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**STAFF RECOMMENDATION**  
*Approval, with Conditions*

This document represents the Planning and Zoning Staff decision, findings and conditions of approval for a Design Review as cited below. It contains four parts: Section 1 – Summary, Section 2 – Recommended conditions of approval, Section 3 – Findings, Section 4 – Summary of Findings and Recommendation.

**SECTION 1 – SUMMARY**

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**DATE:** August 13, 2019

**CASE FILE NO.:** Z0229-19-D

**STAFF CONTACT(S):** Anthony Riederer, [ariederer@clackamas.us](mailto:ariederer@clackamas.us), 503-742-4528

**LOCATION:** 12E28CB 03000

**ADDRESS:** 8319 SE Otty Road  
Happy Valley, Oregon

**APPLICANT(S):** Larz Hitchcock, of Jackson Main Architecture  
311 First Avenue  
Seattle, Washington

**OWNER(S):** NWB Clackamas LLC  
801 Second Avenue, Suite 1300  
Seattle, Washington

**TOTAL AREA:** Approximately 1.47 Acres

**ZONING:** CC (Corridor Commercial, ZDO Section 510)

**COMMUNITY PLANNING ORG:** Southgate  
Contact: Currently Inactive

**PROPOSAL:** Design review of alterations to an existing warehouse building and development of new three-story building on the same site. Both buildings are proposed to be used as a self-storage facility. Project will include new site access, circulation, parking, landscaping, and right-of-way improvements.

**APPLICABLE APPROVAL STANDARDS:** This application is subject to Clackamas County Zoning and Development Ordinance (ZDO). Development of the subject property is subject to the provisions of ZDO Sections 1102, 510, 1002, 1005, 1006, 1007, 1009, 1010, 1015, 1021, 1102, 1206, and 1307 as adopted by the Board of County Commissioners. Additionally, this project will be subject to county development standards including, the County Roadway Standards, County Excavation and Grading Ordinance, and Oregon Structural Specialty Code, etc.

**BACKGROUND:**

The subject parcel is on the northwest corner of SE Fuller Road and SE Otty Roads, near TriMet's Fuller Road MAX Station, and has significant frontage on both SE Fuller Road and SE Otty Road. In addition to carrying the base zoning of Corridor Commercial, the subject property is within both the Clackamas Regional Center Area and the Station Community Area, as indicated in Comprehensive Plan Map X-CRC-1. Each of these areas bring additional design-related standards, as per ZDO Subsection 1005.

The properties to the north, west, and south of the project site are all developed with retail and commercial uses and carry the same Corridor Commercial zoning. Across SE Fuller Road to the east, the properties are developed with single-family residences. These properties carry Station Community Mixed Use (SCMU) zoning.

The project site was previously developed as a warehouse with loading docks and surface circulation and parking. The design of the existing building on this site is non-conforming to current standards. Through this redevelopment, the modifications proposed by the applicant will bring the building closer into compliance. Given that there is an existing non-conforming right (discussed later in this report) only those elements being proposed will be required to comply with the current ZDO requirements.

Given that the site is predominantly paved in hardscape and developed, there are no mature trees or significant areas of vegetation on the site worthy of preservation. There is little if, any, natural slope to the topography of the site.

This is among the first projects to be developed using the Fuller Road Station Community Dimensional and Design Standards, which have been put into place to support the future development of this area as a walkable and pedestrian scale district, served by transit. Many of the surrounding commercial uses pre-date this change in regulation and are not a reasonable basis for the intended development character of the area going forward.

One recently permitted example of development designed under these standards is the multi-family residential development across Otty Road and slightly to the east of the subject property. This development uses a mix of materials with a discernable human scale along the ground levels and creates visual interest and differentiation across building facades using color, articulation, and modulation of plane.

A pre-application conference was held on this project on October 24, 2018.

Clackamas County's GIS mapping system indicates that the project site is not subject to any additional habitat or conservation-related overlay zoning, historic property protections, or hazards related to flood or earth movement.

### **NOTICE**

Notice of this application was sent to property owners within 300 feet of the subject tract property lines, as well as the City of Milwaukie, Clackamas Fire District #1, Water and Environment Services, Clackamas River Water. CCSD #5 (Street Lighting), Clackamas County's Building, Engineering, and Sustainability Divisions, TriMet, and the Oregon Department of Transportation.

### **PUBLIC COMMENT**

No public comment was received related to this proposed project.

## Site Aerial Image

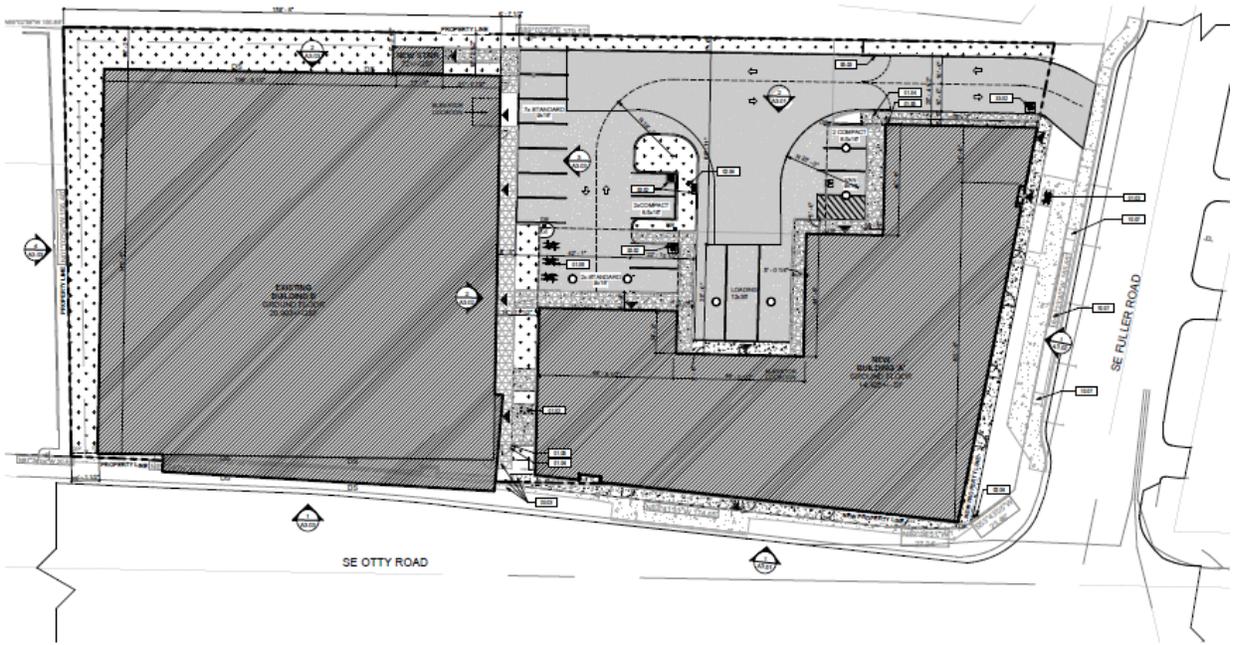


**Site Aerial – Perspective**



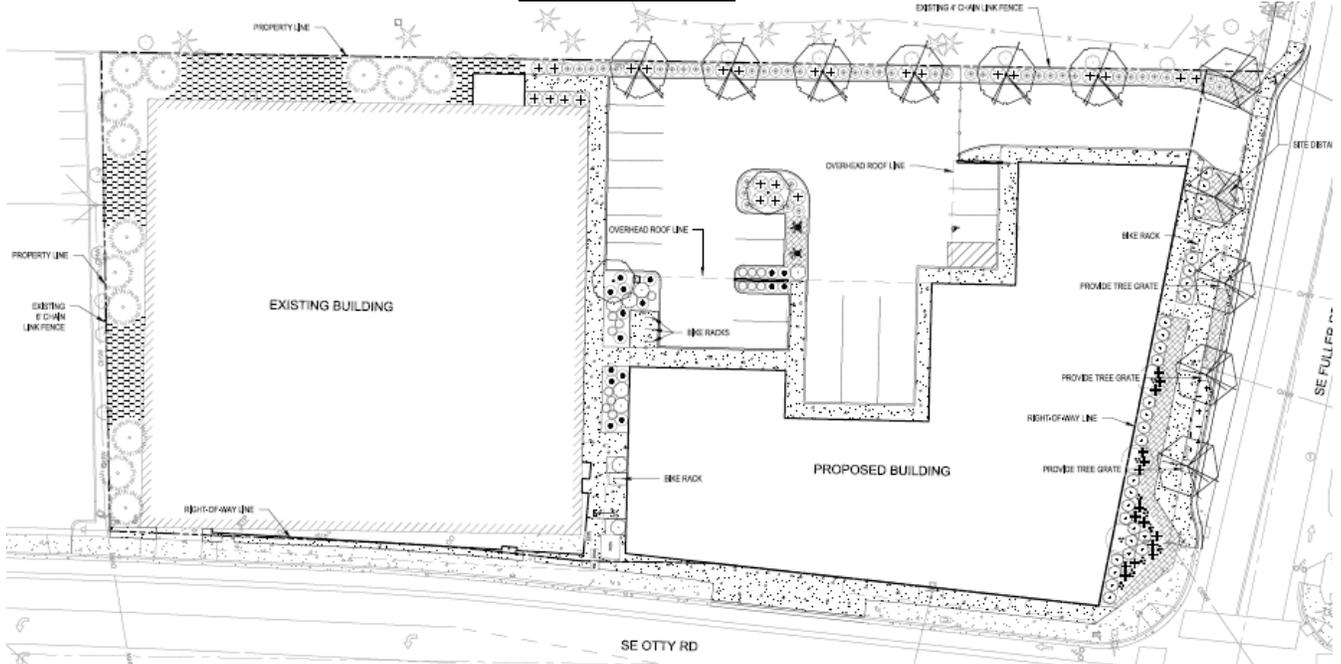
Project site, looking roughly to the northwest

# Site Plan



1 SITE PLAN

# Landscape Plan



## LANDSCAPE PLANT MATERIAL SCHEDULE

SYMBOL	TREES ITEM	SIZE	QTY.	COMMENTS
	ACER GWYNALA 'FLAME' FLAME MAPLE	1 1/2" GAL. B&B	5	PLANT TO INDUSTRY STANDARDS MATURE: 20' HT. / 30' WD, FALL: ORANGE-RED
	CARPINUS BETULUS 'FASTIGIATA' PYRAMIDAL EUROPEAN HORNBEAM	2" CAL. B&B	6	PLANT TO INDUSTRY STANDARDS MATURE: 35' HT. / 30' WD. FALL: YELLOW
	CARPINUS BETULUS 'FRANS FONTAINE' FRANS FONTAINE HORNBEAM	2" CAL. B&B	2	PLANT TO INDUSTRY STANDARDS MATURE: 35' HT. / 15' WD, FALL: YELLOW
	OFF-SITE EXISTING TREES TO REMAIN, EVERGREEN & DECIDUOUS CONTRACTOR TO PROTECT WITH DRIP LINES			SEE TREE PROTECTION & DEMOLITION PLANS
SHRUBS & ACCENTS				
SYMBOL	ITEM	SIZE	QTY.	COMMENTS
	ACER CIRCINATUM VINE MAPLE	2" CAL. B&B	3	PLANT TO INDUSTRY STANDARDS MATURE: 15' HT. / 10' WD PNW NATIVE
	AUCUBA JAPONICA 'ROZANNE' ROZANNE JAPANESE AUCUBA	3 GAL. 3" O.C.	14	PLANT TO INDUSTRY STANDARDS MATURE: 3' HT. / 3' WD, FULL SHADE / EVERGREEN
	ESCALLONIA 'COMPACTA' COMPACT ESCALLONIA	5 GAL. 4" O.C.	29	PLANT TO INDUSTRY STANDARDS MATURE: 2-3' HT. / 4-6' WD, SUN TO PART SHADE / EVERGREEN
	LAVANDULA AUG. 'HIDCOTE BLUE' HIDCOTE BLUE ENGLISH LAVENDER	3 GAL. 2" O.C.	15	PLANT TO INDUSTRY STANDARDS MATURE: 3' HT. / 3-3' WD, FULL SUN / EVERGREEN
	NANDINA DOMESTICA 'GULF STREAM' GULFSTREAM HEAVENLY BAMBOO	3 GAL. 3" O.C.	43	PLANT TO INDUSTRY STANDARDS MATURE: 3' HT. / 3' WD. / FALL COLOR SUN TO PART SHADE / EVERGREEN
	POENANEMUM ALOPECUROIDES 'LITTLE BUNNY' LITTLE BUNNY DWARF FOUNTAIN GRASS	1 GAL. 1" O.C.	28	PLANT TO INDUSTRY STANDARDS MATURE: 1' HT. / 1' WD, FULL SUN / HERBACEOUS
	POLYSTICHUM MUNITUM SWORD FERN	3 GAL. 5" O.C.	16	PLANT TO INDUSTRY STANDARDS MATURE: 3-6' HT. / 3-6' WD. / PNW FULL TO PART SHADE / EVERGREEN
	SARCOCCOCCA RUSCIFOLIA FRAGRANT SWEET BOX	5 GAL. 3" O.C.	8	PLANT TO INDUSTRY STANDARDS MATURE: 3-4' HT. / 3-4' WD, FULL SHADE / FRAGRANT / EVERGREEN
	TAXUS BACATA 'SPREADERS' SPREADING ENGLISH YEW	5 GAL. 12" O.C.	13	PLANT TO INDUSTRY STANDARDS MATURE: 3-4' HT. / 12-15' WD, SUN OR SHADE / EVERGREEN
	VIBURNUM DAVIDI DAVID VIBURNUM	5 GAL. 5" O.C.	25	PLANT TO INDUSTRY STANDARDS MATURE: 3' HT. / 5' WD, PART SHADE / EVERGREEN
GROUNDCOVERS				
SYMBOL	ITEM	SIZE	QTY.	COMMENTS
	ARCTOSTAPHYLOS 'EMERALD CARPET' EMERALD CARPET KINKY KINK	1 GAL. 3" O.C.	1,020 SF 126 PLANTS	PLANT TO INDUSTRY STANDARDS MATURE: 1' HT. / 3-5' WD, FULL SUN / EVERGREEN
	GAULTHERIA PROCUMBENS WINTERGREEN	4" POT 3" O.C.	1,692 SF 217 PLANTS	PLANT TO INDUSTRY STANDARDS MATURE: 0.5-1' HT. / 3-3' WD, PART TO FULL SHADE / EVERGREEN

## Building Elevations



# Building Elevations



## **SECTION 2 – CONDITIONS OF APPROVAL**

The Clackamas County Planning and Zoning staff approves this design review application subject to the following conditions:

### **1) General Conditions:**

- A. Approval of this land use permit is based on the submitted revised written narrative and plan(s) filed with the County on May 29<sup>th</sup>, 2019 along with the revised drawings and documentation submitted on July 18<sup>th</sup> and July 19<sup>th</sup>, 2019. No work shall occur under this permit other than which is specified within these documents. It shall be the responsibility of the property owner(s) to comply with these document(s) and the limitation of any approval resulting from the recommendation described herein.
- B. The applicant is advised that they may take part in a Post Land Use Transition meeting. County staff would like to offer you an opportunity to meet and discuss this decision and the conditions of approval necessary to finalize the project. The purpose of the meeting is to ensure you understand all the conditions and to identify other permits necessary to complete the project. If you like to take advantage of this meeting please contact Wendi Coryell, 503-742-4657 or at [wendicor@clackamas.us](mailto:wendicor@clackamas.us).
- C. Prior to the SUBMISSION of building permits, the applicant shall submit a statement of use form to Wendi Coryell. She can be contacted at 503-742-4657 or [wendicor@clackamas.us](mailto:wendicor@clackamas.us). The statement of use is used to calculate the applicable System Development Charges. These SDC's are included in the final calculation of the building permit fees for new development projects.
- D. The decision is valid for four years from the date of the final written decision. If the County's final written decision is appealed, the approval period shall commence on the date of the final appellate decision (ZDO 1102.05). During this four year period, the approval shall be implemented, or the approval will become void. "Implemented" means all major development permits shall be obtained and maintained for the approved design review project. A "major development permit" is:
  - a. A building permit for the structure or
  - b. A permit issued by the County Engineering Division for frontage improvements required by this approval.
- E. This Design Review approval is granted subject to the above and below stated conditions. Failure to comply with any of the conditions of approval constitutes a violation of this permit and may be cause for revocation of this approval.
- F. The approval of the application granted by this decision concerns only the applicable standards for this decision. The decision does not include any conclusions by the county concerning whether the activities allowed will or will not come in conflict with the provisions of the federal Endangered Species Act (ESA). This decision should not be construed to or represented to authorize any activity that will conflict with or violate the ESA. It is the applicant, in coordination if necessary with the federal agencies

responsibility for the administration and enforcement of the ESA, who must ensure that the approved activities are designed, constructed, operated and maintained in a manner that complies with the ESA.

**2) Planning and Zoning Conditions:**

- A. Prior to issuance of building permit, the applicant shall submit revised drawings demonstrating enhanced emphasis along the sidewalk, in compliance with ZDO 1005.04(A)(2).
- B. Prior to issuance of building permit, the applicant shall submit revised drawings altering the façade treatment of the ground floors along SE Otty and SE Fuller Roads demonstrating the use of a façade material more suitable to the neighborhood’s intended visual identity and the extent of exposure to public view of these facades, in compliance with ZDO 1005.04(E)(1) and (2).
- C. Prior to issuance of building permit, the applicant shall submit revised building elevation drawings providing additional architectural features to enhance the pedestrian environment at the corner of SE Otty Road and SE Fuller Road, in compliance with the standard of ZDO 1005.08(D)(2).
- D. Prior to issuance of building permit, the applicant shall submit a revised site/landscape drawing demonstrating the provision of street trees along Otty Road, in compliance with the standards of ZDO 1007.06(B).
- E. Prior to issuance of building permit, the applicant shall submit a site drawing demonstrating a landscape irrigation system which meets the standards of ZDO 1009.10(M).
- F. Prior to issuance of certificate of occupancy, applicant shall submit a signed maintenance contract guaranteeing the landscape materials for one year from the date of installations or provide a performance surety pursuant to Section 1311, Completion of Improvements, Sureties, and Maintenance, covering the landscape maintenance costs for the one-year period, per ZDO 1009.10(F).
- G. Prior to issuance of certificate of occupancy, the landscaping installation and irrigation system shall be inspected to ensure compliance with submitted drawings and the standards of ZDO 1009.
- H. Prior to the issuance of building permit, the applicant shall submit revised drawings demonstrating that proposed signage on the site complies with the standards of ZDO 1010.

**3) Building Code Division Conditions:**

- A. All construction shall comply with current Oregon Structural Specialty Code and any other relevant codes. All required building permits shall be obtained and received before final occupancy approval.

B. All applicable development permits (grading and erosion control, etc.) shall be obtained prior to any construction.

**4) Clackamas County Engineering Conditions**

Staff had not received recommended conditions from Clackamas County Engineering at the time this draft staff recommendation was issued. Their recommended conditions will be forwarded to the applicant when available and included in the final staff decision.

**5) Oregon Department of Transportation Conditions**

Staff had not received recommended conditions from the Oregon Department of Transportation at the time this draft staff recommendation was issued. Their recommended conditions will be forwarded to the applicant when available and included in the final staff decision.

**6) Clackamas County Sustainability Conditions:**

Staff had not received recommended conditions from Clackamas County Sustainability at the time this draft staff recommendation was issued. Their recommended conditions will be forwarded to the applicant when available and included in the final staff decision.

**7) Water Environment Service Conditions:**

Staff had not received recommended conditions from Water Environment Services at the time this draft staff recommendation was issued. Their recommended conditions will be forwarded to the applicant when available and included in the final staff decision.

**8) Clackamas River Water Conditions:**

Staff had not received recommended conditions from Clackamas River Water at the time this draft staff recommendation was issued. Their recommended conditions will be forwarded to the applicant when available and included in the final staff decision.

## **SECTION 3 – DESIGN REVIEW FINDINGS**

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This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Section(s) 1102, 510, 1002, 1005, 1006, 1007, 1009, 1010, 1015, 1021, 1102, 1206, and 1307. The Clackamas County Planning and Zoning Staff has reviewed these Sections of the ZDO and design guidelines in conjunction with this proposal and make the following findings and conclusions:

### **1. Section 1102 – Design Review**

#### *Subsection 1102.01 Applicability*

**Finding:** Clackamas County’s Zoning and Development Ordinance determines development types for which design review is required. ZDO Subsection 1102.01(A) states that design review is required for, “...Development, redevelopment, expansions, and improvements in commercial and industrial zoning districts...” The proposed development is located in the CC district, and thus design review is required for the project.

#### *Subsection 1102.02 Applicability*

**Finding:** Clackamas County’s Zoning and Development Ordinance determines the submittal requirements necessary for design review. The applicant submitted a set of information consistent with the submittal requirements of the Zoning and Development ordinance which county staff deemed complete on July 18, 2019. The standard is met.

#### *Subsection 1102.03 Approval Criteria*

**Finding:** Clackamas County’s Zoning and Development Ordinance determines that projects which require design review are subject to the standards of the underlying zoning district as well as to Section 1000 “Development Standards”. The analysis of the proposal, per those sections of the Clackamas County ZDO, follow in subsequent sections.

### **2. Section 510 – Corridor Commercial (CC) district**

#### *Subsection 510.03 Uses Permitted*

Clackamas County’s ZDO determines uses that are permitted primary, permitted accessory, conditionally permitted, or not allowed in each zoning district.

**Finding:** The proposed development is located in the Corridor Commercial district. The applicant’s submitted materials indicate that the proposed use for this development is a self-storage facility which is listed in Table 510-1 as a permitted primary use in the Corridor Commercial district. The proposed development meets the standard.

*Subsection 510.04 Dimensional Standards*

**Finding:** The table below demonstrates how the applicant’s proposal complies with the dimensional standards of the CC district. These standards are met.

	<b>Ordinance Standard</b>	<b>Demonstrated Dimension</b>	<b>Complies With Standard</b>
<b>Minimum Lot Size</b>	None	1.47 acre	Complies
<b>Minimum Front Yard Setback</b>	15 feet	0 feet (As allowed per ZDO 1005.10)	Complies
<b>Maximum Front Yard Setback</b>	20 feet	0 feet (As allowed per ZDO 1005.10)	Complies
<b>Minimum Rear Yard Setback</b>	None	10 feet	Complies
<b>Minimum Side Yard Depth</b>	None	15 feet	Complies

**3. Section 1002 – Protection of Natural Features**

Section 1002 addresses the protection of various natural features including hillsides, the excessive removal of trees prior to development, the protection of trees and wooded areas through development, river and stream corridors, the winter ranges of deer and elk populations, certain open spaces near Mount Hood, significant natural areas, and significant landforms and vegetation.

**Finding:** The site has limited mature vegetation and is not subject to any additional zoning overlays. There are no additional elements protected by Section 1002, as identified in the Clackamas County Comprehensive Plan, present on site. The standards of Section 1002, as applicable, are met.

**4. Section 1005 – Sustainable Site and Building Design**

Section 1005 addresses the development of sites and design of buildings so as to efficiently utilize land, create lively, safe, and walkable centers, support the use of non-auto modes of transportation, reduce impact of development of natural features, utilize opportunities arising from a site’s configuration, design illumination so dark skies are maintained when possible and accommodate the needs of users of developments. It applies to institutional, commercial, and industrial development; multifamily dwellings; and developments of more than one two- or three-family dwelling.

*Subsection 1005.03 – General Site Design Standards* establishes standards for the sites of commercial, industrial, and multifamily developments and addresses standards for the placement and orientation of buildings, on-site pedestrian circulation, the placement and orientation of building entrances, and other use- and zone-specific standards.

**Finding:** The proposed development adds a new building to a previously developed site while repurposing an existing building, allowing for efficient sharing of infrastructure and

transit-related facilities. The proposed new building has the longest axis of oriented within 20-degrees of true south, maximizing south-facing dimensions. The onsite circulation system, which is illuminated and constructed of hard-surfaced and well drained materials, adequately connects the public entrance of the buildings to adjacent sidewalks, pedestrian pathways, and nearby development. The site has frontage on multiple streets, and is set at the minimum setback distance along the vast majority of the street frontage, satisfying the standard of 1005.03(E). The parking lot is not larger than three acres and the site is not located on a major transit street nor at a major transit stop. These standards are met.

*Subsection 1005.04 – Building Design* provides standards for building facades, entrances roof design, exterior building materials, the screening of mechanical equipment, and other use- and zone-specific standards.

***Finding:*** The proposed development provides articulation of the façade using alterations of plane, texture, material, and window placement. The design creates relief, variety, and visual interest on the site. The proposed primary entrance is highlighted by a projecting tower element feature and landscaping, as well as enhanced transparency through the placement of street-facing windows and doors. The use of large-format cut-face concrete masonry unit blocks along the street facing facades of the new building provides limited emphasis along the sidewalk, as required by 1005.04(A)(2). The use of windows, façade materials, color, trim, and other architectural features maintain a cohesive palette of materials that are complimentary and generally appropriate to the use. However, the scale of the masonry units along the street-facing facades is not consistent with the intended visual identity of the neighborhood or the level of public exposure of these facades, as relates to the standards of 1005.04(E)(1) and (2). Metal is limited to use on the specific surfaces and architectural features as provided in 1005.04(E)(4). The variable parapet line and tower-like roof elements provide additional articulation and visual interest to the building. Per the above findings and the applicant’s submitted drawings, the proposed building complies with the relevant standards of section 1005.04. **With the conditions of approval in Section 2, the above findings and the applicant’s submitted drawings, the proposed development meets the standards. As conditioned, these standards are met**

*Subsection 1005.05 – Outdoor Lighting* provides standards to ensure that onsite lighting is compatible with the site and surrounding uses while preventing light trespass and pollution.

***Finding:*** The site design provides lighting around the project area to enhance building appeal and provide pedestrian and vehicular safety. Additional lighting around the parking lot and street are proposed in line with county requirements. Per the above findings based on staff review of the applicant’s submitted drawings, the proposed addition complies with the relevant standards of section 1005.05. These standards are met.

*Subsection 1005.06 – Additional Requirements* requires projects to employ one additional design element per 20,000 square feet of site area.

**Finding:** Section 1005.06 requires applicants to employ one “Additional Requirement” for every 20,000 square feet of site area. The total site area of the project is approximately 60,000 square feet. As a result, the applicant must provide three Additional Requirements.

1. The design employs high albedo roofing material, in compliance with 1005.06(C).
2. The design places uses porous pavement for approximately 85% of on-site walkways. This is in excess of the 75% (by area) standard which satisfies 1005.06(E).
3. The site design includes 18 parking spots, the minimum number required by the Zoning and Development Ordinance. These parking spots are of the minimum size required by 1015.04(B)(2). This satisfies 1005.06(R).

This standard is met.

*Subsection 1005.08 – Clackamas Regional Center Area Design Standards* implement certain special design elements required in the area indicated on Comprehensive Plan Map X-CRC-1. Where they conflict with other provisions of Section 1000, they take precedence.

**Finding:** The site design provides a redeveloped land use with strong access and proximity to both transit and bike/pedestrian resources. The project is at a corner lot and so the provision of 1005.08(D)(2), which requires, “...corner entrances or other architectural features to enhance the pedestrian environment at the intersection” would apply. The building design, as presented, does not comply with this standard. **With the conditions of approval in Section 2, the above findings and the applicant’s submitted drawings, the proposed development meets the standards. As conditioned, these standards are met.**

*Subsection 1005.10 – Fuller Road Station Community Dimensional and Design Standards* implement specific building and site design elements required in the Station Community Area. Where they conflict with other provisions of Section 1000, they take precedence.

**Finding:** The design regulations of this area are determined by the regulating plan depicted in ZDO Map 1005-1. Both SE Fuller and SE Otty are indicated as “B Streets” as indicated this map. The applicant proposes to use the ‘Linear’ building type, which is allowed along all “B Street” frontages. The existing warehouse building pre-dates these design regulations and so where it is at odds with current regulation, it is legally non-conforming (see discussion of ZDO 1206 standards). Elements of this building which are being modified are done so with an eye toward greater conformance with current standards. The proposed new building complies with the standards of this area in terms of setbacks, fences, ground floor height and construction type, building depth, weather protection, building entrances, windows, and building materials. These standards are met.

**5. Section 1006 – Utilities, Street Lights, Water Supply, Sewage Disposal, Surface Water Management, and Erosion Control.**

Section 1006 addresses the provision of appropriate infrastructure for utilities, water supply, and sewage disposal, as well as the management of surface water and site erosion.

**Finding:** No new streetlights are required to meet county requirements. County Planning staff has received the required preliminary statements of feasibility from Water and Environment Services and Clackamas River Water. Per the above findings and the applicant's submitted materials, the proposed addition complies with the relevant standards of Section 1006. These standards are met.

## **6. Section 1007 - Roads and Connectivity**

*Subsection 1007.02 – Public and Private Roadways*

*Subsection 1007.03 – Private Roads and Access Drive*

*Subsection 1007.04 – Pedestrian and Bicycle Facilities*

A-C: General Standards, Design and Requirements

D-G: Location and Construction of Sidewalks and Pedestrian Paths

H: Sidewalk and Pedestrian Path Width

I-N: Accessways, Bikeways, Trails, Bike/Pedestrian Circulation

**Finding:** The proposed development will be required to comply with all applicable requirements of Clackamas County Engineering, including those identified through the ZDO and within the county's engineering standards. **Clackamas County Engineering will provide recommended conditions of approval to ensure compliance with the standards of ZDO Subsection 1007.02-1007.04. With their recommended conditions these standards can be met.**

*Subsection 1007.05 – Transit Amenities*

**Finding:** Subsection 1007.05 applies to all residential, commercial, institutional, and industrial developments on existing and planned transit routes. Though the project is near the Fuller Road MAX light rail station, it is not – strictly speaking - located on an existing or planned transit route. Notice was sent to Tri-Met for both the pre-application conference and the land use application, without comment. These standards do not apply.

*Subsection 1007.06 – Street Trees* addresses requirements for street trees within the Portland Metropolitan Urban Growth Boundary, in the Clackamas Regional Center Area, in the Business Park zoning district, and in Sunnyside Village.

**Finding:** The proposed development is within the Clackamas Regional Center Area, which requires street trees along all streets. The site is designed with appropriate street trees along the Fuller Road frontage. Currently submitted drawings do not indicate the provision of street trees along the Otty Road frontage. **With the conditions of approval in Section 2, the above findings and the applicant's submitted drawings, the proposed development meets the standards. As conditioned, these standards are met.**

*Subsection 1007.07 – Transportation Facilities Concurrency*

**Finding:** Clackamas County's engineering division has reviewed the proposal. Their conditions of approval will ensure that the capacity of transportation facilities is adequate or will be made so in a timely manner. **Clackamas County Engineering will provide**

**recommended conditions of approval to ensure compliance with the standards of ZDO Subsection 1007.07. With their recommended conditions these standards can be met.**

**7. Section 1009 – Landscaping**

Section 1009 seeks to ensure that sites are design with appropriately selected, designed, installed, and maintained landscape materials and that landscaped areas are used for appropriate purposes.

***Finding:*** The site landscaping information provided in the submitted drawings and narrative indicate that approximately 10.8% of the site is to be landscaped, which exceeds the 10% requirement of the design standards. A variety of plants of various sizes, textures, and seasonal interest are indicated, none of which are invasive or noxious species. These species are predominantly native and/or drought tolerant plants. The landscaping strip along Otty Road shall be reduced, per 1009.06(C)(2), to allow for the provision of sidewalk and public improvements. Conditions of approval will ensure compliance with the required landscaping in terms of composition of materials, installation and maintenance of landscape, and irrigation. **With the conditions of approval in Section 2, the above findings and the applicant’s submitted drawings, the proposed development meets the standards. As conditioned, these standards are met.**

**8. Section 1010 – Signs**

The provisions of Section 1010 are intended to maintain a safe and pleasing environment for the people of Clackamas County by regulating the size, height, number, location, type, structure, design, lighting, and maintenance of signs.

***Finding:*** ZDO 1010.09(B) allows building on a site where there is not a freestanding sign to have one and one half square foot of building sign area per linear foot of primary building wall. Section 202 of the Clackamas County ZDO defines “primary building wall” as an “...exterior building wall which contains a public entrance to the occupant’s premises and faces either a street or a parking area.”

For the purposes of this development, the primary building wall of Building A is the frontage along Otty Road and the primary building wall of Building B is that which faces the interior parking/circulation area of the site. Building A’s primary building wall measures 154 feet in length, allowing for 231 square feet of sign area on that building. Building B’s primary building wall measures 156 feet in length allowing for 234 square feet of sign area on that building.

The applicant has submitted a sign package that does not comply with the county’s regulations in the following ways:

1. The projecting signs are considered to be ‘building’ signs. The ability to count only one face of the sign toward sign area is specifically related to pole signs, and thus both faces of the sign count as “sign area”.
2. Sign area may be reallocated between primary and secondary building walls within a building, but not between buildings.

**With the conditions of approval in Section 2, the above findings and the applicant's submitted drawings, the proposed development meets the standards. As conditioned, these standards are met.**

#### **9. Section 1015 – Parking and Loading**

Section 1015 is designed to ensure that developments in Clackamas County provide sufficient and properly designed parking for motor vehicles and bicycles as well as appropriate off-street loading areas.

**Finding:** ZDO Table 1015-1 requires 0.2 off-street parking spaces each 1,000 square feet of building area. The applicant is proposing development totaling approximately 90,000 square feet, and thus the development will be required to provide a minimum of 18 off street parking spaces. The applicant's site plan demonstrates that 14 parking spaces would be provided, on site. There is a provision allowing the 4 'on street' parking stalls provided along SE Fuller Road to count toward the total provided parking, bringing the total to 18. This satisfies the standard. ZDO Table 1015-2 does not have specific requirement for the number of bicycle parking spots required of hotel uses. ZDO Table 1015-2 requires the provision of 1 bicycle parking spot for each 10,000 square feet of building area. The design will be required to provide 9 bicycle parking spots. The applicant's submitted drawings indicates the provision of parking for up to 10 bicycles satisfying this standard.. Per ZDO Table 1015-3, three off-street loading zones are required for a commercial use of the size proposed. Three loading zones are indicated on the submitted site plans and narrative. The dimensions and locations of all proposed parking and loading areas comply with the standards of ZDO Section 1015. The standards are met.

#### **10. Section 1021 – Refuse and Recycling Standards For Commercial, Industrial, and Multi-Family Developments**

**Finding:** The trash and recycling area on site is proposed to be located internal to the structure, in the newly constructed building. Per the submitted narrative applicant intends to use one of the three 'exterior access units' near the loading dock area to store their refuse. Clackamas County Sustainability will review this arrangement against the standards of the ZDO and requirements of the local hauler and propose conditions of approval to ensure compliance with the standards of ZDO 1021. **Clackamas County Sustainability will provide recommended conditions of approval to ensure compliance with the standards of ZDO Subsection 1021. With their recommended conditions these standards can be met.**

#### **11. Section 1206 – Nonconforming Uses and Vested Rights**

*Subsection 1206.06 – Alterations and Changes* addresses requirements for the alteration of nonconforming structure or other physical improvements.

**Finding:** The existing warehouse building was developed prior to the county's current design regulations for this area. The design of the structure has not substantially changed since it was originally developed. The site is one lot of record and the non-conforming design

elements will not be expanded to an additional lot of record. All modifications to the non-conforming structure are explicitly designed to create greater accord between the new (conforming) structure and the existing non-conforming one and thus serve to reduce the extent of the non-conformity. The improvements to the non-conforming structure are, in and of themselves, working to reduce the adverse visual impact of the building on the surrounding area and will not create any new adverse conditions which would require further mitigation. The standards of ZDO 102.06 are met.

#### **SECTION 4 - SUMMARY OF FINDINGS AND STAFF RECOMMENATION**

The Planning and Zoning Staff finds that, as conditioned herein, the proposed development can meet the standards of the permitted uses in the Corridor Commercial district, applicable design review standards, and the standards for the alteration of a non-conforming use or structure

Based on the above analysis of the ordinance standards, staff recommends approval of this design review application for the proposed development, subject to the conditions indicated in Section 2.

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