Planning and Zoning
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STAFF RECCOMENDATION
Approval, with Conditions

This document represents the Planning and Zoning Staff recommended decision, findings and 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 Recommendation.

SECTION 1 – SUMMARY

DATE: December 18, 2018

CASE FILE NO.: Z0505-18-D

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

LOCATION: 22E09AC 02901

ADDRESS: No Address Currently Assigned

APPLICANT(S): Jennifer Kimura, of VLMK, 3933 SW Kelley Ave, Portland, Oregon

OWNER(S): Clackamas County Development Agency, 150 Beavercreek Rd, Oregon City, Oregon

TOTAL AREA: Approximately 1.46 acres

ZONING: LI (Light Industrial, ZDO Section 602)

CITIZENS PLANNING ORGANIZATION: Clackamas - Inactive

PROPOSAL: Design review of proposed development of approximately 1.46 acres of land in the Clackamas Industrial Area. The site is currently vacant. Applicant is proposing to construct a tilt-up concrete building of approximately 25,000 square feet to be used as a warehouse with accessory office space. Additional site improvements are to include grading, improved access from Minuteman Way, new defined site circulation, parking trucks and private vehicles, landscaping, and security fencing.

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, 602, 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.or parties has been filed.

BACKGROUND:

The subject parcel is located to the southeast of the intersection of SE Tolbert St. and SE Minuteman Way, in the area of industrial development along the western edge of the Camp Withycombe complex. This places it at the northeast landing of and along side the Tolbert St. viaduct. The site measures 1.46 acres, and has previously been developed and used as a parking lot with some small industrial accessory buildings. The site is not impacted by any significant environmental overlays or hydrologic features that would create development concern.

The proposed project area of is currently used primarily as parking and houses some small storage and other accessory buildings. There is a small area of existing vegetation along the western edge of the site which is shared with the right-of-way controlled by the railroad. In this area there is a mixture of underbrush, scrub/volunteer trees, this border of the site. At the southwest corner of the site there is a secondary access point which passes under the viaduct, connecting to property the owner controls across Tolbert.

The development site is set within the area of commercial and industrial development along SE 82nd Between Highway 212 and its northern terminus at I-205. Though predominantly commercial and industrial in character there are s significant mix of land uses in this area, including areas of both single-family and multi-family residential. Because of this significant mix of uses, disparate periods of development, and the lack of specific design guidance provided in the past, there is not much that could be said to be an identifying architectural character of the area. Many of the buildings of this type in the area share what could be considered fairly basic utilitarian or industrial architectural characteristics.

A pre-application conference was held on this project on March 14, 2018.

Clackamas County's GIS mapping system indicates that, the subject property is not subject to any additional flood protection, nor preservation or conservation-related overlay zoning.

NOTICE

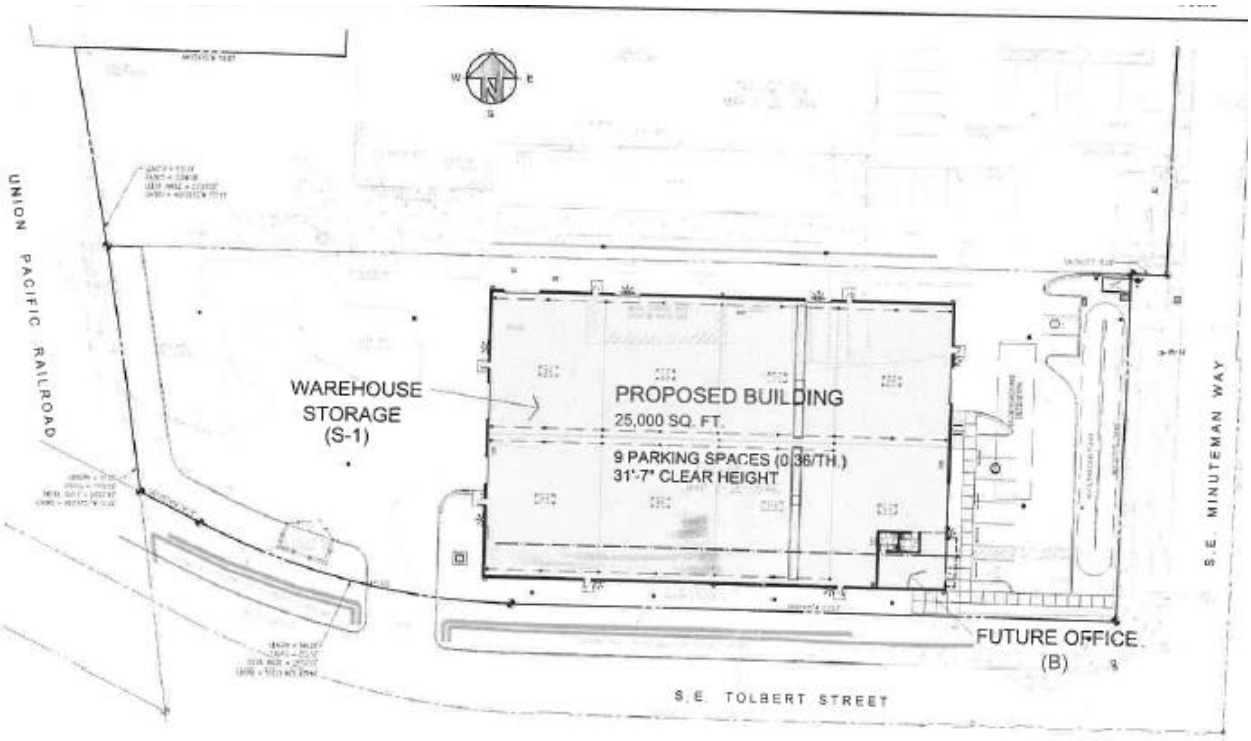
Notice was sent to property owners within 300 feet of the subject tract property lines, as well as community planning organizations, county departments, and other agencies that serve the area.

PUBLIC COMMENT

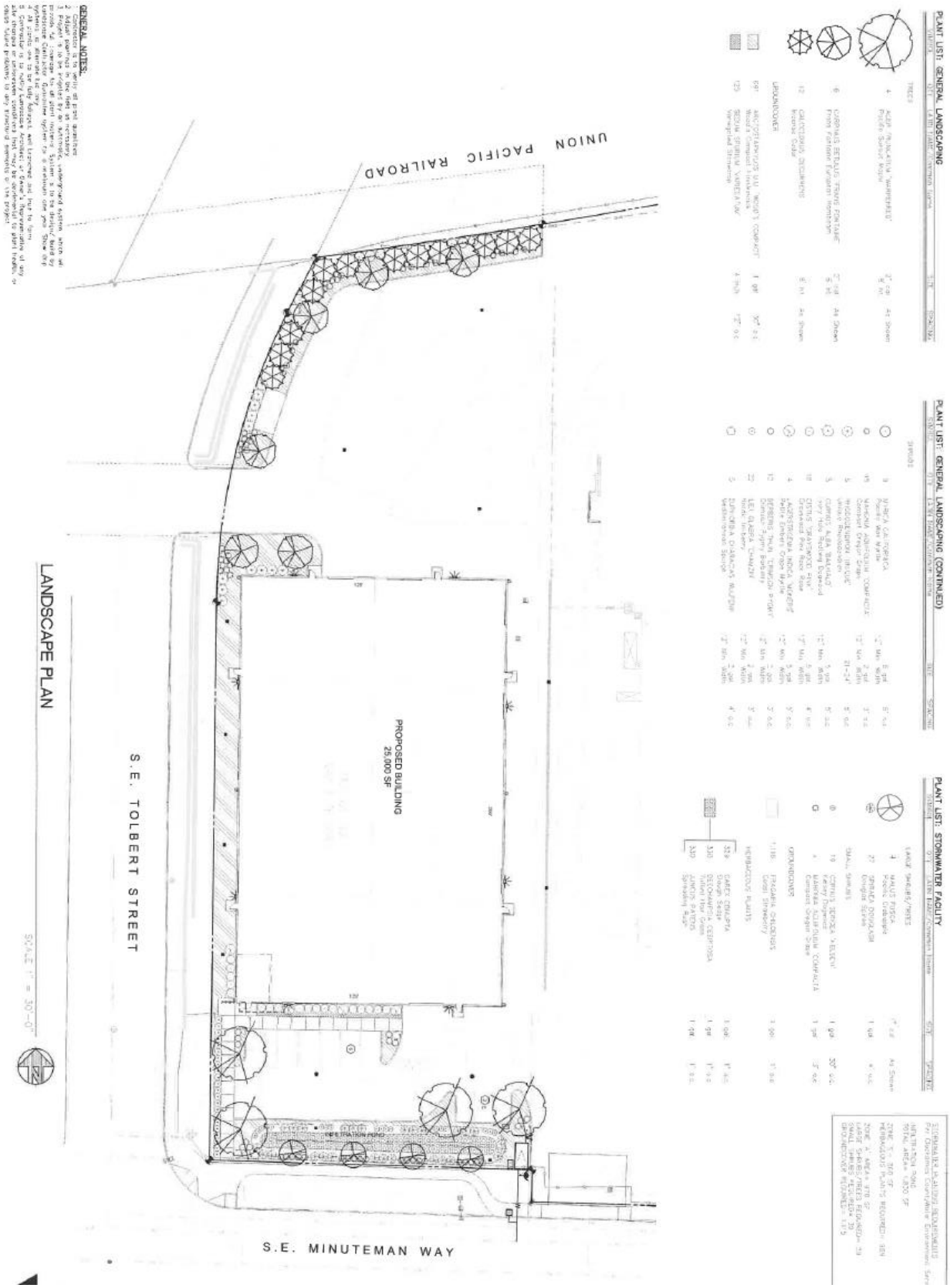
Staff did receive several expressions of interest from surrounding property owners but they none expressed concern over the proposed project or provided comment related to any ordinance standard.

Site Aerial Image

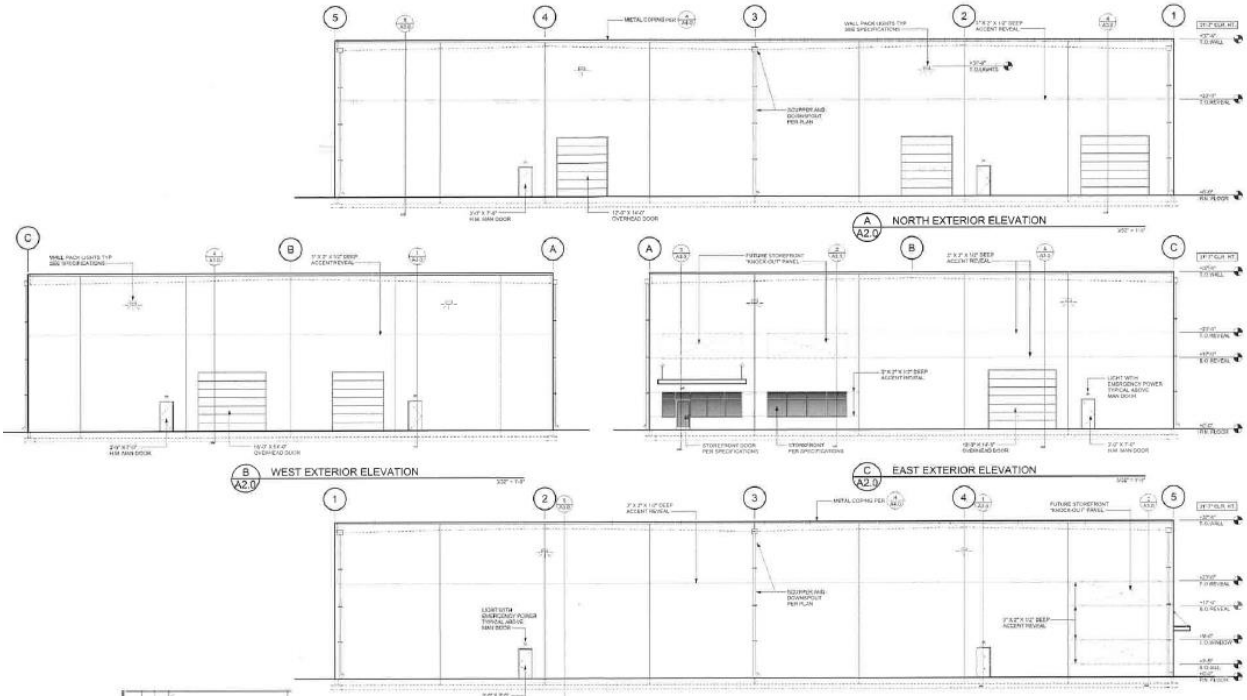
Site Plan


UNION PACIFIC RAILROAD
WAREHOUSE
STORAGE
(S-1)
PROPOSED BUILDING
25,000 SQ. FT.
9 PARKING SPACES (0.36/TH.)
31'-7" CLEAR HEIGHT
FUTURE OFFICE
(B)
S.E. TOLBERT STREET
S.E. MINUTEMAN WAY

Landscape Plan

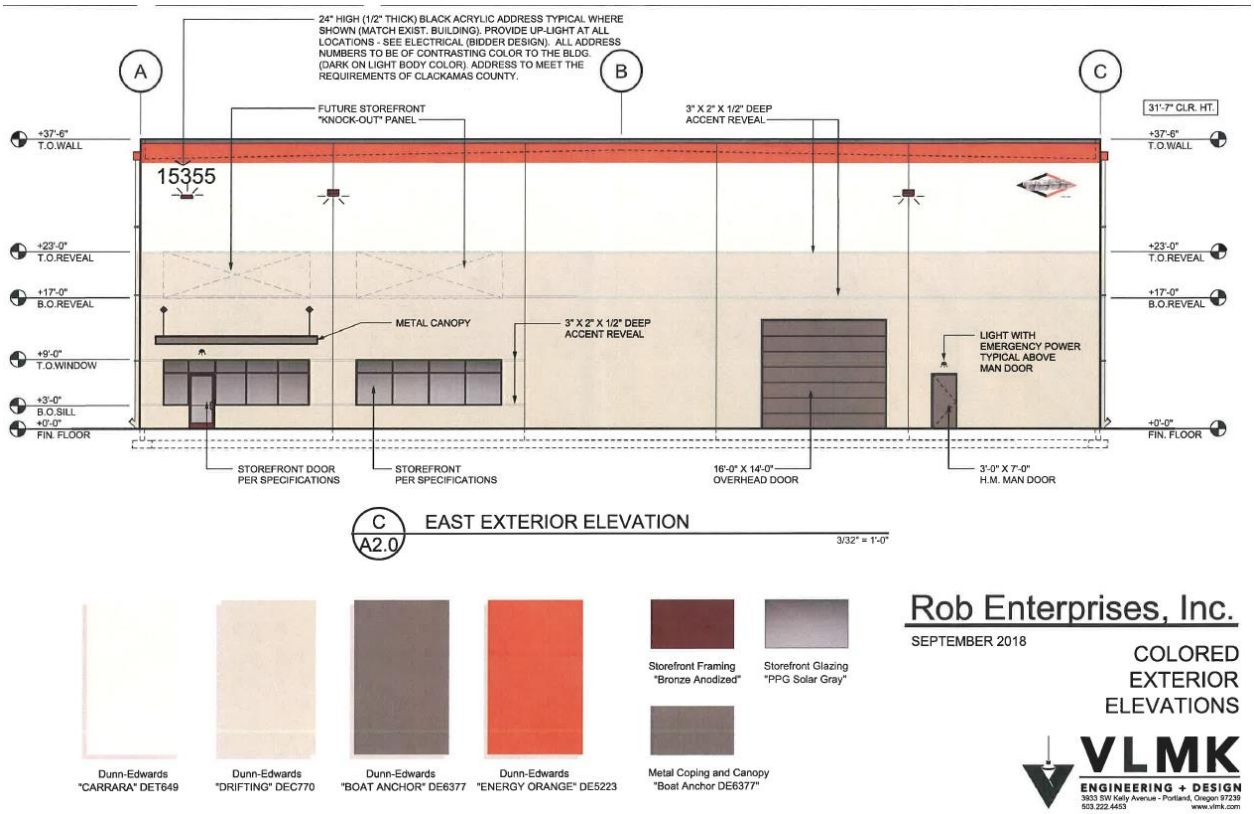


Building Elevations



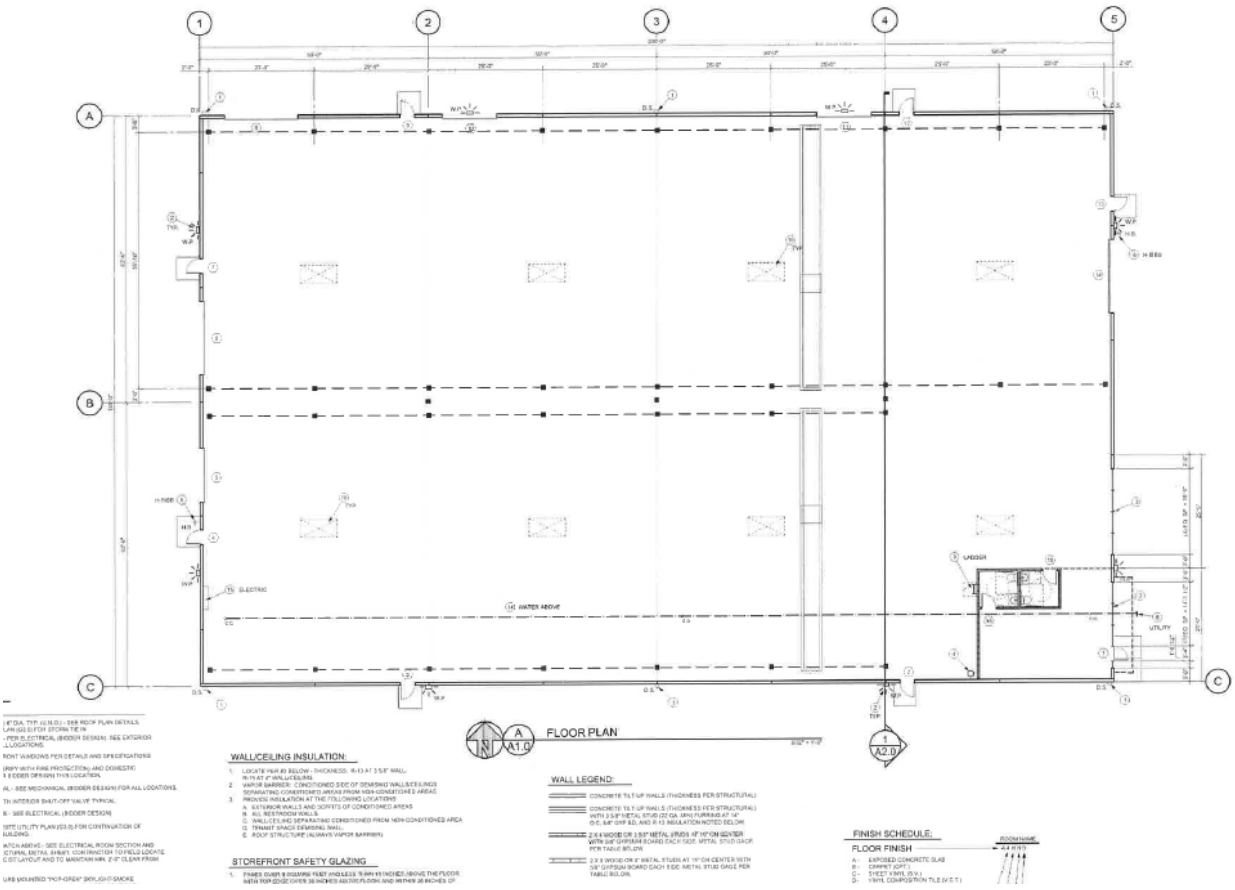
Proposed Facade Materials

The primary wall planes of the proposed building will be painted tilt-up contrete panels painted in neurral tones to create horizontal subdivsion of the facades. At the top, the cornice of the building will be painted a vivid contrasting to increase visual appeal and interest. On the whole, the design of the building is consistent with other manufacturaing and light industrial developments in the area.



Primary entrances will be have storefront entry systems with a projecting canopy to provide shade and respite to visitors to the site. The building's windows will also be framed in a contrasting color to add with variations in façade materials and color.

Floor Plan


FLOOR PLAN
WALL/CEILING INSULATION:
WALL LEGEND:
FINISH SCHEDULE:
FLOOR FINISH
STOREFRONT SAFETY GLAZING

SECTION 2 – RECCOMENDED CONDITIONS OF APPROVAL

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

1) General Conditions:

1) Recommendation for conditioned approval of this land use permit is based on the submitted written narrative and plan(s) filed with the County on October 11, 2018. 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 this 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 Deana Mulder, (503) 742-4710 or at deanam@co.clackamas.or.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@clcackamas.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. 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.

2) <u>Planning and Zoning Conditions:</u>

1) Development of the subject property is subject to the provisions of ZDO Sections 1102, 602, 1002, 1005, 1006, 1007, 1009, 1010, 1015, 1021, 1102, and 1307 as adopted by the Board of County Commissioners. Pursuant to subsections. 1001.03 of the ZDO, including, but not limited to, the County Roadway Standards, County Excavation and Grading Ordinance, and Oregon Structural Specialty Code, etc.

2) Prior to Building Permit, the developer shall revise the design of the front facing (Minuteman Way) façade to create more visual interest, per 1005.04(A)(3).

3) Prior to Building Permit, the developer shall revise the submitted site plan to indicate the location and function of the two off-street loading berths required, per 1015

4) Prior to Occupancy, the developer shall annex the site into the Clackamas County Service District #5 so as to contribute towards the cost of street lighting, per 1006.02(B).

5) Prior to Occupancy, the developer shall supply written guaranty on the landscape materials for a period of one year from the date of installation. A copy of the guarantee shall be furnished to the County by the developer.

6) Prior to Occupancy, the developer also shall submit a signed maintenance contract, or provide a financial guarantee pursuant to Section 1311, Completion of Improvements, Sureties, and Maintenance, covering the landscape maintenance costs during the guarantee period.

7) Prior to Occupancy, the developer shall supply Clackamas County planning with set of landscape drawings at a scale such that staff can determine compliance with the approved landscape design.

8) Over the life of the site, all outdoor operations conducted on the site shall fully accord of the criteria of 602.05(C).

3) <u>Building Code Division Conditions:</u>

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.

4) <u>Water Environment Services Conditions:</u>

The following general conditions shall apply:

1) The proposed development is located within the service area of Water Environment Services and shall be subject to WES Rules and Regulations, and Standards ("RR&S/Rules") for sanitary sewer services and surface water management, including natural resource protection and erosion control requirements. The applicant shall procure the necessary plans approvals and/or permits in accordance with WES RR&S.
2) All submittals shall be reviewed for compliance with WES Design Standards and Conditions of Approval. Sanitary and stormwater management plans and calculations shall be stamped and signed by a civil engineer licensed by the State of Oregon. The construction, specifications, and testing shall be completed under the direction of the engineer.

3) Upon the completion of construction and certification by the engineer, WES shall inspect and approve the construction of the sanitary and storm systems. 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.
4) The proposed development shall be subject to applicable fees and charges, in accordance with WES RR&S. All fees and charges shall be paid before building permits will be issued. All costs associated with the design, construction and testing of the sanitary sewer or storm system shall be provided by and at the sole expense of the developer.

For sanitary sewer service, the following shall apply:

5) A separate and independent sanitary sewer service connection shall be provided to the development and shall terminate with a clean out at the front edge of the Public Utility Easement (PUE) or the property line. Service connections for industrial-zoned properties shall terminate with a sampling manhole.
6) A $150 tap-in fee shall apply for any 6" connection to the public mainline.
7) Procedures shall be in place that prevent the discharge of any pollutant, substances, or wastewater that will interfere with the operation or performance of the public sewer system.
8) A Non-Residential Questionnaire (NRQ) shall be included with the first plan submittal. The NRQ shall provide an estimate of the development's discharge load and volume to the public sanitary sewer system.
9) Plan review fees for the sanitary sewer system shall apply. A $400.00 minimum plan review fee shall be due with the first plan submittal.
10) Sanitary System Development Charges shall apply per WES rules and rates at the time of building permit application. Based on 6.58 EDU's, the current SDC estimate is $50,106.70
11) A Collection Sewer Charge shall not apply.

For surface water management, the following shall apply:

12) A Surface Water Management Plan and Storm Report (SWM Plan) shall be submitted to WES for review and approval. The SWM Plan shall explain how the development will conform to all WES Stormwater Standards. The Plan shall identify an acceptable point of discharge and provide an adequate drainage system for all onsite water, all water entering the property from off-site, and all road frontage improvements. *(Stormwater Standards, Section 3 and 5)*
13) WES Stormwater Standards include, but are not limited to the following:
    a. **Water Quality Standard -** Water quality treatment shall be provided for all proposed impervious surface area. 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.
        i. Infiltration facilities shall provide a 3-foot minimum vertical separation from the maximum seasonal groundwater elevation.

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.

d. **Conveyance Standards -** The conveyance system shall be sized for a minimum 25-year design storm.

14) The SWM Plan shall include a geotechnical report prepared by a qualified professional. The report shall address seasonal high groundwater and include infiltration testing results in accordance with the requirements of Appendix E.

15) Upon completion of the stormwater infiltration facilities, the project engineer shall oversee infiltration testing of all infiltration facilities to assure the system will perform as designed, per the approved SWM Plan. The report shall be stamped and signed by the project engineer and submitted to WES. If the infiltration system does not perform in accordance with the approved plans, the project engineer shall submit an alternative design to be reviewed and approved by WES.

16) Groundwater and springs that are encountered during development shall be the responsibility of the developer to address. If encountered, plans for drainage of these waters shall be submitted to WES for review and approval prior to construction. *(Section 5.4.2)*

17) The SWM Plan shall include a Downstream Conveyance Analysis to demonstrate adequate conveyance capacity to a minimum distance of 1500 feet downstream of the project.

18) The grading plans shall clearly identify an overflow pathway that will prevent damage to downstream properties in the event of any stormwater facility failure or bypass. *(Section 1.2)*

19) A signed 'Private Storm Drainage Facilities Maintenance Plan' (available on website) shall be submitted to WES prior to final plan approval.

20) Plan review fees for the stormwater system shall apply equal to 4% of the installed cost of the surface water management system. A minimum $400.00 plan review fee shall be due with the first plan submittal.

21) Surface Water System Development Charges shall apply for added impervious surface area, per WES rules and rates at the time of building permit application. The current rate is $205 per 2,500 sf of impervious surface area.

For Erosion Control, the following shall apply:

22) An approved erosion control plan and permit from WES shall be required before the start of any grading or construction activities. An erosion control permit fee shall apply ($460 + $80/acre over 1 acre).

For Title 3 Water Quality Resource Areas, the following shall apply:

23) All new development shall meet WES Rules to preserve and maintain an undisturbed vegetated buffer to protect all water quality sensitive areas, including wetlands and streams. In this instance, a Sensitive Area Certification shall not be required due to the extent of previous development.

Construction Plan Submittal:

24) The applicant's construction plan submittal shall include:

a. Two (2) sets of full-size, complete civil construction plans for all sanitary and stormwater improvements, including erosion control plans *(see: Sanitary Standards, Section 4.3)*

b. Two (2) final storm reports, including a geotech report and downstream analysis.

c. One (1) Non-Residential Questionnaire (available on WES website)

d. $800 plan review fee

e. $540 erosion control fee

5) <u>Clackamas River Water District Conditions</u>

1. Water Distribution Design & Infrastructure Requirements:

a. The average system pressure range at the hydrant located at 15151 SE Minuteman Way is approximately 69-80psi.

2. Service Connection and System Development Charges:

a. Per Section 8 of the CRW's Rules and Regulations the following will be required when the Clackamas County Development Permit is issued for the parcel or per ZDO1006.05.F:

i. *"Each dwelling or building will be provided with its own water service connection and meter …"* This means that each building will have its own domestic connection from either the existing waterline within SE Minuteman Way.

ii. Domestic service will require review and approval of Clackamas River Water to ensure adequate sizing based on site demand.

iii. Domestic meter will be required to be located along the east property line.

b. The System Development Charges (SDC) is based on meter size.

i. The current System Development Charges (SDC) will be collected when a lot has been issued a Building Permit from Clackamas County and a CRW Water Service Application has been requested by the owner/builder.

c. The domestic service for this development will require a reduced pressure backflow assembly directly downstream of the domestic water meter in accordance with Oregon Administrative Rules (OAR) 333-061-0070 thru 071 and all applicable plumbing codes. The owner will furnish and install the backflow device. Ownership and maintenance will be the property owner's responsibility.

2. District Approvals:

a. All water infrastructure shall meet the standards of the Clackamas River Water and be reviewed and approved by the Clackamas River Water (Engineering Department) prior to issuance of a Clackamas County Development Permit.

b. Professionally engineered waterline plans reviewed and approved by Clackamas River Water.

c. The Developer will be required to pay a time and materials deposit to the District for a Plan Check and Inspection fee prior to review any construction plans. Any unused portion will be reimbursed or if any monies are due the developer will be billed.

d. Upon construction plan review there may be additional requirements as set forth by the Water District.

3. Clackamas County Development Permit:

a. It will be the developer's responsibility to acquire any necessary easements for water facilities that shall be provided and designated on the final plat, as deemed necessary

by the Water District. These easements must have functional access to public right of way and be properly recorded.

b. Fire and domestic water services as approved with this land use application, are intended specifically for the lot and are not intended to serve additional parcels or structures which may be created in the future. In the event that the parcels and/or lots are further divided to create additional parcels or lots, the owner is required to provide separate fire and domestic water services per CRW's "Rules and Regulations".

c. Future fire related improvements will require review and approval of Clackamas County Fire District #1 to ensure proper fire coverage and fire service connection installation in accordance with applicable regulations along with the appropriate backflow prevention assembly and flow detector.

6) <u>Clackamas Fire District Conditions</u>

This review is based upon the current version of the Oregon Fire Code (OFC), as adopted by the Oregon State Fire Marshal's Office. The scope of review is typically limited to fire apparatus access and water supply, although the applicant must comply with all applicable OFC requirements. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access and water supply may be modified as approved by the fire code official. The following items should be addressed by the applicant:

1) A Fire Access and Water Supply plan for subdivisions and commercial buildings over 1000 square feet in size <u>or when required by Clackamas Fire District #1</u>. The plan shall show fire apparatus access, fire lanes, fire hydrants, fire lines, available fire flow, FDC location (if applicable), building square footage, and type of construction. The applicant shall provide fire flow tests per NFPA 291 or hydraulic model when applicable and shall be no older than 12 months. Work to be completed by experienced and responsible persons and coordinated with the local water authority. In addition, a pdf version shall be sent directly to CFD#1.
2) Please see our design guide at: <u>http://www.clackamasfire.com/documents/fireprevention/firecodeapplicationguide.pdf</u>

3) If you have questions please contact Clackamas Fire District @503-742-2660

7) <u>Clackamas County Engineering Conditions</u>

The following items are project requirements from the Department of Transportation and Development's Development Engineering Division. These conditions of approval are not intended to include every engineering requirement necessary for the successful completion of this project, but are provided to illustrate to the applicant specific details regarding the required improvements that may prove helpful in determining the cost and scope of the project. These conditions are based upon the requirements detailed in the County's Comprehensive Plan (Comp Plan), the County's Zoning and Development Ordinance (ZDO) and the County's Site Development and Roadway Construction Standards (Roadway Standards). Additional requirements, beyond those stated in the conditions of approval, may be required. The applicant may discuss the requirements of the project with staff at any time.

The requirements specifically required by the Comp Plan and the ZDO cannot be modified by the Development Engineering Division. However, the requirements detailed in these conditions of approval, derived from the Roadway Standards, are based upon nationally accepted standards and engineering judgment and may be modified pursuant to Section 170 of the Roadway Standards.

The applicant is required to provide sufficient justification to staff in the request. Staff shall determine if a modification is warranted.

1. All frontage improvements in, or adjacent to Clackamas County right-of-way, or on site, shall be in compliance with Clackamas County Roadway 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. The minimum fee for the Development Permit is $1,600. The total fee is 8.83% of the public road improvement plus 5% of the onsite transportation improvements project cost estimate.

3. The applicant shall verify by a professional survey that a 35-foot wide, one-half right-of-way width exists along the entire site frontage of SE Minuteman Way or shall dedicate additional right-of-way as necessary to provide it.

4. The applicant shall design and construct a minimum five-foot wide unobstructed concrete or asphalt walkway from the entrance of the proposed building to the ADA spaces for that building.

5. The applicant shall submit a sight distance exhibit with the Development Permit construction plans. The exhibit shall illustrate that the required sight distance of 445 feet is available at the proposed access location. The exhibit shall include a horizontal and vertical alignments showing the line of sight.

6. The applicant shall provide adequate on site circulation for the parking and maneuvering of all vehicles anticipated to use the site, including 24 feet of back up maneuvering room for all 90-degree parking spaces. Loading spaces shall also be afforded adequate maneuvering room. All parking and maneuvering areas shall be paved.

7. Parking spaces shall meet minimum and maximum ZDO section 1015 requirements, both in number and dimensions. The plans shall list the number of parking spaces required and the number of parking spaces provided. The applicant shall label all compact, handicap, and loading berth spaces on the plans.

8. Prior to the issuance of a Development Permit, the applicant shall submit to Clackamas County Engineering Office:

    a. Written approval from the local Fire District for the planned access, circulation, fire lanes and water source supply. The approval shall be in the form of site and utility plans stamped and signed by the Fire Marshal.

    b. Written approval from Clackamas River Water for adequate water supply source to serve the development.

    c. Written approval from Water Environment Services for surface water management facilities, surface water detention facilities, and erosion control measures.

SECTION 3 – DESIGN REVIEW FINDINGS

This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Section(s) 1102, 602, 706, 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 602 – General Industrial District

Subsection 602.03 Uses Permitted

Clackamas County's Zoning and Development Ordinance determines uses that are permitted primary, permitted accessory, conditionally permitted, or not allowed in each zoning district.

The proposed development is located in the Light Industrial district. The applicant's submitted materials indicate that the proposed uses for this development are Warehousing/Distribution and Office.

Table 602-1, which lists permitted uses in the zone, shows both of these uses are permitted primary uses in Light Industrial district.

Finding: The proposed development is a warehouse/distribution and recycling facility that also has office space. Per Table 602-1 these land uses are permitted primary uses in the General Industrial district. The proposed development meets the criterion.

Subsection 602.04 Dimensional Standards

Please see the table below for an analysis of the dimensional standards by the GI District and those indicated in the applicant's submitted materials.

	Ordinance Standard	**Demonstrated Dimension**	**Complies With Standard**
Minimum Lot Size	1 acre	1.46 acres	Complies
Maximum Front Yard Setback	None, per subsections 1005.3 (E)and (H)	~76 feet	Complies
Minimum Front Yard Setback	20 feet	~76 feet	Complies
Minimum Rear Yard Setback	0	>60 feet	Complies
Minimum Side Yard Depth	0	>60 feet	Complies

Finding: As summarized by the above table, the submitted drawings and narrative demonstrate that the proposed design satisfies all of the pertinent dimensional standards of the Light Industrial District. These standards are met.

Subsection 602.05 Development Standards

Outdoor Operations in the LI District: In the operation of a primary use in the LI District:

1. All display of products shall be located within an enclosed building. No outdoor display areas shall be allowed. Notwithstanding these limitations, outdoor display of finished products may be permitted as a conditional use, as established by Table 602-1 and provided that, at a minimum, outdoor display areas and items on display shall:

    a. Not block visibility to or from any road or driveway, or block visibility of signs located on adjacent lots;

    b. Be located a minimum of 15 feet from the front lot line(s);

    c. Be maintained to project an organized and neat appearance at all times; and

    d. Only include finished products manufactured on, or sold on a wholesale basis from, the subject property.

2. Limited outdoor storage areas shall be allowed, subject to the following criteria:

    a. Except as permitted as a conditional use, as established by Table 602-1, outdoor storage may occupy an area no greater than the area of the ground floor of the building(s) on the same premises.

    b. Outdoor storage areas shall be located behind the building, to the rear of the site, and not adjacent to front lot lines.

    c. Outdoor storage areas shall be screened with a sight-obscuring fence a minimum of six feet in height. Fencing shall be located behind the landscaping strips required by Subsections 1009.03(B) and 1009.06.

    d. Equipment, vehicles, materials, and other items located within outdoor storage areas shall be maintained in an orderly fashion and, except for large industrial or commercial vehicles and equipment, shall be no higher than the height of the fence.

    e. Outdoor storage areas shall not be used to store waste or recyclable materials.

3. No outdoor processes shall be employed in the operation of the business.

    4. Receptacles for solid waste and recyclable materials shall be maintained within an enclosed structure.

Finding: The proposed development is located within the Light Industrial district and is allowed to conduct outdoor operations subject to the criteria indicated in 602.05. The proposed development is a predominantly a warehouse and office facility. **A condition of approval is warranted to ensure compliance with these criteria.**

2. Section 1002 – Protection of Natural Features

Section 1002.01 requires additional development review on areas with a slope of greater than or equal to 20 %. There are no such areas on the site. 1002.04-1002.08 pertain to features/elements not present on the site and hence do not apply to the proposed development.

Subsection 1002.02 Excessive Tree Removal

This section places development restrictions, including the denial of applications for design review, subdivision, partition, or conditional uses, should excessive tree removal have occurred on the site within the prior five years. Excessive tree removal is defined as three or more non-exempt trees within one year.

Finding: The applicant indicates that no tree removal has occurred on the property within the previous five years, thus not meeting the trigger for the development restrictions envisioned in 1002.03. This subsection does not apply.

Subsection 1002.03 Trees and Wooded Areas

Existing wooded areas, significant clumps or groves of trees and vegetation, consisting of conifers, oaks and large deciduous trees, shall be incorporated in the development plan wherever feasible. The preservation of these natural features shall be balanced with the needs of the development, but shall not preclude development of the subject property, or require a reduction in the number of lots or dwelling units that would otherwise be permitted.

Finding: The site includes a small wooded area in the western site area, the entirety of which will remain undisturbed. The applicant indicates that the precautions described in ZDO 1002.03(B) will be taken to protect trees and wooded areas that are to remain through the development process. These criteria are met.

3. Section 1005 – Sustainable Site and Building Design

Subsection 1005.03(A) – Cluster Development

Where feasible, cluster buildings within single and adjacent developments for efficient sharing of walkways, on-site vehicular circulation, connections to adjoining sites, parking, loading, transit-related facilities, plazas, recreation areas, and similar amenities.

Finding: The proposed project includes only building. Given the nature on industrial properties and operations sharing of many of the site elements described in 1005.03(A) is not practical. This criterion is met.

Subsection 1005.03(B) – Orientation of Elevations

Where feasible, design the site so that so that the longest building elevations can be oriented within 20 degrees of true south in order to maximize the south-facing dimensions.

Finding: The building is placed on the site such the longest two facades face almost directly north/south. This criterion is met.

Subsection 1005.03(C) – Minimum Yard Depth

Minimum yard depths may be reduced by up to 50 percent as needed to allow improved solar access—as demonstrated by technical standards set forth in Section 1018 or by other credible evidence—when solar panels or other active or passive solar use is incorporated into the building plan.

Finding: No reduction of minimum yard depth has been requested. This standard does not apply.

Subsection 1003.03(D)(1-5) – Walkways

A continuous, interconnected on-site walkway system meeting the following standards shall be provided.

1. Walkways shall directly connect each building public entrance accessible to the public to the nearest sidewalk or pedestrian pathway, and to all adjacent streets, including streets that dead-end at the development or to which the development is not oriented.
2. Walkways shall connect each building to outdoor activity areas including parking lots, transit stops, children's play areas and plazas.
3. Walkways shall be illuminated. Separate lighting shall not be required if existing lighting adequately illuminates the walkway.
4. Walkways shall be constructed with a well drained, hard-surfaced material or porous pavement and shall be at least five feet in unobstructed width.
5. Standards for walkways through vehicular areas:
    a. Walkways crossing driveways, parking areas and loading areas shall be constructed to be clearly identifiable to motorists through the use of different paving material, raised elevation, warning signs or other similar methods.
    b. Where walkways are adjacent to driveways, they shall be separated by a raised curb, bollards, landscaping or other physical barrier.
    c. Inside the Portland Metropolitan Urban Growth Boundary (UGB), if the distance between the building public entrance and street is 75 feet or greater and located adjacent to a driveway or in a parking lot, the walkway shall be raised, with curbs, a minimum four-foot-wide landscape strip and shade trees planted a maximum of 30 feet on center.
    d. The exclusive use of a painted crossing zone to make walkways identifiable to motorists may be used only for portions of walkways which are shorter than 30 feet and located across driveways, parking lots, or loading areas.
    e. Walkways bordering parking spaces shall be at least seven feet wide or a minimum of five feet wide when concrete bumpers, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles or opening doors from obstructing the walkway

6. The interconnected onsite walkway system shall connect to walkways in adjacent developments, or stub to the adjacent property line if the adjacent land is vacant or is developed without walkways.

    a. Walkway stubs shall be located in consideration of topography and eventual redevelopment of the adjacent property.

    b. Notwithstanding the remainder of Subsection 1005.03(D)(6), walkway linkages to adjacent development shall not be required within industrial developments, to industrial developments, or to vacant industrially zoned land.

Finding: The following findings are based on staff's review of the applicants submitted site drawings. The site plan includes a new sidewalk from the public sidewalk on SE Minuteman Way that runs adjacent to the driveway to the main entry of the building. There is only one building and interconnected walkways are not applicable. The site will include new site lighting to meet code from the street to the building. All new sidewalks on the site are concrete and at least 5-feet wide. The main entry sidewalk does not cross driveways, but does run adjacent to the car parking area and is raised 6-inches above the grade. The distance between the main entry and the public street exceeds 75-feet. The sidewalk between the two is located adjacent to the car drive aisle and includes a landscape strip with trees. This project does not include striped crossing paths. The sidewalk adjacent to the parking are 7-feet wide. This project has only one building and does not require interconnected walkways. These criteria are met.

Subsection 1005.03(E) – Building Location

Inside the UGB, except for industrial developments, a minimum of 50 percent of the street frontage of the development site shall have buildings located at the minimum front yard depth line.

Finding: This proposed development is an industrial development. This standard does not apply.

Subsection 1005.03(F) – Parking Lot Elements and Landscaping

Inside the UGB, parking lots larger than three acres in size shall be built with major on-site vehicular circulation ways that include raised walkways with curbs, a minimum four-foot-wide landscape strip and shade trees planted a maximum of 30 feet on center.

Finding: The auto parking lot is less than three acres. This standard does not apply.

Subsection 1005.03(G) – Public Entrance from Transit Street

New retail, office, mixed use, and institutional buildings located on major transit streets shall have at least one public entrance facing a major transit street, or street intersecting a major transit street.

Finding: The project site is industrial and not located on a major transit street. This standard does not apply.

Subsection 1005.03(H) – Buildings at Major Transit Stops

New retail, office, mixed use, multifamily, and institutional buildings located at a major transit stop shall be set back a maximum of 20 feet from at least one of the following: the major transit stop, the major transit street or an intersecting street, or a pedestrian plaza at the major transit stop or a street intersection.

Finding: The development is industrial and not located at a major transit stop. This standard does not apply.

Subsections 1005.03(I) through (K)

These sections apply to zones and conditions not present on the subject site and do not apply to this project.

Finding: These standards do not apply.

Subsection 1005.04(A) – Applicability

The following standards apply to building facades visible from a public or private street or accessway and to all building façades where the primary entrance is located.

Finding: The site has street frontage on three sides. These standards will apply to the design of all four facades in the due measure.

Subsection 1005.04(A)(1-6) – Design of Building Facades

These standards seek to ensure that buildings that are visible from public or private streets provide variety, emphasis, interest, proportion, rhythm, features that are appropriate to the use of the building and differentiation of spaces between lower and upper floors.

Finding: The building street facing, and thus most public, façade of the building attempts to provide relief and variety throughout the application of color, panel reveals, and a projecting entry canopy. Despite the strong efforts of these elements staff believes that it is appropriate to do more to create visual interest, through details such as complimentary window canopies or architectural lighting. **These standards van be met by condition.**

Subsection 1005.04(B) – Building Entries

1. Public entries shall be clearly defined, highly visible and sheltered with an overhang or other architectural feature, with a depth of at least four feet.
2. Commercial, mixed-use and institutional buildings sited to comply with 1005.03(G) shall have public entries that face streets and are open to the public during all business hours.

Finding: The main office entry includes a projecting steel canopy of no less than four feet. This project is not sited to comply with 1005.03(E). The criterion which applies is met.

Subsection 1005.04(C) – Street-Facing Commercial, Mixed-use, and Institutional Facades

The street-facing façade of commercial, mixed-use and institutional buildings sited to comply with 1005.03(G) shall meet the following requirements:

Finding: This is not a commercial, mixed-use, or institutional project. This standard does not apply.

Subsection 1005.04(D) – Roof Design

1. For buildings with pitched roofs:
    a. Eaves shall overhang at least 24 inches.

b. Roof vents shall be placed on the roof plane opposite the primary street.

2. For buildings, other than industrial buildings, with flat roofs or without visible roof surfaces, a cornice or other architectural treatment shall be used to provide visual interest at the top of the building.

Finding: The proposed building has a flat roof which will not have visible surfaces. It is surrounded with a concrete parapet. The cap flashing will be painted a contrasting color to provide visual interest. The criteria are met.

Subsection 1005.04(E) (1) – Color and Materials

Use architectural style, concepts, colors, materials and other features that are compatible with the neighborhood's intended visual identity.

Subsection 1005.04(E) (2) – Durability

Building materials shall be durable and consistent with the proposed use of the building, level and exposure to public view, exposure to natural elements, and ease of maintenance.

Subsection 1005.04(E) (3) – High-Image Materials

Walls shall be surfaced with brick, tile, masonry, stucco, stone or synthetic equivalent, pre-cast masonry, gypsum reinforced fiber concrete, wood lap siding, architecturally treated concrete, glass, wood, or a combination of these or other high-image materials.

Subsection 1005.04(E) (4) – Alternative Materials

Notwithstanding Subsection 1005.04(E)(3) metal may be approved as an exterior building material through design review pursuant to Section 1102 for specific high-image surfaces, canopies, awnings, doors, screening of roof mounted fixtures, or other architectural features

Finding: This building is a concrete tilt-up building on all sides, which is both durable and consistent with the visual identity of other development in the area. The project team has a steel canopy to the main entry and will provide paint accents and reveals to all aides of the building. These criteria are met.

Subsection 1005.04(F) – Additional Requirements for Multi-Family Dwellings

Finding: This proposed project does not contain a multi-family component. These criteria do not apply.

Subsection 1005.04(G) (1-8) – Safety and Surveillance;

These criteria address additional issues related to safety in multifamily design including the design and placement of windows, lighting, parking, landscaping, addresses, and mailboxes, fences and walls, and play areas.

Finding: The proposed project is not multi-family residential in nature, these criteria do not apply.

Subsection 1005.04(H) (1) – Solar Access; Window Placement

Except for uses with greater cooling needs than heating needs, such as many retail uses, concentrate window areas on the south side of buildings (within 20 degrees of due south) where there is good southern exposure.

Subsection 1005.04(H) (2) – Solar Access; Shading

Provide overhangs, balconies, or other shading devices to prevent excessive summer heat gains.

Subsection 1005.04(H) (3) – Solar Access; Aerodynamics

Use architectural features, shape of buildings, fences, natural landforms, berms, and vegetation to catch and direct summer breezes for natural cooling, and minimize effects of winter winds.

Finding: The building is oriented with its largest façades facing north/south, additionally the primary building entrance has an overhang to shield from the effects of the weather. Given the use as a warehouse, windows are limited. These criteria are met.

Subsection 1005.04(I)(1) – Compatibility; Shapes, Colors, and other Architectural Features

Use shapes, colors, materials, textures, lines, and other architectural design features that enhance the design type area and complement the surrounding area and development.

Subsection 1005.04(I) (2) – Compatibility; Connection to Public Spaces

Use colors, materials and scale, as appropriate, to visually connect building exteriors to adjoining civic/public spaces such as gateways, parks, plazas and transit stations.

Subsection 1005.04(I) (3) – Compatibility; Building Orientation and Design

Use building orientation and physical design, including setbacks and modulations, to ensure a development is compatible with other activities onsite, nearby properties, intended uses and the intent of the design type.

Subsection 1005.04(I) (4) – Compatibility; Loading Areas

Orient loading and delivery areas and other major service activity areas of the proposed project away from existing dwellings.

Subsection 1005.04(I) (5) – Compatibility; Vehicular Operations in Industrial Areas

In industrial zoning districts, site areas used for vehicular operations, outdoor storage, and outdoor processing to minimize the impacts on adjacent dissimilar uses.

Subsection 1005.04(I) (6) – Compatibility; Colors on Large Buildings within the UGB

Inside the Portland Metropolitan Urban Growth Boundary, use colors, materials and architectural designs to visually reduce the impact of large buildings.

Subsection 1005.04(I) (7) – Compatibility; Local Character in Unincorporated Community

In unincorporated communities, design structures to reflect and enhance the local character and to be in scale with surrounding development.

Subsection 1005.04(I) (8) – Compatibility; Colors, Materials and Shapes in Rural Areas

In rural and natural resource areas, use materials, colors and shapes that imitate or complement those in the surrounding areas, such as those used in typical farm structures.

Subsection 1005.04(I) (9) – Compatibility; Colors, Materials and Shapes in Scenic Areas

In open space or scenic areas, use natural color tones, lines and materials which blend with the natural features of the site or site background.

Finding: The project site is set within the context entirely of other industrial-type buildings of similar architectural character. This is an area without adjoining public or civic spaces. The building is oriented and designed to ensure compatibility with surrounding industrial uses. There are no adjacent dwellings away from which to orient loading areas. The design team has used horizontal banding to break the façade into smaller pieces, reducing the visual impact of the building. The design uses neutral colors with a vivid contrasting accent to terminate the roof. These the applicable criteria are met.

Subsection 1005.04(J) – Requirements for Screening of Mechanical Equipment

Finding: Roof mounted mechanical equipment will be screened by the concrete parapet. No additional mechanical equipment is proposed. The applicable criterion is met.

Subsection 1005.04(K) – Requirements for Specialized Industrial Structures

Finding: No specialized industrial structures are proposed. These standards do not apply.

Subsection 1005.04(L) – Requirements for Facades in the OA District

Finding: The subject property is not located in the OA District. These standards do not apply.

Subsection 1005.05 – Outdoor Lighting

A. Outdoor lighting devices:

1. Shall be architecturally integrated with the character of the associated structures, site design and landscape;
2. Shall not direct light skyward;
3. Shall direct downward and shield light; or direct light specifically toward walls, landscape elements or other similar features, so that light is directed within the boundaries of the subject property;
4. Shall be suitable for the use they serve, e.g. bollard lights along walkways, pole mounted lights for parking lots;
5. Shall be compatible with the scale and intensity of uses they are serving. Height of pole mounted fixtures shall not exceed 25 feet or the height of the tallest structure onsite, whichever is less; and
6. At entrances, shall be glare-free. Entrance lighting may not exceed a height of 12 feet and must be directed downward

Findings: Per the submitted drawings, the site design includes downward focused building mounted lighting fixtures on all four facades as well as pole mounted fixtures along the eastern (rear) property line. The site poles are installed on a concrete base for protection and the fixtures will be shielded to keep light from leaving the site. The main office entries will have down lights under the canopies. These criteria are met.

Subsection 1005.06 – Additional Requirements

In addition to the requirements listed in Subsections 1005.03 through 1005.05, development shall comply with a minimum of one of the techniques listed in 1005.06 per 20,000 square feet of site area. Regardless of site size, a minimum of one and a maximum of five techniques are required.

Finding: The development area is approximately 62,359 square feet and will require the design to employ four techniques. The project team chose to include the following techniques including B5, B8, C, and D. This criterion is met.

Subsection 1005.07 – Design Modification

Modification of any standard identified in Subsections 1005.03 and 1005.04 may be approved as part of design review if the proposed modification will result in a development that achieves the purposes stated in Subsection 1005.01 as well or better than the requirement listed.

Finding: The applicant is not requesting modification of any standard identified in Subsections 1005.03 or 1005.04. This standard does not apply.

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

Subsection 1006.01 – General Standards

A. The location, design, installation, and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbance of soil and site consistent with the rules and regulations of the surface water management regulatory authority.

B. All development that has a need for electricity, natural gas, and communications services shall install them pursuant to the requirements of the utility district or company serving the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be installed underground.

C. Coordinated installation of necessary water, sanitary sewer, and surface water management and conveyance facilities is required.

D. Easements shall be provided along lot lines as deemed necessary by the County, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency.

Finding: The plans submitted by the applicant indicate care has been taken to minimize site disturbance. Utilities are to be installed per the provider's standards and installed in a coordinated fashion. Easements are indicated, should they be necessary. These criteria are met.

Subsection 1006.02 – Street Lights

Street lights are required for all development inside the Portland Metropolitan Urban Growth Boundary. The following standards apply:

A. Street lighting shall be installed pursuant to the requirements of Clackamas County Service District No. 5 and the electric company serving the development. A street light shall be installed where a new road intersects a County road right-of-way and, in the case of subdivisions, at every intersection within the subdivision.

B. Areas outside Clackamas County Service District No. 5 shall annex to the district through petition to the district.

Finding: Given the limited street frontage on Minuteman Way, no additional street lighting is necessary. The site may need to be included into the Clackamas County Service District #5 to as to contribute towards street lighting. **A condition of approval is necessary to ensure compliance with the criteria.**

Subsection 1006.03 – Water Supply

A. All development which has a need for, or will be provided with, public or community water service shall install water service facilities and grant necessary easements pursuant to the requirements of the district or company serving the development.

B. Approval of a development that requires public or community water service shall be granted only if the applicant provides a preliminary statement of feasibility from the water system service provider.

1. The statement shall verify that water service, including fire flows, is available in levels appropriate for the development and that adequate water system capacity is available in source, supply, treatment, transmission, storage and distribution. Alternatively, the statement shall verify that such levels and capacity can be made available through improvements completed by the developer or the system owner.

2. If the statement indicates that water service is adequate with the exception of fire flows, the applicant shall provide a statement from the fire district serving the subject property that states that an alternate method of fire protection, such as an on-site water source or a sprinkler system, is acceptable.

3. The statement shall be dated no more than one year prior to the date a complete land use application is filed and need not reserve water system capacity for the development.

F.3. Unless waived by the Planning Director, an applicant for any proposed development subject to Subsection 1006.03(F)(2) shall submit a hydrogeological review with the subject application. The purposes of a hydrogeological review are to provide information and professional analysis regarding the geology and hydrogeology of the area in the immediate vicinity of the proposed development for the County to determine compliance with

Subsection 1006.03(F) (2). Study findings, maps, and conclusions shall be presented in a clear and understandable report.

Finding: The site does require water service and easements have been provided if necessary. The applicant included in their submission both a Preliminary Statement of Feasibility from Clackamas River Water and a geotechnical study. The applicable criteria have been met.

Subsection 1006.04 - Sanitary Sewer Service

A. All development that has a need for sanitary sewers shall install the facilities pursuant to the requirements of the district or company serving the development.
B. Approval of a development that requires sanitary sewer service shall be granted only if the applicant provides a preliminary statement of feasibility from the sanitary sewage treatment service provider and the collection system service provider.

Finding: This project does require sanitary service and the Design Review package included a copy of the Statement of Feasibility from WES.

Subsection 1006.05 – Subsurface Sewage Disposal.

Finding: The site is served by public sanitary sewer. There is no need for subsurface sewage disposal with this project. The criterion does not apply.

Subsection 1006.06 - Surface Water Management and Erosion Control

The following surface water management and erosion control standards apply:

B. Positive drainage and adequate conveyance of surface water shall be provided from roofs, footings, foundations, and other impervious or near-impervious surfaces to an appropriate discharge point.
B. The requirements of the surface water management regulatory authority apply. If the County is the surface water management regulatory authority, the surface water management requirements of the *Clackamas County Roadway Standards* apply.
C. Approval of a development shall be granted only if the applicant provides a preliminary statement of feasibility from the surface water management regulatory authority. The statement shall verify that adequate surface water management, treatment and conveyance is available to serve the development or can be made available through improvements completed by the developer or the system owner.

Finding: This project will have surface water and the submitted application included the required plans and calculations for WES to make determinations on the pertinent criteria. The applicable criteria are met.

Subsection 1006.07 – Statements of Feasibility

A land use application shall be deemed complete and may be approved without the submittal of one or more of the preliminary statements of feasibility required by Subsections 1006.03, 1006.04, and 1006.06 if the applicant demonstrates that a good

faith attempt has been made to obtain the statement(s). At a minimum, demonstration of a good faith attempt shall require the applicant to submit the following:

Finding: All required Statements of Feasibility were provided. This criterion does not apply.

5. *Section 1007 - Roads and Connectivity*

Subsection 1007.02 – Public and Private Roadways
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 satisfactorily comply with all requirements Clackamas County Engineering, including those identified through the ZDO and within the county's engineering standards. **The conditions imposed by Clackamas Engineering and will ensure compliance with these criteria.**

Subsection 1007.05 – Transit Amenities

Finding: The project site is not adjacent to a transit street. This standard does not apply.

Subsection 1007.06 – Street Trees

This subsection addressed 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. The project is not in any of these areas or conditions.

Finding: Minuteman has recently been improved to current county standards and thus additional street trees will not be required. This criterion does not apply.

Subsection 1007.07 – Transportation Facilities Concurrency

Finding: Clackamas County Engineering has reviewed the proposed design and indicates that the existing facilities are adequate. This criterion does not apply.

6. Section 1009 – Landscaping

Subsection 1009.01(A-C) – General Provisions: Selection of Plants, Use of Landscaped Area, and Design of Landscape

Finding: Plant species have been selected for the conditions and will be irrigated to ensure development and anticipated by the planting plan. A variety of plants as required by 1003.02(B) is indicated on submitted drawings. No non-native or noxious plants are indicated in the planting plan. Landscaped areas will not be used to store or display equipment, materials, or merchandise. Building entrances are highlighted with plantings. When feasible landscaping is provided along

pedestrian walkways. These standards are met.

Subsection 1009.02 – Minimum Area Standards

Per table 1009-1, a minimum of 15% landscaping is required for sites in the General Industrial district.

Findings: The submitted site plan includes area calculations for site elements including landscape. Landscape is indicated to be 15.6% of the site area in the proposed design, in excess of the 15% requirement. This standard is met.

Subsection 1009.03(A)(1) – Landscape per Parking Space

Twenty-five square feet of landscaping per parking space, excluding perimeter parking spaces, shall be provided, except that the standard shall be reduced to 20 square feet for each parking space developed entirely with porous pavement.

Subsection 1009.03(A) (2) – Inter-Parking Row Swales

One landscape swale located between two rows of parking spaces, as shown in Figure 1009-1, is required for every six rows of parking spaces, unless all parking spaces are developed entirely with porous pavement. Additional swales beyond the minimum requirement are allowed.

Findings: The parking and loading areas are surrounded by landscaping. There are no double rows of auto parking in the parking lot and no swales are proposed. The parking count is 9 spaces and 25 sf/space = 225 square feet of landscaping. This site far exceeds that. The applicable criterion is met.

Subsection 1009.03(B) – Perimeter Landscaping Requirements

1. A landscaping strip with a minimum width of five feet shall be provided adjacent to the perimeter of the surface parking or loading area, except:

    c. In the LI District, the minimum width shall be 15 feet abutting a front lot line.

2. The required landscaping strips shall comply with the following standards:

    a. Sufficient low shrubs shall be planted to form a continuous screen three feet high and 95 percent opaque, year-round; or a three-foot-high masonry wall or berm may be substituted for the shrubs. When applied along front lot lines, the screen or wall is to be placed along the interior side of the landscaping strip and shall be 30 inches high instead of three feet high.

    b. In addition, one tree is required for every 30 linear feet of landscaping strip, or as otherwise required to provide a tree canopy over the landscaping strip.

    c. Ground cover plants must fully cover the remainder of the landscaped area.

Findings: The widths of landscaping front of the site measures 20 feet, in excess of the 15 foot minimum requirement. The landscape plan satisfies of the elements required for perimeter landscaping. These criteria are met.

Subsection 1009.04 – Screening for Visual Impacts

A. Screening shall be used to eliminate or reduce the visual impacts of the following:
1. Service areas and facilities, such as loading areas and receptacles for solid waste or recyclable materials;
2. Storage areas;
3. Ground-mounted rainwater collection facilities with a storage capacity of more than 100 gallons;
4. Parking lots within or adjacent to an Urban Low Density Residential, VR-5/7, VR-4/5, RA-1, RA-2, RR, RRFF-5, FF-10, FU-10, or HR District; and
5. Any other area or use, as required by this Ordinance.

Finding: There is existing landscaping along Minuteman Way and the building. The waste and recycling areas shall be screened with a 6 foot sigh obscuring fence. This criterion is met.

Subsection 1009.05 – Scenic Roads

Finding: There is not a scenic road associated with this proposal. These criteria do not apply.

Subsection 1009.06 – Landscaping Strips

B. In the LI District, a landscaping strip a minimum of 15 feet wide shall be provided abutting front lot lines.

Finding: A landscaping strip of no less than 15 feet is provided along all the all three front lot lines. This criterion is satisfied.

Subsection 1009.07(A) and (D) – Fences and Walls

A. Fences and walls shall be of a material, color, and design complementary to the development.
D. In the LI District, the minimum front setback for fences and walls is 15 feet.

Finding: There is an existing fence at the perimeter of the property which is to remain and be repaired as appropriate. These criteria are met.

Subsection 1009.08 – Recreation Areas and Facilities

Finding: This site is not residential and will not contain any recreation areas. These criteria do not apply.

Subsection 1009.09 – Erosion Control

A. Graded areas shall be re-vegetated with suitable plants to ensure erosion control.

B. Netting shall be provided, where necessary, on sloped areas while ground cover is being established.

Finding: The site will include a full erosion control plan that meets the requirements of the Clackamas County ZDO and will be submitted for a 1200-C permit. These criteria are met.

Subsection 1009.10 – Planting and Maintenance

Subsection 1009.10(A) – Weed Barriers

Impervious weed barriers (e.g., plastic sheeting) are prohibited.

Finding: Per the application materials, no impervious barriers are proposed for weed control in the proposed design. This standard is met.

Subsection 1009.10(B) – Plant Created Hazards

Plants shall not cause a hazard. Plants over walkways, sidewalks, pedestrian pathways, and seating areas shall be pruned to maintain a minimum of eight feet below the lowest hanging branches. Plants over streets and other vehicular use areas shall be pruned to maintain a minimum of 15 feet below the lowest hanging branches.

Finding: No plantings are proposed over walkways, sidewalks, pedestrian pathways, or seating areas. This standard does not apply.

Subsection 1009.10(C) – Plant Interference with Utilities

Plants shall be of a type that, at maturity, typically does not interfere with above or below-ground utilities

Finding: No plants that would interfere with utilities are proposed in areas where there are above or below ground utilities. This standard is met.

Subsection 1009.10(D) – Nursery Installation Standards

Plants shall be installed to current nursery industry standards.

Finding: Plants are to be installed to nursery standards, per submitted landscape plan. This standard is met.

Subsection 1009.10(E) – Staking and Guying of Plants

Plants shall be properly guyed and staked to current nursery industry standards as necessary. Stakes and guy wires shall not interfere with vehicular or pedestrian traffic.

Finding: Plants are to be installed to nursery standards, including guying and staking where appropriate and such to avoid interference with vehicular and pedestrian traffic. This criterion is met.

Subsection 1009.10(F) – Guarantee of Landscape Materials

Landscaping materials shall be guaranteed in writing by the developer for a period of one year from the date of installation. A copy of the guarantee shall be furnished to the County by the developer. The developer also shall submit a signed maintenance contract, or provide a financial guarantee pursuant to Section 1311, Completion of Improvements, Sureties, and Maintenance, covering the landscape maintenance costs during the guarantee period.

Finding: The submitted materials indicate that planting are to be maintained and replaced if not alive for two years. The guarantee document will be required by condition. **This does not fully address this criterion. This criterion can be met with a condition of approval.**

Subsection 1009.10(G) – Suitability to Conditions

Plants shall be suited to the conditions under which they will be growing. As an example, plants to be grown in exposed, windy areas that will not be irrigated shall be sufficiently hardy to thrive under these conditions. Plants shall have vigorous root systems, and be sound, healthy, and free from defects and diseases.

Finding: Plantings proposed in the submitted landscape plan are appropriate to the conditions in which they will be planted. This criterion is met.

Subsection 1009.10(H) – Branching and Caliper of Deciduous Trees

When planted, deciduous trees shall be fully branched, have a minimum caliper of two inches, and have a minimum height of eight feet.

Finding: The selected deciduous trees meet the dimensional criterions of the Clackamas County ZDO. This criterion is met.

Subsection 1009.10(I) – Branching and Height of Evergreen Trees

When planted, evergreen trees shall be fully branched and have a minimum height of eight feet

Finding: The selected evergreen trees meet the dimensional standards of the Clackamas County ZDO. This criterion is met.

Subsection 1009.10(J) – Size and Spread of Shrubs

Shrubs shall be supplied in minimum one-gallon containers or eight-inch burlap balls with a minimum spread of 12 inches.

Finding: Shrubs identified in submitted landscape plan meet these dimensional standards. This criterion is met.

Subsection 1009.10(K) – Size and Spacing of Ground Cover

Ground cover shall be planted a maximum of 30 inches on center with a maximum of 30 inches between rows. Rows of plants shall be staggered. Ground cover shall be supplied in minimum four-inch containers, except that the minimum shall be reduced to two and one-quarter inches or equivalent if the ground cover is planted a minimum of 18 inches on center.

Finding: The spacing indicated in the planting plan accords with those indicated in the Clackamas County ZDO. This criterion is met.

Subsection 1009.10(L) – Ground Cover at Maturity

Plants shall be spaced so that ground coverage three years after planting is expected to be 90 percent, except where pedestrian amenities, rainwater collection systems, or outdoor recreational areas count as landscaping pursuant to Subsection 1009.02. Areas under the drip line of trees count as ground coverage

Finding: Based on expected growth patterns, the proposed planting plan should create 90% ground cover at maturity. This criterion is met,

Subsection 1009.10(M) – Irrigation of Plants

Irrigation of plants shall be required, except in wooded areas, wetlands, and in river and stream buffers. The irrigation system shall be automatic, except that hose bibs and manually operated methods of irrigation may be permitted in small landscaped areas close to buildings. Automatic irrigation systems are subject to the following standards:

Finding: The submitted landscape drawings indicates that landscaped areas are to be served by landscape irrigation system, though the design and function of that system is unclear as it has been delegated to the landscape contractor. Since there is no specific irrigation system shown on the submitted drawings**, a condition of approval will ensure compliance with this criterion**.

Subsection 1009.10(N) – Care and Maintenance of Landscaping

Appropriate methods of plant care and landscaping maintenance shall be provided by the property owner

Finding: The submitted landscape drawing indicates that the applicant agrees to take responsibility for appropriate care and maintenance of landscaping on site. This standard is met.

Subsection 1009.10(O) – Protection of Landscaping

Plants shall be protected from damage due to heavy foot traffic or vehicular traffic by protective tree grates, pavers, or other suitable methods.

Finding: No plantings are proposed in areas where the plantings might be damaged by heavy foot traffic. Trees planted interior to the parking lot will be protected by curbs. This standard is met.

7. <u>Section 1010 – Signs</u>

Subsection 1010.02(A) – General Provisions, Permits Required

Finding: No new signage other than the street address is being proposed with this project. Any future signs will be reviewed under a separate permit. These criteria do not apply.

8. <u>Section 1015 – Parking and Loading</u>

Subsection 1015.01(A-E) – General Standards

Finding: The provisions of this section will generally apply, save for those criteria not applicable given the details of the design. The proposed parking area will be hard surfaced. The applicable criteria are met.

Subsection 1015.02(A)(1-10) – Motor Vehicle Parking Standards

Finding: All parking areas are accessible and drive aisles include required maneuvering areas, the parking stalls indicated in the site plan meet the dimensional requirements of the ZDO. 33% of the auto stalls on site are 8.5'x16'. The minimum dimensional standards for the type of parking selected have been met. The parking lot uses almost exclusively double loaded 90-degree parking. The appropriate number (2) of car/vanpool spots are indicated. The auto parking lots are less than one acre. This site is designed to use a shared driveway. The parking lot curb provide an appropriate stop for vehicles. The area in front of vehicles is either concrete sidewalk or ground cover landscaping. These criteria are met.

Subsection 1015.02(B) – Parking Minimums

The minimum number of parking spaces listed in Table 1015-1, Automobile Parking Space Requirements, applies unless modified in Subsection 1015.04(F).

Finding: The required minimum parking for this development is 8 spaces based on the square footage of the building and the count requirements as shown in Table 1015-1. The current site plan shows 9 spaces. The criterion is met.

Subsection 1015.02(C) – Parking Maximums

Finding: There is no maximum per table 1015-1. This criterion does not apply.

Subsection 1015.03(A) (1-5) – Bicycle Parking Standards - Location

These are criteria which address the location of bicycle parking related to new development in Clackamas County.

Finding: The bicycle parking spaces are located adjacent to the office entries (less than 50-feet) for exterior spaces and within the warehouse for interior spaces. In this location they will be easily visible from the main building entrance. These criteria are met.

Subsection 1015.03(B) (1-8) – Bicycle Parking Standards - Design

These are criteria which address the provision, number, and design of bicycle parking related to new development in Clackamas County.

Finding: This project includes exterior (uncovered spaces) and interior (covered spaces) to comply with the minimum required in Table 1015-2. The bicycle parking spaces are designed to be 2-feet x 6-feet in size and located on a minimum 6' x 6' concrete pad. The exterior racks are made of steel and bolted to the concrete slab and the interior racks are bolted to the wall. These criteria are met.

Subsection 1015.04 – Off Street Loading Standards

These standards address the number, location and dimension of off-street loading areas serving a project.

Finding: Table 1015-3 provides the number of off-street loading spaces required and the dimensions that each must be. Industrial land uses between 16,001 square feet and 40,000 square feet are required to provide no less than two off street loading areas. Each must be a minimum of 60 feet x 12 feet with at least 14 feet of vertical clearance. There are no loading berths proposed on this site, which is permissible per 1015.04(B) given that it is an expansion of an existing use.

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

   Finding: The enclosed trash and recycling area is located in on the southwestern edge of the site of the proposed building and measures 20 ft x 10 ft. This satisfies the criteria of 1021. The garbage enclosure is designed as concrete tilt up panels to match the building with metal gates that swing fully clear to facilitate access. The garbage enclosure is designed to hold 2 containers and is located in an area with suitable maneuvering for garbage trucks. The garbage enclosure, which per the application will be appropriately signed, is located adjacent to the truck maneuvering area that provides plenty of space for a garbage truck to arrive and haul off the garbage containers. These criteria are met.

10. Section 1102 – Design Review

    Findings: Staff finds that the pre-application conference requirements of Section 1102.05 have been met by the applicant. The applicant has submitted site plan and building information to satisfy the submittal requirements detailed in Subsection(s) 1102.06-08.

SECTION 4 - SUMMARY OF FINDINGS AND RECOMMENDATION

The Planning and Zoning Staff finds it is feasible, with conditions of approval, for the applicant to meet the standards and criteria of the permitted uses in the General Industrial district and applicable design review standards and criteria.

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

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