



STAFF RECOMMENDATION

Approval, with Conditions

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

SECTION 1 – SUMMARY

DATE: November 20, 2019

CASE FILE NO.: Z0442-19-D

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

LOCATION: 37E04AA03800

ADDRESS: 70140 E US Highway 26

APPLICANT(S): Brad Krem of Embree Asset Group and Scott Franklin of PacLand

OWNER(S): Lowell and Barbara Smith

TOTAL AREA: Approximately 2.62 acres

ZONING: RTC (Rural Tourist Commercial, ZDO Section 513)

COMMUNITY PLANNING ORG: Mt. Hood Corridor – Inactive

PROPOSAL: Design review of a new building of approximately 7,500 square feet to be used for general goods retail, along with related site improvements. The proposal includes a new building, site access, circulation, parking, landscaping, and other redevelopment as required by the Clackamas County Zoning and Development Ordinance.

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, 513, 1002, 1005, 1006, 1007, 1009, 1010, 1015, 1021, 1102, 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 site is located on the southern side of US Highway 26 near its intersection with East Salmon River Road. Though currently undeveloped the site is located between properties previously developed with restaurant uses. These properties located east and west of the subject site carry the same RTC zoning as the subject property. The property directly to the south is Hoodland Park, which is owned and operated by Clackamas County and zoned Open Space Management (OSM). Across US Highway 26 to the north are properties which carry Recreational Residential (RR) zoning, one of the county's rural single-family zoning district. The property slopes to the north (toward US Highway 26) and is accessed from East Salmon River Road. This development is not proposed to be served by any direct access to US Highway 26. Other buildings, both commercial and residential, along this portion of the US 26 corridor have been developed across a broad range of time periods, though many carry some detailing that would suggest a mountain, rural, or western character context.

A pre-application conference was held on this project on August 7, 2019.

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 WES CCSD#1, Salmon Valley Water Company, Clackamas County's Building, Engineering, Sustainability, and Economic Development Divisions, and the Oregon Department of Transportation.

AGENCY COMMENT

Engineering Division Facts and Findings

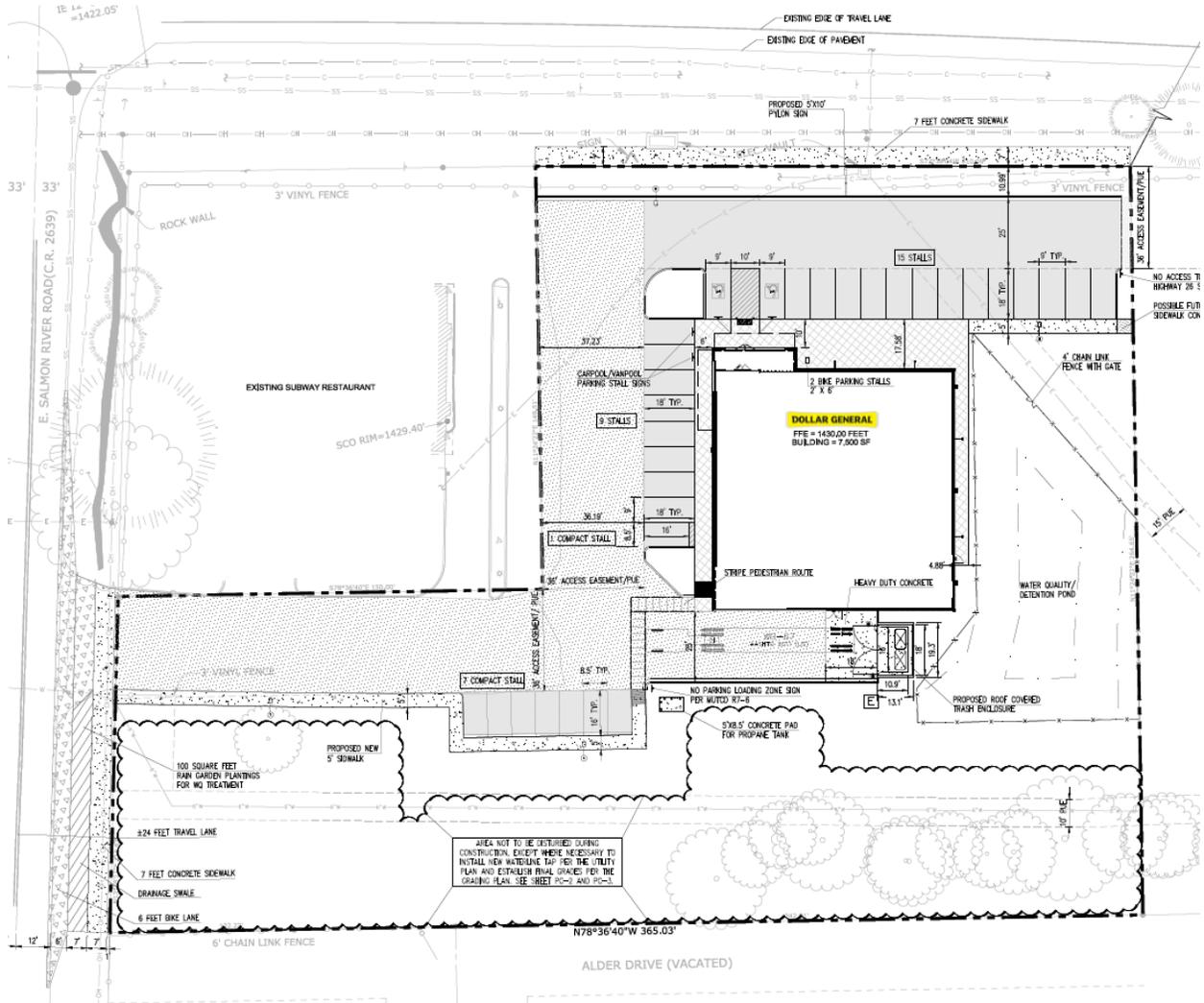
1. The applicant has proposed development of 7,500 square foot retail store, located on south side of State Highway 26 and the east side of E Salmon River Road. The proposed development is subject to the provisions of *Clackamas County Zoning and Development Ordinance (ZDO)* section 1007 pertaining to roads and connectivity, section 1015 pertaining to parking and loading, and roadway Standards Chapter 4 pertaining to surface water management. Additionally, the applicant is subject to other *ZDO* requirements, the *Clackamas County Comprehensive Plan* and *Clackamas County Roadway Standards*.
2. State Highway 26 is classified as a principal arterial roadway and is under the jurisdiction of the Oregon Department of Transportation (ODOT). E Salmon River Road is classified as a minor arterial roadway. Clackamas County has adopted roadway standards that pertain to the structural section, construction characteristics, minimum required right-of-way widths and access standards for arterial roads. The present right-of-way width of E Salmon River Road appears to be 60 feet, which is adequate.
3. Consistent with *ZDO* Section 1007, the applicant is required to improve the roadway frontage of the project site to current standards, including, but not necessarily limited to, up to a one-half street improvement, pavement widening, sidewalk and storm drainage facilities. Per Clackamas County Roadway Standards, Standard Drawing C140, a rural collector road requires a 36-foot wide paved driving surface. The applicant will be required to improve the frontage to provide a minimum 18-foot wide one half street improvement.

4. The project site is located within the Government Camp Rural Urban Villages, which is an unincorporated rural community, as designated in the Comprehensive Plan. ZDO Section 1007.06.E specifies that developments located on arterial roadways within unincorporated communities construct a sidewalk along the site frontage. The applicant will be required to construct a minimum 7-foot wide sidewalk along the E Salmon River Road site frontage and the Highway 26 site frontage. Based on the existing topography adjacent to Highway 26, the sidewalk will be located at the top of the slope along the back of the right-of-way. As noted by the applicant, the adopted Villages at Mount Hood Bikeway and Pedestrian Implementation Plan includes multi-use paths along portions of Highway 26 generally east and west of the project site. The adopted maps do not include a multi-use path along the frontage of the project site.
5. The applicant will be required to provide adequate on-site circulation for all vehicles anticipated to use the site. The proposed parking and maneuvering areas appear to provide adequate access. Vehicle parking spaces, loading space, and bicycle parking spaces will be required to meet minimum ZDO section 1015 and Roadway Standards dimensional requirements. Parking areas in the Mount Hood Urban Villages require a paved surface.
6. ZDO section 1007.09 requires that development is served by a transportation system that has adequate capacity to handle any increased vehicle trips generated by new development. Per ZDO Subsection 1007.09.C.6, development in the Government Camp Village is exempt from the concurrency requirements.

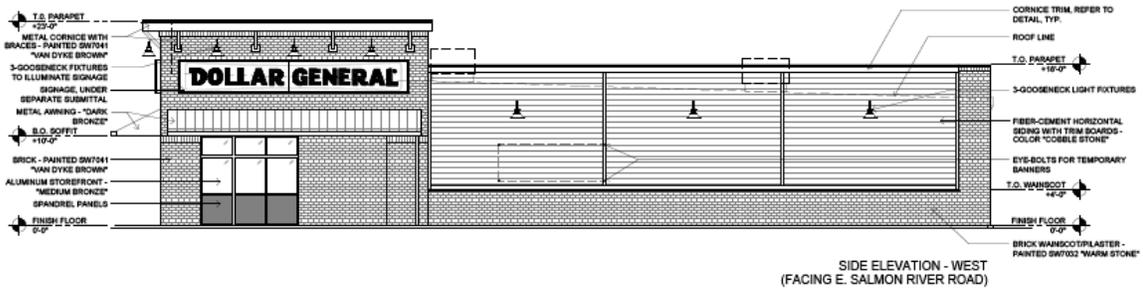
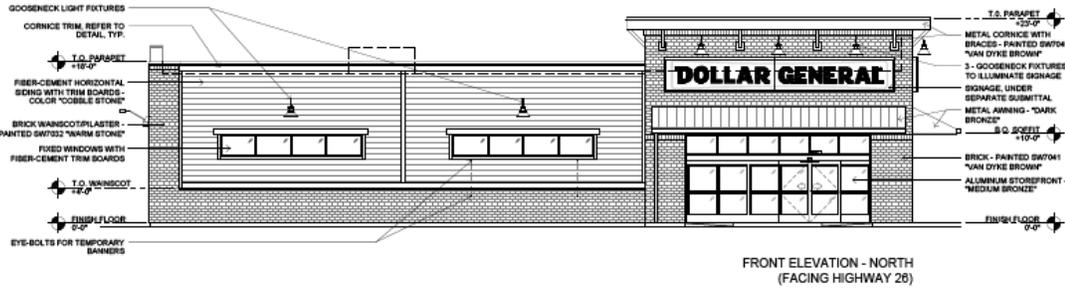
Site Aerial Image



Site Plan



Building Elevations

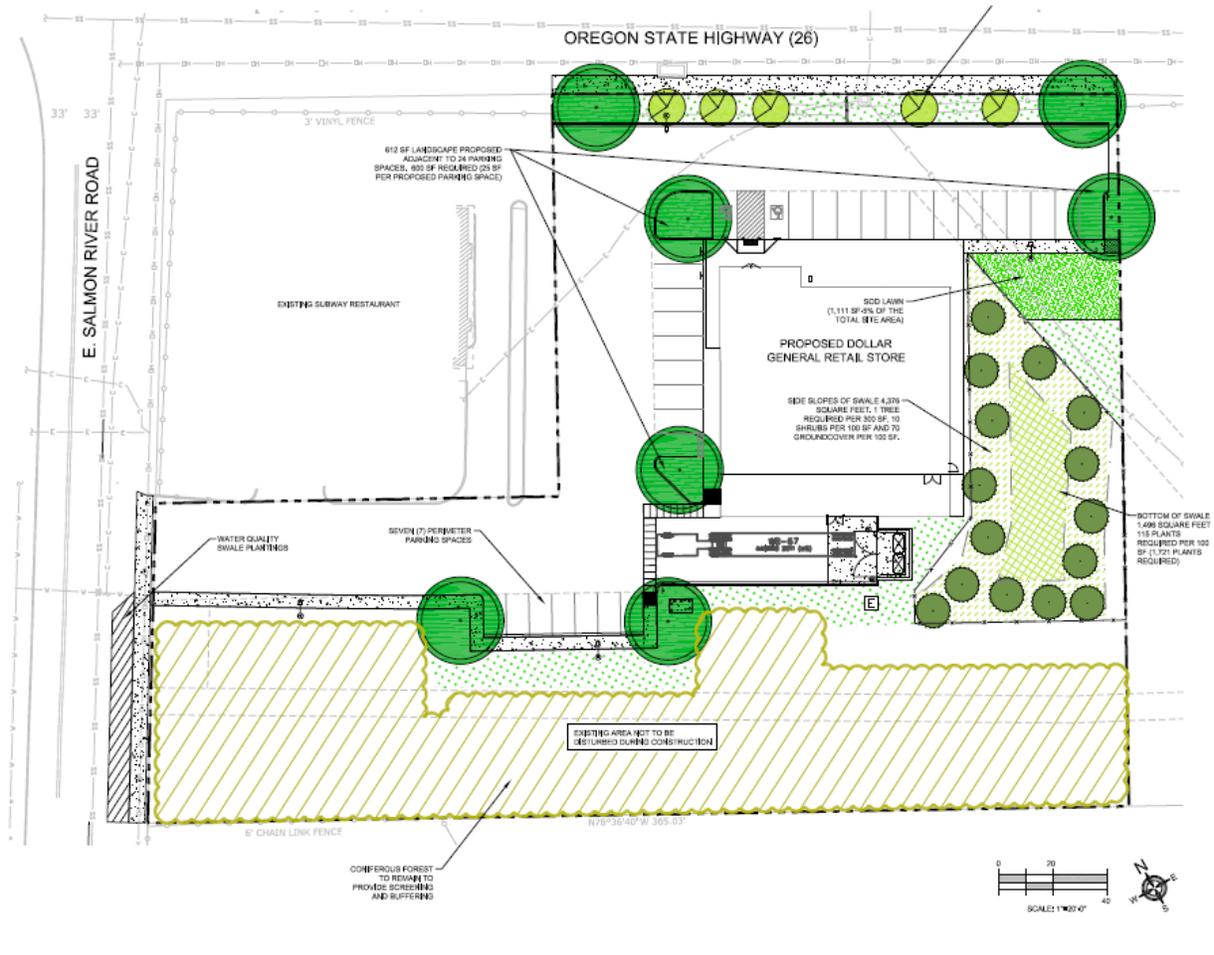


COLOR LEGEND

• NOTE COLORS SHOWN BELOW ARE COMPUTER GENERATED AND MAY VARY FROM ACTUAL COLORS.

- METAL CORNICE WITH BRACES, BRICK FACADE AT ENTRY, HOLLOW METAL DOORS/FRAMES (SW7041 - "VAN DYKE BROWN")
- BRICK WAINSCOT/PILASTERS (SW7032 - "WARM STONE")
- FIBER-CEMENT HORIZONTAL SIDING ("COBBLE STONE")
- FIBER-CEMENT TRIM BOARDS ("TIMBER BARK")
- METAL AWNING, GUTTER AND DOWNSPOUTS, GOOSENECK FIXTURES ("DARK BRONZE")
- ALUMINUM STOREFRONT ("MEDIUM BRONZE")
- DOWNSPOUTS/CONDUCTOR BOXES AT REAR ELEVATION ("LIGHTSTONE")

Landscape Plan



PLANT LEGEND				
SYM	BOTANICAL/COMMON NAME	SIZE	QTY	REMARKS
TREES				
	MALUS FLORIBUNDA PRANFIREHOBAPPLE	15 GAL	5	STANDARD
	FRAXINUS LAETIFOLIA OREGON ASH	15 GAL	7	STANDARD
SHRUBS				
	ACHILLEA MILLEFOLIUM COMMON YARROW	1 GAL	..	
	ABELIA GRANDIFLORA GLOSSY ABELIA	1 GAL	..	
	JUNIPERUS CHINENSIS ARMSTRONGS JUNIPER	5 GAL	..	
	MARSHALLIA AQUIFOLIUM OREGON GRAPE	3 GAL	..	
	RIBES AUREUM GOLDEN CURRANT	1 GAL	..	
	SPIRAEA BETULIFOLIA BIRCHLEAF SPIREA	1 GAL	..	
SWALE PLANTINGS				
	BOTTOM OF SWALE (WET ZONE) CAREX OBLIQUA SLOUGH SEDGE (1,721, 1/2 GALLON)			
	SIDE SLOPES OF SWALE (TRANSITION ZONE) 15 TREES, 436 SHRUBS (MUEHLENBERGIA RIENS) AND 3,503 GROUNDCOVERS (ACHILLEA MILLEFOLIUM)			
TREES				
	NYSSA SILVATICA TUPELO	2 GAL	15	STANDARD

SECTION 2 – RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions:

1. Approval of this land use permit is based on the submitted revised written narrative and plan(s) filed with the County on October 7, 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.
2. 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.
3. 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 . 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.
4. 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.
5. 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.
6. 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.

B. Planning and Zoning Conditions:

1. 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).

2. 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).
3. 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.
4. Any future signage on the site will need to meet the standards of ZDO Section 1010, including the specialized standards of ZDO 1010.09(G), which relate to signs in the RTC district.

C. Building Code Division Conditions:

1. 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.
2. All applicable development permits (grading and erosion control, etc.) shall be obtained prior to any construction.

D. Clackamas County Engineering Conditions

1. All on-site improvements shall be in compliance with *Clackamas County Roadway Standards*. Frontage improvements in, or adjacent to State of Oregon right-of-way, shall be in compliance with Oregon Department of Transportation standards.
2. The applicant shall obtain a Development Permit from Clackamas County Department of Transportation and Development prior to the initiation of any construction activities associated with the project.
3. Written approval shall be obtained from ODOT, in the form of a permit, for all work in the Highway 26 right-of-way.
4. The applicant shall design and construct the following improvements along the entire site frontage of Highway 26. These improvements shall consist of the following:
 - a. The applicant shall design and construct a 7' wide concrete sidewalk along the Highway 26 frontage. The sidewalk can be located at the top of the slope at the edge of the ODOT right-of-way. The sidewalk/path shall be coordinated with Clackamas County DTD and ODOT.
 - b. Drainage facilities in conformance with ODOT standards.
5. The applicant shall design and construct the following improvements along the entire site frontage of E Salmon River Road. These improvements shall consist of:
 - a. Up to an 18-foot' wide one half street improvement from centerline of right-of-way. The structural section shall be per Standard Drawing C100 for an arterial road.
 - b. A curb is not necessary unless needed to control storm drainage.
 - c. A 7-foot wide concrete sidewalk along the entire site frontage, including the driveway.
 - d. A minimum 5-foot wide landscape strip or swale shall be located between the sidewalk and edge of pavement. If the swale is a water quality facility, a maintenance agreement will be

- required with the property owner/applicant to provide ongoing monitoring and maintenance of the facility.
- e. A minimum 28-foot wide asphalt driveway approach, per Standard Drawing D500.
 - f. Off-site roadway tapers shall be provided per Section 250.6.4 of the Roadway Standards.
 - g. Drainage facilities in conformance with Water Environment Services Standards and Clackamas County Roadway Standards Chapter 4.
6. The applicant shall design and construct on-site parking and maneuvering areas as follows:
- a. Adequate on site circulation shall be provided for the parking and maneuvering of all vehicles anticipated to use the site.
 - b. Parking spaces shall meet minimum dimensional requirements of *ZDO* Section 1015 and Roadway Standards, Standard Drawing P100. The plans shall list the number of parking spaces required and the number of parking spaces provided. The applicant shall label all compact, carpool, disabled, and loading berth spaces on the plans.
 - c. The paths traced by the extremities of trucks and emergency vehicles shall be demonstrated.
 - d. All curbs shall typically be type "C", or curb and gutter if curb line slope is less than one percent, if they carry, direct or channel surface water. Alternative curbs will be considered when it is determined by the Clackamas County Department of Transportation and Development that type "C" curbs or curb and gutter are not appropriate. Extruded curbs for carrying, directing or channeling surface water, or used as a vehicle wheel stop, shall not be allowed.
 - e. A pavement marking and signage plan shall be provided. All traffic control devices on private property, located where private driveways intersect County facilities shall be installed and maintained by the applicant, and shall meet standards set forth in the *Manual on Uniform Traffic Control Devices* and relevant Oregon supplements.
 - f. Drainage facilities shall be provided, as required, in conformance Water Environment Services Standards Clackamas County Roadway Standards Chapter 4.
7. Prior to certificate of occupancy, the applicant shall provide an Engineer's cost estimate to Clackamas County Engineering for any unfinished improvements required by conditions of approval. The estimate shall be submitted for review and approval of quantities of asphalt concrete, aggregates, curbs, sidewalks and any other required improvements and associated construction costs.
8. Prior to the issuance of a building permit, the applicant shall submit to Clackamas County Engineering Office:
- a. Written approval from Hoodland Fire District for the planned access, circulation and water source supply.
 - b. Written approval from Salmon Valley Water District for adequate water supply to service the development.
 - c. Written approval from ODOT, in the form of a permit, for all work in Highway 26 right-of-way.
 - d. Written approval from Water Environment Services for surface water management facilities, surface water detention facilities, and erosion control measures.

- e. A set of street and site improvement construction plans, including a striping and signing plan, for review, in conformance with *Clackamas County Roadway Standards* Section 140, to Clackamas County's Engineering Office and obtain written approval, in the form of a Development Permit.

E. Clackamas County Sustainability Conditions:

1. Prior to issuance of building permits, the applicant shall submit plans that bring the current enclosure up to the standards described in ZDO 1021.05. The applicants shall continue to work Clackamas County's Sustainability & Solid Waste Staff, Emily Murkland, to finalize plans that comply with with ZDO 1009.04 and 1021.

F. Water Environment Services Conditions:

The following General Conditions shall apply:

1. The proposed development is located within the service area of Water Environment Services (WES) and shall be subject to WES Rules and Regulations, and Standards ("WES RR&S"), in accordance with the following adopted ordinances:
 - a. Water Environment Services Rules and Regulations, July 2018, Ordinance No. 03-2018
 - b. Sanitary Sewer Standards, Clackamas County Service District No. 1, July 1, 2013.
 - c. Stormwater Standards, Clackamas County Service District No. 1, July 1, 2013.
2. The applicant shall procure the necessary plan approvals, and permits in accordance with WES RR&S for sanitary sewer services and surface water management, including erosion control requirements.
3. Prior to plan approval, all submittals shall be reviewed for compliance with WES RR&S and Conditions of Approval. All sanitary and stormwater management plans and reports, which are submitted for review and approval, shall be stamped and signed by a civil engineer licensed by the State of Oregon. The project construction, specifications, and testing must be completed under the direction of the project engineer.
4. The applicant shall include the following materials with their plan review submittal to WES:
 - a. Two (2) sets of complete civil construction plans for all sanitary and stormwater improvements.
 - b. Two (2) copies of the final storm report
 - c. Two (2) copies of the geotechnical report, including infiltration testing.
 - d. One (1) Non-residential Questionnaire (available on WES website)
 - e. \$800 minimum sanitary and stormwater management plan review fees
 - f. EPSC permit application (available on WES website) and \$540 erosion control permit fee
5. Upon completion of project construction, the project engineer shall submit a certificate of completion to WES. The sanitary and storm systems shall be complete in all respects, in accordance with the approved plans, prior to Certificate of Occupancy approval by WES, or a performance bond shall be provided by the applicant to guarantee the construction of the infrastructure. WES shall inspect and approve the construction of the sanitary and storm systems in accordance with the approved plans.
6. Any requests to modify current WES Design Standards shall be made in accordance with Sanitary Standards, Section 1.7 or Stormwater Standards, Section 1.6. The applicant shall provide all necessary information to evaluate the request, as determined by WES.
7. The proposed development shall be subject to applicable fees and charges, in accordance with WES RR&S. All fees and charges shall be paid prior to issuance of building permits, and are

subject to change without notice to the applicant. All costs associated with the design, construction and testing of the sanitary sewer and storm system shall be provided by and at the sole expense of the applicant.

For Sanitary Sewer, the following conditions shall apply:

8. All building(s) with sewer drains within the boundaries of the proposed development shall be connected to the Public Sanitary Sewers System (Sanitary Standards, Section 3.2). Prior to occupancy, a gravity sanitary sewer service connection shall be provided to the development. Plan review fees shall apply.
9. The applicant shall verify the location of any existing sanitary sewer service connections. Existing connections shall be used if available. Any new tap to the public mainline shall require a sewer tap-in fee.
 - a. Note: Sanitary asbuilt drawings indicate a service connection is located on the northerly edge of the property 254' from the downstream manhole, however it appears that the connection serves adjacent taxlot 02900 (Subway restaurant, File# 08677). See Partition Plat No. 2006-040 for private utility easements that may apply on T/L 03800, including sanitary sewer laterals.
10. The applicant shall verify ODOT approval for any work in the Highway 26 right-of-way, including for any sanitary sewer connections.
11. The sanitary sewer service connection lateral shall be constructed with a clean out at the front edge of the Public Utility Easement (PUE)/Right-Of-Way, or the property line.
12. With the first plan submittal, the applicant shall include a WES Non-Residential Questionnaire (NRQ) with an estimate of the development's discharge load and volume to the public sanitary sewer system.

For Surface Water, the following conditions shall apply:

13. **Surface Water Management Plan:** All development that creates or modifies 5,000 square feet or more of impervious surface area shall be subject to WES RR&S. A Surface Water Management Plan and Storm Report (SWM Plan), Geotechnical Report and downstream conveyance report shall demonstrate how the development will conform to WES RR&S. The plans and reports shall be prepared by a licensed engineer and submitted to WES for review and approval.
14. The SWM Plan shall provide a design to mitigate the stormwater runoff from all proposed onsite permeable and impervious surface areas, all water entering the property from off-site, and any road frontage improvements.
15. The SWM Plan shall conform to the following general stormwater standards, as well as all other applicable stormwater requirements in accordance with WES RR&S:
 - a. **Water Quality Standard** - Water quality facilities shall be designed to capture and treat the first 1-inch of stormwater runoff from a 24-hour storm event using either vegetation (Appendix H) or a Basic Treatment proprietary device (Appendix F).
 - b. **Infiltration Standard** - The first ½ inch of runoff in a 24-hour period must be captured and retained onsite through an approved infiltration system.
 - c. **Detention/Flow Control Standard** – On-site detention facilities shall be designed to reduce the 2-year post-developed runoff rate to ½ of the 2-year pre-developed discharge rate.

16. Any offsite stormwater entering the site shall be placed in a bypass pipe or mitigated onsite.
17. The conveyance system shall be sized for a minimum 25-year design storm.
18. The SWM Plan shall demonstrate the development has an acceptable downstream point of discharge to safely convey stormwater runoff from the entire boundary of the development. The applicant shall verify ODOT approval of discharge into the Highway 26 right-of-way.
19. Grading plans shall clearly identify an overflow pathway system by which the storm/surface water within the development will be controlled without causing damage or harm to the natural environment, or to property or persons in the event of any stormwater facility failure or bypass (Section 1.2)
20. A geotechnical report prepared by a qualified professional shall be included with the SWM Plan. The report shall verify the feasibility of all proposed infiltration systems and provide infiltration test results that correspond to the location and depth of the infiltration facilities, in accordance with Appendix E.
21. Infiltration facilities shall provide a 3-foot minimum vertical separation from the maximum seasonal groundwater elevation to the bottom elevation of the infiltration facility. (Appendix H)
22. A Downstream Conveyance Analysis shall be included in the SWM Plan. The analysis must extend a minimum of 1500' or to the point where the development contributes less than 15% of the upstream drainage area, whichever is greater. This requirement may be waived contingent upon ODOT approval of discharge into the Highway 26 right-of-way.
23. If infiltration is not feasible the design engineer shall submit a modification request in accordance with Stormwater Standards Section 1.6 with an equivalent alternative design which can accomplish the same design intent as provided in these standards. A geotech report shall be included with the request. Retention options in lieu of the infiltration standard include:
 - a. BMP Tool: WES, in cooperation with other local jurisdictions, has developed a BMP Sizing Tool. The tool sizes facilities so that post-development peak flow durations will match the pre-development peak flow durations ranging from 42% of the 2-year to the 10-year flows, as determined by HSPF continuous rainfall model simulation.
 - b. Engineer's Model: The project engineer can develop and submit a continuous rainfall runoff model simulation, so that post-development peak flow durations will match the pre-development peak flow durations ranging from 42% of the 2-year to the 10-year flows as determined by the continuous model simulation.
 - c. Flow Control and Retention Standard: Meet the Detention/Flow Control Standard and retain the first ½" of runoff in a 24-hour period onsite within an approved facility, as determined by WES. The storage of the infiltration/retention volume within a vegetative facility shall not exceed 6-inches in height above the vegetation.
24. Any reconstruction of existing impervious surface area down to the base course, or that significantly alters the flow or destination of stormwater runoff, shall be considered modified impervious area and included in the impervious area determination and SWM Plan.
25. The property owners shall be responsible to perpetually inspect and maintain all stormwater management systems, in accordance with WES Rules, Section 12.10. A WES 'Private Storm Drainage Facilities Maintenance Plan' (available on website) shall be submitted to WES prior to final plan approval.

For Erosion Control, the following shall apply:

26. All construction sites, regardless of size, shall implement proper erosion prevention and sediment control measures. Erosion control site plans will be required for all development activities that accelerate erosion, including construction, grading, filling, excavating, and clearing.
27. Any development activity that results in over 800 sq ft of soil disturbance shall obtain a WES Erosion Prevention and Sediment Control (EPSC) Permit before the start of any grading or construction activities. The applicant shall submit an EPSC Permit application and erosion control site plans, and pay applicable permit fees (\$460 + \$80/acre over 1 acre).
28. For those sites that are 1 acre to less than 5 acres of disturbance, an Oregon Department of Environmental Quality 1200-CN Construction Stormwater (Erosion Control) Permit will be issued by WES along with the WES EPSC permit.

For Water Quality Vegetated Buffers, the following shall apply:

29. All new development shall meet WES Rules to preserve and maintain an undisturbed vegetated buffer to protect all water quality resource areas. The applicant shall coordinate with County Planning Division for any buffer requirements.

The following WES Fees and Charges shall apply:

30. Sanitary Sewer Plan Review fees shall apply. **\$400.00** shall be due with the first plan submittal.
31. Surface Water Plan Review fees shall apply. The total fee is equal to 4% of the construction cost for all stormwater management related facilities. A **\$400.00 minimum** shall be due with the first plan submittal.
32. An Erosion Prevention and Sediment Control (EPSC) permit fee shall apply. A **\$540.00** permit fee shall be due with the first plan submittal.
33. Sanitary System Development Charges (SDC's) shall be assessed with the future building permits, in accordance with the prevailing rates in effect on the date when the building permit application is submitted.
 - a. The current sanitary SDC rate is \$7,850.00 per EDU. This rate is typically adjusted annually on July 1.
 - b. Assignment of Equivalent Dwelling Units is in accordance with WES RR&S Table VII, Class 30.
 - c. Preliminary SDC Estimate: 3.95 EDU's * \$7,850.00 = **\$31,007.50**.

G. Hoodland Fire District #74:

1. At the time of this staff recommendation comments/conditions had not been received from Hoodland Fire District #74. The applicant shall work in coordination with Hoodland Fire District #74 to ensure that all life safety requirements are met.

SECTION 3 – DESIGN REVIEW FINDINGS

This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Section(s) 1102, 513, 1002, 1005, 1006, 1007, 1009, 1010, 1015, 1021, 1102, 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 Rural Tourist Commercial 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 October 15, 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 513 – Rural Tourist Commercial (RTC) district

Subsection 513.03 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 Rural Tourist Commercial district. The applicant’s submitted materials indicate that the proposed use for this site is “Retail” which is listed in Table 513-1 as a permitted primary use in the Rural Tourist 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 RTC district. These standards are met.

	Ordinance Standard	Demonstrated Dimension	Complies With Standard
Minimum Lot Size	None	~6 acres	Complies
Minimum Front Yard Setback	25 feet	15 feet	Complies
Minimum Rear Yard Setback	10 feet	15 feet	Complies
Minimum Side Yard Setback	10 feet	15 feet	Complies
Maximum Building Floor Space per Commercial Use in	4,000 square feet	7,500 square feet	Footnote 7 makes an exception for uses intended to serve the community and

<p>Unincorporated Community</p>			<p>surrounding rural area. Applicant has provided information substantiating this. Complies, per Footnote 7.</p>
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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 existing mature landscaping along the southern edge of the property is retained and maintained in the site design. There are no additional areas of mature vegetation on the site. The site design is such that any areas with significant slopes are slated to be retained without new development. The site is not subject to any additional zoning overlays. The site is within the Deer and Winter Elk Range area as indicated on Comprehensive Plan Map III-2. As it exists today, the site is predominantly a gravel lot surrounded by other commercial development, it is not anticipated to materially impact wildlife or habitat. 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 proposal is for the new construction of a general goods store along with new circulation, landscaping, and other site elements. The site design shows a 5 foot wide concrete walkway connecting the site to East Salmon River Road. The site is not located within the Portland Metropolitan Urban Growth Boundary, so many of the site design standards do not apply. The onsite circulation system, which is illuminated and constructed of hard-surfaced and well drained materials is existing and makes adequate connections between the existing building and the public way. The standards of Section 1005.03, 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 building is designed with articulation of the façade and architectural emphasis. Human scale and proportion is used in the placement of windows, and the size of the brick finish used on the knee wall and at the building corners. The entrance has a projecting awning to shield customers at entry. The flat roof of the structure is surrounded by a cornice and architectural treatment which provides visual interest. The design uses colors that are neutral and appropriate to the rural context and building forms which are suggestive of the arts-and-crafts style common to the area and Cascadian architecture. The design of the building is consistent with its proposed use and level of public exposure. The façade materials are consistent with the commercial identity of the rural mountain communities, are durable, and consistent with the proposed use of the building. Per the above findings and the applicant’s submitted drawings, the proposed building complies with the relevant standards of section 1005.04. 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 appropriately scaled lighting which both enhances building appeal and provides pedestrian and vehicular safety. 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 applicant must provide four “Additional Requirements”.

1. The design uses deciduous trees to provide summer shade and allow winter sun, per 1005.06(B)(5).
2. The design uses the topography of the site to protect against wind and other hostile winter elements, per 1005.06(B)(7).
3. The design includes landscaping totaling 45.3%, significantly over 16.5% needed to satisfy the additional requirement of 1005.06(G).
4. The design proposes to construct a pedestrian pathway along its US Highway 26 frontage that will enhance pedestrian connectivity between the development and surrounding area, per 1005.06(N).

This standard is 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 Environment Services and Salmon Valley Water. Per the above findings and the applicant’s submitted materials, the proposed development 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. **With the conditions recommended by Clackamas County Engineering in Section 2 and the applicant's submitted drawings, the proposed development meets the standards. As conditioned, these standards are 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. The nearest transit route/stop is located on East Salmon River Road. The proposed development will not have an impact on that service. The standard is met.

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 not within the Portland Urban Growth Boundary. These standards do not apply.

Subsection 1007.07 – Transportation Facilities Concurrency

Finding: Clackamas County's engineering division and the Oregon Department of Transportation have 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. **The conditions recommended by Clackamas County Engineering and Oregon Department of Transportation in Section 2 and the applicant's submitted drawings, the proposed development meets the standards. As conditioned, these standards are 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 proposed site design increases the landscaped area while retaining the existing natural and mature landscape along the southern boundary of the site. The site will exceed the 15% 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, appropriate to a commercial context and the local habitat/conditions. Conditions of approval will ensure compliance with the required landscaping in terms of composition of materials, installation and maintenance of landscape, and irrigation. US 26 is identified as a Scenic Road in Comprehensive Plan Map V-1, however the setback requirements described in 1009.05, do not apply to development within the RTC zone. **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: The signage for this site will be proposed under a separate permit but will need to meet the requirements of ZDO 1010, including the specialized standards of ZDO 1010.09(G), which relate to signs in the RTC district. **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 4.1 off-street parking spaces for each 1,000 square feet of gross leasable area. The proposal will create 7,500 square feet of store space, which will require 31 parking stalls. The site design provides 31 spaces, meeting the standard. Table 1015-2 provides requirements for bicycle parking totaling 1 parking spot for the site. The design provides 2 spots. Per ZDO Table 1015-3, 1 off-street loading zones are required for a development of this size and use. 1 is provided for the site. The dimensions and locations of all proposed parking 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 applicant has indicated that they will construct a refuse & recycling enclosure in the south-east corner of the property. The exterior dimensions of the enclosure measure 19’-4” by 13’-1”. The enclosure is to be constructed of concrete block, measuring 5’-4” tall, with a roof deck above of 9’-4”. The maneuverability to and around the enclosure has been demonstrated using a BUS-40 auto turn exhibit. **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.**

SECTION 4 - SUMMARY OF FINDINGS AND RECCOMENDATION

The Planning and Zoning Staff finds that, as conditioned herein, the proposed building and site design meets the standards of the permitted uses in the General Commercial district and applicable design review standards.

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

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