



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

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### NOTICE OF ADOPTED AMENDMENT

June 12, 2006



TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Lake Oswego Plan Amendment  
DLCD File Number 001-05

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: June 29, 2006**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Meg Fernekees, DLCD Regional Representative  
Eryn Deeming, City of Lake Oswego

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**NOTICE OF ADOPTION**  
**Must be filed within 5 Working Days**  
**See OAR 660-18-040**

**DEPT OF**

JUN 09 2006

**LAND CONSERVATION  
AND DEVELOPMENT**

<b>Jurisdiction</b>	<u>City of Lake Oswego</u>	<b>Local File No.</b>	<u>LU 05-0022</u>
<b>Date Mailed</b>	<u>06/08/06</u>	<b>Date of Approval</b>	<u>06/06/06</u>
<b>Date Proposal was Provided to DLCD</b>		<u>04/06/05</u>	

**Type of Adopted Action (Check all that apply)**

<input type="checkbox"/> <b>Comprehensive Plan Amendment</b>	<input checked="" type="checkbox"/> <b>Land Use Regulation Amendment</b>	<input checked="" type="checkbox"/> <b>New Land Use Regulation</b>
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**Please complete (A) for text amendments and (B) for map amendments**

**A. Summary of Adopted Action** (A brief description is adequate. Please avoid highly technical terms and zone code abbreviations. Please do not write "see attached"):

The City Council accepted a request by the City of Lake Oswego for a Community Development Code text amendment to the Residential Design District zone and to the Old Town Neighborhood Design Standards.

Ordinance 2424 will result in reductions in building height to 28 feet, restrictions on the design and materials used for fencing, the addition of certain height exceptions, provisions to allow a reduction in allowed setbacks for the rehabilitation of buildings built before 1960 and reductions in the lot coverage requirements for duplex, zero lot line and multifamily dwellings.

**Describe how the Adopted Amendment Differs from the Proposal** (If it is the same, write "Same". If it was not proposed, write "N/A".):

same

**B. If the Action Amends the Plan or Zone Map, Provide the Following Information for Each Area Which was Changed** (Provide a separate sheet for each area. Multiple sheets can be submitted as a single adoption action. Please include street address whenever possible. Do not use tax lot number alone.):

<b>Previous Plan Designation:</b>	<b>New Plan Designation:</b>
<u>N/A</u>	<u>N/A</u>
<b>Previous Zone:</b>	<b>New Zone:</b>
<u>N/A</u>	<u>N/A</u>

**Location:** The changes apply to properties within the Design District zone; approximately 30 acres located in the area bounded by State Highway 43, Oswego Creek, the Willamette River, and Leonard Street.

**Acreage involved:** 30

**Does this change include a Goal exception?**           Yes     No

**For Residential Changes, Please Indicate the Change in Allowed Density in Units Per Net Acre**

<b>Previous Density</b>	<b>New Density</b>
<u>N/A</u>	<u>N/A</u>

*DLCD # 001-05  
(14279)*

**If Notice of Proposal was not sent to DLCD 45 Days Prior to the Final Hearing Please Indicate Why:**

\_\_\_\_\_ **Statewide Planning Goals are Inapplicable**  
\_\_\_\_\_ **Emergency Circumstances Required Expedited Review**

**List Statewide Goals Which May Apply:**

Goal 2

**List any State or Federal Agencies, Local Government or Local Special Service Districts Which May be Interested in or Impacted by the Adoption:**

N/A

**Direct Questions and Comments to:**

Eryn K. Deeming, Associate Planner  
City of Lake Oswego  
P. O. Box 369  
Lake Oswego, OR 97034  
(Phone) (503) 503-675-3730

**Send To:** Department of Land Conservation and Development  
635 Capitol St. NE, Suite 150  
Salem, OR 97301-2540

**Attach one (1) copy of the Adopted Action to this form and/or three (3) copies of Bound Materials and Maps larger than 8-1/2 by 11 inches.**

**Note:** If more copies of this form are needed, please contact the DLCD office at 503-373-0050, or this form may be duplicated on green paper. Failure to provide notice of an adopted plan or land use regulation amendment results in an extension of the appeal period. Appeals may be filed within 21 days of the date the proposal is mailed to DLCD. Statutes require mailing within 5 days of the action becoming final (See OAR 660-18-040).

**\*\*\*FOR DLCD OFFICE USE\*\*\***

**DLCD File Number** \_\_\_\_\_



## CITY OF LAKE OSWEGO NOTICE OF COUNCIL DECISION

**File Number:** LU 05-0022

**Applicant:** City of Lake Oswego

**Location of Property:** The changes apply to properties within the Design District zone; approximately 30 acres located in the area bounded by State Highway 43, Oswego Creek, the Willamette River, and Leonard Street.

**Date of Decision:** June 6, 2006

**Description of Decision:**

The City Council accepted a request by the City of Lake Oswego for a Community Development Code text amendment to the Residential Design District zone and to the Old Town Neighborhood Design Standards.

Ordinance 2424 will result in reductions in building height to 28 feet, restrictions on the design and materials used for fencing, the addition of certain height exceptions, provisions to allow a reduction in allowed setbacks for the rehabilitation of buildings built before 1960 and reductions in the lot coverage requirements for duplex, zero lot line and multifamily dwellings.

This decision will become final unless appealed as described below under "Right to Appeal"

**How to Obtain More Information:** The decision is available for review. A copy may be obtained at the following address:

Lake Oswego City Recorder's Office (503) 675-3984  
Lake Oswego City Hall  
380 A Avenue, Third Floor  
P. O. Box 369  
Lake Oswego, OR 97034

**Right to Appeal:** This decision may be appealed by filing a written Notice of Intent to Appeal with the State of Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of the decision of June 6, 2006. For more information, contact LUBA at:

Land Use Board of Appeals (503) 373-1265  
550 Capitol Street NE, Suite 235  
Salem, OR 97301-2552

**ORDINANCE No. 2424**

**AN ORDINANCE OF LAKE OSWEGO CITY COUNCIL AMENDING THE LAKE OSWEGO CODE, CHAPTER 45 (FENCE CODE) AND CHAPTER 50 (COMMUNITY DEVELOPMENT CODE) RELATING TO OLD TOWN NEIGHBORHOOD DESIGN STANDARDS, AND ADOPTING FINDINGS (LU 05-0022-1609)**

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

WHEREAS, the Planning Commission has recommended that LU 05-0022-1604 be approved by the City Council; and

WHEREAS, a public hearing on the Planning Commission recommendation was held by the City Council on May 2, 2006 at which the staff report, public testimony and the record of the proceedings before the Planning Commission were received and considered.

Now, therefore, the City of Lake Oswego ordains as follows:

The Lake Oswego Code is hereby amended by deleting the text shown by ~~strikeout~~ and adding new text shown in underline.

**Section 1. Section 45.15.025 is hereby amended to read as follows**

**45.15.025 Materials; Standards for Construction.**

1. The unfinished or structural side of a fence or retaining wall shall face the owner's property unless written consent has been obtained from all abutting property owners to face the unfinished or structural side of the fence in another direction.

2. Fences shall not be constructed of, or contain, any material which will do bodily harm, such as electric or barbed wire, broken glass, spikes, or any other hazardous or dangerous material, except as follows:

a. Barbed wire or electrified fences enclosing permitted livestock are permitted provided the barbed wire and electrified fences shall be posted and flagged at not less than 15 foot intervals with clearly visible warnings of hazard.

b. Barbed wire or upturned barbed salvage is permitted more than six feet above grade in GC and Industrial Zones provided that barbed wire shall not extend over a public or private street, alley, fire lane, or the property boundary of a property zoned residential. When used along a public or private street, the fence shall be screened from the street by an evergreen hedge which shall be of a size and spacing so as to provide a six-foot high, dense screen within three years of the planting date.

3. The enclosure surrounding a body of water as defined in LOC 45.15.015 shall be of a material type and constructed such that no openings, holes or gaps exist which are larger than four inches in any dimension except for doors or gates.

a. All gates or doors openings shall be equipped with an automatic closing and

automatic latching device combined with a lock which must be locked when the facility is not in use. Doors of any occupied dwelling forming part of the enclosure need not be provided with the automatic locking and latching devices.

4. Within the Old Town Neighborhood, and similar to the standards of fences for new development in LOC 50.66.030(1):

a. Except for stone fences as authorized by subsection 4(c) below, fencing included in the front yard shall be used in an ornamental or symbolic way, rather than as a visual barrier.

b. Metal chain link fencing is prohibited ~~within the front yard setback~~ except for:

i. Temporary fencing used in tree protection measures as required in LOC 55.08.030 or in construction fencing; and

ii. Vinyl clad metal chain link in the side and rear yards of properties located east of Furnace Street provided that the fence does not extend into the front yard setback.

c. Construction of new stone fences or maintenance of existing stone fences are encouraged.

(Ord. No. 2100, Enacted, 08/01/94; Ord. No. 2173, Amended, 08/04/98)

## **Section 2. Section 50.09.025 is hereby amended to read as follows**

### **50.09.025 Setback Requirements, Buffers.**

1. Except as otherwise provided in this section or LOC 50.22.010, 50.22.025, 50.22.030, or 50.22.035, the required setback in the DD zone is 10 feet.

2. Structures shall be setback from a street right-of-way line a minimum of 10 feet, or such greater distance required to accommodate off street parking. Exception: On lots abutting Durham Street, front yard setbacks for new structures may be reduced to 3 feet for up to 50% of the building facade along Durham Street. The remaining 50% of the building may be between 5 feet and 10 feet from the front property line. The design of new structures along Durham Street must be compatible with LOC Article 50.66 (Old Town Neighborhood Design Standards).

3. ~~The Development Review Commission~~ reviewing authority may increase required setbacks as necessary to achieve compliance with the Development Standards.

4. The reviewing authority may reduce required minimum setbacks for the exterior modification of a single-family detached dwelling built prior to 1960 by 2 feet if the modification maintains at least 50% of the exterior walls (measured by square feet) and does not increase height by more than 100%. All applicable City Codes and Standards for the DD zone apply.

5. The reviewing authority may reduce required minimum setbacks by greater than 2 feet but not exceeding 5 feet for the exterior modification of a single family detached dwelling unit built prior to 1960 if the modification maintains at least 50% of the exterior walls (measured by square feet), does not increase height by more than 100%, and the setback reduction will not result in an incompatible, negative relationship between the proposed expansion and:

a. The scale and character of the neighborhood;

b. The scale and character of the street, such that the safety or the experience of a pedestrian using the street is diminished; and

c. The scale, character and privacy to properties within 300 feet of the property.

All applicable City Codes and Standards for the DD zone apply.

6. Where a lot zoned DD abuts a lot zone EC or R0-EC, a landscaped buffer a minimum of 5 feet in width is required on the lot zoned DD in the setback area abutting the EC or R0-EC zone. The purpose of the landscaped area is to provide a vegetative screen. Plant material used for screening and buffering shall be of a size that will achieve sufficient height within three years of the date of planting to provide adequate screening.

57. a. When a new multi-family development or the expansion or reconstruction of an existing multi-family development occurs in a DD zone subject to DRC review as provided in LOC 50.79.020 (2)(a)(ii) which abuts an existing less intensive residential use, the proposed multifamily structure shall be set back from the boundary of the less intensive use by at least the amount of feet equal to the height of the multi-family structure.

b. ~~A setback of 15 feet will be required for a~~ New duplex development, or the expansion or reconstruction of an existing duplex development in the DD zone subject to DRC review as provided in LOC 50.79.020 (2)(a)(ii), shall be set back from the boundary of the less intensive use by at least 15 feet when the proposed development:

- (1) Is greater than 28 feet in height, and
- (2) Abuts an existing, less intensive residential use.

c. Developments subject to subsection (57)(a) or (57)(b) of this section shall provide a landscaped area at least five feet wide within the setback area abutting the less intensive use. The purpose of the landscaped area is to provide a vegetative screen. Plant material used for screening and buffering shall be of a size that will achieve sufficient height within 3 years of the date of planting to provide adequate screening.

68. Front lot lines on corner lots may face either street. The City Manager shall determine the front lot line after taking into consideration the orientation of structures on the site and nearby lots, the ability to meet setbacks without variances, and physical site or solar access limitations. Street access should be to local streets.

79. Setbacks required by this section may be reduced pursuant to the provisions of LOC 57.06.090 without the need to receive a variance pursuant to this Code.

### **Section 3. Section 50.09.030 is hereby amended to read as follows**

#### **50.09.030 Height of Structure.**

1. ~~On a lot or lots being developed as one project of 1/2 acre or greater in total area, The height of a structures shall not exceed 3528 feet in height except as provided in the following subsections.~~

2. Exceptions to Maximum Building Height: Any one of the following exceptions may be applicable; the exceptions may not be used cumulatively:

a. A greater height than otherwise permitted in LOC 50.09.030(1) above is allowed for roof forms, or architectural features, such as cupolas or dormers provided that these roof forms or features:

- i. Do not extend more than 6 feet above the maximum specified height;
- ii. Do not, in total, exceed one-third of the width of the building for an individual roof form or protection or do not exceed one-half of the width of the building for two or more separate roof forms or protections as measured on any elevation drawing; and
- iii. Do not, in total, cover more than 20% of the roof area on which they are located.

as viewed from directly above for an individual roof form or protections or 30% for multiple roof forms or protections.

b. ~~Exception: Structure~~ Average height may increase to average 40 feet over the entire site, with no individual structure exceeding 50 feet, in the following circumstances:

- i. The lot or lots being developed are 1/2 acre or greater in area; and
- aii. 25% or more of the gross site area is constrained by steep slopes, floodplain or mapped sensitive lands; and
- biii. Any portion of Sstructures taller than 35 feet are set back at least 50 feet from a public street.

2. ~~On lots of less than 1/2 acre, the height of a structure shall not exceed 35 feet.~~

3iv. ~~No structure shall exceed 35 feet~~ On any lot in the DD zone which is closer than 60 feet to a lot carrying a residentially zoned lot other than DD, R-0, 3 or 5 the structure height shall not exceed 35 feet.

c. For the purpose of reconstructing a building, or any part thereof, damaged or destroyed by an involuntary event of natural causes, e.g., fire, flood, the maximum height of the structure, within the footprint of the structure as it existed on [effective date of this Ordinance], shall be height of the structure as it existed on [effective date of this Ordinance]. (This subsection is not applicable when the damage or destruction of the structure is voluntary or due to lack of maintenance.)

43. In addition to the building height exceptions in this section, the building height for detached single family dwellings may be increased by one foot for every five additional feet in yard setback on all sides, beyond the minimum code standards for the zone.

[Cross-Reference: Height Limitation: See also 50.45.010 (1)(a).]

**Section 4. Section 50.09.035 is hereby amended to read as follows**

**50.09.035 Lot Coverage.**

- 1. Maximum lot coverage for single family, detached dwellings in the DD zone is 35%.
- 2. Maximum lot coverage (~~including parking areas~~) for duplex or zero lot line developments in the DD zone is ~~60~~45%.
- 3. Maximum lot coverage for multifamily is 55%.
- 34. The following maximum amounts of impervious surface coverage shall be permitted in the DD zone:

<u>Dwelling Type</u>	<u>Maximum Impermeable Surface Allowed</u>
Single Family Detached	60%
Duplex, zero lot line	<del>65</del> 60%
Multi-family and rowhouse	<del>70</del> 60%

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**Section 5. Section 50.66.010 is hereby amended to read as follows**

**50.66.010 Definitions.**

~~Old Town Styles. Building appearance which borrows from the vernacular (gable front) style, craftsman bungalow style and Cape Cod (neo-colonial) style, which are the predominant historic styles in the DD District. These buildings~~

1. Structures in the Old Town Style shall be ~~are~~ characterized by simple massing and composition, use of natural building materials, window and door openings emphasized with trim, and gable and hip roof forms.

2. Structures shall consist of elements from not more than two of the following traditional American home building styles:

a. Early 1900 Vernacular style (gable-front or gable front-and-wing);

b. Craftsman; and

c. Cape Code.

(Appendix 50.66-A).

**Section 6. Section 50.66.015 is hereby amended to read as follows**

**50.66.015 Applicability.**

This standard is applicable to Major Development or Minor Development within the DD (Design District) Zone as described in LOC 50.79.020 (2)(a).

[Cross-Reference: See LOC 50.82.005 - Minor development applications in DD zone to be reviewed by Development Review Commission.]

**Section 7. Section 50.66.025 is hereby amended to read as follows**

**50.66.025 Building Design and Materials.**

1. Old Town Style Required. New buildings shall be designed using the building design elements described in the Old Town Styles, to create buildings which blend with existing structures in these styles located on the same block face as the proposed development and on the block face across the street.

2. Materials.

a. Moldings. Moldings, window casings and other trim elements utilized on buildings shall be similar to those represented in the Old Town Styles. Where possible, they shall match or compliment the detailing of structures on the same block face as the proposed development and on the block face across the street, which are designed in the Old Town Styles.

b. Siding. The predominant exterior siding materials in the Old Town Styles are:

(1) Horizontal wood siding (3 to 8 inch wide shiplap or clapboard);

(2) Board and batten siding;

(3) Stone, brick or stucco of a type used in the Old Town Styles; and

(4) Plain or patterned wood shingles as described in the Old Town Styles.

These materials may be used alone or in combination.

Development should use traditional wood and masonry materials as discussed in the Old Town Styles Description, but may include representations of the actual materials in pressed wood products, vinyl or metal. Traditional masonry materials, or concrete or other products made to appear like brick or stone, may also be used.

c. Prohibited Siding Materials. Grooved, presawn plywood, (e.g., T-111), corrugated metal, diagonally applied or vertically oriented siding materials and products made to appear like wood, stone, brick or metal with the exception of subsection (2)(b)(2), above, are prohibited.

d. Roofing Materials. Composition shingles, wood shingles or ceramic tiles, or materials which have the appearance of composition or wood shingles, or ceramic tiles, shall be used.

e. Chimneys. Chimneys shall be brick or stone, or boxed-in with the predominant siding material of the building.

f. Windows. The general window shape and typical window placement and trim of the Old Town Styles shall be followed. Sash materials shall be wood, or vinyl, or other material with the appearance of wood.

g. Entrances and Stairs.

i. Entrances: New buildings should have a minimum of one principal entry clearly visible from the street. This entry should be accentuated by characteristic elements of the Old Town Styles to make it a visual focal point. Where an entry to an additional unit is not directly visible from the street, its location should be clearly marked by some identifying feature such as an entry trellis, or entry gate with a visible address.

ii. Stairs: Front entry stairs shall contain no more than 7 risers between each landing.

[Sunset Provision: The Code provisions of LOC 50.66.025 that are amended or deleted by Ordinance No. 2424, Section 7 shall be reinstated, automatically on [insert one year from the effective date of this Ordinance], unless otherwise provided by subsequent ordinance.]

## **Section 8. Section 50.66.030 is hereby amended to read as follows**

### **50.66.030 Fencing and Landscaping.**

1. Fencing. Fencing is not required. When fencing is included in the front yard, it shall be used in an ornamental or symbolic way rather than as a visual barrier. Fences and gates constructed of metal chain link fencing is prohibited except for:

a. Temporary fencing used in tree protection measures as required in LOC Section 55.08.030 or in construction fencing; and

b. Vinyl clad metal chain link in the side and rear yards of properties located east of Furnace Street provided that the fence does not extend into within the front yard setback.

The maximum height of fencing within the front yard setback area shall be 4 feet 8 inches. Retention Maintenance of existing stone fences is encouraged when new development is proposed. Construction of new stone fences that are of similar height and character to existing stone fences is also encouraged.

All fences or walls over 5 feet in height shall incorporate an open design where areas, either at the top of the fence or wall, or throughout the fence or wall surface in a regular pattern, are permeable to light and air. The solid surface area of any fence or wall over 5 feet in height shall not exceed 83% of its total area measured in any 5-foot wide section (See LOC Appendix 50.66-A, Fence types A - C). Trellis and arbors are exempt from the above calculation.

2. Trees and Landscaping.

a. Mature trees or tree groves shall be preserved and incorporated into the site plan for new development, where feasible, unless doing so would substantially reduce development options on the site.

b. Two (2) street trees for every 50 feet of street frontage are required as a condition of approval of a new structure. Existing street trees can be counted in order to comply with this requirement, as long as the type, location and viability of the existing trees are sufficient to provide a full streetscape of trees. New street trees shall be selected from the City of Lake Oswego Approved Street Tree Planting List, (Appendix 50.66-A, Figure 5).

[Cross-Reference: LOC 50.07.060 - Street Trees in R-6 Zone.]

**Section 9. Section 50.79.010 is hereby amended to read as follows**

**50.79.010 Ministerial Development Classification.**

1. A ministerial development is a development which requires a permit from the City where the decision:

a. Is made pursuant to land use standards which do not require interpretation or the exercise of policy or legal judgment;

b. Approves or denies a building permit issued under clear and objective land use standards; or

c. Determines final engineering design, construction, operation, maintenance, repair or preservation of a transportation facility which is otherwise authorized by and consistent with the comprehensive plan and land use regulations.

2. Ministerial developments include:

a. Exterior modification of single family detached dwellings, (including exterior modifications that reduce setbacks pursuant to LOC 50.09.024 (4), duplexes or zero lot line dwellings or modification of an accessory structure in the DD zone.

b. Construction or exterior modification of a detached single family dwelling, duplex, zero lot line dwelling or a structure accessory to such structures which:

i. Is not processed through the Residential Infill Design Review process (LOC Article 50.72).

ii. Is not located within a delineated RP resource or buffer area or RC protection area pursuant to LOC Article 50.16.

iii. Does not impact an Historic Landmark designated pursuant to LOC Chapter 58.

iv. Does not change the nature of the use or occupancy classification to a use that does not qualify as a permitted use in the zone or as an approved conditional use; or

v. Does not require special design review by the zone, design district, prior development approval or Overall Development Plan and Schedule (ODPS) for the development in which the subject property is located.

vi. Is not located on weak foundation soils as identified in LOC 50.42.030 (1).

vii. Is not located in a "Known Potential Severe Landslide Area" as defined in LOC 50.43.010.

viii. Is not located in the Greenway Management Overlay District, as identified in LOC Article 50.15.

- c. Exterior modification of a structure other than a detached single family dwelling, duplex, zero lot line dwelling or structure accessory to such structures which:
  - i. Does not increase building footprint or height; or
  - ii. Does not modify more than 25% of the facade or, if the property abuts property zoned for residential use, does not modify any portion of the facade visible from the residentially zoned property; and
  - iii. Complies with LOC 50.79.010 (2)(b)(i) through (viii).
- d. Lot line adjustments which do not increase the allowable density on a site.
- e. Resource enhancement projects in an RP or RC District.
- f. Passive use recreational facilities within an RC or RP District if such a facility would otherwise qualify as a ministerial development.
- g. Construction or alteration of public transportation or utility facilities consistent with the Comprehensive Plan and land use regulations and is not located in a delineated RP Resource or buffer or RC protection area pursuant to LOC Article 50.16.
- h. Building permits for structures approved pursuant to a prior approved major or minor development.
  - i. Collocated Telecommunications Facilities.
  - j. Delineation of a resource boundary pursuant to LOC 50.16.035 (5).
  - k. Fill in quantities of 10 cubic yards or less when located within the Flood Management Area and outside of the floodway boundary.
    - l. When located within the floodplain of Oswego Lake, fill in quantities greater than 10 cubic yards, provided the fill is associated with development of a single family dwelling, duplex, zero lot line dwelling, water dependent use, or related accessory structure.
- 3. Ministerial decisions are made without notice or the opportunity for appeal.  
 [Cross Reference: Greenway Development District.]

**Section 10. Section 50.79.020 is hereby amended to read as follows**

**50.79.020 Minor Development Classification.**

- 1. A Minor Development is a development which requires a permit from the City that requires a more discretionary level of review than a ministerial decision. "Minor Development" is intended to include decisions defined as "limited land use decisions" pursuant to ORS 197.015 (12).
- 2. "Minor Development" includes:
  - a. In the DD zone:
    - i. Construction of new single family detached dwellings, duplexes, multi-family dwellings, zero lot line dwellings or exterior modification of a structure containing a non-conforming use that requires a building permit;
    - ii. Expansion or reconstruction of the structures listed in subsection (2)(a)(i) above, that result in a change of use (e.g. from single family to duplex) or in an expansion of floor area of an existing structure by more than 50%.
    - iii. Any exterior modification of a single family detached dwelling that reduces setbacks pursuant to LOC 50.09.025 (5).

b. Construction or exterior modification of a detached single family structure, duplex, zero lot line dwelling or a structure accessory to such structures which:

i. Does not qualify as a ministerial decision pursuant to LOC 55.79.010 (2)(b)(i) through (viii); or

ii. Requires one or more variances.

c. Involves a determination by the City Manager that a use not expressly permitted in the zone may be allowed pursuant to the considerations contained in LOC 50.04.015. In such case, the required notice shall include a description of the proposed use and the reasons for the City Manager's determination.

d. Involves an improvement to an existing park or school facility that will increase the capacity of the park or school facility, generate additional traffic, or generate significant additional noise or other negative impact on the surrounding neighborhood.

e. Secondary dwelling units.

f. Construction of a structure other than a detached single family dwelling, duplex, zero lot line dwelling or accessory structure, or an exterior modification of such a structure which does not qualify as a ministerial development pursuant to LOC 50.79.010 (2)(c).

g. Lot line adjustments which would increase allowable density on the site.

h. Partitions.

i. Subdivisions (with or without a Planned Development overlay).

j. Review of development phases subject to an ODPS.

k. A change of use from one permitted use to another that increases on-site parking or loading requirements or which changes access requirements pursuant to LOC Article 50.55 or that will result in the construction of private streets, driveways.

l. Determining an RC District protection area pursuant to LOC 50.16.055.

m. Construction of a structure described in LOC 50.60.005 (2).

n. Fill in the floodway or fill in quantities greater than 10 cubic yards when located elsewhere in the Flood Management Area, excluding fill for single family detached dwellings, duplexes, zero lot line dwellings, water dependent uses, or related accessory structures when the fill is located within the floodplain of Oswego Lake.

o. Outright permitted residential dwellings, other than in the DD zone, when processed through the Residential Infill Design Review process (LOC Article 50.72).

p. Variances, Class 1 or Class 2.

q. Construction of any public or private road, or major transportation or utility facility within a delineated RP District or buffer or RC protection area.

3. Minor developments are initially decided by the City Manager subject to notice, the opportunity to request a hearing, and appeal as provided by LOC Article 50.81.

[Cross-Reference: Greenway Management District.]

### **Section 11. Section 50.81.005 is hereby amended to read as follows**

#### **50.81.005 Review by City Manager.**

Except as provided by LOC 50.82.005, Mminor development permit applications shall be reviewed and decided by the City Manager. In the alternative, the City Manager may refer a

minor development application directly to a hearing body for public hearing and decision pursuant to LOC Articles 50.82 and 50.83.

[Cross-Reference: LOC 50.82.005 - minor development applications in DD zone to be reviewed by Development Review Commission.]

**Section 12.** Appendix 50.66-A. The Lake Oswego Community Development Code, Appendix 50.66-A are hereby amended to read as shown in attached Exhibit A.

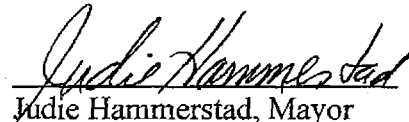
**Section 13.** Sunset Provision Relating to Section 7 (LOC 50.66.025). Section 7 of this Ordinance is hereby repealed, and the provisions that are amended or deleted by Section 7 shall be reinstated, automatically on [one year from the effective date of this Ordinance], unless otherwise provided by subsequent ordinance.

**Section 14.** The City Council hereby adopts the Findings and Conclusions (LU 05-0022-1609) attached as Exhibit "B".

**Section 15.** Severability. The provisions of this ordinance are severable. If any portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Enacted at the regular meeting of the City Council of the City of Lake Oswego held on the 6th day of June, 2006.

AYES:	Mayor Hammerstad, Peterson, Groznik, McPeak, Turchi, Hoffman
NOES:	none
ABSENT:	none
ABSTAIN:	Graham

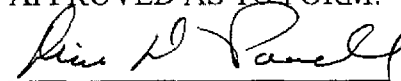
  
Judie Hammerstad, Mayor

Dated: 6-7-06

ATTEST:

  
Robyn Christie, City Recorder

APPROVED AS TO FORM:

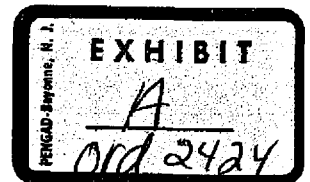
  
David D. Powell, City Attorney

## APPENDIX 50.66-A

### OLD TOWN STYLES DESCRIPTION

Structures in the Old Town Style shall be characterized by simple massing and composition, use of natural building materials, window and door openings emphasized with trim, and gable and hip roof forms.

Structures shall consist of elements from not more than two of the following traditional American home building styles: Early 1900 Vernacular (gable-front or gable front-&-wing), Craftsman, and Cape Cod.



## EARLY 1900 VERNACULAR STYLE

One or two story with moderately pitched gable front or gable front with side wing, often with a front porch with shed or hip roof. Vernacular style house forms include square, rectangular, L or T-plan with intersecting gables. These houses can include symmetrical placement of doors and double hung sash windows, which are emphasized by window trim. They are typically sided with shiplap or other wood horizontal siding. Typically, there is little or no decorative detailing. On the more complex structures with intersecting gables, the roof ridge of one of the gables is sometimes higher than the other adjacent wing.



Example of early 1900 vernacular style, front gable with side wing



20th century construction in Old Town built to the vernacular style



The Workers Cottage, built in Old Town circa 1880



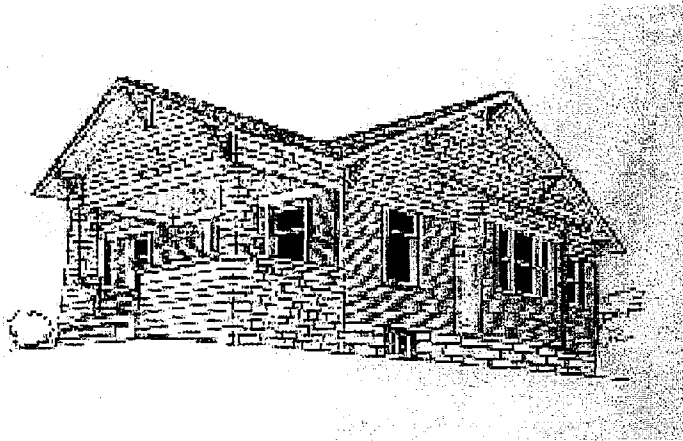
## CAPE COD

A 20th-century Cape Cod is square or rectangular with one or one-and-a-half stories and steeply pitched, side gable roofs, sometimes with an intersecting gable often with dormers. It may have dormers and shutters. The siding is usually clapboard or brick. There is often an accentuated front door, with a decorative crown (pediment) supported by pilasters or extended forward and supported by slender columns to form a small entry porch. Windows typically are with double-hung sashes, usually with multi-pane glazing on one or both sashes, frequently in adjacent pairs.



## CRAFTSMAN

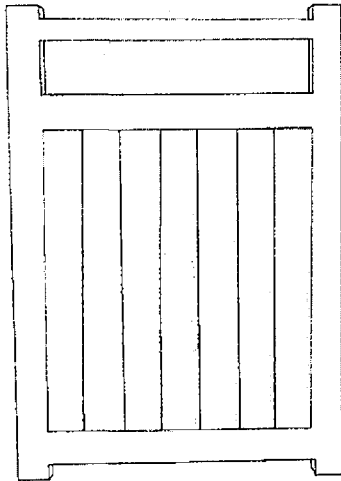
Low pitched gabled roof (occasionally hip) with wide, overhanging eaves, roof rafters usually exposed, decorative (false) beams or braces commonly added under gables, porches either full or partial width, with roof supported by tapered square columns or pedestals, frequently extended to ground level and frequently composed of stone, clapboard, brick or in combination. Dormers are commonly gabled in two's or three's or large windows the front façade with smaller pane sections above and often flanked by two smaller windows. The most common wall cladding is wood clapboard, wood and shingles, with stone and brick used in combination, or for porch post pillars or columns. Stucco is occasionally used as is board and batten.



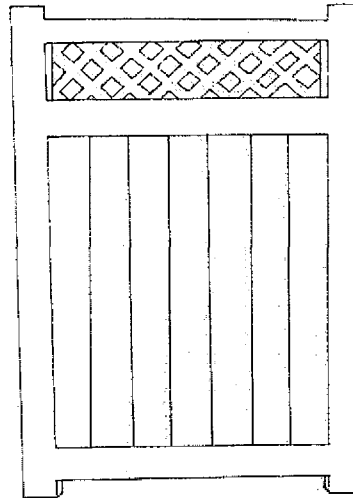
All fences or walls over five feet in height shall incorporate an open design where areas, either at the top of the fence or wall, or throughout the fence or wall surface in a regular pattern, are permeable to light. The solid surface area of any fence or wall over five feet in height shall not exceed 80% of its total area measured in any 5-foot wide section. Lattice is exempt from the above calculation

[LOC 50.66.030 (1)].

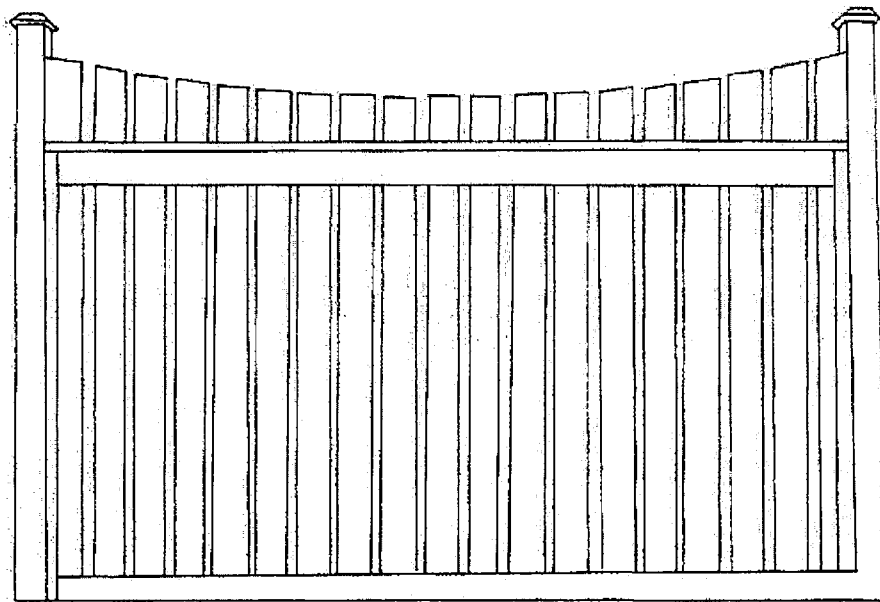
Examples of Fence Types:



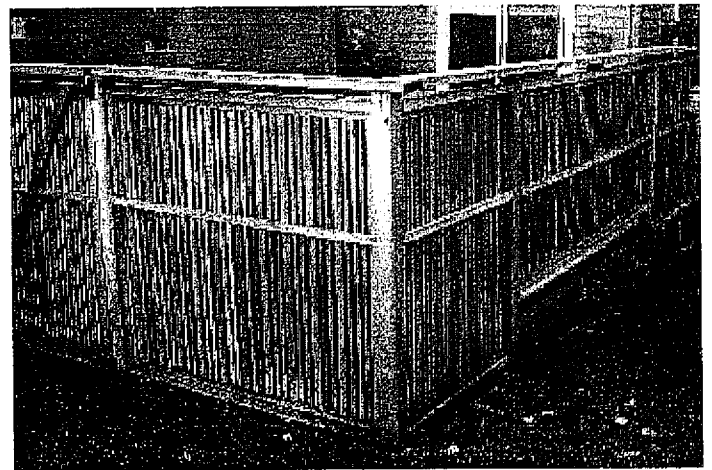
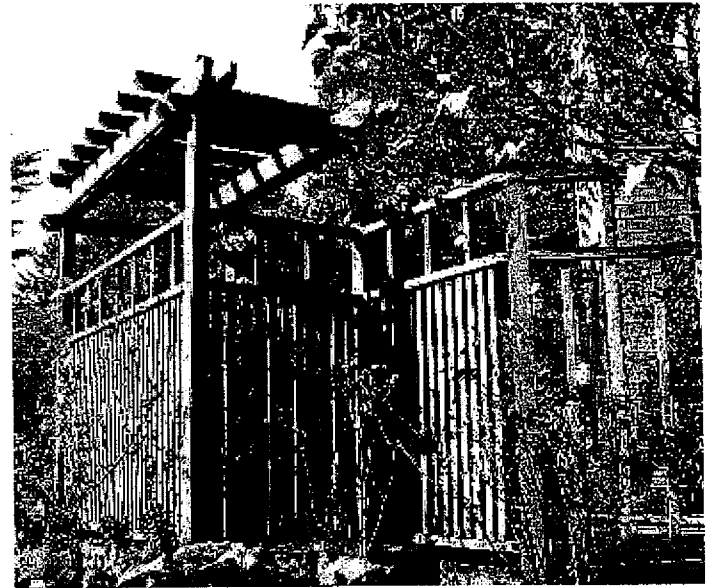
Fence Type A



Fence Type B

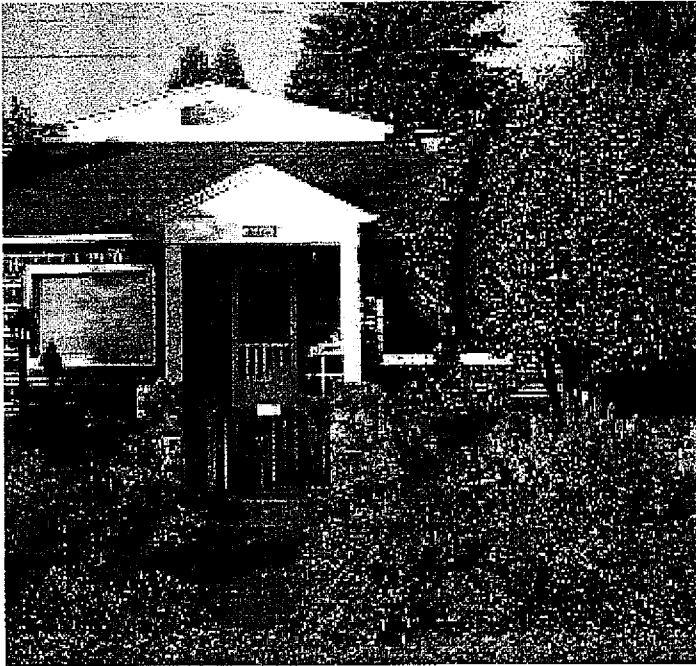
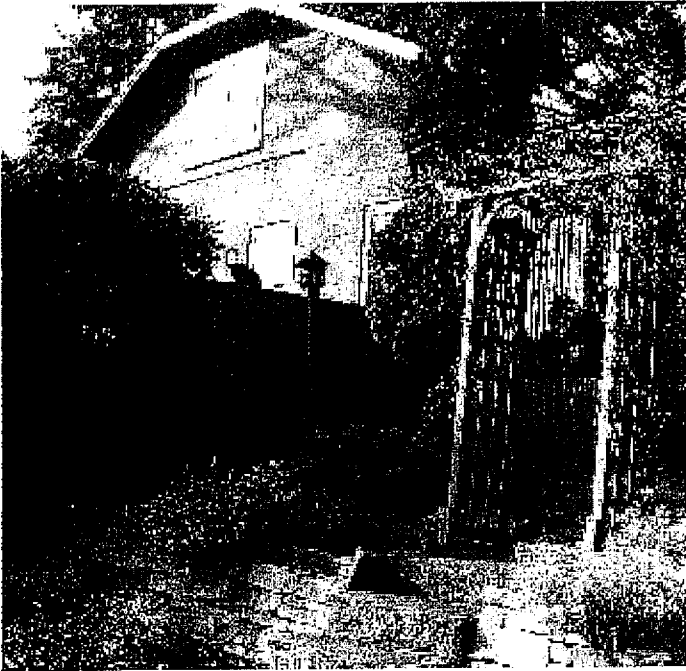


Fence Type C



Fence Examples

Rockwork as a tradition in Old Town



## ARCHITECTURAL MASSING and GARAGE PLACEMENT

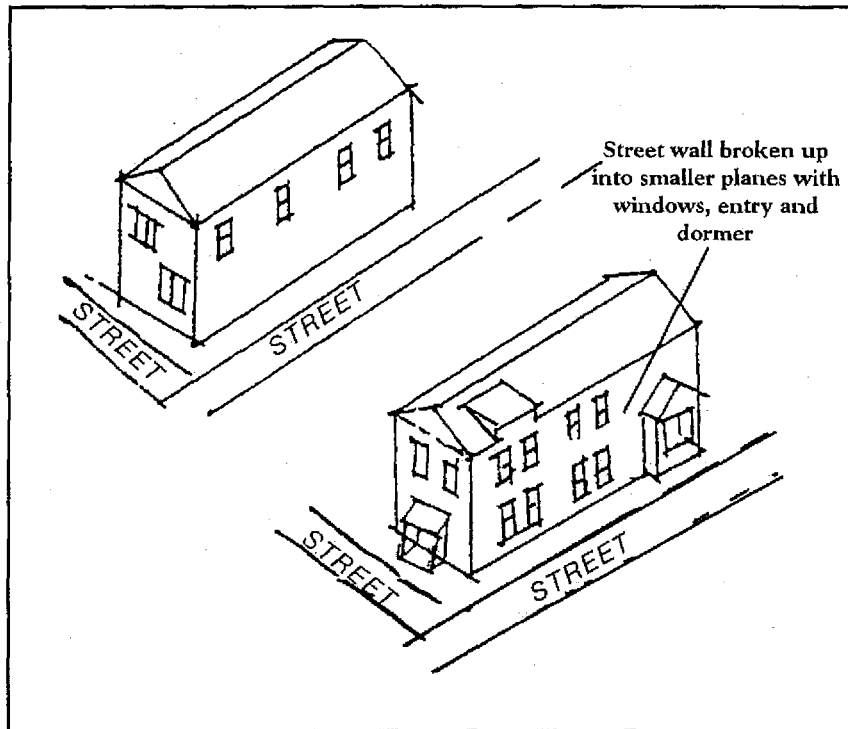


Figure 3. Create visual interest along the street. Incorporate porches, dormers, and bays to reduce scale of buildings and so as to relate better to existing structures.

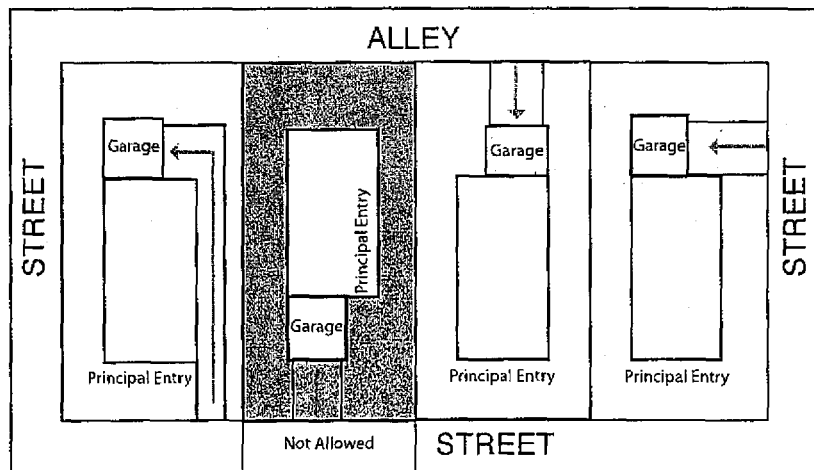


Figure 4. Garage placements.

# ARCHITECTURAL MASSING

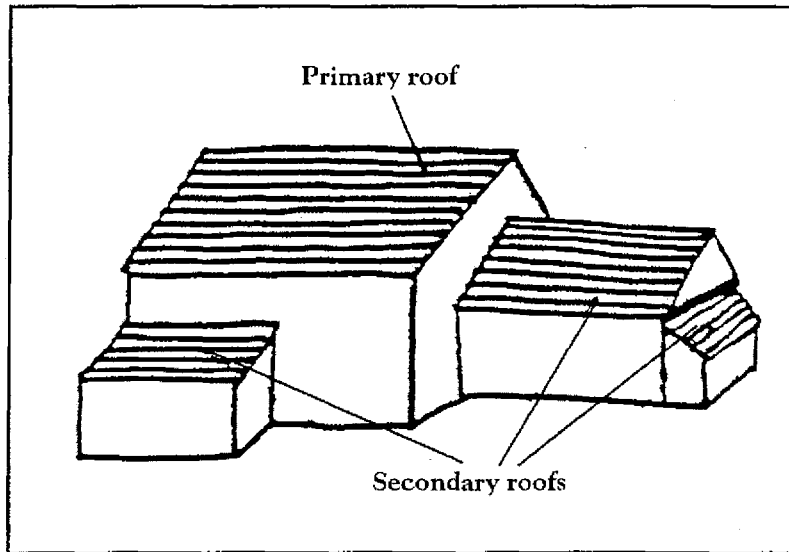


Figure 1. Example of primary and secondary roof forms

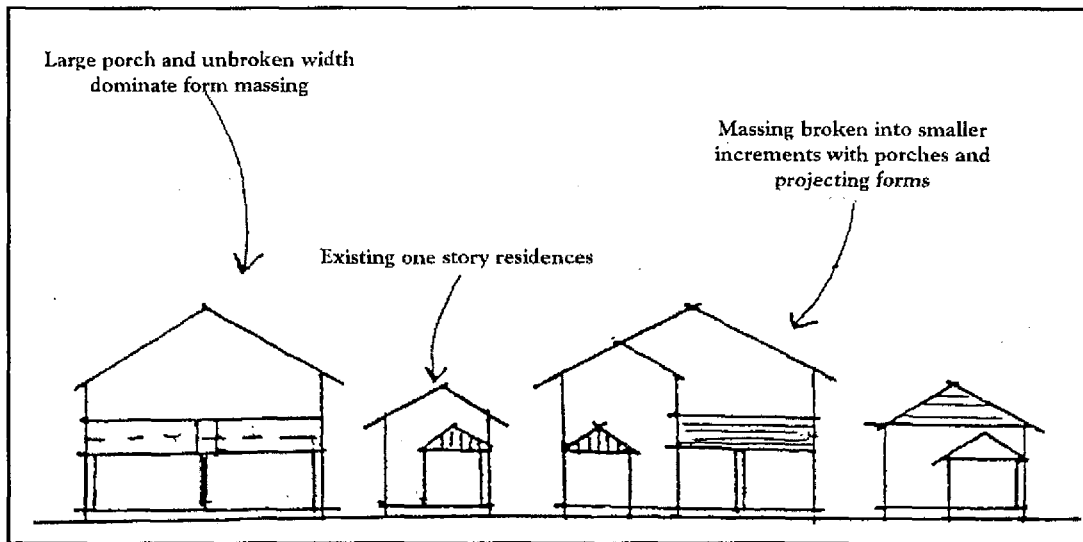


Figure 2. Create visual linkages. Offset building walls and roof lines. Incorporate similar roof forms and smaller design elements. (Note: The intent of this drawing is not to indicate that full-length porches are not acceptable for multi-family dwellings, but that design features must be considered along with overall form and massing to achieve compleatability.)

Old Town Design Standards  
CITY OF LAKE OSWEGO  
APPROVED STREET TREE PLANTING LIST

TREES FOR PLANTING STRIP SIZE UP TO 4'

<i>Tree Species</i>	<i>Height</i>	<i>Spread</i>	<i>Structure</i>	<i>Foliage</i>	<i>Flowers</i>	<i>Fall Color</i>	<i>Fruit</i>
Crimson Sentry Norway Maple / <i>Acer platanoides</i> 'Crimson Sentry'	25'	12'	Very Upright Dense	Red		Maroon to Reddish - Bronze	
Allagheny Serviceberry / <i>Amelanchier laevis</i>	25'	15'	Upright Oval	Green	White Clusters	Orange	Purplish Blue
Pyramidal Serviceberry / <i>Amelanchier canadensis</i> <i>Pyramidalis</i>	30'	12'	Very Upright	Dark Green	White Racemes	Brilliant Reds & Oranges	Maroon Purple Heavy Fruits
Lavalle Hawthorn / <i>Crataegus</i> X <i>Lavellei</i>	30'	20'	Upright to Vase	Dark Green	White Clusters	Bronze	Orange to Red
Crimson Cloud Hawthorn / <i>Crataegus laevigata</i> 'Crimson Cloud'	25'	18'	Oval	Glossy Green	Bright Red White Centers		Bright Red
Columnar Hawthorn / <i>Crataegus monogyna stricta</i>	30'	10'	Tightly Upright	Green	Double White	Yellow	Red
Flowering Ash / <i>Fraxinus ornus</i>	30'	15'	Pyramidal to Round	Medium Green	Off White Heavily Scented	Yellow	
Columnar Goldenrain / <i>Koelreuteria paniculata</i> <i>Fastigiata</i>	30'	6'	Narrow Fastigiata	Green	Yellow	Yellow	Yellow Pods
Goldenchain / <i>Laburnum Vossii</i>	30'	20'	Upright to Vase	Green	Yellow Racemes	Yellow	
Blireiana Plum / <i>Prunus</i> X <i>Blireiana</i>	20'	20'	Round	Purple - Green	Bright Pink	Reddish - Bronze	
Newport Plum / <i>Prunus cerasifera</i> 'Newport'	20'	20'	Oval to Round	Dark Purple	Light Pink	Reddish	
Japanese Tree Lilac / <i>Syringa reticulata</i>	25'	15'	Pyramidal	Green	White Panicle		Yellow Brown
Trident Maple / <i>Acer buergerianum</i>	25'	20'	Oval to Round	Dark Green		Yellow Orange	
Paperbark Maple / <i>Acer griseum</i>	30'	20'	Round	Green above & Silvery under		Bright Red - Orange	
Amur Maple / <i>Acer ginnala</i>	20'	20'	Upright Round	Green		Yellow	
Hedge Maple / <i>Acer campestre</i>	25'	25'	Round	Dark Green		Yellow	
Glorybower Tree / <i>Clerodendrum trichotomum</i>	20'	20'	Round	Dark Green	White Fragrant Clusters		Blue - Green
Rocky Mountain Glow Maple / <i>Acer grandidentatum</i> 'Schmidt'	25'	15'	Oval	Dark Green		Bright Red	



CITY OF LAKE OSWEGO  
APPROVED STREET TREE PLANTING LIST  
TREES FOR PLANTING STRIP SIZE 4' TO 5 1/2'

<i>Tree Species</i>	<i>Height</i>	<i>Spread</i>	<i>Structure</i>	<i>Foliage</i>	<i>Flowers</i>	<i>Fall Color</i>	<i>Fruit</i>
Queen Elizabeth Maple / Acer campestre 'Queen Elizabeth'	35'	30'	Upright	Dark Green		Yellow	
Cleveland II Norway Maple / Acer platanoides 'Cleveland'	40'	25'	Upright	Medium Green		Bright Yellow	
Parkway Norway Maple / Acer platanoides 'Columnar Broad'	40'	25'	Oval	Dark Green		Yellow	
Paperbark Maple / Acer griseum	30'	20'	Round	Green above & Silver under		Bright Red - Orange	
Variegated Norway Maple / Acer platanoides 'Drummondii'	35'	25'	Broadly Oval	Light Green White Margin			
Pacific Sunset Maple / Acer truncatum K.A. Platanoides 'Warrenred'	30'	25'	Upright	Dark Green			
Chinese Dogwood / Cornus kousa Chinensis	30'	30'	Round	Green	White	Red	Red Pi
September Goldenrain / Koeleruteria paniculata 'September'	30'	25'	Flat Topped Open	Green	Yellow	Yellow	
Red Bud / Cercis canadensis	20'	25'	Spreading	Medium Green	Pink	Yellow	
American Hophornbeam / Ostrya virginiana	35'	25'	Oval	Medium Green		Yellow	
Newport Plum / Prunus cerasifera 'Newport'	20'	20'	Oval to Round	Dark Purple	Light Pink		Red
Capital Pear / Pyrus calleryana 'Capital'	35'	12'	Columnar	Medium Green	White Clusters	Reddish Purple	
Chanticleer Pear / Pyrus calleryana 'Glen's Form'	40'	15'	Pyramidal	Glossy Green	White Clusters	Orange Red	
Rocky Mountain Glow Maple / Acer grandidentatum 'Schmidt'	25'	15'	Oval	Dark Green		Bright Red	
Japanese Stewartia / Stewartia pseudo-camellia	40'	20'	Pyramidal	Dark Green	White Orange Center	Dark Red	
Rancho Linden / Tilia cordata 'Rancho'	45'	20'	Pyramidal	Dark Green	Yellow Fragrant	Yellow	
Chancellor Linden / Tilia cordata 'Chancellor'	35'	20'	Pyramidal	Dark Green		Yellow	

**CITY OF LAKE OSWEGO  
APPROVED STREET TREE PLANTING LIST**

**TREES FOR PLANTING STRIP SIZE 4' TO 5 1/2'**

<i>Tree Species</i>	<i>Height</i>	<i>Spread</i>	<i>Structure</i>	<i>Foliage</i>	<i>Flowers</i>	<i>Fall Color</i>	<i>Fruit</i>
Lavalle Hawthorn / <i>Crataegus X Lavellei</i>	30'	20'	Upright	Dark Green	White	Bronze Red	Red
Flowering Ash / <i>Fraxinus ornus</i>	30'	15'	Pyramidal to Round	Medium Green	Off White Fragrant	Yellow	
Pyramidal Hornbeam / <i>Carpinus betulus fastigiata</i>	35'	20'	Broadly Oval	Dark Green		Yellow	
Olmsted Columnar Norway Maple / <i>Acer platanoides</i> columnar 'Olmsted'	40'	20'	Upright	Dark Green		Yellow	
Armstrong II Red Maple <i>Acer rubrum 'Armstrong'</i>	45'	15'	Narrow Fastigiata	Light Green		Yellow Orange - Red	
Gerling Red Maple <i>Acer rubrum 'Gerling'</i>	35'	20'	Pyramidal	Green		Orange - Red	
Saratoga Ginkgo <i>Ginkgo biloba 'Saratoga'</i>	30'	30'	Compact Spreader	Greenish - Gold		Yellow	
Columnar Sargent Cherry <i>Prunus sargentii columnaris</i>	30'	10'	Fastigiata	Green	Deep Pink	Orange - Red	
Glorybower Tree <i>Clerodendrum trichotomum</i>	20'	20'	Round	Dark Green	White Fragrant Clusters		Blue - Green
Globe Sugar Maple / <i>Acer</i> <i>saccharum globosum</i>	15'	20'	Round	Medium Green		Yellow & Orange	
Globe Serviceberry / <i>Amelanchier canadensis</i> <i>oblongifolia</i>	20'	20'	Round	Green	White	Bright Yellow - Red	Maroo Purple
Magnolia soulangiana <i>Saucer magnolia</i>	20'	20'	Upright- Rounded	Green	Red/ White	Yellow- Brown	

CITY OF LAKE OSWEGO  
APPROVED STREET TREE PLANTING LIST

TREES FOR PLANTING STRIP SIZE 6' TO 8'

<i>Tree Species</i>	<i>Height</i>	<i>Spread</i>	<i>Structure</i>	<i>Foliage</i>	<i>Flowers</i>	<i>Fall Color</i>	<i>Fruit</i>
Urbanite Ash / <i>Fraxinus pennsylvanica</i> 'Urbanite'	50'	40'	Broadly Pyramidal	Lustrous Green		Bronze	
Marshall Ash / <i>Fraxinus pennsylvanica lanceolata</i>	50'	40'	Broadly Oval	Dark Green		Yellow	
Skyline Ash / <i>Fraxinus americana</i> 'Skyline'	45'	35'	Oval	Medium Green		Orange Red	
European Hornbeam / <i>Carpinus betulus</i>	50'	35'	Oval to Round	Dark Green		Gold Yellow	
Hackberry / <i>Celtis occidentalis</i>	45'	35'	Oval	Dark Green		Yellow	
Katsura Tree / <i>Cercidiphyllum japonicum</i>	40'	35'	Oval	Bluish - Green		Yellow to Scarlet	
Sourwood / <i>Oxydendrum arboreum</i>	50'	25'	Pyramidal	Green	White	Brilliant Scarlet	Golden
Macho Cork Tree / <i>Phellodendron amurense</i> 'Macho'	40'	30'	Broadly Vase	Medium Green		Yellow	
Tricolor Beech / <i>Fagus sylvatica</i> 'Rosea - Marginata'	40'	30'	Broadly Oval	Purple, Light Pink Border			
Yellowwood / <i>Claprasitis lutea</i>	40'	35'	Round	Yellow - Green to Bright - Green	White Fragrant Clusters	Orange to Yellow	
Skyline Honeylocust / <i>Gleditsia triacanthos</i> 'Skyline'	50'	35'	Broadly Pyramidal	Medium Green		Golden	
Shademaster Honeylocust / <i>Gleditsia triacanthos</i> 'Shademaster'	45'	35'	Vase	Dark Green		Yellow	
Scarlet Oak / <i>Quercus coccinea</i>	50'	40'	Broadly Oval	Glossy Green		Scarlet	
Glenieven Linden / <i>Tilia cordata</i> 'Glenieven'	45'	30'	Pyramidal	Medium Green		Yellow	
Halka Zelkova / <i>Zelkova serrata</i> 'Halka'	45'	30'	Vase	Medium Green		Yellow	
Globe Norway Maple / <i>Acer platanoides globosum</i>	15'	18'	Round	Medium Green		Yellow	
Globe Sugar Maple / <i>Acer saccharum globosum</i>	15'	20'	Round	Medium Green		Yellow & Oranges	
Saratoga Ginkgo / <i>Ginkgo biloba</i> 'Saratoga'	30'	30'	Round	Green Gold		Yellow	
Emerald Queen Norway Maple / <i>Acer platanoides</i> 'Emerald Queen'	50'	40'	Oval	Dark Green		Bright Yellow	

**CITY OF LAKE OSWEGO  
APPROVED STREET TREE PLANTING LIST**

APPENDIX 50.66 – A  
Figure 5

**TREES FOR PLANTING STRIP SIZE 6' TO 8'**

<i>Tree Species</i>	<i>Height</i>	<i>Spread</i>	<i>Structure</i>	<i>Foliage</i>	<i>Flowers</i>	<i>Fall Color</i>	<i>Fruit</i>
Crimson King Norway Maple / <i>Acer platanoides</i> 'Crimson King'	40'	35'	Round	Deep Purple		Reddish Orange	
Superform Maple / <i>Acer platanoides</i> 'Superform'	45'	40'	Oval	Medium Green		Yellow	
Red Sunset Red Maple / <i>Acer rubrum</i> 'Frankared'	45'	35'	Oval	Dark Green		Orange Red	
October Glory Maple / <i>Acer rubrum</i> 'October Glory'	40'	35'	Broadly Oval	Medium Green		Red to Purple	
Embers Red Maple / <i>Acer rubrum</i> 'Embers'	50'	40'	Open	Green		Bright Red	
Magnolia soulangiana Saucer magnolia	20'	20'	Upright-Rounded	Green	Red/White	Yellow-Brown	
* Douglas-fir, <i>Pseudotsuga menziesii</i>	100'			Dark green		evergreen	
Lodgepole Pine, <i>Pinus contorta</i>	100'			Dark green			
Shore pine, <i>Pinus contorta</i> var. <i>contorta</i>	25'		Upright-Irregular	Dark green		evergreen	
* Western red cedar, <i>Thuja plicata</i>	100'+		Pyramidal			evergreen	
* Grand fir, <i>Abies grandis</i>	100'+			Dark green		evergreen	
Noble fir, <i>Abies procera</i>	90'			Bluish green		evergreen	
Sitka spruce, <i>Picea sitchensis</i>						evergreen	
* Western hemlock, <i>Tsuga heterophylla</i>	100'		Narrow-pyramidal			evergreen	
Incense cedar, <i>Libocedrus decurrens</i>	90'		Narrow-pyramidal	Dark green		evergreen	

**CITY OF LAKE OSWEGO**  
**APPROVED STREET TREE PLANTING LIST**

**TREES FOR PLANTING STRIP SIZE 8 1/2' AND LARGER**

<i>Tree Species</i>	<i>Height</i>	<i>Spread</i>	<i>Structure</i>	<i>Foliage</i>	<i>Flowers</i>	<i>Fall Color</i>	<i>Fruit</i>
Sycamore Maple / <i>Acer Pseudo platanus</i>	60'	50'	Wide Spreading	Green		Yellow	
Schwedler Norway Maple / <i>Acer platanoides 'Schwedler'</i>	50'	45'	Round	Green		Yellow	
Red Maple / <i>Acer rubrum</i>	60'	50'	Oval	Medium Green		Orange Red	
Red Oak / <i>Quercus borealis rubra</i>	65'	50'	Round	Green		Red	
Moraine Sweetgum / <i>Liquidambar styraciflua 'Moraine'</i>	60'	30'	Oval	Dark Green		Red Purple	
Red Horsechestnut / <i>Aesculus X Carnea 'Briothii'</i>	60'	40'	Round	Dark Green	Red	Yellow	
Wineleaf Sycamore Maple / <i>Acer pseudo platanus 'Spaethi'</i>	60'	50'	Pyramidal	Dark Green			
Urbanite Ash / <i>Fraxinus pennsylvanica 'Urbanite'</i>	60'	40'	Broadly Pyramidal	Lustrous Green		Bronze	
Yellowwood / <i>Cladrastis lutea</i>	40'	35'	Round	Yellow - Green to Bright - Green	White Fragrant Clusters	Orange to Yellow	
Scarlet Oak / <i>Quercus coccinea</i>	50'	40'	Broadly Oval	Glossy Green		Scarlet	
Halka Zelkova / <i>Zelkova serrata 'Halka'</i>	45'	30'	Vase	Medium Green		Yellow	
Saratoga Ginkgo / <i>Ginkgo biloba 'Saratoga'</i>	50' - 80'	40' - 80'	Variable	Green Gold		Yellow	
Halka Honeylocust / <i>Gleditsia triacanthos 'Christie'</i>	55'	40'	Upright	Green		Yellow	
Flame Ash / <i>Fraxinus oxycarpa 'Flame'</i>	35'	30'	Round	Green		Purple to Red	
Summit Ash / <i>Fraxinus pennsylvanica lanceolata</i>	45'	25'	Pyramidal	Medium Green		Yellow	
Purple Rivers Beech / <i>Fagus sylvatica 'Riversi'</i>	60'	40'	Oval	Deep Purple		Bronze	
Tricolor Beech / <i>Fagus sylvatica 'Rosed - Marginata'</i>	40'	30'	Broadly Oval	Purple, Light Pink Borders		Bronze	

CITY OF LAKE OSWEGO  
APPROVED STREET TREE PLANTING LIST

TREES FOR PLANTING STRIP SIZE 8 1/2' AND LARGER

<i>Tree Species</i>	<i>Height</i>	<i>Spread</i>	<i>Structure</i>	<i>Foliage</i>	<i>Flowers</i>	<i>Fall Color</i>	<i>Fruit</i>
Catalpa / <i>Catalpa speciosa</i>	75'	50'	Round	Green	White	Yellow	
Katsura Tree / <i>Cercidiphyllum japonicum</i>	40'	35'	Oval	Bluish - Green		Yellow to Scarlet	
Sourwood / <i>Oxydendrum arboreum</i>	50'	25'	Pyramidal	Green	White	Brilliant Scarlet	Golden

**BEFORE THE CITY COUNCIL  
OF THE CITY OF LAKE OSWEGO**

A REQUEST TO AMEND THE TEXT OF THE )	LU 05-0022-1609
LAKE OSWEGO CODE, CHAPTER 50, )	(City of Lake Oswego)
(COMMUNITY DEVELOPMENT CODE) )	
RELATING TO RESIDENTIAL DESIGN )	FINDINGS AND CONCLUSIONS
DISTRICT ZONE AND OLD TOWN )	
NEIGHBORHOOD DESIGN STANDARDS )	
[ORDINANCE No. 2424] )	

**NATURE OF PROCEEDING**

This matter came before the City Council pursuant to a recommendation by the Lake Oswego Planning Commission to amend the text of the Lake Oswego Community Development Code, Chapter 50 to revise the Residential Design District zone and to the Old Town Neighborhood Design Standards. These changes were proposed by the Old Town Neighborhood Association (Land Use Committee).

**HEARINGS**

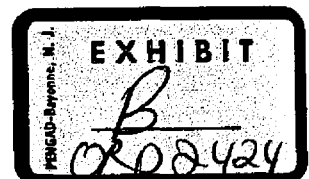
The Planning Commission held a public hearing and considered this application at its meetings of July and September 2005, February 13 and March 13, 2006. The City Council considered the Planning Commission's recommendation at its study session of April 4, 2006, and held a public hearing at its Council meeting of May 2, 2006.

**CRITERIA AND STANDARDS**

**A. City of Lake Oswego Comprehensive Plan**

Goal 1	Citizen Involvement, Policies 1 and 5
Goal 2	Land Use Planning, Section 1, Land Use Policies and Regulations, Policy 23 and Section 2, Community Design and Aesthetics Policies 1 and 4
Special District Plan	Old Town Design District, Policy 3

1 - FINDINGS AND CONCLUSIONS (LU 05-0022-1609)  
[City of Lake Oswego, LU 05-0022-1604]



**B. City of Lake Oswego Development Code**

LOC 50.75.005	Legislative Decision Defined.
LOC 50.75.010	Criteria for Legislative Decision
LOC 50.75.015	Required Notice to DLCD
LOC 50.75.020	Planning Commission Recommendation Required
LOC 50.75.025	City Council Review and Decision

**C. Statewide Planning Goals or Administrative Rule adopted pursuant to ORS Chapter 197**

Goal 1	Citizen Involvement
Goal 2	Land Use Planning

**FINDINGS AND REASONS**

The City Council incorporates the staff Council Report dated April 20, 2006 for LU 05-0022 (with all exhibits) and the July 1, 2005, February 28, 2006 and March 29, 2006 Staff Reports and memorandum (with all exhibits), as support for its decision, together with the minutes of the Planning Commission meetings of July 11, 2005, March 13 and April 10, 2006, the entire record of the proceedings before the Planning Commission and the entire record of the proceedings before the City Council. To the extent they are consistent with the approval granted herein, the City Council adopts by reference the Findings and Conclusions of the Planning Commission.

**CONCLUSION**

The City Council concludes that LU 05-0022-1609 complies with all applicable criteria and is consistent with applicable Statewide Goals and Lake Oswego Comprehensive Plan Policies.

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