



## **RECCOMENDATION TO THE DESIGN REVIEW COMMITTEE**

### **Recommended Decision: Approved with Conditions**

**Permit Type:** Design Review

**File No.** Z0281-21-D

**Proposal:** Development of the site with a new Memory Care Facility with 55 beds.

**Meeting Date:** March 8, 2022

**Issued By :** Anthony Riederer, Sr. Planner, Ariederer@clackamas.us

**Assessor's Map & Tax Lot(s):** 21E29AD 01800, 01900

**Site Address:** 7910 SE Johnson Creek Boulevard

**Applicant:** Edward Radulescu (Architect, on behalf of Owner)

**Owner of Property:** Haj Danut

**Zoning:** MR1 – Medium Density Residential

**APPLICABLE APPROVAL CRITERIA:** This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Section(s) 202, 1102, 315, 1002, 1005, 1006, 1007, 1009, 1010, 1015, 1021, and 1307.

### **COMMENTS:**

Notice was sent to applicable agencies and owners of property within 300 feet. Comments received relating to the applicable approval criteria listed above are addressed in the Agency Comment and/or Findings Section.

### **PUBLIC COMMENTS**

No public comments were received on this application.

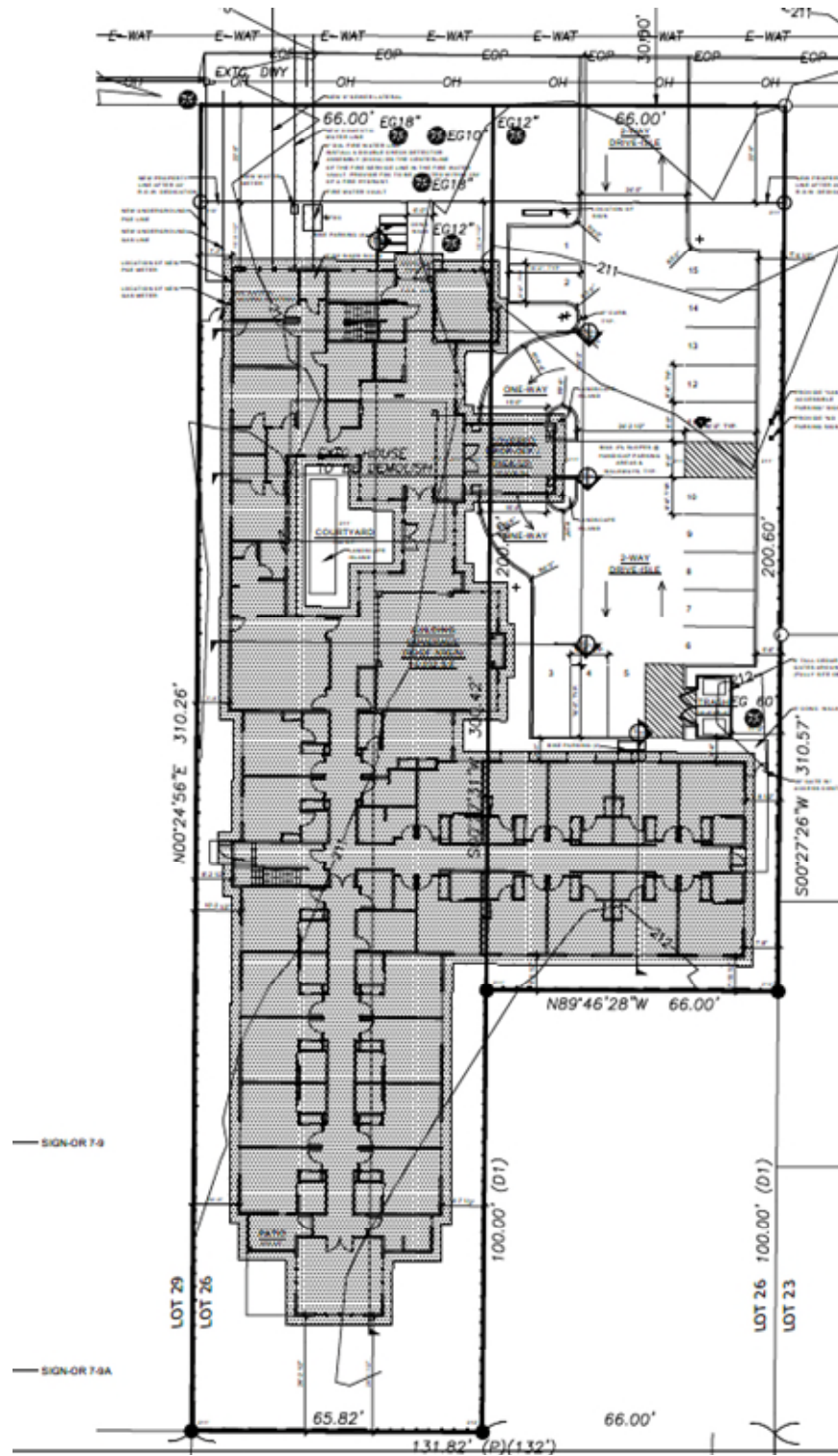
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503-742-4545: ¿Traducción e interpretación? |Требуется ли вам устный или письменный перевод? 翻译或口译? | Cần Biên dịch hoặc Phiên dịch? | 번역 또는 통역?

## Location Map



## Site Plan

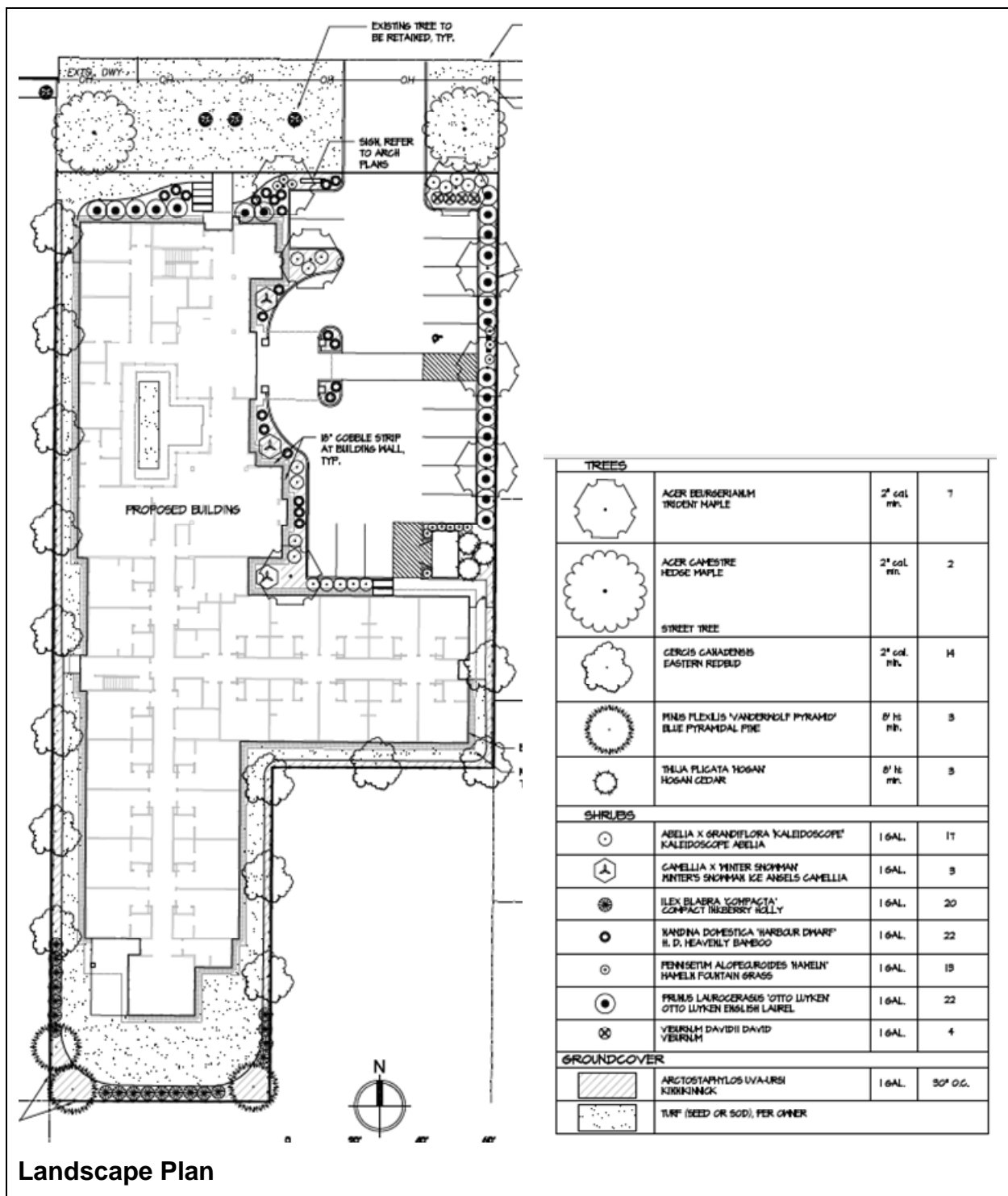






**Building Renderings**





## RECOMMENDED CONDITIONS OF APPROVAL

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The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in parentheses.

- 1) Approval of this land use permit is based on the submitted written narrative and plan(s) filed with the County on June 16, 2021, with subsequent amendments. No work shall occur under this permit other than which is specified within these documents, unless otherwise required or specified in the conditions below. 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 decision described herein.
- 2) **Prior to issuance of building permit, the applicant/property owner shall complete the following:**
  - a) Provide an updated site plan showing a total of 7 bicycle parking spaces, per ZDO Table 1015-2.
  - b) Provide an updated site plan showing a loading zone, per ZDO Table 1015-3.
  - c) Trash and recycling enclosure shall fully address the standards of ZDO 1021. Applicant shall coordinate with Clackamas County Sustainability to ensure compliance with the standards of ZDO 1021.
- 3) **Prior to issuance of certificate of occupancy, the applicant/property owner shall complete the following:**
  - a) All elements of proposed site development including installation of landscape materials and irrigation.
  - b) Street lighting, as needed, shall be designed and installed on the Johnson Creek Boulevard frontage and this frontage shall be added to the Clackamas County Service District #5
- 4) **Additional conditions of approval:**
  - a) Any new/additional signs proposed shall meet with the standards of ZDO 1010, as to be determined at the time of the building permit.
- 5) **Clackamas County Engineering Conditions (ZDO 1007, 1015)**
  - 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) **Prior to Issuance of a Building Permit:** 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) The applicant shall dedicate approximately 22 feet of additional right-of-way along the entire site frontage of SE Johnson Creek Boulevard site frontage and

verify by a professional survey that a 52-foot wide, one-half right-of-way width exists.

- 4) The applicant shall grant an 8-foot wide public utility easement adjacent to the right-of-way along the entire site frontage of SE Johnson Creek Boulevard.
- 5) **Prior to Certificate of Occupancy:** The applicant shall construct improvements along the entire site frontage of SE Johnson Creek Boulevard to arterial road standards, per Clackamas County Roadway Standards, Standard Drawing C140. The improvements shall consist of:
  - a. Up to a minimum 39-foot wide, one half street improvement, as measured from the right-of-way centerline to face of curb. The structural section shall comply with Standard Drawing C100 for an arterial roadway.
  - b. Standard curb, or curb and gutter if curblane slope is less than one percent.
  - c. A minimum 5-foot wide landscape strip with street trees shall be provided along the site frontage. Street trees shall be planted at 25-40 spacing, based on tree species.
  - d. A 5-foot wide unobstructed sidewalk, per Standard Drawing S960.
  - e. A minimum 28-foot wide driveway approach, per Standards Drawing D650.
  - f. A curb ramp shall be constructed at the east and west ends of the sidewalk, per applicable ODOT Standard Drawings RD900 Series.
  - g. Appropriate off-site pavement tapers shall be provided, in accordance with Roadway Standards Section 250.6.4.
  - g. Storm drainage facilities in conformance with Water Environments Services standards, and Clackamas County Roadway Standards Chapter 4.
  - h. The applicant shall submit electronic as-built plans showing all improvements and construction changes, added and deleted items and location of utilities. The Engineer of record shall stamp and sign as-built plans.
- 6) **Prior to Certificate of Occupancy:** 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. All parking and maneuvering areas shall be paved and constructed per Standard Drawing R100.
  - b. The applicant shall show the paths traced by the extremities of anticipated large vehicles (delivery trucks, fire apparatus, garbage and recycling trucks. The site shall provide adequate maneuvering for large vehicles, including fire and garbage trucks to turnaround on-site. The minimum turning radii shall be provided, per Standard Drawing C350.



- c. Parking spaces shall meet minimum dimensional requirements of ZDO Section 1015, and Roadway Standards Drawing P100 or P200 as applicable. The plans shall list the number of parking spaces required and the number of parking spaces provided.
- 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 minimum 20-foot long driveway throat shall be provided from the back of sidewalk to the nearest parking space or drive aisle.
- f. 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.

**7) Prior to Certificate of Occupancy:**

- a. The applicant shall provide a Certificate of Compliance signed by the Engineer of Record stating all materials and improvements have been installed per approved plans and manufacture's specifications.
- b. Substantial Completion shall be met, per Roadway Standards Section 190.2. For any other unfinished improvements required by conditions of approval, a performance surety shall be provided per Roadway Standards Section 190.3, based on an Engineer's cost estimate. 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 Development Permit:** The applicant shall submit to Clackamas County Engineering:

- a. Written approval from the Clackamas Fire District #1 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 Water Environment Services for surface water management facilities, surface water detention facilities, and erosion control measures.
- c. Written approval from Clackamas River Water for adequate water supply source to serve the development. The approval shall be in the form of utility plans stamped and signed by the Water District representative.
- d. A set of detailed street and site improvement construction plans 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.

- i. The permit will be for street, driveway, curb, sidewalk, drainage, parking and maneuvering area, and other site improvements.
- ii. The permit fee is based on the engineer's cost estimate for the project and the current fee structure for development at the time of the Development Permit application.
- iii. The applicant shall have an Engineer, registered in the state of Oregon, design and stamp construction plans for all required improvements. Plans shall include right of way lines, edge of pavement, curbs and existing structures verified by professional survey.
- iv. The applicant shall enter into a Developer/Engineer Agreement for primary inspection services per Section 180 of the Roadway Standards. This form will be provided to the applicant and shall be signed and returned to County Plans Reviewer.

## FINDINGS

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The findings below identify the standards and criteria that are relevant to this decision, state the facts relied upon in rendering the decision, and explain the justification for the decision.

1. **PROJECT OVERVIEW:** This site is two of three tax lots, operating as one unified development site. The application proposes demolition of the existing structures on the property and redevelopment with one building. Also proposed is new parking, circulation, landscaping, and other site elements. The site is zoned RRF-5.

This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Section(s) 1102, 315, 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:

2. **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(B) states that design review is required for, "...development, redevelopment, expansions, and improvements in the following residential zoning districts: HDR, MR-1, MR-2, PMD, RCHDR, SHD, VA, and VTH...". The proposed

development is located in the Medium Density Residential (MR-1) district, and thus design review is required for the project.

#### *Subsection 1102.02 Submittal Requirements*

**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 December 8, 2021. The application was subsequently tolled to allow the applicant to resolve issuers related to stormwater on the site. 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.

### 3. **Section 315 – Medium Density Residential district**

#### *Subsection 315.03 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 Medium Density Residential district. The applicant's submitted materials indicate that the proposed use for this site is a memory care facility. This falls within the county's definition of a 'Nursing Home', which is an allowed use in the MR-1 Zone. The proposed development meets the standard.

#### *Subsection 315.04 Dimensional Standards*

**Finding:** The table below demonstrates how the applicant's proposal complies with the dimensional standards of the MR-1 district. These standards are met.

	<b>Ordinance Standard</b>	<b>Demonstrated Dimension</b>	<b>Complies With Standard</b>
<b>Minimum Lot Size</b>	None	0.75 acre	Complies
<b>Minimum Front Yard Setback</b>	15 feet	15 feet	Complies
<b>Minimum Rear Yard Setback</b>	20 feet	26 feet, 2 inches	Complies

<b>Minimum Side Yard Setback</b>	7 feet, for a 2 story structure	7 feet, 2 inches	Complies
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#### **4. 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:** A portion of the site was previously developed. The proposed redevelopment has no impact on any mature vegetation, wetlands, natural features or steep slopes. 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

#### **5. 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 new building to be used as a memory care facility. Vehicular and pedestrian circulation, landscaping, and other site elements are proposed and are adequate to connect the building to the local pedestrian network. To the extent possible, the building is set along the street frontage to create a more 'urban' condition along Johnson Creek Boulevard. The site is not located at a transit stop. The parking lot is not greater than three acres in size. The building is not located along a major transit street. 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 proposed building is developed with changes in material, color, texture, and plane to create visual interest and create emphasis at building entrances. Entries are clearly defined and have overhangs which protect people from the elements as they enter and exit the building. The roof features a projecting eave, increasing visual interest and consistent with the residential character of the area. The walls are surfaced with materials appropriate to the location along a major corridor in the county. Materials are consistent with building proximity to the street, as well as with the proposed use of the building. This building complies with the standards of 1005.04.

*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 for both the parking area and pedestrian pathways. 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 site is required to provide two additional requirements:

- 1) The parking areas will use porous pavement, per 1005.06(F).
- 2) The site will exceed the landscape requirements by at least 10 percent, per 1005.06(G).

The standard is met

**6. 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:** There may not be adequate street lighting on the Johnson Creek Boulevard frontage. The site may need to be added to CCSD#5 to pay for street lighting. County Planning staff has received the required preliminary statements of feasibility. The project shall be required to properly address the requirements of the relevant service providers. Per the above findings and the applicant's submitted materials, the proposed development complies with the relevant standards of Section 1006. **As conditioned in Section II, these standards are met.**

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

### *1007.01 - General Provisions*

- A. The location, alignment, design, grade, width, and capacity of all roads shall be planned, coordinated, and controlled by the Department of Transportation and Development and shall conform to Section 1007, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards. Where conflicts occur between Section 1007, the Comprehensive Plan, and the Clackamas County Roadway Standards, the Comprehensive Plan shall control.

**Findings:** The applicant has proposed development of a memory care facility with 56 beds on a 0.75 acre property. The project site is located on the south side of SE Johnson Creek Boulevard.

The applicant is subject to the provisions of Clackamas County Zoning and Development Ordinance (ZDO) Sections 1007 pertaining to roads and connectivity, Section 1015 pertaining to parking and loading.

The Comprehensive Plan classifies SE Johnson Creek Boulevard as a major 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. **As conditioned, this criteria can be met.**

- B. Right-of-way dedications and improvements shall be required of all new developments, including partitions, subdivisions, multifamily dwellings, two- and three-family dwellings, condominiums, single-family dwellings, and commercial, industrial, and institutional uses, as deemed necessary by the Department of Transportation and Development and consistent with Section 1007, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards.

**Finding:** SE Johnson Creek Boulevard is planned to be a 5-lane roadway at this location. A major arterial with a 5-lane road section requires 104 feet of public right-of-way width, per Roadway Standards Drawing C140. Per ZDO section 1007.02(E), developments are required to dedicate one half of the right-of-way width. The applicant will be required dedicate right-of-way as necessary to provide for a 52-foot one half right-of-way width on the entire site frontage of SE Johnson Creek Blvd. The existing one half right-of-way width appears to be 30 feet. A 22-foot wide right-of-way dedication will be required.

The standard street improvements on the SE Johnson Creek Boulevard frontages consistent with the Comprehensive Plan and ZDO Section 1007 include, but are not necessarily limited to, up to a one half-street improvement, pavement widening, curb, 5-foot wide landscape strip, 5-foot

wide sidewalk, and storm drainage facilities. A minimum 39-foot wide one half street improvement will be required along the entire site frontage of SE Johnson Creek Boulevard, constructed to arterial roadway standards, per Standard Drawing C100. **As conditioned, this criteria can be met.**

- C. New developments shall have access points connecting with existing private, public, county, or state roads.
  - 1. Intersection spacing and access control shall be based on Subsection 3.08.110(E) of the Metro Code (*Regional Transportation Functional Plan*); Chapters 5 and 10 of the Comprehensive Plan; and the Clackamas County Roadway Standards.

**Findings:** Access to the project site is proposed from a 24-foot wide driveway that is located with a centerline approximately 33 feet from the east property line. Access spacing standards require that driveways either align with opposing driveways or are off-set a minimum of 500 feet on arterial roadways. The private road, SE 78th Court on the north side of SE Johnson creek Boulevard aligns with approximately the center of the project site. The applicant will be required to shift the proposed site driveway approximately 33 feet to the west to align with SE 78th Court... **This criteria can be met.**

- 2. Joint access and circulation drives utilizing reciprocal easements shall be utilized as deemed necessary by the Department of Transportation and Development. In the NC District, joint street access for adjacent commercial developments shall be required.

**Finding:** The site does not propose a joint access drive. **This criterion does not apply.**

- D. Roadways shall be designed to accommodate transit services where transit service is existing or planned and to provide for the separation of motor vehicles, bicycle, and pedestrian traffic, and other modes as appropriate.

**Finding:** There are no existing stops along the frontage of the proposed redevelopment. **This criteria does not apply.**

#### *1007.02 - Public and Private Roadways*

- A. All roadways shall be developed according to the classifications, guidelines, tables, figures, and maps in Chapters 5 and 10 of the Comprehensive Plan and the provisions of the Clackamas County Roadway Standards.
  - 1. Development along streets with specific design standards specified in Chapter 10 of the Comprehensive Plan shall improve those streets as shown in Chapter 10.

**Finding:** The applicant shall construct improvements along the entire site frontage of SE Johnson Creek Boulevard to arterial road standards, per

Clackamas County Roadway Standards, Standard Drawing C140. The improvements shall consist of:

- Up to a minimum 39-foot wide, one half street improvement, as measured from the right-of-way centerline to face of curb. The structural section shall comply with Standard Drawing C100 for an arterial roadway.
- Standard curb, or curb and gutter if curbline slope is less than one percent.
- A minimum 5-foot wide landscape strip with street trees shall be provided along the site frontage. Street trees shall be planted at 25-40 spacing, based on tree species.
- A 5-foot wide unobstructed sidewalk, per Standard Drawing S960.
- A minimum 28-foot wide driveway approach, per Standards Drawing D650.
- A curb ramp shall be constructed at the east and west ends of the sidewalk, per applicable ODOT Standard Drawings RD900 Series.
- Appropriate off-site pavement tapers shall be provided, in accordance with Roadway Standards Section 250.6.4.
- Storm drainage facilities in conformance with Water Environments Services standards, and Clackamas County Roadway Standards Chapter 4.
- The applicant shall submit electronic as-built plans showing all improvements and construction changes, added and deleted items and location of utilities. The Engineer of record shall stamp and sign as-built plans.

**This criteria can be met.**

#### *1007.04 - Pedestrian and Bicycle Facilities*

- A. General Standards: Pedestrian and bicycle facilities shall be developed according to the classifications and guidelines listed in Section 1007, Comprehensive Plan Figures 5-1 through 5-3, *Typical Roadway Cross Sections*, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards.

**Finding:** The proposed development has frontage along SE Johnson Creek Boulevard. Pedestrian and bicycle facilities shall be developed according to the classifications and guidelines listed in Section 1007, Comprehensive Plan Figures 5-1 through 5-3, *Typical Roadway Cross Sections*, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards. **This criteria can be met.**



#### *1007.05 - Transit Amenities*

All residential, commercial, institutional, and industrial developments on existing and planned transit routes shall be reviewed by Tri-Met or other appropriate transit provider to ensure appropriate design and integration of transit amenities into the development.

**Finding:** The proposed redevelopment has frontage along SE Johnson Creek Boulevard. There are no existing stops along the frontage of the proposed redevelopment. **This criteria does not apply.**

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

**Finding:** The proposed development is within the Portland Urban Growth Boundary. Street trees are required. There are not street trees currently along the frontage. **As conditioned, these standards can be met.**

#### *1007.07 - Transportation Facilities Concurrency*

- B. Approval of a development shall be granted only if the capacity of transportation facilities is adequate or will be made adequate in a timely manner. The following shall be exempt from this requirement:

**Finding:** At the present time SE Johnson Creek Boulevard operates during the mid-day one hour peak and first and second hours of the PM peaks, at acceptable volume to capacity (v/c) ratios less than the maximums which are 0.90 and 0.99 respectively. The addition of 56 bed memory care facility with an estimated 153 vehicle trips per day, 10-12 vehicle trips during the AM and PM peak hour periods, will not adversely impact the current v/c ratios. Therefore, the County's concurrency requirements as they relate to the transportation system are met by the applicant's proposal. **This standard is met.**

#### *1007.08 - Fee In Lieu Of Construction*

For all or part of the road frontage improvements required by Section 1007; located within the Portland Metropolitan Urban Growth Boundary (UGB) and required for a partition, a two- or three-family dwelling (where no more than one such dwelling is proposed), an attached or detached single-family dwelling, or a manufactured dwelling; the developer may elect to pay a fee in lieu of construction as follows.

- A. The fee in lieu of construction may be paid if the road frontage improvements are located on a local, connector, or collector road that is not identified on Comprehensive Plan Map 5-3, *Essential Pedestrian Network*, and payment of the fee is deemed by the Department of Transportation and Development to be an acceptable alternative to construction of the required improvements;

**Finding:** The Comprehensive Plan classifies SE Johnson Creek Boulevard as a major arterial roadway on Comprehensive Plan Map 5-3 Essential Pedestrian Network. *This criteria does not apply.*

#### **8. 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 is 31.1% landscaped area, and will meet the 25% landscaped area requirement in the MR1 zones. 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 context and the local habitat/conditions. Conditions of approval will ensure compliance with the required landscaping in terms of maturity, composition of materials, installation and maintenance of landscape, and irrigation. With the conditions of approval in Section 2, the above findings and the applicant's submitted drawings, the proposed development meets the standards. **As conditioned, these standards are met.**

#### **9. 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:** No signage is proposed in this application. Any additional future signage on the site will need to comply with the standards of Section 1010. The standards are met.

#### **10. 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:** The applicant has proposed to develop the site with a Nursing Home with 55 beds. This use requires 0.2 parking spots per bed, with no maximum. This proposed development proposes 15 parking spots. Table 1015-2 provides

requirements for 1 bicycle spots per 8 beds. The design indicates 4 bicycle parking spaces. An additional 3 bicycle parking spots will be required. Table 1015-3 provides standards for loading zones. Nursing homes of over 25 beds require one loading zone of not less 35 feet by 12 feet, with 14 feet of clearance. No such parking spot is shown on the site plan. The additional bike parking and loading zone will be required as a condition of approval. **As conditioned, these standards are met.**

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

***Finding:*** The trash and recycling enclosure is shown on the submitted drawings. Though it is unclear that the proposed enclosure/facility is sufficient to adequately service the proposed uses, there is adequate space on the property to establish suitable services. **As conditioned, these standards can be met.**

## ADVISORY NOTES

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Advisory notes are not a part of the decision on this land use permit. The items listed below are not conditions of land use approval and are not subject to appeal. They are advisory and informational only but may represent requirements of other agencies/departments.

As such, they may be required by these other agencies/departments in order to complete your proposed development.

### **Clackamas County Engineering**

#### **9) Prior to Certificate of Occupancy:**

- a. The applicant shall provide a Certificate of Compliance signed by the Engineer of Record stating all materials and improvements have been installed per approved plans and manufacture's specifications.
- b. Substantial Completion shall be met, per Roadway Standards Section 190.2. For any other unfinished improvements required by conditions of approval, a performance surety shall be provided per Roadway Standards Section 190.3, based on an Engineer's cost estimate. 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.

#### **10) Prior to the Issuance of a Development Permit:** The applicant shall submit to Clackamas County Engineering:

- e. Written approval from the Clackamas Fire District #1 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.
- f. Written approval from Water Environment Services for surface water management facilities, surface water detention facilities, and erosion control measures.
- g. Written approval from Clackamas River Water for adequate water supply source to serve the development. The approval shall be in the form of utility plans stamped and signed by the Water District representative.
- h. A set of detailed street and site improvement construction plans 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.
  - i. The permit will be for street, driveway, curb, sidewalk, drainage, parking and maneuvering area, and other site improvements.
  - ii. The permit fee is based on the engineer's cost estimate for the project and the current fee structure for development at the time of the Development Permit application.



- iii. The applicant shall have an Engineer, registered in the state of Oregon, design and stamp construction plans for all required improvements. Plans shall include right of way lines, edge of pavement, curbs and existing structures verified by professional survey.
- iv. The applicant shall enter into a Developer/Engineer Agreement for primary inspection services per Section 180 of the Roadway Standards. This form will be provided to the applicant and shall be signed and returned to County Plans Reviewer.

## **Water Environment Services**

**Advisory Notes from WES not received at the time of the issuance of this Staff Recommendation.**

## **Clackamas River Water**

### **1. Water Distribution Design & Infrastructure Requirements:**

- a. The proposed development lies within the service boundaries of the Clackamas River Water (CRW) prior to receiving water service and shall be subject to CRW Rules and Regulations and Standards, in accordance with the following:
  - i. Clackamas River Water Rules and Regulations, April 1996, Resolution No. 2-99
  - ii. Clackamas River Water, Standard Specifications for Development, May 2021
  - iii. Clackamas River Water, Updating SDC Methodology, Ordinance No. 02-2021
- b. All water improvements designed and constructed by the Applicant to serve the proposed development must meet all standards and specifications of CRW; must be reviewed and approved by Clackamas River Water (Engineering) prior to issuance of a Clackamas County Development Permit, and must consider the following:
  - i. All costs associated with the design, construction and testing Applicant shall install at their expense all improvements necessary to provide water service to their development.
- c. Fire services shall be installed where required and shall be provided by, owned, maintained, and tested by the customer. All fire services shall be metered and protected from backflow.
- d. At no time, will CRW approve plans that include hardscape landscaping (except grass or shallow root plantings) or structures (such as walls, drainage systems, or permanent structures of any type) placed within easements.
- e. Any block wall or other fence shall be designed and constructed around the outside of the easement(s), to allow the District direct access to vault(s) and inlet piping from the adjacent right-of-way.
- f. No fencing or gates shall be erected that will impede the reading or maintenance of domestic or fire meters. Keys or independent lock accommodations for gates necessary for site security shall be provided to

CRW that will or could block access to waterline easements and obstruct access to water meters.

## **2. Service Connection and System Development Charges:**

### **a. Service Connection**

- i. Before a structure is demolished, the owner or agent shall notify CRW within three business days to have the domestic meter temporarily pulled. If requested CRW will reestablish the meter for site use once the site has been cleared of debris.
- ii. To request a new service connection visit our website at Clackamas River Water Meter Installation.
- iii. All fees and charges shall be paid in full after a Building or Plumbing Permit from Clackamas County and a CRW Water Service Application has been issued.
- iv. 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:
  1. "Each dwelling or building will be provided with its own water service connection and meter..."
  2. Domestic service will require review and approval of Clackamas River Water to ensure adequate sizing based on site demand.
- v. The Customer shall pay for the abandonment of the existing water service connection if it is deemed no longer necessary to serve the property.
- vi. This development will require a 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.

### **b. System Development Charges (SDC):**

- i. SDC's are based on the water meter size and will be collected in accordance with the current CRW Water Rate Schedule when Clackamas County issues a Building Permit and the owner/builder requests a CRW Water Service Application. SDC rate adjustments occur annually on July 1<sup>st</sup>.
- ii. SDC credit will be given for the existing domestic meter(s) if a larger meter is needed.

## **1. 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.

## **2. 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.

## **Clackamas County Fire**

A land use plan review was conducted for the listed property. It has been determined that this property is in an area with public water supply, and there are no site conditions that would prevent the applicant from constructing the proper access. Fire department access and water supply are reviewed in accordance with the 2019 edition of the Oregon Fire Code (OFC).

When submitting plans for fire department access and water supply approval please include the following information:

- ☐ Fire apparatus access
- ☐ Fire lanes
- ☐ Fire hydrants
- ☐ Fire lines
- ☐ Available fire flow
- ☐ FDC location (if applicable)
- ☐ Building square footage
- ☐ Construction type
- ☐ Fire flow test per NFPA 291 no older than 12 months