

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT	PROJECT NO(S).	
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S)	TOTAL

Type of Review (Please check all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Historic Review | <input type="checkbox"/> Subdivision (SUB) |
| <input type="checkbox"/> Appeal and Review (AP) * | <input checked="" type="checkbox"/> Legislative Plan or Change | <input type="checkbox"/> Temporary Uses * |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Lot Line Adjustment (LLA) */** | <input type="checkbox"/> Time Extension * |
| <input type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input type="checkbox"/> Final Plat or Plan (FP) | <input type="checkbox"/> Pre-Application Conference (PA) */** | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Flood Management Area | <input type="checkbox"/> Street Vacation | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Hillside Protection & Erosion Control | | |

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

Site Location/Address:
22500 SALAMO ROAD

Assessor's Map No.:

Tax Lot(s):

Total Land Area:

Brief Description of Proposal: SURFACE WATER MASTER PLAN

Applicant Name: CITY OF WEST LINN
(please print)
Address: **22500 SALAMO ROAD**
City State Zip: **WEST LINN, OR 97068**

Phone: **503-722-3434**

Email:
apepper@westlinnoregon.gov

Owner Name (required):
(please print)
Address:
City State Zip:

Phone:

Email:

Consultant Name: BROWN AND CALDWELL
(please print)
Address: **6500 SW MACADAM AVENUE, SUITE 200**
City State Zip: **PORTLAND, OR**

Phone: **503-977-6655**

Email: **awieland@BrwnCald.com**

1. All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
2. The owner/applicant or their representative should be present at all public hearings.
3. A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. **Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application.**
One (1) complete set of digital application materials must also be submitted on CD in PDF format.
If large sets of plans are required in application please submit only two sets.

* No CD required / ** Only one hard-copy set needed

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

Applicant's signature

Date

Owner's signature (**required**)

Date



CITY OF
West Linn

**SURFACE WATER MASTER PLAN
LAND USE PLANNING APPLICATION**

FILE NUMBER:

HEARING DATE:

REQUEST: To consider a recommendation to City Council for adoption of the West Linn 2019 Surface Water Master Plan (SMP) as Attachment A, along with proposed amendments to Comprehensive Plan Goal 11 and Chapter 85 of the Community Development Code.

**APPROVAL
CRITERIA:** Community Development Code (CDC) Chapters 98, 100 and 105.

PREPARED BY: City Engineering Staff

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GENERAL INFORMATION

APPLICANT: City of West Linn

DESCRIPTION: A recommendation to City Council for consideration of adoption of the West Linn 2019 Surface Water Master Plan (SMP) as Attachment A. The Commission will also consider recommendations on proposed amendments to West Linn Comprehensive Plan Goals 11 and Chapter 85 of the Community Development Code (CDC).

**APPROVAL
CRITERIA:**

Community Development Code (CDC) Chapter 98 provides administrative procedures for legislative amendments to the Comprehensive Plan and the CDC. Section 98.100 of the CDC lists the factors upon which a decision shall be based. These are briefly described below and addressed in greater detail in a separate Section of this report:

1. The Statewide Planning Goals and rules adopted under ORS Chapter 197 and other applicable state statutes;
2. Any federal or state statutes or rules found applicable;
3. Applicable plans and rules adopted by the Metropolitan Service District (Metro);
4. The applicable Comprehensive Plan policies and map; and,
5. The applicable provisions of implementing ordinances.

EXECUTIVE SUMMARY

In 2017, the City of West Linn engaged in a planning process involving citizens and agency stakeholders to develop the Surface Water Master Plan (SMP). The City's last stormwater master plan was completed in 2006.

The SMP is a supporting document to the Comprehensive Plan. The SMP requires a number of amendments to goals and policies in the Comprehensive Plan, as well as applicable amendments to Chapter 85 of the Community Development Code (CDC).

The proposed amendments to the Comprehensive Plan and CDC in attachment A of the application. Adoption of the proposal will ensure goals and policies, and land use development criteria, are aligned with the vision outlined in the SMP for an efficient sanitary sewer collection system to meet community needs into the future.

The primary intent of this legislative action is to ensure the City's SMP and the Comprehensive Plan remain viable tools for decision-makers. By adopting the amendments, the City will also ensure continued compliance with applicable laws, rules, regulations, plans, and programs.

Project Background

The City of West Linn manages approximately 123 miles of piped and open channel stormwater infrastructure within the City. The City's Surface Water Master Plan provides a guide for capital project and stormwater related program decisions over a 10-year planning horizon. The SMP is considered a living document that is inherently flexible to allow the City to respond to opportunities and changing conditions as they develop. The main objectives of the SMP include the following:

- Establishing a foundation for evaluation stormwater system needs in the City
- Stakeholder and staff engagement to inform targeted identification of project needs and improvements.
- Identification of known drainage problems and flooding and provide solutions to alleviate problems.
- Enhance and expand water quality throughout the City.
- Identify programmatic opportunities to address maintenance, system condition deficiencies, and water quality.
- Support regulatory requirements under the City's Phase I National Pollutant Discharge Elimination Permit System (NPDES) municipal separate storm sewer (MS4) permit.

Proposed Comprehensive Plan Amendments

In addition to adopting the West Linn SMP Update, a number of amendments are proposed to goals, policies, and action measures found in the West Linn Comprehensive Plan. The proposed amendments will ensure consistency and compliance with regional and state plans and policies, and includes the following:

- Update to the narrative for Goal 11 Public Facilities and Services – Section 3 Storm Drainage

- Update the goal to provide reliable and environmentally sound storm drainage management.
- Update policies to encourage development and annexation that makes orderly and efficient use of the wastewater collection system.
- Update action measures to:
 - Consolidate and simplify actionable measure to encourage coordination with Clackamas County NPDES MS4 co-permittees to the extent practical for implementation of the City’s Stormwater Management Program.

These changes are more fully shown in the in attachment A of the application.

Proposed CDC Amendments

In addition to adopting the West Linn SMP, one amendment is proposed to the CDC. The proposed amendment will ensure consistency and compliance with regional and state plans and policies, and includes the following:

- Update chapter 85 to refer to the “Surface Water Master Plan, dated June 2019” instead of the “most recently adopted Storm Drainage Master Plan”.

APPLICATION

APPLICABLE CRITERIA

West Linn Community Development Code

Chapter 98.040 Duties of Director

A. The Director shall:

1. If appropriate, or if directed by the City Council or Planning Commission in their motion, consolidate several legislative proposals into a single file for consideration;

Response: The proposed legislative amendments to the West Linn Comprehensive Code and Chapter 85 of the Community Development Code have been consolidated into one file as allowed. The consolidation is appropriate as the proposed amendments will ensure consistency with the adopted plan.

2. Upon initiation of a legislative change, pursuant to this chapter:

a. Give notice of the Planning Commission hearing as provided by CDC 98.070 and 98.080;

b. Prepare a staff report that shall include:.....

c. Make the staff report and all case file materials available 10 days prior to the scheduled date of public hearing under CDC 98.070;

d. Cause a public hearing to be held pursuant to CDC 98.070;

Response: A hearing before the Planning Commission and subsequently City Council will be scheduled as part of this land use application. A staff report will be generated and posted pursuant to CDC 98.040.

Chapter 100 - Procedures for Adoption of Amendment of Supporting Plans:

CDC 100.010 Definitions

A master plan is defined as a supporting document to the Comprehensive Plan.

Response: The SMP Update is a supporting document to the Comprehensive Plan, therefore the standards of this Chapter must be addressed.

CDC 100.090 Additional Procedures

This refers to procedures set forth in CDC Chapter 98.

Chapter 105 – Amendments to the code and Map:

CDC 105.010 Purpose

This Chapter sets forth the standards for legislative amendments to the CDC and to the map.

Response: An amendment to the CDC Chapter 85 is recommended, therefore the standards of this Chapter must be addressed.

CDC 105.030 Legislative Amendments to this Code and Map

This refers to procedures set forth in CDC Chapter 98.

Chapter 98 - Procedures for Decision Making: Legislative

CDC 98.100 Standards for Decision

A. The recommendation of the Planning Commission and the decision by the City Council shall be based on consideration of the following factors:

- 1. The Statewide planning goals and rules adopted under Chapter 197 ORS and other applicable State statutes;*

Statewide Planning Goal 1 – Citizen Involvement:

This goal outlines the citizen involvement requirement for the adoption of Comprehensive Plans and changes to the Comprehensive Plan and implementing documents.

Response: This goal was addressed with the following steps. The City has maintained a project website tracking the project development since inception in November 2016. The SMP was introduced to the public at the April 9, 2019 Utility Advisory Board with a more detailed presentation in May of 2019. The draft SMP has been posted to the City website for public comment since June 28, 2019. Additionally, a public hearing before the Planning Commission and City Council will occur prior to final adoption of the SMP pursuant to CDC Chapter 98. As a result, the SMP is in compliance with Goal 1.

No goal or policy changes are recommended.

Statewide Planning Goal 2 – Land Use Planning:

This goal outlines the land use planning process and policy framework. The Comprehensive Plan was acknowledged by DLCD as being consistent with the statewide planning goals.

Response: The City of West Linn has an acknowledged Comprehensive Plan and enabling ordinances. The SMP was developed to support the underlying land use zones and the populations anticipated. Therefore, the SMP supports the land use and zoning policies. The amendments will be processed in accordance with City's adopted procedures, which requires any applicable statewide planning goals, federal or state statutes or regulations, Metro regulations or plans, comprehensive plan policies, and the City's implementing ordinances be addressed as part of the decision-making process. This amendment will be processed as a post-acknowledgement plan amendment (PAPA) and noticing requirements will be met. All applicable review criteria has been addressed within this application; therefore, the requirements of Goal 2 have been met.

No goal or policy changes are recommended.

Statewide Planning Goal 5 – Natural Resources:

This goal requires the inventory and protection of natural resources, open spaces, historic sites and areas.

Response: The City is currently in compliance with the State’s Goal 5 program and Metro’s Title 13: Nature in Neighborhoods program, which implements Goal 5. The SMP does not alter the City’s acknowledged Goal 5 inventories or associated land use programs. No changes will occur to current natural resource protections. As a result, the amendments are in compliance with Goal 5 process requirements.

No goal or policy changes are recommended.

Statewide Planning Goal 6 – Air, Water, and Land Resource Quality:

To maintain and improve the quality of air, water, and land resources of the state.

Response: The City is currently in compliance with Metro’s Title 3: Water Quality and Flood Management program, which implements Goal 6. The SMP does not alter the City’s acknowledged land use programs regarding water quality and flood management protections. The City is included in the Metro Area Airshed, which is in compliance with Federal Clean Air Act regulations. As a result, the SMP is in compliance with Goal 6.

No goal or policy changes are recommended.

Statewide Planning Goal 7 – Areas Subject to Natural Hazards:

To protect people and property from natural hazards.

Response: The City is currently in compliance with Goal 7 and Metro’s Title 3: Water Quality and Flood Management program. The SMP does not alter the City’s acknowledged Goal 7 land use programs. No changes will occur to current natural hazard protections. As a result, the SMP is in compliance with Goal 7.

No goal or policy changes are recommended.

Statewide Planning Goal 8 – Recreational Needs:

This goal requires the satisfaction of the recreational needs of the citizens of the state and visitors.

Response: West Linn provides a robust range of recreational facilities throughout the community, and has an adopted Parks Master Plan and is in the process of updating that plan. The SMP does not alter the Parks Master Plan. The SMP is in compliance with Goal 8.

No goal or policy changes are recommended.

Statewide Planning Goal 9 – Economic Development:

To provide adequate opportunities for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.

Response: The City is currently in compliance with Goal 9 and Metro’s Title 1: Requirements for Housing an Employment Accommodation and Title 4: Industrial and Other Employment Areas. The SMP does not alter the City’s compliance with Goal 9. The SMP recommendations are aimed at properly sizing stormwater facilities and thus help to support economic growth. The requirements of Goal 9 have been met.

No goal or policy changes are recommended.

Statewide Planning Goal 10 – Housing:

To provide adequate housing for the needs of the community, region and state.

Response: The City is currently in compliance with Goal 10 and the Metropolitan Housing Rule (OAR 660-007/Division 7), and Metro’s Title 1: Requirements for Housing an Employment Accommodation. The SMP does not alter the City’s compliance with Goal 10. The SMP recommendations are aimed at properly sizing stormwater facilities and thus help to accommodate housing needs. The requirements of Goal 10 have been met.

No goal or policy changes are recommended.

Statewide Planning Goal 11 – Public Facilities and Services:

To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as framework for urban and rural development.

Response: The City is currently in compliance with Goal 11 through its acknowledged Comprehensive Plan. This includes an adopted Public Facility Plan as required by Oregon Revised Statute 197.712 and Oregon Administrative Rule (OAR) 660-011. The purpose of facility planning per OAR 660-011 is to help assure that urban development “is guided and supported by types and levels of urban facilities and services appropriate for the needs and requirements of the urban areas to be serviced”. The SMP will update the storm drainage component of the Public Facility Plan as allowed by Oregon Administrative Rule 660-011-0010-0045. As a result, the SMP is in compliance with Goal 11.

West Linn Comprehensive Plan Goal 11: Public Facilities and Services, Section 3 should be amended to read as provided in Attachment A.

Sections 1: Sanitary Sewer; 2: Water System; 4: Fire and Police; 5: Government Administration Facilities; 6: Libraries; 7: Schools; 8: Private Utilities and Telecommunications; and 9: Health Services are not affected by the SMP and no changes in goals or policies are required.

Statewide Planning Goal 12 – Transportation:

To provide and encourage a safe, convenient, and economic transportation system.

Response: The City is currently in compliance with Goal 12 and Metro’s Regional Transportation Plan through its acknowledged Comprehensive Plan and TSP as required by Oregon Administrative Rule 660-012 (Transportation Planning Rule). The SMP does not alter the City’s compliance with Goal 12. The SMP recommendations are aimed at properly sizing storm drainage facilities that serve the transportation system. The requirements of Goal 12 have been met.

No goal or policy changes are recommended.

Statewide Planning Goal 13 – Energy Conservation:

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based on sound economic principles.

Response: The City is currently in compliance with Goal 13 through its acknowledged Comprehensive Plan. The adoption of the SMP does not alter the City's compliance with Goal 13. The requirements of Goal 13 have been met.

No goal or policy changes are recommended.

Statewide Planning Goal 14 – Urbanization:

To provide for orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Response: The City is currently in compliance with Goal 14 and Metro's Title 11: Planning for New Urban Areas through its acknowledged Comprehensive Plan and land use regulations. The City also has a signed Urban Growth Management Agreement with Clackamas County as required by ORS 195.065. The SMP does not alter the City's compliance with Goal 14. The SMP recommendations are aimed at properly sizing storm drainage facilities and thus helps to promote orderly growth. The requirements of Goal 14 have been met.

No goal or policy changes are recommended.

Statewide Planning Goal 15 – Willamette River Greenway:

To provide for keeping the land green along the banks of the river and providing for recreation access.

Response: The City is currently in compliance with Goal 15 through its acknowledged Comprehensive Plan and land use regulations. The SMP does not alter the City's compliance with Goal 15 and is consistent with this goal. The requirements of Goal 15 have been met.

No goal or policy changes are recommended.

Conclusion: Based on the analysis above, the proposed SMP is consistent with applicable Statewide Planning Goals.

2. Any federal or State statutes or rules found applicable;

Oregon Administrative Rule 660-011

Response: The Land Conservation and Development Commission adopted Oregon Administrative Rule 660-011 (Public Facility Planning Rule) to implement Statewide Planning Goal 11. The proposed SMP describes the storm drainage facilities necessary to support the land use designated in the City's acknowledged comprehensive plan within the City's urban growth boundary, one component of the City's overall Public Facilities Plan. See the material above which addresses State Wide Planning.

Oregon Administrative Rule 340-041

Response: This rule applies to the State’s water quality standards. Section 303(d) of the Clean Water Act (CWA) requires states to develop a list of water bodies that do not meet water quality standards (commonly known as “303(d) list”). The Willamette and Tualatin Rivers are the major receiving waters for West Linn. These rivers and contributing tributaries are on the 303(d) list for various parameters of concern and have Total Maximum Daily Loads (TMDLs) for specific sources of pollutant loading. Section 2.6.2 of the SMP includes a discussion and evaluation of water quality opportunities to continue progress towards meeting the TMDL requirements applicable to the City. The SMP is in compliance with this rule.

Oregon Administrative Rule 340-045

Response: This rule requires a discharge permit for municipal separate storm sewer system discharging to waters of the state. The City is one of 13 co-permittees on the Clackamas County Phase I NPDES MS4 Permit for discharges from the stormwater system, first issued in 1995. Future permit compliance was considered in the identification of capital projects and programs identified in the SMP. The SMP is in compliance with the rule.

Conclusion: Based on the analysis above, the proposed SMP is consistent with applicable federal or state statutes or rules.

3. Applicable plans and rules adopted by the Metropolitan Service District;

Response: Metro’s responsibility includes management of the boundary that separates urban and rural lands with regard to land use and development, coordinate and plan investments in the transportation system for the three-county area, act a regional clearinghouse for land information, manage regional parks and natural areas, operate regional visitor venues, and oversee the regions solid waste system. Their responsibility does not extend to stormwater management.

Under the land use goals 2, 5 and 8 earlier in this document a response has been provided addressing land use planning, natural areas and recreational areas. The SMP does not affect the Metro plans and rules.

Conclusion: Based on the analysis above, the SMP is consistent with applicable plans and rules adopted by Metro.

4. The applicable Comprehensive Plan policies and map

Response: Comprehensive policies have been addressed in this application under the Statewide Planning Goals. Amendments to Goal 11 Public Facilities and Services Section 3: Sanitary Sewer have been recommended.

The Comprehensive Plan does not include maps pertaining to the stormwater system. Therefore, there are no map changes required.

Conclusion: Based on the analysis above, the proposed SMP is consistent with the Comprehensive Plan policies and map.

Annotated to show deletions and additions to the plan section being modified. Deletions are ~~bold lined through~~ and additions are **bold underlined**.

1. Proposed Comprehensive Plan Amendments

The following text amendments are proposed for the West Linn Comprehensive Plan:

.....

West Linn Comprehensive Plan goal 11: Public facilities and Services should be amended to read as follows:

SECTION 3: STORM DRAINAGE

BACKGROUND AND FINDINGS

~~West Linn is drained by natural intermittent and flowing streams within a major system of natural canyons and drainageways that discharge to the Willamette and Tualatin Rivers.~~ The City's existing storm drainage system is a composite of natural streams with culverts under streets and a network of underground storm drain ~~pipes~~ conduits in more densely developed areas draining to the Willamette and Tualatin Rivers.

~~Much of the recent and planned new development in West Linn is located in upland areas of the City's watersheds, increasing the need for better erosion control of natural channels, reduce the level of pollutants in storm water discharge, manage flood flows, and reduce runoff to downhill areas.~~

~~In order to comply with Section 402 and 405 of the federal Clean Water Act, The Oregon Department of Environmental Quality (DEQ) regulates stormwater runoff through the National Pollutant Discharge Elimination System (NPDES) Multiple Separate Storm Sewer System (MS4) permitting program. In 1995, DEQ issued Clackamas County and several cities, including the City of West Linn ("Clackamas County NPDES MS4 co-permittees"), has been issued an a National Pollutant Discharge Elimination System (NPDES) permit which required implementation of a Stormwater Management Program and has prepared a storm water quality management program. The City's Stormwater Management Program includes a range of programmatic, non-structural, and source control activities managed by the City to reduce pollutants to the maximum extent practicable. Section 303 of the Clean Water Act requires that all new developments and significant re-developments apply management practices to reduce discharges of storm water pollutants. The City uses the City of Portland Stormwater Management Manual to meet water quality requirements.~~

In 1996, the City adopted the Storm Drainage Master Plan, which is a supporting document of the Comprehensive Plan. This document responds to recent and expected growth in the City and the City's commitment to natural drainageway preservation and water quality. Future effort will be needed to respond to the recent Endangered Species Act list of native upper Willamette River Chinook salmon and steelhead by the National Marine Fisheries Service. The City's Surface Water Master Plan, dated June 2019, provides a comprehensive analysis of the existing system needs and identifies programmatic and capital projects to address maintenance activities, system condition deficiencies, and water quality.

.....

GOALS, POLICIES, AND RECOMMENDED ACTION MEASURES

GOAL

Provide a reliable and environmentally sound storm drainage management system that reasonably limits risks to people, property and the environment from both the quantity and quality of the City's urban storm water runoff. ~~and maintain a drainage management system that manages the amount and rate of surface water runoff; eliminates interbasin transfers of storm drainage; minimizes property damage from runoff; and controls pollution entering receiving streams.~~

POLICIES

1. Encourage development that makes orderly and efficient use of the stormwater collection system that prioritizes green infrastructure and minimizes the use of impervious surfaces. ~~Where possible, require storm water runoff within development areas to be pretreated, using natural channels as points of discharge from local runoff collection systems. The Storm Drainage Master Plan, West Linn, Oregon, 1996, will be the key reference for determining drainage corridors and is a supporting document of the Comprehensive Plan.~~
2. Require adequate maintenance of culverts and drainageways in coordination with property owners to ensure that the natural drainage system operates at maximum efficiency.
3. Drainage facilities and practices will comply with state and federal water quality standards and requirements.
4. Implement and apply erosion control standards and best practices to minimize discharge from construction sites.
5. ~~Protect downstream areas from increased storm water runoff by managing runoff from upstream development and impacts on adjacent natural drainageways and their associated vegetation.~~
6. ~~Seek alternatives to the use of impervious surfaces within areas of dense standings trees and shrubs next to natural drainage courses and in other natural areas.~~
7. ~~Design road crossings to minimize or eliminate impacts on natural drainage courses.~~
8. ~~Require that construction practices for all land development projects, private and public, be conducted in such a way as to avoid exposing cuts, grading areas, and trenches to stormwater so that soil erosion is minimized, and soil will not be washed into natural drainage areas.~~
9. ~~Require that riparian vegetation along the streams and drainageways be maintained and preserved or re-established where necessary. In order to maintain or operate public facilities, selective cutting, trimming, and thinnings will be allowed along waterways.~~
10. ~~Encourage use of permeable surfaces in developments.~~
11. ~~Adopt regulations to allow for the development of Green Streets in suitable locations.~~

RECOMMENDED ACTION MEASURES

1. Coordinate with Clackamas County NPDES MS4 co-permittees to the extent practical to ensure effective implementation of a Stormwater Management Program. ~~Participate in regional and state programs designed to ensure the maintenance of high quality discharges from surface~~

~~water runoff and waste treatment operations into the Willamette, Clackamas, and Tualatin Rivers.~~

- ~~2. Coordinate the City's surface water management and sanitary sewer plans with regional water quality management plans.~~
- ~~3. Review and update the City's Storm Drainage Master Plan at least every five years.~~
- ~~4. Monitor all new developments and significant redevelopment activities to require that best management practices be employed and enforced to reduce discharge of storm water pollutants consistent with Section 303 of the Clean Water Act.~~

2. Proposed CDC Chapter 85 Amendments

The following text amendments are proposed for the Community Development Code Chapter 85:

.....

A storm detention and treatment plan and narrative compliance with CDC 92.010(E) must be submitted for storm drainage and flood control including profiles of proposed drainageways to the ~~most recently adopted Storm Drainage Surface Water~~ Master Plan, **dated June 2019**.

5. The applicable provisions of the implementing ordinances.

Response: The applicant is not aware of any additional applicable provisions, which are not found above. Implementing ordinances include:

- *CDC Chapter 55.100 I 2 – Design Review Approval Standards: Public Facilities, Storm detention and treatment a geologic hazards.*
- *CDC Chapter 60.070 A 4 – Conditional Uses Approval Standards and Conditions, Adequate Public Facilities.*
- *CDC Chapter 85.170 F – General Provisions Submittal Requirements for Tentative Pan, and Supplemental Submittal Requirements for Tentative Subdivision or Partition Plan.*
- *CDC Chapter 85.200 H - General Provisions Submittal Requirements for Tentative Pan, and Approval Criteria, Storm detention and treatment.*

Response: These chapters require design engineers to demonstrate proper provisions for stormwater management are available to serve the proposed development. The proposed SMP does not alter this requirement. CDC Chapter 85.170 F references SMP, but not a specific SMP, therefore that section of the CDC should be modified as proposed in Attachment A.

Chapter 92.010 F – Required Improvements, Public Improvements for all Development, Sanitary Sewer.

Response: This requires that sanitary sewers shall be installed to City standards to serve the subdivision and to connect the subdivision to existing mains. The SMP does not affect this requirement.

Conclusion: Based on the analysis above, Chapter 85.170 F of the CDC is proposed to be amended to be consistent with the SMP. Otherwise the proposed SMP is consistent with the CDC.