



**CITY OF MOLALLA
WORK SESSION REGULAR MEETING
AGENDA**

Civic Center | 315 Kennel Avenue Molalla, OR 97038
Wednesday, April 23, 2025 | 6:00 PM

NOTICE: Work Session will hold this meeting in-person and through video Live-Streaming on the City's Facebook Page and YouTube Channel. Written comments may be delivered to City Hall or emailed to recorder@cityofmolalla.com. Submissions must be received by 12:00 p.m. the day of the meeting.

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- 1. CALL TO ORDER AND FLAG SALUTE**
- 2. ROLL CALL**
- 3. GENERAL BUSINESS**
 - A. [DRAFT Ordinance No. 2025-04: Amending Molalla Municipal Code, Section 17-3.6.030 Public Use Areas \(Corthell/Viveiros\)](#)
- 4. ADJOURN**



CITY OF MOLALLA

Staff Report

Agenda Category: GENERAL BUSINESS

Agenda Date: Wednesday, April 23, 2025

Submitted by: Mac Corthell, Assistant City Manager

Approved by: Dan Huff, City Manager

SUBJECT: DRAFT Ordinance No. 2025-04: Amending Molalla Municipal Code, Section 17-3.6.030 Public Use Areas (Corthell/Viveiros)

ATTACHMENTS:

[Staff Report](#)

[Ordinance No. 2025-04 Amending MMC 17-3.6.030 Public Use Areas \(DRAFT\)](#)

[Exhibit A - Proposed Amendments](#)



CITY OF MOLALLA

117 N. Molalla Avenue
PO Box 248
Molalla, OR 97038

Staff Report

Agenda Category: General Business

Agenda Date: April 23, 2025

From: Jamie Viveiros, Associate Planner
Approved by: Mac Corthell, Assistant City Manager

SUBJECT: Draft Ordinance 2025-04: Amending Molalla Municipal Code Section 17-3.6.030 Public Use Areas.

FISCAL IMPACT: N/A

RECOMMENDATION/RECOMMEND MOTION: N/A – Discussion item only.

BACKGROUND:

The 2014 City of Molalla Comprehensive Plan, Park and Recreation Policy 2.2, provides that developers shall be required to provide park space or a Fee in Lieu to ensure parks are available to citizens and/or funds for improvements of existing parks are available. The City adopted the 2025 Parks, Recreation, and Trails System Plan on February 12, 2025, which established a standard for parkland dedications of 7 acres per 1,000 residents. Section 17-3.6.030 of the Molalla Municipal Code must be updated to reflect the policies and standards in these plans. This item was brought for discussion to the Planning Commission on March 5th and to the City Council on March 19th.

Staff have prepared a draft of Ordinance No. 2025-04 included in the packet for City Council's review amending Section 17-3.6.030 Public Use Areas.

Subsection A identifies minimum parkland dedication requirements. Parkland dedication will be required for all residential subdivisions, master planned developments, multi-family developments, and any division of land that could legally be split into 4 or more lots or parcels. The parkland dedication requirement will be 0.007 acres per person based on the adopted standard of 7 acres of parkland per 1,000 residents. Persons per dwelling unit will be calculated at the following levels:

For development densities of 0-12 dwelling units/acre, 2.7 persons per dwelling unit (derived from the US Census Bureau of persons per household in Molalla 2019-2023).

For development densities greater than 12 dwelling units, 2.0 persons per dwelling unit.

The required parkland shall be dedicated as a condition of approval on the preliminary plat and/or Site Design Review, depending on the type of development.

Subsection B provides the calculation of parkland dedication based on the following formulas: For single-family land divisions, required parkland dedication in acres is equal to the proposed number of dwelling units, times the persons per dwelling units, times 0.007 (the per person parkland dedication factor).

For multi-family developments, required parkland dedication in acres is equal to the proposed number of dwelling units, times the persons per dwelling units, times 0.007 (the per person parkland dedication factor), minus 0.15 times the buildable acres. The difference in the two allows multi-family developments to reduce the amount of required parkland dedication by the required 15% common open space requirement.

Subsection C outlines the procedure for dedication. For subdivisions and divisions of land that could legally be split into 4 or more lots or parcels, required parkland shall be dedicated on the final plat. For multi-family developments, required parkland shall be dedicated by recording a deed, easement, or other appropriate document prior to issuance of a building permit. Master planned developments will use either one of these methods, depending on the overall development. If there is a phased development, the required parkland for the entire development shall be dedicated on the final plat for the first phase. Prior to final plat approval or building permit issuance, the applicant shall clear, fill and/or grade all parkland to the satisfaction of the City, install sidewalks on the parkland adjacent to any street, and seed the parkland.

Subsection D addresses the minimum parkland standards required for dedication. Any land proposed to be dedicated as parkland must meet all of the following criteria: it must be contained within a single, continuous unit; it must be a minimum size of 0.25 acres; it must abut an existing right-of-way or proposed right-of-way within the development, or an access easement to the parkland must be provided; it must be in an area designated as Proposed Parkland or within the Park Acquisition and Development Areas on the Proposed System Map in the City of Molalla Parks, Recreation, and Trails System Plan; and it must not be subject to any other easements or encumbrances.

Subsection E requires that a Fee in Lieu of dedication shall be provided if the proposed parkland to be dedicated cannot meet the criteria set forth above. The Fee in Lieu of dedication shall be paid prior to approval of the final plat or building permit issuance, as applicable to the type of

development. Subsection E also provides that the Fee in Lieu is separate from park SDCs and is not eligible for a credit of park SDCs.

Subsection F provides that the amount of the Fee in Lieu of land dedication (in dollars per acre) shall be set by City Council Resolution, based on the real market value of land as determined by the Clackamas County Tax Assessor.

Per the Assessor's office:

Real Market Value (RMV) is what a property would have sold for on the open market as of the Previous January 1st at 1:00 AM. All of our RMV's are currently as of January 1st, 2024. See ORS 308.205 & 308.210

Maximum Assessed Value (MAV) is a statutory calculation that was implemented with the passage of Ballot Measure 50 in 1996. If nothing happens to a property in a given year, then it's MAV from the previous year is increased by 3%. See ORS 308.146.

Assessed Value is the lesser of a Property's RMV or MAV. See also ORS 308.146.

Staff is seeking direction on whether any proposed changes should be made to the draft ordinance, or if it should be brought back for first reading and public hearing as presented.

Attachments:

Ordinance No. 2025-04: Amending Molalla Municipal Code Section 17-3.6.030 Public Use Areas (DRAFT)

Exhibit A – Proposed Amendments (DRAFT)



ORDINANCE NO. 2025-04

AN ORDINANCE OF THE CITY OF MOLALLA, OREGON AMENDING MOLALLA MUNICIPAL CODE SECTION 17-3.6.030 PUBLIC USE AREAS.

WHEREAS, 2014 City of Molalla Comprehensive Plan, Park and Recreation Policy 2.2, provides that developers shall be required to provide park space or a fee in lieu to ensure parks are available to citizens and/or funds for improvements of existing parks are available; and

WHEREAS, the City adopted the 2025 Parks, Recreation, and Trails System Plan on February 12, 2025; and

WHEREAS, the 2025 Parks, Recreation, and Trails System Plan established a standard for parkland dedications of 7 acres per 1,000 residents; and

WHEREAS, Section 17-3.6.030 of the Molalla Municipal Code must be updated to reflect the policies and standards in the 2014 Molalla Comprehensive Plan and the 2025 Parks, Recreation, and Trails System Plan; and

WHEREAS, all notice requirements for adoption of an ordinance amending the City of Molalla Development Code have been met.

Now, Therefore, the City of Molalla ordains:

Section 1. Molalla Municipal Code Section 17-3.6.030 is hereby amended consistent with Exhibit A, which is attached hereto, incorporated herein, and adopted by reference.

Section 3. Effective Date. This Ordinance shall take effect 30 days after enactment.

The First Reading was held on _____, and moved to a Second Reading by _____ vote of the City Council.

The Second Reading was held on _____ and adopted by the City Council on _____.

Signed this ____ day of _____ 2025.

Scott Keyser, Mayor

ATTEST:

Christie Teets, CMC
City Recorder

DRAFT

Exhibit A – PROPOSED AMENDMENTS

The following font options below indicate how the text is amended:

Existing Language

~~Deletions~~

Insertions

Molalla Municipal Code § 17-3.6.030 Public Use Areas. Required Parkland Dedication or Fee in Lieu.

~~A. Dedication of Public Use Areas.~~

~~1. Where a proposed park, playground, or other public use shown in a plan adopted by the City is located in whole or in part in a subdivision, the City may require the dedication or reservation of this area on the final plat for the subdivision, provided that the impact of the development on the City park system is roughly proportionate to the dedication or reservation being made.~~

~~2. The City may purchase or accept voluntary dedication or reservation of areas within the subdivision that are suitable for the development of parks and other public uses; however, the City is under no obligation to accept such areas offered for dedication or sale.~~

~~B. System Development Charge Credit. Dedication of land to the City for public use areas, voluntary or otherwise, may be eligible as a credit toward any required system development charge for parks.~~

A. Minimum Parkland Dedication Requirements.

Residential subdivisions, master planned developments, multi-family developments, and any division of land that could legally be split into 4 or more lots or parcels under the current development code shall be required to dedicate parkland to the City.

The parkland dedication requirement shall be 0.007 acres per person based on the adopted standard of 7 acres of parkland per 1,000 residents in the City of Molalla Parks, Recreation, and Trails System Plan.

Persons per dwelling unit shall be calculated at the following levels:

For development densities of 0-12 dwelling units/acre = 2.7 persons/dwelling unit.

For development densities greater than 12 dwelling units/acre = 2.0 persons/dwelling unit.

1. The required parkland shall be dedicated as a condition of approval for the following:

- a. Preliminary plat for a subdivision or division of land that could legally be split into 4 or more lots or parcels;**
- b. Preliminary plat and/or site design review for a master planned development; and**
- c. Site design review for a multi-family development.**

B. Calculation of Parkland Dedication Acreage.

1. The required parkland acreage to be dedicated shall be based on the following formula:
 - a. For single-family land divisions:
Required parkland dedication (acres) = (Proposed number of dwelling units) x (Persons/dwelling unit) x 0.007 (Per person parkland dedication factor)
 - b. For multi-family developments:
Required parkland dedication (acres) = (Proposed number of dwelling units) x (Persons per dwelling unit x 0.007 (Per person parkland dedication factor) – (0.15 x buildable acres)

C. Dedication Procedures.

1. For subdivisions or divisions of land that could be legally split into 4 or more lots or parcels, parkland required by this section shall be dedicated on the final plat.
2. For multi-family developments, parkland required by this section shall be dedicated by recording a deed, easement or other appropriate document prior to issuance of a building permit.
3. For master planned developments, parkland required by this section shall be dedicated on the final plat or by recording a deed, easement, or other appropriate document prior to issuance of a building permit, as applicable to the development.
4. For phased developments, the required parkland for the entire development shall be dedicated on the final plat for the first phase.
5. Prior to final plat approval or building permit issuance required by § 17-3.6.030.C(1), (2), or (3), the applicant shall clear, fill, and/or grade all parkland to the satisfaction of the City, install sidewalks on the parkland adjacent to any street, and seed the parkland.

D. Minimum Parkland Standards.

1. Land required or proposed for parkland dedication shall meet the following criteria:
 - a. Must be contained within a single, continuous unit;
 - b. Must be a minimum size of 0.25 acres;
 - c. Must abut an existing right-of-way or proposed right-of-way within the development, or an access easement to the parkland must be provided;
 - d. Must be in an area designated as Proposed Parkland or within the Park Acquisition and Development Areas on the Proposed System Map in the City of Molalla Parks, Recreation, and Trails System Plan; and
 - e. Must not be subject to any other easements or encumbrances.

E. Fee in Lieu of Dedication.

1. A Fee in Lieu of dedication shall be required if the proposed parkland to be dedicated cannot meet the criteria set forth in § 17-3.6.030(D)(1).

- 2. The Fee in Lieu of parkland dedication for a subdivision or division of land that could legally be split into 4 or more lots or parcels shall be paid prior to the approval of the final plat.**
- 3. The Fee in Lieu of parkland dedication for multi-family developments shall be paid at the time of building permit issuance for the subject lot or parcel.**
- 4. The Fee in Lieu of parkland dedication for master planned developments shall be paid prior to the approval of the final plat or at the time of building permit issuance for the subject lot or parcel, as applicable to the development.**
- 5. A Fee in Lieu of parkland dedication is separate from park Systems Development Charges (SDCs) and is not eligible for a credit of Park SDCs.**

F. Calculation of Fee.

- 1. The amount of the Fee in Lieu of land dedication (in dollars per acre) shall be set by City Council Resolution, based on the real market value of land as determined by the Clackamas County Tax Assessor.**