standard is met.

3. Driveways shall be paved and meet applicable construction standards. Where permeable paving surfaces are allowed or required, such surfaces shall conform to applicable Public Works Design Standards.

Findings: The Applicant's submitted site plan shows a resurfaced driveway from Hart Avenue. This standard is met.

4. The City Engineer may limit the number or location of connections to a street, or limit directional travel at an approach to one-way, right-turn only, or other restrictions, where the roadway authority requires mitigation to alleviate safety or traffic operations concerns.

Findings: ODOT, the applicable roadway authority for OR-211, is requiring the closure of both accesses off of OR-211. The only access to the site will be from Hart Avenue. This standard is met.

5. Where the spacing standards of the roadway authority limit the number or location of connections to a street or highway, the City Engineer may require a driveway extend to one or more edges of a parcel and be designed to allow for future extension and inter-parcel circulation as adjacent properties develop. The City Engineer may also require the owner(s) of the subject site to record an access easement for future joint use of the approach and driveway as the adjacent property(ies) develop(s).

Findings: For an access on a local road, the Molalla Transportation System Plan requires 50 feet between an intersection and a private driveway. The parcel to the south of the subject site is able to have conforming access at a distance of greater than 50 feet away from the intersection. Staff do not see the need to condition a shared driveway. This standard is met.

6. Where applicable codes require emergency vehicle access, approaches and driveways shall be designed and constructed to accommodate emergency vehicle apparatus and shall conform to applicable fire protection requirements. The City Engineer may restrict parking, require signage, or require other public safety improvements pursuant to the recommendations of an emergency service provider.
7. As applicable, approaches and driveways shall be designed and constructed to accommodate truck/trailer-turning movements.

Findings: Approaches and driveways shall be designed and constructed to accommodate emergency vehicle apparatus and shall conform to all applicable fire protection requirements. As a condition of approval, the applicant shall submit a plan showing both emergency vehicle maneuvering and truck/trailer-turning movements at time of Civil Review. With the proposed condition of approval, this standard could be met.

8. Except where the City Engineer and roadway authority, as applicable, permit an open access with perpendicular or angled parking, driveways shall accommodate all projected vehicular traffic on-site without vehicles stacking or backing up onto a street.

Findings: The applicant has not proposed an open access with perpendicular or angled parking. This standard does not apply.

9. Driveways shall be designed so that vehicle areas, including, but not limited to, drive-up and drive-through facilities and vehicle storage and service areas, do not obstruct any public right-of-way.

Findings: The site is designed so no vehicle areas obstruct the public right-of-way. Furthermore, all drive aisles are at least 23' in width. This standard is met.

10. Approaches and driveways shall not be wider than necessary to safely accommodate projected peak hour trips and turning movements, and shall be designed to minimize crossing distances for pedestrians.

Findings: The Applicant's submitted site plan shows a 21' driveway width. Molalla Public Works Detail Drawing R-1095 Commercial Driveways requires a driveway width between 30-40 ft for commercial driveways. As a condition of approval, the applicant shall redesign and construct the driveway approach from Hart Ave in accordance with the Molalla Public Works Standards, prior to Civil Review. With the proposed condition of approval, this standard could be met.

11. As it deems necessary for pedestrian safety, the City Engineer, in consultation with the roadway authority, as applicable, may require that traffic-calming features, textured driveway surfaces (e.g., pavers or similar devices), curb extensions, signage or traffic control devices, or other features, be installed on or in the vicinity of a site as a condition of development approval.

Findings: The Applicant's submitted site plan shows pedestrian access to the site from public sidewalk to the front entrances of the building. City Engineering has not required traffic calming features. This standard is met.

12. Construction of approaches along acceleration or deceleration lanes, and along tapered (reduced width) portions of a roadway, shall be avoided; except where no reasonable alternative exists and the approach does not create safety or traffic operations concern.

Findings: There are no acceleration or deceleration lanes on Hart Avenue. This standard does not apply.

13. Approaches and driveways shall be located and designed to allow for safe maneuvering in and around loading areas, while avoiding conflicts with pedestrians, parking, landscaping, and buildings.

Findings: The Applicant's submitted site plan shows:

- Loading areas are on the south side of the building and away from the proposed driveway.
- Pedestrian access to the site is from the public sidewalk to the front of the building.
- Parking areas are located between the proposed driveway and building.
- Landscaping areas are not impacted by the driveway.
- Drive aisles that are at least 23' in width.

This standard is met.

14. Where sidewalks or walkways occur adjacent to a roadway, driveway aprons constructed of concrete shall be installed between the driveway and roadway edge. The roadway authority may require the driveway apron be installed outside the required sidewalk or walkway surface, consistent with Americans with Disabilities Act (ADA) requirements, and to manage surface water runoff and protect the roadway surface.

Findings: City Engineering has not identified alternative requirements for the site. This standard is met.

15. Where an accessible route is required pursuant to ADA, approaches and driveways shall meet accessibility requirements where they coincide with an accessible route.

Findings: As a condition of approval, the applicant shall meet all accessibility requirements where they coincide with an accessible route. With the proposed condition of approval, this standard could be met.

16. The City Engineer may require changes to the proposed configuration and design of an approach, including the number of drive aisles or lanes, surfacing, traffic-calming features, allowable turning movements, and other changes or mitigation, to ensure traffic safety and operations.

Findings: City Engineering has not identified alternative requirements for the site. The applicant is able to meet traffic safety standards with the standard approach. This standard is met.

17. Where a new approach onto a state highway or a change of use adjacent to a state highway requires ODOT approval, the applicant is responsible for obtaining ODOT approval. The City Engineer may approve a development conditionally, requiring the applicant first obtain required ODOT permit(s) before commencing development, in which case the City will work cooperatively with the applicant and ODOT to avoid unnecessary delays.

Findings: The applicant is not requesting a new approach onto the state highway nor a change of use. These standards do not apply.

18. Where an approach or driveway crosses a drainage ditch, canal, railroad, or other feature that is under the jurisdiction of another agency, the applicant is responsible for obtaining all required approvals and permits from that agency prior to commencing development.

19. Where a proposed driveway crosses a culvert or drainage ditch, the City Engineer may require the developer to install a culvert extending under and beyond the edges of the driveway on both sides of it, pursuant to applicable Public Works Design Standards.

Findings: The Applicant's proposed driveway and approach does not cross a drainage ditch, canal, railroad, or other similar feature. These standards do not apply.

20. Except as otherwise required by the applicable roadway authority or waived by the City Engineer temporary driveways providing access to a construction site or staging area shall be paved or graveled to prevent tracking of mud onto adjacent paved streets.

Findings: As a condition of approval, any temporary driveway providing access to the site during construction shall be paved or graveled to prevent tracking of mud onto adjacent paved streets. With the proposed condition of approval, this standard could be met.

21. Development that increases impervious surface area shall conform to the storm drainage and surface water management requirements of Section 17-3.6.050.

Findings: The applicants' narrative states that the existing parking lot is covered in compacted gravel and concrete pads. The applicant plans to repave the parking lot and provide landscaping areas. As a condition of approval, the applicant shall conform to City Engineering standards relating to impervious surface. With this proposed condition, this standard can be met.

E. **Approach Separation from Street Intersections.** Except as provided by subsection H, minimum distances shall be maintained between approaches and street intersections consistent with the current version of the Public Works Design Standards and Transportation System Plan.

F. **Approach Spacing.** Except as provided by subsection H or as required to maintain street operations and safety, the following minimum distances shall be maintained between approaches consistent with the current version of the Public Works Design Standards and Transportation System Plan.

1. **Exceptions and Adjustments.** *The City Engineer may approve adjustments to the spacing standards of subsections E and F, above, where an existing connection to a City street does not meet the standards of the roadway authority and the proposed development moves in the direction of code compliance. The Planning Official through a Type II procedure may also approve a deviation to the spacing standards on City streets where it finds that mitigation measures, such as consolidated access River Meadows Subdivision Page of 7 32 (removal of one access), joint use driveways (more than one property uses same access), directional limitations (e.g., one-way), turning restrictions (e.g., right-in/ right-out only), or other mitigation alleviate all traffic operations and safety concerns.*

Findings: The subject site has a pre-existing access that is 65' away from the intersection of Hart Avenue and OR-211. Hart Ave is a local street and per the Molalla Transportation Systems Plan spacing distance for private drives from intersections on a local street is 50'. Furthermore, the applicants submitted TAL concludes that there are no recorded crashes along the property frontage and there are no inherent safety issues associated with the design and location of the site access. This standard is met.

G. **Vision Clearance.** No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) greater than 2.5 feet in height shall be placed in "vision clearance areas" at street intersections. The minimum vision clearance area may be modified by the Planning Official through a Type I procedure, upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). Placement of light poles, utility poles, and tree trunks should be avoided within vision clearance areas.

Findings: The fence is chain link and not considered solid. Thus, it is not considered an obstruction in the vision clearance areas. As an ongoing condition of approval, no visual obstructions shall be placed in vision clearance areas. With the proposed condition of approval, this standard could be met.

- H. **Joint Use Access Easement and Maintenance Agreement.** Where the City approves a joint use driveway, the property owners shall record an easement with the deed allowing joint use of and cross access between adjacent properties. The owners of the properties agreeing to joint use of the driveway shall record a joint maintenance agreement with the deed, defining maintenance responsibilities of property owners. The applicant shall provide a fully executed copy of the agreement to the City for its records, but the City is not responsible for maintaining the driveway or resolving any dispute between property owners.

Findings: Staff find that the site does not need shared access agreements to meet City standards. This standard does not apply.

17-3.3.040 Pedestrian Access and Circulation

- B. **Standards.** Developments shall conform to all of the following standards for pedestrian access and circulation as generally illustrated in Figure 17-3.3-3:
1. **Continuous Walkway System.** A pedestrian walkway system shall extend throughout the development site and connect to adjacent sidewalks, if any, and to all future phases of the development, as applicable.
 2. **Safe, Direct, and Convenient.** Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas, playgrounds, and public rights-of-way conforming to the following standards:
 - a. The walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel.
 - b. The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The Planning Official may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.
 - c. The walkway network connects to all primary building entrances, consistent with the building design standards of Chapter 17-3.2 and, where required, Americans with Disabilities Act (ADA) requirements.
 3. **Vehicle/Walkway Separation.** Except as required for crosswalks, per subsection 4, below, where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway or street. Alternatively, the Planning Official may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle-maneuvering areas. An example of such separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.
 4. **Crosswalks.** Where a walkway crosses a parking area or driveway (“crosswalk”), it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrasting material). The crosswalk may be part of a speed table to improve

driver-visibility of pedestrians. Painted or thermo-plastic striping and similar types of non-permanent applications are discouraged, but may be approved for lesser used crosswalks not exceeding 24 feet in length.

5. **Walkway Width and Surface.** Walkways, including access ways required for subdivisions pursuant to Chapter 17-4.3, shall be constructed of concrete, asphalt, brick or masonry pavers, or other durable surface, as approved by the City Engineer, and not less than six feet wide. Multi-use paths (i.e., designed for shared use by bicyclists and pedestrians) shall be concrete or asphalt and shall conform to the current version of the Public Works Design Standards and Transportation System Plan.
6. **Walkway Construction (Private).** Walkway surfaces may be concrete, asphalt, brick or masonry pavers, or other City-approved durable surface meeting ADA requirements. Walkways shall be not less than six feet in width in commercial and mixed use developments and where access ways are required for subdivisions under Division IV.

Findings: The applicant proposes to repave the existing parking lot. Pedestrian access will be from the public sidewalks at the front of the building and from the two rear entrances. Applicant's proposed site plan does not clearly demark pedestrian areas interior to the site. As a condition of approval, the pedestrian area outside the rear entrances shall be marked and clearly designated from driving surfaces, this shall be shown at time of building permit submittal. With the proposed condition of approval, this standard could be met.

7. **Multi-Use Pathways.** Multi-use pathways, where approved, shall be a minimum width and constructed of materials consistent with the current version of the Public Works Design Standards and Transportation System Plan.

Findings: The Applicant's submitted application does not include multi-use pathways. This standard does not apply.

Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting

17-3.4.030 Landscaping and Screening

- A. General Landscape Standard. All portions of a lot not otherwise developed with buildings, accessory structures, vehicle maneuvering areas, or parking shall be landscaped.

Findings: Staff finds that the Applicant's proposed site plan shows landscaping on all undeveloped portions of the property. This standard is met.

- B. Minimum Landscape Area. All lots shall conform to the minimum landscape area standards of the applicable zoning district, as contained in Tables 17-2.2.040.D and 17-2.2.040.E. The Planning Official, consistent with the purposes in Section 17-3.4.010, may allow credit toward the minimum landscape area for existing vegetation that is retained in the development.

Findings: The landscape requirement for commercial zones is 5%. The submitted site plans show 1,431 square feet of landscaping, over the required 5%. This standard is met.

- C. Plant Selection. A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions, among other factors. When new vegetation is planted, soils shall be amended and irrigation shall be provided, as necessary, to allow for healthy plant growth. The selection of plants shall be based on all of the following standards and guidelines:
1. Use plants that are appropriate to the local climate, exposure, and water availability. The presence of utilities and drainage conditions shall also be considered.
 2. Plant species that do not require irrigation once established (naturalized) are preferred over species that require irrigation.
 3. Trees shall be not less than two-inch caliper for street trees and one and one-half-inch caliper for other trees at the time of planting. Trees to be planted under or near power lines shall be selected so as to not conflict with power lines at maturity.
 4. Shrubs shall be planted from five-gallon containers, minimum, where they are for required screens or buffers, and two-gallon containers minimum elsewhere.
 5. Shrubs shall be spaced in order to provide the intended screen or canopy cover within two years of planting.
 6. All landscape areas, whether required or not, that are not planted with trees and shrubs or covered with allowable non-plant material, shall have ground cover plants that are sized and spaced to achieve plant coverage of not less than 75 percent at maturity.
 7. Bark dust, chips, aggregate, or other non-plant ground covers may be used, but shall cover not more than 35 percent of any landscape area. Non-plant ground covers cannot be a substitute for required ground cover plants.
 8. Where stormwater retention or detention, or water quality treatment facilities are proposed, they shall meet the requirements of the current version of the Public Works Design Standards.

9. Existing mature trees that can thrive in a developed area and that do not conflict with other provisions of this Code shall be retained where specimens are in good health, have desirable aesthetic characteristics, and do not present a hazard.
10. Landscape plans shall avoid conflicts between plants and buildings, streets, walkways, utilities, and other features of the built environment.
11. Evergreen plants shall be used where a sight-obscuring landscape screen is required.
12. Deciduous trees should be used where summer shade and winter sunlight is desirable.
13. Landscape plans should provide focal points within a development, for example, by preserving large or unique trees or groves or by using flowering plants or trees with fall color.
14. Landscape plans should use a combination of plants for seasonal variation in color and yearlong interest.
15. Where plants are used to screen outdoor storage or mechanical equipment, the selected plants shall have growth characteristics that are compatible with such features.
16. Landscape plans shall provide for both temporary and permanent erosion control measures, which shall include plantings where cuts or fills, including berms, swales, stormwater detention facilities, and similar grading, is proposed.
17. When new vegetation is planted, soils shall be amended and irrigation provided, as necessary, until the plants are naturalized and able to grow on their own.

Findings: The applicant did not submit sufficient information on proposed landscaping. As a condition of approval, the applicant shall submit a landscaping plan that shows conformance with MMC 17-3.4.030 at the time of building permit submittal. With the proposed condition of approval, this standard could be met.

D. **Parking Lot Landscaping.** All of the following standards shall be met for parking lots. If a development contains multiple parking lots, then the standards shall be evaluated separately for each parking lot.

1. A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of shade trees distributed throughout the parking area. A combination of deciduous and evergreen trees, shrubs, and ground cover plants is required. The trees shall be planned so that they provide a partial canopy cover over the parking lot within five years. At a minimum, one tree per 12 parking spaces on average shall be planted over and around the parking area.

Findings: The existing conditions site plan shows no landscaping in the parking areas. The Applicant's submitted site plan shows 1,431 square feet of landscaped area, in three separate areas, moving the project towards conformity. However, this does not meet the required 10% of parking area landscaping. As a condition of approval, the applicant shall submit a landscaping plan that shows conformance with MMC 17-3.4.030 at the time of building permit submittal. With the proposed condition of approval, this standard could be met.

2. All parking areas with more than 20 spaces shall provide landscape islands with trees that break up the parking area into rows of not more than 10 contiguous parking spaces. Landscape islands and planters shall have dimensions of not less than 48 square feet of area and no dimension of less than six feet, to ensure adequate soil, water, and space for healthy plant growth.

Findings: The submitted site plan shows 27 parking spaces. As a condition of approval, the applicant shall submit a landscaping plan that shows conformance with MMC 17-3.4.030 at the time of building permit submittal. With the proposed condition of approval, this standard could be met.

3. All required parking lot landscape areas not otherwise planted with trees must contain a combination of shrubs and groundcover plants so that, within two years of planting, not less than 50 percent of that area is covered with living plants.

Findings: The applicant did not submit sufficient information to evaluate landscaping compliance. As a condition of approval, the applicant shall submit a landscaping plan that shows conformance with MMC 17-3.4.030 at the time of building permit submittal. With the proposed condition of approval, this standard could be met.

4. Wheel stops, curbs, bollards, or other physical barriers are required along the edges of all vehicle-maneuvering areas to protect landscaping from being damaged by vehicles. Trees shall be planted not less than two feet from any such barrier.

Findings: The Applicant's submitted site plan shows wheel stops between all landscaped areas and vehicle maneuvering areas.

5. Trees planted in tree wells within sidewalks or other paved areas shall be installed with root barriers, consistent with applicable nursery standards.

Findings: The applicant did not submit sufficient information to evaluate landscaping compliance. As a condition of approval, the applicant shall submit a landscaping plan that shows conformance with MMC 17-3.4.030 at the time of building permit submittal. With the proposed condition of approval, this standard could be met.

E. Screening Requirements. Screening is required for outdoor storage areas, unenclosed uses, and parking lots, and may be required in other situations as determined by the Planning Official. Landscaping shall be provided pursuant to the standards of subsections F.1 through 3. (See also Figure 17-3.4-4.)

1. Outdoor Storage and Unenclosed Uses. All areas of a site containing or proposed to contain outdoor storage of goods, materials, equipment, and vehicles (other than required parking lots and service and delivery areas, per Site Design Review), and areas containing junk, salvage materials, or similar contents, shall be screened from view from adjacent rights-of-way and residential uses by a sight-obscuring fence, wall, landscape screen, or combination of screening methods. See also Section 17-3.4.040 for related fence and wall standards.

Findings: The Applicant's submitted application does not include any outdoor storage areas. This standard does not apply.

2. Parking Lots. The edges of parking lots shall be screened to minimize vehicle headlights shining into adjacent rights-of-way and residential yards. Parking lots abutting a sidewalk or walkway

shall be screened using a low-growing hedge or low garden wall to a height of between three feet and four feet.

Findings: The Applicant's submitted site plan shows 9 parking stalls facing Hart Avenue, which require screening. As a condition of approval, the applicant shall show screening of the 9 parking stalls facing Hart Avenue in compliance with this standard at the time of building permit submittal. With the proposed condition of approval, this standard could be met.

3. **Other Uses Requiring Screening.** The Planning Official may require screening in other situations as authorized by this Code, including, but not limited to, outdoor storage areas, blank walls, Special Uses pursuant to Chapter 17-2.3, flag lots, and as mitigation where an applicant has requested an adjustment pursuant to Chapter 17-4.7.

Findings: Staff do not foresee a need to require additional screening. This standard is met.

- F. **Maintenance.** All landscaping shall be maintained in good condition, or otherwise replaced by the property owner.

Findings: As an ongoing condition of approval all landscaping shall be maintained in good condition, or otherwise replaced by the property owner. With the proposed condition of approval, this standard could be met.

17-3.4.040 Fences and Walls

- A. **Purpose.** This section provides general development standards for fences, and walls that are not part of a building, such as screening walls and retaining walls.
- B. **Applicability.** Section 17-3.4.040 applies to all fences, and to walls that are not part of a building, including modifications to existing fences and walls.
- C. **Height.**
 1. **Residential Zones.**

Findings: The Applicant's proposal is in a non-residential zone. This standard does not apply.

2. **Non-Residential Zones.** Fences and freestanding walls (i.e., exclusive of building walls) for non-residential uses shall not exceed the following height above grade, where grade is measured from the base of the subject fence or wall.
 - a. **Within Front or Street-Facing Side Yard Setback.** Four feet, except the following additional height is allowed for properties located within an industrial, public, or institutional zone:
 - (1) Where approved by the City Planning Official, a fence constructed of open chain link or other "see-through" composition that allows 90 percent light transmission may reach a height of up to eight feet.

- b. Within an Interior Side or Rear Yard Setback. Eight feet; except the fence or wall height, as applicable, shall not exceed the distance from the fence or wall line to the nearest primary structure on an adjacent property.

Findings: The Applicant's submitted site plan shows an existing 8' chain link fence on the front and street-facing side property lines. This site is zoned commercial, and not subject to the exceptions in a.1. As a condition of approval, the applicant shall remove the fence prior to building permit submittals or demonstrate that there have been prior approvals for the fence. With the proposed condition of approval, this standard could be met.

- 3. **All Zones.** Fences and walls shall comply with the vision clearance standards of Section 17-3.3.030.G. Other provisions of this Code, or the requirements of the roadway authority, may limit allowable height of a fence or wall below the height limits of this section.

Findings: The existing fences are chain link and thus allowed in the vision clearance zones. This standard is met.

- D. **Materials.** Prohibited fence and wall materials include straw bales, tarps, barbed or razor wire (except in the M-2 Heavy Industrial zone); scrap lumber, untreated wood (except cedar or redwood), corrugated metal, sheet metal, scrap materials; dead, diseased, or dying plants; and materials similar to those listed herein.

Findings: The Applicant's submitted application shows an existing chain link fence on the front and side property lines and no additional fences or walls are proposed. This standard is met.

- E. **Permitting.** A Type I approval is required to install a fence of six feet or less in height, or a wall that is four feet or less in height. All other walls and fences require review and approval by the Planning Official through a Type II procedure. The Planning Official may require installation of walls or fences as a condition of approval for development, as provided by other Code sections. A building permit may be required for some fences and walls, pursuant to applicable building codes. Walls greater than four feet in height shall be designed by a Professional Engineer licensed in the State of Oregon.

Findings: The Applicant proposes no new fences or walls. This standard does not apply.

- F. **Maintenance.** Fences and walls shall be maintained in good condition, or otherwise replaced by the property owner. (Ord. 2017-08 §1)

Findings: As an ongoing condition of approval, fences and walls shall be maintained in good condition, or otherwise replaced by the property owner. With the proposed condition of approval, this standard could be met.

17-3.4.050 Outdoor Lighting

C. Standards.

1. Light poles, except as required by a roadway authority or public safety agency, shall not exceed a height of 20 feet; pedestal- or bollard-style lighting shall be used to illuminate walkways. Flag poles, utility poles, and streetlights are exempt from this requirement.
2. Where a light standard is placed over a sidewalk or walkway, a minimum vertical clearance of eight feet shall be maintained.
3. Outdoor lighting levels shall be subject to review and approval through Site Design Review. As a guideline, lighting levels shall be no greater than necessary to provide for pedestrian safety, property or business identification, and crime prevention.
4. Except as provided for up-lighting of flags and permitted building-mounted signs, all outdoor light fixtures shall be directed downward, and have full cutoff and full shielding to preserve views of the night sky and to minimize excessive light spillover onto adjacent properties.
5. Lighting shall be installed where it will not obstruct public ways, driveways, or walkways.
6. Walkway lighting in private areas shall have a minimum average illumination of not less than 0.2 foot-candles. Lighting along public walkways shall meet the current version of the Public Works Design Standards and AASHTO lighting requirements.
7. Active building entrances shall have a minimum average illumination of not less than two foot-candles.
8. Surfaces of signs shall have an illumination level of not more than two foot-candles.
9. Parking lots and outdoor services areas, including quick vehicle service areas, shall have a minimum illumination of not less than 0.2 foot-candles, average illumination of approximately 0.8 foot-candles, and a uniformity ratio (maximum-to-minimum ratio) of not more than 20:1.
10. Where illumination grid lighting plans cannot be reviewed or if fixtures do not provide photometrics and bulbs are under 2,000 lumens, use the following guidelines:
 - a. Poles should be no greater in height than four times the distance to the property line.
 - b. Maximum lumen levels should be based on fixture height.
 - c. Private illumination shall not be used to light adjoining public right-of-way.
11. Where a light standard is placed within a walkway, an unobstructed pedestrian through zone not less than 48 inches wide shall be maintained.
12. Lighting subject to this section shall consist of materials approved for outdoor use and shall be installed according to the manufacturer's specifications.

Findings: The applicant does not show new lighting on the submitted plans. Should they choose to install new lighting, they shall submit a light plan in conformance with these standards at time of building permit submittal. With the proposed condition of approval, this standard could be met.

Chapter 17-3.5 Parking and Loading

Chapter 17-3.5.030 Automobile Parking

A. **Minimum Number of Off-Street Automobile Parking Spaces.** Except as provided by this subsection A, or as required for Americans with Disabilities Act compliance under subsection G, off-street parking shall be provided pursuant to one of the following three standards:

1. The standards in Table 17-3.5.030.A;
2. A standard from Table 17-3.5.030.A for a use that the Planning Official determines is similar to the proposed use; or
3. Subsection B Exceptions, which includes a Parking Demand Analysis option.

Findings: The renovated building will include 3,157 square feet of retail space, 6,421 square feet of office space, 2,837 square feet of multi-use space, and 1,306 square feet of common area. Retail Space requires 1 parking space per 400 square feet of floor area, requiring 7.9 parking spaces. Office space requires 1 parking space per 500 square feet of floor area, requiring 12.8 parking spaces. Staff include the multi-use space and common area as office space, requiring another 8.2 parking spaces. In total they are required to have 29 parking spaces. The submitted site plan shows 27 parking spaces; however, the applicant qualifies for exceptions and reductions to off-street parking, which is addressed later in this staff report.

B. **Carpool and Vanpool Parking Requirements.**

1. Carpool and vanpool parking spaces shall be identified for the following uses:
 - a. New commercial and industrial developments with 50 or more parking spaces;
 - b. New institutional or public assembly uses; and
 - c. Transit park-and-ride facilities with 50 or more parking spaces.

Findings: The submitted proposal is a commercial use with fewer than 50 parking spaces. This standard does not apply.

C. **Exceptions and Reductions to Off-Street Parking.**

5. The Planning Official through a Type I procedure may reduce the off-street parking standards of Table 3.5.030.A by one parking space for every two on-street parking spaces located adjacent to the subject site, provided the parking spaces meet the dimensional standards of subsection F.

Findings: Staff finds that this project meets the requirements for off-street parking reductions due to off-street spaces adjacent to the project. Staff finds that this exception is appropriate for the proposal as this project more closely resembles a downtown commercial development where off-street parking is not required and its proposed uses of office space, flex space, and boutique retail are unlikely to create large parking demand. Staff recommends allowing this exception to the parking requirements through this Type III application to better align the required parking with the needs of the site.

The parking space length requirement for a car parked along the side of the road is 22'. The frontage along Hart Avenue is 121 feet, but due to the placement of the driveway, there is only space for three 22'

stalls along Hart Avenue. The Molalla TSP prescribes a cross section that includes a lane of parking on OR-211. There is 173 feet of frontage along OR-211. However, due to crosswalks and no parking areas there is only room for 3 parking spaces. In total, there is room for up to 6 on-street parking spaces located adjacent to the subject site. Thus, the applicant may have a reduction of up to 3 parking spaces. Under the requirements of the parking table in 17-3.5.030.A, the applicant was required to have 29 parking spaces. With this reduction, the applicant must have at least 26 parking spaces. The submitted site plan shows 27 parking spaces. This standard is met.

D. **Maximum Number of Off-Street Automobile Parking Spaces.** The maximum number of off-street automobile parking spaces allowed per site equals the minimum number of required spaces for the use pursuant to Table 17-3.5.030.A, times a factor of:

1. 1.2 spaces for uses fronting a street with adjacent on-street parking spaces; or
2. 1.5 spaces, for uses fronting no street with adjacent on-street parking; or
3. A factor based on applicant's projected parking demand, subject to City approval.

Findings: Staff finds that the proposal has available adjacent off-street parking, making the maximum parking allowed 1.2x the minimum requirements. Minimum requirements with parking reductions is 27 parking spaces. For the proposed development, maximum parking allowances are for 32 parking spaces. The submitted site plan shows 27 parking spaces. This standard is met.

E. **Shared Parking.** Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature; weekday uses versus weekend uses), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use. Shared parking requests shall be subject to review and approval through a Type I Review.

Findings: The applicant does not need a shared parking agreement to meet these standards. This standard is met.

F. **Parking Stall Design and Minimum Dimensions.** Where a new off-street parking area is proposed, or an existing off-street parking area is proposed for expansion, the entire parking area shall be improved in conformance with this Code. At a minimum the parking spaces and drive aisles shall be paved with asphalt, concrete, or other City-approved materials, provided the Americans with Disabilities Act requirements are met, and shall conform to the minimum dimensions in Table 17-3.5.030.F and the figures below. All off-street parking areas shall contain wheel stops, perimeter curbing, bollards, or other edging as required to prevent vehicles from damaging buildings or encroaching into walkways, sidewalks, landscapes, or the public right-of-way. Parking areas shall also provide for surface water management, pursuant to Section 17-3.6.050.

Findings: Table 17-3.5.030 F requires that 90 degree angled spaces, as proposed, require:

- 18' stall depth.
- 8.5' stall curb width
- 23' drive aisle (2 way).

The Applicant's submitted application shows 18'x8.5' stalls and drive aisles of at least 23' in width. These standards are met.

- G. **Adjustments to Parking Area Dimensions.** The dimensions in subsection E are minimum standards. The Planning Official, through a Type II procedure, may adjust the dimensions based on evidence that a particular use will require more or less maneuvering area. For example, the Planning Official may approve an adjustment where an attendant will be present to move vehicles, as with valet parking. In such cases, a form of guarantee must be filed with the City ensuring that an attendant will always be present when the lot is in operation.

Findings: The Applicant has not requested any modifications to parking area dimensions and Staff finds that no adjustments are necessary to comply with this code. This standard does not apply.

- H. **Americans with Disabilities Act (ADA).** Parking shall be provided consistent with ADA requirements, including, but not limited to, the minimum number of spaces for automobiles, van-accessible spaces, location of spaces relative to building entrances, accessible routes between parking areas and building entrances, identification signs, lighting, and other design and construction requirements.

Findings: The submitted site plan shows at least one accessible parking stall, close to the rear entrance. As a condition of approval, parking shall be provided consistent with ADA requirements. With the proposed condition of approval, this standard could be met.

- I. **Electric Charging Stations.** Charging stations for electric vehicles are allowed as an accessory use to parking areas developed in conformance with this Code, provided the charging station complies with applicable building codes and any applicable state or federal requirements.

Findings: No electric charging stations are proposed. This standard does not apply.

17-3.5.040 Bicycle Parking

- A. **Standards.** Bicycle parking spaces shall be provided with new development and, where a change of use occurs, at a minimum, shall follow the standards in Table 17-3.5.040.A. Where an application is subject to Conditional Use Permit approval or the applicant has requested a reduction to an automobile-parking standard, pursuant to Section 17-3.5.030.C, the Planning Official may require bicycle parking spaces in addition to those in Table 17-3.5.040.A.
- B. **Design.** Bicycle parking shall consist of staple-design steel racks or other City-approved racks, lockers, or storage lids providing a safe and secure means of storing a bicycle, consistent with the Public Works Design Standards.
- C. **Exemptions.** This section does not apply to single-family and duplex housing, home occupations, and agricultural uses.
- D. **Hazards.** Bicycle parking shall not impede or create a hazard to pedestrians or vehicles and shall be located to not conflict with the vision clearance standards of Section 17-3.3.030.G.

Findings: Per Molalla Development Code Table 17-3.5.040.A, commercial developments are required to have two bicycle parking spaces per primary use or 1 per 5 required vehicle spaces, whichever is greater. The submitted site plan shows 27 parking spaces. For 27 parking spaces, the applicant would be required to provide 5 bicycle spaces. The Applicants submitted site plan shows 6 bicycle parking spaces in two

separate islands placed next to the rear building entrances. The proposed location for the bike racks may not be optimal for convenience or usage and may create conflicts with interior pedestrian circulation. Staff offers the opportunity to work with the applicant for an alternative placement through the building permit authorization process.

Chapter 17-3.5.040 Loading Areas

- A. **Purpose.** The purpose of Section 17-3.5.050 is to provide adequate loading areas for commercial and industrial uses that do not interfere with the operation of adjacent streets.
- B. **Applicability.** Section 17-3.5.050 applies to uses that are expected to have service or delivery truck visits. It applies only to uses visited by trucks with a 40-foot or longer wheelbase, at a frequency of one or more vehicles per week. The Planning Official shall determine through a Type I review the number, size, and location of required loading areas, if any.

Findings: The applicant has not shown any loading areas on their submitted site plan. Boutique retail and office space is unlikely to be served by 40-foot or longer wheelbase, at a frequency of one or more vehicles per week. Staff do not foresee the need to require loading areas. These standards do not apply.

Chapter 17-3.6 Public Facilities

17-3.6.10 Purpose and Applicability:

- A. Purpose. The standards of Chapter 17-3.6 implement the public facility policies of the City of Molalla Comprehensive Plan and adopted City plans.
- B. Applicability. Chapter 17-3.6 applies to all new development, including projects subject to Land Division (Subdivision or Partition) approval and developments subject to Site Design Review where public facility improvements are required. All public facility improvements within the city shall occur in accordance with the standards and procedures of this chapter. When a question arises as to the intent or application of any standard, the City Engineer shall interpret the Code pursuant to Chapter 17-1.5.
- C. Public Works Design Standards. All public facility improvements, including, but not limited to, sanitary sewer, water, transportation, surface water and storm drainage and parks projects, whether required as a condition of development or provided voluntarily, shall conform to the City of Molalla Public Works Design Standards. Where a conflict occurs between this Code and the Public Works Design Standards, the provisions of the Public Works Design Standards shall govern.
- D. Public Improvement Requirement. No building permit may be issued until all required public facility improvements are in place and approved by the City Engineer, or otherwise bonded, in conformance with the provisions of this Code and the Public Works Design Standards. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on public facilities. Findings in the development approval shall indicate how the required improvements directly relate to and are roughly proportional to the impact of development.
- E. Limitations on Public Improvement Requirement. If the applicant asserts that it cannot legally be required, as a condition of building permit or site plan approval, to provide easements, dedications, or improvements at the level otherwise required by this section, then:
 - 1. The building permit, site plan review, or appeal application shall include a rough proportionality report, prepared by a qualified civil or traffic engineer, as appropriate, showing:
 - a. The estimated extent, on a quantitative basis, to which the improvements will be used by persons served by the building or development, whether the use is for safety or for convenience;
 - b. The estimated level, on a quantitative basis, of improvements needed to meet the estimated extent of use by persons served by the building or development;
 - c. The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the improvements will be a part;
 - d. The estimated level, on a quantitative basis, of improvements needed to mitigate the estimated impact on the public infrastructure system; and
 - e. The applicant shall, instead, be required to provide easements, dedications, and improvements that are roughly proportional to what is needed for the safety or convenience of persons served by the building or development, plus those additional easements,

dedications, and improvements that are roughly proportional to what is needed to mitigate the impact of the building or development on the public infrastructure system of which the improvements will be a part, if the impacts are not fully mitigated by the easements, dedications, and improvements needed for the safety or convenience of persons served by the building or development.

Findings: As the applicant proposes to renovate the existing building to create additional retail, office, and flex suites and provide site improvements, appropriate improvements to adjacent public facilities are deemed proportional to the proposed development. The renovation will increase the trip count to the subject site and the overall impact of this building on public facilities.

These standards can be met subject to a condition of approval. No building permit may be issued until all required public facility improvements are in place and approved by the City Engineer, or otherwise bonded, in conformance with the provisions of Molalla Municipal Code and the City of Molalla Standard Specifications for Public Works (Public Works Standards). If applicant chooses improvement bonding applicant shall submit a performance bond, irrevocable stand-by letter of credit, or a cash deposit that meets the requirements in MSSPW section 1.15.9 for public improvements, in a form and substance satisfactory to the City.

17-3.6.020 Transportation Standards:

A. General Requirements

1. All street improvements, including the extension or widening of existing streets and public access ways, shall conform to Section 17-3.6.020, and shall be constructed consistent with the City of Molalla Public Works Design Standards.
2. All street improvements, including the extension or widening of existing streets and public access ways, shall conform to Section 17-3.6.020, and shall be constructed consistent with the City of Molalla Public Works Design Standards.
3. All new streets shall be contained within a public right-of-way. Public access ways (e.g., pedestrian ways) may be contained within a right-of-way or a public access easement, subject to review and approval of the City Engineer.

Findings: These standards can be met subject to conditions of approval. The subject site fronts OR-211 and Hart Avenue. The applicant shall construct frontage improvements along OR-211 and Hart Avenue where they abut the site in compliance with the Molalla Transportation System plan and City Engineering Specifications and Standards.

OR-211: OR-211 is an arterial street under Oregon Department of Transportation (ODOT) jurisdiction. Current right-of-way width varies from 65-70 feet and approximate pavement width of 48 feet. The existing conditions for both right-of-way and paved width exceed the Molalla Transportation Systems Plan requirements for the downtown district section of OR-211. Applicant will be required to construct frontage improvements along the site's Main St. frontage consistent with Molalla arterial (downtown district) cross sections to include sidewalk with street parking and convert the right turn lane onto Metzler Ave into on street parking in accordance with ODOT requirements. Applicant will be required to

close existing unused driveways to the highway fronting the building. Applicant will also be required to either dedicate the sidewalk along the property frontage to be within ODOT right-of-way and 10-foot wide Public Utility Easement across the frontage of 220 W (to the extent the property frontage adjacent to the ROW edge that does not contain a building) or build out the sidewalk to meet the cross section requirements of the downtown district for OR-211. Roadway lighting is required on all new development. Applicant shall be required to install roadway lighting. Location and number shall be determined during engineering review. See also ODOT comments about right of way width and left turn warrants. Applicant shall dedicate a 10-foot wide Public Utility Easement along OR 211 (to the extent the property frontage adjacent to the ROW edge that does not contain a building).

Hart Ave: Hart Ave is a local street under City of Molalla jurisdiction. Current right-of-way width is 40 feet and approximate pavement width is 34 feet. Local streets (w/ PK) require 50 feet of right-of-way and 34 feet of pavement. Applicant will be required to dedicate 5 feet of right-of-way, 10-foot Public Utility Easement and construct road improvements to City standards for 17 feet of pavement (CL to face of curb), curb and gutter, and 6-foot curb tight sidewalk. Applicant will be required to bring the southeast corner of the intersection at Hart Ave and W. Main St (Hwy 211) up to ODOT ADA standards and submit plans to be reviewed by ODOT for ADA compliance.

Transportation SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from transportation SDC charges. SDC's shall be calculated in accordance with the SDC methodology.

4. The purpose of this subsection is to coordinate the review of land use applications with roadway authorities and to implement Section 660-012-0045(2)(e) of the State Transportation Planning Rule, which requires the City to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. The following provisions also establish when a proposal must be reviewed for potential traffic impacts; when a Transit Analysis Letter (TAL) or Traffic Impact Analysis (TIA) must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; the required contents of a TAL/TIA; and who is qualified to prepare the analysis.

A. Determining the Required Level of Transportation Analysis and Documentation. A Transportation Impact Analysis (TIA) is required for developments that are expected to have an impact on the transportation system. The analysis shall be based upon the latest edition of the ITE Trip Generation Manual or an agreed-upon alternative methodology where credible data is available to support the alternative methodology. When specific criteria generally associated with small developments are met, a Transportation Analysis Letter (TAL) may be substituted for the required TIA. At the discretion of the City Engineer, a TAL may satisfy the City's transportation analysis requirements, in lieu of a TIA when a development meets all the following criteria:

Findings: Thresholds for a transportation impact analysis were not met as the proposed development is projected at 3 AM peak hour trips and 11 PM peak hour trips, and the threshold for a TIA is 25 trips. The applicant's submitted application includes a transportation analysis letter prepared by Clemow & Associates LLC in accordance with City standards. These standards are met.

B. Street Location, Alignment, Extension, and Grades

C. Rights-of-Way and Street Section Widths.

- D. Transportation Connectivity and Future Street Plans.
- E. Engineering Design Standards
- F. Fire Code Standards

Findings: These standards can be met subject to a condition of approval. The applicant shall construct new proposed street sections in accordance with the Molalla Municipal Code, Molalla Transportation Systems Plan, Public Works Standards, and Fire Code Standards.

G. Substandard Existing Right-of-Way

Findings: Existing street sections of Hart Avenue and OR-211 adjacent to the proposed development are substandard per the cross sections of the Molalla Transportation Systems Plan. Applicant to conduct public improvements as stated in conditions of approval.

E. Traffic Calming

Findings: The city is not recommending traffic calming features within the roadway. Consideration of intersection, signage, and pedestrian improvements has been considered under other portions within this section.

F. Sidewalks, Planter Strips, and Bicycle Lanes.

Findings: Public improvements to be designed concurrently with the proposed development. The recommended improvements relevant to sidewalks and bicycle lanes have been considered under other portions within this section.

- G. Streets Adjacent to Railroad Right-of-Way.
- H. Street Names.

Findings: The proposed project is not next to a railroad right-of-way and street names are already determined. These sections do not apply.

I. Survey Monuments

Findings: Applicant's surveyor shall confirm that all survey monuments are reestablished and protected.

J. Street Signs

Findings: The applicant shall construct applicable roadway improvements in accordance with ODOT and City standards.

K. Streetlight Standards

Findings: As applicable, applicant shall install roadway lighting in accordance with Public Work Design Standards. Location and number shall be determined during civil plan review.

L. Mail Boxes

Findings: Applicant does not propose onsite mailboxes. This standard does not apply.

M. Street Cross Sections

Findings: All roadway improvements to be finalized and approved by Molalla Engineering prior to occupancy.

17-3.6.030 Required Parkland Dedication or Fee in Lieu:

Findings: The proposed development is for a commercial building. These standards do not apply.

17-3.6.040 Sanitary Sewer and Water Service Improvements:

- A. Sewers and Water Mains Required. All new development is required to connect to City water and sanitary sewer systems. Sanitary sewer and water system improvements shall be installed to serve each new development and to connect developments to existing mains in accordance with the adopted facility master plans and applicable Public Works Design Standards. Where streets are required to be stubbed to the edge of the subdivision, sewer and water system improvements and other utilities shall also be stubbed with the streets, except as may be waived by the City Engineer where alternate alignment(s) are provided.

Findings: Sanitary sewer and domestic water standards can be met subject to conditions of approval.

Sewer: The property is currently served by an existing sewer service lateral connection off City sanitary main line located in W Main Street. Applicant is proposing to utilize the existing lateral as their main connection to City sanitary system. Any new service or modification to the existing service lateral. Applicant shall be designed and constructed in conformance with Molalla Public Standards and in accordance with Oregon state plumbing laws, the rules of the Oregon DEQ, and City Standards.

Sanitary SDC's – In accordance with MMC 13.14 this development does increase the impacts to the public improvement facility and is therefore not exempt from sanitary SDC charges...this development is not exempt from sanitary SDC charges. SDC's shall be calculated in accordance with the SDC methodology.

Water: The property is currently served by an existing water service lateral connection off City water main line located on Hart Ave. Applicant is proposing to utilize the existing lateral as their main connection to City water system. Any new service or modification to the existing service lateral. Applicant shall design and construct in conformance with Molalla Public Standards and in accordance with Oregon state plumbing laws.

Should Fire Department regulations require additional fire flow that results in looping the water line through the site, then the applicant's engineer shall coordinate with Public Works for the extension of the public waterline. Public waterline shall be sized appropriately to meet fire flows, and meet City of Molalla Public Works Standards, and all public water lines and hydrants shall be within a public utility easement approved by the Public Works Department.

Water SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from water SDC charges. SDC's shall be calculated based on domestic water meter size in accordance with the SDC methodology.

- B. **Sewer and Water Plan Approval.** Development permits for sewer and water improvements shall not be issued until the City Engineer has approved all sanitary sewer and water plans in conformance with City standards.

Findings: This standard can be met subject to a condition of approval. Applicant shall submit a Public Works Permit and assurances in accordance with Section 1 of the Molalla Standard Specifications for Public Works Construction prior to any construction of public facilities.

- C. **Over-Sizing.** The City may require as a condition of development approval that sewer and water lines serving new development be sized to accommodate future development within the area as projected by the applicable facility master plans, and the City may authorize other cost-recovery or cost-sharing methods as provided under state law.
- D. **Inadequate Facilities.** Development permits may be restricted or rationed by the Planning Commission where a deficiency exists in the existing water or sewer system that cannot be rectified by the development and which, if not rectified, will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. The City Engineer may require water booster pumps, sanitary sewer lift stations, and other critical facilities be installed with backup power. (Ord. 2017-08 §1)

Findings: These standards can be met subject to a condition of approval. Should Fire Department regulations require additional fire flow that results in looping the water line through the site, then the applicant's engineer shall coordinate with Public Works for the extension of the public waterline. Public waterlines shall be 8 inches in diameter, meeting City of Molalla Public Works Standards, and all public water lines and hydrants shall be within a public utility easement approved by the Public Works Department.

17-3.6.050 Storm Drainage and Surface Water Management Facilities:

- A. **General Provisions.** The City shall issue a development permit only where adequate provisions for stormwater runoff have been made in conformance with the requirements of the current version of the Public Works Design Standards and Stormwater Master Plan.
- B. **Accommodation of Upstream Drainage.** Culverts and other drainage facilities shall be large enough to accommodate existing and potential future runoff from the entire upstream drainage area, whether inside or outside the development. Such facilities shall be subject to review and approval by the City Engineer.
- C. **Effect on Downstream Drainage.** Where it is anticipated by the City Engineer that the additional runoff resulting from the development will overload an existing drainage facility, the City shall withhold approval of the development until provisions have been made for improvement of the

potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with City standards.

- D. **Over-Sizing.** The City may require as a condition of development approval that sewer, water, or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable facility master plan, provided that the City may grant the developer credit toward any required system development charge for the same pursuant to the System Development Charge.
- E. **Existing Watercourse.** Where a proposed development is traversed by a watercourse, drainage way, channel, or stream, the City may require a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance to protect the public health and safety. (Ord. 2017-08 §1)

Findings:

General Public ROW Stormwater Condition: As a condition of approval, the applicant shall design and construct stormwater facilities, in conjunction with required and voluntary improvements, that comply with the City's stormwater master plan and public works design standards as well as any other applicable state or federal law or rule. The stormwater facilities will not be connected to upstream storm infrastructure, so no upstream analysis is required. The stormwater facilities shall be sized and/or controlled in accordance with a downstream capacity analysis, accepted by the City, and performed and stamped by an engineer certified in the State of Oregon to conduct stormwater design and analysis. The analysis shall extend from the point of intake downstream to a point in the drainage system where the additional flow from the proposed development site constitutes 10% or less of the total tributary drainage flow.

City Streets: A 12-inch storm main exists approximately 50 feet to the west of the project on Hart Ave. Storm main is approximately 3 feet in depth and will serve this development. Applicant is also required to verify that the storm main in Hart Ave is connected to W Main St storm system. If not, the applicant will be required to make such connection to facilitate their storm runoff.

Applicant proposes to collect and detain all stormwater onsite and discharge to City facilities. Connection to City facilities shall comply with all City requirements. Onsite private storm system shall comply with plumbing code requirements. The detention and flow control facilities shall be reviewed, permitted, and inspected by Public Works. The onsite storm conveyance system shall be reviewed and inspected by Clackamas County Building under a plumbing permit. The connection to the ODOT facilities shall be reviewed and permitted by ODOT including water quality requirements.

ODOT Streets: Storm improvements shall meet ODOT requirements.

Stormwater SDC's – In accordance with MMC 13.14 this development does increase the impacts to the public improvement facility and is therefore not exempt from stormwater SDC charges. SDC's shall be calculated in accordance with the SDC methodology.

17-3.6.060 Utilities:

B. Underground Utilities.

1. General Requirement. The requirements of the utility service provider shall be met. All utility lines in new subdivisions, including, but not limited to, those required for electric, communication, and lighting, and related facilities, shall be placed underground, except where the City Engineer determines that placing utilities underground would adversely impact adjacent land uses. The Planning Official may require screening and buffering of above ground facilities to protect the public health, safety, or welfare.

Findings: This standard can be met subject to a condition of approval. All utilities for the project shall be served by underground services. No overhead crossings of public right of way shall be approved by the City.

17-3.6.070 Easements:

- A. Provision. The developer shall make arrangements with the City and applicable utility providers for each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development.
- B. Recordation. All easements for sewers, storm drainage and water quality facilities, water mains, electric lines, or other utilities shall be recorded and referenced on a survey or final plat, as applicable. See Chapter 17-4.2 Site Design Review, and Chapter 17-4.3 Land Divisions and Property Line Adjustments.

Findings: These standards can be met subject to a condition of approval. The applicant shall dedicate a 10-foot wide Public Utility Easement along the frontage of Hart Avenue and OR 211 (to the extent the property frontage adjacent to the ROW edge that does not contain a building) if one does not exist. If one does exist, applicant shall provide proof of existing dedication.

17-3.6.080 Construction Plan Approval:

No development, including sanitary sewers, water, streets, parking areas, buildings, or other development, shall commence without plans having been approved by the City of Molalla Public Works Department and permits issued. Permit fees are required to defray the cost and expenses incurred by the City for construction and other services in connection with the improvement. Permit fees are as set by City Council resolution.

Findings: This standard can be met subject to a condition of approval. The applicant shall apply for a Public Works Permit in accordance with Section 1.15 Developments Process Requirements of Molalla standards. No work will be performed, not materials stored, nor encroachment made on or within a right-of-way, public easement, or public utility easement until all requirements have been met and permit has been issued.

17-3.6.090 Facility Installation:

Design Requirements & Policies

Findings: The following standards apply to design and construction phases for public facilities:

- A. **Conformance Required.** *Improvements installed by the developer, either as a requirement of these regulations or at the developer's option, shall conform to the requirements of this chapter, approved construction plans, and to improvement standards and specifications adopted by the City.*
- B. **Adopted Installation Standards.** *The City of Molalla has adopted Public Works Design Standards for public improvements and private utility installation within the public right-of-way.*
- C. **Commencement.** *Work in a public right-of-way shall not begin until all applicable agency permits have been approved and issued.*
- D. **Resumption.** *If work is discontinued for more than six months, it shall not be resumed until the Public Works Director is notified in writing and grants approval of an extension.*
- E. **City Inspection.** *Improvements shall be constructed under the inspection of the City Engineer. The City Engineer may approve minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest, except that substantive changes to the approved design shall be subject to review under Chapter 17-4.5 Modifications to Approved Plans and Conditions of Approval. Any survey monuments that are disturbed before all improvements are completed by the developer or subdivider shall be replaced at the developer or subdivider's expense prior to final acceptance of the improvements.*
- F. **Engineer's Certification and As-Built Plans.** *In accordance with the current version of the Public Works Design Standards, a registered civil engineer shall provide written certification in a form required by the City that all improvements, workmanship, and materials meet current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to City's acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide two sets of "as-built" plans, one paper set and one electronic set for permanent filing with the City. If required by the City, the developer or subdivider shall provide a warranty bond pursuant to Section 17-3.6.100. (Ord. 2017-08 §1*
- G. **Residential Development Projects.** *No building permit may be issued until all required public facility improvements are in place and approved by the City Engineer, or otherwise bonded, in conformance with the provision of the Code and the Public Works Design Standards in accordance with MMC 17-3.6 Public Facilities. All public facilities shall be completed and accepted by the Public Works Department prior to issuance of final occupancy.*
- H. **Materials Submitted.** *The storm drain, domestic water, and sanitary sewer facilities will be obtained from main line connections and/or extensions. Separate engineering drawings reflecting the installation of these public utilities will be required.*

- I. **Construction and/or Connection.** No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, bonding, right-of-way, and easements have been obtained and approved by staff, and Staff is notified a minimum of 24 hours in advance.
- J. **Revisions/Modifications.** Staff reserves the right to require revisions/modifications to the public improvement construction plans and completed street improvements, if additional modifications or expansion of the sight distance onto adjacent streets is required.
- K. **Civil Review.** All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Molalla Public Works Standards as described in Section 1 of the Molalla Standard Specifications for Public Works Construction.
- L. **Monuments.** All survey monuments on the subject site or that may be subject to disturbance within the construction area, or the construction of any off-site improvements, shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
- M. **Existing Wells.** The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards and supply the City with a copy of the final document.
- N. **Sanitary Sewer,** designs require review by Oregon Department of Environmental Quality. Applicant shall be responsible for submission of plans to state agency and all associated fees. Applicant's Engineer will be required to submit final report to DEQ and provide a copy of the report to the City.
- O. **Utilities.** All utilities will be stubbed out to the far end of each street for future extension. The project shall utilize existing water, sewer, and storm water 'stub-outs' wherever possible. Water for domestic and fire protection shall be looped through the proposed site. Any 'stub-outs' determined to be not needed for the proposed development, or any future development of the subject property shall be abandoned in accordance with the Molalla Standard Specifications for Public Works Construction.
- P. **Public Improvements.** All public improvement designs shall meet the requirements of the Molalla Standard Specifications for Public Works Construction as amended by the Public Works Director.
- Q. **General Easements** – The applicant shall dedicate a 10-foot wide Public Utility Easement along the frontage of Hart Avenue and OR 211 (to the extent the property frontage adjacent to the ROW edge that does not contain a building). No new structures are allowed to encroach into the easement. Applicant shall be required to submit a legal description and exhibit map for review and sign City easements. Once completed, applicant will be required to record easements with the County Recorder's Office and return the original document to the City prior to final occupancy.

- R. **General Wetland Requirements** – *The applicant will be required to provide Public Works with a letter of concurrence from the Department of State Lands regarding any wetlands on the subject property.*
- S. **General Erosion Control** – *The applicant shall install, operate, and maintain adequate erosion control measures in conformance with the standards adopted by the City of Molalla and DEQ during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed. Applicant or Applicant’s Contractor shall be responsible for all erosion control requirements under the 1200-C permit and shall coordinate directly with DEQ for questions related to 1200-C permit compliance.*

17-3.6.100 Performance Guarantee and Warranty:

- A. **Performance Guarantee Required.** The City at its discretion may approve a final plat or building permit when it determines that all of the public improvements required for the site development or land division, or phase thereof, are complete and the applicant has an acceptable assurance for the balance of said improvements. The applicant shall provide a performance and payment bond in accordance with the current version of the Public Works Design Standards.
- B. **Determination of Sum.** The assurance of performance shall be for a sum determined by the City Engineer as required to cover the cost of the improvements and repairs, including related engineering and incidental expenses, plus reasonable inflationary costs. The assurance shall not be less than 150 percent of the estimated improvement costs.

Findings: These standards can be met subject to a condition of approval. Performance Bond shall be in place prior to issuance of permit and before any public construction begins. The sum of the Performance Bond will be based on Engineering Cost Estimates provided at the time of application submittal.

- C. **Itemized Improvement Estimate.** The applicant shall furnish to the City an itemized improvement estimate, certified by a registered civil engineer, to assist the City in calculating the amount of the performance assurance.

Findings: See findings under 17-3.6.100 “A” & “B”.

- D. **Agreement.** A written agreement between the City and applicant shall be signed and recorded. The agreement may include a provision for the construction of the improvements in stages and for the extension of time under specific conditions. The agreement shall contain all of the following:
1. The period within which all required improvements and repairs shall be completed.
 2. A provision that if work is not completed within the period specified, the City may complete the work and recover the full cost and expenses from the applicant.
 3. The required improvement fees and deposits.

Findings: These standards are met subject to a condition of approval. The applicant shall not be granted a building permit until all required improvements are completed and accepted by the City, or an agreement and financial assurance acceptable to the City for all outstanding public improvements is recorded against the property.

- E. **When Applicant Fails to Perform.** In the event the applicant fails to carry out all provisions of the agreement and the City has un-reimbursed costs or expenses resulting from such failure, the City shall call on the bond, cash deposit, or letter of credit for reimbursement.

Findings: This standard is met subject to a condition of approval. The Applicant shall perform the public improvements as required and in accordance with the City of Molalla's Public Works Design Standards. In the event Applicant fails to perform within period of validity for construction plan review, the City will call on the financial assurance to complete said improvements.

- F. **Termination of Performance Guarantee.** The applicant shall not cause termination, nor allow expiration, of the guarantee without first securing written authorization from the City.

Findings: At completion of the project and acceptance of Warranty Bond, the City will release the Performance Bond. If the applicant allows the financial assurance to expire, or terminate without written authorization from the City, a stop work order will be placed on the project and no occupancy will be granted. Additionally, the city will seek all available remedies under the law.

- G. **Warranty Bond.** A warranty bond good for two years is required on all public improvements and landscaping when installed in the public right-of-way. The warranty bond shall equal 120 percent of the total cost of improvements and begin upon acceptance of said improvements by the City. (Ord. 2017-08 §1)

Findings: This standard is met subject to a condition of approval. Warranty Bond shall be in place prior to final completion and acceptance of the project and meeting the requirements in subsection 1.15.9 of the Molalla Standards and subject to all easements and legal documents have been recorded with the County.

- C. For non-residential uses, all adverse impacts to adjacent properties, such as light, glare, noise, odor, vibration, smoke, dust, or visual impact, are avoided; or where impacts cannot be avoided, they are minimized; and

Findings: The renovation of the existing commercial building is not anticipated to create adverse impacts to adjacent properties, which are all commercial. Further, the applicant has been conditioned to provide screening onto adjacent rights-of-way. This standard is met.

- E. The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable. Note: Compliance with other City codes and requirements, though not applicable land use standards, may be required prior to issuance of building permits. (Ord. 2017-08 §1)

Findings: As a condition of approval, the applicant shall remove any outdoor storage on the property prior to the City granting occupancy. With the proposed condition of approval, this standard could be met.

Exhibit B:
SDR02-2024 Application Package



Community Development Department

315 Kennel Ave/PO Box 248

Molalla, OR 97038

Phone 503.759.0205

www.cityofmolalla.com

LAND USE ACTION APPLICATION

Type of land use action requested (more than one may apply)

Annexation:	☐	Conditional Use:	☐
Zone Change:	☐	Partition:	☐
Comp Plan Amendment:	☐	Site Design Review:	☒
Master Plan Development:	☐	Variance:	☐
Subdivision:	☐	Other:	<u>Lot Line Adjustment</u>

Applicant information

Name: B&I Construction Inc Phone: 503-930-5019

Mailing Address: PO Box 246

City: Molalla State: OR Zip: 97071

Email: iggy@bniconst.com

Owner Information

Name: Ignaty Egoroff Phone: 503-930-5019

Mailing Address: 17511 S Abiqua Rd NE

City: Silverton State: OR Zip: 97381

Email: iggy@bniconst.com

Property Information

Site address: 220 W Main St Molalla, OR 97038

Zoning district: C2 Overlay: _____ Tax lot # 52E08DD04300

Tax Account Number(s): 4300 T: _____ R: _____ S: _____

Property dimensions: 185ft by 120ft Property acreage: 20701sqft

Surrounding property uses; North: C1 South: C1 East: C1

West: RI Topography: _____

Project Information

Description of Proposal: Renovate existing building on Main st for offices, Retail space, and Multi Use/Flex space

Describe all existing buildings or structures on property: Existing Warehouse/office

Prior Use: Lumber Yard

Current Use: office

Proposed Use: Retail space, Multi use/Flex space, and offices

City Utilities Impacted: Water: ☒ Sewer: ☒ Stormwater: ☒ None: ☐

Site Plan(s) and Documents Required

1. Ownership documents if different than Clackamas County CMAP property information.
2. Provide All Easements, Covenants, Conditions, Restrictions, and Encumbrances on the property – Attach to this form.
3. Provide Elevation profiles meeting architectural standards of MCC 17-3.2.030 (D)
4. If your project is subservient to a prior project(s) please provide:
 - Planning File Number(s): _____
 - Subdivision name/date approved: _____
 - Special Planning Permits (attach): Conditional Use/Variance/Other: _____
 - Planning Conditions of Approval (attach)
5. Site/Plot Plan
Plot Plan Requirements
 - Applicant's name and address.
 - Legal description of the property (Township, Range, Section and Tax Lot).
 - SITE PLAN MUST INCLUDE DIMENSIONS OF ALL EXISTING AND PROPOSED STRUCTURES, PROPERTY LINES, SETBACKS, AND DRIVEWAYS.
 - Direction of North.
 - Driveway location and location of adjacent streets.
 - Proposed and existing structures.
 - Location of any existing wells on the property.
 - Walkways, patios, patio slabs, and mechanical units (e.g. air conditioning unit)
 - Location of existing and proposed utility connections.
 - Approximate ground slope and direction of the slope.
 - Property Lines.
 - Position of all creeks, streams, ponds, springs, or other drainageways.
 - Relative elevations (1) At lot corners or construction area, and (2) At building site.
 - Existing and proposed easements.
 - All streets abutting the property.
 - All existing and proposed site features must be included and labeled as such.
 - You must also indicate what is proposed to remain and what is proposed to be removed.

Owner's Signature: _____ Date: _____

Printed Name: Ignaty Egoroff Date: 9/10/2024

Preliminary Building Renovation Narrative

220 W Main Street Commercial Renovation

Prepared by:

**B&I Construction
220 W Main Street
Molalla, OR 97038**

DESCRIPTION

This project is a Renovate an existing building on a multi-lot commercial subdivision on a 1.94 total acre property located at 220 W. Main Street in Molalla, Oregon. The properties can also be located by the Clackamas County Map under the following information: 52E08DD04300, 52E08DD04400, 52E08DD04500, 52E08DD04600, 52E08DD04701, 52E08DD08700, 52E08DD08800, 52E08DD08900, 52E08DD09000, 52E08DD09100 and 52E08DD09200.

EXISTING CONDITIONS

The project site is a collection of eleven lots. There is an existing building on lot 52E08DD04300 adjacent to W Main Street, an existing building that straddles across lots 52E08DD04400 and 52E08DD04600 that is adjacent to Metzler Avenue. The other remaining lots are empty. The lots have access from Hart Avenue and Metzler Avenue. There are also some driveway drops/access points from W Main Street, but they don't go anywhere anymore. The site is mostly paved with asphaltic cement and a couple of patches of concrete slab. What is not paved is compacted gravel. There are no trees on the property. The site slopes from south west to north east away from the back of the properties towards W Main Street and Metzler Avenue.

PROPOSED RENOVATION

The proposed building renovation will consist of renovation of existing building with a building footprint of 9,000 square feet that is located at 220 W Mains St. There will be 3,157 square feet of Retail space at the street frontage of Main Street, 6,421 square feet of office space on the first and second level. 2,837 square feet of Multi-Use South Side of the building. 1,306 square feet of Common area

Resurface existing pavement for parking requirements on the corner of Main street and Hart avenue with access from Hart Avenue. A re-plat of existing lots, 52E08DD04300 and 52E08DD09200 will be required to consolidate these lots into one lot, so that the renovated building and parking areas sit on one single lot. Since a replat will be required it may also be a good opportunity to "fix" the anomalies of the existing lot boundaries to make them more useable for the future development of those lots. There is already access to these lots from Hart Avenue.

CODE COMPLIANCE

This section will demonstrate that this project is in either compliance with the criteria of the Molalla Development Code or if any Zoning Adjustments or Variances will be required.

17-4.2 SITE DESIGN REVIEW

17-4.2.040 Application Submission Requirements

All of the following information is required for Site Design Review application submittal, except where the Planning Official and the City Engineer determines that some information is not pertinent and therefore is not required.

A. General Submission Requirements.

1. Information required for Type II or Type III review, as applicable (see Chapter 17-4.1).

Applicants Response: Information is being submitted for a Type III review.

2. **Public Facilities and Services Impact Study.** The impact study shall quantify and assess the effect of the development on public facilities and services. The City shall advise as to the scope of the study. The study shall address, at a minimum, the transportation system, including required improvements for vehicles and pedestrians; the drainage system; the parks system; water system; and sewer system. For each system and type of impact, the study shall propose improvements necessary to meet City requirements. The City may require a Traffic Impact Analysis pursuant to Section 17-3.6.020.A(4).

Applicants Response: The part of the site where the new building and parking area will be located is already a paved area. There will not be any impervious area added to the site. There will actually be a reduction of impervious area, once the landscaping areas come into effect. A preliminary Storm Water Management Plan will not be submitted as part of this application, but once the storm water quality / quantity requirements are clearly defined then a Storm Water Management Plan will be submitted as part of the Final Engineering Design . Any perceived traffic impact is minimal and below the threshold required for a Traffic Impact Analysis. Instead a Traffic Analysis Letter will be submitted as part of this application.

B. Site Design Review Information. In addition to the general submission requirements, an applicant for Site Design Review shall provide the following information, as deemed applicable by the Planning Official. The Planning Official may request any information that he or she needs to review the proposal and prepare a complete staff report and recommendation to the approval body.

1. **Site Analysis Map.** The site analysis map shall contain all the following information, as the Planning Official deems applicable:
 - a. The applicant's entire property and the surrounding property to a distance sufficient to determine the location of the development in the city, and the relationship between the proposed development site and adjacent property and development. The property boundaries, dimensions, and gross area shall be identified;
 - b. Topographic contour lines at two-foot intervals for slopes, except where the Public Works Director determines that larger intervals will be adequate for steeper slopes;
 - c. Identification of slopes greater than 15 percent, with slope categories identified in five percent increments (e.g., 0%-5%, >5%-10%, >10%-15%, >15%-20%, and so forth);
 - d. The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjoining the site;

- e. Potential natural hazard areas, including, as applicable, the base flood elevation identified on FEMA Flood Insurance Rate Maps or as otherwise determined through site specific survey, areas subject to high water table, and areas designated by the City, county, or state as having a potential for geologic hazards;
- f. Areas subject to overlay zones;
- g. Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals, and ditches;
- h. The location, size, and species of trees and other vegetation (outside proposed building envelope) having a caliper (diameter) of six inches or greater at four feet above grade;
- i. North arrow, scale, and the names and addresses of all persons listed as owners of the subject property on the most recently recorded deed; and
- j. Name and address of project designer, engineer, surveyor, and/or planner, if applicable.

Applicants Response: A Site Analysis Map is provided as part of this submittal.

- 2. **Proposed Site Plan.** The site plan shall contain all the following information:
 - a. The proposed development site, including boundaries, dimensions, and gross area;
 - b. Features identified on the existing site analysis maps that are proposed to remain on the site;
 - c. Features identified on the existing site map, if any, which are proposed to be removed or modified by the development;
 - d. The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;
 - e. The location and dimensions of all existing and proposed structures, utilities, pavement, and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan;
 - f. The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access;
 - g. The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops);
 - h. Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails;
 - i. Loading and service areas for waste disposal, loading, and delivery;
 - j. Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements;
 - k. Location, type, and height of outdoor lighting;
 - l. Location of mail boxes, if known;
 - m. Name and address of project designer, if applicable;

- n. Locations of bus stops and other public or private transportation facilities; and
- o. Locations, sizes, and types of signs.

Applicants Response: A Site Plan of the proposed development is provided as part of this submittal

- 3. **Architectural Drawings.** Architectural drawings shall include, as applicable:
 - a. Building elevations with dimensions;
 - b. Building materials, colors, and type; and
 - c. Name and contact information of the architect or designer.

Applicants Response: Building plans and elevations are provided as part of this submittal

- 4. **Preliminary Grading Plan.** A preliminary grading plan prepared by a registered engineer shall be required for development sites one-half acre or larger, or where otherwise required by the City. The preliminary grading plan shall show the location and extent to which grading will take place, indicating general changes to contour lines, slope ratios, slope stabilization proposals, and location and height of retaining walls, if proposed. Surface water detention and treatment plans may also be required, in accordance with Section 17-3.6.040.

Applicants Response: A Grading Plan is provided as part of this submittal

- 5. **Landscape Plan.** Where a landscape plan is required, it shall show the following, pursuant to Chapter 17-3.4:
 - a. The location and height of existing and proposed fences, buffering, or screening materials;
 - b. The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas;
 - c. The location, size, and species of the existing and proposed plant materials (at time of planting);
 - d. Existing and proposed building and pavement outlines;
 - e. Specifications for soil at time of planting, irrigation if plantings are not drought tolerant (may be automatic or other approved method of irrigation), and anticipated planting schedule; and
 - f. Other information as deemed appropriate by the Planning Official. An arborist's report may be required for sites with mature trees that are to be retained and protected.

Applicants Response: A Landscaping Plan is provided as part of this submittal.

- 6. **Deed Restrictions.** Copies of all existing and proposed restrictions or covenants, including those for roadway access control.

Applicants Response: The shared access and utility easements will be maintained under separate agreements. The agreements will be provided at a later date.

- 7. **Narrative.** Letter or narrative report documenting compliance with the applicable approval criteria contained in Section 17-4.2.050.

Applicants Response: This document will serve as the narrative report documenting compliance with the applicable approval criteria.

8. **Traffic Impact Analysis**, when required by Section 17-3.6.020.A(4).

Applicants Response: Any perceived traffic impact is minimal and below the threshold required for a Traffic Impact Analysis. Instead a Traffic Analysis Letter will be submitted as part of this application.

9. **Other information determined by the Planning Official.** The City may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts (e.g., traffic, noise, environmental features, natural hazards, etc.), as necessary to determine a proposal's conformance with this Code.

Applicants Response: A Phase I Environmental Site Assessment seems unnecessary at this time.

17-4.2.050 Approval Criteria

An application for Site Design Review shall be approved if the proposal meets all of the following criteria. The Planning Official, in approving the application, may impose reasonable conditions of approval, consistent with the applicable criteria.

- A. The application is complete, in accordance with Section 17-4.2.040;

Applicants Response: A completed application is provided as part of this submittal

- B. The application complies with all of the applicable provisions of the underlying Zoning District (Division II), including, but not limited to, building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards;
- C. The proposal includes required upgrades, if any, to existing development that does not comply with the applicable zoning district standards, pursuant to Chapter 17-1.4 Nonconforming Situations;

Applicants Response: Not Applicable

- D. The proposal complies with all of the Development and Design Standards of Division III, as applicable, including, but not limited to:
1. Chapter 17-3.3 Access and Circulation,
 2. Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting,
 3. Chapter 17-3.5 Parking and Loading,
 4. Chapter 17-3.6 Public Facilities, and
 5. Chapter 17-3.7 Signs;

Applicants Response: The development and design standards of Article 17-3 will be addressed in other sections of this application which are provided as part of this submittal

- E. For non-residential uses, all adverse impacts to adjacent properties, such as light, glare, noise, odor, vibration, smoke, dust, or visual impact, are avoided; or where impacts cannot be avoided, they are minimized; and

Applicants Response: All adverse impacts to adjacent properties will be avoided or minimized to the fullest extent as feasible.

- F. The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.

Applicants Response: Not Applicable

17-4.2.060 Assurances

Public improvement required as part of a Site Design Review approval shall be subject to the performance guarantee and warranty bond provisions of Section 17-3.6.090, as applicable.

Applicants Response: A performance guarantee and warranty bond for the public improvements will be provided as required.

17-4.1.040 Type III Procedure (Quasi-Judicial Review—Public Hearing)

Type III decisions are made by the Planning Commission after a public hearing, with an opportunity for appeal to the City Council.

A. Application Requirements.

1. **Application Forms.** Applications requiring Quasi-Judicial Review shall be made on forms provided by the Planning Official.

Applicants Response: The completed application forms are provided as part of this submittal

2. **Submittal Information.** The Planning Official shall advise the applicant on application submittal requirements. At a minimum, the application shall include all of the following information:

- a. The information requested on the application form;

Applicants Response: The completed application forms are provided as part of this submittal

- b. Plans and exhibits required for the specific approval(s) being sought;

Applicants Response: The necessary plans and exhibits are provided as part of this submittal

- c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail;

Applicants Response: This narrative explains how the application satisfies each and all of the relevant criteria and standards

- d. Information demonstrating compliance with prior decision(s) and conditions of approval for the subject site, as applicable; and

Applicants Response: Not Applicable

- e. The required fee.

Applicants Response: A payment amount for the appropriate fees is provided as part of this submittal

- f. Comments, if obtained from neighborhood contact per Section 17-4.1.070.

Applicants Response: The criteria of Neighborhood Contact will be complied with per Section 17-4.0.070

17-3 COMMUNITY DESIGN STANDARDS

17-3.1 DESIGN STANDARDS ADMINISTRATION

17-3.1.010 Purpose

Division III contains design standards for the built environment. The standards are intended to protect the public health, safety, and welfare through multimodal accessibility and interconnectivity, and through the provision of parking, landscaping, and adequate public facilities.

17-3.1.020 Applicability

The provisions of Division III apply to permits and approvals granted under this Code, and other City actions, as summarized in Table 17-3.1.020.

17-3.2 BUILDING ORIENTATION AND DESIGN

17-3.2.010 Purpose

Chapter 17-3.2 regulates the placement, orientation, and design of buildings. The regulations are intended to protect public health, safety, and welfare through clear and objective standards that promote land use compatibility and livability, while protecting property values and ensuring predictability in the development process. In summary, Chapter 17-3.2 is intended to create and maintain a built environment that:

- A. Is conducive to walking and bicycling;
- B. Provides natural surveillance of public spaces, or “eyes on the street,” for crime prevention and security;
- C. Reduces dependency on the automobile for short trips, thereby conserving energy and reducing unwanted congestion;
- D. Encourages the use of water-conserving landscaping;
- E. Allows for the integration of surface water management facilities within parking lots and landscape areas; and
- F. Creates a sense of place that is consistent with the character of the community, including historical development patterns and the community vision.

17-3.2.020 Applicability

Chapter 17-3.2 applies to all new buildings, including single-family detached homes, and exterior alterations to existing buildings. The Planning Official, through a Type II procedure, may grant adjustments to Chapter 17-3.2, pursuant to the criteria of Chapter 17-4.7 Adjustments and Variances.

17-3.2.040 Non-Residential Buildings

- A. **Purpose and Applicability.** The following requirements apply to non-residential development, including individual buildings and developments with multiple buildings such as shopping centers, office complexes, mixed-use developments, and institutional campuses. The standards are intended to create and maintain a built environment that is conducive to pedestrian accessibility, reducing dependency on the automobile for short trips, while providing civic space for employees and customers, supporting natural surveillance of public spaces, and creating human-scale design. The

standards require buildings placed close to streets, with storefront windows (where applicable), with large building walls divided into smaller planes, and with architectural detailing.

- B. Building Orientation.** The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.
1. Buildings subject to this section shall conform to the applicable build-to line standard in Table 17-2.2.040.E, as generally illustrated in Figure 17-3.2-6. The standard is met when at least 50 percent of the abutting street frontage has a building placed no farther from at least one street property line than the build-to line in Table 17-2.2.040.E; except in the Central Commercial C-1 zone, at least 80 percent of the abutting street frontage shall have a building placed no farther from at least one street property line than the required build-to-line. The Planning Official, through Site Design Review, may waive the build to line standard where it finds that one or more of the conditions in subdivisions a through g occurs.
 - a. A proposed building is adjacent to a single-family dwelling, and an increased setback promotes compatibility with the adjacent dwelling.
 - b. The standards of the roadway authority preclude development at the build-to line.
 - c. The applicant proposes extending an adjacent sidewalk or plaza for public use, or some other pedestrian amenity is proposed to be placed between the building and public right-of-way, pursuant to Section 17-3.2.050 and subject to Site Design Review approval.
 - d. The build-to line may be increased to provide a private open space (e.g., landscaped forecourt), pursuant to Section 17-3.2.050, between a residential use in a mixed-use development (e.g., live-work building with ground floor residence) and a front or street property line.
 - e. A significant tree or other environmental feature precludes strict adherence to the standard and will be retained and incorporated in the design of the project.
 - f. A public utility easement or similar restricting legal condition that is outside the applicant's control makes conformance with the build-to line impracticable. In this case, the building shall instead be placed as close to the street as possible given the legal constraint, and pedestrian amenities (e.g., plaza, courtyard, landscaping, outdoor seating area, etc.) shall be provided within the street setback in said location pursuant to Section 17-3.2.050.
 - g. An existing building that was lawfully created but does not conform to the above standard is proposed to be expanded and compliance with this standard is not practicable.
 2. Except as provided in subsections C.5 and 6, all buildings shall have at least one primary entrance (i.e., tenant entrance, lobby entrance, breezeway entrance, or courtyard entrance) facing an abutting street (i.e., within 45 degrees of the street property line); or if the building entrance must be turned more than 45 degrees from the street (i.e., front door is on a side or rear elevation) due to the configuration of the site or similar constraints, a pedestrian walkway must connect the primary entrance to the sidewalk in conformance with Section 17-3.3.040.
 3. Off-street parking, trash storage facilities, and ground-level utilities (e.g., utility vaults), and similar obstructions shall not be placed between building entrances and the street(s) to which they are oriented. To the extent practicable, such facilities shall be oriented internally to the block and accessed by alleys or driveways.
 4. Off-street parking shall be oriented internally to the site to the extent practicable, and shall meet the Access and Circulation requirements of Chapter 17-3.3, the Landscape and Screening requirements of Chapter 17-3.4, and the Parking and Loading requirements of Chapter 17-3.5.

5. Where a development contains multiple buildings and there is insufficient street frontage to meet the above building orientation standards for all buildings on the subject site, a building's primary entrance may orient to plaza, courtyard, or similar pedestrian space containing pedestrian amenities and meeting the requirements under Section 17-3.2.050, subject to Site Design Review approval. When oriented this way, the primary entrance(s), plaza, or courtyard shall be connected to the street by a pedestrian walkway conforming to Section 17-3.3.040.

Applicants Response: The above conditions for Building Orientation have been considered and adhered to as much as possible. But there are also the needs of the prospective tenants/owners of these commercial subdivision lots that factor in on the layout of the site. A compromise will be necessary to make sure all parties concerned will be met with their needs to make this a viable project.

- C. **Large-Format Developments.** Plans for new developments, or any phase thereof, with a total floor plate area (ground floor area of all buildings) greater than 35,000 square feet, shall meet all of the following standards in subsections C.1 through 9, as generally illustrated in Figure 17-3.2-7. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.
 1. The site plan or preliminary subdivision plan, as applicable, shall comply with the street connectivity standards of Section 17-3.6.020. The plan approval shall bind on all future phases of the development, if any, to the approved block layout.
 2. Except as provided by subsections C.6 through 9, the site shall be configured into blocks with building pads that have frontage onto improved streets meeting City standards, and shall contain interior parking courts and with interconnected pedestrian walkways.
 3. The build-to line standards in Table 17-2.2.040.E shall be met across not less than 75 percent of the site's street frontage, consistent with subsection 17-3.2.040.B, except the build-to standard does not apply where a railroad, expressway, water body, topographic constraint, or similar physical constraint makes it impractical to orient buildings to a particular street or highway.
 4. Walkways shall connect the street right-of-way to all primary building entrances, and shall connect all primary building entrances to one another, including required pedestrian crossings through interior parking areas, if any, in accordance with Section 17-3.3.040. The Planning Official may condition development to provide facilities exceeding those required by Section 17-3.3.040, including a requirement for lighting, stairways, ramps, and midblock pedestrian access ways (e.g., to break up an otherwise long block) to ensure reasonably safe, direct, and convenient pedestrian circulation. Development in the right-of-way shall be approved by the City Engineer.
 5. Buildings placed at a block corner shall have a primary entrance oriented to the block corner. That entrance shall be located no more than 20 feet from the corner, as measured from the street curb and shall have a direct and convenient pedestrian walkway connecting to the corner sidewalk.
 6. All buildings shall orient to a street, pursuant to subsection B. Where it is not practical to orient all buildings to streets due to existing parcel configuration or a similar site constraints, buildings may orient to a "shopping street" providing, at a minimum, on-street parking (parallel or angled parking), 10-foot sidewalks (which shall include a four-foot zone for street trees and furnishings such as benches and other street furniture), and pedestrian-scale lighting. Shopping street dimensions do not apply to the public right-of-way.
 7. Each building that is proposed as orienting to a shopping street shall comply with the orientation standards of subsection B in reference to the shopping street, and shall have at least one primary entrance oriented to the shopping street.
 8. Where a building fronts both a shopping street and a public street, that building shall contain at least one primary entrance oriented to each street; except that an entrance is not required where the

public street is not improved with a sidewalk and the City determines that sidewalk improvements to the public street cannot be required as a condition of approval.

9. All other provisions of this Code apply to large-format developments.

Applicants Response: The above conditions for Large-Format Developments are not applicable as the new building is less than 35,000 square feet.

- D. **Primary Entrances and Windows.** The following standards, as generally illustrated in Figures 17-3.2-8 and 17.3.2-9, apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.
1. **All Elevations of Building.** Architectural designs shall address all elevations of a building. Building forms, detailing, materials, textures, and color shall contribute to a unified design with architectural integrity. Materials used on the front façade must turn the building corners and include at least a portion of the side elevations, consistent with the overall composition and design integrity of the building.

Applicants Response: This condition will be adhered to and will be reviewed as part of the design review and building permit process for the new building. The existing building will be provided with new openings along the Main Street façade. Large window and pedestrian entries are included on the ground floor and new large openings are planned for the second floor to allow natural light in and a visual connection to the outside.

2. **Pedestrian Entrances.** Ground level entrances oriented to a street shall be at least partly transparent for natural surveillance and to encourage an inviting and successful business environment. This standard may be met by providing a door with a window or windows, a transom window above the door, or sidelights beside the door. Where ATMs or other kiosks are proposed on any street-facing elevation, they shall be visible from the street for security and have a canopy, awning, or other weather protection shelter.

Applicants Response: This condition will be adhered to and will be reviewed as part of the design review and building permit process for the new building. The existing building will maximize the number of pedestrian entries and windows.

3. **Corner Entrances.** Buildings on corner lots are encouraged to have corner entrances. Where a corner entrance is not provided, the building plan shall provide an architectural element or detailing (e.g., tower, beveled corner, art, special trim, etc.) that accentuates the corner location.

Applicants Response: There are no buildings located on corner lots.

4. **Street Level Entrances.** All primary building entrances shall open to the sidewalk and shall conform to Americans with Disabilities Act (ADA) requirements, as applicable. Primary entrances above or below grade may be allowed where ADA accessibility is provided.

Applicants Response: Each building's primary entrances are at street level and are ADA accessible from parking lots and street sidewalk. The existing building presents a challenge with ADA do to the existing finish floor elevation and new proposed public sidewalk. Although the new entry doors will be set at grade to match the proposed public sidewalk, internally within the building will be slopes and ramps to get up to finish floor height. These will vary based on existing conditions.

5. **Windows—General.** Except as approved for parking structures or accessory structures, the front/street-facing elevations of buildings shall provide display windows, windowed doors, and where applicable, transom windows to express a storefront character.

6. **Storefront Windows.** Storefront windows shall consist of framed picture or bay windows, which may be recessed. Framing shall consist of trim detailing such as piers or pilasters (sides), lintels or hoods (tops), and kick plates or bulkheads (base)—or similar detailing—consistent with a storefront character. The ground floor, street-facing elevation(s) of all buildings shall comprise at least 60 percent transparent windows, measured as a section extending the width of the street-facing

elevation between the building base (or 30 inches above the sidewalk grade, whichever is less) and a plane 72 inches above the sidewalk grade.

Applicants Response: This condition will be adhered to and will be reviewed as part of the design review and building permit process for the new building. The existing building is provided with windows and entries.

7. **Defined Upper Story(ies).** Building elevations shall contain detailing that visually defines street level building spaces (storefronts) from upper stories. The distinction between street level and upper floors shall be established, for example, through the use of awnings, canopies, belt course, or similar detailing, materials, or fenestration. Upper floors may have less window area than ground floors, but shall follow the vertical lines of the lower level piers and the horizontal definition of spandrels and any cornices. Upper floor window orientation shall primarily be vertical, or have a width that is no greater than height. Paired or grouped windows that, together, are wider than they are tall, shall be visually divided to express the vertical orientation of individual windows.

Applicants Response: The part of the building that is up against the street sidewalk is of a one-story design. At the existing building a change in materials and colors are proposed to help define a second floor along Main Street.

8. **Buildings Not Adjacent to a Street.** Buildings that are not adjacent to a street or a shopping street, such as those that are setback behind another building and those that are oriented to a civic space (e.g., internal plaza or court), shall meet the 60 percent transparency standard on all elevations abutting civic space(s) and on elevations containing a primary entrance.

Applicants Response: All buildings are adjacent to a shopping street

9. **Side and Rear Elevation Windows.** All side and rear elevations, except for zero lot line or common wall elevations, where windows are not required, shall provide not less than 30 percent transparency.

Applicants Response: Each building's internal functionality and operational procedures may not allow for incorporating transparency for the side and rear elevation windows. This condition will be considered and will be reviewed as part of the design review and building permit process for each individual building. At the existing building, the property line is at the building line, therefore windows are not provided on the side elevations. The rear of the building is provided with glass entries and windows. Existing overhead doors are maintained for function, there is no second floor at the rear of the building.

10. **Window Trim.** At a minimum, windows shall contain trim, reveals, recesses, or similar detailing of not less than four inches in width or depth as applicable. The use of decorative detailing and ornamentation around windows (e.g., corbels, medallions, pediments, or similar features) is encouraged.

Applicants Response: This condition will be considered and will be reviewed as part of the design review and building permit process for each individual building. The existing building's metal siding will be replaced with a mix of new fiber cement and metal siding. To maintain a modern look, trim does not occur at all locations. This was intentional to provide that modern appearance.

11. **Projecting Windows, Display Cases.** Windows and display cases shall not break the front plane of the building (e.g., projecting display boxes are discouraged). For durability and aesthetic reasons, display cases, when provided, shall be flush with the building façade (not affixed to the exterior) and integrated into the building design with trim or other detailing. Window flower boxes are allowed, provided they do not encroach into the pedestrian through-zone.

Applicants Response: This condition will be adhered to and will be reviewed as part of the design review and building permit process for each individual building. At the existing building, no protruding windows are proposed.

12. **Window Exceptions.** The Planning Official may approve an exception to the above standards where existing topography makes compliance impractical. Where it is not practicable to use glass, windows for parking garages or similar structures, the building design must incorporate openings or other detailing that resembles window patterns (rhythm and scale).

Applicants Response: This condition will be considered and will be reviewed as part of the design review and building permit process for each individual building.

- E. **Articulation and Detailing.** The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

1. **Articulation.** All building elevations that orient to a street or civic space shall have breaks in the wall plane (articulation) of not less than one break for every 30 feet of building length or width, as applicable, pursuant to the following standards, which are generally illustrated in Figures 17-3.2-10, 17-3.2-11, and 17-3.2-12.
 - a. A “break” for the purposes of this subsection is a change in wall plane of not less than 24 inches in depth. Breaks may include, but are not limited to, an offset, recess, window reveal, pilaster, frieze, pediment, cornice, parapet, gable, dormer, eave, coursing, canopy, awning, column, building base, balcony, permanent awning or canopy, marquee, or similar architectural feature.
 - b. The Planning Official through Site Design Review may approve detailing that does not meet the 24-inch break-in-wall-plane standard where it finds that proposed detailing is more consistent with the architecture of historically significant or historic-contributing buildings existing in the vicinity.
 - c. Changes in paint color and features that are not designed as permanent architectural elements, such as display cabinets, window boxes, retractable and similar mounted awnings or canopies, and other similar features, do not meet the 24-inch break-in-wall-plane standard.
 - d. Building elevations that do not orient to a street or civic space need not comply with the 24-inch break-in-wall-plane standard but should complement the overall building design.

Applicants Response: This condition will be considered and will be reviewed as part of the design review and building permit process for each individual building.

2. **Change in Materials.** Elevations should incorporate changes in material that define a building’s base, middle, and top, as applicable, and create visual interest and relief. Side and rear elevations that do not face a street, public parking area, pedestrian access way, or plaza may utilize changes in texture and/or color of materials, provided that the design is consistent with the overall composition of the building.

Applicants Response: This condition will be considered and will be reviewed as part of the design review and building permit process for each individual building.

3. **Horizontal Lines.** New buildings and exterior remodels shall generally follow the prominent horizontal lines existing on adjacent buildings at similar levels along the street frontage. Examples of such horizontal lines include, but are not limited to: the base below a series of storefront windows, an awning or canopy line, a belt course between building stories, a cornice, or a parapet line. Where existing adjacent buildings do not meet the City’s current building design standards, a new building may establish new horizontal lines.

Applicants Response: This condition will be considered and will be reviewed as part of the design review and building permit process for each individual building.

4. **Ground Floor and Upper Floor Division.** A clear visual division shall be maintained between the ground level floor and upper floors, for example, through the use of a belt course, transom, awning, canopy, or similar division.

Applicants Response: The building on this project site is technically a one-story design, although it will be a tall building with a mezzanine level for the office space portion of the building.

5. **Vertical Rhythms.** New construction or front elevation remodels shall reflect a vertical orientation, either through breaks in volume or the use of surface details.

Applicants Response: This condition will be considered and will be reviewed as part of the design review and building permit process for each individual building.

- F. **Pedestrian Shelters.** The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

1. **Minimum Pedestrian Shelter Coverage.** Permanent awnings, canopies, recesses, or similar pedestrian shelters shall be provided along at least 75 percent of the ground floor elevation(s) of a building where the building abuts a sidewalk, civic space, or pedestrian access way. Pedestrian shelters used to meet the above standard shall extend at least five feet over the pedestrian area; except that the Planning Official, through Site Design Review, may reduce the above standards where it finds that existing right-of-way dimensions, easements, or building code requirements preclude standard shelters. In addition, the above standards do not apply where a building has a ground floor dwelling, as in a mixed-use development or live-work building, and the dwelling has a covered entrance. The Planning Official shall waive the above standards if the pedestrian shelter would extend into the right-of-way and the roadway authority does not allow encroachments in the right-of-way.

Applicants Response: Not Applicable. There are no pedestrian shelters on this site.

2. **Pedestrian Shelter Design.** Pedestrian shelters shall comply with applicable building codes, and shall be designed to be visually compatible with the architecture of a building. If mezzanine or transom windows exist, the shelter shall be below such windows where practical. Where applicable, pedestrian shelters shall be designed to accommodate pedestrian signage (e.g., blade signs), while maintaining required vertical clearance.

Applicants Response: Not Applicable. There are no pedestrian shelters on this site.

- G. **Mechanical Equipment.**

1. **Building Walls.** Where mechanical equipment, such as utility vaults, air compressors, generators, antennae, satellite dishes, or similar equipment, is permitted on a building wall that abuts a public right-of-way or civic space, it shall be screened pursuant to Chapter 17-3.4. Standpipes, meters, vaults, and similar equipment need not be screened but shall not be placed on a front elevation when other practical alternatives exist; such equipment shall be placed on a side or rear elevation where practical.
2. **Rooftops.** Except as provided below, rooftop mechanical units shall be set back or screened behind a parapet wall so that they are not visible from any public right-of-way or civic space. Where such placement and screening is not practicable, the Planning Official may approve painting of mechanical units in lieu of screening; such painting may consist of colors that make the equipment visually subordinate to the building and adjacent buildings, if any.
3. **Ground-Mounted Mechanical Equipment.** Ground-mounted equipment, such as generators, air

compressors, trash compactors, and similar equipment, shall be limited to side or rear yards and screened with fences or walls constructed of materials similar to those on adjacent buildings. Hedges, trellises, and similar plantings may also be used as screens where there is adequate air circulation and sunlight, and irrigation is provided. The City may require additional setbacks and noise attenuating equipment for compatibility with adjacent uses.

Applicants Response: This condition will be considered and will be reviewed as part of the design review and building permit process for each individual building. The existing building will not have any equipment on the roof, front or sides, it will be placed in the rear out of view and be screened accordingly.

- H. **Civic Space.** Commercial development projects shall provide civic space pursuant to Section 17-3.2.050.
- I. **Drive-Up and Drive-Through Facilities.** Drive-up and drive-through facilities shall comply with the requirements of Section 17-3.2.060.

17-3.2.050 Civic Space and Pedestrian Amenities

- A. **Purpose.** This section provides standards for civic spaces where such areas are required or provided voluntarily. Civic spaces allow for light and air circulation, visual relief, pedestrian resting areas, and opportunities for socialization in the most densely developed parts of the City. The code allows projects to meet minimum landscape area standards of Chapter 17-3.4 by providing civic space adjacent to street frontages or in courtyards or plazas between buildings, instead of with planted areas elsewhere on a lot as is typically done for residential developments.
- B. **Applicability.** All new commercial and mixed use developments with more than 10,000 square feet of gross leasable floor area within the Central Commercial C-1 and General Commercial C-2 zones are required to meet the standards of this section.
- C. **Standards.**
 - 1. Civic Space Standards. Except as provided by subsections C.3 and 4, at least three percent of every development site shall be designated and improved as civic space (plaza, landscaped courtyard, or similar space) that is accessible to the general public, pursuant to all of the following standards in subdivisions a through e, and as generally illustrated in Figure 17-3.2-12:
 - a. The highest priority locations for civic space improvements are those with the highest pedestrian activity (e.g., street corners and pedestrian access ways), as generally illustrated.
 - b. Civic spaces shall abut a public right-of-way or otherwise be connected to and visible from a public right-of-way by a sidewalk or pedestrian access way. Access ways shall be identifiable with a change in paving materials (e.g., pavers inlaid in concrete or a change in pavement scoring patterns or texture).
 - c. Where public access to a civic space is not practical due to existing development patterns, physical site constraints, or other hardship presented by the applicant, the City may allow a private area, such as an outdoor eating area attached to a restaurant, in finding the project complies with the standard.
 - d. All civic spaces shall have dimensions that allow for reasonable pedestrian access. For example, by extending the width of an existing sidewalk by four feet, a developer might provide space for an outdoor eating area; whereas a larger development at a street corner could meet the standard by creating a plaza adjacent to a building entrance.
 - e. Civic space improvements shall conform to Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting.

Applicants Response: Not Applicable. There is less than 10,000 square feet of leasable floor area on this site.

2. **Pedestrian Improvements in Civic Spaces.** Except as provided by subsections C.3 and 4, where this section requires the provision of civic space, such space shall be improved with pedestrian amenities, pursuant to the following standards in subdivisions a through e:

- a. Pedestrian amenities shall be provided in an amount equal to or greater than one-half of one percent of the estimated construction cost of the proposed building(s). A licensed architect, landscape architect, or other qualified professional, shall prepare cost estimates for civic space improvements, which shall be subject to review and approval by the Planning Official.
- b. Pedestrian amenities include plaza surfaces (e.g., pavers, landscapes, etc.), sidewalk extensions (e.g., with outdoor café space), street furnishings (e.g., benches, public art, pedestrian-scale lighting, water fountains, trash receptacles, bus waiting shelters, shade structures, or others), way-finding signs, or similar amenities, as approved by the Planning Official.
- c. Where a civic space adjoins a building entrance it should incorporate a permanent weather protection canopy, awning, pergola, or similar feature, consistent with Section 17-3.2.040.F.
- d. The City may accept pedestrian amenities proposed within a public right-of-way (e.g., street corner or mid-block pedestrian access way) and grant the developer credit toward fulfilling the above improvement standard.
- e. The cost of a proposed public parking facility may be subtracted from building costs used in the assessment of civic space improvements.

Applicants Response: Not Applicable. There is less than 10,000 square feet of leasable floor area on this site.

3. **Exception for Minor Projects.** Building additions and remodels are not required to provide civic space where the estimated cost of the proposed building improvement is less than 50 percent of the existing assessed value of improvements on the subject site. Cost estimates are based on those used to estimate building permit fees, or other independent and credible source, subject to review and approval by the Planning Official. Assessed values shall be the market value of record at the Clackamas County Assessor's Office.

Applicants Response: Not applicable.

4. **Exception for In Lieu Fee.** Where the City finds that the creation of civic space is not practicable based on the project location or other relevant factors, it may accept an in lieu fee, to be paid to the City of Molalla Parks Improvement Fund, which shall be proportionate to the estimated cost of land and improvements (on-site) that otherwise would have been required. In such case, a licensed architect, landscape architect, or other qualified professional, shall prepare cost estimates for civic space improvements, which shall be subject to review and approval by the City Planning Official.

Applicants Response: Not Applicable. There is less than 10,000 square feet of leasable floor area on this site.

17-3.2.060 Drive-Up and Drive-Through Uses and Facilities

- A. **Purpose.** Where drive-up or drive-through uses and facilities are allowed, they shall conform to all of the following standards, which are intended to calm traffic, provide for adequate vehicle queuing space, prevent automobile turning movement conflicts, and provide for pedestrian comfort and safety.
- B. **Standards.** Drive-up and drive-through facilities (i.e., driveway queuing areas, customer service windows, teller machines, kiosks, drop-boxes, or similar facilities) shall meet all of the following standards, as generally illustrated in Figure 17-3.2-13:

1. The drive-up or drive-through facility shall orient to and receive access from a driveway that is internal to the development and not a street, as generally illustrated.
2. The drive-up or drive-through portion of the establishment or drive-through window shall not be oriented to street corner.
3. The entry into a drive-up or drive-through portion of the establishment or drive-through window shall be located a sufficient distance from a street right-of-way so as not to allow for queue into a street right-of-way during any time of the year. Applicant shall provide a section within the Traffic Impact Analysis or supply the City with a traffic engineer's report demonstrating that the drive-up or drive-through will have no impact to the street right-of-way.
4. Drive-up and drive-through queuing areas shall be designed so that vehicles will not obstruct any street, fire lane, walkway, bike lane, or sidewalk.
5. In the General Commercial C-2 district, a new drive-up or drive-through facility must comply with the access control distance requirements identified in the City's Transportation System Plan in relation to existing drive-up or drive-through facilities.

Applicants Response: Not Applicable there are no drive-up and drive-through facilities on this site.

17-3.3 ACCESS AND CIRCULATION

17-3.3.010 Purpose

Chapter 17-3.3 contains standards for vehicular and pedestrian access, circulation, and connectivity. The standards promote safe, reasonably direct, and convenient options for walking and bicycling, while accommodating vehicle access to individual properties, as needed.

17-3.3.020 Applicability

Chapter 17-3.3 applies to new development and changes in land use necessitating a new or modified street or highway connection. Except where the standards of a roadway authority other than the City supersede City standards, Chapter 17-3.3 applies to all connections to a street or highway, and to driveways and walkways. The Planning Official, through a Type II procedure, may grant adjustments to Chapter 17-3.3, pursuant to the criteria of Chapter 17-4.7 Adjustments and Variances. For street improvement requirements, refer to Section 17-3.6.020.

17-3.3.030 Vehicular Access and Circulation

- A. **Purpose and Intent.** Section 17-3.3.030 implements the street access policies of the City of Molalla Transportation System Plan. It is intended to promote safe vehicle access and egress to properties, while maintaining traffic operations in conformance with adopted standards. "Safety," for the purposes of this chapter, extends to all modes of transportation.
- B. **Permit Required.** Vehicular access to a public street (e.g., a new or modified driveway connection to a street or highway) requires an approach permit approved by the applicable roadway authority.

Applicants Response: The permits for the frontage improvements on W Main Street and new street widening construction for Metzler Avenue and Hart Avenue will be applied for to the appropriate authorities.

- C. **Traffic Study Requirements.** The City, in reviewing a development proposal or other action requiring an approach permit, may require a traffic impact analysis, pursuant to Section 17-3.6.020, to determine compliance with this Code.

Applicants Response: Any perceived traffic impact is minimal and below the threshold required for a Traffic Impact Analysis. Instead a Traffic Analysis Letter will be submitted as part of this application.

D. **Approach and Driveway Development Standards.** Approaches and driveways shall conform to all of the following development standards:

1. The number of approaches on higher classification streets (e.g., collector and arterial streets) shall be minimized; where practicable, access shall be taken first from a lower classification street.

Applicants Response: There are three access points coming off W Main Street which don't go anywhere anymore, they will be replaced with full height curb and new sidewalk. There are two existing access points coming off Hart Avenue, which is a lower classification street. There are no planned access points on the frontage improvements of Metzler Avenue, which is a lower classification street.

2. Approaches shall conform to the spacing standards of subsections E and F, below, and shall conform to minimum sight distance and channelization standards of the roadway authority.

Applicants Response: spacing, sight distance and channelization standards will be met and reviewed by the appropriate roadway authority.

3. Driveways shall be paved and meet applicable construction standards. Where permeable paving surfaces are allowed or required, such surfaces shall conform to applicable Public Works Design Standards.

Applicants Response: The driveways will be paved to meet the applicable construction standards.

4. The City Engineer may limit the number or location of connections to a street, or limit directional travel at an approach to one-way, right-turn only, or other restrictions, where the roadway authority requires mitigation to alleviate safety or traffic operations concerns.

Applicants Response: All access points to the project site are being proposed as full access conditions.

5. Where the spacing standards of the roadway authority limit the number or location of connections to a street or highway, the City Engineer may require a driveway extend to one or more edges of a parcel and be designed to allow for future extension and inter-parcel circulation as adjacent properties develop. The City Engineer may also require the owner(s) of the subject site to record an access easement for future joint use of the approach and driveway as the adjacent property(ies) develop(s).

Applicants Response: A shared access agreement will be in place to ensure access to all lots on the project site. The agreement will be provided at a later date.

6. Where applicable codes require emergency vehicle access, approaches and driveways shall be designed and constructed to accommodate emergency vehicle apparatus and shall conform to applicable fire protection requirements. The City Engineer may restrict parking, require signage, or require other public safety improvements pursuant to the recommendations of an emergency service provider.

Applicants Response: Emergency vehicle access and circulation has been incorporated into the design of the project site. Coordination and review with the local fire department will be completed to ensure this condition will be met.

7. As applicable, approaches and driveways shall be designed and constructed to accommodate truck/trailer-turning movements.

Applicants Response: Service vehicle access and circulation, which include a garbage truck and a medium size delivery truck has been incorporated into the design of the project site. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

220 W Main Street Commercial Development

8. Except where the City Engineer and roadway authority, as applicable, permit an open access with

perpendicular or angled parking, driveways shall accommodate all projected vehicular traffic on-site without vehicles stacking or backing up onto a street.

Applicants Response: Proposed access points have been designed to provide adequate que lengths for vehicles leaving the project site.

9. Driveways shall be designed so that vehicle areas, including, but not limited to, drive-up and drive-through facilities and vehicle storage and service areas, do not obstruct any public right-of-way.

Applicants Response: All driveways are located internally on the project site and do not obstruct any public right-of-way.

10. Approaches and driveways shall not be wider than necessary to safely accommodate projected peak hour trips and turning movements, and shall be designed to minimize crossing distances for pedestrians.

Applicants Response: Approaches and driveways are not wider than necessary to safely accommodate the turning movements of emergency and service vehicles while also minimizing the crossing distance for pedestrians where possible.

11. As it deems necessary for pedestrian safety, the City Engineer, in consultation with the roadway authority, as applicable, may require that traffic-calming features, textured driveway surfaces (e.g., pavers or similar devices), curb extensions, signage or traffic control devices, or other features, be installed on or in the vicinity of a site as a condition of development approval.

Applicants Response: Cross walks across driveways will be marked. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

12. Construction of approaches along acceleration or deceleration lanes, and along tapered (reduced width) portions of a roadway, shall be avoided; except where no reasonable alternative exists and the approach does not create safety or traffic operations concern.

Applicants Response: There are frontage improvements on Metzler Avenue and Hart Avenue which consist of pavement widening for parking area, curb and gutter and sidewalk along with a pavement taper into and out of this curbed area. The tapers in and out would be considered a safety operation, which is unavoidable.

13. Approaches and driveways shall be located and designed to allow for safe maneuvering in and around loading areas, while avoiding conflicts with pedestrians, parking, landscaping, and buildings.

Applicants Response: Loading areas are located away from the main access points to the project site.

14. Where sidewalks or walkways occur adjacent to a roadway, driveway aprons constructed of concrete shall be installed between the driveway and roadway edge. The roadway authority may require the driveway apron be installed outside the required sidewalk or walkway surface, consistent with Americans with Disabilities Act (ADA) requirements, and to manage surface water runoff and protect the roadway surface.

Applicants Response: Concrete driveway aprons are proposed.

15. Where an accessible route is required pursuant to ADA, approaches and driveways shall meet accessibility requirements where they coincide with an accessible route.

Applicants Response: The project site will be ADA accessible. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

16. The City Engineer may require changes to the proposed configuration and design of an approach, including the number of drive aisles or lanes, surfacing, traffic-calming features, allowable turning movements, and other changes or mitigation, to ensure traffic safety and operations.

Applicants Response: Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

17. Where a new approach onto a state highway or a change of use adjacent to a state highway requires ODOT approval, the applicant is responsible for obtaining ODOT approval. The City Engineer may approve a development conditionally, requiring the applicant first obtain required ODOT permit(s) before commencing development, in which case the City will work cooperatively with the applicant and ODOT to avoid unnecessary delays.

Applicants Response: The frontage improvements on W Main Street will require a permit from ODOT. A permit for this work will be applied for.

18. Where an approach or driveway crosses a drainage ditch, canal, railroad, or other feature that is under the jurisdiction of another agency, the applicant is responsible for obtaining all required approvals and permits from that agency prior to commencing development.

Applicants Response: Not Applicable. There are no ditches, canals or railroads in the near vicinity of this project.

19. Where a proposed driveway crosses a culvert or drainage ditch, the City Engineer may require the developer to install a culvert extending under and beyond the edges of the driveway on both sides of it, pursuant to applicable Public Works Design Standards.

Applicants Response: Not Applicable. There are no culverts or ditches in the near vicinity of this project.

20. Except as otherwise required by the applicable roadway authority or waived by the City Engineer temporary driveways providing access to a construction site or staging area shall be paved or graveled to prevent tracking of mud onto adjacent paved streets.

Applicants Response: Gravel construction entrances will be in place at the access points to the project site during construction. Other erosion and sediment control practices will be implemented to prevent tracking of mud onto adjacent paved streets.

21. Development that increases impervious surface area shall conform to the storm drainage and surface water management requirements of Section 17-3.6.050.

Applicants Response: This project will not create any additional impervious area. A Storm Water Management Plan for the project site will be implemented to the requirements of section 17-3.6.050.

- E. **Approach Separation from Street Intersections.** Except as provided by subsection H, minimum distances shall be maintained between approaches and street intersections consistent with the current version of the Public Works Design Standards and Transportation System Plan.

Applicants Response: Not Applicable. There are no new street intersections on this project.

- F. **Approach Spacing.** Except as provided by subsection H or as required to maintain street operations and safety, the following minimum distances shall be maintained between approaches consistent with the current version of the Public Works Design Standards and Transportation System Plan.

Applicants Response: Not Applicable. There are no new approaches on this project.

- G. **Vision Clearance.** No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) greater than 2.5 feet in height shall be placed in “vision clearance areas” at street intersections.. The minimum vision clearance area may be modified by the Planning Official through a Type I procedure, upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). Placement of light poles, utility poles, and tree trunks should be avoided within vision clearance areas.

Applicants Response: No objects greater than 2.5 feet in height shall be placed in the vision clearance areas. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

- H. **Exceptions and Adjustments.** The City Engineer may approve adjustments to the spacing standards of subsections E and F, above, where an existing connection to a City street does not meet the standards of the roadway authority and the proposed development moves in the direction of code compliance. The Planning Official through a Type II procedure may also approve a deviation to the spacing standards on City streets where it finds that mitigation measures, such as consolidated access (removal of one access), joint use driveways (more than one property uses same access), directional limitations (e.g., one-way), turning restrictions (e.g., right-in/right-out only), or other mitigation alleviate all traffic operations and safety concerns.

Applicants Response: Not Applicable. There are no new intersections or approaches on this project.

- I. **Joint Use Access Easement and Maintenance Agreement.** Where the City approves a joint use driveway, the property owners shall record an easement with the deed allowing joint use of and cross access between adjacent properties. The owners of the properties agreeing to joint use of the driveway shall record a joint maintenance agreement with the deed, defining maintenance responsibilities of property owners. The applicant shall provide a fully executed copy of the agreement to the City for its records, but the City is not responsible for maintaining the driveway or resolving any dispute between property owners.

Applicants Response: A shared access and maintenance agreement will be in place to ensure access to all lots on the project site. This agreement will be provided at a later date.

17-3.3.040 Pedestrian Access and Circulation

- A. **Purpose and Intent.** Section 17-3.3.040 implements the pedestrian access and connectivity policies of the City of Molalla Transportation System. It is intended to provide for safe, reasonably direct, and convenient pedestrian access and circulation.
- B. **Standards.** Developments shall conform to all of the following standards for pedestrian access and circulation as generally illustrated in Figure 17-3.3-3:
1. **Continuous Walkway System.** A pedestrian walkway system shall extend throughout the development site and connect to adjacent sidewalks, if any, and to all future phases of the development, as applicable.

Applicants Response: A pedestrian walkway system has been incorporated into the design of the project site. The site plan shows sidewalks adjacent to buildings and connections to the sidewalk on the public street improvements.

2. **Safe, Direct, and Convenient.** Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas, playgrounds, and public rights-of-way conforming to the following standards:

- a. The walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel.
- b. The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The Planning Official may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.
- c. The walkway network connects to all primary building entrances, consistent with the building design standards of Chapter 17-3.2 and, where required, Americans with Disabilities Act (ADA) requirements.

Applicants Response: A pedestrian walkway system has been incorporated into the design of the project site. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

3. **Vehicle/Walkway Separation.** Except as required for crosswalks, per subsection 4, below, where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway or street. Alternatively, the Planning Official may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle-maneuvering areas. An example of such separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.

Applicants Response: A pedestrian walkway system shall be raised six inches and curbed along the edge of the driveway or street. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

4. **Crosswalks.** Where a walkway crosses a parking area or driveway ("crosswalk"), it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrasting material). The crosswalk may be part of a speed table to improve driver-visibility of pedestrians. Painted or thermo-plastic striping and similar types of non-permanent applications are discouraged, but may be approved for lesser used crosswalks not exceeding 24 feet in length.

Applicants Response: Crosswalks shall be clearly marked or differentiated from surrounding material. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

5. **Walkway Width and Surface.** Walkways, including access ways required for subdivisions pursuant to Chapter 17-4.3, shall be constructed of concrete, asphalt, brick or masonry pavers, or other durable surface, as approved by the City Engineer, and not less than six feet wide. Multi-use paths (i.e., designed for shared use by bicyclists and pedestrians) shall be concrete or asphalt and shall conform to the current version of the Public Works Design Standards and Transportation System Plan.

Applicants Response: All pedestrian walkways shall be a minimum of six feet in width and be made of material that is most appropriate for its location. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

6. **Walkway Construction (Private).** Walkway surfaces may be concrete, asphalt, brick or masonry pavers, or other City-approved durable surface meeting ADA requirements. Walkways shall be not less than six feet in width in commercial and mixed use developments and where access ways are required for subdivisions under Division IV.

Applicants Response: All pedestrian walkways shall be a minimum of six feet in width and be made of material that is most appropriate for its location. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

7. **Multi-Use Pathways.** Multi-use pathways, where approved, shall be a minimum width and constructed of materials consistent with the current version of the Public Works Design Standards and Transportation System Plan.

Applicants Response: Not Applicable

17-3.4 LANDSCAPING, FENCES AND WALLS, OUTDOOR LIGHTING

17-3.4.010 Purpose

Chapter 17-3.4 contains standards for landscaping and screening, fences, and accessory walls, and outdoor lighting. The regulations are intended to protect public health, safety, and welfare by reducing development impacts (e.g., glare, noise, and visual impacts) on adjacent uses; minimizing erosion; slowing the rate of surface water runoff, thereby reducing infrastructure costs; buffering pedestrians from vehicle maneuvering areas; cooling buildings and parking lots in summer months with shade; and enhancing the City's appearance.

17-3.4.020 Applicability

- A. Section 17-3.4.030 establishes design standards for landscaping and screening. Projects requiring Site Design Review or Land Division approval shall meet the landscape standards of the applicable zone, including the standards in Tables 17-2.2.040.D and 17-2.2.040.E and any Special Use requirements under Chapter 17-2.3, and the requirements of Section 17-3.4.030. Property owners are required to maintain landscaping and screening pursuant to Section 17-3.4.030.G.

Applicants Response: All the landscaping and screening on the project site will be designed to meet the specifications of Section 17-3.4.030.

- B. Section 17-3.4.040 establishes design standards for when a fence, or a wall not attached to a building, is to be erected, extended, or otherwise altered. It also applies to situations where this Code requires screening or buffering (e.g., outdoor or unenclosed storage uses). The standards of Section 17-3.4.040 supplement the development standards in Tables 17-2.2.030 and 17-2.2.040 and any applicable Special Use requirements under Chapter 17-2.3.

Applicants Response: All the fences and walls on the project site will be designed to meet the specifications of Section 17-3.4.050.

- C. Section 17-3.4.050, Outdoor Lighting, applies to all new outdoor lighting, i.e., lighting that is installed after November 10, 2017.

Applicants Response: All the outdoor lighting on the project site will be designed to meet the specifications of Section 17-3.4.050.

- D. The Planning Official, through a Type II procedure, may grant adjustments to Chapter 17-3.4, pursuant to the criteria of Chapter 17-4.7 Adjustments and Variances.

17-3.4.030 Landscaping and Screening

- A. **General Landscape Standard.** All portions of a lot not otherwise developed with buildings, accessory structures, vehicle maneuvering areas, or parking shall be landscaped.

Applicants Response: All the areas designated as open space shall be landscaped.

- B. **Minimum Landscape Area.** All lots shall conform to the minimum landscape area standards of the applicable zoning district, as contained in Tables 17-2.2.040.D and 17-2.2.040.E. The Planning Official, consistent with the purposes in Section 17-3.4.010, may allow credit toward the minimum landscape area for existing vegetation that is retained in the development.

Applicants Response: The minimum landscape area will be met.

- C. **Plant Selection.** A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions, among other factors. When new vegetation is planted, soils shall be amended and irrigation shall be provided, as necessary, to allow for healthy plant growth. The selection of plants shall be based on all of the following standards and guidelines:
1. Use plants that are appropriate to the local climate, exposure, and water availability. The presence of utilities and drainage conditions shall also be considered.
 2. Plant species that do not require irrigation once established (naturalized) are preferred over species that require irrigation.
 3. Trees shall be not less than two-inch caliper for street trees and one and one-half-inch caliper for other trees at the time of planting. Trees to be planted under or near power lines shall be selected so as to not conflict with power lines at maturity.
 4. Shrubs shall be planted from five-gallon containers, minimum, where they are for required screens or buffers, and two-gallon containers minimum elsewhere.
 5. Shrubs shall be spaced in order to provide the intended screen or canopy cover within two years of planting.
 6. All landscape areas, whether required or not, that are not planted with trees and shrubs or covered with allowable non-plant material, shall have ground cover plants that are sized and spaced to achieve plant coverage of not less than 75 percent at maturity.
 7. Bark dust, chips, aggregate, or other non-plant ground covers may be used, but shall cover not more than 35 percent of any landscape area. Non-plant ground covers cannot be a substitute for required ground cover plants.
 8. Where stormwater retention or detention, or water quality treatment facilities are proposed, they shall meet the requirements of the current version of the Public Works Design Standards.
 9. Existing mature trees that can thrive in a developed area and that do not conflict with other provisions of this Code shall be retained where specimens are in good health, have desirable aesthetic characteristics, and do not present a hazard.
 10. Landscape plans shall avoid conflicts between plants and buildings, streets, walkways, utilities, and other features of the built environment.
 11. Evergreen plants shall be used where a sight-obscuring landscape screen is required.
 12. Deciduous trees should be used where summer shade and winter sunlight is desirable.
 13. Landscape plans should provide focal points within a development, for example, by preserving large or unique trees or groves or by using flowering plants or trees with fall color.

14. Landscape plans should use a combination of plants for seasonal variation in color and yearlong interest.
15. Where plants are used to screen outdoor storage or mechanical equipment, the selected plants shall have growth characteristics that are compatible with such features.
16. Landscape plans shall provide for both temporary and permanent erosion control measures, which shall include plantings where cuts or fills, including berms, swales, stormwater detention facilities, and similar grading, is proposed.
17. When new vegetation is planted, soils shall be amended and irrigation provided, as necessary, until the plants are naturalized and able to grow on their own.

Applicants Response: All the above design guidelines for plant selection shall be considered. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

- D. **Central Commercial C-1 District Streetscape Standard.** Developers of projects within the Central Commercial C-1 zoning district can meet the landscape area requirement of subsection B, in part, by installing street trees in front of their projects. The Planning Official shall grant credit toward the landscape area requirement using a ratio of 1:1, where one square foot of planted area (e.g., tree well or planter surface area) receives one square foot of credit. The Planning Official may grant additional landscape area credit by the same ratio where the developer widens the sidewalk or creates a plaza or other civic space pursuant to Section 17-3.2.050.

Applicants Response: Not Applicable, project site is located in the C-2 Commercial District.

- E. **Parking Lot Landscaping.** All of the following standards shall be met for parking lots. If a development contains multiple parking lots, then the standards shall be evaluated separately for each parking lot.
1. A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of shade trees distributed throughout the parking area. A combination of deciduous and evergreen trees, shrubs, and ground cover plants is required. The trees shall be planned so that they provide a partial canopy cover over the parking lot within five years. At a minimum, one tree per 12 parking spaces on average shall be planted over and around the parking area.
 2. All parking areas with more than 20 spaces shall provide landscape islands with trees that break up the parking area into rows of not more than 10 contiguous parking spaces. Landscape islands and planters shall have dimensions of not less than 48 square feet of area and no dimension of less than six feet, to ensure adequate soil, water, and space for healthy plant growth.
 3. All required parking lot landscape areas not otherwise planted with trees must contain a combination of shrubs and groundcover plants so that, within two years of planting, not less than 50 percent of that area is covered with living plants.
 4. Wheel stops, curbs, bollards, or other physical barriers are required along the edges of all vehicle-maneuvering areas to protect landscaping from being damaged by vehicles. Trees shall be planted not less than two feet from any such barrier.
 5. Trees planted in tree wells within sidewalks or other paved areas shall be installed with root barriers, consistent with applicable nursery standards.

Applicants Response: All the above design guidelines for parking lot landscaping shall be considered. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

- F. **Screening Requirements.** Screening is required for outdoor storage areas, unenclosed uses, and parking lots, and may be required in other situations as determined by the Planning Official. Landscaping shall be provided pursuant to the standards of subsections F.1 through 3. (See also Figure 17-3.4-4.)
1. **Outdoor Storage and Unenclosed Uses.** All areas of a site containing or proposed to contain outdoor storage of goods, materials, equipment, and vehicles (other than required parking lots and service and delivery areas, per Site Design Review), and areas containing junk, salvage materials, or similar contents, shall be screened from view from adjacent rights-of-way and residential uses by a sight-obscuring fence, wall, landscape screen, or combination of screening methods. See also Section 17-3.4.040 for related fence and wall standards.

Applicants Response: All outdoor storage and unenclosed uses shall meet the screening requirements and will be reviewed as part of the design review and building permit process for each individual building.

2. **Parking Lots.** The edges of parking lots shall be screened to minimize vehicle headlights shining into adjacent rights-of-way and residential yards. Parking lots abutting a sidewalk or walkway shall be screened using a low-growing hedge or low garden wall to a height of between three feet and four feet.

Applicants Response: This condition can be met. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

3. **Other Uses Requiring Screening.** The Planning Official may require screening in other situations as authorized by this Code, including, but not limited to, outdoor storage areas, blank walls, Special Uses pursuant to Chapter 17-2.3, flag lots, and as mitigation where an applicant has requested an adjustment pursuant to Chapter 17-4.7.
- G. **Maintenance.** All landscaping shall be maintained in good condition, or otherwise replaced by the property owner.

Applicants Response: Landscaping will be maintained by property owners.

17-3.4.040 Fences and Walls

- A. **Purpose.** This section provides general development standards for fences, and walls that are not part of a building, such as screening walls and retaining walls.
- B. **Applicability.** Section 17-3.4.040 applies to all fences, and to walls that are not part of a building, including modifications to existing fences and walls.
- C. **Height.**
2. **Non-Residential Zones.** Fences and freestanding walls (i.e., exclusive of building walls) for non-residential uses shall not exceed the following height above grade, where grade is measured from the base of the subject fence or wall.
- a. **Within Front or Street-Facing Side Yard Setback.** Four feet, except the following additional height is allowed for properties located within an industrial, public, or institutional zone:
- (1) Where approved by the City Planning Official, a fence constructed of open chain link or other “see-through” composition that allows 90 percent light transmission may reach a height of up to eight feet.
- b. **Within an Interior Side or Rear Yard Setback.** Eight feet; except the fence or wall height, as applicable, shall not exceed the distance from the fence or wall line to the nearest primary structure on an adjacent property.

Applicants Response: This condition can be met.

3. **All Zones.** Fences and walls shall comply with the vision clearance standards of Section 17-3.3.030.G. Other provisions of this Code, or the requirements of the roadway authority, may limit allowable height of a fence or wall below the height limits of this section.

Applicants Response: No objects greater than 2.5 feet in height shall be placed in the vision clearance areas. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

- D. **Materials.** Prohibited fence and wall materials include straw bales, tarps, barbed or razor wire (except in the M-2 Heavy Industrial zone); scrap lumber, untreated wood (except cedar or redwood), corrugated metal, sheet metal, scrap materials; dead, diseased, or dying plants; and materials similar to those listed herein.

Applicants Response: Only approved materials shall be used in the construction of fences and walls.

- E. **Permitting.** A Type I approval is required to install a fence of six feet or less in height, or a wall that is four feet or less in height. All other walls and fences require review and approval by the Planning Official through a Type II procedure. The Planning Official may require installation of walls or fences as a condition of approval for development, as provided by other Code sections. A building permit may be required for some fences and walls, pursuant to applicable building codes. Walls greater than four feet in height shall be designed by a Professional Engineer licensed in the State of Oregon.

Applicants Response: Fences and walls shall go through the appropriate building permit process and if necessary be designed by a Professional Engineer licensed in the State of Oregon.

- F. **Maintenance.** Fences and walls shall be maintained in good condition, or otherwise replaced by the property owner.

Applicants Response: Fences and walls will be maintained by property owners.

17-3.4.050 Outdoor Lighting

- A. **Purpose.** This section contains regulations requiring adequate levels of outdoor lighting while minimizing negative impacts of light pollution.
- B. **Applicability.** All outdoor lighting shall comply with the standards of this section.
- C. **Standards.**
 1. Light poles, except as required by a roadway authority or public safety agency, shall not exceed a height of 20 feet; pedestal- or bollard-style lighting shall be used to illuminate walkways. Flag poles, utility poles, and streetlights are exempt from this requirement.
 2. Where a light standard is placed over a sidewalk or walkway, a minimum vertical clearance of eight feet shall be maintained.
 3. Outdoor lighting levels shall be subject to review and approval through Site Design Review. As a guideline, lighting levels shall be no greater than necessary to provide for pedestrian safety, property or business identification, and crime prevention.

4. Except as provided for up-lighting of flags and permitted building-mounted signs, all outdoor light fixtures shall be directed downward, and have full cutoff and full shielding to preserve views of the night sky and to minimize excessive light spillover onto adjacent properties.
5. Lighting shall be installed where it will not obstruct public ways, driveways, or walkways.
6. Walkway lighting in private areas shall have a minimum average illumination of not less than 0.2 foot-candles. Lighting along public walkways shall meet the current version of the Public Works Design Standards and AASHTO lighting requirements.
7. Active building entrances shall have a minimum average illumination of not less than two foot-candles.
8. Surfaces of signs shall have an illumination level of not more than two foot-candles.
9. Parking lots and outdoor services areas, including quick vehicle service areas, shall have a minimum illumination of not less than 0.2 foot-candles, average illumination of approximately 0.8 foot-candles, and a uniformity ratio (maximum-to-minimum ratio) of not more than 20:1.
10. Where illumination grid lighting plans cannot be reviewed or if fixtures do not provide photometrics and bulbs are under 2,000 lumens, use the following guidelines:
 - a. Poles should be no greater in height than four times the distance to the property line.
 - b. Maximum lumen levels should be based on fixture height.
 - c. Private illumination shall not be used to light adjoining public right-of-way.
11. Where a light standard is placed within a walkway, an unobstructed pedestrian through zone not less than 48 inches wide shall be maintained.
12. Lighting subject to this section shall consist of materials approved for outdoor use and shall be installed according to the manufacturer's specifications.

Applicants Response: The outdoor lighting for the project site shall be designed by a lighting design professional. All the above design guidelines for outdoor lighting shall be considered. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

- D. **Permitting.** A Type I approval is required to install or replace outdoor lighting. The Planning Official may require lighting as a condition of approval for some projects, pursuant to other Code requirements.

Applicants Response: All the necessary permits shall be obtained for the installation of the outdoor lighting.

- E. **Maintenance.** For public health and safety, outdoor lighting shall be maintained in good condition, or otherwise replaced by the property owner.

Applicants Response: Outdoor lighting will be maintained by property owners.

17-3.5 PARKING AND LOADING

17-3.5.010 Purpose

Chapter 17-3.5 contains requirements for automobile and bicycle parking. This Code is intended to be flexible in requiring adequate parking, rather than a minimum number of parking spaces, for each use. It provides standards for the location, size, and design of parking areas to ensure such areas can be accessed safely and efficiently. This Code also encourages non-motorized transportation by requiring bicycle parking for some uses.

17-3.5.020 Applicability and General Regulations

C. Calculations of Amounts of Required and Allowed Parking.

1. When computing parking spaces based on floor area, parking structures and non-leasable floor spaces, such as storage closets, mechanical equipment rooms, and similar spaces, are not counted.
2. The number of parking spaces is computed based on the primary uses on the site except as stated in subsection C.3. When there are two or more separate primary uses on a site, the minimum and maximum parking for the site is the sum of the required or allowed parking for the individual primary uses. For shared parking, see Section 17-3.5.030.D.
3. When more than 50 percent of the floor area on a site is in an accessory use, the required or allowed parking is calculated separately for the accessory use. An example would be a 10,000 square foot building with a 7,000 square foot warehouse and a 3,000 square foot accessory retail area. The minimum and maximum parking would be computed separately for the retail and warehouse uses.
4. Required parking spaces periodically used for the storage of equipment or goods may be counted toward meeting minimum parking standards, provided that such storage is an allowed use under Section 17-2.2.030, and is permitted as a Temporary Use under Section 17-2.3.160.

Applicants Response: The calculated number of parking spaces required for the new building area is as follows. The total square footage for the accessory storage is 7,600 square feet and at 0.5 parking space per 1000 square feet, the total spaces required is 3.8 (4). The total square footage for the proposed retail space is 2,600 square feet and at 1 parking space per 400 square feet the total spaces required is 6.5 (7). The total square footage for the proposed office space is 1,920 square feet and at 1 parking space per 500 square feet the total spaces required is 3.84 (4). The calculated number of parking spaces required for the existing building area after it will be renovated is as follows. The total square footage for the accessory storage is 1,814 square feet and at 0.5 parking space per 1000 square feet, the total spaces required is 0.90 (1). The total square footage for the proposed retail space is 7,527 square feet and at 1 parking space per 400 square feet the total spaces required is 18.8 (19). The total square footage for the proposed office space is 3,628 square feet and at 1 parking space per 500 square feet the total spaces required is 7.2 (8). The amount of public parking spaces required is 43 parking spaces. The total amount of public parking spaces provided is 51. This is a ratio of 1.186 of additional parking.

- #### D. Use of Required Parking Spaces.
- Except as otherwise provided by this section, required parking spaces must be available for residents, customers, or employees of the use. Fees may be charged for the use of required parking spaces. Required parking spaces may not be assigned in any way to a use on another site, except for shared parking pursuant to Section 17-3.5.030.D.

Applicants Response: The parking provided is for employees and customer use. The parking is free of any fees.

- #### E. Proximity of Parking to Use.
- Required parking spaces for residential uses must be located on the site of the use or on a parcel or tract owned in common by all the owners of the properties that will

use the parking area. Required parking spaces for nonresidential uses must be located on the site of the use or in a parking area that has its closest pedestrian access point within 800 feet of the site.

Applicants Response: There are parking spaces in the near vicinity of each retail/warehouse/office building and they are all less than 800 feet from the pedestrian access point to each building.

- F. **Improvement of Parking Areas.** Motorized vehicle parking is allowed only on streets with an improved shoulder of sufficient width; within garages, carports, and other approved structures; and on driveways or parking lots that have been developed in conformance with this Code. For applicable design standards, see Chapter 17-3.2 Building Orientation and Design; Chapter 17-3.3 Access and Circulation; Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting and Chapter 17-3.6 Public Facilities.

Applicants Response: The site plans show the proposed parking areas for the project site.

17-3.5.030 Automobile Parking

- A. **Minimum Number of Off-Street Automobile Parking Spaces.** Except as provided by this subsection A, or as required for Americans with Disabilities Act compliance under subsection G, off-street parking shall be provided pursuant to one of the following three standards:
1. The standards in Table 17-3.5.030.A;
 2. A standard from Table 17-3.5.030.A for a use that the Planning Official determines is similar to the proposed use; or
 3. Subsection B Exceptions, which includes a Parking Demand Analysis option.
- B. **Exceptions and Reductions to Off-Street Parking.**
1. There is no minimum number of required automobile parking spaces for uses within the Central Commercial C-1 zone.
 2. The applicant may propose a parking standard that is different than the standard under subsections A.1 and 2, for review and action by the Planning Official through a Type I or II procedure. The applicant's proposal shall consist of a written request and a parking analysis prepared by a qualified professional. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site; opportunities for shared parking with other uses in the vicinity; existing public parking in the vicinity; transportation options existing or planned near the site, such as frequent bus service, carpools, or private shuttles; and other relevant factors. This parking analysis applies to a request in the reduction or an increase in parking ratios.
 3. The Planning Official, through a Type II procedure, may reduce the off-street parking standards of Table 17-3.5.030.A for sites with one or more of the following features:
 - a. Site has a bus stop with frequent transit service located adjacent to it, and the site's frontage is improved with a bus stop waiting shelter, consistent with the standards of the applicable transit service provider: Allow up to a 20 percent reduction to the standard number of automobile parking spaces.
 - b. Site has dedicated parking spaces for carpool or vanpool vehicles: Allow up to a 10 percent reduction to the standard number of automobile parking spaces.
 - c. Site has dedicated parking spaces for motorcycles, scooters, or electric carts: Allow reductions to the standard dimensions for parking spaces.

- d. Site has more than the minimum number of required bicycle parking spaces: Allow up to a 10 percent reduction to the number of automobile parking spaces.
- e. Site has off-street parking or other public parking in the vicinity of the site.
- 4. The number of required off-street parking spaces may be reduced through the provision of shared parking, pursuant to subsection D.
- 5. The Planning Official through a Type I procedure may reduce the off-street parking standards of Table 3.5.030.A by one parking space for every two on-street parking spaces located adjacent to the subject site, provided the parking spaces meet the dimensional standards of subsection E.

Applicants Response: There are an adequate number of parking spaces on the project site. No exceptions or reductions are necessary.

C. **Maximum Number of Off-Street Automobile Parking Spaces.** The maximum number of off-street automobile parking spaces allowed per site equals the minimum number of required spaces for the use pursuant to Table 17-3.5.030, times a factor of:

- 1. 1.2 spaces for uses fronting a street with adjacent on-street parking spaces; or
- 2. 1.5 spaces, for uses fronting no street with adjacent on-street parking; or
- 3. A factor based on applicant's projected parking demand, subject to City approval.

Applicants Response: There are two adjacent streets to the project site, Hart Avenue (a Local) which does not allow on-street parking and Metzler Avenue (a Local) which requires pavement widening in order to allow on-street parking. We are going to have to use two different factors to determine the maximum number of parking spaces. We have 9 parking spaces at 1.2 and 9 parking spaces at 1.5 which determines the maximum number of parking spaces at 24.3 (25). We have 18 parking spaces which is below the threshold of the maximum allowed.

D. **Shared Parking.** Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature; weekday uses versus weekend uses), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use. Shared parking requests shall be subject to review and approval through a Type I Review.

Applicants Response: Each building(s) on the project site sits on their own lot, but due to the configuration of the building layouts there will be a need for shared parking.

E. **Parking Stall Design and Minimum Dimensions.** Where a new off-street parking area is proposed, or an existing off-street parking area is proposed for expansion, the entire parking area shall be improved in conformance with this Code. At a minimum the parking spaces and drive aisles shall be paved with asphalt, concrete, or other City-approved materials, provided the Americans with Disabilities Act requirements are met, and shall conform to the minimum dimensions in Table 17-3.5.030.E and the figures below. All off-street parking areas shall contain wheel stops, perimeter curbing, bollards, or other edging as required to prevent vehicles from damaging buildings or encroaching into walkways, sidewalks, landscapes, or the public right-of-way. Parking areas shall also provide for surface water management, pursuant to Section 17-3.6.050.

Applicants Response: All parking stall design meet or exceed the minimum requirements.

F. **Adjustments to Parking Area Dimensions.** The dimensions in subsection E are minimum standards. The Planning Official, through a Type II procedure, may adjust the dimensions based on

evidence that a particular use will require more or less maneuvering area. For example, the Planning Official may approve an adjustment where an attendant will be present to move vehicles, as with valet parking. In such cases, a form of guarantee must be filed with the City ensuring that an attendant will always be present when the lot is in operation.

Applicants Response: No adjustments are necessary to the parking area dimensions.

- G. **Americans with Disabilities Act (ADA).** Parking shall be provided consistent with ADA requirements, including, but not limited to, the minimum number of spaces for automobiles, van-accessible spaces, location of spaces relative to building entrances, accessible routes between parking areas and building entrances, identification signs, lighting, and other design and construction requirements.

Applicants Response: There are two van accessible ADA parking spaces in the near vicinity of each retail/warehouse/office building and they are all less than 80 feet from the pedestrian access point to each building.

- H. **Electric Charging Stations.** Charging stations for electric vehicles are allowed as an accessory use to parking areas developed in conformance with this Code, provided the charging station complies with applicable building codes and any applicable state or federal requirements.

Applicants Response: There are no electric charging stations proposed at this time unless an analysis is done to show the demand for these is there.

17-3.5.040 Bicycle Parking

- A. **Standards.** Bicycle parking spaces shall be provided with new development and, where a change of use occurs, at a minimum, shall follow the standards in Table 17-3.5.040.A. Where an application is subject to Conditional Use Permit approval or the applicant has requested a reduction to an automobile-parking standard, pursuant to Section 17-3.5.030.B, the Planning Official may require bicycle parking spaces in addition to those in Table 17-3.5.040.A.
- B. **Design.** Bicycle parking shall consist of staple-design steel racks or other City-approved racks, lockers, or storage lids providing a safe and secure means of storing a bicycle, consistent with the Public Works Design Standards.

Applicants Response: Bicycle parking and the necessary number of bike racks will be incorporated into the design of the project site. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

- C. **Exemptions.** This section does not apply to single-family and duplex housing, home occupations, and agricultural uses.

Applicants Response: Not Applicable.

- D. **Hazards.** Bicycle parking shall not impede or create a hazard to pedestrians or vehicles, and shall be located so as to not conflict with the vision clearance standards of Section 17-3.3.030.G.

Applicants Response: Bicycle parking and their required locations will be incorporated into the design of the project site. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

17-3.5.050 Loading Areas

- A. **Purpose.** The purpose of Section 17-3.5.050 is to provide adequate loading areas for commercial and industrial uses that do not interfere with the operation of adjacent streets.

- B. **Applicability.** Section 17-3.5.050 applies to uses that are expected to have service or delivery truck visits. It applies only to uses visited by trucks with a 40-foot or longer wheelbase, at a frequency of one or more vehicles per week. The Planning Official shall determine through a Type I review the number, size, and location of required loading areas, if any.

Applicants Response: Loading areas are located internally on the project site close to the buildings that they will serve and will not interfere with traffic operations of the adjacent streets. They will be reviewed as part of the design review and building permit process for each individual building.

- C. **Standard.** Where an off-street loading space is required, it shall be large enough to accommodate the largest vehicle that is expected to serve the use without obstructing vehicles or pedestrian traffic on adjacent streets and driveways. The Planning Official may restrict the use of other public rights-of-way, so applicants are advised to provide complete and accurate information about the potential need for loading spaces.

Applicants Response: The loading area will be designed to accommodate a medium sized delivery vehicle.

- D. **Placement, Setbacks, and Landscaping.** Loading areas shall conform to the standards of Chapter 17-3.2 Building Orientation and Design; Chapter 17-3.3 Access and Circulation; and Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting. Where parking areas are prohibited between a building and the street, loading areas are also prohibited.

Applicants Response: Loading areas are located internally on the project site close to the buildings that they will serve and will not interfere with traffic operations of the adjacent streets. They will be reviewed as part of the design review and building permit process for each individual building.

- E. **Exceptions and Adjustments.** The Planning Official, through a Type I Review, may approve a loading area adjacent to or within a street right-of-way where it finds that loading and unloading operations are short in duration (i.e., less than one hour), infrequent, do not obstruct traffic during peak traffic hours, do not interfere with emergency response services, and are acceptable to the applicable roadway authority.

Applicants Response: Loading areas are located internally on the project site close to the buildings that they will serve and will not interfere with traffic operations of the adjacent streets. No adjustments are necessary.

17-3.6 PUBLIC FACILITIES

17-3.6.010 Purpose and Applicability

- A. **Purpose.** The standards of Chapter 17-3.6 implement the public facility policies of the City of Molalla Comprehensive Plan and adopted City plans.
- B. **Applicability.** Chapter 17-3.6 applies to all new development, including projects subject to Land Division (Subdivision or Partition) approval and developments subject to Site Design Review where public facility improvements are required. All public facility improvements within the city shall occur in accordance with the standards and procedures of this chapter. When a question arises as to the intent or application of any standard, the City Engineer shall interpret the Code pursuant to Chapter 17-1.5.
- C. **Public Works Design Standards.** All public facility improvements, including, but not limited to, sanitary sewer, water, transportation, surface water and storm drainage and parks projects, whether required as a condition of development or provided voluntarily, shall conform to the City of Molalla Public Works Design Standards. Where a conflict occurs between this Code and the Public Works Design Standards, the provisions of the Public Works Design Standards shall govern.

Applicants Response: The frontage improvements on W Main Street shall be designed in conformance with the ODOT Highway Design Standards. The frontage improvements of Metzler Avenue and Hart Avenue shall be designed in conformance with the City of Molalla Public Works Design Standards.

- D. **Public Improvement Requirement.** No building permit may be issued until all required public facility improvements are in place and approved by the City Engineer, or otherwise bonded, in conformance with the provisions of this Code and the Public Works Design Standards. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on public facilities. Findings in the development approval shall indicate how the required improvements directly relate to and are roughly proportional to the impact of development.

Applicants Response: Due to the magnitude of this project. The frontage improvements on W Main Street, the frontage improvements of Metzler Avenue and Hart Avenue, the private and public improvements on-site and the construction of the buildings must run concurrently in order for this project to be completed in a timely manner.

17-3.6.020 Transportation Standards

A. **General Requirements.**

1. Except as provided by subsection A.5, existing substandard streets and planned streets within or abutting a proposed development shall be improved in accordance with the standards of Chapter 17-3.6 as a condition of development approval.

Applicants Response: This project will include the frontage improvements on W Main Street and the frontage improvements of Metzler Avenue and Hart Avenue.

2. All street improvements, including the extension or widening of existing streets and public access ways, shall conform to Section 17-3.6.020, and shall be constructed consistent with the City of Molalla Public Works Design Standards.

Applicants Response: The frontage improvements on W Main Street shall be designed in conformance with the ODOT Highway Design Standards. The frontage improvements of Metzler Avenue and Hart Avenue shall be designed in conformance with the City of Molalla Public Works Design Standards.

3. All new streets shall be contained within a public right-of-way. Public access ways (e.g., pedestrian ways) may be contained within a right-of-way or a public access easement, subject to review and approval of the City Engineer.

Applicants Response: There is adequate Right-of Way for the frontage improvements on W Main Street and the frontage improvements of Metzler Avenue. The frontage improvements on Hart Avenue will require a five foot right-of-way dedication.

4. The purpose of this subsection is coordinate the review of land use applications with roadway authorities and to implement Section 660-012-0045(2)(e) of the State Transportation Planning Rule, which requires the City to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. The following provisions also establish when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; the required contents of a Traffic Impact Analysis; and who is qualified to prepare the analysis.
 - a. **When a Traffic Impact Analysis is Required.** The City or other road authority with jurisdiction may require a Traffic Impact Analysis (TIA) as part of an application for development, a change in use, or

a change in access. A TIA shall be required where a change of use or a development would involve one or more of the following:

- (1) A change in zoning or a plan amendment designation;
 - (2) Operational or safety concerns documented in writing by a road authority;
 - (3) An increase in site traffic volume generation by 300 Average Daily Trips (ADT) or more;
 - (4) An increase in peak hour volume of a particular movement to and from a street or highway by 20 percent or more;
 - (5) An increase in the use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day;
 - (6) Existing or proposed approaches or access connections that do not meet minimum spacing or sight distance requirements or are located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, creating a safety hazard;
 - (7) A change in internal traffic patterns that may cause safety concerns; or
 - (8) A TIA required by ODOT pursuant to OAR 734-051.
- b. **Traffic Impact Analysis Preparation.** A professional engineer registered by the State of Oregon, in accordance with the requirements of the road authority, shall prepare the Traffic Impact Analysis.

Applicants Response: Any perceived traffic impact is minimal and below the threshold required for a Traffic Impact Analysis. Instead a Traffic Analysis Letter will be submitted as part of this application.

5. The City Engineer may waive or allow deferral of standard street improvements, including sidewalk, roadway, bicycle lane, undergrounding of utilities, and landscaping, as applicable, where one or more of the following conditions in subdivisions a through d is met. Where the City Engineer agrees to defer a street improvement, it shall do so only where the property owner agrees not to remonstrate against the formation of a local improvement district in the future.

- a. The standard improvement conflicts with an adopted capital improvement plan.
- b. The standard improvement would create a safety hazard.
- c. It is unlikely due to the developed condition of adjacent property that the subject improvement would be extended in the foreseeable future, and the improvement under consideration does not by itself significantly improve transportation operations or safety.
- d. The improvement under consideration is part of an approved partition and the proposed partition does not create any new street.

Applicants Response: No waiver or deferral of standard street improvements are necessary

B. Street Location, Alignment, Extension, and Grades.

1. All new streets, to the extent practicable, shall connect to the existing street network and allow for the continuation of an interconnected street network, consistent with adopted public facility plans and pursuant to subsection D Transportation Connectivity and Future Street Plans.

2. Specific street locations and alignments shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets.
3. Grades of streets shall conform as closely as practicable to the original (pre-development) topography to minimize grading.
4. New streets and street extensions exceeding a grade of 10 percent over a distance more than 200 feet, to the extent practicable, shall be avoided. Where such grades are unavoidable, the City Engineer may approve an exception to the 200-foot standard and require mitigation, such as a secondary access for the subdivision, installation of fire protection sprinkler systems in dwellings, or other mitigation to protect public health and safety.
5. Where the locations of planned streets are shown on a local street network plan, the development shall implement the street(s) shown on the plan.
6. Where required local street connections are not shown on an adopted City street plan, or the adopted street plan does not designate future streets with sufficient specificity, the development shall provide for the reasonable continuation and connection of existing streets to adjacent developable properties, conforming to the standards of this Code.
7. Existing street-ends that abut a proposed development site shall be extended with the development, unless prevented by environmental or topographical constraints, existing development patterns, or compliance with other standards in this Code. In such situations, the applicant must provide evidence that the environmental or topographic constraint precludes reasonable street connection.
8. Proposed streets and any street extensions required pursuant to this section shall be located, designed, and constructed to allow continuity in street alignments and to facilitate future development of vacant or redevelopable lands.

Applicants Response: Not Applicable. No new street construction is being proposed.

C. Rights-of-Way and Street Section Widths.

1. Street rights-of-way and section widths shall comply with the current version of the Public Works Design Standards and Transportation System Plan. The standards are intended: to provide for streets of suitable location, width, and design to accommodate expected vehicle, pedestrian, and bicycle traffic; to afford satisfactory access to law enforcement, fire protection, sanitation, and road maintenance equipment; and to provide a convenient and accessible network of streets, avoiding undue hardships to adjoining properties.

Applicants Response: There is adequate Right-of Way for the frontage improvements on W Main Street and the frontage improvements of Metzler Avenue. The frontage improvements on Hart Avenue will require a five foot right-of-way dedication.

2. All streets shall be improved in accordance with the construction standards and specifications of the applicable roadway authority, including requirements for pavement, curbs, drainage, striping, and traffic control devices. Where a planter strip is provided it shall consist of a minimum five foot-wide strip between the sidewalk and the curb or roadway. Where a swale is provided, it shall either be placed between the roadway and sidewalk or behind the sidewalk on private property, subject to City Engineer approval and recording of required public drainage way and drainage way maintenance easements. Streets with parking on one side only should be avoided. When used, they must be posted NO PARKING.

Applicants Response: The frontage improvements on W Main Street shall be designed in conformance with the ODOT Highway Design Standards. The frontage improvements of Metzler Avenue and Hart Avenue shall be designed in conformance with the City of Molalla Public Works Design Standards.

3. Where a range of street width or improvement options is indicated, the City Engineer shall determine requirements based on the advice of a qualified professional and all of the following factors:
 - a. Street classification and requirements of the roadway authority, if different than the City's street classifications and requirements;
 - b. Existing and projected street operations relative to applicable standards;
 - c. Safety of motorists, pedestrians, bicyclists, and South Clackamas Transit District (SCTD) users, including consideration of accident history;
 - d. Convenience and comfort for pedestrians, bicyclists, and SCTD users;
 - e. Provision of on-street parking;
 - f. Placement of utilities;
 - g. Street lighting;
 - h. Slope stability, erosion control, and minimizing cuts and fills;
 - i. Surface water management and storm drainage requirements;
 - j. Emergency vehicles or apparatus and emergency access, including evacuation needs;
 - k. Transitions between varying street widths (i.e., existing streets and new streets); and
 - l. Other factors related to public health, safety, and welfare.

Applicants Response: The frontage improvements on W Main Street shall be designed in conformance with the ODOT Highway Design Standards. The frontage improvements of Metzler Avenue and Hart Avenue shall be designed in conformance with the City of Molalla Public Works Design Standards.

- D. **Transportation Connectivity and Future Street Plans.** The following standards apply to the creation of new streets:

1. **Intersections.** Streets shall be located and designed to intersect as nearly as possible to a right angle. Street intersections shall meet the current requirements of the Public Works Design Standards and Transportation System Plan.

Applicants Response: Not Applicable. No new street construction is being proposed.

2. **Access Ways.** The Planning Commission, in approving a land use application with conditions shall require a developer to provide an access way where the creation of a cul-de-sac or dead-end street is unavoidable and the access way connects or may in the future connect, the end of the street to another street, a park, or a public access way, except where the City Engineer and City Planner determine the access way is not feasible. Where an access way is required, it shall be not less than 10 feet wide and shall contain a minimum eight-foot-wide concrete surface or other all-weather surface approved by the City Engineer. Access ways shall be contained within a public right-of-way or public access easement, as required by the City.

Applicants Response: Not Applicable. No new street construction is being proposed.

3. **Connectivity to Abutting Lands.** The street system of a proposed subdivision shall be designed to connect to existing, proposed, and planned streets adjacent to the subdivision. Wherever a proposed development abuts unplatted land or a future development phase of an existing development, street stubs shall be provided to allow access to future abutting subdivisions and to logically extend the street system into the surrounding area. Street ends shall be designed to facilitate future extension in terms of grading, width, and temporary barricades.

Applicants Response: Not Applicable. Abutting land is already developed with an existing street system.

4. **Street Connectivity and Formation of Blocks.** In order to promote efficient vehicular and pedestrian circulation throughout the City, subdivisions and site developments shall be served by an interconnected street network, pursuant to the current version of the Public Works Design Standards and Transportation System Plan. Where a street connection cannot be made due to physical site constraints, approach spacing requirements, access management requirements, or similar restrictions; where practicable, a pedestrian access way connection shall be provided pursuant to Chapter 17-3.3.

Applicants Response: Not Applicable. Abutting land is already developed with an existing street system.

5. **Cul-de-Sac Streets.** A cul-de-sac street shall only be used where the City Engineer determines that environmental or topographical constraints, existing development patterns, or compliance with other applicable City requirements preclude a street extension. Where the City determines that a cul-de-sac is allowed, cul-de-sac length, turn-around type, and pedestrian access to adjoining properties shall meet the requirements of the current version of the Public Works Design Standards and Transportation System Plan and subsection D.2.

Applicants Response: Not Applicable. Abutting land is already developed with an existing street system.

6. **Future Street Plan.** Where a subdivision is proposed adjacent to other developable land, a future street plan shall be filed by the applicant in conjunction with an application for a subdivision in order to facilitate orderly development of the street system. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other divisible parcels within 600 feet surrounding and adjacent to the proposed subdivision. The street plan is binding when part of a multi-phased master planned development. The plan must demonstrate, pursuant to City standards, that the proposed development does not preclude future street connections to adjacent development land.

Applicants Response: Not Applicable. Abutting land is already developed with an existing street system.

7. **Private Streets and Gated Drives.** Private streets and gated drives serving more than two dwellings (i.e., where a gate limits access to a development from a public street), are prohibited.

Applicants Response: No private street or gated drive is proposed for this project

- E. **Engineering Design Standards.** Street design shall conform to the standards of the applicable roadway authority; for City streets that is the current version of the Public Works Design Standards and Transportation System Plan. Where a conflict occurs between this Code and the Public Works Design Standards, the provisions of the Design Standards shall govern.

Applicants Response: The frontage improvements on W Main Street shall be designed in conformance with the ODOT Highway Design Standards. The frontage improvements of Metzler Avenue and Hart Avenue shall be designed in conformance with the City of Molalla Public Works Design Standards.

- F. **Fire Code Standards.** Where Fire Code standards conflict with City standards, the City shall consult with the Fire Marshal in determining appropriate requirements. The City shall have the final determination regarding applicable standards.

Applicants Response: Coordination will be required with the Fire Marshal in order for the Fire Code standards to be met.

- G. **Substandard Existing Right-of-Way.** Where an existing right-of-way adjacent to a proposed development is less than the standard width, the City Engineer may require the dedication of additional rights-of-way at the time of Subdivision, Partition, or Site Plan Review, pursuant to the standards in the Public Works Design Standards and Transportation System Plan.

Applicants Response: There is adequate Right-of Way for the frontage improvements on W Main Street and the frontage improvements of Metzler Avenue. The frontage improvements on Hart Avenue will require a five foot right-of-way dedication.

- H. **Traffic Calming.** The City may require the installation of traffic calming features such as traffic circles, curb extensions, reduced street width (parking on one side), medians with pedestrian crossing refuges, speed tables, speed humps, or special paving to slow traffic in neighborhoods or commercial areas with high pedestrian traffic.

Applicants Response: Traffic calming is not anticipated and may not be necessary. However the roadway improvements shall be designed in conformance with the City of Molalla Public Works Design Standards and will be reviewed as part of the construction permit process for the roadway improvements.

- I. **Sidewalks, Planter Strips, and Bicycle Lanes.** Except where the City Engineer grants a deferral of public improvements, pursuant to Chapter 17-4.2 or Chapter 17-4.3, sidewalks, planter strips, and bicycle lanes shall be installed concurrent with development or widening of new streets, pursuant to the requirements of this chapter. Maintenance of sidewalks and planter strips in the right-of-way is the continuing obligation of the adjacent property owner.

Applicants Response: Sidewalks will be included in the design of the frontage improvements on W Main Street and the frontage improvements of Metzler Avenue and Hart Avenue.

- J. **Streets Adjacent to Railroad Right-of-Way.** When a transportation improvement is proposed within 300 feet of a railroad crossing, or a modification is proposed to an existing railroad crossing, the Oregon Department of Transportation and the rail service provider shall be notified and given an opportunity to comment, in conformance with the provisions of Division IV. Private crossing improvements are subject to review and licensing by the rail service provider.

Applicants Response: There are no Railroads nearby the project site.

- K. **Street Names.** No new street name shall be used which will duplicate or be confused with the names of existing streets in the City of Molalla or vicinity. Street names shall be submitted to the City for review and approval in consultation with Clackamas County and emergency services.

Applicants Response: No new street names will be required.

- L. **Survey Monuments.** Upon completion of a street improvement and prior to acceptance by the City, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments have been reestablished and protected.

Applicants Response: Survey monuments shall be included as part of the recording of the subdivision plat for this project.

- M. **Street Signs.** The city, county, or state with jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.

Applicants Response: All necessary signage shall be installed per the MUTCD and the appropriate governing jurisdiction.

- N. **Streetlight Standards.** Streetlights shall be relocated or new lights installed, as applicable, with street improvement projects. Streetlights shall conform to City standards, be directed downward, and full cutoff and full shielding to preserve views of the night sky and to minimize excessive light spillover onto adjacent properties.

Applicants Response: The street lighting for the project site shall be designed by a lighting design professional. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

- O. **Mail Boxes.** Mailboxes shall conform to the requirements of the United States Postal Service and the State of Oregon Structural Specialty Code.

Applicants Response: The location and type of mailboxes to be used on the project site shall be in coordination with the United States Postal Service to ensure this condition will be met.

- P. **Street Cross-Sections.** The final lift of pavement shall be placed on all new constructed public roadways prior to final City acceptance of the roadway.

Applicants Response: This condition can be met.

17-3.6.040 Sanitary Sewer and Water Service Improvements

- A. **Sewers and Water Mains Required.** All new development is required to connect to City water and sanitary sewer systems. Sanitary sewer and water system improvements shall be installed to serve each new development and to connect developments to existing mains in accordance with the adopted facility master plans and applicable Public Works Design Standards. Where streets are required to be stubbed to the edge of the subdivision, sewer and water system improvements and other utilities shall also be stubbed with the streets, except as may be waived by the City Engineer where alternate alignment(s) are provided.

Applicants Response: The construction of the sanitary sewer and water service lines shall be included as part of the frontage improvements for Metzler Avenue. There are existing fire hydrants nearby that will provide adequate fire protection.

- B. **Sewer and Water Plan Approval.** Development permits for sewer and water improvements shall not be issued until the City Engineer has approved all sanitary sewer and water plans in conformance with City standards.

Applicants Response: Permits shall be obtained prior to commencement of construction of the sanitary sewer and water services.

- C. **Over-Sizing.** The City may require as a condition of development approval that sewer and water lines serving new development be sized to accommodate future development within the area as projected by the applicable facility master plans, and the City may authorize other cost-recovery or cost-sharing methods as provided under state law.

Applicants Response: Not Applicable. There is no need to construct new sanitary sewer and water mains. Only service lines are required, and they will connect into the existing sanitary sewer and water mains.

- D. **Inadequate Facilities.** Development permits may be restricted or rationed by the Planning Commission where a deficiency exists in the existing water or sewer system that cannot be rectified by the development and which, if not rectified, will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. The City Engineer may require water booster pumps, sanitary sewer lift stations, and other critical facilities be installed with backup power.

Applicants Response: Coordination with the City of Molalla will be required on the issue of existing capacity of the sanitary sewer and water mains

17-3.6.050 Storm Drainage and Surface Water Management Facilities

- A. **General Provisions.** The City shall issue a development permit only where adequate provisions for stormwater runoff have been made in conformance with the requirements of the current version of the Public Works Design Standards and Stormwater Master Plan.

Applicants Response: The storm water management plan for the project site will comply with the City of Molalla Public Works Design Standards and the Stormwater Master Plan

- B. **Accommodation of Upstream Drainage.** Culverts and other drainage facilities shall be large enough to accommodate existing and potential future runoff from the entire upstream drainage area, whether inside or outside the development. Such facilities shall be subject to review and approval by the City Engineer.

Applicants Response: Coordination with the City of Molalla will be required on the issue of over-sizing the storm drainage system in order to meet the possible needs of future adjacent development

- C. **Effect on Downstream Drainage.** Where it is anticipated by the City Engineer that the additional runoff resulting from the development will overload an existing drainage facility, the City shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with City standards.

Applicants Response: Coordination with the City of Molalla will be required on the issue of downstream capacity issues for the storm drainage system. If capacity issues exist then a detention will be designed to overcome these capacity issues.

- D. **Over-Sizing.** The City may require as a condition of development approval that sewer, water, or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable facility master plan, provided that the City may grant the developer credit toward any required system development charge for the same pursuant to the System Development Charge.

Applicants Response: Coordination with the City of Molalla will be required on the issue of over-sizing the storm drainage system in order to meet the possible needs of future adjacent development

- E. **Existing Watercourse.** Where a proposed development is traversed by a watercourse, drainage way, channel, or stream, the City may require a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance to protect the public health and safety.

Applicants Response: Not Applicable. There is no watercourse, drainage way, channel or stream in the near vicinity of the project site.

17-3.6.060 Utilities

The following standards apply to new development where extension of electric power, gas, or communication lines is required:

- A. **General Provision.** The developer of a property is responsible for coordinating the development plan with the applicable utility providers and paying for the extension and installation of utilities not otherwise available to the subject property.
- B. **Underground Utilities.**
 - 1. **General Requirement.** The requirements of the utility service provider shall be met. All utility lines in new subdivisions, including, but not limited to, those required for electric, communication, and lighting, and related facilities, shall be placed underground, except where the City Engineer determines that placing utilities underground would adversely impact adjacent land uses. The Planning Official may require screening and buffering of above ground facilities to protect the public health, safety, or welfare.
 - 2. **Subdivisions.** In order to facilitate underground placement of utilities, the following additional standards apply to all new subdivisions:
 - a. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that no aboveground equipment obstructs vision clearance areas for vehicular traffic, per Chapter 17-3.3 Access and Circulation.
 - b. The City Engineer reserves the right to approve the location of all surface-mounted facilities.
 - c. All underground utilities installed in streets must be constructed and approved by the applicable utility provider prior to the surfacing of the streets.
 - d. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

Applicants Response: All utilities on the project site will be placed underground. Coordination and review with the appropriate authorities will be completed to ensure this condition will be met.

- C. **Exception to Undergrounding Requirement.** The City Engineer may grant exceptions to the undergrounding standard where existing physical constraints, such as geologic conditions, streams, or existing development conditions make underground placement impractical.

17-3.6.070 Easements

- A. **Provision.** The developer shall make arrangements with the City and applicable utility providers for each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development.
- B. **Standard.** Utility easements shall conform to the requirements of the utility service provider. All other easements shall conform to the City of Molalla Public Works Design Standards.
- C. **Recordation.** All easements for sewers, storm drainage and water quality facilities, water mains, electric lines, or other utilities shall be recorded and referenced on a survey or final plat, as applicable. See Chapter 17-4.2 Site Design Review, and Chapter 17-4.3 Land Divisions and Property Line Adjustments.

Applicants Response: The location and description of the utility easements shall be included as part of the recording of the subdivision plat for this project.

17-3.6.080 Construction Plan Approval

No development, including sanitary sewers, water, streets, parking areas, buildings, or other development, shall commence without plans having been approved by the City of Molalla Public Works Department and permits issued. Permit fees are required to defray the cost and expenses incurred by the City for construction and other services in connection with the improvement. Permit fees are as set by City Council resolution.

Applicants Response: Construction documents shall be approved and construction permits shall be obtained prior to commencement of any construction activities on the project site.

17-3.6.090 Facility Installation

- A. **Conformance Required.** Improvements installed by the developer, either as a requirement of these regulations or at the developer's option, shall conform to the requirements of this chapter, approved construction plans, and to improvement standards and specifications adopted by the City.
- B. **Adopted Installation Standards.** The City of Molalla has adopted Public Works Design Standards for public improvements and private utility installation within the public right-of-way.

Applicants Response: The City of Molalla Public Works Design Standards shall be clearly adhered to

- C. **Commencement.** Work in a public right-of-way shall not begin until all applicable agency permits have been approved and issued.

Applicants Response: Construction documents shall be approved and construction permits shall be obtained prior to commencement of any construction activities on the project site.

- D. **Resumption.** If work is discontinued for more than six months, it shall not be resumed until the Public Works Director is notified in writing and grants approval of an extension.

Applicants Response: No break in construction is anticipated.

- E. **City Inspection.** Improvements shall be constructed under the inspection of the City Engineer. The City Engineer may approve minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest, except that substantive changes to the approved design shall be subject to review under Chapter 17-4.5 Modifications to Approved Plans and Conditions of Approval. Any survey monuments that are disturbed before all improvements are completed by the developer or subdivider shall be replaced at the developer or subdivider's expense prior to final acceptance of the improvements.

Applicants Response: The Contractor shall coordinate with the City Inspectors to ensure any unforeseen, but necessary field changes are approved in a timely manner as not to impact the construction schedule.

- F. **Engineer's Certification and As-Built Plans.** In accordance with the current version of the Public Works Design Standards, a registered civil engineer shall provide written certification in a form required by the City that all improvements, workmanship, and materials meet current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to City's acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide two sets of "as-built" plans, one paper set and one electronic set for permanent filing with the City. If required by the City, the developer or subdivider shall provide a warranty bond pursuant to Section 17-3.6.100.

Applicants Response: An Engineers' Certification and As-Built Plans will be provided at the completion and the acceptance of the project by the City of Molalla.

17-3.6.100 Performance Guarantee and Warranty

- A. **Performance Guarantee Required.** The City at its discretion may approve a final plat or building permit when it determines that all of the public improvements required for the site development or land division, or phase thereof, are complete and the applicant has an acceptable assurance for the balance of said improvements. The applicant shall provide a performance and payment bond in accordance with the current version of the Public Works Design Standards.

Applicants Response: A performance guarantee and warranty bond that is agreeable to all parties concerned, for the public improvements will be provided as required.

- B. **Determination of Sum.** The assurance of performance shall be for a sum determined by the City Engineer as required to cover the cost of the improvements and repairs, including related engineering and incidental expenses, plus reasonable inflationary costs. The assurance shall not be less than 150 percent of the estimated improvement costs.
- C. **Itemized Improvement Estimate.** The applicant shall furnish to the City an itemized improvement estimate, certified by a registered civil engineer, to assist the City in calculating the amount of the performance assurance.

Applicants Response: An itemized improvement estimate for the public works construction shall be provided to the City of Molalla.

- D. **Agreement.** A written agreement between the City and applicant shall be signed recorded. The agreement may include a provision for the construction of the improvements in stages and for the extension of time under specific conditions. The agreement shall contain all of the following:
1. The period within which all required improvements and repairs shall be completed;
 2. A provision that if work is not completed within the period specified, the City may complete the work and recover the full cost and expenses from the applicant;
 3. The required improvement fees and deposits.

Applicants Response: A performance guarantee and warranty bond that is agreeable to all parties concerned, for the public improvements will be provided as required.

- E. **When Applicant Fails to Perform.** In the event the applicant fails to carry out all provisions of the agreement and the City has un-reimbursed costs or expenses resulting from such failure, the City shall call on the bond, cash deposit, or letter of credit for reimbursement.

Applicants Response: Not anticipated. Failure is not an option.

- F. **Termination of Performance Guarantee.** The applicant shall not cause termination, nor allow expiration, of the guarantee without first securing written authorization from the City.

Applicants Response: Not anticipated.

- G. **Warranty Bond.** A warranty bond good for two years is required on all public improvements and landscaping when installed in the public right-of-way. The warranty bond shall equal 120 percent of the total cost of improvements and begin upon acceptance of said improvements by the City.

Applicants Response: A performance guarantee and warranty bond that is agreeable to all parties concerned, for the public improvements will be provided as required.

18.02 SIGNS

18.02.010 Purpose.

- A. **The purpose of the sign regulations is to:**
 - 1. Protect the health, safety, property and welfare of the public;
 - 2. Provide a neat, clean, orderly and attractive appearance in the community;
 - 3. Provide for safe construction, location, erection and maintenance of signs;
 - 4. Encourage signs to be well designed and wisely located;
 - 5. Prevent sign clutter, minimize adverse visual safety factors to travelers in the public right-of-way;
 - 6. Provide a simple and efficient regulatory process; and
 - 7. Achieve these purposes consistent with state and federal constitutional limits on the regulation of speech.
- B. To achieve this purpose, it is necessary to regulate the design, quality of materials, construction, location, electrification, illumination, and maintenance of signs that are visible to the public.
- C. Nothing in these regulations is intended to control the construction or location of directional or informational signs installed by the city, county or state for the purpose of controlling traffic, indicating street names, providing legal or public notice, or other public purposes.

18.02.020 Rules for reading and applying sign code language.

- A. **Reading and Applying the Code.** Literal readings of the code language will be used. Regulations are no more or less strict than as stated. Application of the regulations that are consistent with the rules of this sign code are non-discretionary actions of the Planning Director to implement the code.
- B. **Situations Where the Code is Silent.** Proposals for signs where the code is silent, or where the rules of this chapter do not provide a basis for concluding that the sign is allowed, are prohibited.

18.02.030 Area of signs.

Sign area includes the area within a perimeter enclosing the limits of lettering, writing, representation, emblem, figure, essential sign structure, foundations or supports. For a multiple-face (more than 2-sided) sign, the sign area shall be the total of all faces. If the sign consists of more than 1 section or module, all areas will be totaled. For a double-faced sign in a single cabinet, the allowed area shall be the dimension of the cabinet, not the total of the area of the message.

18.02.040 Permit requirements.

- A. **Permit Required.** All signs erected after the effective date of the ordinance codified in this chapter, other than signs exempt from permit requirements of this chapter shall require a sign permit.
- B. **Permit Application.**
 - 1. Application for a sign permit shall be made on forms provided by the Planning Director.

2. An application shall include all plans and information necessary to establish that the proposed sign complies with the applicable requirements of this chapter and applicable building, structural and life safety codes.
3. Sign permits shall be reviewed pursuant to a Type I Land Use Procedure.
4. An approved sign review does not replace, supersede, or waive structural or electrical standards and permits required. These other permits must also be obtained prior to work on the installation of the sign.
5. Signs requested to be placed in any public right-of-way must first obtain permission from the jurisdiction having control of said right-of-way.
6. A sign review permit issued under this chapter is void if substantial physical action is not taken in accordance with the conditions of the permit and the applicable provisions of this chapter, and the finding that the applicant did not misrepresent or falsify any information supplied in the application.
7. Site plan and/or building elevation plans drawn to scale and dimension showing:
 - a. Existing structures;
 - b. Driveways;
 - c. Street and right-of-way;
 - d. Existing signs;
 - e. Proposed sign;
 - f. Vision clearance;
 - g. All incidental signs.
8. A proposed sign plan drawn to scale and dimension showing:
 - a. Height;
 - b. Width;
 - c. Square footage;
 - d. Thickness;
 - e. Size and style of letters;
 - f. Color;
 - g. Type of illumination;
 - h. Materials.
- C. **Fees.** A fee as established by resolution of the City Council shall be paid upon the filing of an application. Such fees shall not be refundable.
- D. **Permit Conditions.** The Planning Department shall attach conditions in conjunction with the approval of a sign permit in order to ensure the intent of this Code is met. The Planning Department may also require guarantees and evidence to ensure that such conditions will be complied with.

- E. **Permit Appeal.** A decision may be appealed to the Planning Commission. A written appeal must be filed with the Planning Department within 10 days of the notice of the decision. The appeal shall be conducted pursuant to a Type I Land Use appeals process.
- F. **Permit Suspension or Revocation.** The Planning Director or duly authorized representative may, in writing, suspend or revoke a permit issued under provisions of this chapter whenever the permit is issued on the basis of incorrect information supplied, or in violation of applicable ordinance or regulation or any of the provisions of this chapter.
- G. Adjustments to portions of the sign code may be allowed pursuant to compliance with Chapter 20.16.

Applicants Response: permits will be obtained and permit requirements adhered to prior to any signs being constructed or installed on the project site.

18.02.050 Construction and maintenance.

- A. Signs shall be constructed, erected and maintained to meet the requirements of the Oregon Structural Specialty Code, National Electric Code and Oregon Mechanical Code. In addition, all illuminated signs shall be subject to the provisions of the Underwriters' Standards, as defined in Underwriters' Laboratories, "Standards for Safety, Electric Signs." For purposes of this section, "illuminated sign" means any sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes as part of the sign property.
- B. All signs and component parts shall be kept in good repair and maintained in a safe, neat, clean and attractive condition.
- C. All signs shall be located entirely within the boundaries of the subject property unless specifically authorized by this code.
- D. No sign shall be erected or maintained in such a manner that any portion will interfere in any way with the free use of, or any access to, any fire escape, or be erected or maintained so as to obstruct any window of light or ventilation required by any applicable law or building code.
- E. It is unlawful to erect or maintain a sign which, by reason of its size or location, pose immediate danger to the health, safety and welfare of the citizens of the city, either pedestrian or motorists, at public and/or private roadways, intersections, and driveways.
- F. All signs shall be able to withstand a wind pressure at a minimum of 20 pounds per square foot of exposed surface.
- G. All signs shall be constructed securely and shall not constitute a fire hazard.
- H. When wood is used which comes into contact with the ground, the wood must be pressure treated.

Applicants Response: All signs on the project site shall be constructed and maintained per the recommended guidelines and regulations.

18.02.060 Sign removal.

The Planning Department may order removal of any sign erected, replaced, reconstructed or maintained in violation of these regulations.

- A. The Planning Department shall deliver written notice by certified mail (return receipt requested) to the owner of the sign, or, if the owner of the sign cannot be located, to the owner of the lot(s) as shown on the tax rolls of Clackamas County, on which such sign is located, directing that the sign shall be removed or brought into compliance with these standards.
- B. If the owner of such sign or the owner of the lot(s) on which the sign is located fails to remove the sign or remedy the violation within 30 days after receipt of written notice from the city, the Planning Director shall cause such sign to be removed at the expense of the property owner. Such costs shall be entered by the City Recorder on the docket of city liens against the property owner and shall be collectible in the same manner as liens for public improvements.
- C. If the condition of the sign presents an immediate threat to the safety of the public, the Planning Director may cause removal of the sign immediately, without prior notice, and the expenses for such removal shall be paid by the owner of the sign or the permit applicant. If such persons cannot be found, the expense shall be paid by the owner of the building, structure or property.

Applicants Response: Not Applicable. There are no signs that need to be removed.

18.02.070 Nonconforming signs.

- A. A nonconforming sign lawfully existed prior to the adoption of applicable zoning requirements with which it does not comply. Except, however, signs shall be considered to be nonconforming where the sign, by reason of its size, location, construction, or lack of maintenance creates a public hazard or nuisance. In the case of such public hazard or nuisance, the city may begin immediate abatement procedures, as provided in this chapter and other city ordinances.
- B. Relocation, replacement, structural alteration or expansion of a nonconforming sign is subject to the same limitations, application procedures and requirements set forth in this chapter for other nonconforming structures. Except, approval of a nonconforming structure application is not required for the following:
 - 1. Normal repair and maintenance, where the cost to repair the sign does not exceed 50% of the replacement cost of the sign using new materials, as determined by the Building Official.
 - 2. Change of sign copy.
 - 3. Structural alteration when the alteration is necessary for structural safety, as determined by the Building Official.
 - 4. A nonconforming sign may be reconstructed if it is required to be temporarily removed to accommodate construction or repair of public utilities or public works and the sign reconstruction is completed within 90 days after the completion of the public utilities or public works construction activity.
- C. Signs installed in violation of any prior sign code or applicable laws or regulations, and which are in violation of this chapter, shall be removed, replaced or altered in order to conform to the requirements of this chapter.
- D. Signs recognized as historical element of a historical landmark are exempt from this chapter.
- E. All nonconforming signs shall be altered to conform to the requirements of this chapter by January 1, 2025.
- F. A sign for which a variance is granted under the provisions of this chapter is not considered nonconforming.

- G. If a nonconforming sign is damaged by wind, fire, neglect or by any other cause, and such damage exceeds 60% of its replacement value, the nonconforming sign shall be removed.
- H. An unlawful sign shall be removed or made to conform within 60 days after written notice from the Planning Department. Said 60-day period may be extended if the owner of an unlawful sign submits to the Planning Department a declaration signed under penalty of perjury, on forms provided by the Department, stating that he or she intends to terminate the business identified by said sign within 12 months of the date of the notice and agrees to remove the sign upon the expiration of the 12-month period or the date he or she terminates his or her business, whichever occurs first.

Applicants Response: Not Applicable.

18.02.080 Exempt signs.

All signs which are placed inside a structure or building, which are not visible through windows or building openings and are not intended to be visible to the public are exempt from the provisions of the sign code.

Applicants Response: Not Applicable.

18.02.090 Prohibited signs.

- A. No sign, unless exempt or allowed pursuant to this chapter shall be permitted except as may be permitted pursuant to a variance procedure (Chapter 20.04).
- B. In a commercial or industrial zone no sign shall be placed inside or outside a structure so as to obscure more than 25% of any individual window surface. In a residential zone no sign shall be placed so as to obscure more than 10% of any individual window surface. Glass doors shall be considered an individual window surface. Holiday paintings and temporary specials painted on windows shall be exempt from this percentage of limitation.
- C. No permanent sign, other than a public sign, may be placed within or over any portion of the public right-of-way, except those signs which are consistent with the provisions of this chapter.
- D. No sign shall be allowed within 2 feet of any area subject to vehicular travel.
- E. No temporary sign, except for banner signs for which a permit has been issued and those necessary for temporary traffic control shall be placed within or over any portion of the public right-of-way of a major collector or arterial street.
- F. No sign shall be located in a manner which could impede travel on any pedestrian or vehicular travel surface.
- G. No temporary signs, bench signs. Banners, pennants, wind signs, balloon signs, flags, or any other temporary sign structure shall be allowed as except specifically authorized by this chapter.
- H. Except as otherwise provided herein, no sign shall be equipped or displayed with moving, flashing or intermittent illumination except athletic scoreboards.
- I. No sign shall be or consist of any moving, rotating, or otherwise animated part.
- J. No signs on buildings shall be placed on the roof or extend above the roof line or parapet of the structure.
- K. No sign shall be attached to a tree or vegetation.

- L. No non-public sign which purports to be, is an imitation of, or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic on the street, or which hides from view any official traffic sign or signal shall be permitted.
- M. No public address system or sound devices shall be used in conjunction with any sign or advertising device.
- N. No signs that are internally illuminated shall be permitted in any residential zone.
- O. No sign that obstructs free and clear vision of the traveling public at the intersection of any street or driveway shall be permitted.
- P. A sign with lighting of such intensity or brilliance as to cause glare on adjoining properties or roadways or impair the vision of a driver of a motor vehicle or otherwise to interfere with the operations thereof or allows light to be directed upward.
- Q. A sign erected or maintained on public property or within the public right-of-way without permission of the public body having jurisdiction.
- R. Any sign larger than 32 square feet (counting both sides) on an undeveloped lot or parcel of property.
- S. Signs larger than 3 square feet on fences or fencing.
- T. Signs placed on, affixed to, or painted on any motor vehicle, trailer or other mobile structure not registered, licensed and insured for use on public highways, city and/or parked with the primary purpose of providing a sign not otherwise allowed by this chapter.
- U. Video signs.
- V. Signs in violation of the other chapters of the Molalla Development Code.

Applicants Response: Not Applicable. No prohibited signs shall be used on the project site.

18.02.100 Design standards.

- A. All illuminated signs must be installed by a licensed sign contractor, subject to provisions of the State Electrical Code. All electrically illuminated signs shall bear the Underwriters' Laboratory label or equivalent.
- B. Building and electrical permits shall be the responsibility of the applicant. Prior to obtaining permits the applicant bears the burden of providing an approved sign permit or demonstrating exemption from the permit requirements of this chapter.
- C. Signs shall be designed to be compatible with nearby signs, other elements of street and site furniture and with adjacent structures. Compatibility shall be determined by the relationship of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size and the size and style of lettering.
- D. Content on signs visible from streets shall be designed to minimize distractions to motorists. Signs may be reviewed for clarity and readability.
- E. **Setbacks.** Signs are required to meet the setback requirements of the applicable zoning district, except however the street yard setback for signs may be reduced to 50% of that required for other structures in the zone. Signs shall not obstruct a vision clearance area.

- F. **Size of Sign.** The maximum size of all signs per building shall not exceed the totals listed in the table below:

Street Frontage (ft)	Maximum Display Surface Area (sq ft)	Maximum Area of Any One Sign Face (sq ft)	Maximum Height Freestanding Signs (ft)
1 – 50	50	25	30
50 – 200	100	50	30
201+	300	150	30

On a building containing multiple tenants signage requirements shall meet the maximum below as an entire building not as individual business.

G. **Illumination.**

1. External illumination is allowed. The external illumination may be either “direct” or “indirect,” provided that the source of light (e.g., bulb) is shielded such that it is not directly seen by the public. External light sources shall be carefully located, directed and shielded in order to avoid direct illumination of any off-site object or property.
2. Internal illumination is allowed.
3. Sign illumination shall not result in glare onto neighboring properties or onto public right-of-way, such that due to level of brightness, lack of shielding, or high contrast with surrounding light levels, the sign illumination results in “light intrusion” onto adjacent properties.
 - a. Direct lighting means exposed lighting or neon tubes on the sign face.
 - b. Indirect lighting means the light source is separate from the sign face or cabinet and is directed so as to shine on the sign.
 - c. Internal lighting means the light source is concealed within the sign.
4. Signs shall not flash, undulate, pulse, or portray explosions, fireworks, flashes of light, or blinking or chasing lights.
5. Exposed incandescent bulbs may be used on the exterior surface of a sign if each of such bulbs do not exceed 25 watts or unless each of such bulbs is screened by a diffusing lens, sun screen or similar shading device.

H. **Monument Signs.**

1. Monument signs shall have a distinct base, middle, and top. These elements of the sign shall vary from one another in terms of their thickness, materials, or color.
2. Monument signs shall incorporate the following materials, unless otherwise approved pursuant to subsection (H)(4) of this section.
 - a. The base and top shall be constructed of stone, brick, or wood;
 - b. The middle shall be constructed of stone, brick, wood, metal with a matte/non-reflective finish, vinyl, or other materials as noted in subsection (H)(2)(c);
 - c. Other materials may be used for bulletin board or electronic message board components in the middle portion of a monument sign, as needed to allow the bulletin board or electronic message board to function.

3. Monument signs shall provide street addresses when street addresses are not visible from the street.
4. A monument sign which does not meet 1 or more of the standards detailed above in subsections (H)(1) through (3), may be approved by the Planning Director pursuant to the Type II Land Use Procedure. A discretionary monument sign application may be approved if the applicant demonstrates compliance with all of the following criteria:
 - a. The overall design of the sign exhibits a sense of structure; and
 - b. Materials, similar to stone, brick, or wood are used; and
 - c. The proposed sign is in conformance with all other applicable city ordinances concerning its location, construction, and design.
- I. **Blade/Overhang Signs.**
 1. Blade/overhang sign shall not extend more than 8 feet from the building face.
 2. The outer edge of a blade/overhang sign shall be set back a minimum of 2 feet from the curb.
 3. A minimum 9-foot clearance shall be provided between grade and the bottom of a blade/overhang sign.
- J. **Wall Signs.**
 1. A wall sign shall not project more than 18 inches from the wall to which it is attached (or 12 inches from a wall directly abutting an alley). An encroachment permit is required prior to encroachment into any public right-of-way.
 2. The surface area of a wall sign shall not be more than 2 square feet per lineal foot of the wall on which it is erected. For shopping centers, the footage will be counted on the entire surface of the wall on which the sign is being erected and include all signs erected on that wall in the total footage.
- K. **Reader Boards and Electronic Message Boards.**
 1. The rate of change for sign copy on a bulletin or electronic message board from 1 message to another message shall be no more frequent than every 8 seconds. Once changed, content shall remain static until the next change.
 2. Displays may travel horizontally or scroll vertically onto electronic message boards but must hold a static position after completing the travel or scroll.
 3. Sign content shall not appear to flash, undulate, pulse, or portray explosions, fireworks, flashes of light, or blinking or chasing lights. Content shall not appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist, or otherwise portray graphics or animation as it moves onto, is displayed on or leaves the electronic message board.
 4. No electronic message board may be illuminated to a degree of brightness that is greater than necessary for adequate visibility.
 5. Electronic reader boards may be placed in commercial, industrial and public zones only.
 6. No electronic message board may be located closer than 500 feet from another electronic message board.

7. These signs are only allowed as part of a blade/overhang sign, marquee sign, monument sign, pole sign, or wall sign.

L. **A-Frame Signs.**

1. Dimensions. The A-frame sign area shall not exceed 3 feet high by 2 feet wide. The top of the sign shall be no more than 42 inches from the ground (including feet and hinge mechanisms).
2. Construction. Shall be constructed of wood, plastic, or metal with a matte/non-reflective finish.
3. Location. Shall not be located further than 100 feet from the primary business. Signs must not obstruct vehicle sight clearances or be placed so as to obscure permanent signs.
4. Quantity. No more than 1 A-frame sign per business.
5. No A-frame sign shall include any parts or attachments that extend beyond the edge of the sign dimensions.
6. No reflective materials shall be incorporated into the A-frame sign.
7. Neon colors shall not be incorporated into the A-frame sign.
8. No A-frame sign shall be placed along any designated sidewalk, or walkway in such a manner as to impede pedestrian passage.
9. A-frames shall not be placed in landscaped areas.
10. All A-frames shall comply with the requirements of this code within 1 year of adoption of this code.
11. Time Period. A-frame signs may be displayed only during public business hours and shall be promptly removed from public display when the business is closed, or at dusk, whichever comes first. For enforcement purposes, dusk is when nearby street lights turn on.
12. An A-frame sign which does not meet 1 or more of the standards detailed in this section above, may be approved by the Planning Director pursuant to a Type II Land Use Procedure. A discretionary A-frame sign application may be approved if the applicant demonstrates compliance with all of the following criteria: The proposed materials, colors, and dimensions of the A-frame sign do not pose a hazard concerning its location, construction, and design.

Applicants Response: All signs on the project site will comply with the guidelines and regulations as stated above

- M. **Signs in Residential Zones.** In addition to the temporary and permanent signage allowed without a permit in the residential zones the following signage is allowed subject to permit and fee:

Applicants Response: Not Applicable. The project site is not located in a Residential Zone

- N. **Signs in the Central Business District.** In addition to the temporary and permanent signage allowed without permit in the following Central Business District zones the following signage is allowed subject to permit and fee:

Applicants Response: Not Applicable. The project site is not located in the Central Business District

- O. **Signs in the Commercial District.** In addition to the temporary and permanent signage allowed without permit in the following commercial zones the following signage is allowed subject to permit and fee:

1. Monument Signs.
 - a. Church, School, or Public Facility.
 - i. Size. Maximum 48 square feet per sign face up to 2 sign faces.
 - ii. Maximum height 9 feet.
 - iii. Location/Number. One sign may be located adjacent on each street frontage.
 - b. Minor Business Complex.
 - i. Size. Maximum 100 square feet per sign face up to 2 sign faces.
 - ii. Maximum height 12 feet.
 - iii. Location/Number. One sign, except on site abutting a collector or arterial street, 1 sign may be located adjacent to each collector/arterial street frontage.
 - c. Major Business Complex.
 - i. Size. Maximum 150 square feet per sign face up to 2 sign faces.
 - ii. Maximum height 12 feet.
 - iii. Location/Number. One sign, except on site abutting a collector or arterial street, 1 sign may be located adjacent to each collector/arterial street frontage.
 - d. All Other Uses.
 - i. Size. Maximum 48 square feet per sign face up to 2 sign faces.
 - ii. Maximum height 12 feet.
 - iii. Location/Number. One sign, except on site abutting a collector or arterial street, 1 sign may be located adjacent to each collector/arterial street frontage.
2. Blade/Overhang Signs.
 - a. All Other Uses.
 - i. Size. Each sign shall have a maximum sign face area of 48 square feet. The total combined area of wall and blade/overhang signs on a primary frontage shall not exceed 12% of the building elevation area.
 - ii. Maximum Height. The height of the sign shall not project above the roofline or top of the parapet wall, whichever is higher.
 - iii. Location/Number. One sign per building frontage for each business license on file with the city at that location.
3. Wall Signs.
 - a. All Uses.
 - i. Size. Maximum sign area of all signage allowed on a primary building frontage is 8% of the building elevation area of the primary building frontage, up to a maximum of 120 square feet.

- (A) The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.
 - (B) The maximum sign face area of all signage allowed on a secondary building frontage is 6% of the building elevation area of the secondary building frontage, up to a maximum of 60 square feet.
 - (C) If the building elevation area of a primary or secondary building frontage exceeds 5,000 square feet, the total sign face area allowed on that frontage is 130 square feet.
- ii. Maximum Height. Shall not project above the roofline or top of the parapet wall, whichever is higher.
 - iii. Location/Number. One sign per building frontage for each business license on file with the city at that location.
4. Reader Boards and Electronic Message Board Signs.
- a. Bulletin Board for Church, School, Public/Semi-Public Facility.
 - i. Size. May encompass up to 75% of the sign face area.
 - ii. Maximum height determined by height of sign.
 - iii. Location/Number. Only allowed as a permitted sign.
 - b. Bulletin Board—All Other Uses.
 - i. Size. May encompass up to 50% of sign face area.
 - ii. Maximum height determined by height of sign.
 - iii. Location/Number. Only allowed as part of a permitted sign.
 - c. Electronic Message Board—All Uses.
 - i. Size. May be no larger than 8-foot horizontal by 3-foot vertical from the ground.
 - ii. Maximum height determined by height of sign.
 - iii. Location/Number. Only allowed as part of permitted sign.
5. Pole Signs.
- a. Church, School, Public/Semi-Public Facility.
 - i. Size. Maximum 48 square feet per sign face (up to 2 faces).
 - ii. Maximum height 18 feet.
 - iii. Location/Number. One sign may be located adjacent each street frontage.
 - b. Minor Business Complex.
 - i. Size. Maximum 100 square feet per sign face (up to 2 faces).
 - ii. Maximum height 20 feet.

- iii. Location/Number. One sign; except on a site with more than 1 street frontage, 1 sign may be located adjacent each collector or arterial street frontage that is at least 500 feet in length. Where more than 1 sign is permitted on a site, the signs must be separated by at least 300 feet.
- c. Major Business Complex.
 - i. Size. Maximum 130 square feet per sign face (up to 2 faces).
 - ii. Maximum height 26 feet.
 - iii. Location/Number. One sign; except on a site with more than 1 street frontage, 1 sign may be located adjacent each collector or arterial street frontage that is at least 500 feet in length. Where more than 1 sign is permitted on a site, the signs must be separated by at least 300 feet.
- d. All Other Uses.
 - i. Size. Maximum 48 square feet per sign face (up to 2 faces).
 - ii. Maximum height 18 feet.
 - iii. Location/Number. One sign; except 1 sign may be located adjacent each collector or arterial street frontage.
- 6. Awning Sign and Canopy Sign.
 - a. Use on Site—All Uses.
 - i. Size. Maximum sign face area of all signage allowed on a primary building frontage is 12% of the building elevation area of the primary building frontage, up to a maximum of 120 square feet.
 - (A) The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.
 - (B) The maximum sign face area of all signage allowed on a secondary building frontage is 8% of the building elevation area of the secondary frontage, up to a maximum of 30 square feet.
 - ii. Maximum Height. Shall not project above the roof line or parapet wall whichever is higher.
 - iii. Location/Number. One sign per building frontage for each business license on file with the city at that location. Sign shall not project above the roof line. Sign shall not extend more than 8 feet from the building face. Outer edge of sign shall be set back a minimum of 2 feet from a curb. A minimum 8½ foot clearance shall be provided between grade and bottom of sign.
- 7. Marquee Sign.
 - a. Use on Site—All Uses.
 - i. Size. Maximum sign face area of all signage allowed on a primary building frontage is 12% of the building elevation area of the primary building frontage, up to a maximum of 120 square feet. The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of the building elevation area allowed.
 - ii. Maximum Height. Shall not project more than 8 feet above the roofline or parapet wall, whichever is higher the blade/overhang portion of the sign may extend above the roof line or parapet wall.
 - iii. Location/Number. Outer edge of sign shall be setback a minimum of 2 feet from a curb. A minimum 8½ foot clearance shall be provided between grade and bottom of sign.

8. Window Signs.
 - a. Use on Site—All Other Uses.
 - i. Size. See Section 18.02.090(B).
 - ii. Maximum height determined by height of window.
 - iii. Location/Number. Only allowed in ground floor or 2nd floor windows.

Applicants Response: The project site is located in a Commercial District. All signs on the project site will comply with the guidelines and regulations as stated above

P. Signs in the Community Planning Area. In addition to the temporary and permanent signage allowed without permit in the Community Planning Area the following signage is allowed subject to a permit and fee.

Applicants Response: Not Applicable. The project site is not located in the Community Planning Area

Q. Signs in Industrial Districts. In addition to the temporary and permanent signage allowed without permit in the following industrial zones the following signage is allowed subject to permit and fee:

Applicants Response: Not Applicable. The project site is not located in an Industrial District

18.02.110 Permanent signs exempt from permit and fee.

The following signs shall comply with all provisions and regulations of this chapter; however, no fee, permit or application is required:

- A. One sign not exceeding 1 square foot in area hung from a building.
- B. One sign not exceeding 2 square feet in area placed on any occupied residential lot.
- C. **Incidental Signs.** Not exceeding 6 square feet in area shall be allowed on any parcel that a multiple dwelling is constructed.
- D. **Public Signs.** For hospitals or emergency services, legal notices, railroad signs, and danger signs. Signs or tablets (including names of buildings, and the date of erection) when cut into any masonry surface, or constructed of bronze or other noncombustible surface not to exceed 8 square feet in area.
- E. **Athletic Field Signs.** Rigid signs located on the outfield fence of athletic fields may be installed. Each individual sign shall be no more than 32 square feet in area. There shall be no more than 32 square feet of area for any 8 linear feet of fence. The maximum height shall not exceed 8 feet above grade. The signs shall be placed so as to be visible from the interior of the field and/or viewing stands. One sign located at 1 end of the field visible to spectators shall have a maximum height of 15 feet above grade and shall be a maximum of 64 square feet.
- F. Accessory signs within a commercial or industrial zone which are permanent and an internal part of permitted outdoor accessory or display structures such as soft drink machines, fuel pumps, and newspaper dispensers.
- G. No “solicitation” sign pursuant to size.

H. Signs attached to or carried by a person limited to 6 square feet in total size.

I. Flags as outlined in Chapter 21.30.

18.02.120 Regulation of temporary signs.

The following signs shall comply with all provisions and regulations of this chapter; however, no fee, permit or application is required. Temporary signs are prohibited signs except as provided by this section.

A. Generally.

1. Illumination. No temporary sign shall be internally or externally illuminated.
2. Location.
 - a. No temporary sign shall extend into or over the public right-of-way of any street.
 - b. Signs allowed in the right-of-way for temporary traffic control shall provide a minimum of 5 feet of clear passage of pedestrians on the sidewalk where a sidewalk exists and shall come no closer than 2 feet from areas subject to vehicular travel.
 - c. No temporary sign shall extend into the vision clearance area.
3. Maintenance. Temporary signs shall be kept neat, clean and in good repair. Signs which are faded, torn, damaged or otherwise unsightly or in a state of disrepair shall be immediately repaired or removed.
4. Placement. Except as provided by this section, temporary signs shall not be attached to trees, shrubbery, utility poles, or traffic control signs or devices. They shall not obstruct or obscure primary signs on adjacent premises.
5. Sign Collection and Retrieval.
 - a. The city may collect temporary signs placed in the public right-of-way without a permit.
 - b. Each sign collected will be stored for a minimum of 30 days.
 - c. Notice will be mailed within 3 business days of the date of collection to the owner of each sign if the ownership is reasonably discernible from the sign or as previously filed by the owner of the sign with the Planning Department.
 - d. The owner of a sign may retrieve a sign collected by the city within 30 days of the collection date. The owner must present proof of ownership of the sign and pay a sign retrieval fee in the amount established by City Council resolution.
 - e. The owner of the sign may request a hearing before the Planning Commission to contest the sign removal. To request a hearing, the owner of a sign must file an application for a hearing and pay a hearing fee in an amount established by resolution of the City Council within 15 days of the date of mailing of the notice as provided in subsection (A)(5)(c) above. The hearing fee and the sign retrieval fee are refunded if the Planning Commission finds that the sign was removed improperly. At the hearing, testimony and evidence begins with the city, followed by the owner, and concludes with rebuttal by the city. After the evidence has been provided, the Planning Commission will close testimony and issue a written decision that states the facts of the case and the conclusions of the decision.

B. Allowed Signage.

1. To any residential zone temporary signage shall be allowed for each and every lot. This signage shall not be restricted by content, but is usually and customarily used to advertise real estate sales, political or ideological positions, garage sales, home construction or remodeling, etc. Signage shall be allowed for each lot as follows:
 - a. Temporary signs not exceeding 6 square feet, provided the signs are erected not more than 90 days prior to an election and removed within 5 days following the election.
 - b. One temporary sign not exceeding 6 square feet provided the sign is removed within 15 days from the sale, lease or rental of the property or within 7 days of completion of any construction or remodeling. An additional sign of the same size may be erected if the property borders a second street and the signs are not visible simultaneously. On tracts of land of more than 2 acres in residential zones the sign area may be increased to 32 square feet. In no case shall the sign or signs be erected for more than 12 months.
 - c. One temporary sign not exceeding 4 square feet in area which is erected for a maximum of 8 days in any calendar month and is removed by sunset on any day it is erected.
 - d. Temporary signs erected within a building which do not obstruct more than 10% of any individual window surface.
2. In any commercial or industrial zone temporary signage shall be allowed for each and every lot. This signage shall not be restricted by content, but is usually and customarily used to advertise real estate signs, political or ideological positions, construction or remodeling, etc. The signage shall be allowed for each lot as follows:
 - a. Temporary signs not exceeding 6 square feet, provided the signs are erected not more than 90 days prior to an election and removed within 5 days following the election.
 - b. Temporary sign not exceeding 32 square feet provided said signs are removed within 15 days from the sale, lease or rental of the property or within 7 days of completion of any construction or remodeling. An additional sign of the same size may be erected if the property borders a second street and the signs are not visible simultaneously.
 - c. Temporary non-illuminated signs not exceeding 16 square feet for charitable fundraising events placed by nonprofit and charitable organizations. Such signs shall not be placed more than 7 days prior to the event and must be removed within 2 days following the event. No more than 3 such events shall be advertised in this manner per lot per year.
 - d. Temporary signs not exceeding 16 square feet in area erected in association with the temporary uses allowed by code including Christmas tree sales, pushcart vendors, Saturday market and sidewalk sales. This signage shall be allowed for the same duration as the temporary use.

Applicants Response: If temporary signs are needed then the temporary signs on the project site will comply with the guidelines and regulations as stated above

18.02.130 Temporary signs requiring a permit.

- A. The City Manager may allow temporary signs larger than those allowed by this code to be erected. This signage shall not be restricted by content, but is usually and customarily used to advertise special events and store openings on banners. The City Manager shall allow the erection of such signs only if the City Manager finds that the proposed sign will not materially impair the purposes of the Sign Code. Seasonal decorations erected within the public right-of-way shall be considered to be such signs. These signs shall meet all applicable City Code provisions. Lighting of such signs will be reviewed as part of the application and may be allowed depending on impact to surrounding development.

- B. The following requirements shall be met, as applicable:
1. Written consent from the property owner where the sign will be located shall be provided. The consent shall identify any restrictions that the property owner requires of the permit holder. Banners hung from utility poles shall require written approval from Portland General Electric. Banners hung over a state highway will require written approval from the Oregon Department of Transportation.
 2. Plans or a description showing the location of the sign; banner height above the right-of-way; support devices for the banner; and proposed dates shall be provided.
 3. The display period shall not exceed 25 consecutive days in duration and no more than once in any 12-month period. All such signs shall be removed no later than 1 day following the event being advertised.
 4. A copy of any liability and/or property damage insurance required by the property owner where the sign or banner will be located.
 5. A signed rebate and indemnity agreement shall be provided if placing a banner over the public right-of-way.
 6. The extent of signage allowed and the location of the signage is at the discretion of the City Manager.
- C. The extent of signage allowed and the location of the signage is at the discretion of the City Manager.
- D. Any temporary sign that exceeds 6 square feet in size.

Applicants Response: If temporary signs are needed then a temporary sign permit will be obtained.

18.02.140 Signs requiring a permit.

- A. It is unlawful and a civil infraction for any person to erect, construct, alter or relocate any sign without first obtaining a permit pursuant to the provisions of this chapter unless a provision of this chapter specifically exempts a sign from the permit requirement.
- B. It is unlawful and a civil infraction for any person to construct a sign that is not specifically allowed by this chapter or to erect, construct, maintain or allow to exist a sign in violation of the terms of the permit issued pursuant to this chapter.

Applicants Response: If a permit is required to construct or install a particular sign then a permit will be obtained for that particular sign

18.02.150 Automobile service station sign standards.

Sign denoting gasoline prices, as provided for in Oregon Revised Statutes 649.030, are permitted subject to the following provisions:

- A. Maximum area on 1 sign face is 20 square feet.
- B. Maximum height is 25 feet or that required under freestanding signs whichever is less.
- C. Only 1 gasoline sign shall be allowed per business location street frontage.

Applicants Response: Not Applicable.

18.02.160 Signage on cars.

Signs on cars not otherwise discussed in the MDC shall meet the following requirements:

- A. Shall not project beyond the original frame of the vehicle more than 1/4 inch; exceptions: pizza delivery, taxi, and the like;
- B. Shall not be larger than 6 square feet; car wraps are exempt from the size requirements; and
- C. Shall not be parked in a right-of-way for periods of time to be used as a portable sign.

Applicants Response: Not Applicable.

18.02.170 Garage/household sales.

Signs advertising household goods, such as a garage sale, are permitted, subject to the following provisions:

- A. Maximum area on 1 sign face is 6 square feet.
- B. Height of 3 square feet.
- C. On premises sign—One sign.
- D. Three off-premises A-frame signs.
- E. Placement no earlier than 8:00 a.m. on the first day and removal no later than 7:00 p.m. on the last day.
- F. Sign cannot create a traffic hazard, impede pedestrian passage or create a public nuisance.
- G. All garage sale signs shall include the address of the location of the garage sale.
- H. The city shall have available a reasonable supply of professional sale signs that can be rented by individuals. In addition, the city may secure a deposit to recover the cost of replacing the sign in the event of damage or loss.

Applicants Response: Not Applicable.

18.02.180 Nameplates.

Nameplates identifying the occupant of a residence are permitted outright when not exceeding 1 square foot in size.

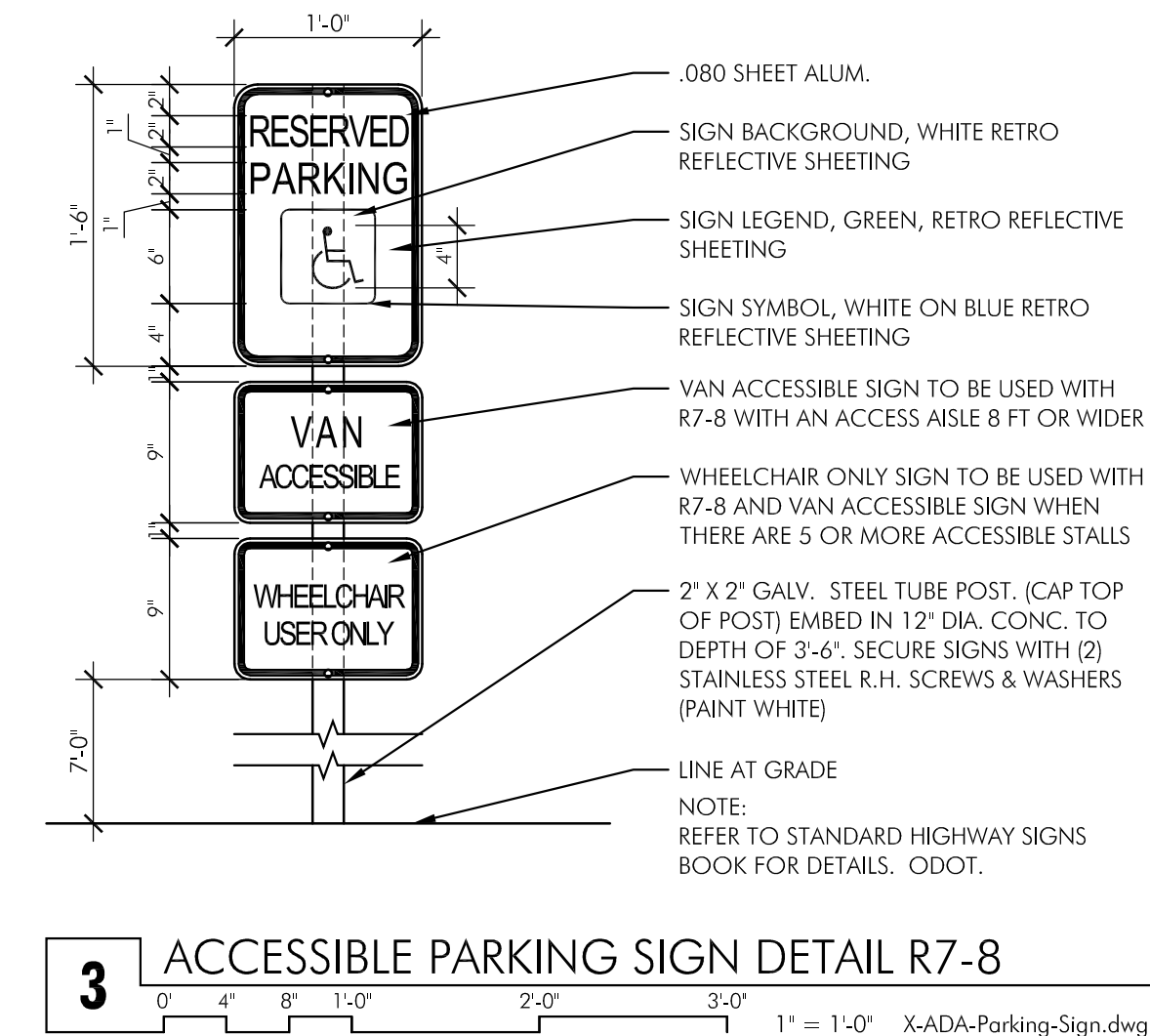
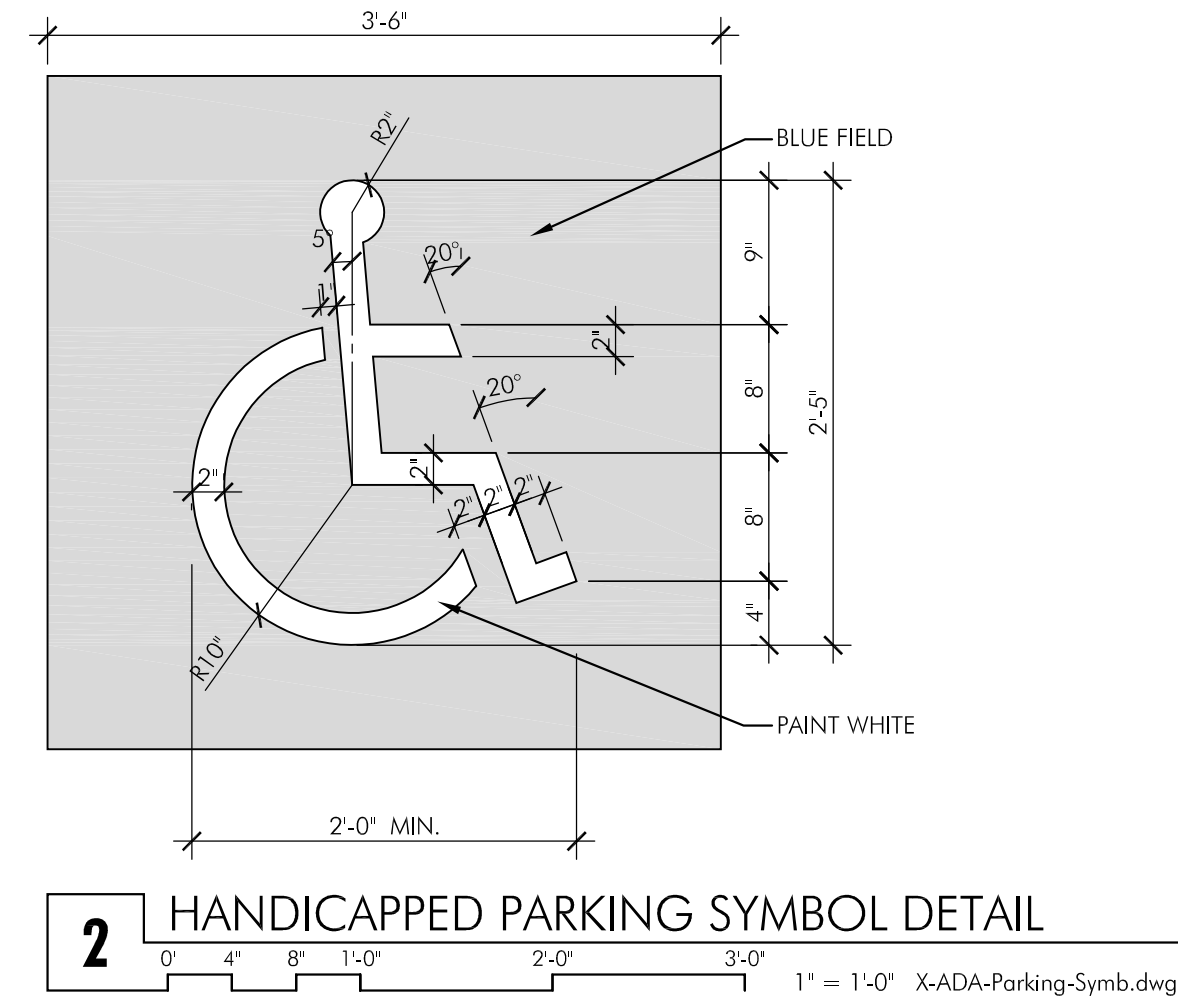
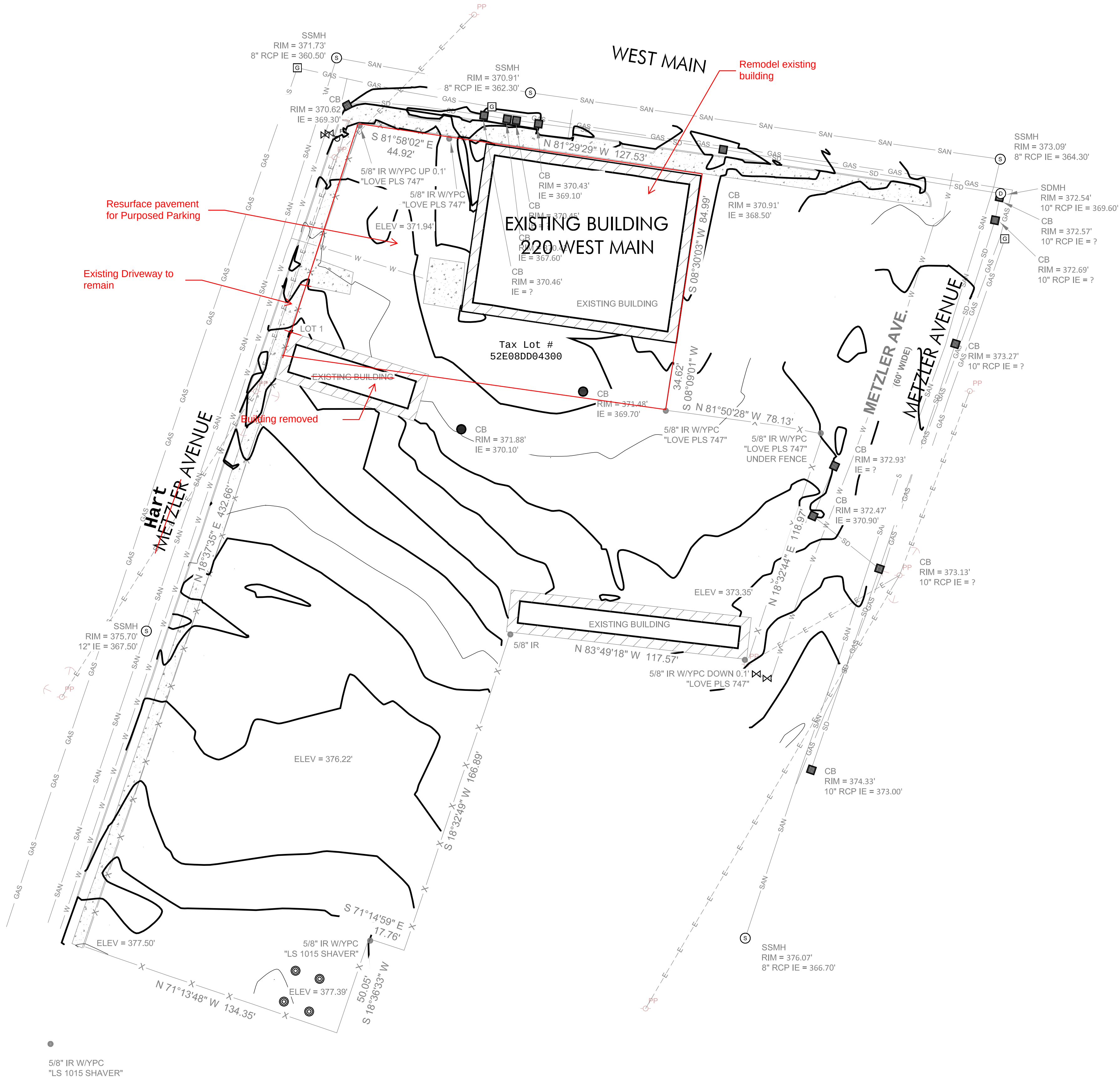
Applicants Response: Not Applicable.

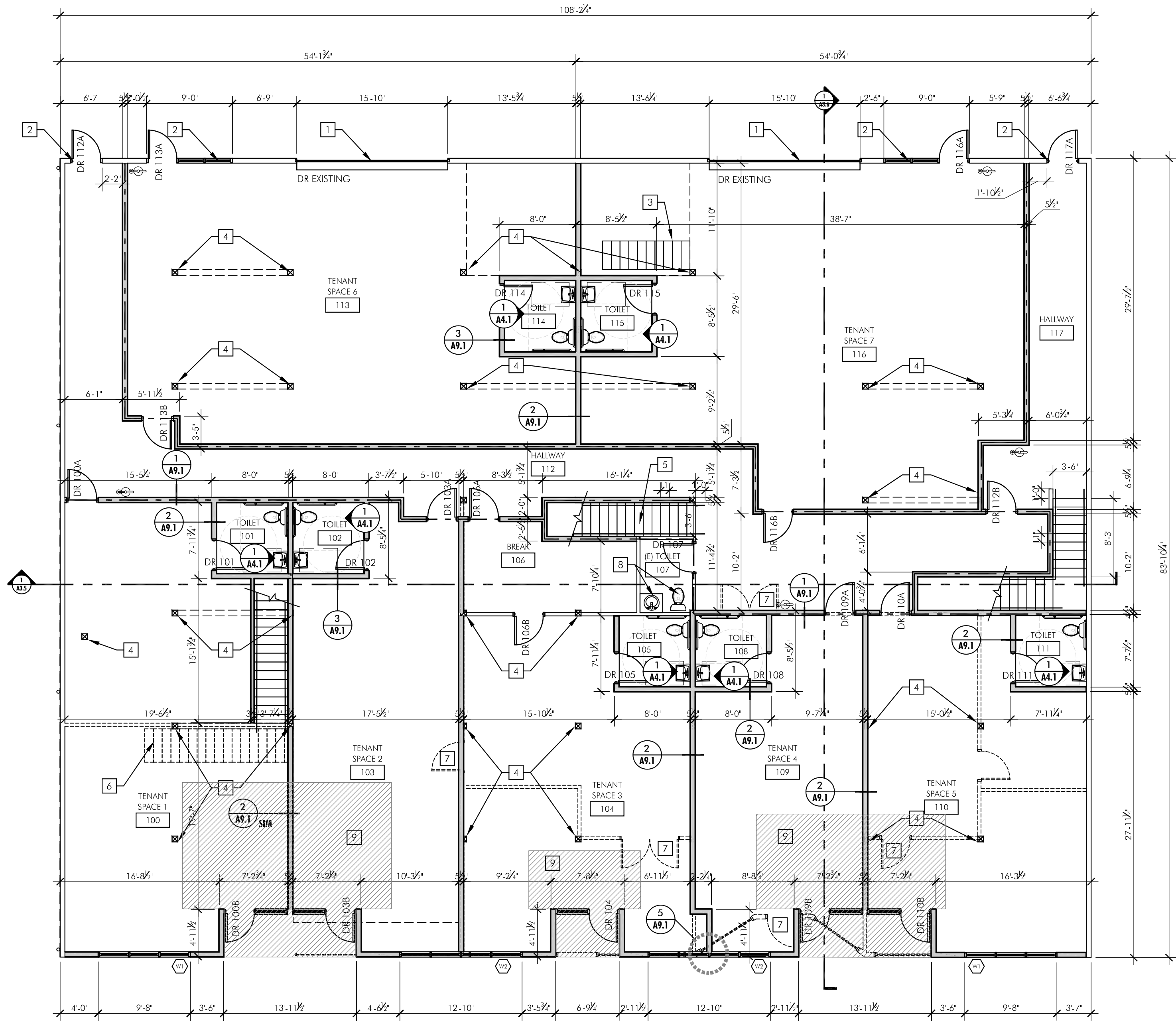
18.02.190 Open house signs/for sale signs.

- A. Additional temporary single or double-faced open house signs shall be permitted on private property during daylight hours provided such additional temporary signs are removed prior to sunset the day of placement. Such signs are permitted only on private property with the consent of the occupant. Units displaying an open house sign must remain unlocked during the time the sign is posted. An open house is to be attended by the seller or representative at all times during the open house. This section does not apply to model homes within subdivisions or model apartment units. An open house sign may not be displayed for the same address for more than 2 consecutive weekends.

- B. One temporary sign per frontage, not exceeding 6 square feet in area, during the time of sale, lease or rental of the lot/structure provided that the sign is removed within 30 days of the sale, lease or rental of the lot/structure.

Applicants Response: Not Applicable.





FLOOR PLAN LEGEND:

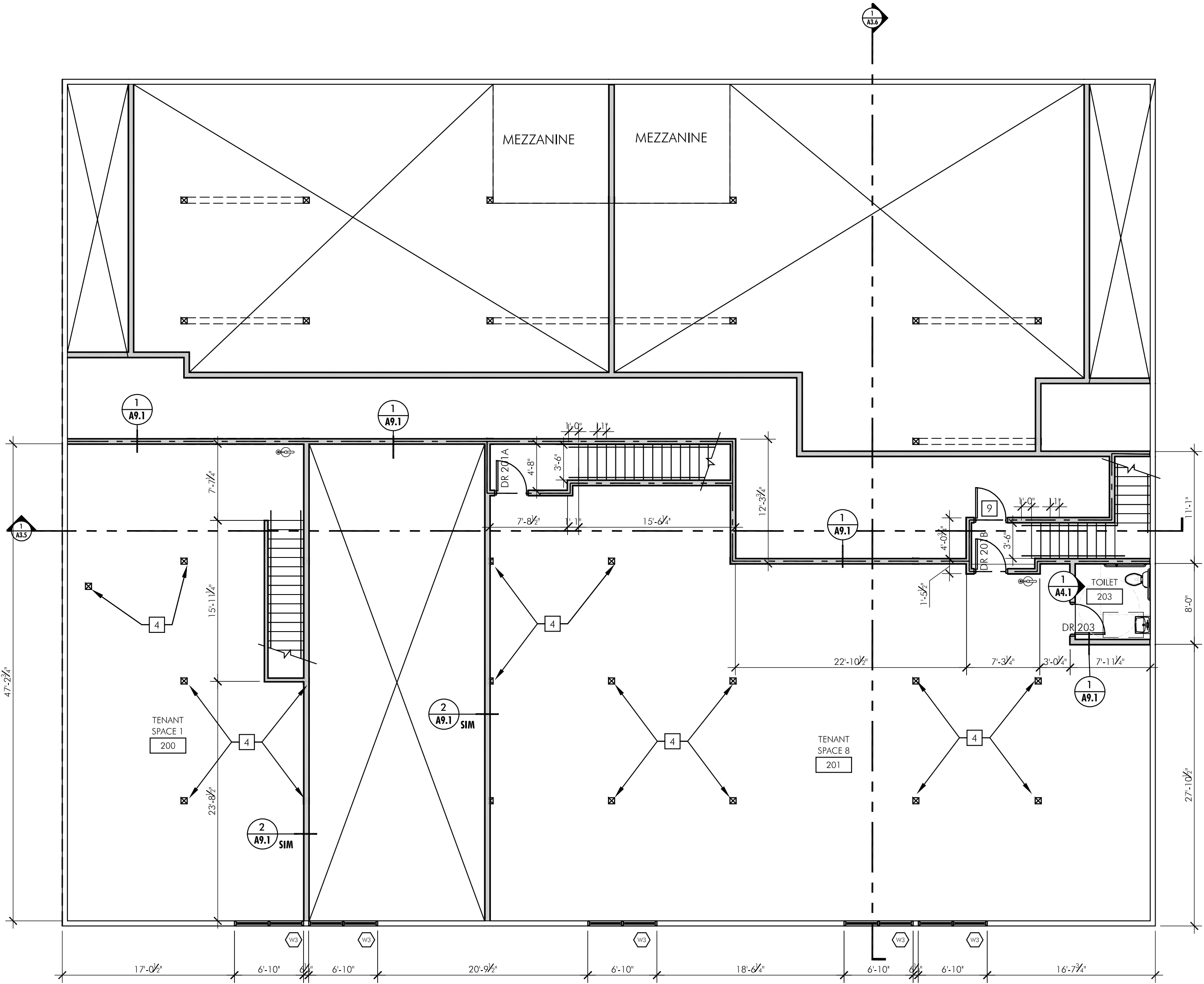
- EXISTING NON LOAD BEARING WALL TO BE REMOVED
- NEW 3 3/4" OR 5 3/4" METAL STUD WALL
- RATED ONE HOUR WALL ASSEMBLY FROM FINISH FLOOR TO UNDERSIDE OF ROOF DECK ABOVE
- RATED 2 HOUR WALL ASSEMBLY FROM FINISH FLOOR TO 30" ABOVE ROOF
- WALL MOUNT FIRE EXTINGUISHER

FLOOR PLAN NOTES:

- EXISTING SECTIONAL DOOR
- CUT IN NEW OPENINGS
- EXISTING STAIR TO MEZZANINE ABOVE
- EXISTING WOOD POSTS
- EXISTING STAIR TO REMAIN, ADD HANDRAILS EACH SIDE
- EXISTING STAIR TO BE REMOVED, IN FILL OPENING ABOVE
- EXISTING DOORS AND DOOR FRAME TO BE REMOVED
- EXISTING TOILET ROOM FIXTURES TO REMAIN
- COORDINATE BETWEEN SIDEWALK GRADE AT DOOR OPENINGS TO EXISTING FINISH FLOOR, MODIFY EXISTING FINISH FLOOR, SO NO AREAS EXCEED 2% SLOPE IN ALL DIRECTIONS, THIS MAY REQUIRE REMOVING FLOOR INTO BUILDING TO ENSURE PROPER SLOPE AND MEETING EXISTING SIDEWALK GRADES. ALL DOORS MUST MEET ACCESSIBILITY STANDARDS.

FLOOR PLAN LEGEND:

=====	EXISTING NON LOAD BEARING WALL TO BE REMOVED
=====	NEW 3 1/2" OR 5 1/2" METAL STUD WALL
- - - - -	RATED ONE HOUR WALL ASSEMBLY FROM FINISH FLOOR TO UNDERSIDE OF ROOF DECK ABOVE
- - - - -	RATED 2 HOUR WALL ASSEMBLY FROM FINISH FLOOR TO 30" ABOVE ROOF
⦿	WALL MOUNT FIRE EXTINGUISHER



FLOOR PLAN NOTES:

- 1

EXISTING SECTIONAL DOOR
- 2

CUT IN NEW OPENINGS
- 3

EXISTING STAIR TO MEZZANINE ABOVE
- 4

EXISTING WOOD POSTS
- 5

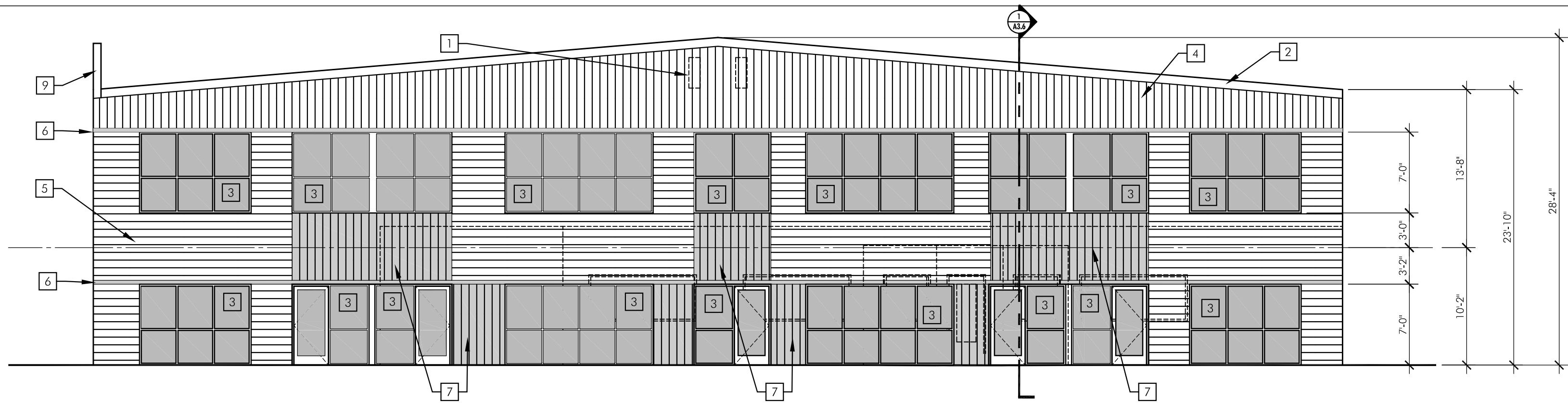
EXISTING STAIR TO REMAIN, ADD HANDRAILS EACH SIDE
- 6

EXISTING STAIR TO BE REMOVED, IN FILL OPENING ABOVE
- 7

EXISTING DOORS AND DOOR FRAME TO BE REMOVED
- 8

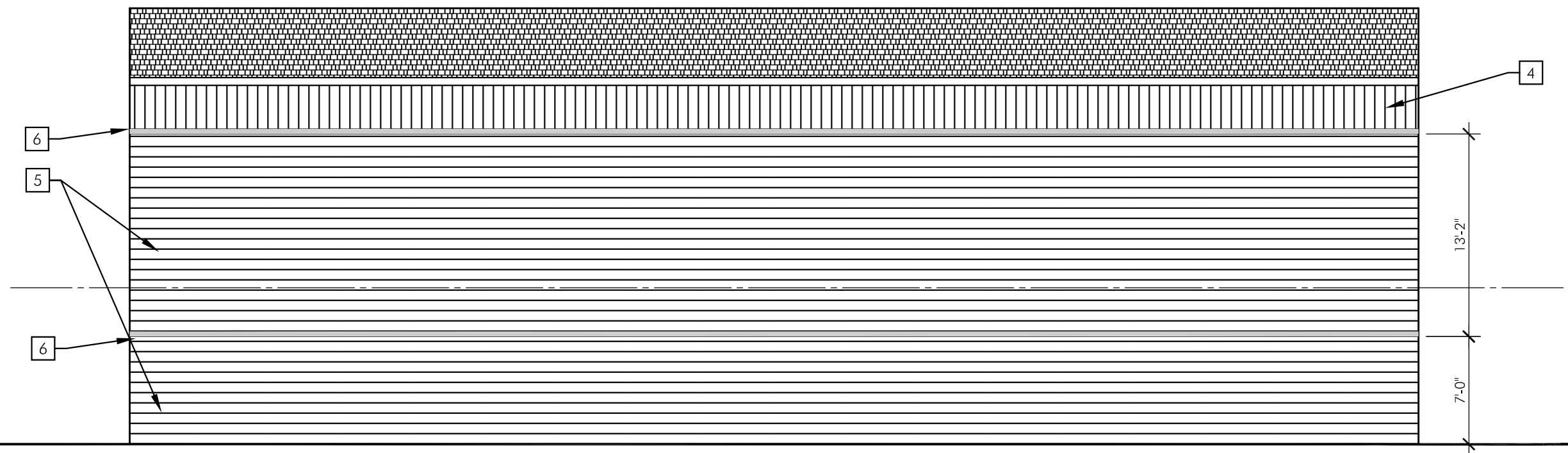
EXISTING TOILET ROOM FIXTURES TO REMAIN
- 9

VERIFY DOOR SIZE, 3'-0" x 8'-0" DOOR FOR ACCESS TO MECHANICAL SPACE ABOVE CORRIDOR, 20 MIN RATED DOOR



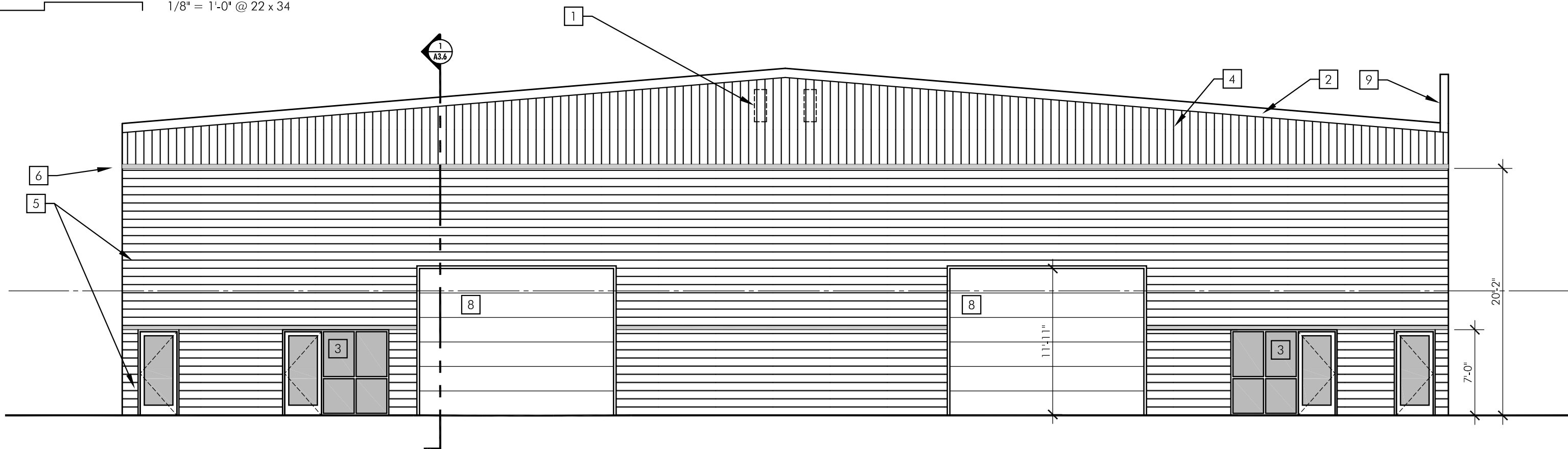
1 EXTERIOR ELEVATION - STREET FACING

0' 2' 4' 8' 16' 24' 1/8" = 1'-0" @ 22 x 34



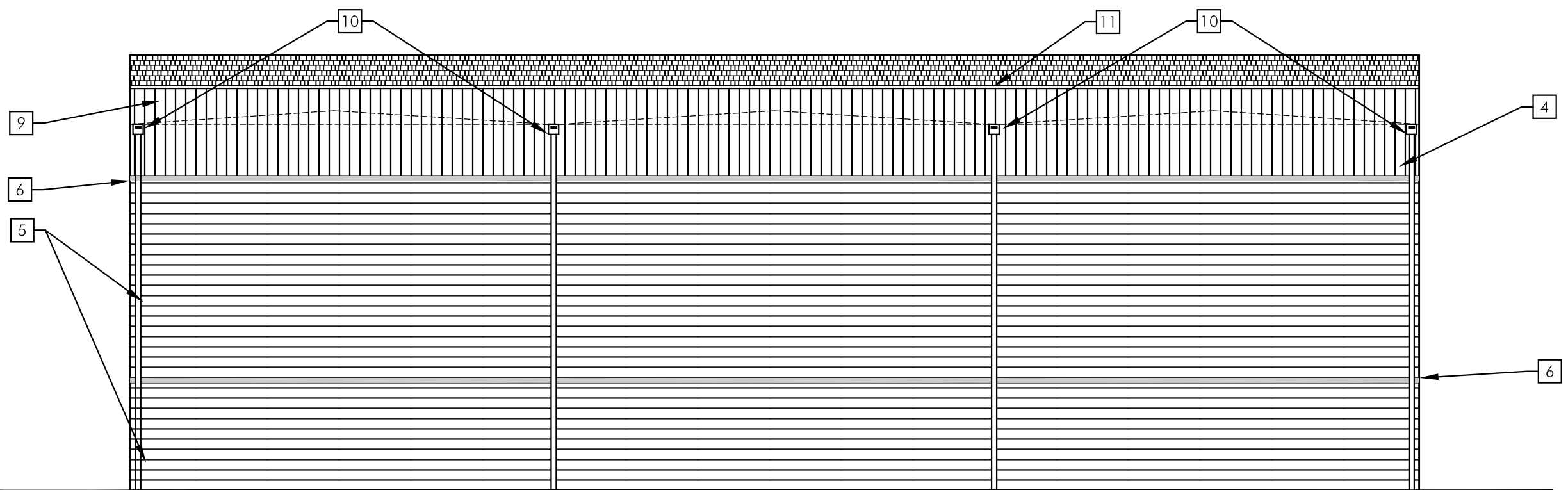
2 EXTERIOR ELEVATION - SIDE FACING

0' 2' 4' 8' 16' 24' 1/8" = 1'-0" @ 22 x 34



3 EXTERIOR ELEVATION - REAR FACING

0' 2' 4' 8' 16' 24' 1/8" = 1'-0" @ 22 x 34



4 EXTERIOR ELEVATION - SIDE FACING

0' 2' 4' 8' 16' 24' 1/8" = 1'-0" @ 22 x 34

ELEVATION NOTES

- EXISTING ATTIC VENTS TO BE REMOVED, INFILL WITH FRAMING TO MATCH AND NEW SIDING
- NEW FIBER CEMENT 8" FASCIA BOARD, PAINT
- NEW STOREFRONT ASSEMBLY
- NEW VERTICAL FIBER CEMENT SIDING, PAINT
- NEW HORIZONTAL LAP FIBER CEMENT SIDING, PAINT
- NEW 4" FIBER CEMENT TRIM, PAINT
- METAL PANEL, COLOR AS SELECTED
- EXISTING SECTIONAL DOORS, PAINT
- PARAPET FOR FIRE RATED WALL
- SCUPPER AND DOWNSPOUT, ROUTE TO STORM SYSTEM
- PRE FINISHED METAL CAP ON NEW PARAPET WALL

STUDIO

3

ARCHITECTURE
INCORPORATED

275 COURT ST. NE
SALEM, OR 97301
503.390.6500
www.studio3architecture.com



IN THE EVENT CONFLICTS ARE DISCOVERED BETWEEN THE ORIGINAL SIGNED AND SEALED DOCUMENTS PREPARED BY THE ARCHITECTS AND/OR THEIR CONSULTANTS, AND ANY COPY OF THE DOCUMENTS TRANSMITTED BY MAIL, FAX, ELECTRONICALLY OR OTHERWISE, THE ORIGINAL SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

PROJECT # 2022-063
DATE: 24 JAN 2023
REVISIONS

BUILDING IMPROVEMENTS
& CONSTRUCTION
220 WEST MAIN STREET, MOLALLA, OR 97038

SHEET

A3.1



October 22, 2025

B&I Construction, Inc.
Attention: Ignaty Egoroff
PO Box 246
Molalla, Oregon 97071

Sent via email to: iggy@bniconst.com

Re: 220 W Main Street Commercial Renovation – Molalla, Oregon
Transportation Analysis Letter

Molalla File Number SDR02-2024
C&A Project Number 20250903.00

Dear Mr. Egoroff,

This Transportation Analysis Letter (TAL) supports the proposed commercial renovation of the building at 220 W Main Street (OR 211) in Molalla, Oregon. The following items are presented:

1. Property Description and Proposed Land Use Actions
2. Study Parameters
3. Existing Conditions
4. Corvallis Transportation System Plan (TSP)
5. Site Development
6. Site Access
7. Summary

1. PROPERTY DESCRIPTION AND PROPOSED LAND USE ACTIONS

The subject property is located at 220 W Main Street (OR 211) in Molalla, Oregon, and is identified as tax lot 4300 on Clackamas County Assessor's map 5-2-E-08DD. The property is approximately 20,701 square feet and is currently developed for a contractor's office use.

The subject property is located within the city limits of Molalla and is zoned General Commercial (C-2). Proposed land use actions include a Type III Site Design Review application for renovating the existing building into a mixed-use development with retail, office, and workshop spaces.

2. STUDY PARAMETERS

The subject land use action is a Type III Site Design Review application, and the proposed development is an allowed use in the C-2 zone.

As such, the provisions contained in Molalla Municipal Code (MMC) Sections 17-4.2.040.B.8 and Section 17-3.6.020.A.4.a – *Determining the Required Level of Transportation Analysis and Documentation* are considered, the latter of which states:

Determining the Required Level of Transportation Analysis and Documentation. A Transportation Impact Analysis (TIA) is required for developments that are expected to have an impact on the transportation system. The analysis shall be based upon the latest edition of the ITE Trip Generation Manual or an agreed-upon alternative methodology where credible data is available to support the alternative methodology. When specific criteria generally associated with small developments are met, a Transportation Analysis Letter (TAL) may be substituted for the required TIA. At the discretion of the City Engineer, a TAL may satisfy the City's transportation analysis requirements, in lieu of a TIA when a development meets all the following criteria:

- (1) The development generates fewer than 25 peak hour trips during either the AM or PM peak hour. (Two examples of common developments generating fewer trips than these threshold levels are: a subdivision containing 25 or fewer single-family residences or a general office building less than 15,000 square feet.)*
- (2) The development is not expected to impact intersections that currently fail to meet the City's level of service standards or intersections that are operating near the limits of the acceptable level of service thresholds during a peak operating hour.*
- (3) The development is not expected to significantly impact adjacent roadways and intersections that are high accident locations, areas that contain an identified safety concern, or high concentrations of pedestrians or bicyclists, such as school zones.*
- (4) The development generates an increase in use of adjacent streets by vehicles exceeding the 20,000-pound gross vehicle weights by less than 10 vehicles per day.*

Materials contained in the subsequent portions of this document demonstrate that a TAL is the appropriate document to submit. As such, this analysis addresses MMC Section 17-3.6.020.A.4.b – *Transportation Analysis Letter Contents*, which states:

- (1) The TAL shall be prepared by or prepared under the direct supervision of a registered professional engineer who shall sign and stamp the TAL.*

(2) *The TAL shall include the following:*

- i. The expected trip generation of the proposed development, including the AM peak hour, the PM peak hour, daily traffic, and other germane periods as may be appropriate, together with appropriate documentation and references.*
- ii. Site plan showing the location of all access driveways or private streets where they intersect with public streets plus driveways of abutting properties and driveways on the opposite side of the street from the proposed development.*
- iii. Documentation that all site access driveways meet City of Molalla Private Access Driveway Width Standards.*
- iv. Documentation that all site access driveways meet the City of Molalla's Minimum City Street Intersection Spacing Standards.*
- v. Documentation that all new site accesses and/or public street intersections meet AASHTO intersection sight distance guidelines.*
- vi. Documentation that there are no inherent safety issues associated with the design and location of the site access driveways.*
- vii. Documentation that the applicant has reviewed the City's TSP and that proposed streets and frontage improvements do or will comply with any applicable standards regarding the functional classification, typical sections, access management, traffic calming, and other attributes as appropriate.*

3. DEVELOPMENT DESCRIPTION

The property is currently developed with a building for a contractor's office use. The existing building comprises approximately 2,600 square feet of office space, with the remainder of the floor area allocated to open work areas and storage. The total floor area is 12,136 square feet.

The development proposal involves renovating the existing building to provide for a mixed-use building with retail, office, and workshop spaces. There will be 3,157 square feet of retail space on the Main Street frontage, 6,142 square feet of office space on the first and second levels, including the hallway/common area, and 2,837 square feet of mixed-use fabrication. The total floor area is 12,136 square feet.

Associated land use actions and site improvements include lot consolidation and resurfacing the existing parking areas. The existing and proposed/future site access is to Hart Avenue to the west, and it will remain unchanged.

A copy of the applicant's site plan and floor plans are attached for reference.

4. DEVELOPMENT TRIP GENERATION

For trip estimating purposes, each area of the proposed mixed-use building is evaluated separately and assumed to generate trips independently of the other uses; that is, there are no shared trips between uses. The hallway/common area is anticipated to be shared by other uses and is not an independent trip generator; however, for analysis purposes, it is assumed to generate trips at the same rate as the office use.

Trip generation for the proposed and existing building uses is estimated using the ITE *Trip Generation Manual*, 12th Edition, and practices from the ITE *Trip Generation Handbook*, 3rd Edition, and is presented in the following table.

TABLE 1 – DEVELOPMENT TRIP GENERATION											
Land Use		ITE Code	Size	AM Peak Hour			PM Peak Hour			Daily	
Building Use	ITE Description			Enter	Exit	Total	Enter	Exit	Total	All Vehicles	Trucks
Proposed Building Uses											
Retail	Strip Retail Plaza (<40k)	822	3,157 SF	7	5	12	10	10	20	172	4 ¹
Office	Small Office Building	712	6,142 SF	8	2	10	5	8	13	88	2
Mixed-Use Fab	General Light Industrial	110	2,837 SF	1	0	1	0	1	1	10	1
Total Proposed Building Uses			12,136 SF	16	7	23	15	19	34	270	7
Existing Building Uses											
Specialty Trade Contractor		180	12,136 SF	15	5	20	7	16	23	119	7
Trip Generation Change (Proposed – Existing)				1	2	3	8	3	11	151	0

¹ ITE trip generation data not provided. Assumed to be the same proportion (2%) of all vehicle trips as for office use.

As identified in the table above, the proposed building uses generate 3 AM peak hour trips, 11 PM peak hour trips, and 151 daily vehicle trips more than the existing building use. There is no anticipated increase in the number of truck trips (vehicles exceeding a 20,000-pound gross vehicle weight).

Overall, for the proposed uses, trip generation during the AM peak hour, the PM peak hour, or daily by trucks, does not meet the thresholds requiring a TIA versus a TAL.

5. TRANSPORTATION SYSTEM PLAN PROJECTS

As identified in the Molalla Transportation System Plan (TSP), the City does not have a “financially constrained” or a “reasonably likely” plan, i.e., a list of projects that are funded and can be assumed to be in place at the end of the planning period. Rather, the TSP contains a list of high, medium, and low-priority projects that will likely be constructed from a combination of private developers (i.e., street system improvements, frontage improvements, system development charges), the City (i.e., taxes, fees, bonds), and the State (i.e., Statewide Transportation Improvement Program, various other funding programs, grants).

A summary of the TSP projects in the project area is presented below:

TABLE 2 – MOLALLA TSP PROJECTS IN THE SUBJECT PROJECT AREA					
Project Number	Location	Type	Project	Priority	Cost Estimate
P4	OR 211	Sidewalks – Fill in gaps	Fill in the gaps on both sides of the roadway from OR 213 to Molalla Avenue with sidewalks of appropriate width	High	\$1,710,000
P20	Kennel Avenue	Sidewalks – Fill in gaps	Fill in gaps on both sides of the roadway from Ross Street to OR 211 with sidewalks of appropriate width	Medium	\$130,000
P33	OR 211/ Metzler Street	Enhanced Crossing	Install curb extensions with Americans with Disabilities Act (ADA) accessible curb ramps with tactile warning strips on the north and south sides of the roadway	Medium	\$150,000
B4	OR 211	Buffered Bike Lane	Install buffered bike lanes on both sides of the roadway from OR 213 to Shaver Avenue	Medium	\$0
B27	Kennel Avenue	Shared Lane	Install shared lane pavement markings (sharrows) and signs on both sides of the roadway from Toliver Road to OR 211	Low	\$15,000
Project Number	Location	Agency Responsible	Description	Priority	Cost Estimate
T8	OR 211/Kennel Avenue (eastbound)	City/SCTD	Install a bus stop sign on the east side of the intersection to increase the visibility of the stop	Medium	\$5,000
Project Number	Location		Description	Priority	
L1	3 rd Street		Extend 3 rd Street from Metzler Street to Hart Avenue	Low	
L2	4 th Street		Extend 4 th Street from Metzler Street to Hart Avenue	Low	

6. TRANSPORTATION SYSTEM OPERATIONS

As identified in the Molalla TSP, W Main Street (OR 211) is functionally classified as an Arterial, and Hart Avenue and Metzler Avenue are Local Streets. A review of TSP materials reveals no current operational concerns or deficiencies at the OR 211/Hart Avenue or OR 211/Metzler Avenue intersections, nor are there any anticipated at the end of the planning period. It is also noted that TSP project B4 contemplates OR 211 improvements that include buffered bike lanes.

Given the small number of AM and PM peak hour trips related to the proposed building uses, the adjacent intersections are expected to meet the City's level of service standards during peak hours. Overall, the proposed building uses do not significantly impact intersections that currently do not meet the City's standards or those operating near the acceptable level during peak hours.

7. TRANSPORTATION SYSTEM SAFETY

When evaluating roadway and intersection safety, consideration is given to the number and types of crashes that occur, as well as the number of vehicles traveling on a roadway segment or entering the intersection. This leads to the concept known as the "crash rate." Specific to intersections, it is typically expressed in terms of the number of crashes occurring per one million vehicles entering the intersection (CMEV). A critical crash rate analysis is then performed by comparing the subject intersection to the published statewide 90th percentile intersection crash rates at comparable/reference intersections. Crash rates close to or exceeding 1.0 CMEV or the 90th percentile rates require further analysis.

Crash data for the section of OR 211 from Hart Avenue to Metzler Avenue and for the adjacent Hart Avenue frontage were obtained from the Oregon Department of Transportation (ODOT) for five years from January 1, 2019, through December 31, 2023. The following table presents the study intersection crash rates and critical crash analysis. Crash data and crash rate calculations are attached for reference.

TABLE 3 – INTERSECTION CRASH RATES										
Intersection	2019	2020	2021	2022	2023	Total	Crash Rate (CMEV)	Reference Population ¹	90 th ile Crash Rate	Over or under Crash Rate?
OR 211 / Hart Avenue	0	0	2	0	1	3	0.132	Urban 3ST	0.293	Under
OR 211 / Kennel Avenue	0	1	1	0	1	3	0.132	Urban 3ST	0.293	Under
OR 211 / Metzler Avenue	1	1	0	0	1	3	0.132	Urban 3ST	0.293	Under

¹ 3ST is a three-leg minor stop-control intersection.

The observed study intersection crash rates are less than the 1.0 CMEV threshold and the 90th percentile crash rate of the reference population, indicating the intersections are considered relatively safe, and further safety analysis is not warranted.

The crash data for Hart Avenue finds that there are no recorded crashes along the property frontage. Accordingly, the roadway section is considered relatively safe, and there are no inherent safety issues associated with the design and location of the site access driveway.

Based on a review of the Molalla TSP materials, there are currently no specific safety concerns or deficiencies at the OR 211/Hart Avenue or OR 211/Metzler Avenue intersections, or along the adjacent Hart Avenue frontage, nor are there any identified by the end of the planning period. It is noted that TSP project B4 includes OR 211 improvements that feature buffered bike lanes.

Given the small increase in AM and PM peak hour trip generation associated with the proposed building uses, and the type of traffic related to those uses, the proposed building uses are not expected to significantly impact nearby roadways or intersections that are high crash locations, contain safety concerns, or have high pedestrian or bicyclist activity, such as in school zones.

8. SITE ACCESS

The existing and proposed/future site access is to Hart Avenue to the west, and it will remain unchanged. A copy of the applicant's site plan is attached for reference.

The site access meets the Molalla private access driveway width standards and is designed and constructed to accommodate emergency vehicle apparatus, conforming to applicable fire protection requirements. The access is also designed and constructed to accommodate truck/trailer-turning movements. The access is not wider than necessary to accommodate projected peak-hour trips and vehicle turning movements safely, and it will be designed to minimize pedestrian crossing distance. There are no inherent safety issues associated with the design or location.

The proposed site access meets the Molalla minimum City street intersection spacing standard and is more than 50 feet from a public roadway intersection.

The proposed site access to Hart Avenue is located on a straight (tangent) roadway section where there is no significant horizontal or vertical roadway curvature. While the American Association of State Highway Transportation Officials (AASHTO) intersection sight distance guidelines do not apply to private accesses to public roadways in a suburban environment, if the standards were applied, the desired intersection sight distance would be available and extend to the OR 211/Hart Avenue intersection in the north and the W 3rd Street/Hart Avenue intersection in the south.

Based on a review of the Molalla TSP, no frontage improvements on Hart Avenue are required to meet the *Local Street* cross-section standards, access management, traffic calming, or other attributes.

9. SUMMARY

The following conclusions are based on materials contained in this TAL.

1. The subject property is located at 220 W Main Street (OR 211) in Molalla, Oregon, and is identified as tax lot 4300 on Clackamas County Assessor's map 5-2-E-08DD. The property is approximately 20,701 square feet and is currently developed for a contractor's office use.
2. The subject property is within Molalla city limits and is zoned General Commercial (C-2). Proposed land use actions include a Type III Site Design Review application for renovating the existing building into a mixed-use development with retail, office, and workshop spaces.
3. The proposed building uses generate 3 AM peak hour trips, 11 PM peak hour trips, and 151 daily vehicle trips more than the existing building use. There is no anticipated increase in the number of truck trips (vehicles exceeding a 20,000-pound gross vehicle weight).
4. Overall, for the proposed uses, trip generation during the AM peak hour, the PM peak hour, or daily by trucks, does not meet the thresholds requiring a TIA, versus a TAL.
5. The proposed building uses do not significantly impact intersections that currently do not meet the City's standards or those operating near the acceptable level during peak hours.
6. The proposed building uses are not expected to significantly impact nearby roadways or intersections that are high crash locations, contain safety concerns, or have high pedestrian or bicyclist activity, such as in school zones.
7. The proposed site access meets the Molalla private access driveway width standards and the intersection spacing standard. There are no inherent safety issues associated with the design or location.
8. The desired AASHTO intersection sight distance at the site access to Hart Avenue is available.
9. Based on a review of the Molalla TSP, no frontage improvements on Hart Avenue are required to meet the *Local Street* cross-section standards, access management, traffic calming, or other attributes.

Sincerely,



Christopher M. Clemow, PE, PTOE
Transportation Engineer

Attachments: Site Plan and Floor Plans
Crash Data

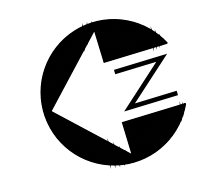
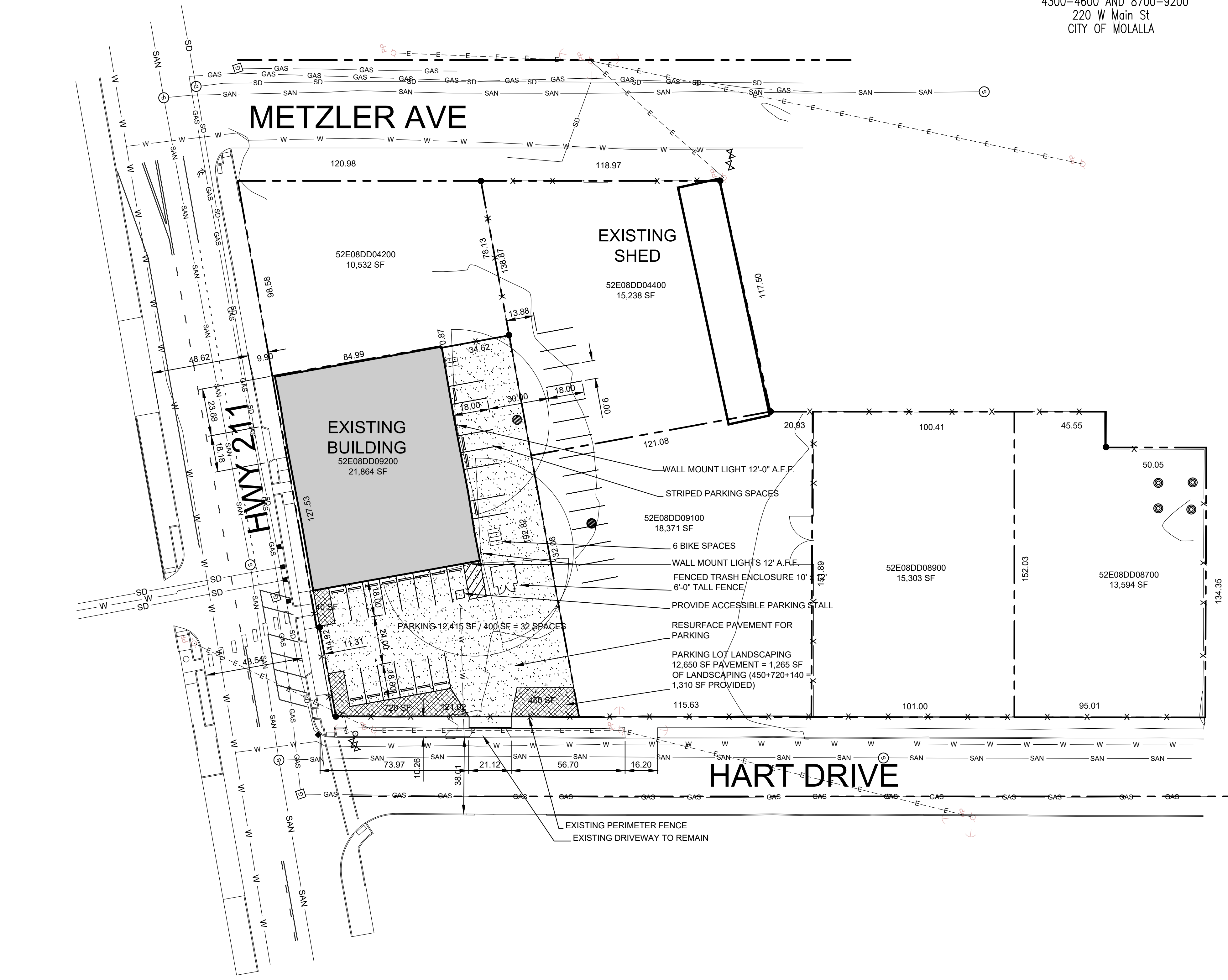
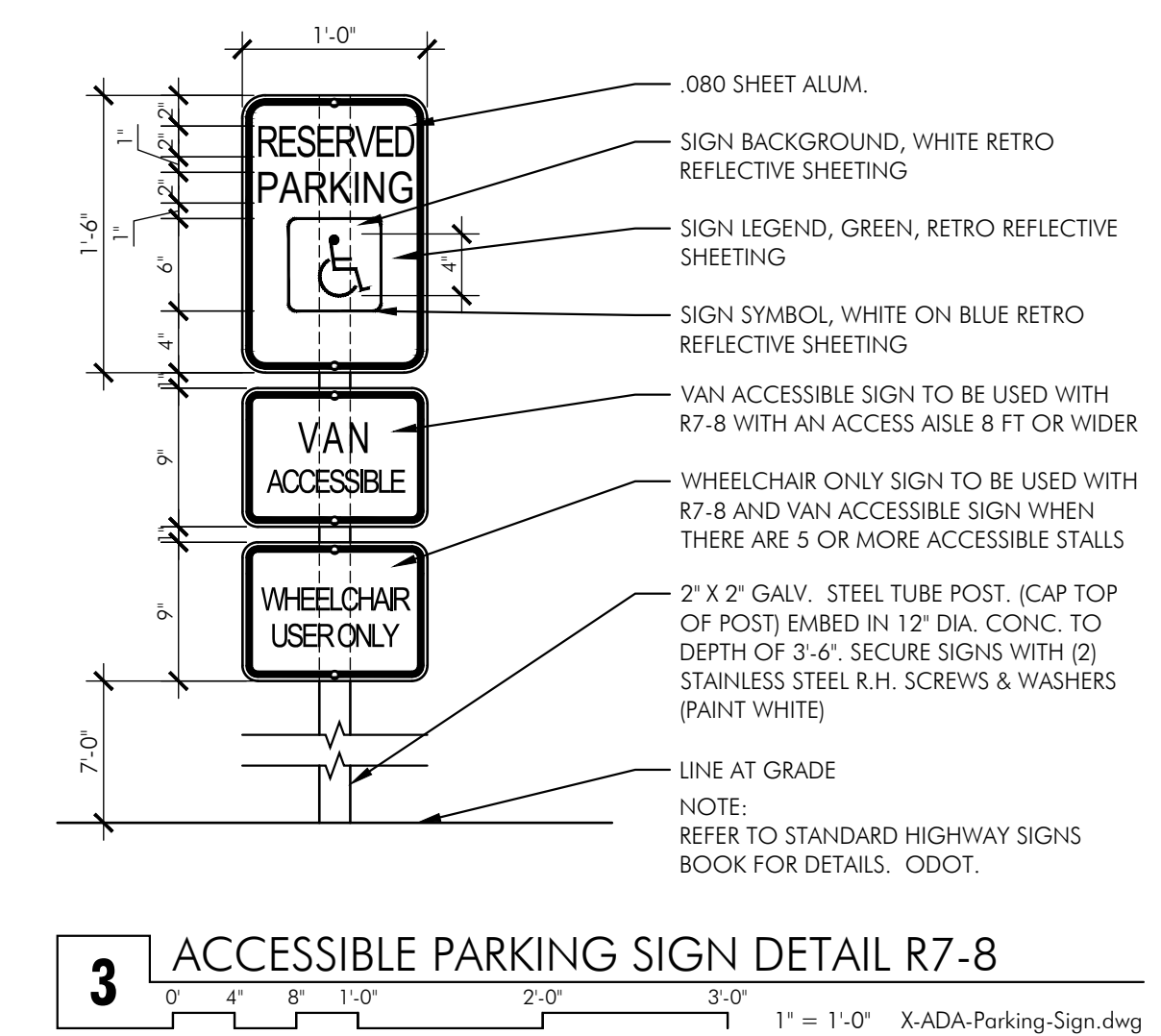
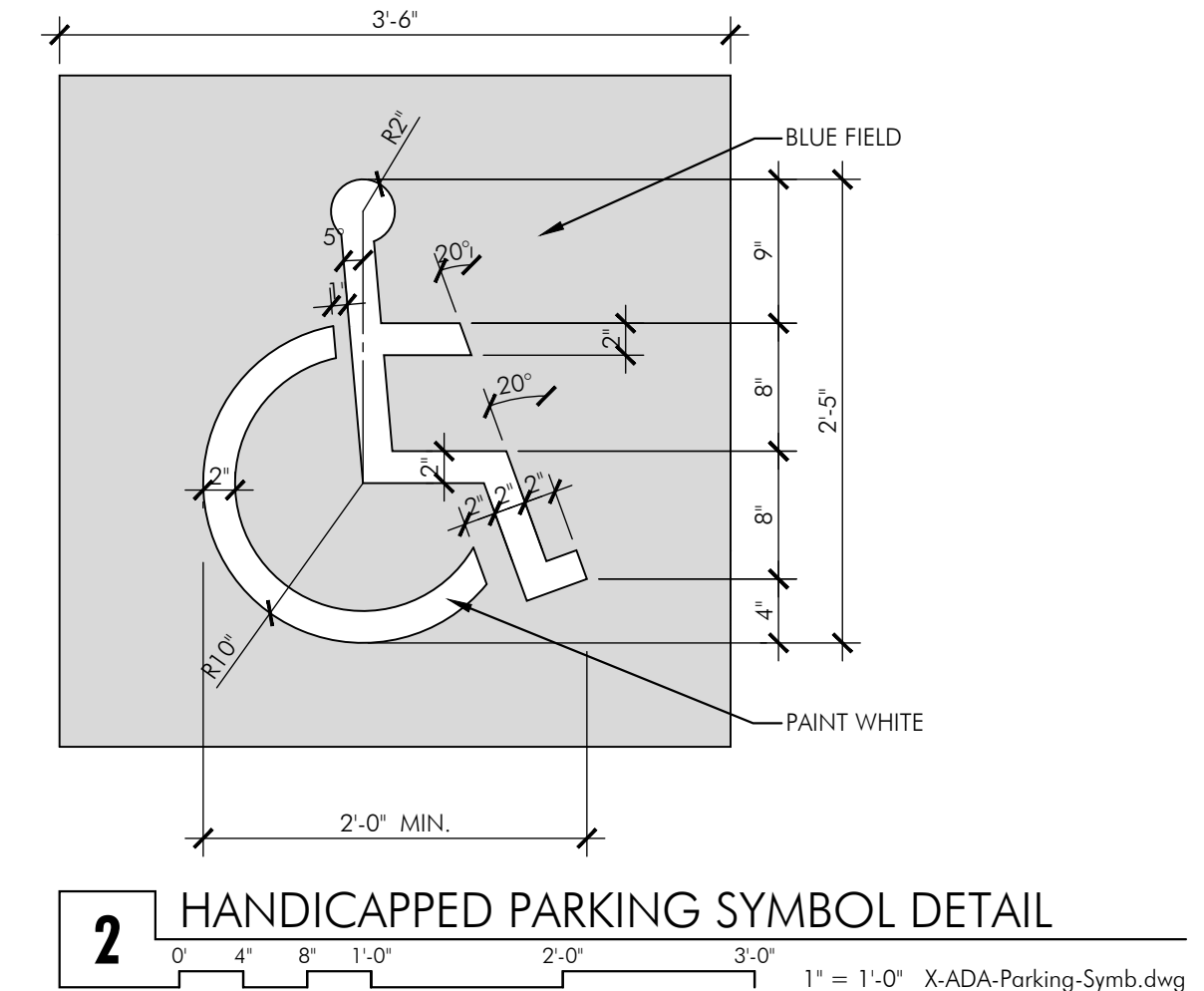


Renews 31 December 2025

APPLICANT:
B&I CONSTRUCTION
PO Box 1182
Molalla, OR 97038

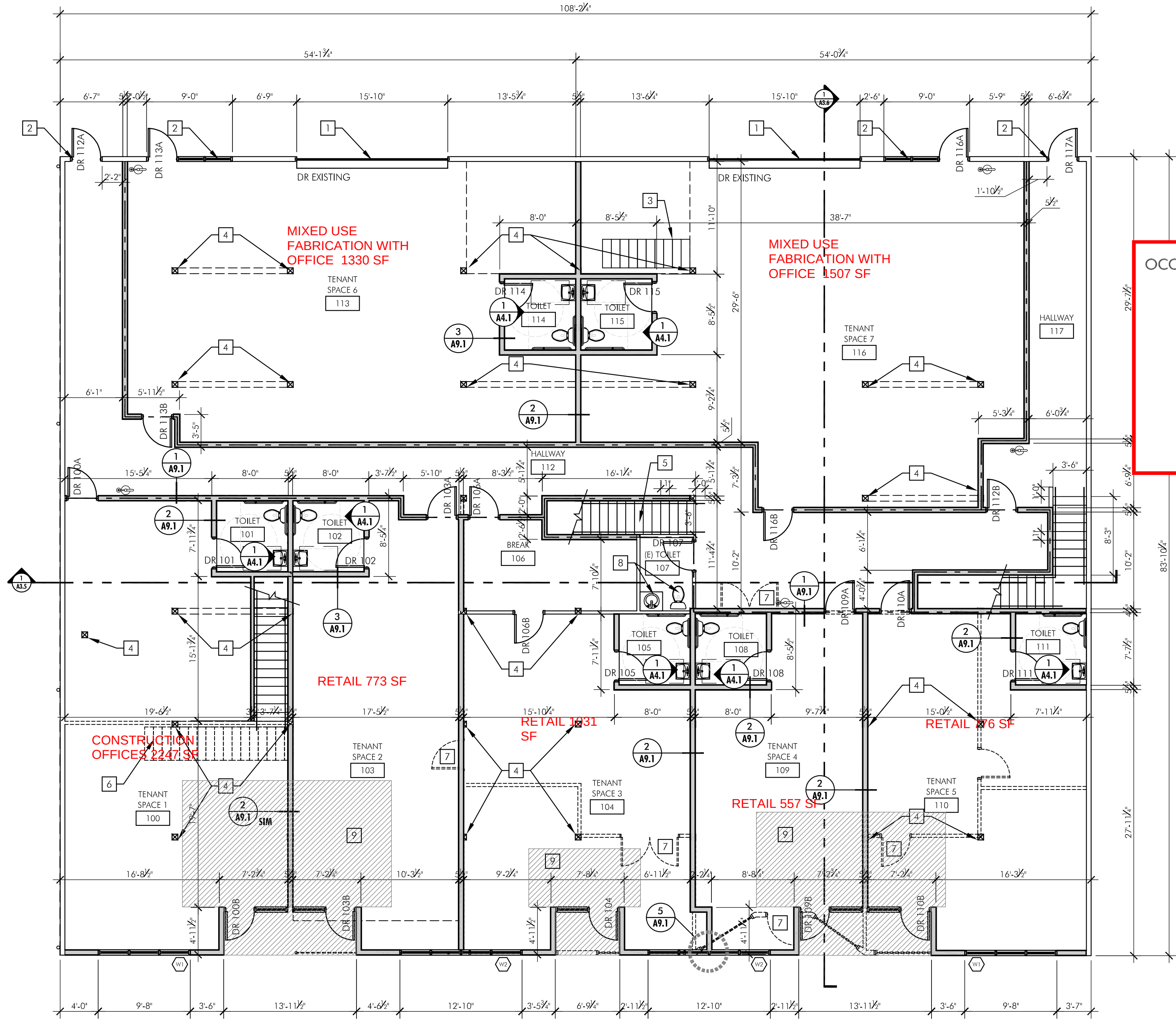
LEGAL DESCRIPTION:
S.E. 1/4 S.E. 1/4 SEC. 8 T.5S. R.2E. W.M.
CLACKAMAS COUNTY

TAX LOTS 5 2 E 09DD
4300-4600 AND 8700-9200
220 W Main St
CITY OF MOLALLA



FLOOR PLAN LEGEND:

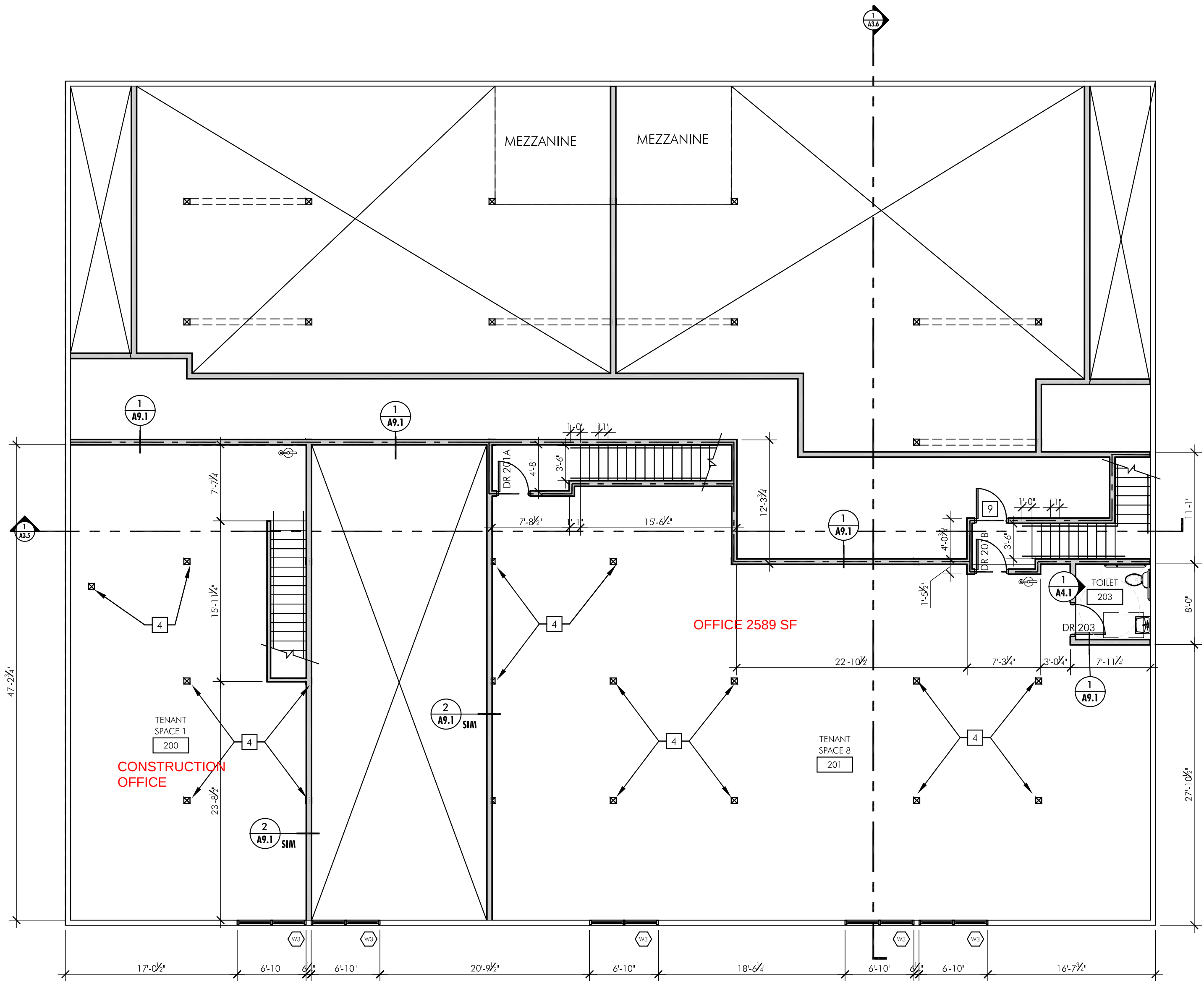
- EXISTING NON LOAD BEARING WALL TO BE REMOVED
- NEW 3 3/4" OR 5 3/4" METAL STUD WALL
- RATED ONE HOUR WALL ASSEMBLY FROM FINISH FLOOR TO UNDERSIDE OF ROOF DECK ABOVE
- RATED 2 HOUR WALL ASSEMBLY FROM FINISH FLOOR TO 30" ABOVE ROOF
- WALL MOUNT FIRE EXTINGUISHER



OCCUPANT LOAD:
TENANT SPACE 1 FIRST FLOOR 1,068 SF / 150 (B) = 7
SECOND FLOOR 1,179 SF / 150 (B) = 8
TENANT SPACE 2 FIRST FLOOR 773 SF / 30 (M) = 26
TENANT SPACE 3 FIRST FLOOR 1031 SF / 30 (M) = 34
TENANT SPACE 4 FIRST FLOOR 577 SF / 30 (M) = 19
TENANT SPACE 5 FIRST FLOOR 776 SF / 30 (M) = 26
TENANT SPACE 6 FIRST FLOOR 1330 SF / 200 (S1) = 7
TENANT SPACE 7 FIRST FLOOR 1507 SF / 200 (S1) = 8
HALLWAY FIRST FLOOR 1,306 SF
TENANT SPACE 8 SECOND FLOOR 2589 SF / 150 (B) = 17

FLOOR PLAN NOTES:

- EXISTING SECTIONAL DOOR
- CUT IN NEW OPENINGS
- EXISTING STAIR TO MEZZANINE ABOVE
- EXISTING WOOD POSTS
- EXISTING STAIR TO REMAIN, ADD HANDRAILS EACH SIDE
- EXISTING STAIR TO BE REMOVED, IN FILL OPENING ABOVE
- EXISTING DOORS AND DOOR FRAME TO BE REMOVED
- EXISTING TOILET ROOM FIXTURES TO REMAIN
- COORDINATE BETWEEN SIDEWALK GRADE AT DOOR OPENINGS TO EXISTING FINISH FLOOR, MODIFY EXISTING FINISH FLOOR, SO NO AREAS EXCEED 2% SLOPE IN ALL DIRECTIONS, THIS MAY REQUIRE REMOVING FLOOR INTO BUILDING TO ENSURE PROPER SLOPE AND MEETING EXISTING SIDEWALK GRADES. ALL DOORS MUST MEET ACCESSIBILITY STANDARDS.



FLOOR PLAN LEGEND:

=====	EXISTING NON LOAD BEARING WALL TO BE REMOVED
=====	NEW 3 1/2" OR 5 1/2" METAL STUD WALL
- - - - -	RATED ONE HOUR WALL ASSEMBLY FROM FINISH FLOOR TO UNDERSIDE OF ROOF DECK ABOVE
- - - - -	RATED 2 HOUR WALL ASSEMBLY FROM FINISH FLOOR TO 30" ABOVE ROOF
⊗	WALL MOUNT FIRE EXTINGUISHER

OCCUPANT LOAD:
TENANT SPACE 1 FIRST FLOOR 1,068 SF / 150 (B) = 7
SECOND FLOOR 1,179 SF / 150 (B) = 8
TENANT SPACE 2 FIRST FLOOR 773 SF / 30 (M) = 26
TENANT SPACE 3 FIRST FLOOR 1031 SF / 30 (M) = 34
TENANT SPACE 4 FIRST FLOOR 577 SF / 30 (M) = 19
TENANT SPACE 5 FIRST FLOOR 776 SF / 30 (M) = 26
TENANT SPACE 6 FIRST FLOOR 1330 SF / 200 (S1) = 7
TENANT SPACE 7 FIRST FLOOR 1507 SF / 200 (S1) = 8
HALLWAY FIRST FLOOR 1,306 SF
TENANT SPACE 8 SECOND FLOOR 2589 SF / 150 (B) = 17

FLOOR PLAN NOTES:

- EXISTING SECTIONAL DOOR
- CUT IN NEW OPENINGS
- EXISTING STAIR TO MEZZANINE ABOVE
- EXISTING WOOD POSTS
- EXISTING STAIR TO REMAIN, ADD HANDRAILS EACH SIDE
- EXISTING STAIR TO BE REMOVED, IN FILL OPENING ABOVE
- EXISTING DOORS AND DOOR FRAME TO BE REMOVED
- EXISTING TOILET ROOM FIXTURES TO REMAIN
- VERIFY DOOR SIZE, 3'-0" x 8'-0" DOOR FOR ACCESS TO MECHANICAL SPACE ABOVE CORRIDOR, 20 MIN RATED DOOR

January 1, 2019 through December 31, 2023

INTERSECTION CRASH RATES													
Intersection	Crashes						ADT (10xPM)	Annual AADT (365xAADT)	Annual Crashes	Crash Rate (crashes/MEV)	Reference Population	90th%ile Crash Rate	Over or Under Crash
	2019	2020	2021	2022	2023	Total							
OR 211 / Hart Avenue	0	0	2	0	1	3	12,450	4,544,250	0.60	0.132	Urban 3ST	0.293	Under
OR 211 / Kennel Avenue	0	1	1	0	1	3	12,450	4,544,250	0.60	0.132	Urban 3ST	0.293	Under
OR 211 / Metzler Avenue	1	1	0	0	1	3	12,450	4,544,250	0.60	0.132	Urban 3ST	0.293	Under



Hwy #	Site ID	LRS	Direction	Mile Point	AADT	Mileage Range	WOODBURN-ESTACADA HIGHWAY NO. 161
161	3446	16100100		0.15	6617	0.00 ... 2.04	East of Pacific Highway East (OR99E) and HillsboroSilverton Highway (OR214) [0.15 miles]
161	3447	16100100		2.63	7353	2.04 ... 5.15	West of S Meridian Road, MarionClackamas County Line [1.15 miles]
161	3448	16100100		5.20	5496	5.15 ... 7.59	East of Barlow Road [0.05 miles]
161	3449	16100100		7.69	6222	7.59 ... 9.11	East of S CanbyMarquam Road [0.10 miles]
161	3450	16100100		11.26	6371	9.11 ... 11.31	West of Cascade Highway South (OR213) [0.05 miles]
161	3451	16100100		11.36	13398	11.31 ... 12.16	East of Cascade Highway South (OR213) [0.05 miles]
161	3452	16100100		12.25	12450	12.16 ... 12.76	East of LeRoy Avenue [0.09 miles]
161	3453	16100100		13.27	8278	12.76 ... 13.29	West of Stowers Lane [0.02 miles]

Intersection crash rates also need to be compared to the published statewide 90th percentile intersection crash rates in Exhibit 4-1. Any rates close to or over the 90th percentile rates need to be flagged for further analysis. The intersection crash rate is calculated by the following formula:

$$\text{Intersection Crash Rate per MEV} = \frac{\text{Annual Number of Crashes} \times 10^6}{(\text{AADT}) \times (365 \text{ days/year})}$$

The values shown in Exhibit 4-1 represent the 90th percentile crash rates from a study of 500 intersections in Oregon. The crash rates are grouped by rural/urban, signalized/unsignalized, and three-leg/four-leg intersections. Intersections with crash rates that exceed the 90th percentile values shown in the table should be flagged for further analysis. For more information on crash rates and using this table, see Section 4.3.4 Critical Crash Rate.

Exhibit 4-1: Intersection Crash Rates per MEV by Land Type and Traffic Control

	Rural				Urban			
	3SG	3ST	4SG	4ST	3SG	3ST	4SG	4ST
No. of Intersections	7	115	20	60	55	77	106	60
Mean Crash Rate	0.226	0.196	0.324	0.434	0.275	0.131	0.477	0.198
Median Crash Rate	0.163	0.092	0.320	0.267	0.252	0.105	0.420	0.145
Standard Deviation	0.185	0.314	0.223	0.534	0.155	0.121	0.273	0.176
Coefficient of Variation	0.819	1.602	0.688	1.230	0.564	0.924	0.572	0.889
90 th Percentile Rate	0.464	0.475	0.579	1.080	0.509	0.293	0.860	0.408

Source: Assessment of Statewide Intersection Safety Performance, FHWA-OR-RD-18, Portland State University and Oregon State University, June 2011, Table 4.1, p. 47.

Note: Traffic control types include
 3SG (three-leg signalized),
 3ST (three-leg minor stop-control),
 4SG (four-leg signalized),
 4ST (four-leg minor stop-control).

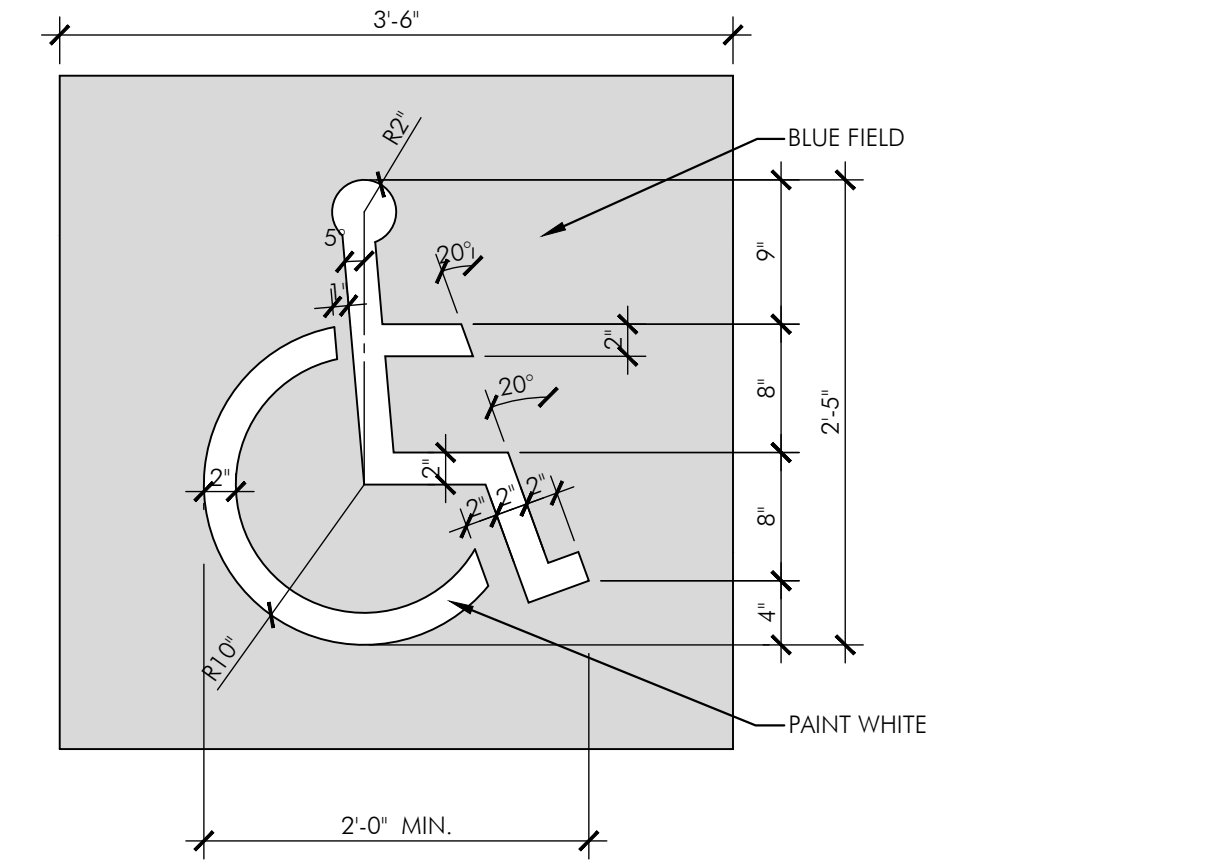
For intersections other than the configurations shown in Exhibit 4-1, there are usually too few locations with that intersection configuration to provide statewide statistics. There are some stop controlled intersection configurations that could be approximated as indicated in Exhibit 4-2 and Exhibit 4-3 below. Any other intersection configurations not in Exhibit 4-1, Exhibit 4-2, or Exhibit 4-3 should by default be flagged for further analysis, since the unusual configuration is likely to warrant a closer look at the crashes.

PROJECT #	2022-063
DATE:	24 JAN 2023
REVISIONS	
1a	DATE: 9 SEPT 2025 SITE PLAN UPDATES
1b	DATE: 31 OCT 2025 SITE PLAN UPDATES
1c	DATE: 7 DEC 2025 SITE PLAN UPDATES
2	DATE: 7 DEC 2025 SITE PLAN UPDATES

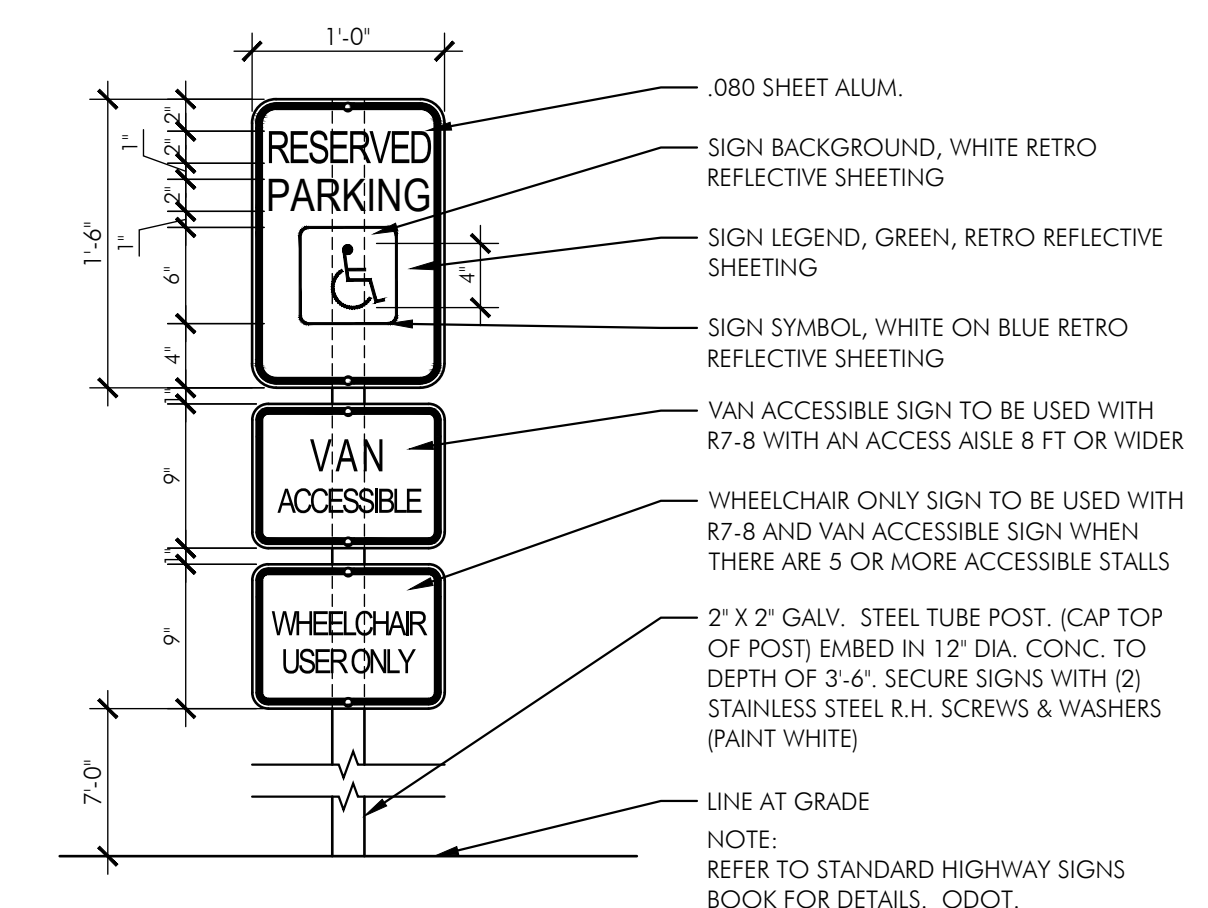
APPLICANT:
B&I CONSTRUCTION
PO Box 1182
Molalla, OR 97038

LEGAL DESCRIPTION:
S.E. 1/4 S.E. 1/4 SEC. 8 T.5S. R.2E. W.M.
CLACKAMAS COUNTY

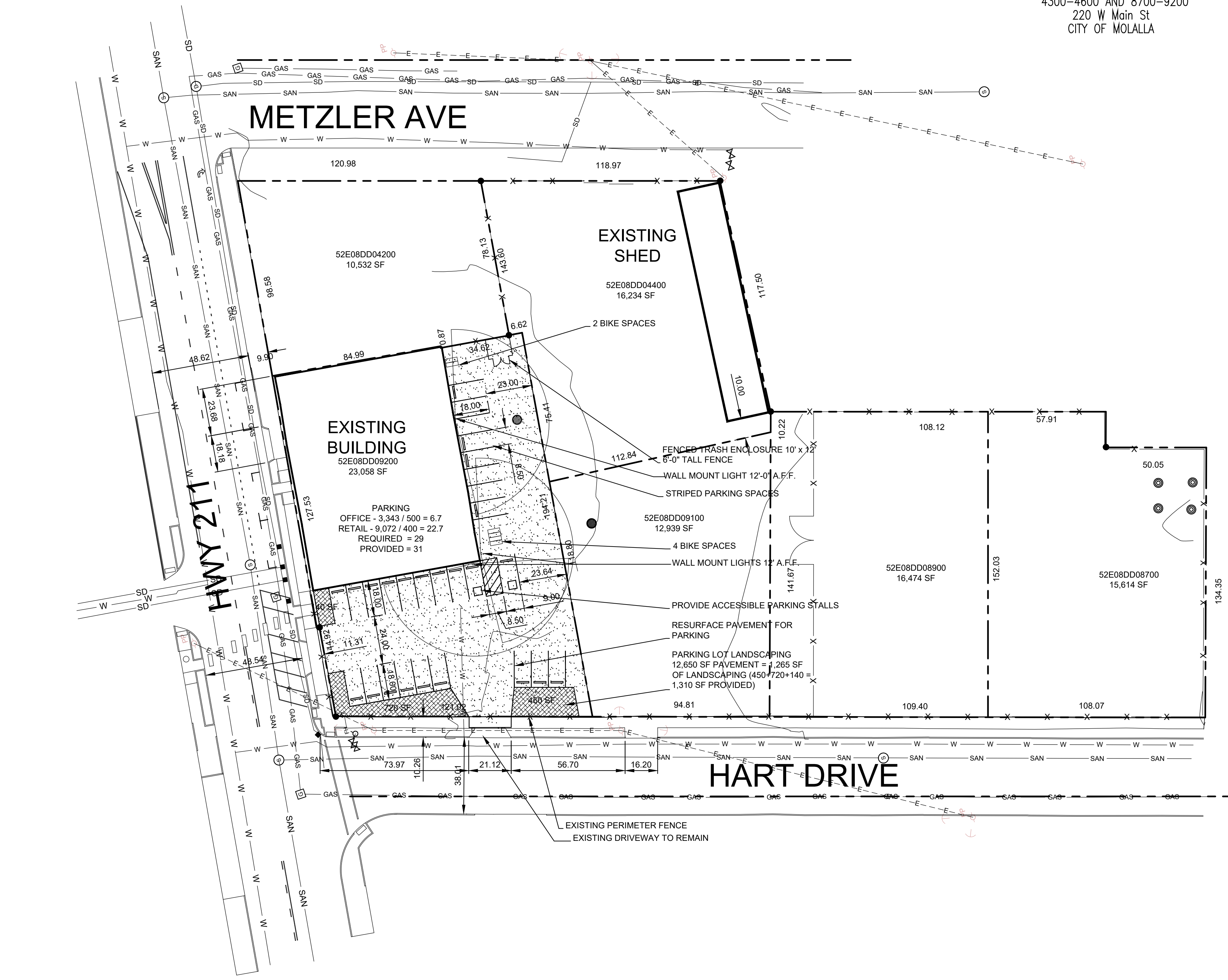
TAX LOTS 5 2 E 09DD
4300-4600 AND 8700-9200
220 W Main St
CITY OF MOLALLA



2 HANDICAPPED PARKING SYMBOL DETAIL
0' 4' 8' 1'-0" 2'-0" 3'-0" 1" = 1'-0" X-ADA-Parking-Symb.dwg



3 ACCESSIBLE PARKING SIGN DETAIL R7-8
0' 4' 8' 1'-0" 2'-0" 3'-0" 1" = 1'-0" X-ADA-Parking-Sign.dwg



1 SITE PLAN
0' 10' 20' 30' 60' 90' 1 : 30 @ 22 x 34

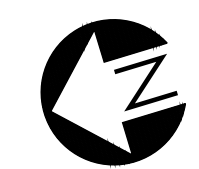


Exhibit C:
Molalla Public Works Comments



Public Works Department
117 N Molalla Avenue
PO Box 248
Molalla, Oregon 97038
Phone: (503) 829-6855
Fax: (503) 829-3676

November 12, 2025

TO: Mac Corthell, Community Development Director
Dan Zinder, Senior Planner
Claressa Davis, Associate Planner

FROM: Sam Miller, Engineering Section Manager

RE: 220 W Main (SDR02-2025 & PLA03-2024)

Based on a review of the materials submitted, Staff has prepared the following comments. These comments are applicable to the subject application; any subsequent modifications may require amendments and/or additions. These conditions do not include requirements already set forth in the municipal code. but does not alleviate the applicant from following them.

1. CONDITIONS REQUIRING RESOLUTION PRIOR TO BUILDING PERMIT SUBMITTAL

- A.** No building permit may be issued until all required public facility improvements are in place and approved by the City Engineer, or otherwise bonded, in conformance with the provisions of the Molalla Municipal Code (MMC) and the City of Molalla Standard Specifications for Public Works (MSSPW).
- B.** Applicant shall submit a performance bond, irrevocable stand-by letter of credit, or a cash deposit that meets the requirements in MSSPW section 1.15.9 for public improvements, in a form and substance satisfactory to the City.
- C.** Applicant shall conform to all emergency access, building, and fire code standards, as applicable at the time of building permit submittal.

2. CONDITIONS REQUIRING RESOLUTION PRIOR TO FINAL OCCUPANCY

- a.** All public facility improvements shall be completed and accepted by the City of Molalla prior to issuance of final occupancy.
- b. Street:**
 - 1.** The proposal development with lot line adjustment has submitted a Traffic Analysis Letter (TAL) and will not require a City traffic impact analysis update. However, applicant will need to verify that an impact analysis is not required by ODOT. The proposed development will add a total of 23 trips and the threshold for a traffic impact analysis is 25 AM or PM PH trips.

2. OR 211: OR 211 is an arterial street under Oregon Department of Transportation (ODOT) jurisdiction. Current right-of-way width varies from 65-70 feet and approximate pavement width of 48 feet. Applicant will be required to construct frontage improvements along the site's Main St. frontage consistent with Molalla arterial (downtown district) cross sections to include sidewalk with street parking and convert the right turn lane onto Metzler Ave into on street parking in accordance with ODOT requirements. Applicant will be required to close existing unused driveways to the highway fronting the building. Applicant will also be required to dedicate the sidewalk along the property frontage to be within ODOT right-of-way and 10-foot wide Public Utility Easement across the frontage of 220 W. Main (Hwy 211). Roadway lighting is required on all new development. Applicant shall be required to install roadway lighting. Location and number shall be determined during design review. See also ODOT comments about right of way width and left turn warrants. Applicant shall dedicate a 10-foot wide Public Utility Easement along OR 211 to the extent the property frontage adjacent to the ROW edge that does not contain a building.
3. Hart Ave: Hart Ave is a local street under City of Molalla jurisdiction. Current right-of-way width is 40 feet and approximate pavement width is 34 feet. Local streets (w/ PK) require 50 feet of right-of-way and 34 feet of pavement. Applicant will be required to dedicate 5 feet of right-of-way, 10-foot Public Utility Easement and construct road improvements to City standards for 17 feet of pavement (CL to face of curb), curb and gutter, and 6-foot curb tight sidewalk. Applicant will be required to bring the southeast corner of the intersection at Hart Ave and W. Main St (Hwy 211) up to ODOT ADA standards and submit plans to be reviewed by ODOT for ADA compliance.
4. Right-of-way Dedications/Donations: If right of way dedication fronts streets under the jurisdiction of the City of Molalla, Applicant shall submit dedication on formats approved by the Public Works Department. On ODOT rights of way, applicant will be required to donate sufficient right-of-way along variable width improvements and construct sidewalk widening to ODOT standards. ODOT requires donations of right-of-way to follow the requirements of Chapter 5.322. Developer Mitigation Donation in the ODOT Right-of-Way Manual. Applicant is advised that donation must be completed and recorded prior to submission of final subdivision plat or final partition plat in order for Public Works to process plat documents.
5. Proposed Street "Hart Ave": Applicant has opted to dedicate 5 feet of right-of-way and construct a half/full street improvement. Improvements shall consist of 17 feet of pavement, curb and gutter, and 6-foot curb tight sidewalk. Curb radius connecting to W. Main (Hwy211) Street shall be 25 feet and internal street shall be 15 feet minimum. Street shall be signed no parking on both sides until street is improved to full width.
6. Access to public streets (Hart Street) shall be limited to the following location and all access shall be constructed in such a manner as to eliminate turning conflicts. Access spacing shall conform to the Transportation Systems Plan. The proposed width of accesses shall meet the Molalla Standard Specifications for Public Works Construction.
7. Transportation SDC's – In accordance with MMC 13.14 this development does increase

the impacts to the public improvement facility and is therefore not exempt from transportation SDC charges. SDC's shall be calculated in accordance with the SDC methodology.

c. Storm:

1. City Streets: A 12-inch storm main exists approximately 50 feet to the west of the project on Hart Ave. Storm main is approximately 3 feet in depth and will serve this development. Applicant it also required to verify that the storm main in Hart Ave is connected to W Main St storm system. if not, the applicant will be required to make such connection to facilitate their storm runoff.
2. Applicant proposes to collect and detain all stormwater onsite and discharge to City facilities. Connection to City facilities shall comply with all City requirements. Onsite private storm system shall comply with plumbing code requirements. The detention and flow control facilities shall be reviewed, permitted, and inspected by Public Works. The onsite storm conveyance system shall be reviewed and inspected by Clackamas County Building under a plumbing permit. The connection to the ODOT facilities shall be reviewed and permitted by ODOT including water quality requirements.
3. ODOT Streets: Storm improvements shall meet ODOT requirements.
4. Stormwater SDC's – In accordance with MMC 13.14 this development does increase the impacts to the public improvement facility and is therefore not exempt from stormwater SDC charges. SDC's shall be calculated in accordance with the SDC methodology.

d. Sanitary:

1. The property is currently served by an existing sewer service lateral connection off City sanitary main line located in W Main Street. Applicant is proposing to utilize the existing lateral as their main connection to City sanitary system. Any new service or modification to the existing service lateral. Applicant shall be designed and constructed in conformance with Molalla Public Standards and in accordance with Oregon state plumbing laws, the rules of the Oregon DEQ, and City Standards.
2. Sanitary SDC's – In accordance with MMC 13.14 this development does increase the impacts to the public improvement facility and is therefore not exempt from sanitary SDC charges...this development is not exempt from sanitary SDC charges. SDC's shall be calculated in accordance with the SDC methodology.

e. Water:

1. The property is currently served by an existing water service lateral connection off City water main line located on Hart Ave. Applicant is proposing to utilize the existing lateral as their main connection to City water system. Any new service or modification to the existing service lateral. Applicant shall design and construct in conformance with Molalla Public Standards and in accordance with Oregon state plumbing laws.
2. Should Fire Department regulations require additional fire flow that results in looping the water line through the site, then the applicant's engineer shall coordinate with

Public Works for the extension of the public waterline. Public waterline shall be sized appropriately to meet fire flows, and meet City of Molalla Public Works Standards, and all public water lines and hydrants shall be within a public utility easement approved by the Public Works Department. Looping of the water line may impact the existing 6-inch water main within Lynn Lane at which time the development shall upsize the waterline to meet fire flow or as advised by the City.

3. Water SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from water SDC charges. SDC's shall be calculated based on domestic water meter size in accordance with the SDC methodology.

f. Parks:

- i. Parks SDC's – In accordance with SMC 13.70.110 this commercial/industrial design review is exempt from parks SDC charge and is exempt from parks SDC charges.

g. Utility Services:

- i. Underground utilities: All utilities for the project shall be served by underground services. No overhead crossings of public right of way shall be approved by the City.
- ii. Connection to Water, Sewer, Storm: Prior to connection to the listed utilities, the applicant must gain approval from the City of Molalla Engineering Section.

GENERAL DESIGN REQUIREMENTS & POLICIES

- A. **Conformance Required.** Improvements installed by the developer, either as a requirement of these regulations or at the developer's option, shall conform to the requirements of this chapter, approved construction plans, and to improvement standards and specifications adopted by the City.
- B. **Adopted Installation Standards.** The City of Molalla has adopted Public Works Design Standards for public improvements and private utility installation within the public right-of-way.
- C. **Commencement.** Work in a public right-of-way shall not begin until all applicable agency permits have been approved and issued.
- D. **Resumption.** If work is discontinued for more than six months, it shall not be resumed until the Public Works Director is notified in writing and grants approval of an extension.
- E. **City Inspection.** Improvements shall be constructed under the inspection of the City Engineer. The City Engineer may approve minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest, except that substantive changes to the approved design shall be subject to review under Chapter [17-4.5](#) Modifications to Approved Plans and Conditions of Approval. Any survey monuments that are disturbed before all improvements are completed by the developer or subdivider shall be replaced at the developer or subdivider's expense prior to final acceptance of the improvements.
- F. **Engineer's Certification and As-Built Plans.** In accordance with the current version of the Public Works Design Standards, a registered civil engineer shall provide written certification in a form required by the City that all improvements, workmanship, and materials meet current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to City's acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide two sets of "as-built" plans, one paper set and one electronic set for

permanent filing with the City. If required by the City, the developer or subdivider shall provide a warranty bond pursuant to Section [17-3.6.100](#). (Ord. 2017-08 §1

- G. **Residential Development Projects**, No building permit may be issued until all required public facility improvements are in place and approved by the City Engineer, or otherwise bonded, in conformance with the provision of the Code and the Public Works Design Standards in accordance with MMC 17-3.6 Public Facilities. All public facilities shall be completed and accepted by the Public Works Department prior to issuance of final occupancy.
- H. **Materials Submitted**, The storm drain, domestic water, and sanitary sewer facilities will be obtained from main line connections and/or extensions. Separate engineering drawings reflecting the installation of these public utilities will be required.
- I. **Construction and/or Connection**, No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, bonding, right-of-way, and easements have been obtained and approved by staff, and Staff is notified a minimum of 24 hours in advance.
- J. **Revisions/Modifications**, Staff reserves the right to require revisions/modifications to the public improvement construction plans and completed street improvements, if additional modifications or expansion of the sight distance onto adjacent streets is required.
- K. **Civil Review**, All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Molalla Public Works Standards as described in Section 1 of the Molalla Standard Specifications for Public Works Construction.
- L. **Monuments**, All survey monuments on the subject site or that may be subject to disturbance within the construction area, or the construction of any off-site improvements, shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
- M. **Existing Wells**, The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards and supply the City with a copy of the final document.
- N. **Sanitary Sewer**, designs require review by Oregon Department of Environmental Quality. Applicant shall be responsible for submission of plans to state agency and all associated fees. Applicant's Engineer will be required to submit final report to DEQ and provide a copy of the report to the City.
- O. **Utilities**, All utilities will be stubbed out to the far end of each street for future extension. The project shall utilize existing water, sewer, and storm water 'stub-outs' wherever possible. Water for domestic and fire protection shall be looped through the proposed site. Any 'stub-outs' determined to be not needed for the proposed development or any future development of the subject property shall be abandoned in accordance with the Molalla Standard Specifications for Public Works Construction.
- P. **Public Improvements**, All public improvement designs shall meet the requirements of the Molalla Standard Specifications for Public Works Construction as amended by the Public Works Director.

- Q. **General Easements** – A 10-foot-wide public utility easement shall be dedicated to the City adjacent to all public right-of-way and no structures are allowed to encroach into the easement. Applicant shall be required to submit a legal description and exhibit map for review and sign City easements. Once completed, applicant will be required to record easements with the County Recorder's Office and return the original document to the City prior to final occupancy.
- R. **General Wetland Requirements** – The applicant will be required to provide Public Works with a letter of concurrence from the Department of State Lands regarding any wetlands on the subject property.
- S. **General Erosion Control** – The applicant shall install, operate, and maintain adequate erosion control measures in conformance with the standards adopted by the City of Molalla and DEQ during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed. Applicant or Applicant's Contractor shall be responsible for all erosion control requirements under the 1200-C permit and shall coordinate directly with DEQ for questions related to 1200-C permit compliance.

Exhibit D:
Molalla Fire Department Comments



Molalla Rural Fire Protection District #73

P.O. Box 655 • Molalla, OR 97038
320 N Molalla Ave. Molalla, OR 97038

Telephone: 503-829-2200
Fax: 503-829-5794

Comments for 220 W Main St. November 3rd, 2025

1. There is a Hydrant on the Hart Ave and W Main Street. I would ask that this hydrant be outfitted with a 4-inch Stortz Connection.
2. The TI will need to go through a fire and life safety review and permitting at Clackamas County and the City of Molalla.
3. This building was more than likely a mixed use. B/S-1. This will need to go through the City of Molalla as well as Clackamas County for a COU.
4. Please remember emergency egress lighting especially at the top of the stairs unless generator back up power is going to be proposed.
5. Will the access point on the Metzler side of the complex remain?
6. If an electronic gate is used, please provide emergency access or Knox override for gate.
7. With the lot line adjustment, please make sure that there is no easement for access located within the adjustment area.

Michael C. Penunuri

The above comments are based solely on the site plan provided. Molalla Fire reserves the right to review and comment on the plans that are to be submitted for full review or revisions to plans that have already been reviewed.

Review of submitted plans is not an approval of omissions, oversights or authorization of non-compliance with any regulations of this agency or of the regulations of any other agency. Comments on these plans should not be considered a precedent setting, as we will review each project on a case-by-case basis.



Exhibit E:
Oregon Department of Transportation
Comments



11/17/25

ODOT # 11754

ODOT Pre-Application Response

Project Name: B&I Building Renovation	Applicant: B&I Construction Inc
Jurisdiction: City of Molalla	Jurisdiction Case #: PRE07-2024
Site Address: 220 W Main St (OR 211)	State Highway: Main St (OR 211)

The site of this proposed land use action is adjacent to Main St (OR 211). ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation.

All ODOT permits and approvals must reach 100% plans before the District Contact signs off on a local jurisdiction building permit or other necessary requirement before construction. **The applicant should contact the District Contact indicated below to determine permit requirements and to obtain application information.**

These comments, standards, and requirements are current as of the date of this letter. If the project scope and/or timeline has been modified, the applicant should contact the ODOT Region 1 Development Review program (ODOT_R1_DevRev@odot.oregon.gov) for an updated letter as updated comments may be necessary.

LAND USE PROPOSAL

The applicant is proposing to renovate the existing building for offices, retail space and multi-flex space. The building is approximately 20,701SF.

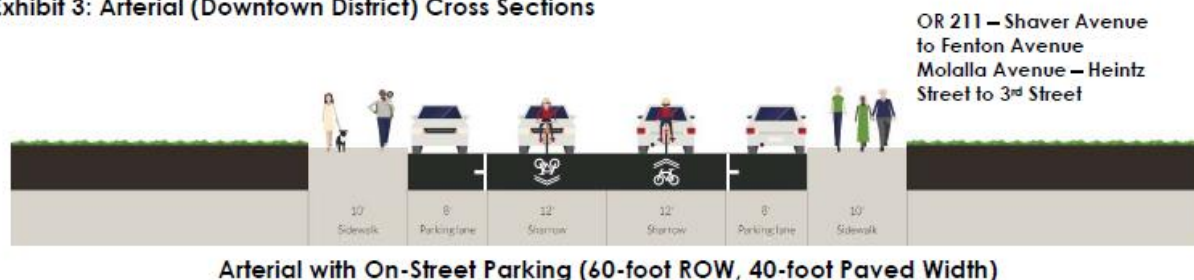
COMMENTS/FINDINGS

State Highway Requirements

ODOT supports the following city requirements:

- Closure of the two existing access to the highway. The applicant should be required to build sidewalks in place of the accesses to match the existing sidewalks. An ODOT Miscellaneous Permit is required for this work.
- The applicant shall donate right of way to ODOT for the sidewalks since they are used by the public.
- ODOT Region 1 Technical Center has reviewed the on street parking identified in the city's Transportation System Plan (TSP) as illustrated in exhibit 3 below and determined that it is acceptable. ODOT supports the city requirement for the applicant to construct half street improvements consistent with the cross section in the city's TSP.

Exhibit 3: Arterial (Downtown District) Cross Sections



Vehicular Access Closures and Frontage Improvements

As stated in the applicant's response on page 28 of the Preliminary Building Renovation Narrative "the three access points coming off W Main Street...will be replaced with full height curb and new sidewalk...". ODOT appreciates these closures.

An ODOT Miscellaneous Permit is required for all work in the State highway right of way.

ODOT Technical Review Requirements

All alterations within the State highway right of way are subject to ODOT standards. Alterations along the State highway but outside of the ODOT right of way may also be subject to ODOT review pending its potential impact on the safe operation of the State highway.

The following ODOT manuals may apply:

- ODOT Traffic Manual
- ODOT Highway Design Manual
- ODOT Hydraulics Design Manual

The ODOT Traffic Manual (TM) identifies items that require ODOT Region Traffic Engineer (RTE) approval. Items requiring RTE approval must be prepared by an Oregon-registered Professional Engineer (P.E.) and will be reviewed by the ODOT Region 1 Technical Center. See the TM for information on authorities and required approvals. Some approvals require a unique request form (Traffic Approval).

Deviations from ODOT Standards

Proposed alterations that deviate from ODOT standards will require a Design Exception/Deviation prepared by an Oregon-registered Professional Engineer (P.E.) for review by the ODOT Region 1 Technical Center. ODOT can only determine if design elements will require a Design Exception/Deviation or RTE approval once detailed plans have been reviewed.

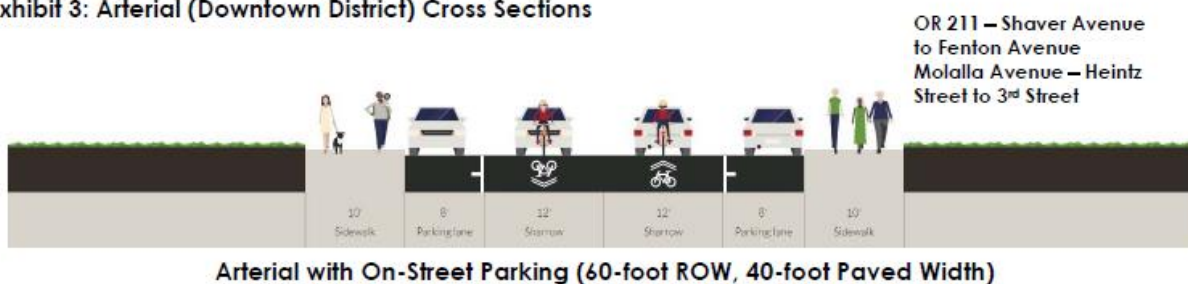
Note: A Design Exception/Deviation or RTE approval items may take **6 months or longer to process**. The preparation of a Design Exception or RTE approval does not guarantee its ultimate approval.

ODOT RECOMMENDED CONDITIONS OF APPROVAL FOR LOCAL JURISDICTION

State Highway Frontage Improvements

- ☒ The applicant shall construct half street improvements consistent with the city's Transportation System Plan cross section as shown below:

Exhibit 3: Arterial (Downtown District) Cross Sections



Improvements shall be consistent with ODOT Highway Design Manual, ODOT Traffic Manual, and Americans with Disabilities Act (ADA) standards.

Note: Ownership of public frontage improvements constructed by the development shall be consistent with jurisdictional boundaries.

- ☒ Right of way shall be donated to ODOT as necessary to accommodate the planned cross section on the ODOT owned facility. The donation deed must be to the State of Oregon - Oregon Department of Transportation and shall be recorded with the County. The property owner must be the signatory for the deed and will be responsible for a certified environmental assessment of the site before the property is transferred to ODOT. The ODOT District Contact will assist in coordinating the transfer. ODOT should verify with the local jurisdiction that this requirement has been fulfilled prior to final permitting.

Note: All public frontage improvements on State owned facilities must be within State owned right of way. Donation of additional property to ODOT may be necessary to construct required improvements.

Note: It may take **6 months or longer** to transfer property ownership to ODOT.

Permits and Agreements to Work in State Highway

- ☒ An ODOT Miscellaneous Permit must be obtained for all work in the State highway. When the total value of improvements within the State highway is estimated to be \$100,000 or more, a Cooperative Improvement Agreement (CIA) with ODOT is required. A CIA will address the transfer of the improvements to ODOT and any associated technical and administrative costs for projects that meet this improvement threshold. Agreements shall address the work standards that must be followed, maintenance responsibilities, and compliance with ORS 276.071, which includes State of Oregon prevailing wage requirements.

Note: If a CIA is required, it may take **6 months or longer** to process.

Note: It may take **6 months or longer** to process a Design Exception.

Contact the ODOT Development Review Planner identified below for further coordination or questions regarding ODOT comments and requirements during the land use process.

Please send a copy of the Land Use Notice to: ODOT_R1_DevRev@odot.oregon.gov.

Development Review Planner: Marah Danielson	Marah.b.danielson@odot.oregon.gov
District Contact: Robby Cox	d2cap@odot.oregon.gov



CITY OF MOLALLA STAFF REPORT

Review for CUP01-2025

New Auto Sales Use At 709 W Main ST

Date: December 30, 2025 for the January 7, 2026 Planning Commission Meeting

File No.: Review for CUP01-2025

Proposal: New Auto Sales Use on an Existing Commercial Lot With Existing Buildings

Address: 709 W Main ST

Tax Lot: Taxlot 04200 of Clackamas County
Taxmap 52E08AC

Applicant: Frank Walker and Associates on behalf of William Wyland
PO Box 870
Turner, OR 97392

Owner: David Hepler
709 W Main ST
Molalla, OR 97038

Applicable Standards: **Applicable Standards: Molalla Municipal Code, Title 17, Development Code**



Division I: General Provisions
Chapter 17-1.4 NONCONFORMING SITUATIONS

Division II, Zoning Regulations
Section 17-2.2.030 Allowed Uses

Section 17-4.4.040 Criteria, Standards, and Conditions of Approval (Conditional Use)

TABLE OF CONTENTS:

- I. Executive Summary
- II. Recommendations
- III. Conditions of Approval

EXHIBITS:

EXHIBIT A: Findings of Fact for CUP01-2025

EXHIBIT B: Application Package CUP01-2025

EXHIBIT C: Molalla Public Works Comments

EXHIBIT D: Molalla Fire Department Comments

EXHIBIT D: OREGON DEPARTMENT OF TRANSPORTATION Comments

I. EXECUTIVE SUMMARY

Proposal:

The Applicant seeks conditional use permit approval for a new auto sales use on the front portion of an existing commercial lot with existing buildings. The subject site consists of approximately 0.47 acres of a 1.02 acre parcel addressed at 709 W Main ST in Molalla. The Applicant proposes site changes including moving the location of the existing interior fence to make a safer parking area, scraping the gravel off the existing pavement and resurfacing as necessary, and modifications to landscaping, lighting, and access to meet code standards. No changes to the existing buildings are proposed.

Auto uses are allowed in the C-2 General Commercial zone subject to a conditional use permit. No zone change is proposed or required for this application.

Site Description:

The subject site consists of approximately 0.47 acres of a 1.02 acre parcel addressed at 709 W Main ST in Molalla. The parcel has three existing buildings; the southern one of which would be utilized for the proposed auto sales use and the other two are utilized for an existing horseshoeing supply business. The site has an existing approved access from OR-211, landscaping along OR-211, a graveled over parking lot, and a 4' cyclone fence that runs from the southwest corner of the property along the frontage to the approach wing and then cuts north to the building. There is also an existing sign post for the two businesses. The parcel has a very slight slope from east to west.

Surrounding Zoning and Land Uses:

The parcel is surrounded by General Commercial zoned land (C-2) to the east, west, and south. Properties to the west and south have commercial uses on them and the property to the east has a non-conforming existing residence. Properties to the north are zoned R-1 low density residential and have existing residential uses.

Public Agency Notice & Responses:

Staff circulated notice of the project to the City's Public Works Division, the Molalla Fire District, and the Oregon Department of Transportation (ODOT) on November 18, 2025. The City has included responses from Public Works and Molalla Fire as Exhibits C, D, and E respectively and agency comments are integrated into the proposed findings and conditions of this decision.

Public Notice & Comments:

Per MMC 17-4.1.040, notice of the public hearing was sent to all property owners within 300 feet of the subject properties and to a group of interested parties on November 26, 2025. Notice was published in the *Molalla Pioneer* on December 3, 2025. Signage containing public notice information was posted on the property on

December 9, 2025. As of December 29, 2025 staff had received no written public comment on the application. If public comment is submitted between December 29 and the hearing it will be provided to the Planning Commission at the hearing and added to the record.

II. Recommendation

Based on the application materials and findings demonstrating present or conditioned compliance with the applicable standards, staff recommends approval of CUP01-2025 subject to the conditions of approval that follow this recommendation. This approval is based on the Applicant's written narrative, site plans, and supplemental application materials. Any modifications to the approved plans other than those required by the conditions of this decision will require a new land use application and approval.

III. Conditions of Approval

1. Subsequent Required Approvals and Improvements:

- a. Interior work will require building permits from Clackamas County and a change of occupancy status will be required. To ensure compliance with applicable building codes, Applicant shall receive applicable building permits and obtain occupancy for the proposed use prior to operation.
- b. To prevent tracking onto public streets and control dust emissions from the site, Applicant to scrape gravel from parking lot surface and drive aisles of the subject site. If a solid asphalt or concrete surface is found underneath, that may suffice for surfacing. If soft surfacing is found underneath, applicant is to pave drive aisles and parking areas in accordance with requirements in 17-3.3 and 17-3.5.
- c. Applicant to fill in and maintain landscaping, not exceeding 4' in height, in front of the auto display area to minimize headlight glare onto OR-211 and adjacent uses. In the vision clearance area, extending 10' from either end of the approach, landscaping shall be maintained below 2.5' in height.
- d. If applicant installs new outdoor lighting outdoor lighting to be installed in conformance with lighting standards of MMC 17-3.4.050 for proposed lot and parking area. Applicant to submit new lighting plan to City of Molalla for approval. Existing outdoor lighting fixtures shall be replaced to be compliant with MMC 21.80 Dark Skies, as applicable.
- e. Right of way shall be donated to ODOT as necessary to accommodate the planned cross section on the ODOT owned facility. The donation deed must be to the State of

Oregon - Oregon Department of Transportation and shall be recorded with the County. The property owner must be the signatory for the deed and will be responsible for a certified environmental assessment of the site before the property is transferred to ODOT. The ODOT District Contact will assist in coordinating the transfer. ODOT should verify with the local jurisdiction that this requirement has been fulfilled prior to final permitting.

- f. Applicant shall dedicate a 10' public utility easement on the private side of the right-of-way, post-dedication, in accordance with the Molalla Municipal Code and Public Works Standards.

Note: All conditions noted in this section are required prior to occupancy. Failure to comply with conditions of approval may result in code compliance action and revoking of this Conditional Use Permit Approval.

2. Ongoing Conditions:

- a. Access to the site shall be limited to existing access points from OR-211/W Main ST.
- b. To prevent excessive glare onto adjacent properties and the public right-of-way, applicant to ensure that sign illumination shall not exceed two foot candles.

Exhibit A:

City Staff's Findings of Fact for CUP01-2025

Division I findings:

17-1.4.030 Nonconforming Development

Findings: The Applicant's proposed site is a nonconforming development as various aspects of the site and building including parking lot layout, access, building façade window coverage, and landscaping coverage would not be allowed under the current code. The Applicant does not propose alterations to the building exterior nor to the site other than as required to meet conditions from this decision. Site design review is thus not triggered.

Division II Findings

17-2.2.030 Allowed Uses

Findings: The Applicant proposes a new auto sales use on the proposed site. Per MMC Table 17-2.2.030, auto sales uses are allowed in the C-2 zone subject to a conditional use permit. The Applicant submitted a Conditional Use Permit in concurrence with this application.

The standard is met.

Division IV Findings

17-4.4.040 Criteria, Standards, and Conditions of Approval

Findings: The Applicant's submitted application is for a new auto sales use within an existing commercial shopping plaza. Per MMC Table 17-2.2.030, auto sales are allowed in the C-2 zone subject to a conditional use permit. Applicable criteria and staff responses are as follows:

The Planning Commission shall approve, approve with conditions, or deny an application for a conditional use, including requests to enlarge or alter a conditional use, based on findings of fact with respect to all of the criteria and standards in subsections A and B.

A. Use Criteria

1. The site size, dimensions, location, topography, and access are adequate for the needs of the proposed use, considering the proposed building mass, parking,

traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;

Findings: The subject property is on a relatively flat property that is commercially zoned and has existing facilities such as buildings, surfacing, lighting, and landscaping that can accommodate the needs of the proposed use. The site has an existing access from OR-211 that meets the requirements from ODOT and the City of Molalla. The applicant's submitted site plan shows parking consistent with parking code requirements per MMC 17-3.5.030 and the site plan has altered the location of the proposed parking to avoid conflicts with the access drive aisle. The applicant proposes a commercial use that is unlikely to cause substantial conflicts with adjacent residential and commercial uses. Where conflicts may arise, conditions for modest site improvements can mitigate those conflicts. This condition is met subject to conditions of approval under Subsection B.

2. The negative impacts of the proposed use, if any, on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval;

Findings: The Applicant has proposed a use that is appropriate for a commercial property and that is unlikely to cause substantial conflicts with adjacent residential and commercial uses. Where conflicts may arise, application of the Molalla Development Code and conditions for modest site improvements can mitigate those conflicts. This standard is met and additional conditions for the site are included under Subsection B.

3. All required public facilities, including water, sanitary sewer, and streets, have adequate capacity or are to be improved to serve the proposal, consistent with City standards; and

Findings: The subject site has pre-existing public utility connections and traffic impacts are similar to the previous towing service use on the property. Applicant's proposal is thus not anticipated to cause additional stress to the street nor utility network. Impacts from the proposed use are thus already considered in the City's adopted master plans. This standard is met.

4. A conditional use permit shall not allow a use that is prohibited or not expressly allowed under Division II; nor shall a conditional use permit grant a variance without a variance application being reviewed with the conditional use application.

Findings: The Applicant has not applied for a variance, nor is one required. This standard does not apply.

B. Conditions of Approval. The City may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, one or more of the following:

1. Limiting the hours, days, place, and/or manner of operation;
2. Requiring site or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor, and/or dust;
3. Requiring larger setback areas, lot area, and/or lot depth or width;
4. Limiting the building or structure height, size, lot coverage, and/or location on the site;
5. Designating the size, number, location, and/or design of vehicle access points or parking and loading areas;
6. Requiring street right-of-way to be dedicated and street improvements made, or the installation of pathways or sidewalks, as applicable;
7. Requiring landscaping, screening, drainage, water quality facilities, and/or improvement of parking and loading areas;
8. Limiting the number, size, location, height, and/or lighting of signs;
9. Limiting or setting standards for the location, type, design, and/or intensity of outdoor lighting;
10. Requiring berms, screening, or landscaping and the establishment of standards for their installation and maintenance;
11. Requiring and designating the size, height, location, and/or materials for fences;
12. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, cultural resources, and/or sensitive lands;
13. Requiring improvements to water, sanitary sewer, or storm drainage systems, in conformance with City standards; and
14. The Planning Commission may require review and renewal of conditional use permits annually or in accordance with another timetable. Where applicable, the timetable shall provide for periodic review and renewal, or expiration, of the conditional use permit to ensure compliance with conditions of approval; such period review may occur through a Type III review process, except where the Planning Commission delegates authority to the Planning Official to issue renewals, who shall do so through a Type I or Type II procedure (see Chapter 17-4.1 for review procedures). (Ord. 2017-08 §1)

Findings: Staff determines that consistent with the zoning and design requirements found in Title 17 of the Molalla Municipal Code conditions are required to ensure compatibility with adjacent uses and site safety. Below are findings outlining potential negative impacts and corresponding mitigating conditions as applicable:

Building Orientation and Design:

Applicant's proposal is to occupy an existing building and no modifications to the building are proposed. As a condition of approval, interior work on the existing buildings will require building permits, as applicable, from Clackamas County and a change of occupancy status will be required. To ensure compliance with applicable building codes, Applicant shall receive applicable building permits and obtain occupancy for the proposed use prior to operation.

Access and circulation:

The parking orientation from previous uses created movement conflicts with parking stalls extending into the drive aisle from the approach. Applicant's submitted application proposes moving the cyclone fence so that parking no longer extends into the drive aisle. Additionally, this proposed setback of the cyclone fence from the drive aisle creates safer maneuvering from the proposed auto display area to the access drive aisle. Comment from the Molalla Fire Department confirms adequate emergency access. No additional action is needed for conflict abatement.

The existing site has graveled parking surface. Applicant's application states that a solid asphalt or concrete base may exist under the gravel. To prevent tracking onto public streets and control dust emissions from the site, Applicant to scrape gravel from parking lot surface and drive aisles of the subject site. If a solid asphalt or concrete surface is found underneath, that may suffice for surfacing. If soft surfacing is found underneath, applicant is to pave drive aisles and parking areas in accordance with requirements in 17-3.3 and 17-3.5.

Landscaping and screening:

There is the potential for headlight glare from the proposed auto display area onto OR-211. There is existing landscaping along the OR-211 frontage but there are gaps. Applicant to fill in and maintain landscaping, not exceeding 4' in height, in front of the auto display area to minimize headlight glare onto OR-211 and adjacent uses. In the vision clearance area, extending 10' from either end of the approach, landscaping shall be maintained below 2.5' in height.

Outdoor Lighting:

Applicant's submitted site plan shows no outdoor onsite lighting. As the site is a pre-existing, non-conforming development and no development is proposed additional outdoor lighting is not required. If applicant installs new outdoor lighting outdoor lighting to be installed in conformance with lighting standards of MMC 17-3.4.050 for proposed lot and parking area. Applicant to submit new lighting plan to City of Molalla for approval. Existing outdoor lighting fixtures shall be replaced to be compliant with MMC 21.80 Dark Skies, as applicable.

Parking and Loading:

Three customer parking spaces are provided, which is consistent with minimum parking requirements from Section 17-3.5 for auto sales uses. The Applicant's proposal moves the existing cyclone fence so that parking maneuvering areas are interior to the site and not in the access aisle. The Applicant additionally proposes striping on the access aisle to clearly delineate parking areas and prevent intra-site conflicts. No additional requirements are advised.

Public Facilities:

Existing facilities and adjacent streets are adequate to accommodate the proposed use. No major changes in trip counts are identified in the submitted traffic analysis letter nor are utility strains anticipated from the proposed use.

The Applicant submitted a recent survey from 2022 showing that there is an existing 30 feet of right-of-way from the centerline of OR-211. The required cross section for OR-211 is 68 feet with 34 feet from the centerline required for each side. On ODOT rights of way, applicant will be required to donate sufficient right-of-way. Right of way shall be donated to ODOT as necessary to accommodate the planned cross section on the ODOT owned facility. The donation deed must be to the State of Oregon - Oregon Department of Transportation and shall be recorded with the County. The property owner must be the signatory for the deed and will be responsible for a certified environmental assessment of the site before the property is transferred to ODOT. The ODOT District Contact will assist in coordinating the transfer. ODOT should verify with the local jurisdiction that this requirement has been fulfilled prior to final permitting.

The Applicant's submitted survey does not show an existing Public Utility easement on the site. MMC 17-3.6.060 requires "the provision and dedication of utility easements necessary to provide full services to the development." Applicant shall dedicate a 10' public utility

easement on the private side of the right-of-way, post-dedication, in accordance with the Molalla Municipal Code and Public Works Standards.

Signs:

Applicant has an existing sign that is consistent with the dimensional standards of MMC Title 18 Signs. The Applicant's existing sign has illumination of unknown magnitude. Per MMC 17-3.4.050 surfaces of signs shall have an illumination level of not more than two foot-candles. To prevent excessive glare onto adjacent properties and the public right-of-way, applicant to ensure that sign illumination shall not exceed two foot candles.

All conditions noted in this section are required prior to occupancy. Failure to comply with conditions of approval may result in code compliance action and revoking of this Conditional Use Permit Approval.

Exhibit B:

Application Package For CUP01-2025

Land Use Action Application (Annexation/Zone Change/Subdivision/Partition/Si te Design Review/Variance/Conditional Use)



Submitted on	10 October 2025, 10:28AM
Receipt number	LU20244
Related form version	0

Type of land use action requested (more than one may apply)	Conditional Use
---	-----------------

What's your preliminary plat approval number?

Applicant Information

Name:	Frank Walker and Associates
Phone:	(503) 949-5545
Mailing Address:	PO Box 870 Turner, Oregon 97392
Email:	frankwalkerllc@gmail.com
Is the Owner different than the Applicant?	Yes

Owner Information

Name:	Dave Heppler
Phone:	503-829-6968
Mailing Address:	709 West Main Street Molalla, Oregon 97038
Email:	DavidH@ValleyFarrier.com

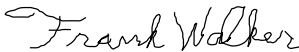
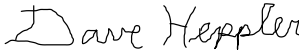
Property Information

Site Address:	709 West Main Street Molalla, OR 97308
Zoned:	C2 General Commercial
Overlay:	NA
Taxlot Number:	4200
Property dimensions:	152' east to west 289' north to south
Property acreage:	1.02 acres

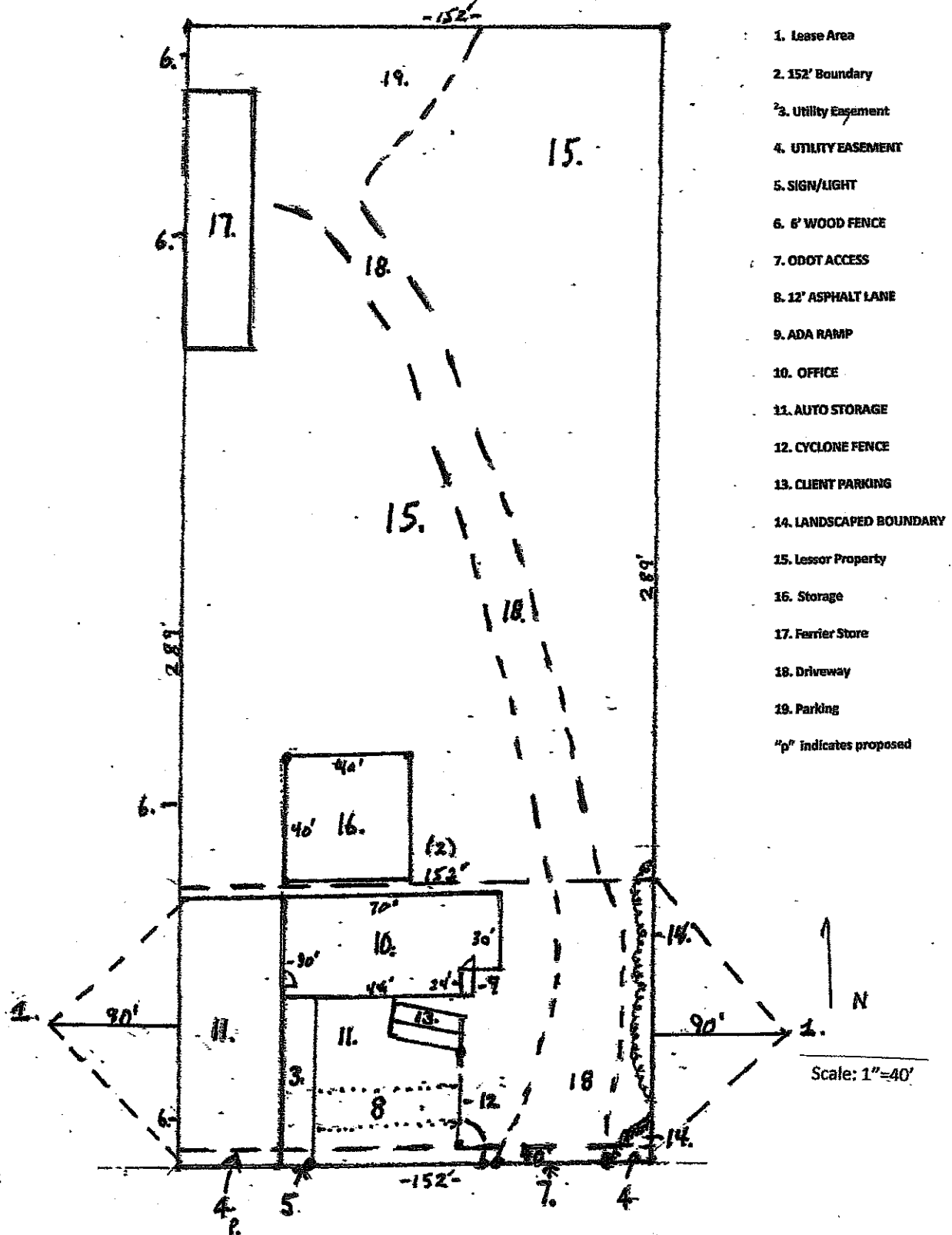
Project Information

Proposed Development and/or Use:	Proposed Automobile Sales
Describe all existing buildings or structures on property:	Lease Area: Office Building nearest to property frontage Owner Area: Storage Facility Building immediately north of Auto Sales Building Ferrier Supply Building at northwest corner of site
Current and Historical Uses:	Tow Truck Facility currently vacant

Documents Required

Site Plan	Image (122).jpg
Applicant Signaure:	 Link to signature
Date:	10/10/2025
Property Owner Signature:	 Link to signature
Date	10/10/2025

SITE PLAN
709 W Main Street, Molalla, OR 97038



LIST OF EXISTING AND PROPOSED PROPERTY IMPROVEMENTS/SITE CHARACTERISTICS

709 WEST MAIN STREET, MOLALLA, OREGON

LESSEE: William Wyland

Size of lease area: 13,020 Square feet/.2988 Acres

Fencing: (Existing) A 48 inch high fence 34 feet from "Centerline" of the ODOT right-of-way runs parallel to the frontage. It originates immediately west of the access approach and ends at the southwest corner of the property. The woven wire fence on the eastern boundary is to be retained though most of it is concealed by sight obscuring landscaping and wild vegetation. There is also an interior existing 5' high fence between the office and the sidewalk that contains a gate allowing access to the area south and west of the office.

Fencing: (Proposed) A 6-foot solid wood fence is to be constructed imminently by the neighbor bordering on the west along that entire property line from the ODOT right-of-way to the northern property corner of the entire property. Pursuant to meeting with the property owner to the west, it was agreed that a sight obscuring fence would be optimal. The owner is constructing a 6' sight obscuring wooden fence along that entire boundary. The end result will be that the entire automotive sales lot will be fenced in all directions except for the common border (north) with Lessor's portion of property.

Utilities: All existing utilities originate from the south property border along Main Street including electric power, communications, water and sewer. The City of Molalla has requested a 10 foot utility easement be dedicated across the frontage of the property parallel to Main Street for future utility improvements. The proposed 10 foot utility easement to be dedicated to the City of Molalla will eventually link to the existing north-south utilities serving the office building. Storm drainage has been mentioned in the proposed easement which affirms that storm drainage is currently absent.

Lighting: (existing) A single high wattage light is mounted on a metal pole at the street frontage side of the leased area. This light is directed to the north, away from Main Street in order to not interfere with motorist safety. This light illuminates the façade of the office, the auto display area, customer parking and the portions of the areas to the east and west of the office (Site Plan Item #5).

Lighting: (proposed) The existing lighting will be retained at the current location until future utility improvements are constructed. Lighting will be interrupted temporarily while future improvements are constructed. The same height and intensity of lighting will be retained.

Access: Existing and proposed access to the site originate from a recently constructed "access apron" conforming to ODOT specifications from the Main Street right-of-way widening and improvements. No other access is provided. It should be noted, for the record, that the asphalt "apron" extending into the subject property from the edge of the right-of-way was not part of the ODOT improvement. The owner has been requested to replace that asphalt extension into the property with concrete. Lessee will be responsible to construct a concrete apron per this request.

The prospective lessee will confer with the owner of record to address this improvement. Pedestrian access will be via the new sidewalk on Main Street but will otherwise be from designated parking spaces immediately south of the automotive sales office (#13 on Site Plan).

Landscaping: **North:** None proposed. **South:** The low vegetation along the Main street right-of-way (south) will be retained to current height. (#14 on Site Plan) **East:** There is a wide vegetated strip of sight obscuring landscaping along the entire eastern boundary that will remain untouched. The landscaped area "narrows down" upon entering the site to a vegetated strip parallel to the eastern boundary. It should be noted that the landscaping along the eastern property boundary is "sight obscuring." **West:** None proposed since the neighboring owner is constructing a sight obscuring six foot wooden fence. **Structures:** The only above ground structures on the lessee site are the 1,716 square foot office building, a handicap ramp appurtenant to the office, two parking spaces with concrete wheel stops, a black cyclone fence five feet high and a sliding cyclone fence gate at the south end of that fence perpendicular to the frontage.

Paving: The entire leased area is paved with asphalt and concrete. Apparently, when a tow truck service occupied this site, the majority of the asphalted area was covered with fine chat overlay to minimize impact from the heavy tow trucks. (1/4 inch minus white chat). The lessee, in order to mitigate dust impact to his display automotive stock, is currently in the process of removing all (emphasis added) the gravel to expose the full extent of paved areas. A preliminary field investigation revealed that the entire ground surface is either underlain with high quality asphalt or multiple six-foot concrete squares. As this zoning application is being processed, the lessee is exposing all hard surfaced areas in the lease area. It is all underlain with concrete or asphalt. This process is ongoing and will be fully implemented prior to opening. City Staff is welcome to conduct a site visit to witness this transformation from gravel to asphalt and concrete.

Pedestrian Access to Office: The removal of all loose chat from the area surrounding the office will allow easier access to the office and to the automotive stock display areas. Customers will park out of the way for through traffic destined for the Ferrier Service to the north. No conflicts have ever been noted in the past despite the fact that eight tow trucks were dispatched from this site. Measures are being considered that would define a traffic lane that would allow customers to back out from designated parking areas without interfering with traffic destined for the business on the owner's property. (Site Plan #18)).

Disability Access to Office: An existing wheel chair ramp is adjacent to the two designated customer parking spaces (striped and with "wheel stops"). The removal of gravel from the lot also benefits the mobility of customers with disabilities. (#9 ADA Ramp)

Internal Traffic Circulation: Emergency Vehicle Access necessitates that the office and the building on the owners property immediately north of the office be accessible to fire apparatus and ambulances.

It should be noted, for the record, that emergency vehicle access requires that accessibility be maintained to the west side of the proposed office and to the lease holder's storage building immediately north of the office. The lessee is currently taking measures to provide clarity to the internal traffic patterns. Automotive customers, for instance, will have demarcated parking stalls directly in front of the office building.(#10). It should be noted for the record, that the access to the property will also serve the owners facility (17). Finally, a proposed measure incorporated in the Site Plan indicates a potential travel lane to the owners business closer to the eastern property boundary to avoid traffic conflict despite the fact there is no documented evidence that there was ever a conflict between the former towing business and the owner's business site. The lessee will paint the extent of the travel lane within the confines of the leased area with wide painted stripes to clearly delineate the travel lane within and beyond the northern boundary. According to the former operator of the tow truck business, there was never any traffic conflict despite the fact they had eight tow trucks operating 24/7.

Dust Control: The owner will remove all of the gravel overlay prior to the planned opening of the automobile sales facility to eliminate harmful dust. City staff is more than welcome to conduct a site visit.

Office Access: Doors are available on the south and west sides of the building. Wheelchair and disability access are both available via a ramp to the east office entrance.

Signs: An existing sign is located on a post due south of the office at the edge of the Main Street right-of-way. This sign can be illuminated. The lessee will conform to any sign regulation standards per city and state requirements. It should be noted for the record that the existing sign was approved.

Setbacks: All existing structures conform to the setback standards of the existing zone. No improvements are planned that will modify this.

Traffic Impact Analysis: This analysis addresses the comparative Average Daily Trips (ADT) generated from the recent use of the property as a towing business to that of the proposed use as an automotive sales lot. The former towing business was ostensibly open 24 hours a day and 7 days a week. They maintained 6-8 tow vehicles which averaged 20-25 trips daily according to the owner who communicated this directly to the consultant. The owner may be contacted at (503) 829-3253 to verify this data. The consultant examined historical aerial photographs of the site and noted that there were eight full sized tow trucks on the subject area for the auto sales lot. In fact, the business was operated out of the existing office. The lot was graveled to preserve the concrete and asphalt paved portions of the site from the numerous trips by the heavy tow vehicles.

TAL Trip Generation Data: To be provided prior to November 10, 2025 by a licensed Traffic Engineer or a designee under the supervision of an engineer. A Traffic Analysis Letter to the Molalla Community Development Department rather than a TIA will be provided. The applicant/lessee is in the process of hiring a licensed Traffic Engineering Firm to initiate the TAL.

Trip Generation Characteristics from proposed Auto Sales Lot: The lessee will offer the following pending ITE trip generation data being provided. The prospective tenant, as is currently the case, is conducting business off site until this application is decided. Even when the display lot is open, there may not always be personnel "on site." The business will be operated by the lessee and his spouse once permitting is approved. There will be no other employees adding to Average Daily Traffic generation. One finding is irrefutable: the former towing business occupying this exact site generated up to 50 trips per day with large tow trucks at all hours of the day and night. Average daily trips ranged from 20-25. Aerial photographs specifically of this site from the recent past revealed that eight tow trucks were on the site and that this number was verified in a phone conversation with the owner of the towing firm (10/22/25). It is obvious that the towing business generates far more traffic than an auto sales lot. Nevertheless, if the city requires a scientific "Trip Generation Study" it will be provided though at great cost to the prospective lessee. It appears this comparison should preclude a full TIA. The lessee intends to provide TAL for the record prior to November 10, 2025.

Empirical Observation on Trip Generation: The Lessee has been in the automotive sales business for decades. It has been observed consistently that the number of trips daily including their own would likely not exceed in the range of 3-5 trips. A positive finding can clearly be made that the Automobile Sales, many of which are orchestrated online without a visit to the actual display lot, will generate far fewer trips than the towing business formerly leasing the site.

Summary and Conclusions

The lessee feels fortunate to have an opportunity where over 90,000 trips pass this site weekly according to ODOT. Also, the property has numerous attributes that make it ideal for automobile sales including but not limited to:

LOCATIONAL AND SITE ATTRIBUTES

- Level terrain
- All paved surfaces (Including ODOT access apron)
- Existing Disability facilities to and within office
- High visibility location
- High Average Daily Traffic Counts
- Existing landscaping
- Existing utilities
- Sight obscuring vegetation and/or fences on the east and west boundaries respectively
- Paved areas in proximity to office for displaying automotive stock
- Existing sign with a light
- Existing striped parking space with wheel stops
- Office space that is modern and has a reception area, side office and restroom.
- Ample storage and display areas south and west of the office for "flooring" automotive stock
- Proximity to high traffic volume retail uses, particularly to the south on Main Street
- Proposed distinct striped traffic lanes within lease area for safety
- Existing mature landscaping on east boundary and a proposed 6' wooden privacy fence on west.

Existing Improvements and Characteristics of Property Owners Portion of Site

The Lessor of the property to William Wyland is Dave Heppler, the owner and operator of Valley Ferrier Services. Mr. Heppler wants to emphatically state that the proposed Zoning Permit and all approval criteria are patently directed to the area being leased to William Wyland. Mr. Heppler has had previous tenants in the proposed area for the automotive sales lot, and requests that his property not be subject to the regulatory requirements proposed for the automotive sales use via the Conditional Use Permit. Mr. Heppler has expressed concern regarding the "10-foot ghost easement" along the property frontage to be dedicated at a future date. Though he has agreed to this happening in principal, the lessee of record at the implementation of that improvement will be solely responsible for surveying and recording the 10-foot wide linear easement.

Mr. Heppler will allow access to the frontage area being leased but accepts no responsibility for the maintenance and performance standards required by code including but not limited to: landscaping, fencing, parking, lighting, utilities, hours of operation, restrictions of any type for his customers using the access, roadways (driveways) on the site and any other performance standards in the Molalla City Code. It is further his understanding that the Conditional Use Permit is only for the area represented in the submitted Site Plan and no others.

There are some features Mr. Heppler will allow to assist the Lessee to comply with codes within the identified "Lease Area" including:

- Retention of landscaping from the southeast corner of the property from the Highway 211 right-of-way to the lease line between his storage building that is immediately north of the office of the proposed Automobile Sales Lot. This line (immediately north of the office) also represents the area being leased from his property to the north. (Please refer to Site Plan)
- Retention of the frontage improvements including the "black" cyclone fence, light pole standard, required parking spaces (including wheel stops) and the access approach.
- However, the conversion of the asphalt strip immediately north of the concrete access approach to Highway 212 (Main Street) is patently the responsibility of the Lessee.
- Dust control: The lessee is responsible for re-exposing the asphalt and concrete surfacing within the lease area at his own volition. There will be no such activity taking place within the Lessors portion of the property.
- Fencing: There will be no fence or gate(s) between the Lessors and Lessees respective areas.

Size: 31,008 square feet or .71 acres

Fencing: Entirely fenced on east, west and north, except that portion of the west boundary where the Ferrier Supply Building occupies 71 feet on that property line. There is no setback for this building which is apparently built right up to the western property boundary.

Utilities: It is not known where the utilities originate for this site but it is known they do not cross the subject lease portion of the ownership.

Lighting: No street lighting reaches this site.

Access: The access is the same as that for the portion of the property being leased. The low trip generation to this site should not be problematic for the automobile sales lot, though all parties must pass through the leased property. To this end, the parking at the Automobile Sales Office will be

recessed close to the office to avoid any potential conflict with traffic passing through the lease area as represented in the Site Plan.

Measures must be taken by the lessees to reduce any potential conflict with traffic to the Ferrier business, though this was not problematic when the company with eight tow trucks occupied the site. Nevertheless, it must be inherent in the design.

Structures: The lessor's property has two permanent structures: the 40' by 40' storage building located 12 feet north of the proposed Office on the leased portion of the property, and the 80' x 22' Horse Ferrier business. The latter of the two structures is exclusively for business and customer accommodation including a significant inventory of horse supplies. The building is 1,760 square feet and has a layout that is definitely high quality retail. It should be noted for the record that the structure has no setback to the west boundary. The storage building near the auto sales office seldom generates any traffic during business hours since it is for personal/business storage serving the lessor exclusively.

Paving: There is no paving for traffic or parking on the lessor's property. All other surfaces are firmly packed with quarter inch gravel. Over the years it is evident that there is a distinct driveway, though it lacks definition other than being traveled upon more than areas either side of it. The lessee will be improving the access from the ODOT approach apron to the "Lease boundary" separating the use areas; thus reducing the probability for traffic confusion.

Parking: A large gravel area located north and east of the Ferrier building is designated for the special parking needs of this business. Long horse trailers do frequent the Ferrier shop and they have ample space to maneuver without having to back up long horse trailers or Semi-trucks delivering inventory.

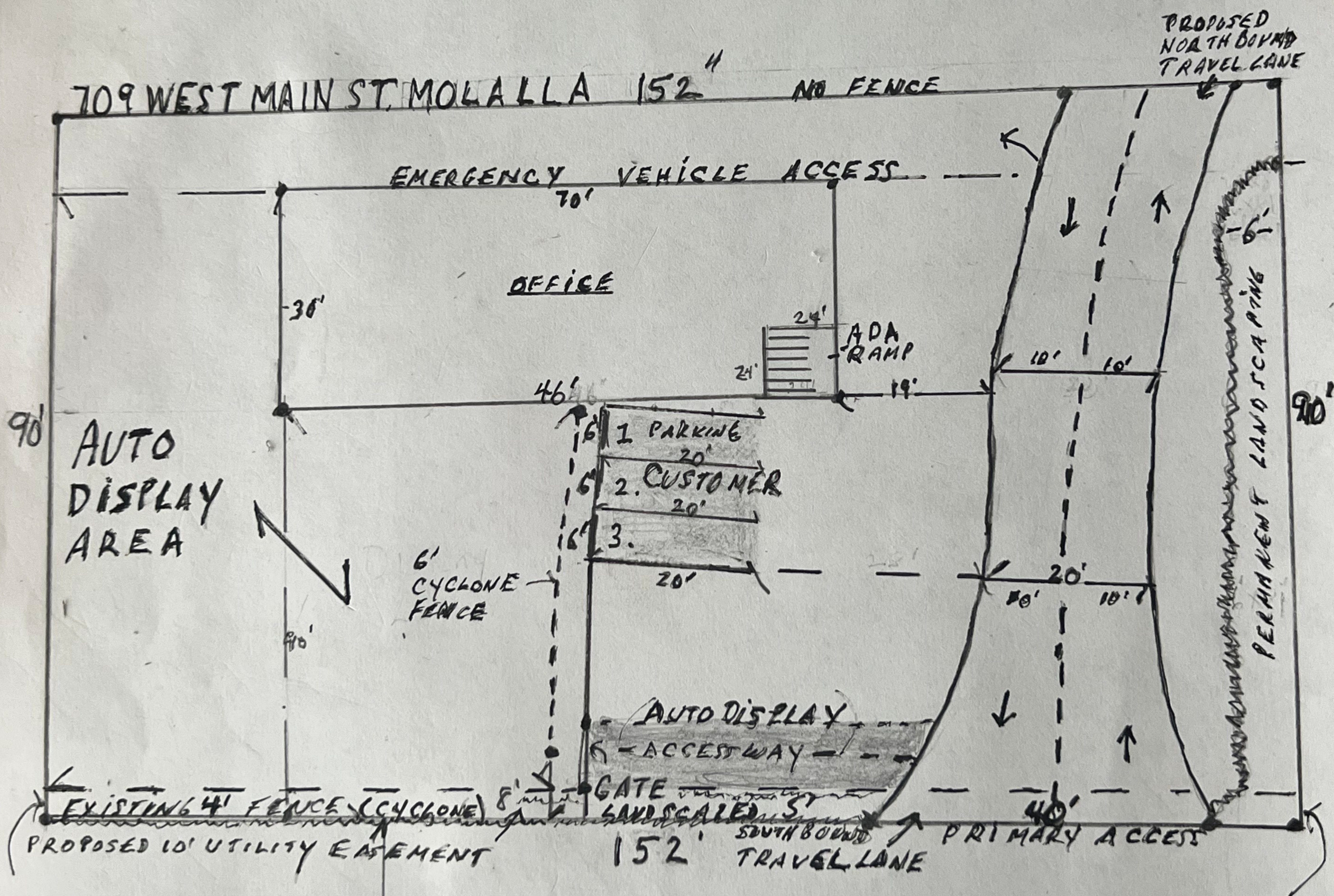
Pedestrian access: This does not pose a problem since there are no conflicts by the Ferrier Shop. No sidewalks are really necessary given the nature of the business. The area from the parking lot to the shop is very level and the entry to the Ferrier Shop is level. The Ferrier shop is definitely wheel chair accessible.

Internal Traffic Circulation: There has never been a conflict, but with the anticipation of customers at the proposed automotive sales site, measures should be implemented to avoid potential conflict. The lessee appears to have addressed this factor with the proposal of identifying the travel lane with paint. The proposed travel lane is paved and lane striping can be implemented.

SUMMARY AND CONCLUSIONS:

The subject property has a long and safe record for accommodating uses on each respective portion of the site. The automobile sales lot is a relatively low traffic generator and this record will be augmented with a Traffic Analysis Letter conducted by a licensed traffic engineer. All of the information in this report will be shared with the Lessor (Property Owner) to assure the accuracy of this report.

SITE PLAN WILLIAM WYLAND AUTOMOTIVE SALES CONDITIONAL USE PERMIT





TRANSPORTATION ANALYSIS LETTER

DATE: November 10, 2025

TO: Frank Walker | Frank Walker and Associates

FROM: Scott Mansur, PE, PTOE, RSP₁ | DKS Associates
Rachel Vogt, EI | DKS Associates
Hallie Turk, EI, RSP₁ | DKS Associates

SUBJECT: Molalla Auto Dealership – Transportation Analysis Letter

P26291-000



This Transportation Analysis Letter (TAL) evaluates the transportation impacts associated with the proposed auto dealership to be located at 709 W Main Street (Tax Lot 52E08AC04200) in Molalla, Oregon. The property owner plans to repurpose the existing buildings and site to a used car dealership. There are no changes to the existing buildings or site configuration. The purpose of this TAL is to provide the estimated vehicle trip generation for the proposed development and to evaluate the site's compliance with applicable standards.

TRIP GENERATION

Trip generation is the method used to estimate the number of vehicles added to site roadways and the adjacent roadway network by a development during a specified period (i.e., a.m. and p.m. peak hours). Typically, trip generation is estimated using trip generation rates from the Institute of Transportation Engineers *Trip Generation Manual*, which utilizes national land use data.

The Institute of Transportation Engineers (ITE) *Trip Generation Manual* provides a trip generation rate for Used Automobile Sales (841), which was used to estimate the site's trip generation based on the gross floor area of the office building.¹ According to the existing site plan provided in Attachment A, the 1,760-square foot existing on-site commercial office building, which is currently not operational, will be repurposed for use as an auto dealership. Therefore, the size of the proposed auto dealership office is 1,760 square feet. Table 1 shows the expected vehicle trip generation for the development. As shown, the proposed development is expected to generate 4 (3 in, 1 out) new a.m. peak hour trips, 7 (3 in, 4 out) new p.m. peak hour trips, and 48 daily trips.

TABLE 1: PROJECT TRIP GENERATION

LAND USE	SIZE	AM PEAK TRIPS			PM PEAK TRIPS			WEEKDAY
		IN	OUT	TOTAL	IN	OUT	TOTAL	
USED AUTOMOBILE SALES (841)	1,760 sq ft	3	1	4	3	4	7	48

¹ Trip Generation Manual, 12th Edition, Institute of Transportation Engineers, 2025.

TIA REQUIREMENTS

According to the Molalla Code of Ordinances, a Traffic Impact Analysis (TIA) is required for developments that generate 25 or more peak hour trips.² Based on the trip generation previously shown in Table 1, the site is estimated to generate 4 a.m. peak hour trips and 7 p.m. peak hour trips. Therefore, the development does not require a TIA, and a Transportation Analysis Letter (TAL) is sufficient.

SITE PLAN REVIEW

This section reviews the site plan's compliance with the Molalla Transportation System Plan (TSP) and Oregon Department of Transportation (ODOT) standards.³

SITE DESCRIPTION

Based on the site plan provided in Attachment A, the development will be accessed via an existing driveway on W Main Street. The project site and driveway location are shown in Figure 1.



FIGURE 1: PROJECT SITE AND DRIVEWAY LOCATION

Main Street is an ODOT state highway also known as OR 211 (Woodburn-Estacada Highway No. 161). Main Street is a minor arterial classified as a district highway per the Oregon Highway Plan.⁴ Annual average daily traffic (AADT) along the corridor is approximately 12,000 vehicles per day,

² City of Molalla Code of Ordinances, [Section 17-3.6.020 Transportation Standards](#). Effective June 30, 2022.

³ [City of Molalla Transportation System Plan](#). Adopted September 26, 2018.

⁴ ODOT TransGIS. <https://gis.odot.state.or.us/transgis/>. Accessed October 30, 2025.

and the posted speed is 35 mph. At the site access driveway, Main Street has a three-lane cross section with one travel lane in each direction and a two-way left turn median.

Preliminary Sight Distance

For a design speed of 40 mph (posted speed limit is 35 mph) and a three-lane cross-section on Main Street, sight distance standards outlined by the American Association of State Highway and Transportation Officials (AASHTO) require 475 feet of intersection sight distance in either direction.⁵ This standard accounts for the sight distance needed to make a minor street left turn onto the highway. The preliminary sight distance triangles are illustrated in Figure 2.



FIGURE 2: INTERSECTION SIGHT DISTANCE AT EXISTING SITE ACCESS DRIVEWAY

Based on our preliminary sight distance evaluation at the existing site access, we have no concerns with the sight distance requirements being met. Prior to occupancy, sight distance at the site access driveway will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon.

⁵ Section 9.5. A Policy on Geometric Design of Highways and Streets, American Association of Highway and Transportation Officials (AASHTO), 7th Edition. Published 2018.

Safety

A safety evaluation was conducted for the site access driveway using the most recent available five years (2019 to 2023) of crash data. During this time period, no crashes were reported at the existing driveway. Therefore, no safety issues were identified at the site access driveway.

Transportation System Plan Compliance

The site frontage was evaluated for compliance with street design standards. Main Street is fully improved and meets the arterial street cross-section requirements, including sidewalks, bike facilities, and lane widths. No additional frontage improvements are required to meet street design standards.

Existing Access

The existing access is deeded and per OAR 734-051-3020, the proposed use does not qualify as a "Change of Use" and therefore does not require driveway modifications.⁶

SUMMARY

The key findings of the TAL for the proposed Molalla auto dealership are summarized below.

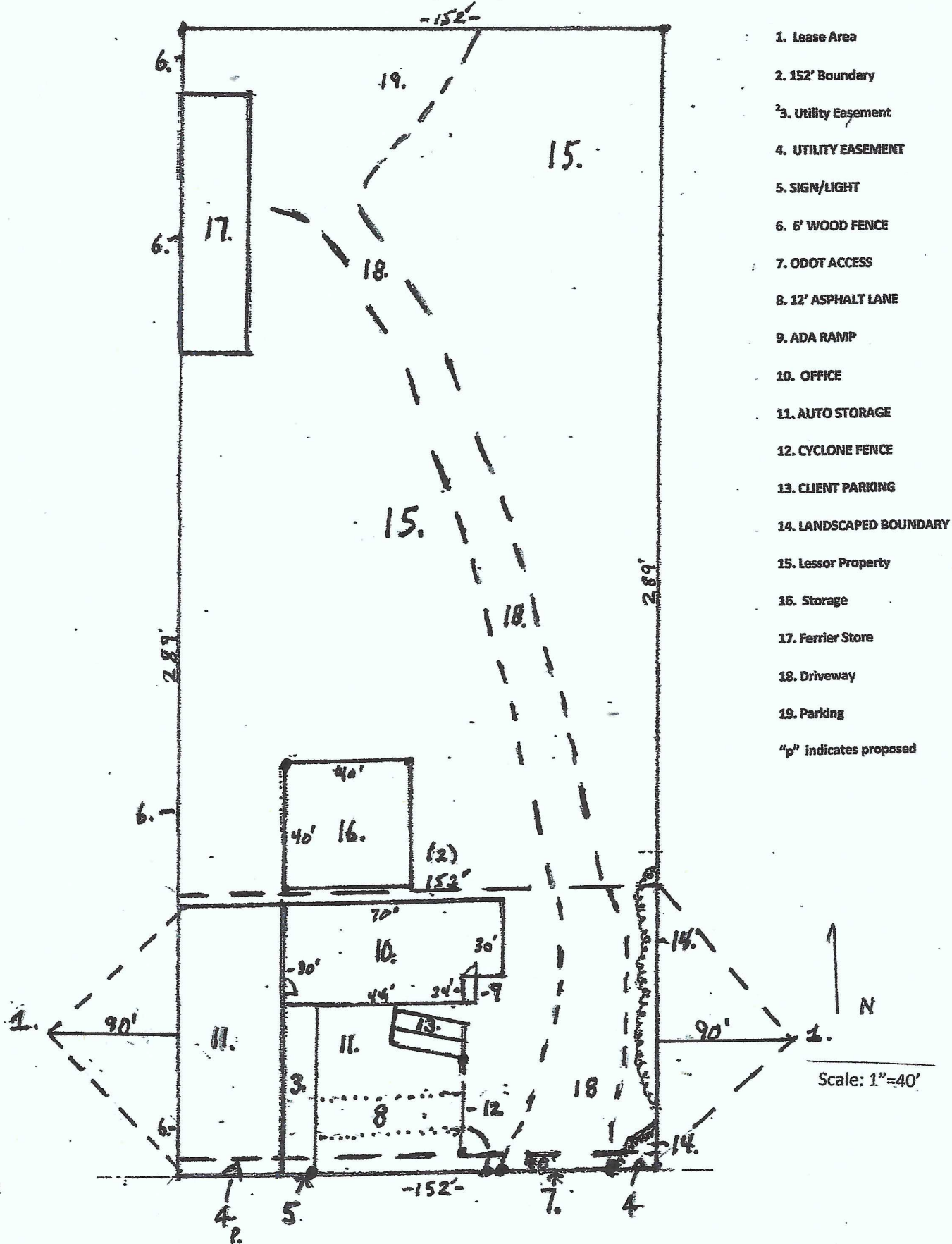
- The project will repurpose an existing development to become a used car dealership at 709 W Main Street in Molalla, Oregon. The dealership will operate out of the existing 1,760 square-foot on-site commercial office building (which is not currently operational) and no changes to the existing site layout are proposed.
- The proposed development is expected to generate 4 (3 in, 1 out) new a.m. peak hour trips, 7 (3 in, 4 out) new p.m. peak hour trips, and 48 daily trips. Per the trip generation, the proposed development does not require a TIA based on the City of Molalla standards.
- The dealership will be accessed by an existing driveway along Main Street, which is a state highway. The site does not qualify as a "Change of Use" per OAR 734-051-3020, therefore the existing driveway is approved for use under the existing deeded access.
- Prior to occupancy, sight distance at the site access driveway must be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon.

ATTACHMENTS

- A. Site Plan
- B. Trip Generation Outputs

⁶ Permit to Operate, Maintain and Use A State Highway Approach; Permit No. 657801. ODOT

709 W Main Street, Molalla, OR 97038



Land Use: 841

Automobile Sales (Used)

Description

A used automobile sales dealership is typically located along a major arterial street characterized by abundant commercial development. The sale or leasing of used cars is the primary business at these facilities. Automobile service and parts sales may also be available. The dealerships may also provide truck sales and service.

Additional Data

The sites were surveyed in the 2010s in Texas.

Source Numbers

880, 881

Automobile Sales (Used) (841)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 14

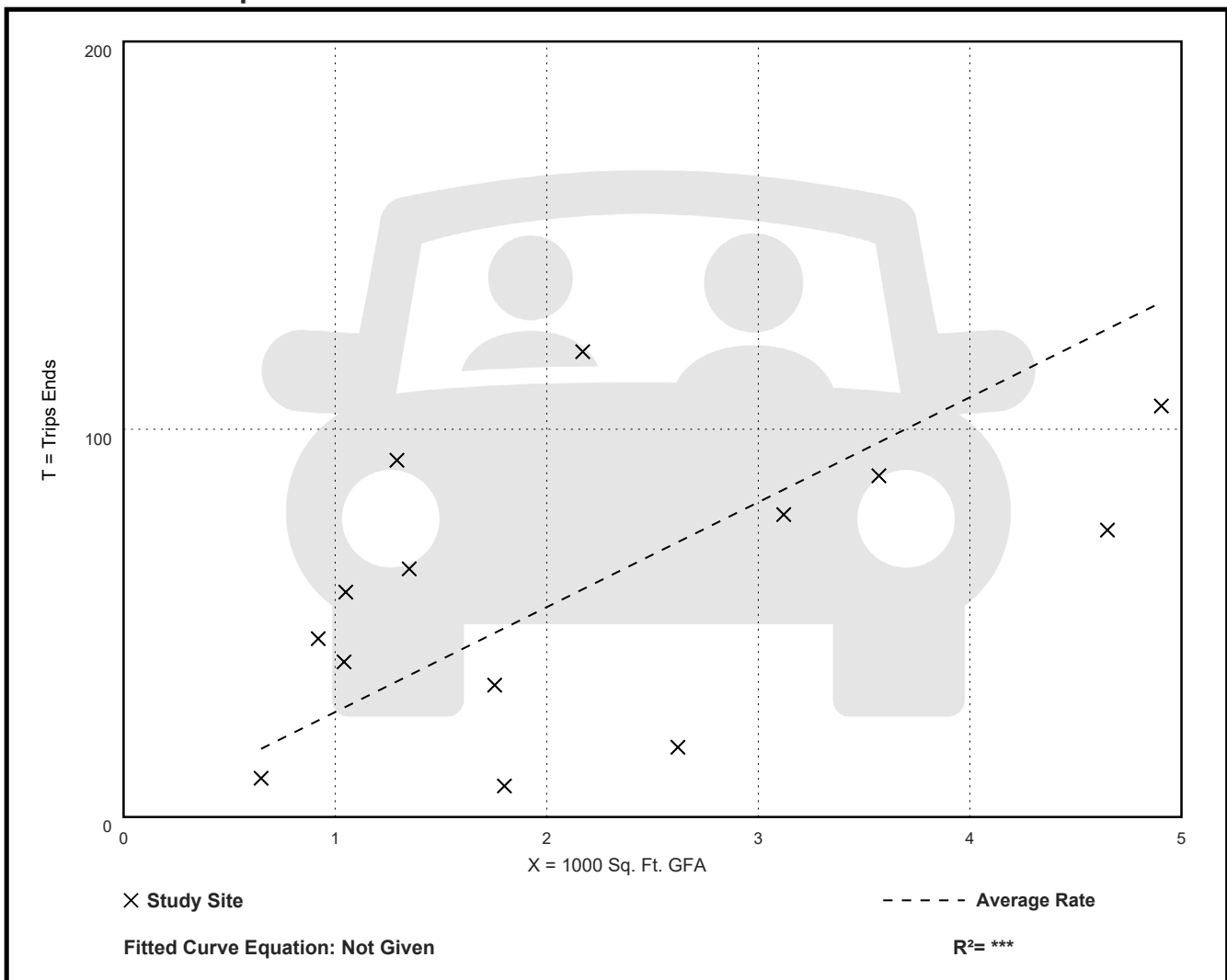
Avg. 1000 Sq. Ft. GFA: 2

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
27.06	4.44 - 71.21	17.91

Data Plot and Equation



Automobile Sales (Used) (841)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 8

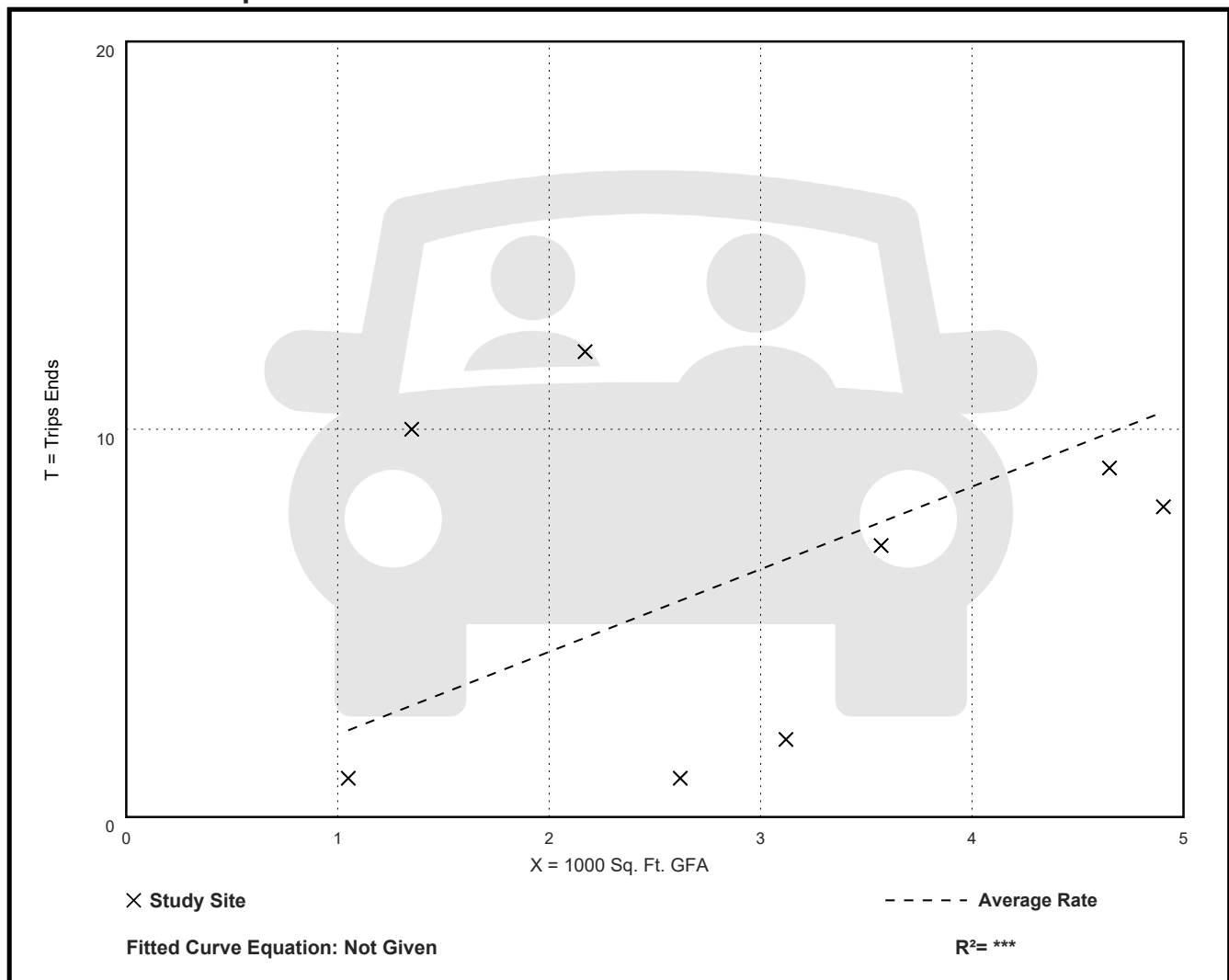
Avg. 1000 Sq. Ft. GFA: 3

Directional Distribution: 76% entering, 24% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
2.13	0.38 - 7.41	1.98

Data Plot and Equation



Automobile Sales (Used) (841)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 14

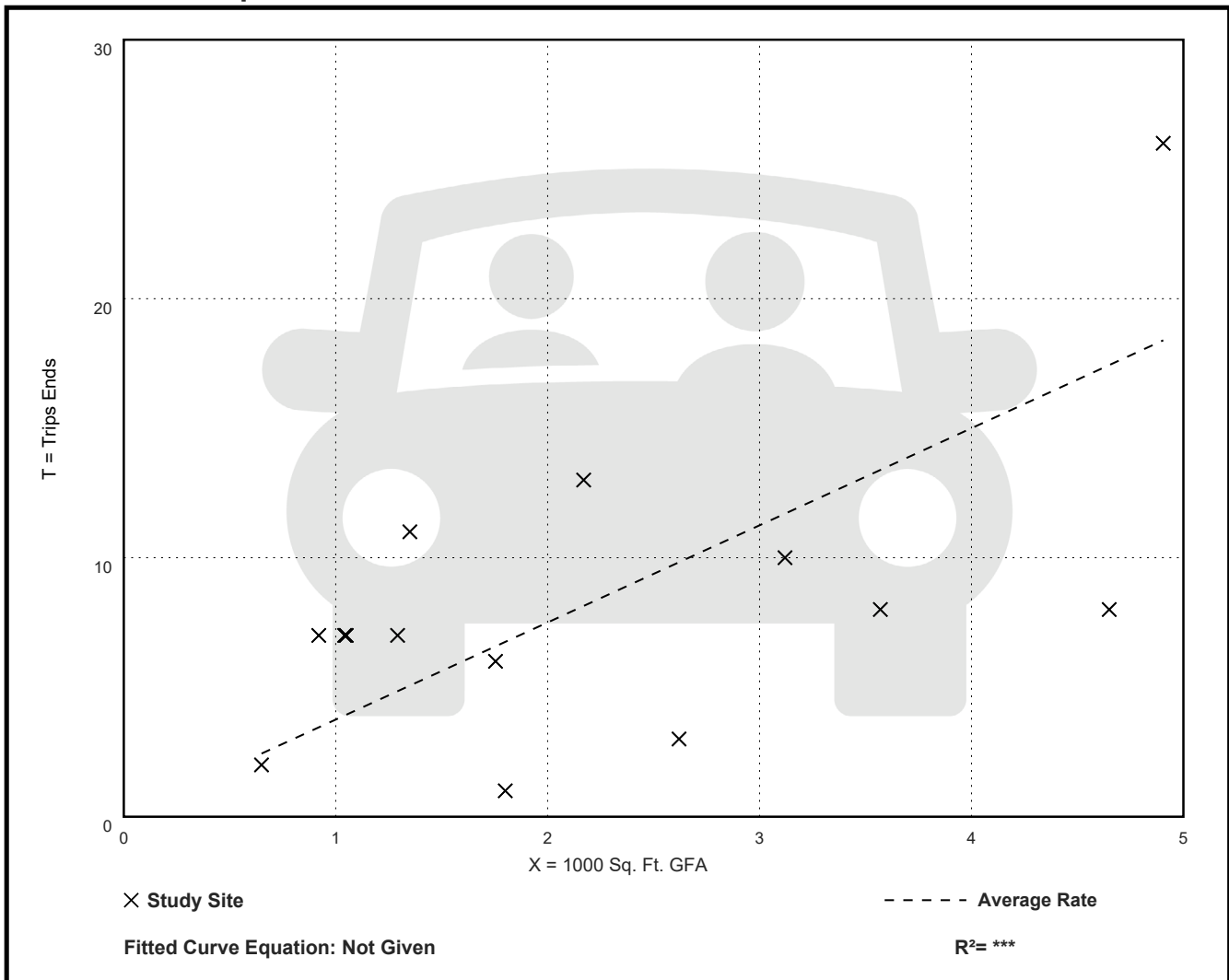
Avg. 1000 Sq. Ft. GFA: 2

Directional Distribution: 47% entering, 53% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
3.75	0.56 - 8.15	2.28

Data Plot and Equation



SW1 / 4 AND SE1 / 4 SECTION 8 T5S R2E WM
SW1 / 4 AND SE1 / 4 SECTION 9 T5S R2E WM
BEING PART OF THE HUGH GORDON DLC NO.40
AND THE RACHEL LARKIN DLC NO.43
AND THE WM ENGLE DLC NO.44
AND THE MATHIAS SWIEGLE DLC NO.45
CITY OF MOLALLA
CLACKAMAS COUNTY, OREGON

CLACKAMAS COUNTY SURVEYOR
RECEIVED: 7-13-2022
ACCEPTED FOR FILING: 8-2-2022
SURVEY NUMBER: SN2022-181

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO DOCUMENT THE CONTROL AND MONUMENTATION FOR THE ODOT PROJECT NO. 22115-01.

I HELD THE CENTERLINE OF OR211 TO THE FOUND MONUMENTS AT THE NORTHWEST CORNER OF THE RACHEL LARKING DLC NO. 43, THE SOUTHEAST CORNER OF THE HUGH GORDON DLC NO. 40 AND TO THE NORTHEAST CORNER OF THE W.M. ENGLE DLC NO. 44 AS SHOWN. RIGHT OF WAY LINES WERE RESOLVED PER THE ODOT MAPS, PLATS AND DEEDS DEPICTED ELSEWHERE ON THIS SURVEY.

THE BASIS OF BEARINGS AND COORDINATES ARE BASED ON THE OREGON COORDINATE REFERENCE SYSTEM (OCRS) PORTLAND ZONE, NAD 83/2011 (EPOCH 2010.00), INTERNATIONAL FEET.
PROJECTION DATA IS PROVIDED IN OAR 734-005-015.
GRID COORDINATE ZONE DISTANCES CLOSELY MATCH GROUND DISTANCES.

NETWORK CONTROL WAS ESTABLISHED WITH STATIC GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) AND TERRESTRIAL METHODS. THREE PROJECT CONTROL POINTS, NUMBERS 30, 269, AND 309 WERE EACH RESPECTIVELY TIED INTO OREGON REAL-TIME GNSS NETWORK (ORGN) CONTINUOUSLY OPERATING GNSS REFERENCE STATIONS "P411" AND "JIME". STATIC BASELINES WERE DIRECTLY MEASURED BETWEEN PROJECT CONTROL FROM CONTROL POINTS 269 AND 309 TO VERIFY ACCURACY. A CLOSED LOOP TRAVERSE WAS RAN WITH A MINIMUM TWO SETS OF ANGLES BETWEEN CONTROL POINTS. A LEAST SQUARES ADJUSTMENT WAS APPLIED TO THE MEASUREMENTS.

THE FIELD SURVEY WAS PERFORMED BETWEEN FEBRUARY 5, 2020 AND FEBRUARY 17, 2021. FILING OF THIS SURVEY WAS DELAYED DUE TO PROJECT CHANGES AND OTHER FACTORS, THEREFORE RIGHT-OF-WAY AND MONUMENTS SHOWN ARE CORRECT AS OF THE LAST DATE OF FIELD WORK AND MAY NOT REFLECT CHANGES WHICH HAPPENED SINCE THAT TIME.

CLACKAMAS COUNTY REFERENCES:

COUNTY SURVEY NUMBERS
SN = SURVEY NUMBER, CLACKAMAS
COUNTY SURVEY RECORDS

SN 1-071	SN 13632	SN 13632
SN 1-312	SN 17274	SN 17274
SN 1910-015	SN 17332	SN 17332
SN 1969-004	SN 17793	SN 17793
SN 1990-001	SN 19387	SN 19387
SN 2005-302	SN 20723	SN 20723
SN 2007-252	SN 21952	SN 21952
SN 2007-398	SN 22379	SN 22379
SN 2008-324	SN 24308	SN 24308
SN 2009-115	SN 25630	SN 25630
SN 2009-127	SN 25780	SN 25780
SN 2009-187	SN 25972	SN 25972
SN 2015-151	SN 26547	SN 26547
SN 2016-140	SN 26581	SN 26581
SN 2018-125	SN 26737	SN 26737
SN 2018-154	SN 27315	SN 27315
SN 2019-259	SN 27923	SN 27923
SN 29219	SN 28128	SN 28128
SN 29696	SN 28245	SN 28245
	SN 28456	SN 28456
	SN 28519	SN 28519
	SN 28537	SN 28537

PLATS

MOLALLA NO.0116
J.V. HARLESS ADDITION TO MOLALLA NO. 0273
GREGORY'S FIRST ADDITION TO MOLALLA NO. 0333
EVERHART'S SECOND EDITION TO MOLALLA NO.0351
KAYLERS ADDITION TO MOLALLA NO. 0356
THE SHAVER PLACE NO. 0360
THE SHAVER SUBDIVISION NO. 0369
METZLER & HART'S ADDITION TO MOLALLA NO.0370
LAURELWOOD ADDITION TO MOLALLA NO. 0382
CLIFFORD ADDITION TO MOLALLA NO. 0385
CASCADE ACRES NO1 NO.0642
KLINGER'S FIRST ADDITION TO MOLALLA NO.1020
MOODY STATION NO.3907
HEZZIE LANE NO.4549

RECORD OF LAND CORNER MONUMENTATION

USBT 2001-052
USBT 2001-057
USBT 2001-072
USBT 2002-036
USBT 2002-145
USBT 2017-020

PARTITION PLATS (PP)

PP 1993-068
PP 1993-109
PP 1994-181
PP 1995-031
PP 1995-146
PP 1997-147
PP 1999-069
PP 2000-001
PP 2000-062
PP 2001-074
PP 2010-020
PP 2014-041
PP 2014-074
PP 2015-014
PP 2018-080

OREGON STATE HIGHWAY DEPARTMENT (OSHD)
DRAWING NO.S

OSHD DRG. NO. 5B-12-16
OSHD DRG. NO. 5B-24-6
OSHD DRG. NO. 9B-34-20
OSHD DRG. NO. 10B-5-21
OSHD DRG. NO. 11B-9-51

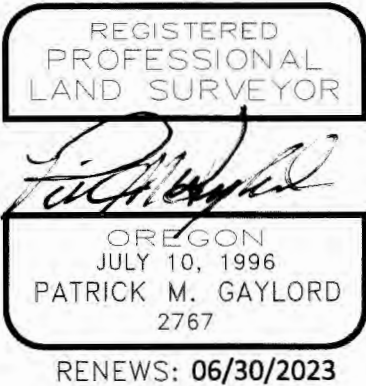
INDEX OF SHEETS

SHEET NO.	DESCRIPTION
1	NARRATIVE AND REFERENCES
2	SHEET LAYOUT AND CONTROL NETWORK
3-7	MONUMENT RECOVERY & RETRACEMENT

FILE NAME: S_K22115_01_CRR.DGN



DAVID EVANS
AND ASSOCIATES INC.
2100 S River Parkway, Suite 100
Portland Oregon 97201
Phone: 503.223.6663



OREGON DEPARTMENT OF TRANSPORTATION

HORIZONTAL CONTROL, RECOVERY AND RETRACEMENT MAP
OR211 - OR224 - US26 CURB RAMPS PROJECT
WOODBURN - ESTACADA HIGHWAY NO. 211
M.P. 11.86 - 13.49
CLACKAMAS COUNTY

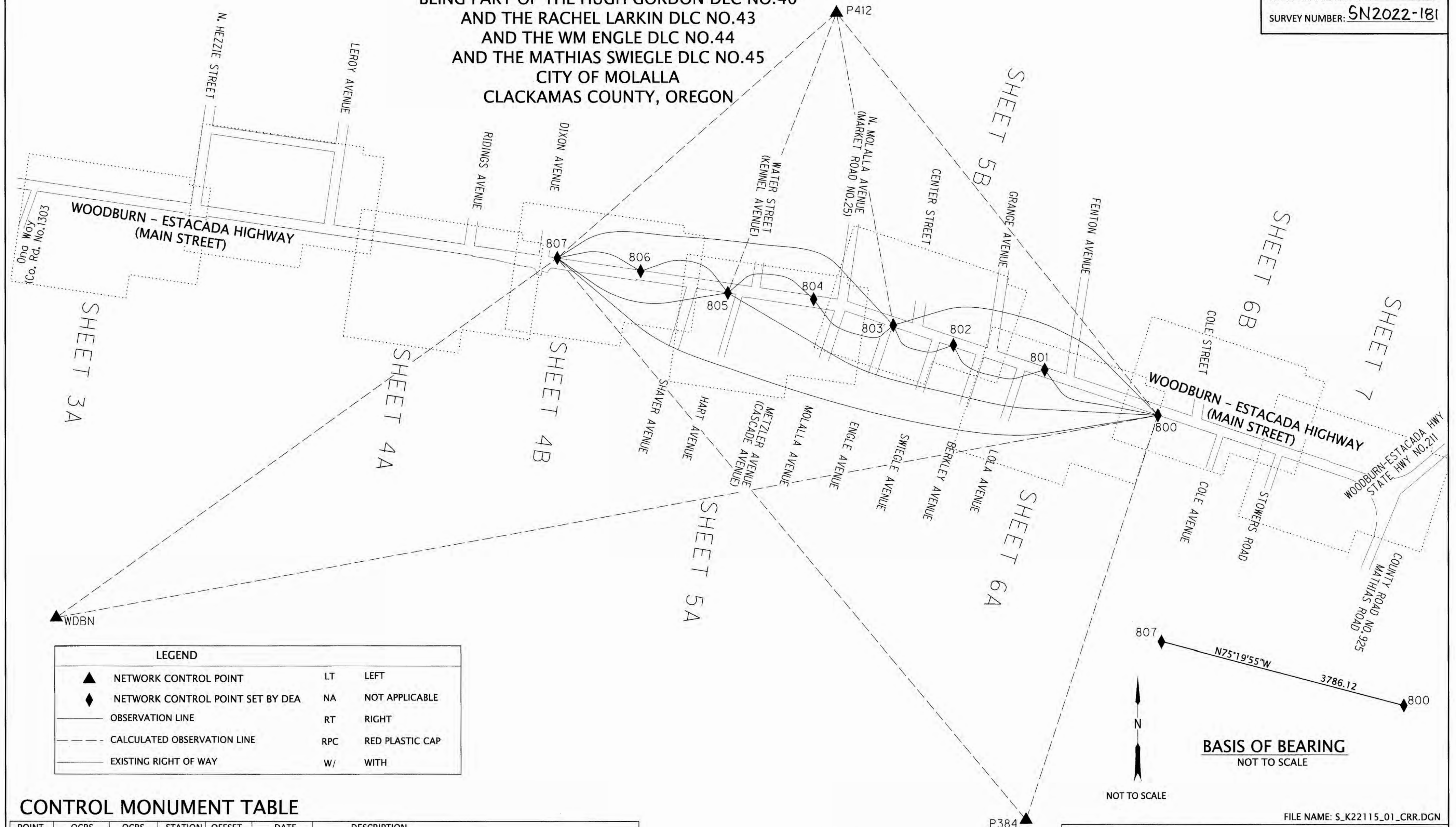


ODOT REGION 1
123 NW FLANDERS STREET
PORTLAND, OR 97209 KEY NO. 22115-01

JUNE, 2022
SCALE: NONE
SHEET 1 OF 7

CLACKAMAS COUNTY SURVEYOR
RECEIVED: 7-13-2022
ACCEPTED FOR FILING: 8-2-2022
SURVEY NUMBER: SN2022-181

SW1/4 AND SE1/4 SECTION 8 T5S R2E WM
SW1/4 AND SE1/4 SECTION 9 T5S R2E WM
BEING PART OF THE HUGH GORDON DLC NO.40
AND THE RACHEL LARKIN DLC NO.43
AND THE WM ENGLE DLC NO.44
AND THE MATHIAS SWIEGLE DLC NO.45
CITY OF MOLALLA
CLACKAMAS COUNTY, OREGON



DAVID EVANS AND ASSOCIATES INC.
2100 S River Parkway, Suite 100
Portland Oregon 97201
Phone: 503.223.6663

REGISTERED PROFESSIONAL LAND SURVEYOR
Patrick M. Gaylord
OREGON
JULY 10, 1996
PATRICK M. GAYLORD
2767
RENEWS: 06/30/2023

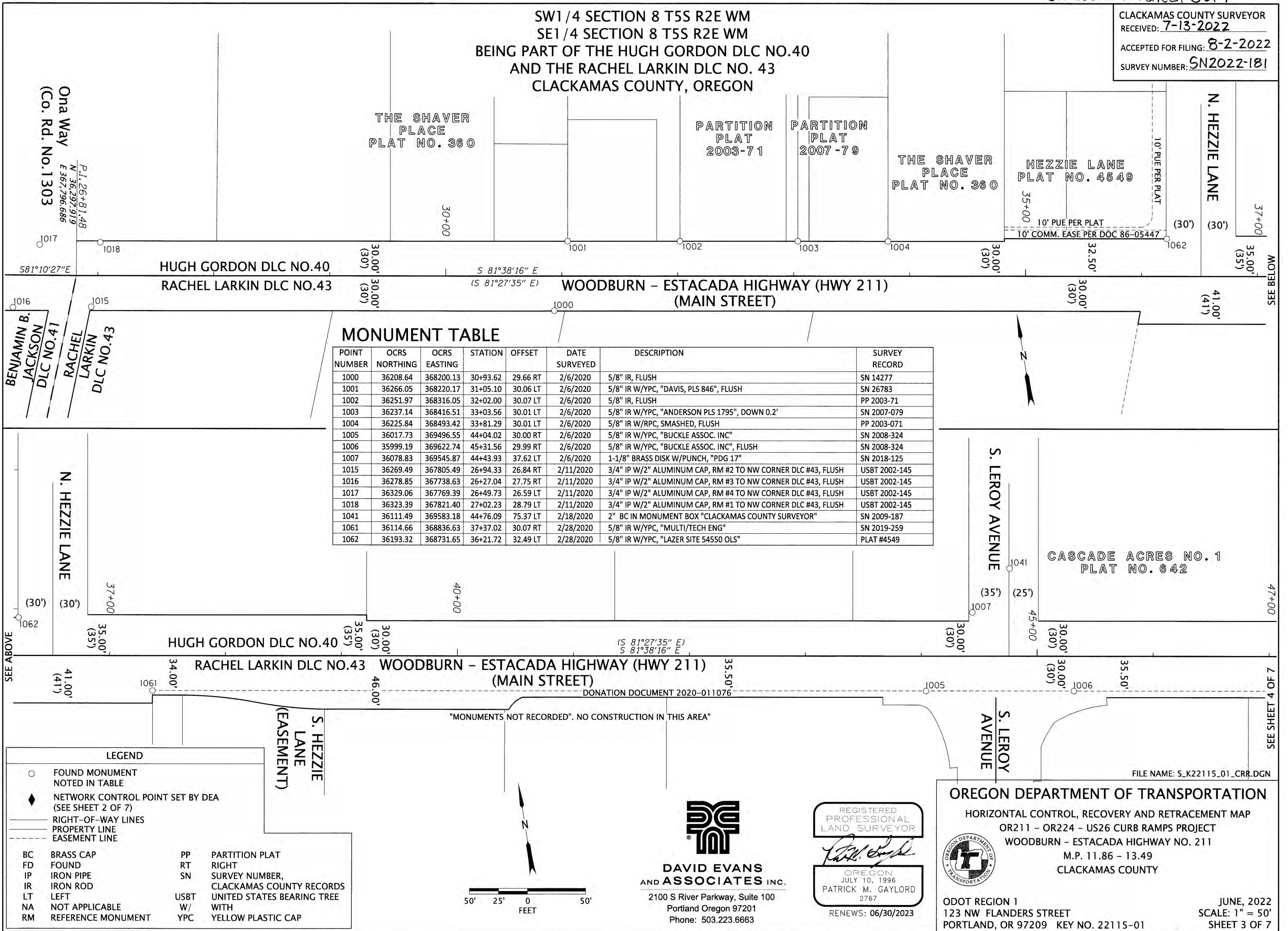
OREGON DEPARTMENT OF TRANSPORTATION
HORIZONTAL CONTROL, RECOVERY AND RETRACEMENT MAP
OR211 - OR224 - US26 CURB RAMPS PROJECT
WOODBURN - ESTACADA HIGHWAY NO. 211
M.P. 11.86 - 13.49
CLACKAMAS COUNTY

ODOT REGION 1 TECH CENTER
123 NW FLANDERS STREET
PORTLAND, OR 97209 KEY NO. 22115-01

JUNE, 2022
SCALE: NONE
SHEET 2 OF 7

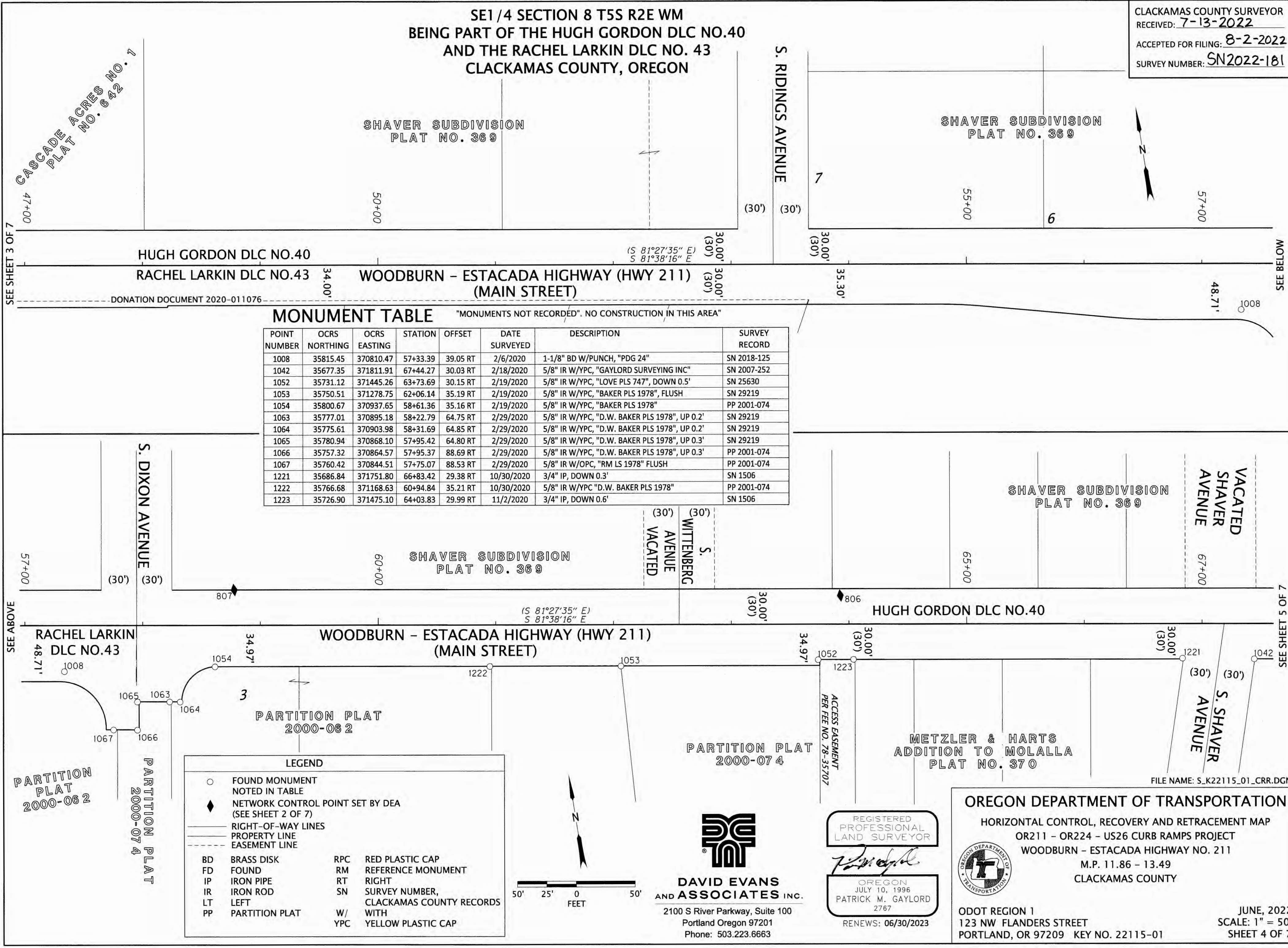
SW1/4 SECTION 8 T5S R2E WM
SE1/4 SECTION 8 T5S R2E WM
BEING PART OF THE HUGH GORDON DLC NO.40
AND THE RACHEL LARKIN DLC NO. 43
CLACKAMAS COUNTY, OREGON

CLACKAMAS COUNTY SURVEYOR
RECEIVED: 7-13-2022
ACCEPTED FOR FILING: 8-2-2022
SURVEY NUMBER: SN2022-181



SE1/4 SECTION 8 T5S R2E WM
BEING PART OF THE HUGH GORDON DLC NO.40
AND THE RACHEL LARKIN DLC NO. 43
CLACKAMAS COUNTY, OREGON

CLACKAMAS COUNTY SURVEYOR
RECEIVED: 7-13-2022
ACCEPTED FOR FILING: 8-2-2022
SURVEY NUMBER: SN2022-181



MONUMENT TABLE "MONUMENTS NOT RECORDED". NO CONSTRUCTION IN THIS AREA"

POINT NUMBER	OCRS NORTHING	OCRS EASTING	STATION	OFFSET	DATE SURVEYED	DESCRIPTION	SURVEY RECORD
1008	35815.45	370810.47	57+33.39	39.05 RT	2/6/2020	1-1/8" BD W/PUNCH, "PDG 24"	SN 2018-125
1042	35677.35	371811.91	67+44.27	30.03 RT	2/18/2020	5/8" IR W/YPC, "GAYLORD SURVEYING INC"	SN 2007-252
1052	35731.12	371445.26	63+73.69	30.15 RT	2/19/2020	5/8" IR W/YPC, "LOVE PLS 747", DOWN 0.5'	SN 25630
1053	35750.51	371278.75	62+06.14	35.19 RT	2/19/2020	5/8" IR W/YPC, "BAKER PLS 1978", FLUSH	SN 29219
1054	35800.67	370937.65	58+61.36	35.16 RT	2/19/2020	5/8" IR W/YPC, "BAKER PLS 1978"	PP 2001-074
1063	35777.01	370895.18	58+22.79	64.75 RT	2/29/2020	5/8" IR W/YPC, "D.W. BAKER PLS 1978", UP 0.2'	SN 29219
1064	35775.61	370903.98	58+31.69	64.85 RT	2/29/2020	5/8" IR W/YPC, "D.W. BAKER PLS 1978", UP 0.2'	SN 29219
1065	35780.94	370868.10	57+95.42	64.80 RT	2/29/2020	5/8" IR W/YPC, "D.W. BAKER PLS 1978", UP 0.3'	SN 29219
1066	35757.32	370864.57	57+95.37	88.69 RT	2/29/2020	5/8" IR W/YPC, "D.W. BAKER PLS 1978", UP 0.3'	PP 2001-074
1067	35760.42	370844.51	57+75.07	88.53 RT	2/29/2020	5/8" IR W/OPC, "RM LS 1978" FLUSH	PP 2001-074
1221	35686.84	371751.80	66+83.42	29.38 RT	10/30/2020	3/4" IP, DOWN 0.3'	SN 1506
1222	35766.68	371168.63	60+94.84	35.21 RT	10/30/2020	5/8" IR W/YPC "D.W. BAKER PLS 1978"	PP 2001-074
1223	35726.90	371475.10	64+03.83	29.99 RT	11/2/2020	3/4" IP, DOWN 0.6'	SN 1506

LEGEND

○ FOUND MONUMENT NOTED IN TABLE

◆ NETWORK CONTROL POINT SET BY DEA (SEE SHEET 2 OF 7)

— RIGHT-OF-WAY LINES

— PROPERTY LINE

- - - EASEMENT LINE

BD BRASS DISK

FD FOUND

IP IRON PIPE

IR IRON ROD

LT LEFT

PP PARTITION PLAT

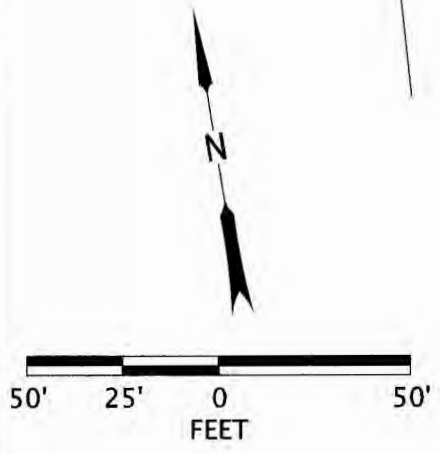
RPC RED PLASTIC CAP

RM REFERENCE MONUMENT

RT RIGHT

SN SURVEY NUMBER, CLACKAMAS COUNTY RECORDS WITH

W/ YPC YELLOW PLASTIC CAP



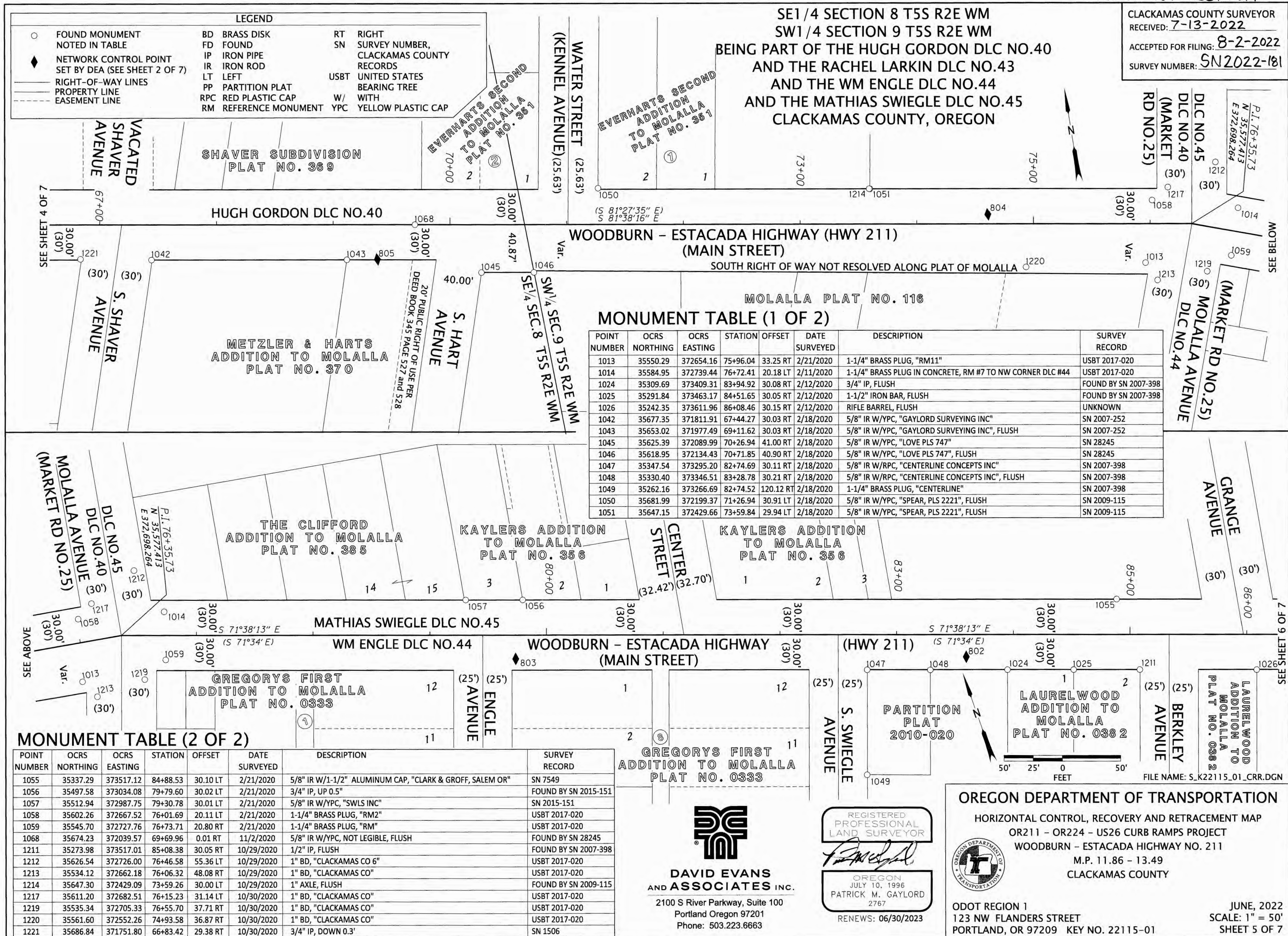
DAVID EVANS AND ASSOCIATES INC.
2100 S River Parkway, Suite 100
Portland Oregon 97201
Phone: 503.223.6663

REGISTERED PROFESSIONAL LAND SURVEYOR
Patrick M. Gaylord
OREGON JULY 10, 1996
PATRICK M. GAYLORD 2767
RENEWALS: 06/30/2023

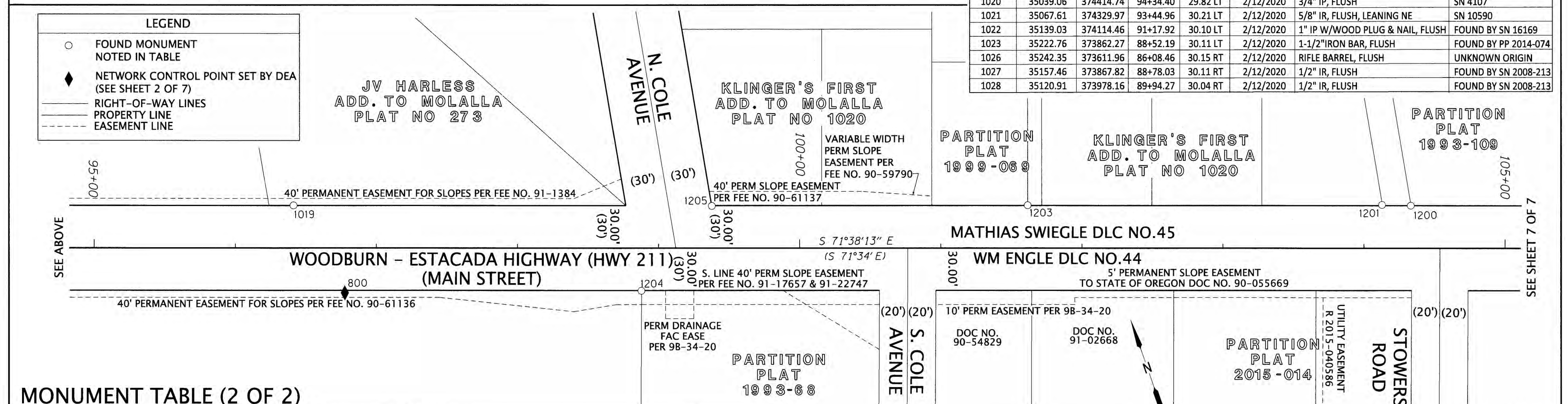
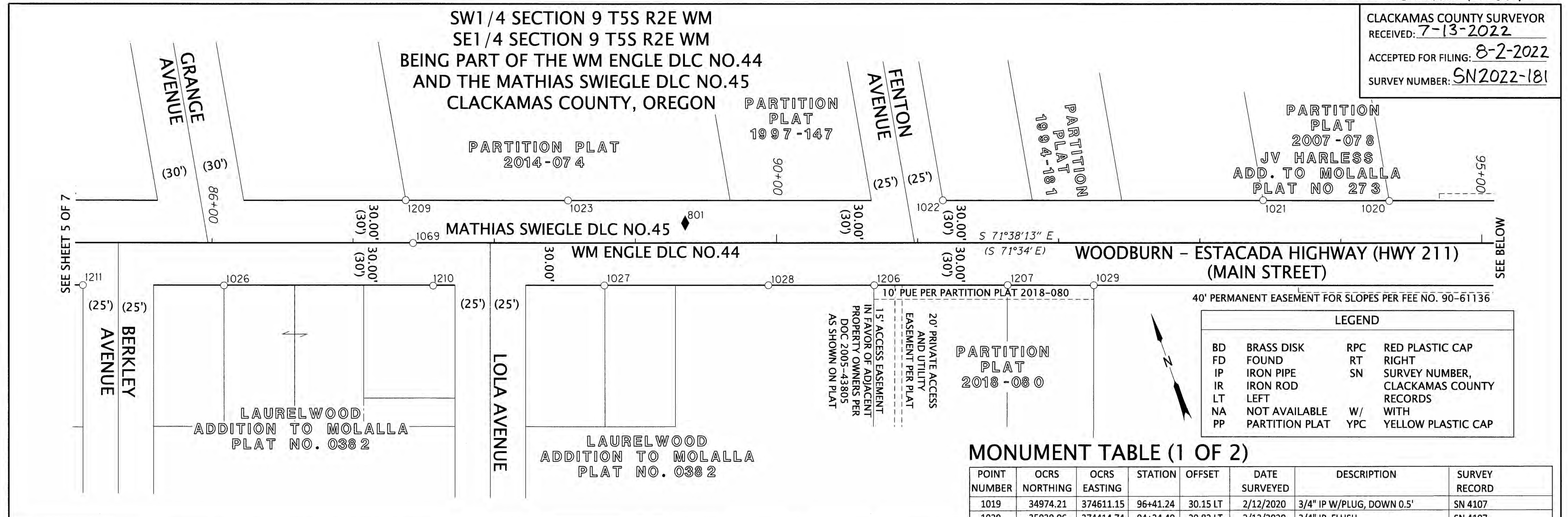
OREGON DEPARTMENT OF TRANSPORTATION
HORIZONTAL CONTROL, RECOVERY AND RETRACEMENT MAP
OR211 - OR224 - US26 CURB RAMPS PROJECT
WOODBURN - ESTACADA HIGHWAY NO. 211
M.P. 11.86 - 13.49
CLACKAMAS COUNTY

ODOT REGION 1
123 NW FLANDERS STREET
PORTLAND, OR 97209 KEY NO. 22115-01

JUNE, 2022
SCALE: 1" = 50'
SHEET 4 OF 7



CLACKAMAS COUNTY SURVEYOR
RECEIVED: 7-13-2022
ACCEPTED FOR FILING: 8-2-2022
SURVEY NUMBER: SN2022-181



DAVID EVANS AND ASSOCIATES INC.
2100 S River Parkway, Suite 100
Portland Oregon 97201
Phone: 503.223.6663

REGISTERED PROFESSIONAL LAND SURVEYOR
Patrick M. Gaylord
OREGON
JULY 10, 1996
PATRICK M. GAYLORD
2767
RENEWALS: 06/30/2023

OREGON DEPARTMENT OF TRANSPORTATION
HORIZONTAL CONTROL, RECOVERY AND RETRACEMENT MAP
OR211 - OR224 - US26 CURB RAMPS PROJECT
WOODBURN - ESTACADA HIGHWAY NO. 211
M.P. 11.86 - 13.49
CLACKAMAS COUNTY

ODOT REGION 1
123 NW FLANDERS STREET
PORTLAND, OR 97209 KEY NO. 22115-01

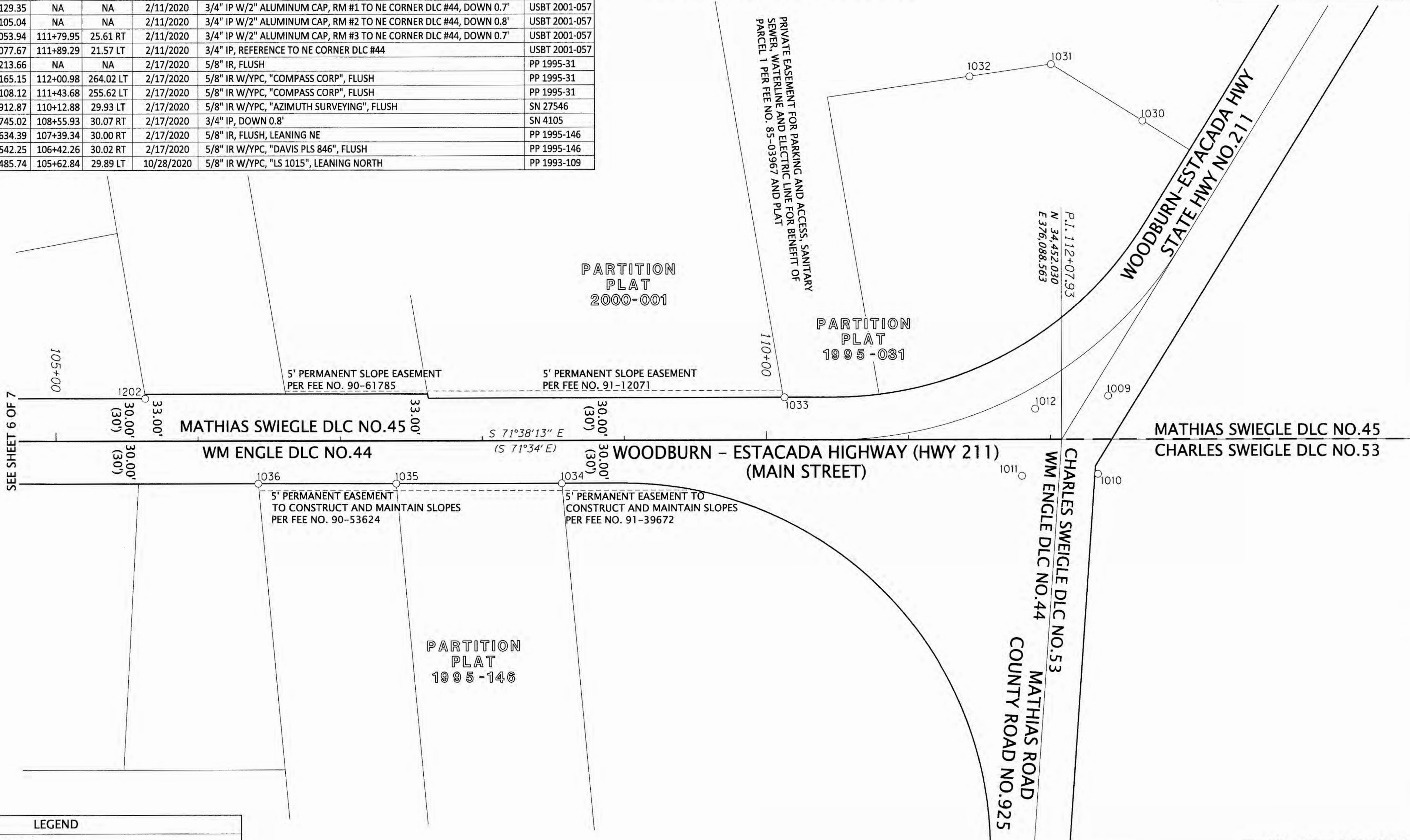
JUNE, 2022
SCALE: 1" = 50'
SHEET 6 OF 7

MONUMENT TABLE

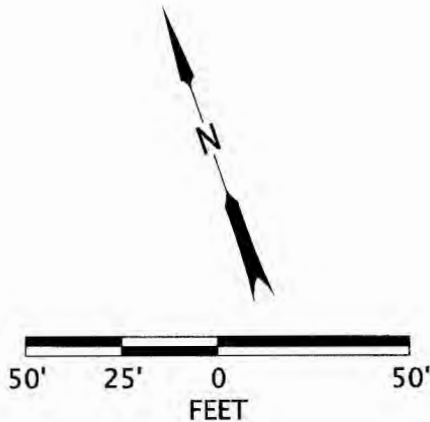
POINT NUMBER	OCRS NORTHING	OCRS EASTING	STATION	OFFSET	DATE SURVEYED	DESCRIPTION	SURVEY RECORD
1009	34470.83	376129.35	NA	NA	2/11/2020	3/4" IP W/2" ALUMINUM CAP, RM #1 TO NE CORNER DLC #44, DOWN 0.7'	USBT 2001-057
1010	34420.96	376105.04	NA	NA	2/11/2020	3/4" IP W/2" ALUMINUM CAP, RM #2 TO NE CORNER DLC #44, DOWN 0.8'	USBT 2001-057
1011	34436.54	376053.94	111+79.95	25.61 RT	2/11/2020	3/4" IP W/2" ALUMINUM CAP, RM #3 TO NE CORNER DLC #44, DOWN 0.7'	USBT 2001-057
1012	34478.38	376077.67	111+89.29	21.57 LT	2/11/2020	3/4" IP, REFERENCE TO NE CORNER DLC #44	USBT 2001-057
1030	34646.79	376213.66	NA	NA	2/17/2020	5/8" IR, FLUSH	PP 1995-31
1031	34704.80	376165.15	112+00.98	264.02 LT	2/17/2020	5/8" IR W/YPC, "COMPASS CORP", FLUSH	PP 1995-31
1032	34714.87	376108.12	111+43.68	255.62 LT	2/17/2020	5/8" IR W/YPC, "COMPASS CORP", FLUSH	PP 1995-31
1033	34541.88	375912.87	110+12.88	29.93 LT	2/17/2020	5/8" IR W/YPC, "AZIMUTH SURVEYING", FLUSH	SN 27546
1034	34534.39	375745.02	108+55.93	30.07 RT	2/17/2020	3/4" IP, DOWN 0.8'	SN 4105
1035	34571.18	375634.39	107+39.34	30.00 RT	2/17/2020	5/8" IR, FLUSH, LEANING NE	PP 1995-146
1036	34601.75	375542.25	106+42.26	30.02 RT	2/17/2020	5/8" IR W/YPC, "DAVIS PLS 846", FLUSH	PP 1995-146
1202	34683.63	375485.74	105+62.84	29.89 LT	10/28/2020	5/8" IR W/YPC, "LS 1015", LEANING NORTH	PP 1993-109

SE 1/4 SECTION 9 T5S R2E WM
BEING PART OF THE WM ENGLE DLC NO.44
AND THE MATHIAS SWIEGLE DLC NO.45
CLACKAMAS COUNTY, OREGON

CLACKAMAS COUNTY SURVEYOR
RECEIVED: 7-13-2022
ACCEPTED FOR FILING: 8-2-2022
SURVEY NUMBER: SN2022-181



LEGEND			
○	FOUND MONUMENT NOTED IN TABLE		
◆	NETWORK CONTROL POINT SET BY DEA (SEE SHEET 2 OF 7)		
—	RIGHT-OF-WAY LINES		
—	PROPERTY LINE		
- - - -	EASEMENT LINE		
FD	FOUND	RM	REFERENCE MONUMENT
IP	IRON PIPE	RT	RIGHT
IR	IRON ROD	USBT	UNITED STATES BEARING TREE
LT	LEFT	W/	WITH
NA	NOT AVAILABLE	YPC	YELLOW PLASTIC CAP
PP	PARTITION PLAT		
RPC	RED PLASTIC CAP		



DAVID EVANS AND ASSOCIATES INC.
2100 S River Parkway, Suite 100
Portland Oregon 97201
Phone: 503.223.6663

REGISTERED PROFESSIONAL LAND SURVEYOR
Patrick M. Gaylord
OREGON
JULY 10, 1996
PATRICK M. GAYLORD
2767
RENEWALS: 06/30/2023

OREGON DEPARTMENT OF TRANSPORTATION
HORIZONTAL CONTROL, RECOVERY AND RETRACEMENT MAP
OR211 - OR224 - US26 CURB RAMPS PROJECT
WOODBURN - ESTACADA HIGHWAY NO. 211
M.P. 11.86 - 13.49
CLACKAMAS COUNTY

ODOT REGION 1
123 NW FLANDERS STREET
PORTLAND, OR 97209
KEY NO. 22115-01

JUNE, 2022
SCALE: 1" = 50'
SHEET 7 OF 7

FILE NAME: S_K22115_01_CRR.DGN

Exhibit C:

Public Works Comments

Exhibit D:

Molalla Fire District Comments



Community Development Department

315 Kennel Ave/PO Box 248

Molalla, OR 97038

Phone 503.759.0205

www.cityofmolalla.com

December 2, 2025

TO: Mac Corthell, Community Developer Director
Dan Zinder, Planning Director
Claressa Davis, Associate Planner.

FROM: Sam Miller, Engineering Section Manager

RE: 709 W Main Street. (CUP01-2025)

Based on a review of the materials submitted, Staff has prepared the following comments. These comments are applicable to the subject application; any subsequent modifications may require amendments and/or additions. These conditions do not include requirements already set forth in the municipal code.

CONDITIONS

1. Specific Requirements To This Site:

A. Transportation – in accordance with MMC 17-3.6.020 Transportation Standards:

1. Applicant has prepared and submitted a Traffic Analysis Letter for the proposed change of use that was prepared by a registered professional engineer, which has been analyzed and accepted by the City. The proposed change of use does not meet the threshold for a Traffic Impact Analysis (TIA), change of use generates fewer than 25 peak-hour trips during either AM or PM peak hours.
2. Right-of-way Dedications/Donations: OR-211/W Main St is classified as an arterial road in Molalla's Transportation Systems Plan. Required cross section for this portion of OR-211/W Main St. is 68-feet. If 34-feet north from centerline is not currently obtained, Applicant to dedicate to meet the appropriate cross-section width. On ODOT rights of way, applicant will be required to donate sufficient right-of-way. ODOT requires donations of right-of-way to follow the requirements of Chapter 5.322. Developer Mitigation Donation in the ODOT Right-of-Way Manual. Applicant is advised that the donation must be completed and recorded prior to receiving occupancy.
3. Easements: Applicant will be required to dedicate a 10-foot-wide public utility easement fronting the public right-of-way if one does not exist.
4. Access to public streets shall be limited to the following locations. No additional access will be granted without prior approval from ODOT and the City. Any modifications to the

existing access will also require approval and must be permitted.

5. Transportation SDC's – In accordance with MMC 13.14, this conditional use permit does not increase the impact on the public improvement facility and is therefore exempt from the transportation System Development Charge (SDC).

B. Storm - in Accordance with MMC 17-3.6.050 Storm Drainage and Surface Water Management:

1. Staff is unaware of any existing onsite storm systems. As site is pre-existing and no new impervious surfacing is proposed, stormwater upgrades will not be required. Public storm is available within W Main ST and Staff will with applicant to facilitate a compliant onsite storm system, if proposed.
2. Stormwater SDC's – In accordance with MMC 13.14 this conditional use permit does not increase the impacts to the public improvement facility and is therefore exempt from stormwater SDC charges.

C. Sanitary- in accordance with MMC 17-3.6.040 Sanitary Sewer Service Improvements:

1. Sewer: The applicant does not propose any upgrades or changes to the sewer system for this project, and upgrades are not required.
2. Sanitary SDC's – In accordance with MMC 13.14 this conditional use permit does not increase the impacts to the public improvement facility and is therefore exempt from sanitary SDC charges.

D. Water- in accordance with MMC 17-3.6.040 Water Service Improvements:

1. Water: The applicant does not propose any upgrades or changes to the water system for this project, and upgrades are not required.
2. Water SDC's – In accordance with MMC 13.14 this conditional use permit does not increase the impacts to the public improvement facility and is therefore exempt from water SDC charges.

E. Parks:

1. Parks SDC's – In accordance with SMC 13.70.110 this conditional use permit is exempt from parks SDC charges.

F. Franchise Utility Services:

1. All utilities to the project shall be served underground services. No overhead crossings of public right of way shall be approved by the city.

DESIGN REQUIREMENTS & POLICIES

1. General Requirements:

- A. For commercial and industrial development projects, all public improvements shall be completed and accepted by the Public Works Department prior to issuance of any occupancy.
- B. Staff reserves the right to require revisions/modifications to the public improvement construction plans and completed street improvements, if additional modifications or expansion of the sight distance onto adjacent streets is required.
- C. All public improvement designs shall meet the requirements of the Molalla Standard Specifications for Public Works Construction as amended by the Public Works Director.
- D. General Easements – A 10-foot-wide public utility easement shall be dedicated to the City adjacent to all public right-of-way and no structures are allowed to encroach into the easement. Applicant shall be required to submit a legal description and exhibit map for review and sign City easements. Once completed, applicant will be required to record easements with the County Recorder's Office and return the original document to the City prior to final occupancy.

Exhibit E:

Oregon Department Of Transportation Comments



12/9/25

ODOT # 13814

ODOT Pre-Application Response

Project Name: Heppler CUP	Applicant: Frank Walker and Associates
Jurisdiction: City of Molalla	Jurisdiction Case #: CUP01-2025
Site Address: 709 West Main Street Molalla, Oregon 97038	State Highway: Main St (OR 211)

The site of this proposed land use action is adjacent to Main St (OR211). ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation.

These comments, standards, and requirements are current as of the date of this letter. If the project scope and/or timeline has been modified, the applicant should contact the ODOT Region 1 Development Review program (ODOT_R1_DevRev@odot.oregon.gov) for an updated letter as updated comments may be necessary.

LAND USE PROPOSAL

The applicant is seeking to obtain a Conditional Use Permit to establish an automotive sales lot on the southernmost 84 feet with direct access to Main Street (Hwy 211). The Office Building will house the restroom, office and display areas.

COMMENTS/FINDINGS

The City staff indicated that Applicant is required to determine whether a right of way donation to ODOT is needed along the Main St (OR 211) frontage. The recommended condition of approval below will only apply if the donation is required. If donation is required, it will be processed through the ODOT District 2C office. Contact information is provided below.

ODOT RECOMMENDED CONDITIONS OF APPROVAL FOR LOCAL JURISDICTION

- ☒ Right of way shall be donated to ODOT as necessary to accommodate the planned cross section on the ODOT owned facility. The donation deed must be to the State of Oregon - Oregon Department of Transportation and shall be recorded with the County. The property owner must be the signatory for the deed and will be responsible for a certified environmental assessment of the site before the property is transferred to ODOT. The ODOT District Contact will assist in coordinating the transfer. ODOT should verify with the local jurisdiction that this requirement has been fulfilled prior to final permitting.

Note: All public frontage improvements on State owned facilities must be within State owned right of way. Donation of additional property to ODOT may be necessary to construct required improvements.

Note: It may take **6 months or longer** to transfer property ownership to ODOT.

Contact the ODOT Development Review Planner identified below for further coordination or questions regarding ODOT comments and requirements during the land use process.

Please send a copy of the Land Use Notice to: ODOT_R1_DevRev@odot.oregon.gov.

Development Review Planner: Marah Danielson	Marah.b.danielson@odot.oregon.gov
District Contact: District 2C	d2cap@odot.oregon.gov