

## NOTICE OF CITY COUNCIL MEETING

The City Council of the City of King City will hold a Regular City Council Meeting at 7:00 p.m., Wednesday-February 20<sup>th</sup>, 2019 at the **Crown Center, 16880 SW 126<sup>th</sup> Ave, King City, Oregon 97224**

AGENDA		Action Item
<b>***REGULAR SESSION***</b>		
<i><b>Moment of Silence</b></i>		
7:00 p.m.	1. <b>CALL TO ORDER</b>	Time:
	2. <b>ROLL CALL</b>	
	3. <b>PLEDGE OF ALLEGIANCE</b>	
	4. <b>APPROVAL OF MINUTES: August 1, August 15, September 5, September 19, October 3, October 13, 2018 – January 16, 2019.</b>	M S A
7:15 p.m.	5. <b>OPEN FORUM:</b> We welcome public comment. At this time, the Council will be happy to receive your comment pertaining to items on the agenda (including, questions, suggestions, complaints and items for future agendas). Each person's time will be limited to three minutes.	
7:20 p.m.	6. <b>UNFINISHED BUSINESS:</b>	
7:20 p.m.	7. <b>NEW BUSINESS:</b>	
	7.1 Recognitions	
	7.2 Sergeant Siglar - Promotion	M S A
	7.1 Women's History Month Proclamation	
	7.2 Consider and discuss King City Ordinance regulating to Street trees in King City Highlands	Discusstion
	7.3 Public Hearing – Case No. LU 18-03 Zone Change	M S A
	7.4 Consider RFPs for Community Park Improvements	M S A
	RFP information will be given out on February 20 <sup>th</sup> , 2019	M S A
7:50 p.m.	8. <b>POLICE CHIEF'S REPORT</b>	
8:00 p.m.	9. <b>CITY MANAGER'S REPORT</b>	
8:10 p.m.	10. <b>MAYOR'S AND COUNCILOR'S REPORTS</b>	
8:40 p.m.	11. <b>ADJOURN</b>	
<b>NEXT COUNCIL MEETING MARCH 6<sup>TH</sup>, 2019 (WORKSHOP) AT 10:00AM</b>		
The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Ronnie Smith, City Recorder, 503-639-4082.		
M=Motion; S=Second; A=Action/Vote		

**CITY OF KING CITY  
CITY COUNCIL MEETING MINUTES**

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**Call to Order:** A regular meeting of the King City – City Council was held at the King City Hall beginning at 7:00 p.m. on Wednesday, August 1, 2018. Mayor Gibson requested a moment of silence then proceeded to call the meeting to order at 7:01 p.m., followed by roll call and the Pledge of Allegiance

**Roll Call:** **The following City Council members were present:**

Mayor Ken Gibson  
President Bob Olmstead  
Councilor Jaimie Fender  
Councilor John Boylston  
Councilor Gretchen Buchner  
Councilor Smart Ocholi  
Councilor Billie Reynolds

**Absent: none**

**Staff present included:**

City Manager (CM) Mike Weston  
Chief of Police (CP) Ernie Happala

**Agenda Item 4:** **Approval of Minutes:** none

**Agenda Item 5:** **Open Forum:**

Mayor Gibson opened public comment on any item on the agenda (including questions, suggestions, complaints, and items for future agenda) and stated each person's time would be limited to three minutes.

None.

**Agenda Item 6:** **Unfinished Business: None**

**Agenda Item 7:** **New Business:**

7.1 Special Presentation Washington County Tobacco Awareness

Gwen had several questions to ask the City Council members.

1. Is the use of tobacco/marijuana among youth a concern to the leadership?  
Council responded yes.
2. What formal policies, practices, and laws are in place in your community in regards to retailers selling tobacco and tobacco use in public places?  
Some councilors are interested in a smoke-free park. Staff and other councilors are concerned with the enforcement of the rules. Councilors would like to work on this in a workshop.
3. What formal policies, practices, and laws are in place in your community in regards to retailers selling marijuana and marijuana use?

Staff responded to Gwen's question: 250' form a residential area, 1000' from a school and a 1000' form another marijuana retailer. The Ordinance is very similar to the State ORS.

4. Do you think what has been done is adequate to discourage the use and exposure to tobacco among youth, or should more be done?  
Council members think we can always do more.
5. Do you think what has been done is adequate to discourage the use and exposure to marijuana among youth, or should more be done?  
Council members think that we can do more, i.e. after-school programs or after school trade programs.
6. What do you believe are the primary obstacles to addressing:
  - a. Tobacco use/exposure among youth? Peer pressure
  - b. Marijuana use/exposure among youth? Peer pressure
7. What are your thoughts on the following evidence-based strategies that have been implemented in other communities in Oregon:
  - a. Licensing businesses that sell tobacco products.
  - b. Restrict selling tobacco/marijuana:
    - i. Within a certain distance from schools.
    - ii. Within a certain distance from other businesses selling Tobacco/marijuana.
    - iii. Require the posting of tobacco cessation resources like the Oregon Tobacco Quit Line in tobacco inside and outside retail outlets.

Council members would like to see this done by the county level.  
However, Councilors and staff are concerned with local control.

8. What is your position on limiting smoking:
  - a. Dining areas outside bars/restaurants.
  - b. Streets and sidewalks in crowded zone such as downtown areas.

Staff and Council member would like to work on this in the future.

7.2 Consider Planning Commission Applicant Smith Siromaskul

Council members would like for staff to advertise this position. Council will relook at this in the future.

Councilors would like more training for the Planning Commission.

City Council discussed the ADU within the city limits. Council asked staff to examine ordinances and look for any opportunity to remove any obstacles to ADU's within the City limits.

**MOTION MADE BY COUNCILOR BOYLSTON TO APPROVE STAFF TO EXAMINE ORDINANCES AND LOOK FOR ANY OPERTUNANY TO REMOVE ANY OBSTACLES TO ADU'S WITHIN THE CITY LIMITS., SECONDED BY COUNCILOR FENDER.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 7-0.**

- 7.3 Consider Engagement Letter for Accounting Services – Marr  
Council members discussed the letter.

**MOTION MADE BY COUNCILOR REYNOLDS TO APPROVE THE  
CONTRACT AS PRESENTED., SECONDED BY COUNCILOR  
BOYLSTON.**

**VOICE VOTE: 6-AYES – 1-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 6-1.**

- 7.4 Consider and Discuss Ordinance O-2018-03 Amending Chapter  
2.34 – authorize work sessions and the cancellation of a  
second monthly meeting  
CM Weston mentioned that the public hearing was held on July 18, 2018.

**MOTION MADE BY COUNCILOR BOYLSTON TO APPROVE  
ORDINANCE O-2018-03 AMENDING CHAPTER 2.34., SECONDED  
BY COUNCILOR OLMSTEAD.**

**VOICE VOTE: 6-AYES – 1-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 6-1.**

President Bob Olmstead - Aye  
Councilor Jaimie Fender - Aye  
Councilor John Boylston -Aye  
Councilor Gretchen Buehner - Ney  
Councilor Smart Ocholi - Aye  
Councilor Billie Reynolds – Aye  
Mayor Gibson - Aye

- 7.5 Consider and Discuss – NMU Ordinance 2018-04 An Ordinance  
amending for Chapter 16.102 of King City's Community  
Development Code.  
CM Weston mentioned that the public hearing was held on July 18, 2018. He also  
mentioned that the main concern for the NMU was parking.

**MOTION MADE BY COUNCILOR BUEHNER TO APPROVE  
ORDINANCE O-2018-04 AN ORDINANCE AMENDING CHAPTER  
16.102 OF KING CITY'S COMMUNITY DEVELOPMENT CODE.,  
SECONDED BY COUNCILOR OLMSTEAD.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 6-1.**

President Bob Olmstead - Aye  
Councilor Jaimie Fender - Aye  
Councilor John Boylston -Aye  
Councilor Gretchen Buehner - Aye

Councilor Smart Ocholi - Aye  
Councilor Billie Reynolds – Aye  
Mayor Gibson - Aye

CM Weston read the title:

**ORDINANCE NO. 2018-04, AMENDING THE COMMUNITY DEVELOPMENT CODE AND COMPREHENSIVE PLAN TO ADD A NEIGHBORHOOD MIXED-USE ZONE.**

**Agenda Item 8: Police Chief's Report**

Out of town this week.

**Agenda Item 9: City Manager's Report**

CM Weston mentioned that he has several work evaluations coming up.

He also mentioned that he went to several meetings (MPCC, Crag, Metro)

LOC Annual meeting is coming up in September. We have two reps going.

CM Weston discussed with the city council about the city hall remodel and drawings were passed out.

CM Weston also spoke about the possibility of land purchase. He mentioned that he got a few calls from the landowners' realtor in the area of interest.

**Agenda Item 10: Mayor and Councilor's Reports**

- Councilor Fender reported that the KCCF would start the King City Police Department appreciation event this weekend.
- President Bob Olmstead –
- Councilor Reynolds – No Report
- Councilor Boylston – No Report
- Councilor Ocholi – attended the water meeting in July and no change.
- Councilor Buehner – Reported on the Metro reports and gave them to CM Weston.
- Mayor Gibson – reported that he would be meeting with Rich Vial and he will be asking for a letter of support for the UGB.

**Agenda Item 12: Adjournment**

**COUNCILOR FENDER MOVED TO ADJOURN THE MEETING, COUNCILOR BUEHNER SECONDED, THE MEETING ADJOURNED AT 9:17 P.M**

Respectfully Submitted by:

Attested by:

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Ronnie Smith  
City Recorder

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Mike Weston  
City Manager

**CITY OF KING CITY  
CITY COUNCIL MEETING MINUTES**

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**Call to Order:** A regular meeting of the King City – City Council was held at the King City Hall beginning at 7:00 p.m. on Wednesday, August 15, 2018. Mayor Gibson requested a moment of silence then proceeded to call the meeting to order at 7:01 p.m., followed by roll call and the Pledge of Allegiance

**Roll Call:** **The following City Council members were present:**

Mayor Ken Gibson  
President Bob Olmstead  
Councilor John Boylston  
Councilor Gretchen Buchner  
Councilor Smart Ocholi  
Councilor Billie Reynolds

**Absent:**

Councilor Jaimie Fender – Excused

**Staff present included:**

City Manager (CM) Mike Weston  
Chief of Police (CP) Ernie Happala

**Agenda Item 4:** **Approval of Minutes:** March 7, 2018

**MOTION MADE BY COUNCILOR BUEHNER TO APPROVE THE MINUTES OF  
REGULAR SESSION MARCH 7, 2018, SECONDED BY COUNCILOR REYNOLDS.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 7-0.**

**Agenda Item 5:** **Open Forum:**

Mayor Gibson opened public comment on any item on the agenda (including questions, suggestions, complaints, and items for future agenda) and stated each person's time would be limited to three minutes.

None.

**Agenda Item 6:** **Unfinished Business: None**

**Agenda Item 7:** **New Business:**

7.1 Landscaping Bid Review

Mayor Gibson stated that this is an informal bid process and that he also has a few questions that may extend this process until the next meeting.

**LeafLLC:**

Gary Mayers, Owner – currently manages the King City Park.

Mayor Gibson asked Gary if his company would be ok to add Fischer Road and Beef Bend area to the quote and if they would come back to the next meeting. He replied "Yes."

**Pacific Landscape Management:**

Octavie, Business manager – mentioned that this is a locally owned company. This company currently manages Edgewater HOA and King City Condominium HOA.

Mayor Gibson asked Octavie if his company would be ok to add Fischer Road and Beef Bend area to the quote and if they would come back to the next meeting. He replied “Yes.” He also mentioned that it would only need to be done about two to three times a year.

**BrightView:**

Glenn Fritts, Senior Account Manager – The company is located in Tualatin. He also mentioned that his company is willing to do Beef Bend and Fischer Road. However, asked if the staff could give more details on a map. CR Smith will prepare a map.

Item will be tabled until the next meeting.

7.2 Lions Club Golf Tournament – Sponsorship Request

Lions Club was unable to attend this meeting. Bob Olmstead mentioned that he knows that they are in need of support rather it be golf teams or sponsorship.

CR Smith mentioned that they are looking for sponsorship at any level

**MOTION MADE BY COUNCILOR BUEHNER TO APPROVE A PLATINUM SPONSOR AT A PRICE OF \$250.00., SECONDED BY COUNCILOR BOYLSTON.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED THE MOTION CARRIED 7-0.**

7.3 ADD ON: TGM Grant:

CR Smith stated that the city received a letter awarding the TGM Grant process in the amount of \$350,000 with a 12% match from the city.

**MOTION MADE BY COUNCILOR BOYLSTON TO ACCEPT THE TGM GRANT., SECONDED BY COUNCILOR OLMSTEAD.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED THE MOTION CARRIED 7-0.**

Mayor Gibson mentioned that staff is still working on the remodeling for the pre-construction pricing. The Council discussed issues with pricing from the subcontractors, damages, water, and codes.

**Agenda Item 8: Police Chief's Report**

No report currently.

**Agenda Item 9: City Manager's Report**

CM Weston is out tonight. Council Asked CR Smith how the hiring process is going for the Public Works position. CR Smith said that they had narrowed it down to three candidates and the third interviews are scheduled next week.

**Agenda Item 10: Mayor and Councilor's Reports**

- President Bob Olmstead – No Report
- Councilor Reynolds – No Report
- Councilor Boylston – No Report
- Councilor Ochoi – No Report
- Councilor Buehner – MPAC meeting was canceled. Metro COO will be presenting the applications to MPAC on September 12.
- Mayor Gibson – reported that he attended the WCCC meeting.

**Agenda Item 12: Adjournment**

**COUNCILOR REYNOLDS MOVED TO ADJOURN THE MEETING, PRESIDENT OLMSTEAD SECONDED, THE MEETING ADJOURNED AT 7:56 P.M**

Respectfully Submitted by:

Attested by:

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Ronnie Smith  
City Recorder

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Mike Weston  
City Manager



**CITY OF KING CITY  
CITY COUNCIL MEETING MINUTES**

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**Call to Order:** A regular meeting of the King City – City Council was held at the King City Hall beginning at 9:15 a.m. on Wednesday, September 5, 2018. Mayor Gibson requested a moment of silence then proceeded to call the meeting to order at 7:01 p.m., followed by roll call and the Pledge of Allegiance

**Roll Call:** **The following City Council members were present:**

Mayor Ken Gibson  
President Bob Olmstead  
Councilor Jaimie Fender  
Councilor Smart Ocholi – Called in  
Councilor Gretchen Buchner  
Councilor Billie Reynolds

**Absent:**

Councilor John Boylston - Excused

**Staff present included:**

City Manager (CM) Mike Weston  
Chief of Police (CP) Ernie Happala  
City Recorder (CR) Ronnie Smith

**Agenda Item 4: Open Forum:**

Mayor Gibson opened public comment on any item on the agenda (including questions, suggestions, complaints, and items for future agenda) and stated each person's time would be limited to three minutes.

None.

**Agenda Item 5: New Business:**

5.1 King City Remodel – Consider Pricing and Next Steps

CM Weston Explained the documents from Alegis. He mentioned that the price is higher than initially bidded. He also mentioned that other cities, school districts, and state agencies are higher than originally bid in the RFPs.

CM Weston asked what do we want to do with the building, what are our long term plans, and do we want to continue? The current cost for all scenarios include the costs of the Good Faith Survey, Abatement, and Temporary Power.

5% minimum contingency is recommended by SEA and ACI.

50% Concept Set Budget \$1,013,209 – ACI 7.27.18 \$201.91 / SF

5% Owner Carried Contingency \$50,661 – NIC

95% Permit Set Budget \$1,024,086 – ACI 8.21.18 \$204.08 / SF

5% Owner Carried Contingency \$51,204 – NIC

95% Permit Set Budget w/ Value Engineering\* \$950,859 \$189.48 / SF

Value engineering includes the following items:

- ☐ Remove DPST Shower and Convert To Bathroom
- ☐ Remove Interview Room From DPST
- ☐ Eliminate Evidence Pass-Through
- ☐ Eliminate Cell
- ☐ Eliminate Platform Dias and ADA Ramp
- ☐ Eliminate Reception Soffit
- ☐ Alternate Lighting Package – To be submitted for final acceptance.

City council discussed the building and the long-term goals of the city. Mayor Gibson mentioned that this is to create a better workflow environment, for staff.

Councilor Buehner even if we build a new city hall in the URA 6D area the east side of King City will need a sub-police station and its an opportunity to ask Washington county if they would like a substation for the Sheriffs. She also asked what is the difference new vs. remodel?

Mayor replied to Councilor Buehner question. He Mentioned that if we went with new, we would have to go back to the drawing board with the architects and that would incur additional cost. The cost was estimated for a new building was at 1.4 to 1.5 million for the first floor.

Council members don't see the point in going with Value engineering. They mentioned that it would take out everything that we need for the police. CM Weston also mention that there would be additional costs for unseen abatement.

The Council discussed the Not to Exceed (NTE) amount for staff. Staff recommends 1.25 million dollars.

CM Weston said that we have two options on the table. 1) not to invest any more money in this building or 2) Keep a footprint on the east side of King City and invest money into this building.

**MOTION MADE BY COUNCILOR BUEHNER TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE A CONTRACT WITH ALEGIS FOR THE REMODEL WITH A PRICE NOT TO EXCEED \$1.25 MILLION, SECONDED BY COUNCILOR REYNOLDS.**

Council discussed the price and wanted to make sure that 1.25 million will cover the whole project. CM Weston and Mayor Gibson mentioned that the RFP process had the pre-construction meetings and we are in a better position for the way the RFP was written.

**ROLL CALL VOTE:**

**Councilor Gretchen Buehner – Aye**  
**Councilor Smart Ocholi - Aye**  
**President Bob Olmstead – Aye**  
**Councilor Billie Reynolds – Aye**

**Councilor Jaimie Fender - Aye**  
**Mayor Gibson - Aye**

**6-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED**  
**THE MOTION CARRIED 6-0.**

**Agenda Item 6: City Manager's Report**

CM Weston reminded the Councilors that his annual review is coming up in the next meeting. He also mentioned that he might have a budget supplement for the next meeting.

**Agenda Item 7: Mayor and Councilor's Reports**

No Reports at this meeting.

**Agenda Item 8: Adjournment**

**COUNCIL PRESIDENT OLMSTEAD MOVED TO ADJOURN THE MEETING,**  
**COUNCILOR BUEHNER SECONDED, THE MEETING ADJOURNED AT 9:59 P.M**

Respectfully Submitted by:

Attested by:

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Ronnie Smith  
City Recorder

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Mike Weston  
City Manager

**CITY OF KING CITY  
CITY COUNCIL MEETING MINUTES**

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**Call to Order:** A regular meeting of the King City – City Council was held at the King City Hall beginning at 7:02 p.m. on Wednesday, September 19, 2018. Mayor Gibson requested a moment of silence then proceeded to call the meeting to order at 7:03 p.m., followed by roll call and the Pledge of Allegiance

**Roll Call:** **The following City Council members were present:**

Mayor Ken Gibson  
Councilor John Boylston  
Councilor Smart Ocholi  
Councilor Gretchen Buehner

**Absent:**

President Bob Olmstead - excused  
Councilor Billie Reynolds - excused  
Councilor Jaimie Fender - excused

**Staff present included:**

City Manager (CM) Mike Weston  
Chief of Police (CP) Ernie Happala

**Agenda Item 4:** **Approval of Minutes:** May 16, 2018  
June 6, 2018

**MOTION MADE BY COUNCILOR BUEHNER TO APPROVE May 16, 2018 MINUTES, SECONDED BY COUNCILOR BOYLSTON.**

**VOICE VOTE: 4-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 4-0.**

**MOTION MADE BY COUNCILOR BUEHNER TO APPROVE June 6, 2018 MINUTES, SECONDED BY COUNCILOR BOYLSTON.**

**VOICE VOTE: 4-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 4-0.**

**Agenda Item 5:** **Open Forum:**

Mayor Gibson opened public comment on any item on the agenda (including questions, suggestions, complaints, and items for future agenda) and stated each person's time would be limited to three minutes.

Sandra Wood – 16616 SW Qween Anne Ave: shared her concerns about weeds behind storage units. Kent McKenzie is the current on site manager. Mrs. Woods would like this taken care of.

Linda Duphran – SW Refractory Place: She is concernd about the way Beef Bend and 99 NE corner looks like. She would like the fence to be replaced. She also noted that the signs need to be managed and a light would be nice.

**Agenda Item 6:** **Unfinished Business: None**

**Agenda Item 7:**

**New Business:**

7.1

Landscaping Bid Review

The council discussed the bids and made a motion.

**MOTION MADE BY COUNCILOR BOYLSTON TO APPROVE A ONE (1) YEAR CONTRACT WITH LEAF, LLC, SECONDED BY COUNCILOR BUEHNER.**

**VOICE VOTE: 4-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED THE MOTION CARRIED 4-0.**

7.2

Public Safety Network IGA

CM Weston presented the the new IGA for the Police departmnet.

**MOTION MADE BY COUNCILOR BUEHNER TO APPROVE PUBLIC SAFETY NETWORK IGA, SECONDED BY COUNCILOR BOYLSTON.**

**VOICE VOTE: 4-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED THE MOTION CARRIED 4-0.**

7.2.5

Inland Temp Power contract

CM Weston mentioned that the city went out for 3 quets. Inland being the best priced staff recommended them.

**MOTION MADE BY COUNCILOR BUEHNER TO APPROVE the CONTRACT FROM INLAND FOR THE TEMP POWER, SECONDED BY COUNCILOR BOYLSTON.**

**VOICE VOTE: 4-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED THE MOTION CARRIED 4-0.**

7.3

Chief Contract / Evaluation

Council and CM Weston spoke about Chief and his contract. CM would like to have him at 95,000 just under the recommendeds from LOC.

**MOTION MADE BY COUNCILOR BUEHNER TO APPROVE CHIEF CONTRCT WITH THE RASIE, SECONDED BY COUNCILOR BOYLSTON.**

**VOICE VOTE: 4-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED THE MOTION CARRIED 4-0.**

7.4

City Manager Contract / Evaluation

Council discussed the contract with the new rate at 112,500.

**MOTION MADE BY COUNCILOR BUEHNER TO APPROVE THE CITY MANAGERS CONTRCT WITH THE RATE, SECONDED BY COUNCILOR BOYLSTON.**

**VOICE VOTE: 4-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED**

**THE MOTION CARRIED 4-0.**

**Agenda Item 8: Police Chief's Report**

No Report

**Agenda Item 9: City Manager's Report**

No Report

**Agenda Item 10: Mayor and Councilor's Reports**

- Councilor Buehner – Reported that she attended MPAC meetings.
- Councilor Ocholi – no report
- Councilor Boylston – No report
- Mayor Gibson – No report

**Agenda Item 12: Adjournment**

**COUNCILOR FENDER MOVED TO ADJOURN THE MEETING, COUNCILOR  
BOYLSTON SECONDED, THE MEETING ADJOURNED AT 8:51 P.M**

Respectfully Submitted by:

Attested by:

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Ronnie Smith  
City Recorder

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Mike Weston  
City Manager

**CITY OF KING CITY**  
**CITY COUNCIL WORK SESSION MEETING MINUTES**

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**Call to Order:** A Workshop Session of the King City – City Council was held at the King City Crown Center Pool beginning at 7:00 p.m. on Wednesday, October 3, 2018. City Manager Weston proceeded to call the meeting to order at 7:00 p.m., followed by the roll call.

**Roll Call:** **The following City Council members were present:**

Mayor Ken Gibson  
President Bob Olmstead  
Councilor Smart Ocholi  
Councilor Gretchen Buehner  
Councilor John Boylston  
Councilor Billie Reynolds

**Absent:**

Councilor Jaimie Fender

**Staff present included:**

City Manager (CM) Mike Weston  
City Recorder Ronnie Smith

**In the audience**

Dave Platt  
John Walter  
Micah Paulsen

**Discussion:** There was a brief discussion on ADU's requirement coming out of Metro recommendations from the Chief Operating officer and Urban Reserve Area update on area 6D.

**A discussion about CPO4B:** Boylston presented on 9/27 at the Tualatin Wildlife Refuge. Boylston presented where King City is at in the URA Expansion process with Metro.

**Discussion of extension of Tualatin Greenway Trails.** The Tualatin Greenway Trail, starts in Lake Oswego, through Bridgeport Village, through Durham, to Cook Park and ends around 108<sup>th</sup>.

**Impact recommendations are coming out of Metro.** It was noted that no one appeared in person with negative comments. Ocholi appeared at Metro and reported no one spoke in opposition for King City. Buehner reported that Metro received written comments in regards to anti-growth. Metro recommended unanimous approval of the resolution to work toward developing an ordinance that supports the COO's recommendation. The next step is the ordinance. A conservation easement area owned by Columbia Land Trust on River Lane submitted comments. CM will work together with Columbia Land Trust to satisfy what they want to get out of the area and protect the natural areas and still extend Fischer Road.

**Agenda Item 6:** **New Business: Discuss Work Session Rules and Procedure**

The idea behind developing rules to have projects to work with and not randomly schedule wasteful meetings where we just talk. The key here is to work on key issues, something that is policy driven etc..

1. Clear directive from the council on what that item will be.

2. Don't schedule a work session until staff has had a chance to develop the material to work on.

This meeting is to bring everyone together and discuss what is to be expected at these work sessions and how we want to formulate them. CM is open discussions for items to work on and what we should be bringing to work sessions. Mayor Gibson discussed coming up with top two or three items.

Buehner discussed Comp Plan/master plan updates training and meetings with planning commission. She proposes once a month to once every other month a session on the matter. Other matters she brought up our sign code, RV parking, traffic on some streets due to street parking. She expressed a concern for the lack of knowledge on both Council and Planning Commission on this undertaking King City will be faced with (referring to Comp Plan/Master Plan update).

Gibson discussed updating ordinances that need to be updated to be ready for growth as a starting point.

CM discussed the lengthy planning process that the City Council has just been through to show that the future planning will be similar in the next 18-36 months.

Reynolds asked what the role of the planning commission and how much authority they have.

CM: Planning commission advises planning staff who does the planning. Planning staff does the planning and presents to planning commission who then advises or makes recommendations. Those recommendations and advise are taken into consideration by staff/consultants who try to implement that in a manner that is consistent with State and Federal laws. And they represent it to the planning commission who then either overrules the staff and can make their own determination with a recommendation to the council who then has to decide to take the planning commissions recommendation or the staff/consultants recommendation and make a final determination. They are advisory council. A general discussion about planning commission and planning staff continued to clarify continued.

Gibson moved the conversation back to talking about making session rules and procedures.

CM gave an example of a work session being is goal setting session where we get together establish our goals for the next year. That's a good example of a work session. At this level we are policy driven. Our job is to develop the kind of policy that drives the outcomes we want to see. Focus on policy side of things.

Gibson expressed a concern of overloading staff in relation to goal setting. Council may give staff things to do that may not be priorities.

A discussion about council assignments and making sure the meetings are covered and the right person goes.

Boylston proposed for the next work session for staff come back and present a list of priorities and things we think can be addressed at future work sessions. We can all talk about it and it and have our list. Or we can throw out ideas beforehand. To start we need a list of discussion topics. Needs and action items.



CM clarified that the council focus should be on policy items. Think larger scale, where do we want to see the City. In relation to the future master plan addresses things we want to see in there. We create these policies and share our vision with the planning staff.

Boylston suggested talking with neighborhoods outside of the city and used that example of a topic for a work session.

CM discussed the upcoming City Hall remodel and financing applied for from Business Oregon at a rate of 3.86%. CM is waiting on the final packet. This is another example of a work session topic, asking the council, how do we want to fund this project. Another is transportation, what kind of transportation do we want to see, automated cars, slow-moving electric vehicles, golf carts etc.

A general discussion of annexation of Bradley Woods and Castle Oaks.

Gibson recapped the City Council needs to hear from staff on the things that staff needs from council to engage on and try to help support in terms of goals, that staff needs help to get done, is that the kind of list of critical items we want to tackle in work sessions.

CM Councilor Fender just walked in.

CM discusses the line of management and policy. We make sure we are at the policy level and not stepping on the staff.

CM in regards to work sessions what does the council want to accomplish, step 1, goal setting. What level of priority is it, and how much of our resources are we willing to designate toward it.

CM suggested councilors bring him a list of priorities for the next work session. A parking ordinance was discussed. Extending the wall on Fischer Road was also discussed as a priority. CM brought up the corner of Beef Bend and Hwy 99 as a priority as it is an entrance to King City and build a monument sign.

Reynolds wanted to add finish the annex petitions to a priority list. Discussion about a group effort to collect signatures.

CM talked about policy about employee potential bonus, policy from the council on developing what that looks like. Discussion item: Do we want to build this into the budget and make this ongoing.

Boylston discussed a priority item of figuring out what kind of commercial enterprises we want in the City limits.

Employment land is was brought up as a policy discussion item.

Buehner: We don't have a high-level urgent care in the immediate area.

CM: Developing a business development plan as a priority list item

Fender: Parks and recreation, figuring out a way to use the park that we have.

CM: Southside Soccer came and inspected the King City Park field. They may have an option to get it to drain, pending a fundraiser. They may be able to sponsor a park project. The City has \$100,000 in the park fund for park improvements. There was a discussion about options for the park improvement.

Fender: Discusses recreation separate from the park, creating a recreation committee and spoke about continuing recreating through King City Community Foundation. The Foundation needs more volunteers and some direction with growth.

Ocholi: Improvement on 131<sup>st</sup> to include safe crossing, walkability, transportation and speed measuring electronic sign similar to the one on Fischer Road.

Reynolds suggested looking at the area of Sunset Blvd in Sherwood for electronic speed signs.

Buehner asked about a traffic signal or blinking red light be added at 131<sup>st</sup> and Fischer Road. CM explained that should be added when they do 131<sup>st</sup>. It should warrant something. When we do the Urban Growth piece that will warrant a traffic control device or traffic circle.

Gibson Another items, safety-related, the existing town center and the unsafe conditions there.

CM has been in contact with the new owners of the Plaza. It's a priority

Gibson: Discusses to determine whether or not it would be benefit to do another run at a gas tax.

CM: Lets put that as revenue, methods for generating revenue.

Boylston brought up Chalice marijuana shop and if we can annex them as a revenue source.

CM: Goals Recap: Walkability, transportation/alt transportation, safety, ordinance for parking in garages, revenue generation methods, Fischer road beautification, corner of beef bend and 99W, master planning, complete the annexations/Chalice Farms, commercial uses/business development, parks and recreation and trails, , gas tax.

Buehner discussed her experience with the passage of a gas tax in the City of Tigard which included creating a task force.

Ocholi received in an email from Deer Creek Elementary about a situation that occurred. CM discussed the incident; no crime was committed.

#### **Agenda Item 11: Adjournment**

**COUNCILOR FENDER MOVED TO ADJOURN THE MEETING, COUNCILOR BOYLSTON SECONDED, THE MEETING ADJOURNED AT 8:54 P.M**

Respectfully Submitted by:

Attested by:

\_\_\_\_\_  
Ronnie Smith  
City Recorder

\_\_\_\_\_  
Mike Weston  
City Manager

**CITY OF KING CITY  
CITY COUNCIL MEETING MINUTES**

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**Call to Order:** A regular meeting of the King City – City Council was held at the King City Crown Center beginning at 7:00 p.m. on Wednesday, October 17, 2018. Mayor Gibson requested a moment of silence then proceeded to call the meeting to order at 7:01 p.m., followed by roll call and the Pledge of Allegiance

**Roll Call:** **The following City Council members were present:**

Mayor Ken Gibson  
Councilor Jaimie Fender-arrived late  
Councilor John Boylston  
Councilor Smart Ocholi  
Councilor Gretchen Buchner  
Councilor Billie Reynolds

**Absent:**

President Bob Olmstead

**Staff present included:**

City Manager (CM) Mike Weston  
Keith Liden

**Agenda Item 4:** **Approval of Minutes:** none

**Agenda Item 5:** **Open Forum:**

Mayor Gibson opened public comment on any item on the agenda (including questions, suggestions, complaints, and items for future agenda) and stated each person's time would be limited to three minutes.

Sandra Wood who lives at 16686 SW Queen Anne Avenue spoke in regards to Extra Space Storage landscaping being over grown in the rear of the building.

**Agenda Item 6:** **Unfinished Business: None**

**Agenda Item 7:** **New Business:**

7.1 Ordinance 2018-05 FEMA Floodplan Revisions

Councilor Boylston moved to adopt the ordinance with the required emergency language so it will go into effective immediately and that it be included in the minutes.

Councilor Fender seconded

All ayes

The ordinance was adopted per emergency ordinance rules.

**Agenda Item 8:** **Police Chief's Report**

CM Updated the Council with the challenges about the move to temporary office trailers.

**Agenda Item 9: City Manager's Report**

- Switching phone lines to Mytel during the move and the delays and challenges with moving to temporary office trailers
- Letter of commitment to Alegis for the City Hall remodel will be due soon
- November 14 is the next scheduled meeting due to Thanksgiving
- Staff has moved into the temporary office trailers
- December 7<sup>th</sup> is the King City Holiday Dinner.

**Agenda Item 10: Mayor and Councilor's Reports**

- Mayor Gibson reported on a meeting hosted by Andy Duyck on affordable housing and the WCCC meeting
- Councilor Fender reported meeting with an outgoing Metro council member and relayed her positive words on the UGB work by King City. She reported CBGB meeting. KCCF Foundation is hosting a thank you lunch for the Police Department on the 24<sup>th</sup>. They will present the thank you cards and buy lunch. KCCF is hosting a halloween trunk or treat event at the park 10/27. Invited by the Highlands to give a presentation on community cohesion in King City.
- Councilor Reynolds – Reported on the Planning Commission meeting
- Councilor Boylston – Would like required harassment training for staff and council and this topic added to a Council work session. He reported on CPO4B meeting
- Councilor Ochoi – 53:44 I couldn't hear
- Councilor Buehner –Reported on Oregon Government Law section meeting at LOC and Impact meeting. Saturday the 27th is the drug drop off.

**Agenda Item 11: Adjournment**

**COUNCILOR FENDER MOVED TO ADJOURN THE MEETING, COUNCILOR BOYLE SECONDED, THE MEETING ADJOURNED AT 8:32 P.M**

Respectfully Submitted by:

Attested by:

\_\_\_\_\_  
Ronnie Smith  
City Recorder

\_\_\_\_\_  
Mike Weston  
City Manager

**CITY OF KING CITY  
CITY COUNCIL MEETING MINUTES**

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**Administer Oath:** City Manager Mike Weston administered the Oath of Office to the following newly elected council members:

**Jaimie Fender  
David Platt  
Kenneth Gibson  
Micah Paulsen**

**Call to Order:** A regular meeting of the King City – City Council was held at the King City Hall beginning at 7:00 p.m. on Wednesday, January 16, 2019, Mayor Gibson requested a moment of silence then proceeded to call the meeting to order at 7:01 p.m., followed by roll call and the Pledge of Allegiance

**Roll Call:** **The following City Council members were present:**

Mayor Ken Gibson  
Councilor Jaimie Fender  
Councilor John Boylston  
Councilor Smart Ocholi  
Councilor Gretchen Buchner  
Councilor David Platt  
Councilor Micah Paulsen

**Absent: None**

**Staff present included:**

City Manager (CM) Mike Weston  
Chief of Police (CP) Ernie Happala  
City Recorder (CR) Ronnie Smith

**Agenda Item 4:** **Approval of Minutes:** July 18, 2018  
December 5, 2018

**MOTION MADE BY COUNCILOR BOYLSTON TO APPROVE JULY 18, 2018 MINUTES, SECONDED BY COUNCILOR BUEHNER**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 7-0.**

**MOTION MADE BY COUNCILOR BOYLSTON TO APPROVE  
DECEMBER 5, 2018 MINUTES, SECONDED BY COUNCILOR  
FENDER.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 7-0.**

**Agenda Item 5:** **Open Forum:**

Mayor Gibson opened public comment on any item on the agenda (including questions, suggestions, complaints, and items for future agenda) and stated each person's time would be limited to three minutes.

Cherree Weeks – 12540 SW Prince Albert: Has concerns where the current US Postal service mailbox is currently located. She would like it to be easier for folks that have a harder time getting out of the car.

**Agenda Item 6: Unfinished Business: None**

**Agenda Item 7: New Business:**  
7.1 Officer Appointment

The Council Voted for the following appointments.

- o Mayor – Ken Gibson
- o President – Jaimie Fender
- o Secretary – John Boylston
- o Treasurer - Gretchen Buehner

Mayor Gibson welcomed the new council members and mentioned that Metro approved the URA 6D and that he his excited for the future.

7.2 Consider Committee Appointments

CM Weston presented the Committee appointment calendar. Council discussed the committees. Council members volunteer. Please see Governmental Organizations Related to King City Council Representatives attached.

**MOTION MADE BY COUNCILOR BUEHNER TO APPROVE COMMITTEE APPOINTMENTS, SECONDED BY COUNCILOR BOYLSTON.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED THE MOTION CARRIED 7-0.**

7.3 Ordinance 2018-06 – Municipal Code Amendment – Section 8.16 & 8.20 Regarding Disposal Rates – Second Reading

The City Council had a public hearing On December 5, 2018, where the council accepted public testimony. The Public hearing was closed that night.

**MOTION MADE BY COUNCILOR BUEHNER TO APPROVE ORDINANCE 2018-06 MUNICIPAL CODE AMENDMENT – SECTION 8.16 & 8.20 REGARDING DISPOSAL RATES, SECONDED BY COUNCILOR PLATT.**

**ROLL CALL VOTE:**  
**Councilor Gretchen Buehner – Aye**  
**Councilor Smart Ochoi - Aye**  
**President Bob Olmstead – Aye**  
**Councilor Billie Reynolds – Aye**  
**Councilor Jaimie Fender - Aye**  
**Mayor Gibson – Aye**  
**THE MOTION CARRIED 7-0.**

CM Weston read the title – ORDINANCE NO. 2018-06, AMENDING THE KING CITY MUNICIPAL CODE SECTIONS 8.16 AND 8.20 RELATING TO THE COLLECTION OF SOLID WASTE AND IMPLEMENTATION OF ANNUAL COST OF LIVING INDEX.

7.4 Public Hearing – Case No. LU 18-03 Zone Change

CM Weston Read the title - ORDINANCE O-2019-01 AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND ZONING MAP ON PROPERTY LOCATED AT 16935 SW 131 STREET FROM R-12 TO THE NMU (NEIGHBORHOOD MIXED-USED ZONE.)

Mayor Gibson Read from the Public hearing script.

The purpose of this hearing is to consider Ordinance No. O-2019-01 - Case No. LU 18-03 Zone Change-plan amendment.

I will identify the subject, announce when the public hearing is open, and request anyone interested in stating their feelings regarding the matter being considered. Failure to raise an issue in person or by letter to the City Council precludes the raising of that issue at a subsequent time on appeal. Any party with standing may appeal the decision of the City Council to the Attorney General or district attorney according to the rules adopted by that Board.

If you wish to speak for, against, or comment in any way:  
Please identify yourself as wishing to speak when I call for testimony.  
When called to speak, please come forward, give your name, address and make your statement. The maximum time allotted for testimony shall be:  
3 minutes..... For Individuals.  
20 minutes..... For Applicants and persons representing four or more persons.  
10 minutes..... For Applicant's rebuttal.

I call to order the public hearing regarding Ordinance O-2019-01 pertaining to application Number LU-18-03 for Zone Change-plan amendment.

Staff, please read the title of Ordinance No. O-2019-01  
ORDINANCE O-2019-01 AN ORDINANCE AMENDING THE  
COMPREHENSIVE PLAN AND ZONING MAP ON PROPERTY  
LOCATED AT 16935 SW 131 STREET FROM R-12 TO THE NMU  
(NEIGHBORHOOD MIXED-USED ZONE.)

Do any members of the City Council wish to abstain? None.

Do any members of the City Council wish to report any significant ex parte contact? If so, is there any members of the audience wish to comment or challenge that report? None.

Does any member of the audience wish to challenge the jurisdiction of the City Council to hear this matter? None.

Does any member of the Audience wish to challenge the jurisdiction of the City Council to hear this matter? None.

Does any member of the Audience wish to challenge any individual member of the City Council? None.

For all those wishing to testify, please be aware that if you fail to raise an issue in person or by letter today, you will be unable to raise that issue at a subsequent item on appeal to the Land Use Board of Appeals. Failure to specifically address the approval criteria that staff will describe also precludes the raising of an issue related to those criteria on appeal.

At this time, I call for the staff to present the applicable approval standards.

Keith Liden – City Planner: The application consists of four parts that are summarized below.

#### Zone Change/Comprehensive Plan Amendment and Related Applications

The property is currently zoned R-12 – Attached Residential, which allows a variety of housing types with a maximum density of 12 units per acre. The applicant requests a change in the zoning to NMU – Neighborhood Mixed-Use, which allows the same residential uses as R-12 with the addition of neighborhood-scale commercial uses. The King City Comprehensive Plan provides criteria for evaluating changes in zoning.

Zone changes and plan amendments must be approved by the King City Council. The remaining elements of this application may be approved by the Planning Commission, and no City Council review is required (however, Planning Commission decisions may be appealed to the City Council). Therefore, the Planning Commission action had two parts: 1) recommendation to the City Council regarding the zone change; and 2) a decision pertaining to the subdivision, tree removal, and Goal 5 safe harbor review subject to City Council approval of the zone change.

The applicant received approval from the King City Planning Commission for a proposed subdivision of the property along with approval of related applications for tree removal and Goal 5 Safe harbor review pertaining to the drainageway located only the west edge of the property. The Planning Commission approved these three applications, subject to conditions and City Council approval of the zone change.

#### Community Meeting

Chapter 16.46 of the King City Community Development Code (CDC) requires applicants to hold a community meeting to introduce a development proposal to neighboring property owners prior to submitting a formal application. As described in the application, this meeting was held on January 8, 2018 in compliance with the requirements stipulated in Chapter 16.46

#### Agency Comments

No agency comments were received pertaining to the zone change.

#### FINDINGS AND CONCLUSIONS



The King City Comprehensive Plan contains the applicable evaluation criteria when considering a zone change in the Land Use Designations and Location Criteria section.

#### Land Use Designations and Location Criteria – Mixed Use (Comprehensive Plan)

The location criteria are intended to provide guidance for the Planning Commission and City Council when land use and zoning designations for specific properties are proposed to be amended. They describe the basic characteristics a property or properties should have to be eligible for a particular land use designation.

The NMU Zone is designed to allow for a mix of neighborhood-scale and medium density residential uses. Properties designated NMU should have six basic location characteristics.:

1. The site shall have direct access to a collector or arterial street. Access to a collector or arterial street via a local street may be appropriate to comply with driveway access requirements and if it is found that adverse traffic impacts will not be created for surrounding properties, which are greater than what is possible under the existing zoning.

The property has access to SW 131st Avenue, which is designated as a collector street. The portion of SW Fischer Road, which abuts the property, is designated as a neighborhood collector. SW Fischer Road is designated as a collector to the east of the SW 131st Avenue intersection.

2. Sufficient facility and service capacity to accommodate this type of development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.

The facilities serving the West King City area were designed to accommodate development of the properties including this one. The proposed zone change will affect the mix of uses on the property but the intensity of development and its potential demand on public facilities and services will remain comparable to the current R-12 Zone. Necessary public facilities and services can be provided.

3. Traffic congestion, parking, or safety problems shall not be created or exacerbated by commercial development on the site. This determination shall be based upon such considerations as street capacity, existing and projected traffic volumes, speed limits, number and type of turning movements, and the traffic generating characteristics of the potential commercial and residential activities on the site.

The potential traffic impacts of this development have been analyzed by a qualified traffic engineer. Given the comparable level of development allowed by the R-12 and proposed NMU zones, the traffic impact of the proposed zone change and resulting development is found to be a negligible difference from the existing R-12 zoning. The NMU Zone includes development limitations (Section 16.102.040) including 12 units per acre for residential development and a Floor

Area Ratio (FAR) of 1.5 to 1 to ensure that resulting development is consistent with surrounding residential neighborhoods. The applicant has demonstrated that functional and safe access can be provided.

4. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.

The only development limitations are found in the extreme western portion of the property. This area will be protected, and no development is proposed for this area.

5. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:

- The site configuration and characteristics that allow for the privacy of adjacent residential uses.
- Commercial activities on the site that will not interfere with nearby residential uses.

SW 131st Avenue and SW Fischer Road provide physical separation from residences across the street, and street trees will provide some visual screening. The residences on the east side of SW 131st Avenue are oriented toward SW Carmel Street and have a solid fence and vegetative screening along the SW 131st frontage. The residences along the south side of SW Fischer on both sides of SW 131st, have a landscaped buffer between the homes and the street. The two recently completed three-story apartment buildings to the north have a landscaped buffer along the south property line. The single-family homes to the west are separated by the vegetated drainageway, which is protected from development.

As noted herein, the commercial uses allowed in the NMU Zone include a limited array of neighborhood-scale service, retail, and dining uses. Auto-oriented uses and drive-through windows are not permitted. The NMU Zone also features a full range of design requirements, such as maximum height limits, parking lots only to the rear or side of buildings, buffering from noise, lights, and limits on hours of operation, which are all designed to address potential compatibility issues. Finally, the future development of Lot 17 will be subject to site development review approval, where CDC requirements and a specific development proposal will be reviewed by the city, including a public hearing with the Planning Commission. The commission would have the authority to impose conditions of approval to further address specific compatibility issues.

6. Significant unique natural features on the site which can be maintained.

The significant natural resource area on the site is the drainageway on the western boundary of the property. As noted herein, it will be protected from development and preserved.

The applicable criteria in the Comprehensive Plan are satisfied, and the proposed zone change from R-12 to NMU should be approved.

Would the applicant please come to the podium, state your name, address and make any comments you may have for the Planning Commission.

Mark Dane – Mark Dane Planning: Was on the phone. He stated that he has been working on this project for about a year with the city. He also spoke about the neighborhood meeting. He also mentioned that he incorporated as much parking as he could.

Does any member of the audience wish to speak in favor of this application?

David Loprivzi – 13321 SW Timara Lane: He is in support of the development. He also asked is there going to be a restaurant or a coffee shop? Mayor mentioned he said that is the plan.

Marc Manelis – 17454 SW 128<sup>th</sup>: He would like for the council to approve the zone change.

Does any member of the audience wish to speak in opposition to this application?  
None.

Does anyone wish to provide neutral comment?

John Walter – 16560 SW Monterey Lane: has concerns over traffic.

At this time, I call for the staff report and recommendation.

Keith Liden - Based upon the above facts, findings, and conclusions, the Planning Commission determined that it should RECOMMEND APPROVAL of the proposed zone change-plan amendment from R-12 to NMU to the King City Council.

Does the applicant have any rebuttal? No rebuttal.

If there are no further questions, I will entertain a motion to either close or continue the public hearing.

**MOTION MADE BY COUNCILOR FENDER TO APPROVE  
COMMITTEE APPOINTMENTS, SECONDED BY COUNCILOR  
BUEHNER.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 7-0.**

I declare this public hearing closed at 8:37 PM.

Is there any council discussion?

If there are no further questions, The date for the seconded reading of Ordinance O-2019-01 to February 20, 2019, at 7 pm

- 7.5 Consider Planning Commission Applicants.  
Billie Reynolds has applied.

**MOTION MADE BY COUNCILOR BOYLSTON TO APPROVE BILLIE  
REYNOLDS APPOINTMENT TO THE PLANNING COMMISSION,  
SECONDED BY COUNCILOR BUEHNER.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 7-0.**

7.6 Consider RFP for Community Park Improvements

CM Weston explained the reason for this RFP. The main reason is to smooth the field and install a drainage system.

**MOTION MADE BY COUNCILOR BUEHNER TO APPROVE BILLIE REYNOLDS APPOINTMENT TO THE PLANNING COMMISSION, SECONDED BY COUNCILOR FENDER.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 7-0.**

7.7 Consider RFP for Professional Auditing Services

CM Weston mentioned that this RFP is best practices and is good for five years.

**MOTION MADE BY COUNCILOR BUEHNER TO APPROVE BILLIE REYNOLDS APPOINTMENT TO THE PLANNING COMMISSION, SECONDED BY COUNCILOR BOYLSTON.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 7-0.**

7.8 Consider ODOT Local Agency Agreement MTEP Amendment No. 3 (SW Royalty Parkway – SW Durham Rd

ODOT has awarded a contract to a construction firm and will start work in February 2019.

**MOTION MADE BY COUNCILOR BUEHNER TO AUTHORIZE THE CITY MANAGER TO SIGN THE ODOT AMENDMENT, SECONDED BY COUNCILOR BOYLSTON.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 7-0.**

Councilor Buehner was feeling ill and was excused.

7.9 November 2018 Financial Summary

CM Weston introduced the November 2018 Financial Summary.

**MOTION MADE BY COUNCILOR BOYLSTON TO AUTHORIZE THE CITY MANAGER TO SIGN THE ODOT AMENDMENT, SECONDED BY COUNCILOR PLATT.**

**VOICE VOTE: 6-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 6-0.**

**Agenda Item 8: Police Chief's Report**

No reports.

**Agenda Item 9: City Manager's Report**

No Reports

**Agenda Item 10: Mayor and Councilor's Reports**

- No Reports

**Agenda Item 12: Adjournment**

**COUNCILOR FENDER MOVED TO ADJOURN THE MEETING, COUNCILOR  
BOYLSTON SECONDED, THE MEETING ADJOURNED AT 9:07 P.M**

Respectfully Submitted by:

Attested by:

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Ronnie Smith  
City Recorder

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Mike Weston  
City Manager

Governmental Organizations Related to King City Council Representatives			
Name and Description of Committee		Representative	Meeting Information
WCCCA-Washington Co. Consolidated Communication Assoc	Board	(P) Tabled (A)	Loc: WCCCA Bldg
	Technical Committee (Users)	(P) Happala (A)	
WCCC-Washington Co. Coordinating Committee-Consists of elected and appointed Officials who represent Washington County and the 13 cities within the county. Main responsibility; discussion and development of recommendations on issues associated with transportation.	Policy Committee	(P) Ken Gibson (A) Gretchen Buehner	Loc: Beav. Library or City Hall Day: 2 <sup>nd</sup> Monday Time: 12:00 pm – 1:30 pm Click <a href="#">2019 Meeting Schedule</a>
	Technical Committee	(P) Mike Weston (A) Dave Runyon	Loc: Beav. Library or City Hall Day: First or Last Thursday Time: 1:30 pm – 3:00 pm Click <a href="#">2019 Meeting Schedule</a>
Washington Co. Community Development Block Grant	Policy Advisory Board	(P) Micah Paulsen (A) Jaimie Fender	Loc: Rotating Day: 2 <sup>nd</sup> Thursday Time: 7:00 pm To view the most recent agenda <a href="#">click here.</a>
MACC-Metropolitan Area Communication Commission-Monitors cable and telecommunications	MACC-Board	(P) John Boylston (A) Dave Platt	Loc: Rotating Day: June & December Time: 1:30 pm
<del>Tigard Intergovernmental Water Board (IWB)</del>		<del>(P) Smart Oeholi</del> <del>(A) Micah Paulsen</del>	<b>EXPIRATION NOTICE:</b>  Notice is hereby given that the Intergovernmental Water Board charter ended December 31, 2018. Notice is hereby given that the Intergovernmental Water Board is expired. All

			<p>further meetings are hereby cancelled regarding Intergovernmental Water Board actions or activities.</p> <p><b>STAFF CONTACT:</b> John Goodrich   503-718-2609   <a href="mailto:johnhg@tigard-or.gov">johnhg@tigard-or.gov</a></p> <p><b>PREVIOUS MEETING MATERIALS:</b> <a href="#">View agendas and minutes</a></p>
<del>Tualatin Basin Natural Resources Coordinating Committee</del>	<del>Policy Advisory Board</del>	<del>Vacated</del> (P)	As needed
<del>Southwest Corridor Plan</del>	<del>Steering Committee</del>	(P) John Boylston (A) <del>Ken Gibson</del>	<del>TriMet is starting the new Steering Committee. We are not part of this.</del>
Small Cities Group		(P) Micah Paulsen (A) Smart Ocholi	Quarterly on the 3 <sup>rd</sup> Thursday of the 3 <sup>rd</sup> month- Usually 11:00 am to 1 pm <a href="#">Click here for the website</a>
LOC		(P) Gretchen Buehner (A) Dave Platt	<a href="#">Click here for the upcoming events.</a>
Town Hall Mtgs for Congressional Delegates		(P) OPEN to all	Open
Metro Council		(P) Gretchen Buehner (A) <u>Ken Gibson</u>	Tuesdays – Work sessions Thursdays – Reg session @ 2pm <a href="#">Click here for the website.</a>
WA County Transportation Options		<u>Mike Weston</u>	

(P) = Primary Representative/Member (A) = Alternate Representative/Member (L) = Council Liaison 1/8/2019

Greater Portland Inc		(P) Ken Gibson (A) John Boylston (L) Mike Weston	2 <sup>nd</sup> Wednesday of Every Month. Tualatin Library 1:30pm
Westside Economic Alliance		(P) Gretchen Buehner (A) John Boylston	4 <sup>th</sup> Wednesday of Every Month
METRO JPAC Transportation		(P) Ken Gibson (A) Jaimie Fender	3 <sup>rd</sup> Thursday of Every Month. 7:30-9:00am
METRO Policy Advisory Committee		(P) Gretchen Buehner (A) Ken Gibson	2 <sup>nd</sup> and 4 <sup>th</sup> Wednesday of Every Month. 5:00-7:00pm
Water Consortium		(P) Micah Paulsen (A) Smart Ocholi	Metro 3x a year
HOA's	Edgewater Highlands Garden Villa KCCA Castle Oaks South River Edge	Jaimie Fender Dave Platt Gretchen Buehner Gretchen Buehner John Boylston Smart Ocholi	HL- fourth Thursday 7pm
Friends of BM		(P) Jaimie Fender	Can't confirm
CPO4k		(P) Jaimie Fender (A) Gretchen Buehner	

(P) = Primary Representative/Member (A) = Alternate Representative/Member (L) = Council Liaison 1/8/2019






Women's History Month Proclamation  
**MARCH 2019**

**WHEREAS:** Women of every race, class, ethnicity, sexual orientation, gender identity and abilities have made historic contributions to the strength of our state and nation in countless recorded and unrecorded ways; and

**WHEREAS:** In overcoming discrimination, harassment and hardship, women have been bold and fearless, never giving up on the promise that with hard work and determination, nothing is out of reach; and

**WHEREAS:** In remembering the trailblazers of the past and the heroines of present day, we honor their legacies by carrying forward the valuable lessons learned from the powerful examples they set.

Whether teaching our children, caring for our sick, serving in our wars, starting businesses, serving in elected positions, or venturing into unknown frontiers, generations of women believed their gender was no obstacle to what they could achieve; and

**WHEREAS:** During Women's History Month, we recognize the advances we have made in this state for women but acknowledge that more needs to be achieved so women can gain gender equity and access to the prosperity of Oregon.

We proudly join with the Oregon Commission for Women to expand our efforts to help all women overcome the challenges they face to live in a more equitable, more inclusive and more just state.

**NOW, THEREFORE:** I, Kenneth Gibson, Mayor for the City of King City, hereby proclaim March 2019 to be Women's History Month in City of King City and call upon all citizens of King City and upon all professional, civic and educational organizations to join in this observance.

In witness thereof, I have hereunto set my hand and caused the Seal of the City of King City to be affixed on this \_\_\_\_ day of February 2019.

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Mayor



## **KING CITY COUNCIL STAFF REPORT**

Agenda Item: 7.4  
Meeting Date: February 20, 2019

To: Mayor and Council

Through: Mike Weston, City Manager

Subject: Office Relocation Service Proposals

From: Ronnie Smith, City Recorder & GIS Specialist  
Date: February 15, 2019

### **ACTION REQUESTED**

Discuss and consider waiving the King City ordinance (96-04) regulating street tree maintenance (Chapter 16.124 & Chapter 16.128) in favor of the King City Highlands street tree maintenance program (King City Highlands Homeowners Association, INC. Architectural & Landscape Manual) which has been in place for more than 25 years. The program is a strictly controlled system which is monitored under contract with a licensed arborist (Halstead's Arboriculture).

The HOA is also requesting a discussion and consideration of the permit fee associated with tree removal application be waived. The King City Highlands HOA would continue to bear all common property tree management and associated costs.

### **HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

In 2017 the Highlands area was annexed into King City. To my knowledge, the City Council has never discussed or considered this matter.

### **FINDINGS**

Again the Highlands HOA program has been running since 1998 and is one of the strictly controlled programs in the area.

### **BACKGROUND**

N/A

### **CONCURRENCE**

The City Manager concurs with these findings

### **FISCAL IMPACTS**

This may decrease the amount of employee time in preparing tree permits. This also may reduce revenue. Financial implications were not evaluated since the city only receives about 15 tree removal applications per year.

### **WORKLOAD IMPACTS**

This project will decrease the workload for staff and management.

### **ALTERNATIVE**

## **ATTACHMENTS**

1. Exhibit A – 2015 ALC Manual Page
2. Exhibit B – 2015 ALC Manual – Street Trees
3. Exhibit C – KCH-Resolution 2013-6a Architecture Landscape Committee
4. Exhibit D – King City Highlands CCRs Article IV.2

**ATTACHMENTS**

**KING CITY HIGHLANDS HOMEOWNERS  
ASSOCIATION, INC.**

**ARCHITECTURAL & LANDSCAPE MANUAL**

**Reviewed & Adopted by the  
Board of Directors for implementation  
2015**

As approved for implementation on the above referenced date, this Manual shall supersede all revisions or decisions by any prior Architectural & Landscape Committee or Board of Directors that may relate to the establishment of any architectural and landscape design and construction guidelines, and the development, and publication of an Architectural and Landscape Manual for the Association.

**Revised: 7/98, 4/03, 6/04, 10/06, 12/09, 2010, 2014**

  
\_\_\_\_\_  
President, KC Highlands Homeowners Association, Inc.

Date: March 25, 2015

  
\_\_\_\_\_  
Chairman, Architectural and Landscape Committee

Date: March 25, 2015

**All proposals for construction or alteration of any structure or improvement on any Private Lot, including landscape, must be submitted to the Committee prior to the start of the proposed action.**

**An Oregon Planned Community restricted to residents fifty-five (55) years of age or older.**

7.31 Planting areas must be kept free of weeds and brush. Lots with lawns must be kept mowed on a regular basis

7.32 Plants, trees and shrubs must be kept free of diseases and properly trimmed to prevent an overgrown appearance. Dead shrubs must be removed/replaced in a timely manner.

**7.4 Street Trees:** Washington County requires that street trees be provided and planted. Specific tree species are required for street trees. The ALC will advise the species allowed in The Highlands. Such trees will be planted on or adjacent to such Common Property tracts and lots along the street frontage as required. The Association and each owner will accept the placement and planting of street trees. The Association shall thereafter have the right and responsibility to maintain street trees on private lots as well as on the Common Property tracts and on the Lots.

**7.41 Homeowner Responsibility:** Each owner shall be responsible for providing adequate water to and for raking and removing leaves and other debris from the street trees on the Owner's lot. It is also the homeowner's responsibility to notify the ALC when their street tree(s) appear to be diseased and also to provide notification when the roots of the street trees are interfering with sidewalks, driveways and/or underground utilities. They should also notify the ALC if their street tree(s) are in need of trimming or of special care

**7.42 Association Responsibility:** If necessary, the Association will replace street trees with those on the current approved tree list. Any tree that dies because of the owner's negligence shall be replaced at his/her expense.

**7.43 Trimming and Pruning.** No individual homeowner or renter may trim, prune, or in any way shape any street tree on their respective property. The periodic trimming, pruning, or shaping of the street trees within the Highlands is the responsibility of the Association and will be managed through a competitive agreement with a local tree service.

**7.44 Tree removal and Replacement:** Homeowners, at their own expense, may be allowed to remove and replace a street tree on their lot. A written application must be made to the ALC by the homeowner. The homeowner may proceed with removal and replacement of the tree from the approved list only after receiving written approval from the Committee. It is the responsibility of the home owner to ensure proper safety requirements (safety cones, stump grinding barriers) are used at the time of tree and stump removal to avoid human injury or damage to all nearby properties.



**7.45 Replacement Location:** The stump of the old tree must be removed to below the grade level. The replacement site is at owners discretion provided the location is within 8ft of the front or side sidewalk and does not interfere with neighboring property.

**7.46 Replacement Restriction:** Once a tree has been replaced, no further change may be made within ten (10) years unless special permission is obtained in writing from the ALC.

**7.47 Tree Specifications:** Specifications for tree removal/replacement shall be done at the same time between the months of October and April. Replacement trees must be at least 1 3/4 inches to 2 inches in diameter as measured by American Association of Nurserymen's Grading Standards. Trees may be chosen from the current approved list. Consult the ALC for allowed tree species.

**7.5 Yard Ornaments:** Yard ornaments of stone, ceramic or other durable materials will be accepted if of reasonable size and of limited number. They shall be in harmony with the landscaping, i.e., a Japanese garden would allow a stone lantern of proper size.

**7.51** Plastic ornaments, wood carvings and decorations of any kind are not acceptable. Neither are brightly or garishly colored ornaments regardless of the material.

**7.52** Seasonal holiday lighting and decorations are exempt from these restrictions as long as they are promptly removed after the holiday.

**7.6 Sidewalks:** Each owner of a lot will be responsible for the maintenance and replacement of the sidewalk located at the street front area of their property. It is the homeowner's responsibility to notify the ALC when the roots of the street trees are interfering with sidewalks, drive ways and/or underground utilities. An arborist will determine if root trimming or replacement of the tree is necessary. The Committee will also determine if repairs are necessary to the hard surfaces and contract for any repairs. The homeowner will be responsible for paying a percentage of the cost associated with those repairs to the degree the homeowner had contributed to the creation of those necessary corrections. The committee will make the assessment based on the recommendations of the arborist. The homeowner has the right to appeal any assessments to the HOA Board.

**7.7 Drainage and Storm Runoff:** The proper drainage of each private lot is the responsibility of the respective owner. There shall be no interference with the established drainage pattern on any property within the Highlands unless approved by the ALC.

# KING CITY HIGHLANDS HOMEOWNERS ASSOCIATION INC

## BOARD OF DIRECTORS RESOLUTION #2013-6

**SUBJECT:       ARCHITECTURE AND LANDSCAPE COMMITTEE**

**PURPOSE:**       To ensure the Architectural Committee's proper and timely application of the provisions contained in the Association's Architectural Manual.

**AUTHORITY:**    The Declaration, Articles of Incorporation, Bylaws & CC&Rs of the Association, Oregon law, specifically ORS 94 Oregon planned Community Act, and ORS 65 Oregon Non Profit Corporation, and Title VIII of the Civil Rights Act of 1968 (The Fair Housing act) as amended in 1995 (HOPA).

**Whereas,** Under Section 2 of Article IX of the Declaration, Article V of the Bylaws, and ORS 94.630, the Board of Directors has all of the powers and duties necessary for the administration of the affairs of the Association, except such powers and duties as by law, the Declaration or Bylaws may not be delegated to the Board by the owners;

**Whereas,** ORS 94.630(l) (a) and Article V, Section 2(b), of the Bylaws empower the Board to adopt rules and regulations;

**Whereas,** Article XII, Section 1 of the Declaration specifies that each Owner and Occupant shall comply with the Declaration, Bylaws, and rules and regulations adopted thereto.

**Whereas,** Article V, Section 1 of the Declaration requires the board to select and appoint an Architectural Committee composed of at least three (3) individuals; or more, at the discretion of the Board, provided the composition of the Committee is an odd number;

**Whereas,** Article V, Section 1 of the Declaration specifies that the Architectural Committee shall have the authority and duty to regulate the external design, appearance, location and maintenance of any and all improvements on the Property and any and all landscaping thereon in accordance with the provisions of the Declaration and the Architectural Manual of King City Highlands.

### **THEREFORE BE IT RESOLVED THAT:**

- I.     The Board shall appoint an Architectural Committee to be titled the Architecture & Landscape Committee composed of no less than three (3) individuals, with the discretion to select and appoint as many individuals as it decides, provided the Committee is composed of an odd number of individuals.
- II.    The functions of the Architecture & Landscape Committee Documents shall have the authority and duty to regulate the external design, appearance, location, and maintenance of any and all improvement on the Property and any and all landscaping thereon in accordance with the provisions of the Architectural Manual of King City Highlands.



BOARD OF DIRECTORS RESOLUTION #2013-6

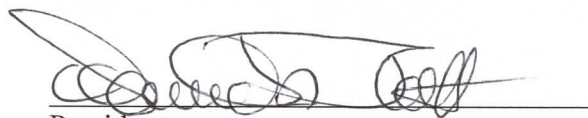
- III. A quorum of the voting members of the Committee must be present in order to render a decision, and a majority of voting members present shall have the power to act on behalf of the Committee.
- IV. The Architecture & Landscape Committee may render its decision only by written instrument setting forth the action taken by a majority of the voting members consenting thereto (see attached Project Application Form).
- V. No structure or improvement shall be commenced, erected, or maintained upon the Property nor shall any exterior addition to, or change or alteration therein be made, nor shall any landscaping of any portion of the Property be commenced or maintained until the plans and specifications have been submitted to and approved in writing by the Architectural Committee.
- VI. The Architecture & Landscape Committee's consent to any proposal shall automatically be revoked six months (6) after issuance of the approved application unless construction of the work has been commenced or the Owner has applied for and received an extension of time from the Committee.

As reviewed and approved by action of the Board of Directors of the King City Highlands Homeowners Association, Inc. an Oregon Planned Community restricted to residents fifty-five (55) years of age or older, and a Non Profit Corporation.

**IT IS FURTHER RESOLVED THAT:**

A copy of this resolution shall be sent to all Owners at their last known address.

The undersigned President and BOD Officer certify that this Resolution was approved by the Board of Directors at a Board meeting held on: 06/28/2017



President  
King City Highlands Homeowners  
Association, Inc



Secretary  
King City Highlands Homeowners  
Association, Inc.

07/09/2017  
Date

07/09/2017  
Date

Attachment: Architecture or Landscape Project Application

**ARTICLE II**  
**SUBMISSION TO PLANNED COMMUNITY ACT**

To the extent its provisions do not conflict with this Declaration and any association By-laws, the governance and operation of the community shall conform with the Oregon Planned Community Act. ORS94.550 through 94.785.

**ARTICLE III**  
**NAME**

The name by which the community is to be identified is "King City Highlands".

**ARTICLE IV**  
**GENERAL DEVELOPMENT**

**Section 1.** **Common Property.** As each phase of the community is platted, the plat shall depict the tracts, if any, which will or may be transferred to the Association as Common Property. The Association shall accept each such conveyance and shall thereafter be responsible to operate and maintain such tract of Common Property and any facilities and improvements thereon at the Association's expense.

In addition to maintenance of the Common Property, the Association shall enter into an agreement, on terms acceptable to the Board of Directors, whereby the Association accepts responsibility for maintenance, repair, and restoration of the wall (including the clock tower) around the northern, western, and southern boundaries of Highland Park Condominium and along the western boundary of Lots 171, 172, and 173, King City Highlands No.6, and along the southern boundary of Lot 171, King City Highlands No. 6, and the areas (including the sidewalk) between the wall and the streets (SW Dickson, SW 131st, and SW Peachvale). This agreement was recorded on November 28, 1995 in the deed records of Washington County under fee no. 95087084

**Section 2.** **Street Trees.** Washington County requires that Street Trees be provided and planted. Such trees will be planted on or adjacent to such Common Property tracts and Lots along the street frontage as required. The Association and each owner will accept the placement and planting of street trees. The Association shall thereafter have the right and responsibility to maintain the street trees on the Common Property tracts and on the Lots, including trimming, fertilizing, spraying, and replacing street trees with the same specie (or as similar as possible) as necessary. Each Owner shall be responsible for providing adequate water to and for raking and removing leaves and other debris from the street trees on the Owner's Lot.

**Section 3.** **Sidewalks.** A concrete pedestrian sidewalk will be constructed along the street frontage of each Lot, in the location and to the specifications determined by Washington County. The sidewalk shall be constructed prior to issuance of an occupancy permit for a Living Unit constructed on the Lot. Thereafter, the Owner of the Lot shall maintain and repair the

## MEMORANDUM

TO: King City Council  
FROM: Keith Liden, Planning Consultant  
SUBJECT: SW 131<sup>st</sup>/Fischer Zone Change Staff Report - File No. LU 18-03  
Zone Change Application  
DATE: January 7, 2019

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### GENERAL INFORMATION

#### Application

*Case No. LU 18-03*  
Zone Change-Plan Amendment

#### Applicant

Mark Dane  
Mark Dane Planning  
14631 SW Millikan Way, Suite 6  
Beaverton, OR 97003

#### Owner

Summa Lodge Homes, LLC  
1925 NW Amberglen Parkway, Suite 100  
Beaverton, OR 97006

#### Request

Approval of a zone change from the R-12 to the NMU (Neighborhood Mixed-Use) zone.

#### Location

Northwest corner of SW 131<sup>st</sup> Avenue and SW Fischer Road. Assessors Map No. 2S1 16AC, Tax Lot 800). See map.

#### Comprehensive Plan Designation

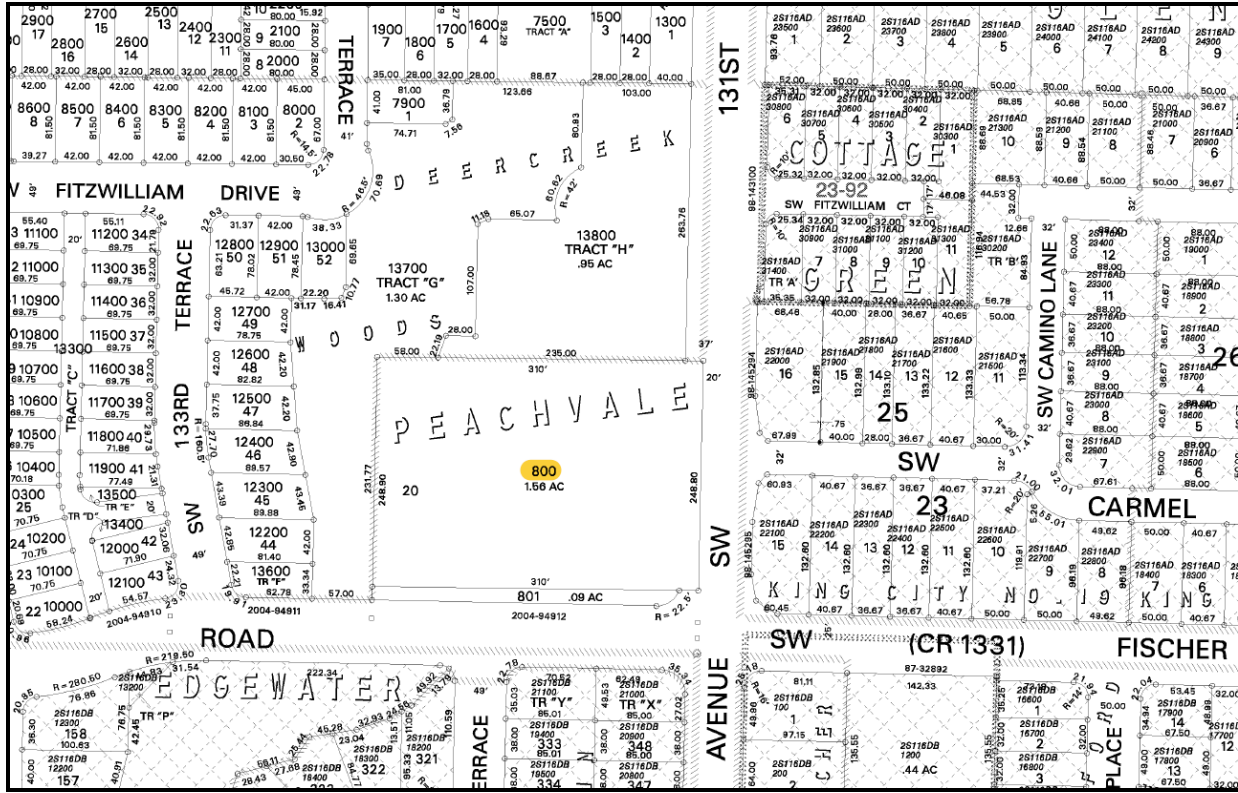
Medium Density Residential.

#### Zoning Designation

R-12 (Attached Residential) Zone



## Site Map



## BACKGROUND INFORMATION

### Site Conditions

The property is developed with one single family residence. It has frontage on SW 131<sup>st</sup> Avenue to the east and SW Fischer Road on the south. A drainageway is located along the western boundary of the property. As described in the application, there are a number of mature trees on the site. The total property area is 1.56 acres. Except for the drainageway, the property is relatively level and covered with grass and several mature trees. One small wetland area has been identified within this drainageway along the western property boundary (Exhibit 6 of this application).

Access to the existing residence, located in the northwestern portion of the property is provided by an existing driveway on SW 131<sup>st</sup> Avenue. The SW 131<sup>st</sup> Avenue frontage improvements do not include curb or sidewalk, while the SW Fischer Road frontage is fully improved.

### Vicinity Description

The plan and zoning designations and current land use of the surrounding area are summarized in the table below:

## Land Use Summary

<b>Parcels</b>	<b>Plan/Zone Designation</b>	<b>Land Use</b>
Subject	King City R-12 (Attached Residential)	One single family residence
Property North	King City R-12 (Attached Residential)	Multi-family residences
East	King City AT (Apartment Townhouse)	Single and multi-family residences
South	King City R-9 (Small Lot & Attached Residential)	Single family residences

## Project Description

The application consists of four parts that are summarized below.

### ***Zone Change/Comprehensive Plan Amendment and Related Applications***

The property is currently zoned R-12 – Attached Residential, which allows a variety of housing types with a maximum density of 12 units per acre. The applicant requests a change in the zoning to NMU – Neighborhood Mixed-Use, which allows the same residential uses as R-12 with the addition of neighborhood-scale commercial uses. The King City Comprehensive Plan provides criteria for evaluating changes in zoning.

Zone changes and plan amendments must be approved by the King City Council. The remaining elements of this application may be approved by the Planning Commission, and no City Council review is required (however, Planning Commission decisions may be appealed to the City Council). Therefore, the Planning Commission action had two parts: 1) recommendation to the City Council regarding the zone change; and 2) a decision pertaining to the subdivision, tree removal, and Goal 5 safe harbor review subject to City Council approval of the zone change.

The applicant received approval from the King City Planning Commission for a proposed subdivision of the property along with approval of related applications for tree removal and Goal 5 Safe harbor review pertaining to the drainageway located only the west edge of the property. The Planning Commission approved these three applications, subject to conditions and City Council approval of the zone change.

### ***Community Meeting***

Chapter 16.46 of the King City Community Development Code (CDC) requires applicants to hold a community meeting to introduce a development proposal to neighboring property owners prior to submitting a formal application. As described in the application, this meeting was held on January 8, 2018 in compliance with the requirements stipulated in Chapter 16.46

## Agency Comments

No agency comments were received pertaining to the zone change.

## FINDINGS AND CONCLUSIONS

The King City Comprehensive Plan contains the applicable evaluation criteria when considering a zone change in the Land Use Designations and Location Criteria section.

### Land Use Designations and Location Criteria – Mixed Use (Comprehensive Plan)

The location criteria are intended to provide guidance for the Planning Commission and City Council when land use and zoning designations for specific properties are proposed to be amended. They describe the basic characteristics a property or properties should have to be eligible for a particular land use designation.

The NMU Zone is designed to allow for a mix of neighborhood-scale and medium density residential uses. Properties designated NMU should have six basic location characteristics.:

1. *The site shall have direct access to a collector or arterial street. Access to a collector or arterial street via a local street may be appropriate to comply with driveway access requirements and if it is found that adverse traffic impacts will not be created for surrounding properties, which are greater than what is possible under the existing zoning.*

The property has access to SW 131<sup>st</sup> Avenue, which is designated as a collector street. The portion of SW Fischer Road, which abuts the property, is designated as a neighborhood collector. SW Fischer Road is designated as a collector to the east of the SW 131<sup>st</sup> Avenue intersection.

2. *Sufficient facility and service capacity to accommodate this type of development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.*

The facilities serving the West King City area were designed to accommodate development of the properties including this one. The proposed zone change will affect the mix of uses on the property but the intensity of development and its potential demand on public facilities and services will remain comparable to the current R-12 Zone. Necessary public facilities and services can be provided.

3. *Traffic congestion, parking, or safety problems shall not be created or exacerbated by commercial development on the site. This determination shall be based upon such considerations as street capacity, existing and projected traffic volumes, speed limits, number and type of turning movements, and the traffic generating characteristics of the potential commercial and residential activities on the site.*

The potential traffic impacts of this development have been analyzed by a qualified traffic engineer. Given the comparable level of development allowed by the R-12 and proposed NMU zones, the traffic impact of the proposed zone change and resulting development is found to be a negligible difference from the existing R-12 zoning. The NMU Zone includes development limitations (Section 16.102.040) including 12 units per acre for residential development and a Floor Area Ratio (FAR) of 1.5 to 1 to ensure that resulting development is consistent with surrounding residential neighborhoods. The applicant has demonstrated that functional and safe access can be provided.

4. *No natural development limitations such as unstable soils or flooding that affect significant portions of the property.*

The only development limitations are found in the extreme western portion of the property. This area will be protected, and no development is proposed for this area.

5. *Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:*
  - *The site configuration and characteristics that allow for the privacy of adjacent residential uses.*
  - *Commercial activities on the site that will not interfere with nearby residential uses.*

SW 131<sup>st</sup> Avenue and SW Fischer Road provide physical separation from residences across the street, and street trees will provide some visual screening. The residences on the east side of SW 131<sup>st</sup> Avenue are oriented toward SW Carmel Street and have a solid fence and vegetative screening along the SW 131<sup>st</sup> frontage. The residences along the south side of SW Fischer on both sides of SW 131<sup>st</sup>, have a landscaped buffer between the homes and the street. The two recently completed three-story apartment buildings to the north have a landscaped buffer along the south property line. The single family homes to the west are separated by the vegetated drainageway, which is protected from development.

As noted herein, the commercial uses allowed in the NMU Zone include a limited array of neighborhood-scale service, retail, and dining uses. Auto-oriented uses and drive-through windows are not permitted. The NMU Zone also features a full range of design requirements, such as maximum height limits, parking lots only to the rear or side of buildings, buffering from noise, lights, and limits on hours of operation, which are all designed to address potential compatibility issues. Finally, the future development of Lot 17 will be subject to site development review approval, where CDC requirements and a specific development proposal will be reviewed by the city, including a public hearing with the Planning Commission. The commission would have the authority to impose conditions of approval to further address specific compatibility issues.

6. *Significant unique natural features on the site which can be maintained.*

The significant natural resource area on the site is the drainageway on the western boundary of the property. As noted herein, it will be protected from development and preserved.

The applicable criteria in the Comprehensive Plan are satisfied, and the proposed zone change from R-12 to NMU should be approved.

## **RECOMMENDATION**

Based upon the above facts, findings, and conclusions, the Planning Commission determined that it should RECOMMEND APPROVAL of the proposed zone change-plan amendment from R-12 to NMU to the King City Council.



- 7.4 Consider RFPs for Community Park Improvements  
RFP information will be given out on February 20th, 2019