



**Planning & Community Dev.**  
117 N Molalla Avenue  
PO Box 248  
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## **Findings of Facts and Decision**

**File No.:** P27-2017

**Parcel or Taxlot:** Township 5 South, Range 2 East, Section 09 C, Tax lot 01800

**Address:** 117 Center Ave, Molalla OR 97038

**Applicant:** Sanitech

**Owner:** Eric Hefley

**Proposal:** Central Commercial Building

**Current Use:** two storage structures

### **1. Overview & Background**

Planning & Land Use Application P27-2017 proposes to create a new central commercial building on a parcel located at 117 Center Ave in the City of Molalla. The subject parcel is .21 +/- acres in size, and adequate infrastructure exists nearby to facilitate the proposed development. The parcel currently contains two buildings that are vacant, in which the western structure will remain on the site. The property is in the central commercial zone and the property abuts two central commercial retail stores. Proposed building plans show the retail being a two-story structure. The applicant may reduce the building height to one story. The site fronts 117 Center Ave. The access of the parcel will be located on a connected alley street. The driveway will provide access to the proposed development. The applicant will be required to reconstruct frontage on Center Ave. and sidewalk improvements to City standards. In addition, the applicant will be required to construct full alley improvements along the south side of the subject property. Applicant will be reimbursed for final design and construction costs for the south half of the alley. Alley shall be designed and constructed per Public Works Standards, be constructed in concrete, and designed with a valley gutter to a storm drain system.

## 2. Public Notice

Notice was sent December 14, 2017 to all landowners within 500 feet of the parcel.

Notice was placed on the City of Molalla Website on December 20, 2017 under the general news feed.

## 3. Attachments & Exhibits

**Exhibit 1.** Copy of Notice sent to local landowners, interested parties and posted on the City website.

**Exhibit 2.** Applicant submittal package prepared by Sanitech, dated December 18, 2017.

## 4. Party Status & Public Comments

Property owner Eric Hefley representing Sanitech. He reviewed the application and affirms the report.

## 5. Procedural Findings:

The application will be reviewed based on criteria set forth by the Molalla Municipal Code, section 19.08.060 Site Design Review—Approval criteria (in bold and italics), and Staff findings, are as follow

*1. The proposed land use or development is permitted by the underlying land use district (Title 17);*

**Findings:** As stated in the applicant's submission the parcel is located in C-1 (Central Commercial) zone. The proposed uses of office/retail are permissible in the underlying zoning district. This criteria has been met.

2. The land use, building/yard setback, lot area, lot dimension, density, lot coverage, building height and other applicable standards of the underlying land use district and any applicable overlay district(s) are met (Title 17)

**Findings:** The development proposal aligns with the Title 17 standards for land use, building height, setback and lot coverage. The central commercial district building orientation build to line provision is allowed since the building is abutting the alley way which considered a street.

*4. When development is proposed, the applicable sections of Title 18, Design Standards, are met.*

## 17.12.050 Commercial Districts – Building Orientation and Commercial

*Title 18 standards apply as follows:*

**Findings:** Chapter 18.04 ACCESS AND CIRCULATION. The access of the development will be through the alley way off Center Ave. Since the alley is considered a street, it meets the build to line provision. Commercial Zones required driveways and parking lots be paved. The entrance on the proposed site plan illustrates the entrance being gravel, which is not allowed. Commercial Zones require access/parking lots on site to be paved in order to maintain fluidity for vehicle circulation. In the proposed site plan there is an access to the building via a sidewalk. 18.04.030 Pedestrian access and circulation requires pedestrian connectivity to the commercial buildings main access points. There is sidewalks to the proposed development and will be conditions to have sidewalk walk connection. There is sufficient space for vehicles to access and circulate the site. This criteria will be met if conditions are followed.

**Findings** Chapter 18.08 LANDSCAPING, STREET TREES, FENCES AND WALLS. As stated in the submittal landscaping will be incorporated in the development. Central Commercial Zones require 5% landscaping. As shown in the site plan the development incorporates the landscaping requirement. Percentage is not shown and in order to confirm percentage an updated site plan will be required. As a result a change in landscaping shall have a landscaping plan as required in the condition below. In addition trees that will be retained shall be shown. No wall or fence is proposed. This criteria has been met.

**Findings:** Chapter 18.12 PARKING AND LOADING. Adequate access has been provided as illustrated on applicant's submittal to facilitate parking within the project. Compliance with the standards of this section will be demonstrated at the time of building permit review. All development shall comply with the requirements of the current version of the Public Works Standards.

**Findings:** Chapter 18.20 SURFACE WATER MANAGEMENT. The project's storm water management system will be constructed in accordance with applicable Public Works Design Standards.

4. Meet the requirements of Section [19.04.260](#), *Traffic Studies*;

**Findings:** No traffic study was required as a result of this proposal because the anticipated trip generation fell below threshold requirements. MCC 19.12.080.1.f does not apply.

## 6. Decision

Based upon the submitted materials and the findings of this report, the City of Molalla Planning Commission **Approves** application P27-2017 pursuant to the following conditions:

1. This approval shall remain valid from one year following the date of approval. If a building permit has not been issued by that date, this approval shall expire unless an extension is granted pursuant to subsection 19.04.160 of the MMC.
2. The applicant shall obtain any required (building) permits from Clackamas County, and comply with the requirements of the permits.
3. Building plans shall be reviewed at the time of submittal.
4. The applicant shall provide a landscape plan complying section 18.08.030 (Landscaping) for the site, and install that landscaping prior to occupancy of the new structure.
5. Final certificate of occupancy shall not be granted until all conditions of the design review approval have been met.
6. Any changes in the design review plans shall be submitted and approved prior to implementation or construction.
7. On-site lighting shall comply with subsection 21.08 (Dark Skies) and those portions of Title 17 applicable to lighting.
8. All driveways, circulation routes, and parking lots shall be paved.
9. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets.
10. Landscape percentage and trees to be retained shall be shown on an updated site plan.
11. Walkways shall comply with applicable Americans with Disabilities Act (*ADA*) requirements.
12. The applicant shall acquire written approval from the local fire marshal regarding compliance with Oregon Fire Code prior to Final Occupancy.
13. Access will need to be provided within 150 ft. of all portion so f the first floor of the building.
14. Address numbers will need to be posted with number 4 in. in height with a stroke width of not less that on half in. The must contrast with the background on which they sit.
15. Egress light/exit signing may be required.
16. Fire extinguishers will be needed a minimum of one for each floor.

### Public Works Conditions

1. Specific Requirements To This Site:
  - A. Street:
    1. The general office building proposal will not require a traffic impact analysis update. The proposed development will add a total of 15 trips and the threshold for a traffic impact analysis is 300 trips.
    2. Center Avenue: Center Avenue is a Neighborhood Street under City of Molalla jurisdiction. Current right-of-way width is approximately 65 feet and approximate pavement width is 42-44 feet. Neighborhood streets (w/TL, w/PK) require 50 feet of right-of-way and 40 feet of pavement. Applicant will not be required to dedicate right-of-way and but will be required to reconstruct curb and sidewalk improvements to City

standards. Applicant will also be required to dedicate a 10 foot Public Utility Easement fronting Center Avenue.

3. Public Alley: Applicant will be required to construct full alley improvements along the south side of the subject property. Applicant will be reimbursed for final design and construction costs for the south half of the alley. Alley shall be designed and constructed per Public Works Standards, be constructed in concrete, and designed with a valley gutter to a storm drain system.
4. Access to public streets and alleys shall be limited to the location in the northwest and southeast corners of the property as shown by the applicant. All accesses shall be constructed in such a manner as to eliminate turning conflicts. The proposed width of accesses shall meet the Public Works Standards. Stop sign shall be placed at entrance to Center Street
5. Applicant proposes to construct a pedestrian sidewalk along the south side of the parcel. Sidewalk shall be designed and constructed onsite with Type C curb along alley to avoid vehicle and pedestrian conflict.
6. 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 based on 1000 SF gross floor area in accordance with the SDC methodology.

B. Storm:

1. Center Avenue: A 12 inch storm main exists fronting the property along Center Avenue. Applicant will be required to provide onsite detention and water quality per the public works standards and may be incorporated into the landscaped areas. Stormwater shall be extended to at least one catch basin centered in the reconstructed alleyway.
2. Stormwater 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 stormwater SDC charges. SDC's shall be calculated based on the total impervious surface divided by 2,640 SF times the current rate per equivalent dwelling unit in accordance with the SDC methodology.

C. Sanitary:

1. Center Avenue: An 8-inch sanitary main exists on Center Avenue. Applicant proposes to connect to this system. This parcel has an active sewer account and is connected to the City sewer system. Applicant will be required to connect to existing service or abandon existing service and construct a new service.
2. Public Alley: A 6-inch sanitary main exists along the alley. Depending on condition of main line applicant may be required to replace the 6-inch line to the clean out as part of the alley reconstruction. The City will reimburse the applicant for the cost of reconstruction. Applicant may also chose to connect to the sewer line in the alleyway reducing the length of their lateral.
3. Sanitary SDC's – In accordance with MMC 13.14 this design review permit does not increase the impacts to the public improvement facility and is therefore exempt from sanitary SDC charges.

D. Water:

1. Center Avenue: A 10-inch water main exists on Center Avenue. Applicant proposes to connect to this system. This parcel has an active water account and is connected to the City water system. Applicant will be required to connect to existing service or abandon existing service and construct a new service.
2. Water SDC's – In accordance with MMC 13.14 this design review 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 commercial design review 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**

a. General Requirements:

- A. From the materials submitted, it appears that 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.
- B. 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.
- C. 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.
- D. 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 Work's Standards.
- E. 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.
- F. Plans submitted for review shall meet the requirements described in Section 1 of the Public Works Standards.
- G. 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.
- H. 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.

- I. 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 Public Works Standards.
- J. All public improvement designs shall meet the requirements of the Public Works Standards as amended by the Public Works Director.
- K. 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 a copy to the City of the recorded document prior to final occupancy.
- L. 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.

Dated this \_\_\_\_\_ Day of February, 2018.

\_\_\_\_\_  
Rae-Lynn Brotford  
Commission Chair

\_\_\_\_\_  
Aldo Rodriguez  
Community Planner



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## **Notice of Hearing for Proposed Development**

**Date of Notice:** December 14, 2017

**Date of Hearing:** January 3rd, 2018 6:30 P.M.

**Location of Hearing:** 315 Kennel Ave., Molalla, OR 97038

**File No.:** P27-2017

**Legal Description:** Township 5 South, Range 2 East, Section 09 C, Tax lot 01800

**Address:** 117 Center Ave, Molalla OR 97038

**Applicant:** Sanitech

**Owner:** Eric Hefley

**Proposal:** Central Commercial Building

**Current Use:** Vacant

The City has received an application for proposed development at 117 Center Ave. The applicant proposes a two story Commercial Building, with the proposed usage mix of office and retail.

The application will be reviewed based on criteria set forth by the Molalla Municipal Code, section **19.08.060 Site Design Review—Approval criteria.**

*The City review authority shall make written findings with respect to all of the following criteria when approving, approving with conditions, or denying an application:*

*A. The application is complete, as determined in accordance with Chapter 19.04, Types of Applications and Section 19.08.050.*

*B. The application complies with all of the applicable provisions of the underlying Land Use District (Title 17), including building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses.*

*C. The applicant will upgrade to current standards any development on the site that does not comply with the applicable land use district standards.*



*D. The application complies with all of the Design Standards in Title 18, including:*

- 1. Chapter 18.04 - Access and Circulation;*
- 2. Chapter 18.08 - Landscaping, Significant Vegetation, Street Trees, Fences and Walls;*
- 3. Chapter 18.12 - Parking and Loading, for automobiles and bicycles;*
- 4. Chapter 18.16 - Public Facilities and Franchise Utilities;*
- 5. Chapter 18.20 - Surface Water Management;*
- 6. Chapter 18.24 - Other Standards, as applicable;*
- 7. Section 19.04.260 – Traffic Studies.*

*E. Existing conditions of approval required as part of a prior Land Division (Chapter 19.12), Conditional Use Permit (Chapter 19.16), Master Planned Development (Chapter 19.20) or other approval have been or will be met. (Ord. 2010-15 §1; Ord. 2010-04 §1)*

Additional information about this application can be found by:

1. Visiting Molalla City Hall, 117 N. Molalla Ave., Molalla OR 97038
2. Contacting Community Planner Aldo Rodriguez at 503-759-0219, or [communityplanner@cityofmolalla.com](mailto:communityplanner@cityofmolalla.com)

Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

A copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided upon request at a reasonable cost.

A copy of the staff report will be available for inspection at no cost at least 7 days prior to the hearing. Copies shall be provided at a reasonable cost upon request.

You may attend, offer testimony or seek information at the hearing. Any correspondence received in advance of the meeting will be forwarded to the hearing body.

Written testimony will be received by the City of Molalla until 10 a.m. on the day of the hearing, and should be emailed to: Aldo Rodriguez: [communityplanner@cityofmolalla.com](mailto:communityplanner@cityofmolalla.com). Please ensure your name and address are included in the written testimony.

Oral testimony may be offered during the hearing. The Planning Commission may set reasonable time limits for oral presentations and may limit or exclude cumulative, repetitious, irrelevant or personally derogatory testimony or evidence. Oral testimony will not be accepted after the close of the public hearing. Written testimony may be received after the close of the public hearing as allowed by the Planning Commission.

\*Conceptual Site Plan Attached

**SITE PLAN NOTES:**

1. ALL EXPOSED GRADING MATERIAL TO BE EXPORTED TO AN APPROVED DISPOSAL LOCATION.
2. ALL FILL SHALL BE UNDER GARAGE FLOORS, BERMULLAS, DRIVEWAYS, ETC. TO BE COVERED WITH 18" MIN. FILL.
3. ALL EXPOSED GRADING MATERIAL TO BE EXPORTED TO AN APPROVED DISPOSAL LOCATION.
4. PROVIDE SLOPE OVER EXCAVATION TO PROVIDE CONCRETE FORMING ALL EXPOSED AREAS.
5. PROVIDE SLOPE APPROVED BY PERMITS AROUND EXCAVATED AREA FROM TO EXCAVATION AND CONSTRUCTION.
6. PROVIDE SLOPE APPROVED BY PERMITS AROUND EXCAVATED AREA FROM TO EXCAVATION AND CONSTRUCTION.
7. EXCAVATION MUST BE COVERED WITH MULCH OR PLANTS MEETING BETWEEN OCTOBER 1 AND APRIL 30.
8. CONTRACTOR/MSB-CONTRACTOR TO VERIFY LOCATION OF ALL UTILITIES PRIOR TO EXCAVATION AND CONSTRUCTION.
9. INVOICENT AND TOPOGRAHY INFORMATION HAS BEEN PROVIDED TO LAMAR DESIGN INC. LAMAR DESIGN INC. WILL NOT BE HELD LIABLE FOR THE ACCURACY OF THIS INFORMATION. IT IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL SITE CONDITIONS INCLUDING FILL PLACED ON SITE.
10. TOPOGRAHY ELEVATIONS WERE COLLECTED FROM ACTUAL SITE SURVEY.
11. PROVIDE A 4" FRESH GRAVEL BASE UNDER ALL BERMULLA AND PATIO AREAS.
12. MAINTAIN SLOPE OF CUTS AND FILLS TO BE TYPICAL TO NEAREST ADJACENT AREAS FOR BERMULLAS, STRUCTURES, FOUNDATIONS, AND RETAINING WALLS.
13. PROVIDE AND MAINTAIN FRESH GRADE WITH POSITIVE DRAINAGE AWAY FROM STRUCTURE ON ALL SLOPES WITH A SLOPE OF 2" PER FOOT MINIMUM.

117 CENTER AVENUE

**EROSION CONTROL PLAN**

- COVERED STOCKPILES
- SEDIMENT FENCE
- CONSTRUCTION ENTRANCE
- WORK STAGING / MATERIAL STORAGE
- WOODEN CURB RAMP
- CATCH BASIN PROTECTION
- COVER ALL AREAS OF BARE SOIL WITH PERMANENT LANDSCAPE

**LOT INFORMATION:**

LOT AREA: 9,650 SQ. FT.  
FOOTPRINT AREA: 1,800 SQ. FT.

TLNO-52E09C801000  
PARCEL # 01091066  
CITY OF MOLALLA  
CLACKAMAS COUNTY, OREGON

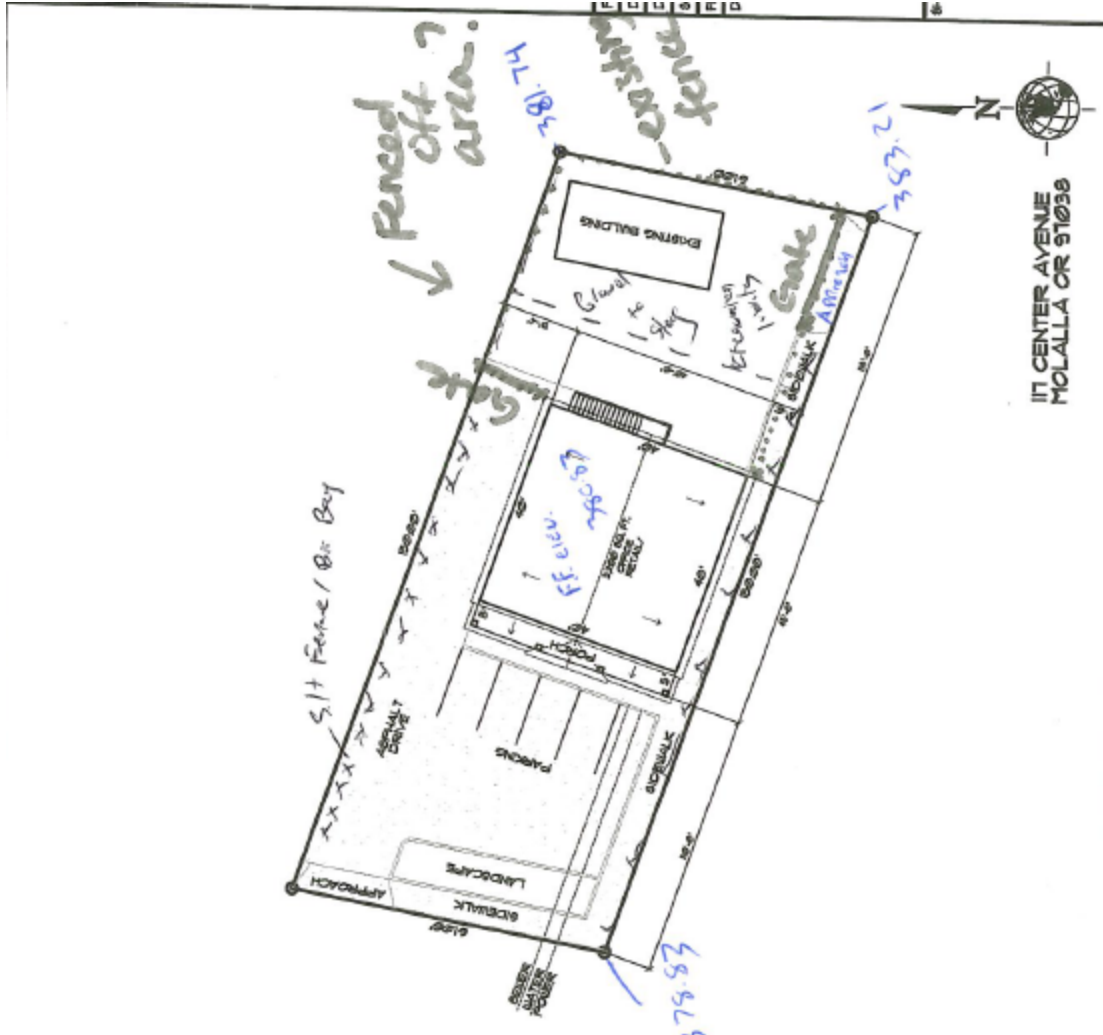


Exhibit 2

CODE COMPLIANCE NARRATIVE

TIME LLC

117 CENTER AVENUE MOLALLA, OR 97038

17.12.030 COMMERCIAL DISTRICTS – ZERO SETBACKS, BUILD-TO LINE, FIRE CODE, CLEAR VISION, AND FLAG LOTS.

ZERO SETBACKS AND BUILD TO LINE PURPOSE; FIRE CODE; AND CLEAR VISION. ZERO SETBACKS, AS PROVIDED IN TABLE 17.12.2, ARE INTENDED TO ENCOURAGE PEDESTRIAN- ORIENTED DEVELOPMENT, WHILE PROVIDING MORE FLEXIBILITY IN SITE DESIGN THAN WHAT IS POSSIBLE WITH LARGE SETBACKS. WITH BUILDINGS PLACED CLOSE TO STREET, A DEVELOPMENT CAN AFFORD GOOD ACCESS FOR EMERGENCY SERVICE PROVIDERS IN THE CASE OF A FIRE OR OTHER EMERGENCY. WHERE NO MINIMUM SET BACK IS REQUIRED, ALL STRUCTURES AND BUILDINGS SHALL CONFROM TO THE VISION CLEARANCE STANDARDS IN SECTIONS 18.04.020(N) AND THE APPLICABLE FIRE AND BUILDING CODES.

THE NEW BUILDING WILL HAVE A ZERO LOT LINE SET BACK MEETING REQUIREMENTS DUE TO THE FACT THE ALLEY WAY IS CONSIDERED A PUBLIC ROADWAY.

A. SETBACK YARDS-FLAG LOTS

DOES NOT APPLY TO OUR NEW BUILDING

17.12.040 COMMERCIAL DISTRICTS – LOT COVERAGE

BUILDINGS AND THE STREET(S) TO WHICH ARE ORIENTED; EXCEPT AS PROVIDED UNDER SUBSECTION (C) (4) BELOW. OFF STREET PARKING IN THE C-2 AND C-3 DISTRICTS SHALL BE ORIENTED INTERNALLY TO THE SITE AND DIVIDED BY LANDSCAPE AREAS INTO BAYS OF NOT MORE THAN 24 PARKING SPACES PER BAY, AS GENERALLY SHOWN IN FIGURE 17.12.050.C.2

OFF STREET PARKING PROVIDED WITH MINIMUM OF 4 PARKING SPACES.

DOES NOT APPLY TO OUR NEW BUILDING

DOES NOT APPLY TO OUR NEW BUILDING

DOES NOT APPLY TO OUR NEW BUILDING

D. BLOCK LAYOUT STANDARD. DEVELOPMENTS CONTAINING 60,000 SQ FEET OR MORE BUILDING FLOOR AREA SHALL MEET ALL OF THE FOLLOWING STANDARDS.

DOES NOT APPLY TO OUR NEW BUILDING

17.12.060 COMMERCIAL DISTRICTS-BUILDING AND STRUCTURE HEIGHT.  
METHOD OF MEASUREMENT. BUILDING AND STRUCTURE HEIGHTS SHALL CONFORM TO THE STANDARDS IN TABLE 17.12.2; HEIGHT IS MEASURED IN CONFORMANCE WITH SECTION 17.08.070. HEIGHT STEP-DOWN REQUIREMENTS SHALL CONFORM TO THE STANDARDS IN SECTION 17.08.070 (C). ORD 2010-15; ORD 2010-04.

THE HEIGHT OF OUR NEW BUILDING IS UNDER PREVIOUS CITY STANDARDS DUE TO DATE OF APPLICATION SUBMITTAL.

## Code Compliance Narrative

117 Center Avenue Molalla, OR 97038

This narrative supports the removal of an existing metal frame, 1-story office building. The 1-story building will be removed for a new two story office building (no change of occupancy with an approved zoning use). The new construction will be moved to allow a better vehicle movement in and around building. The new building will be facing Center Avenue and have three separate entrances for two bottom rented spaces and the one office space upstairs. Roofing material to be 40 year minimum architectural style or equal. Siding to be hardi-lap. Masonry stone to be cultured stone or equal. All vents, shutters, trim and vinyl windows to be installed per plan. Exposed sidewalks to be broom finish.

### **17.12.70 Commercial districts-Architectural design standards.**

A. **Purpose and Applicability.** This section is intended to provide detailed, human-scale design that is characteristic of the City of Molalla, while affording flexibility to use a variety of architectural building styles. All new buildings and major remodels shall meet the standards of Subsections B through D below, which are applied through Site Design Review. The applicant demonstrates that the standards are met by complying with the criteria under each standard.

The street level should be sensitive to pedestrians. Greater attention to detail and a more pedestrian oriented scale of development shall be utilized. Design criteria shall be for the enjoyment of the shopper on foot as opposed to being in their automobile.

B. **Pedestrian Orientation.** The design of all buildings on a site shall support a safe and attractive pedestrian environment. This standard is met when the approval body finds that all of the criteria in subsections (B) (1) through (7) are met. Alternatively, the approval body may approve a different design upon finding that the design contains an equally good or superior way of achieving the above standard.

1. The building orientation standards under Section 17.12.050 are met; and  
New construction will be per code 17.12.050.

2. Primary building entrances shall open directly to the outside and, if not abutting a street, shall have walkways connecting them to the street sidewalk; every building shall have at least 1 primary entrance that does not require passage through a parking lot or garage to gain access; and

**Two front rental spaces will be facing Center Avenue and have access from sidewalk.**

3. Windows may not be tinted or mirrored; and

**New vinyl windows will not be tinted and installed per code.**

4. Corner buildings (i.e., buildings within 20 feet of a corner as defined by the intersecting curbs) shall have corner entrances, or shall provide at least 1 entrance within 20 feet of the street corner or corner plaza; and

**New building will not be at a corner and will have access from street.**

5. At least 50% of the building's front facade (measured horizontally in linear feet) shall be located at the build-to line or closer to the street; build-to lines are prescribed by Table 17.12.2;

6.

**New building will meet all required set-backs per code.**

6. Ground floor windows or window displays shall be provided along at least 40% of the building's (ground floor) street-facing elevation(s); windows and display boxes shall be integral to the building design and not mounted to an exterior wall; and

**Greater than 40% of the front entry will have windows.**

7. Primary building entrance(s) are designed with weather protection, such as awnings, canopies, overhangs, or similar features; and

**There is a 6' alcove to protect people when they are entering the building.**

8. Drive-up and drive-through facilities, when allowed, shall conform to Section 17.12.090; the provisions of which shall not be modified without a variance (Chapter 20.04).

**Not applicable**

9. Commercial activities within commercial buildings shall be visible from the street and pedestrian ways to:

Establish and maintain visual continuity between indoor and outdoor areas; and

Enhance safety by adding "eyes on the street."

**As mentions, greater than 40% of the front entry will have windows.**

C. **Compatibility.** All new buildings and major remodels shall be designed consistent with the architectural context in which they are located. This standard is met when the approval body finds that all of the criteria in subsections (B) (1) through (7) are met.

D. **Color Palette.** Development in the commercial zones shall conform to the color palettes for building facades, building trim and signage.

On the front facade, we will have the required siding per code, stone pillars, and cedar trim.

1. Colors consistent with the color palettes shall be used. When questions arise regarding color consistency the Planning Director shall determine its compatibility with the color palette charts.
2. Base, trim and sign colors shall complement one another.
  - a. **Base.** Acceptable colors shall complement one another.
  - b. **Trim.**
    - i. Only those colors listed in the trim palette are acceptable for use on a building trim. Trim colors shall not be used on more than 15% of each face of a building's exterior.
    - ii Where brick, natural timber and/or stone is used on 15% or more of a street-facing facade, that building is entitled to display up to 20% of the street-facing facade with the colors listed on the trim palette.
  - c. **Signs.** Signs may display up to 50% of each face with colors listed in the City's sign palette. The remaining portion of the sign shall be listed on the base color palette.
3. Neon colors are prohibited.
4. **Interpretation.** An individual may request approval of a color not shown on the color palette by following a Type I Land Use Procedure. The applicant will be required to submit the following materials to the Planning Director for review:
  - a. A color rendering of the building illustrating the proposed color to be used;
  - b. A color scheme of the surrounding structures;
  - c. A narrative description explaining why the proposed color meets or can meet the intent of the color palette in question;
  - d. Only those colors listed in each of the respective color palettes will be allowed, however, the acceptability of "similar" or "like" colors will be left to the interpretation of the hearing body. Color palette interpretation will be process in the same manner as code language interpretation outlined in Chapter 19.32.
  - e. Appeals shall be processed pursuant to Section 19.32.020.

E. **Human Scale.** The design of all buildings shall be to a human-scale. This standard is met when the approval body finds that all of the criteria in subsections (E) (1) through (6) are met.

Alternatively, the approval body may approve a different design upon finding that the design contains an equally good or superior way of achieving the above standard. Figure 17.12.070.E contrasts examples of building elevations that are consistent/inconsistent with humanscale criteria.

1. Regularly spaced and similarly-shaped windows are provided on all building stories;  
.We will be installing the same window type for every window on plan.

2. Ground floor retail spaces shall maintain a visual appearance of having a tall (i.e., 12 to 16 feet) public entrance;

We will be installing the standard door entry per plan/code.

3. All ground floor entries shall be sheltered with a minimum 4-foot overhang projection that shall not project more than 4 feet into a front yard setback;

There is 6' alcove to shelter people when they are entering the building.

4. Display windows are trimmed, recessed, or otherwise defined by wainscotting, sills, water tables, or similar architectural features;

This is not a retail project/no display window.

5. On multi-story buildings, ground floors are defined and separated from upper stories by appropriate architectural features (e.g., cornices, trim, awnings, canopies, arbors, trellises, overhangs, or other features) that visually identifies the transition from ground floor to upper story; such features should be compatible with the surrounding architecture.

.N/A

6. The tops of flat roofs are treated with appropriate detailing (i.e., cornice, pediment, flashing, trim, or other detailing) that is compatible with the surrounding architecture;

*Design of new building fall under old code of design and will have a slight peaked roof.*

a. When flat roofs are proposed, a cornice that is a minimum 12 inches high projecting a minimum 6 inches from the wall at the top of the wall or parapet shall be provided.

N/A

b. Roof-line offsets, with a minimum of 8 feet variation measured either vertically from the gutter line or horizontally, shall be provided at intervals of 100 feet or less to relieve the effect of a single, long roof;



7. Pitched roofs have eaves, brackets, gables with decorative vents, or other detailing that is consistent with the surrounding architecture;

~~N/A~~

**New Design will be consistent with the surrounding architecture.**

8. Historic design and compatibility requirements, where applicable, are met; and

**N/A**

9. Building design in the C-1, C-2, C-3, CPA, and EZ zones shall incorporate traditional building materials such as natural timbers, stone, and brick where practicable.

We are using natural timber and stone on the front facade.

10. Commercial buildings located in predominantly residential areas should imitate building setbacks and front yard landscaping patterns established by the residential uses.

**New building zoned C-1**

11. The entrance to automotive service bays shall not be open to the street and shall be designed to face the rear or interior side property lines.

**N/A**

12. All newly created or remodeled outdoor storage areas, garbage collection, exterior vents and mechanical devices and noise-generating equipment shall be screened by sight obscuring fencing to complement the existing structure or by vegetation located away from abutting residential development.

**N/A**

13. Ground level outdoor enclosures shall be composed of materials similar to the primary structure.

**N/A**

14. Roof mounted equipment, including satellite dishes and other communications equipment, must be screened from view from adjacent public streets.

Ductless Heating and cooling system will be installed and used with new building.

15. Solar panels shall blend in with the primary structure upon which they are located.

**N/A**

16. Structures that have more than a 75-foot front setback shall have a pedestrian walkway that connects to existing pedestrian walkways on adjacent development and that is stubbed to the adjacent property line where adjacent land is undeveloped or absent pedestrian walkways. The configuration of pedestrian walkways shall be considerate of site topography and future development of adjacent property.

**N/A**

17. Buildings shall be designed and maintained to enhance the real and perceived safety of the immediate area. Permit applications shall include a statement from Molalla's Chief of Police or designee stating whether or not safety concerns are associated with the application.

**18. Building Entries.**

a. Entries should be clearly identifiable and visible from the street and easily accessible and inviting to pedestrians. In order to increase personal safety, entries and associated open spaces should be designed to avoid the creation of isolated areas and maintain lines of sight into and out of the space. Building entries shall have 1 or more of the following architectural treatments:

i. Awnings.

ii. Decorative entrances to business.

iii. Painted exterior.

iv. Provide adequate windows to allow pedestrians to see what they offer.

v. Repairing/replacing sidewalks.

- vi. Distinctive doorways. This is in our project.
- vii. Decorative/distinctive entry canopy. This is in our project.
- viii. Projected or recessed entry bay. This is in our project.
- ix. Building name and address integrated into the facade or sidewalk.
- x. A change in paving material, texture or color.
- xi. Distinctive landscaping, including plants, water features, and seating.

19. Entries should be specially defined with canopies, awnings and other building elements that help to identify them from pedestrian ways. Entries can be defined with building insets that provide a transition between the public walkways and the more private, commercial interiors of buildings. Entries should be conveniently lit at all times to eliminate dark, unsafe pockets.

We will have lighting in the entry alcove.

20. Parking that is visible from an existing or proposed street shall be screened from view from public rights of way.

**N/A**

21. Where it is unreasonable to plant trees, planters shall be used.

**Planter area on south side of building.**

22. Storefront seating for eating and take-out food services is especially encouraged along pedestrian walkways. The City should encourage outdoor eating, displays, seating and merchandise within the public rights-of-way along sidewalks. Where such provisions are not practical, providing indentation or setbacks in the building facade can contribute to seating and display areas. These eating areas shall not impede pedestrian travel.

**N/A**—this is not a restaurant or retail project

23. Historic and architecturally significant buildings, and other landmarks that give residents a tie with the past, should be preserved. Private preservation efforts shall be encouraged.

**N/A**

24. The City shall encourage restorative maintenance for deteriorating buildings in the Central Business District and restrict the demolition of historically and/or architecturally significant buildings to accommodate new development.

**N/A**

25. Downtown area commercial buildings shall have their primary orientation toward the street rather than the parking area and shall be accessed from the street and sidewalk.

**N/A**

26. Promote pedestrian interaction with lively streets for a safer more attractive streetscape. Ground floor shops and market spaces that provide services needed by downtown store operators and their customers, and citizens who can generate foot traffic on the streets, increase safety through informal surveillance. Entrances, arcades, open space, shop fronts, seating, and other elements can promote the use of the street front and provide places for friendly interaction. Design decisions should consider the importance of these features in a particular context and allow for their incorporation.

**N/A**

27. Design for uses that are accessible to the general public, open during established shopping hours, generate walk-in pedestrian clientele, and contribute to a substantial level of pedestrian activity.

**N/A**

28. Where buildings with greater than 3,600 square feet of enclosed ground-floor space are proposed, they shall provide articulated facades on all street-facing elevations. This criterion is met when an elevation contains at least 4 of the following features for every 50 feet of building (horizontal length):

**N/A**

**Project is less than 3600 square feet.**

- a. Windows;
- b. Primary entrances;
- c. Weather protection (awnings, canopies, arbors, trellises);
- d. Building offsets;
- e. Projections;
- f. Changes in elevation or horizontal direction;
- g. Sheltering roofs; terraces; a distinct pattern of divisions in surface materials;
- h. Ornamentation;
- i. Screening trees;
- j. Small-scale lighting (e.g., wall-mounted lighting, or up-lighting); and/or
- k. Similar features as generally shown in Figure 17.12.070.E.

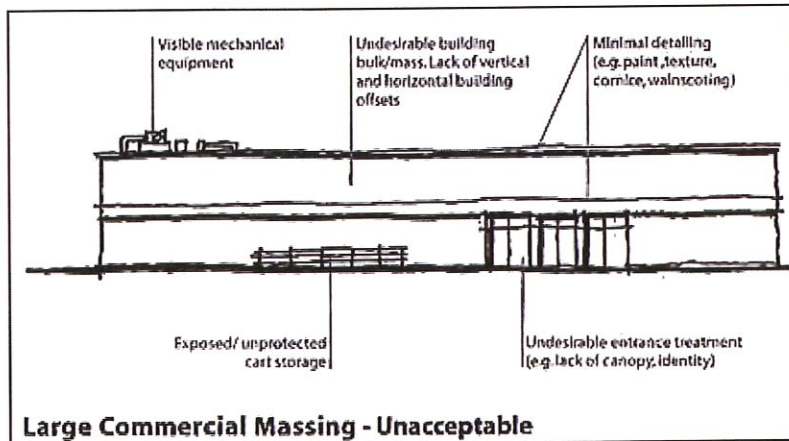
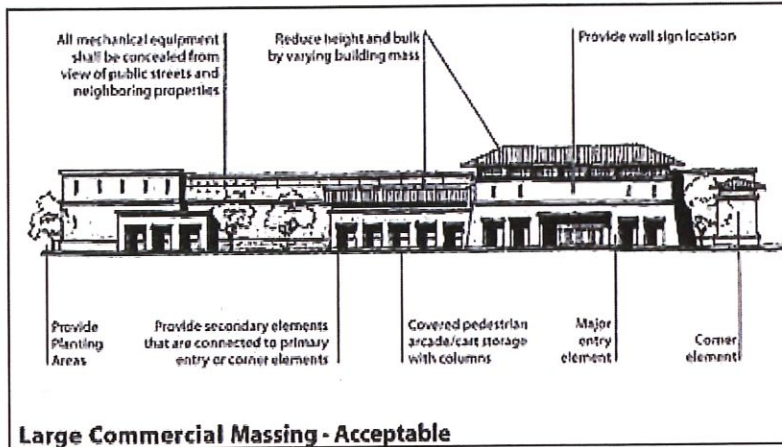
29. Where buildings with greater than 20,000 square feet of enclosed ground-floor space are proposed, they shall provide articulated facades on all street-facing elevations. This criterion is met when an elevation contains at least 1 of the following features for every 40 feet of building (horizontal length): windows; primary entrances; weather protection (awnings, canopies, arbors, trellises); building offsets; projections; changes in elevation or horizontal direction; sheltering roofs; terraces; a distinct pattern of divisions in surface materials; ornamentation; screening trees; small-scale lighting (e.g., wall-mounted lighting); and/or similar features as generally shown in Figure 17.12.070.E. Figure 17.12.070.E should not be interpreted as a required architectural style. Parking requirements:

**N/A**

**Project is less than 3600 square feet.**

- a. Underground/above ground (garage style) parking when the use exceeds that of a 20,000 square foot building; or
- b. Provide alternative parking throughout an area if within close proximity to the development.

**Figure 17.12.070.E - Examples of Large Commercial Design Elements**



(Ord. 2010-15 §1; Ord. 2010-04 §1)

## Landscape Compliance Narrative

117 Center Ave, Molalla, OR 97038

This narrative supports the removal of an existing ~~wood~~<sup>Metz</sup> frame, 1-story office building on an existing site and replacing with a new office building. The current building is not already landscaped. The new building will have all new landscaping per city of Molalla and code.

### 18.08.030 Landscaping.

This section sets standards for and requires landscaping of all development sites that require Site Design Review. This section also requires buffering for parking and maneuvering areas, and between different land use districts. Note that other relevant standards are provided in Title 17, Land Use Districts, for specific types of development.

**A. Applicability.** This section shall apply to all new developments requiring Site Design Review.

**B. Landscaping Plan Required.** A landscape plan is required. All landscape plans shall conform to the requirements in Section 17.08.050. This is provided with drawings.

**C. Landscape Area Standards.** The minimum percentage of required landscaping equals:

1. **Residential and Residential-Commercial Districts.** 7 to 20% of the site pursuant to Table 17.08.2.
2. **Central Business District.** 5% of the site pursuant to Table 17.12.2. This project will be per code.
3. **General and Highway Commercial District.** 10% when placed behind a building and not visible from a public right-of-way and 15% when visible from a public right-of-way of the site pursuant to Table 17.08.2.
4. **Industrial District.** 15% of the site pursuant to Table 17.16.2.

**D. Landscape Materials.** Permitted landscape materials include a mix of trees, shrubs, ground cover plants, non-plant ground covers, and outdoor hardscape features, as described below. "Coverage" is based on the projected size of the plants at maturity, i.e., typically 3 or more years after planting.

**1. Existing Vegetation.** Existing non-invasive vegetation may be used in meeting landscape requirements. The development shall be designed in such a manner that as many trees as possible can be preserved. Significant trees shall be maintained unless no other alternatives exist. All trees remaining on site shall be protected during construction. When existing mature trees are protected on the site (e.g., within or adjacent to parking areas) the decision making body may reduce the number of new trees required by a ratio of 2 new trees for every 1 tree protected. The only existing vegetation that is on property (shrubs) will stay in place.

2. **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. When new vegetation is planted, soils shall be amended, as necessary, to allow for healthy plant growth.

3. "Non-native, invasive" plants, shall be removed during site development and the planting of new invasive species is prohibited.

4. Hardscape features, i.e., patios, decks, plazas, etc., may cover up to 10% of the required landscape area; except in the Central Business District where hardscape features may cover up to 100% of the landscape area. Swimming pools, sports courts, and similar active recreation facilities may not be counted toward fulfilling the landscape requirement.

5. **Ground Cover Standard.** All landscaped area, whether or not required, that is not planted with trees and shrubs, or covered with non-plant material (subsection (D)(8) below), shall have ground cover plants that are sized and spaced as follows. a minimum of 1 plant per 12 inches on center in triangular spacing, or other planting pattern that is designed to achieve 75% coverage of the area not covered by shrubs and tree canopy.

6. **Tree Size.** Trees shall have a minimum diameter or caliper 4 feet above grade of 2 inches or greater at time of planting.

7. **Shrub Size.** Shrubs shall be planted from 5 gallon containers or larger.

8. **Non-plant Ground Covers.** Bark dust, chips, aggregate, or other non-plant ground covers may be used, but shall cover no more than 25% of the area to be landscaped and shall be confined to areas underneath plants. Non-plant ground covers cannot be a substitute for ground cover plants.

9. **Significant Vegetation.** Significant vegetation protected in accordance with Section 18.08.020 may be credited toward meeting the minimum landscape area standards. Credit shall be granted on a per square foot basis. The street tree standards of Section 18.08.040 may be waived by the City when existing trees protected within the front yard provide the same or better shading and visual quality as would otherwise be provided by street trees.

10. **Stormwater Facilities.** Stormwater treatment facilities (e.g., detention/retention ponds and swales designed for water quality treatment), when required under Section 18.16.090, shall be landscaped with water tolerant, native plants.

**E. Landscape Design Standards.** All yards, parking lots, and required street tree planter strips shall be landscaped to provide, as applicable, erosion control, visual interest, buffering, privacy, open space and pathway identification, shading, and wind buffering, based on the following criteria:

1. **Yard Setback Landscaping.** Landscaping in yards shall:

- a. Provide visual screening and privacy within side and rear yards; while leaving front yards and building entrances mostly visible for security purposes;
- b. Use shrubs and trees as wind breaks;
- c. Retain natural vegetation;

- d. Define pedestrian pathways and open space areas with landscape materials;
- e. Provide focal points within a development, for example, by preserving large or unique trees or groves, hedges, and flowering plants;
- f. Use trees to provide summer shading within common open space areas and within front yards when street trees cannot be provided;
- g. Use a combination of plants for year-long color and interest ;
- h. Use landscaping to screen outdoor storage and mechanical equipment areas, and to enhance graded areas such as berms, swales, and detention/retention ponds.

2. **Parking Areas.** It is the responsibility of the applicant to design the development in such a manner as necessary to break up parking and soften the impacts felt by large areas of parking. This is a critical element in maintaining Molalla's identity as a recreation community. **Not Applicable**

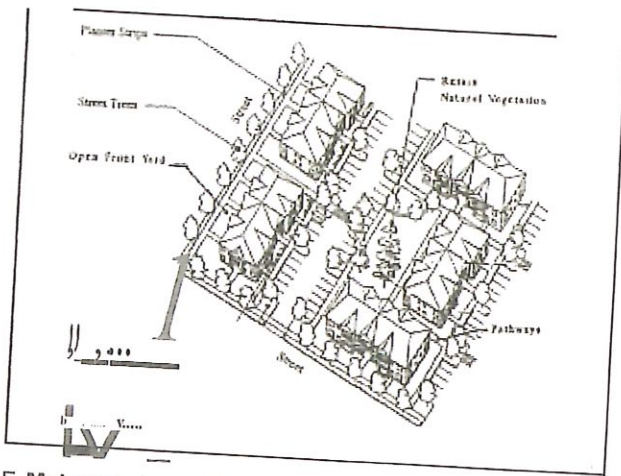
- a. Parking areas of 25 or more parking spaces shall be broken up through the use of large landscape areas with pedestrian access ways (i.e., at least 15 feet in total width, plazas, streets, or driveways with street-like features) street-like features, for the purpose of this section, means a raised sidewalk of at least 4 feet in width, 6 inch curb, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian oriented lighting.
- b. Parking lots not underground or located within a contained building are exempt from landscape standards.
- i. Such landscaping shall consist of "evenly distributed" shade trees with shrubs and ground cover plants that conform to the criteria in Section 18.08.030(E)(1)(a) through (h) above. Evenly distributed means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy.
- ii. At a minimum, 1 tree per 8 parking spaces on average shall be planted to create a partial tree canopy over and around the parking area.
- lii. Parking areas shall be broken up by landscape islands so no more than 10 contiguous parking spaces exist without a landscape break.
- iv. All parking area landscapes shall have dimensions of not less than 24 square feet of area, or not less than 4 feet in width by 6 feet in length, to ensure adequate soil, water, and space for healthy plant growth.
- c. Interior landscaping shall be protected by wheel stops or curbing, or be of sufficient width to prevent damage to plants by overhanging vehicles. There shall be a minimum of 3 shrubs and 1 tree, a minimum of 2 inch caliper measured 4 feet above grade at time of planting.
- d. There shall be a mix of vertical and horizontal elements.
- e. The design for parking areas shall include deciduous and evergreen trees to provide shade and break up expanses of asphalt.



**3. Buffering and Screening Required.** Buffering and screening are required under the following conditions:

- a. **Parking/Maneuvering Area Adjacent to Streets and Drives and Residential Zones.** Where a parking or maneuvering area is adjacent and parallel to a street or driveway, an evergreen hedge; decorative wall (masonry or similar quality material) with openings; arcade, trellis, or similar partially opaque structure 3 feet in height shall be established between street and driveway. The required screening shall have breaks, where necessary, to allow pedestrian access to the site. The design of the wall or screening shall also provide breaks or openings for visual surveillance of the site and security. Evergreen hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number, and spacing to provide the required screening within 1 year after planting. Any areas between the wall/hedge and the street/driveway line shall be landscaped with plants or other vegetative ground cover.
- b. **Parking/Maneuvering Area Adjacent to Building.** Where a parking or maneuvering area, or driveway, is adjacent to a building, the area shall be separated from the building by a curb and a raised walkway, plaza, or landscaped buffer not less than 5 feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect pedestrians, landscaping, and buildings from being damaged by vehicles.
- c. **Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas, and Other Screening When Required.** All mechanical equipment, outdoor storage and manufacturing, and service and delivery areas, shall be screened from view from all public streets and adjacent residential districts. When these or other areas are required to be screened, such screening shall be provided by:
  - i. A decorative wall (i.e., masonry or similar quality material);
  - ii. Evergreen hedge;
  - iii. Opaque fence complying with Section 18.08.050; or
  - iv. A similar feature that provides an opaque barrier.
- d. Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation in accordance with Chapter 18.04, Access and Circulation. (See Section 18.08.050 for standards specific to fences and walls.)
- e. **Flag Lot Screen.** In approving a flag lot, the City may require a landscape screen and/or fence be installed along property line(s) of the flag lot, for privacy of adjoining residents. A flag lot screen shall not be required if the abutting property owner(s) indicate in writing that they do not want a screen or fence, however, the owner may install one at his or her discretion.

Figure 18.08.030. E General Landscape Areas (Typical)



**F. Maintenance and Irrigation.** The use of drought-tolerant plant species is encouraged, and may be required when irrigation is not available. Irrigation shall be provided for plants that are not drought-tolerant. If the plantings fail to survive, the property owner shall replace them with an equivalent specimen (i.e., evergreen shrub replaces evergreen shrub, deciduous tree replaces deciduous tree, etc.). All man-made features required by this Code shall be maintained in good condition, or otherwise replaced by the owner.

All landscaped areas shall be irrigated by an underground system unless a certified arborist or a certified landscape professional certifies in writing that the property and existing vegetation will not require water to survive. If at any time a development's landscaping begins to die, an underground irrigation system shall be required within 60 days and the landscaping shall be replanted where it has died.

**G. Additional Landscaping Requirements.**

1. Open storm water detention facilities shall be incorporated into project landscaping and open space where geographically feasible.
2. Architectural features such as low walls, fountains, and sculptures may be used in places where planting areas are limited.
3. Minimum landscape requirements on remodels:
  - a. 25 - 49% of the tax assessed value of a tax lot shall require 25% of the landscape requirements to be met.
  - b. 50 - 74% of the tax assessed value of a tax lot shall require 50% of the landscape requirements to be met.
  - c. 75% or more of the tax assessed value of a tax lot shall require 100% of the landscape requirements to be met.
4. Required landscaping shall include a mix of vertical (trees) and horizontal elements (grass, ground cover, etc.).
5. Individual trees along walkways and along sidewalks in the internal portions of projects shall be planted in tree wells or planter boxes.

6. Developments shall be designed in such a manner that as many trees as possible can be preserved. Significant trees shall be maintained unless no other alternatives exist. All trees to remain on site shall be protected during construction.
7. Newly planted trees shall be supported (e.g., by use of stakes and wire) to prevent damage by strong winds.
8. Outside of parking areas, every 200 square feet of landscape area there shall be a minimum of 3 Shrubs and 1 tree with a minimum 2-inch caliper measured at 4 feet above grade at time of planting.
9. Deciduous trees with low branches shall be utilized on the south side of buildings for summer shade and winter warmth.
10. Required perimeter setback areas shall be densely landscaped with a combination of trees and shrubs, which form a 90% ground cover within 3 years of planting.
11. Interior site landscaping is required to define pedestrian ways, enclose outdoor gathering and seating areas, and reduce the appearance of building and parking mass. (Ord. 2010-15 §1; Ord. 2010-04 §1)