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## Notice of a Public Hearing on a Land Use Proposal in Your Area

**Date of Mailing of this Notice:** August 10, 2022

**Notice Sent To:** Agencies, Community Planning Organization(s) and property owners within 2,640 feet of the subject property.

**HEARING DATE:** September 15, 2022

**HEARING TIME:** This hearing will not begin before **9:30 a.m.** However, it may begin later depending on the length of any preceding items.

**HEARING LOCATION:** The public hearing will be conducted virtually using the Zoom platform. One week prior to the hearing, a Zoom link to the public hearing and details on how to observe and testify online or by telephone will be available on our website: [www.clackamas.us/meetings/planning/hearingsofficer](http://www.clackamas.us/meetings/planning/hearingsofficer)

**File Number:** Z0331-22-Z

**Applicant:** Robert & Stan Bleszinski

**Property Owner(s):** Stanley Bleszinski, Katherine Bleszinski, Robert Bleszinski

**Proposal:** Zone change from RRFF-5 (Rural Residential Farm Forest, 5-acre) to RA-2 (Rural Area Residential, 2-acre) to allow for a future subdivision of up to 15 lots. No development is proposed as part of this application.

**Applicable Comprehensive Plan and Zoning and Development Ordinance Criteria:** Comprehensive Plan, Zoning & Development Ordinance Sections 202, 316, 1202, 1307. These criteria may be viewed online at <http://www.clackamas.us/planning/zdo.html>; <https://www.clackamas.us/planning/comprehensive.html>.

Oregon Administrative Rules and Statewide Planning Goals 11, 12, and 14 are also applicable when determining whether a Goal Exception is required for the zone change.

**Site Address and/or Location:** 17449 S Redland Rd; approximately one-quarter mile west of the unincorporated community of Redland

**Assessor's Map:** T2S, R2E, Section 36, Tax Lot(s) 02000, W.M.

**Property Size:** 29.1 acres

**Comprehensive Plan Designation:** Rural

**Zoning Designation:** RRFF-5 (Rural Residential Farm Forest, 5-acre)

**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.**

**HOW TO OBTAIN ADDITIONAL INFORMATION**

**Staff Contact:** Martha Fritzie; 503-742-4529 or [mfritzie@clackamas.us](mailto:mfritzie@clackamas.us)

A copy of the application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost. In addition, a staff report on the application will be available for inspection at no cost at least **seven days prior to the hearing**. Copies may be purchased at the rate of \$2.00 per page for 8 1/2" x 11" or 11" x 14" documents, \$2.50 per page for 11" x 17" documents, \$3.50 per page for 18" x 24" documents and \$0.75 per sq ft with a \$5.00 minimum for large format documents, or you may view these materials:

1. By emailing or calling the staff contact; or
2. Online at <https://accela.clackamas.us/citizenaccess/>. After selecting the "Planning" tab, enter the File Number to search. Select Record Info and then select "Attachments" from the dropdown list, where you will find the submitted application.

**Community Planning Organization for Your Area:** The following recognized Community Planning Organization (CPO) has been notified of this application and may develop a recommendation. You are welcome to contact the CPO and attend their meeting on this matter, if one is planned. If this CPO currently is inactive and you are interested in becoming involved in land use planning in your area, please contact Clackamas County Community Engagement at 503-655-8751.

**CPO: Redland/Viola/Fischer's Mill Contact:** [redlandviolafischersm.cpo@gmail.com](mailto:redlandviolafischersm.cpo@gmail.com).

**HOW TO SUBMIT TESTIMONY ON THIS APPLICATION**

- All interested parties are invited to "attend" the hearing remotely online or by telephone and will be provided with an opportunity to testify orally, if they so choose. One week prior to the hearing, specific instructions will be available online at [www.clackamas.us/meetings/planning/hearingsofficer](http://www.clackamas.us/meetings/planning/hearingsofficer)
- Written testimony received by **September 2, 2022**, will be considered by staff prior to the issuance of the staff report and recommendation on this application. However, written testimony will continue to be accepted until the record closes, which may occur as soon as the conclusion of the public hearing.
- Written testimony may be submitted by email, fax, or regular mail. Please include the permit number on all correspondence and address written testimony to the staff contact who is handling this matter.
- Testimony, argument, and evidence must be directed toward the criteria identified above, or other criteria in the Zoning and Development Ordinance or Comprehensive Plan that you believe apply to the decision. Failure to raise an issue in person at the hearing or by letter prior to the close of the record, or failure to provide statements or evidence sufficient to afford the Hearings Officer an opportunity to respond to the issue, precludes an appeal to the Oregon Land Use Board of Appeals based on that issue.
- Written notice of the Hearing Officer's decision will be mailed to you if you submit oral or written testimony or make written request for notice of decision **and provide a valid mailing address**.

**PROCEDURE FOR THE CONDUCT OF THE HEARING**

The hearing will be conducted by one of the Land Use Hearings Officers, who are appointed by the Board of County Commissioners to conduct public hearings and issue decisions on certain land use permit applications. The following procedural rules have been established to allow an orderly hearing:

1. The length of time given to individuals speaking for or against an item will be determined by the Hearings Officer prior to the item being considered.
2. A spokesperson representing each side of an issue is encouraged.
3. Prior to the conclusion of the evidentiary hearing, any participant may request an opportunity to present additional evidence, argument, or testimony regarding the application. The Hearings Officer will either continue the hearing or leave the record open for additional written evidence, argument, or testimony.

*Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4545 or email [DRenhard@clackamas.us](mailto:DRenhard@clackamas.us).*

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?



**Clackamas County Planning and Zoning Division  
Department of Transportation and Development**

Development Services Building  
150 Beaver Creek Road | Oregon City, OR 97045  
503-742-4500 | zoninginfo@clackamas.us  
www.clackamas.us/planning

**LAND USE APPLICATION**

**DEEMED COMPLETE**

ORIGINAL DATE SUBMITTED:	<input type="text" value="07/07/22"/>
FILE NUMBER:	<input type="text" value="Z0331-22-Z"/>
APPLICATION TYPE:	<input type="text" value="ZONE CHANGE"/>

The Planning and Zoning Division staff deemed this application complete for the purposes of Oregon Revised Statutes (ORS) 215.427 on:

Staff Name

Title

**Comments:**

**Check one:**

The subject property is located inside an urban growth boundary. The 120-day deadline for final action on the application pursuant to ORS 215.427(1) is:

The subject property is not located inside an urban growth boundary. The 150-day deadline for final action on the application pursuant to ORS 215.427(1) is:



**Planning and Zoning**  
**Department of Transportation and Development**  
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 150 Beaver Creek Road | Oregon City, OR 97045  
 503-742-4500 | zoninginfo@clackamas.us  
 www.clackamas.us/planning

**STAFF USE ONLY**

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20331-22

**RECEIVED**

JUL 7 2022

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Clackamas County  
 Staff Initials Planning & Zoning

Land use application for:

# ZONE CHANGE

## Reviewed by Hearings Officer

**Application Fee: \$3,560 if filed with another application  
 for the same property, or \$4,110 if filed alone**

(+ \$420 if an expanded notification area is required by ZDO Section 1307)

APPLICANT INFORMATION			
Applicant name: Robert & Stan Bleszinski	Applicant email: rjb.123@live.com (Robert)	Applicant phone: 503-631-4748	
Applicant mailing address: 16525 SW Holcumb Blvd.	City: Oregon City	State: OR	ZIP: 97045
Contact person name (if other than applicant): Danelle Isenhardt, Isenhardt Consulting	Contact person email: danelle@isenhardtconsulting.com	Contact person phone: 503-880-4979	
Contact person mailing address: P.O. Box 2364	City: Beaverton	State: OR	ZIP: 97075

PROPOSAL	
Brief description of proposal: Zone change of site from RRFF-5 to RA-2	Pre-application conference file number:  <b>ZPAC0085-21</b>

SITE INFORMATION		
Site address: 17449 S Redland Road	Comprehensive Plan designation: Rural	Zoning district: RRFF5
Map and tax lot #:  Township: <u>2</u> Range: <u>2E</u> Section: <u>36</u> Tax Lot: <u>02000</u> Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____	Land area:  30.6 acres	
Adjacent properties under same ownership: Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____		

Printed names of all property owners: Stanley Bleszinski, Katherine Bleszinski, & Robert Bleszinski	Signatures of all property owners: <i>Stanley Bleszinski</i> <i>Robert Bleszinski</i> <i>Katherine Bleszinski</i>	Date(s): <i>06-05-22</i> <i>8-5-22</i> <i>6/5/22</i>
I hereby certify that the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.		
Applicant signature: <i>Robert Bleszinski</i>	Date: <i>8/5/22</i>	

## A. Complete a pre-application conference:

You must attend a pre-application conference with Planning and Zoning staff before filing this application. [Information about the pre-application conference](#) process and a request form are available from the Planning and Zoning website.

## B. Review applicable land use rules:

This application is subject to the provisions of [Section 1202, Zone Changes](#) of the [Clackamas County Zoning and Development Ordinance](#) (ZDO).

It is also subject to the ZDO's definitions, procedures, and other general provisions, as well as to the specific rules of the subject property's zoning district and applicable development standards, as outlined in the ZDO.

## C. Turn in all of the following:

- Complete application form:** Respond to all the questions and requests in this application, and make sure all owners of the subject property sign the first page of this application. Applications without the signatures of *all* property owners are incomplete.
- Application fee:** The cost of this application is **\$3,560 if it is filed concurrently with another land use application for the same property** or **\$4,110 if it is filed alone**. A \$120 notification surcharge also applies if an expanded notification area is required by ZDO Section 1307. Payment can be made by cash, by check payable to "Clackamas County", or by credit/debit card with an additional card processing fee using the [Credit Card Authorization Form](#) available from the Planning and Zoning website. Payment is due when the application is submitted. Refer to the FAQs at the end of this form and to the adopted [Fee Schedule](#) for refund policies.
- Vicinity map:** Provide a map of the area around the property, drawn to scale, that shows the uses and location of improvements on adjacent properties and properties across any road.
- Site plan:** Provide a site plan (also called a plot plan). A [Site Plan Sample](#) is available from the Planning and Zoning website. The site plan must be accurate and drawn to-scale on paper measuring no larger than 11 inches x 17 inches. The site plan must illustrate all of the following (when applicable):
  - Lot lines, lot/parcel numbers, and acreage/square footage of lots, and contiguous properties under the same ownership;
  - All existing and proposed structures, fences, roads, driveways, parking areas, and easements, each with identifying labels and dimensions;
  - Setbacks of all structures from lot lines and easements;
  - Significant natural features (rivers, streams, wetlands, slopes of 20% or greater, geologic hazards, mature trees or forested areas, drainage areas, etc.); and
  - Location of utilities, wells, and all onsite wastewater treatment facilities (e.g., septic tanks, septic drainfield areas, replacement drainfield areas, drywells).
- Service Feasibility Determinations:** Request that the property's water provider, sanitary sewer provider, and surface water management authority, as applicable, each complete a [Preliminary Statement of Feasibility](#) and include those completed statements with your application. If the proposed development will be served by an onsite wastewater treatment system (e.g., a septic system), include an approved Site Evaluation or Authorization Notice from the [Septic & Onsite Wastewater Program](#) attesting to the feasibility of your proposal.
- Transportation impact study:** Refer to the information provided at the pre-application conference regarding the need for a transportation impact study. Include a copy of any required study with your application submittal.
- Any additional information or documents advised of during the pre-application conference**

**D. Answer the following questions:**

1. What zoning district designation are you requesting for the subject property?

Requested zoning district: RA-2 RA-2

2. If the zoning designation you requested in response to Question 1 cannot be approved because the property doesn't meet the approval criteria, would you like an alternate zoning district designation to be considered?

NO

YES, and the alternate zoning district designation(s) I would like is/are:

\_\_\_\_\_

3. Are you filing this zone change application with another application?

NO, this application is being filed alone.

YES, this application is being filed with another application. That other application requests the following:

\_\_\_\_\_

## E. Respond in a narrative:

Your application submittal must include a narrative that fully responds to the following. Due to the technical nature of these requirements, guidance on how best to respond will be provided during the required pre-application conference.

1. How is the proposed zone change consistent with the applicable goals and policies of the County's Comprehensive Plan?
2. If development under the proposed zone would need public services (sanitary sewer, surface water management, and water), could the need be accommodated with the implementation of the applicable service provider's existing capital improvement plan? The cumulative impact of the proposed zone change and development of other properties under existing zoning designations must be considered.
3. Explain how the transportation system is adequate and will remain adequate with approval of the proposed zone change. This explanation should take into consideration the following:
  - a. "Adequate" means a maximum volume-to-capacity ratio (v/c), or a minimum level of service (LOS), as established by Comprehensive Plan Tables 5-2a, *Motor Vehicle Capacity Evaluation Standards for the Urban Area*, and 5-2b, *Motor Vehicle Capacity Evaluation Standards for the Rural Area*.
  - b. Conduct the evaluation of transportation system adequacy pursuant to the Transportation Planning Rule (Oregon Administrative Rules 660-012-0060).
  - c. Assume that the subject property is developed with the primary use, allowed in the proposed zoning district, with the highest motor vehicle trip generation rate.
  - d. The methods of calculating v/c and LOS are established by the Clackamas County Roadway Standards.
  - e. The adequacy standards apply to all roadways and intersections within the impact area of the proposed zone change. The impact area is identified based on the Clackamas County Roadway Standards.
  - f. A determination of whether submittal of a transportation impact study is required is made based on the Clackamas County Roadway Standards, which also establish the minimum standards to which a transportation impact study shall adhere.
  - g. (d) through (f) above do not apply to roadways and intersections under the jurisdiction of the State of Oregon. Instead, motor vehicle capacity calculation methodology, impact area identification, and transportation impact study requirements are established by the ODOT Transportation Analysis Procedures Manual for such roadways and intersections.
4. Explain how the safety of the transportation system is adequate to serve the level of development anticipated by the proposed zone change.

## FAQs:

### What is a zone change?

All land in the County has been divided into districts, also known as zones, with specific requirements for how the land can be used, including minimum lot size and other standards for development. A zone change results in a property switching from one zone to another, which changes the property's allowed uses, minimum lot size, and other development standards.

### What is the permit application process?

Most zone change permits are subject to a "Type III" land use application process, as provided for in Section 1307 of the ZDO. Type III decisions include notice to owners of nearby land, the Community Planning Organization (CPO) if active, service providers (sewer, water, fire, etc.) and affected government agencies, and, unless otherwise provided by the ZDO, are reviewed at a public hearing before the County Land Use Hearings Officer. If the application is approved, the applicant must comply with any conditions of approval identified in the decision. The County's decision can be appealed to the State Land Use Board of Appeals (LUBA).

### What is needed for the County to approve a land use permit?

Zone changes *may* be permitted after an evaluation by the Hearings Officer of applicable standards. The applicant is responsible for providing evidence that their proposal does or can meet those standards. In order to address the standards, the information requested in this application should be as thorough and complete as possible. A permit will only be approved or denied after a complete application is received and reviewed. The County approves an application only if it finds that the proposal meets the standards or can meet the standards with conditions.

### How long will it take the County to make a decision about an application?

The County makes every effort to issue a decision on a Type III land use application within 12 weeks (84 days) of when we deem the application to be complete. State law requires a final County decision on a land use permit application in an urban area within 120 days of the application being deemed complete, and within 150 days for a land use permit in a rural area.

### If an application is submitted and then withdrawn, will a refund be given?

The fee for this application includes a \$1,050 fee for review by the Hearings Officer, which will be fully refunded if the application is withdrawn before the hearing occurs. If a submitted Type III application is withdrawn before it is publicly noticed, 75% of the portion of the application fee paid that is not the Hearings Officer review fee (i.e., the remainder) will be refunded. If a submitted application is withdrawn after it is publicly noticed, but before a staff recommendation is issued, 50% of the remainder will be refunded. No refund on the remainder will be given after a staff recommendation is issued.

### Who can help answer additional questions?

For questions about the County's land use permit requirements and this application form, contact Planning and Zoning at **503-742-4500** or [zoninginfo@clackamas.us](mailto:zoninginfo@clackamas.us). You can also find information online at the Planning and Zoning website: [www.clackamas.us/planning](http://www.clackamas.us/planning).

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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?





July 5, 2022

**APPLICANT'S STATEMENT**

**APPLICANT:** Robert & Stan Bleszinski  
16525 SW Holcumb Blvd.  
Oregon City, OR 97045

**OWNER:** Stanley, Katherine & Robert Bleszinski  
17449 S Redland Road  
Oregon City, OR 97045

**APPLICANT'S REPRESENTATIVE:** Danelle Isenhart, AICP  
Isenhart Consulting, LLC  
P.O. Box 2364  
Beaverton, Oregon 97075

**REQUEST:** Zone Change from RRFF-5 to RA-2

**SITE LEGAL DESCRIPTION:** Tax Lot 2000; Tax Map 2S2E 36  
Clackamas County, Oregon

**SIZE:** 30.6 acres

**LOCATION:** 17449 S Redland Road

**LAND- USE DISTRICT:** RRFF-5 (current)

**I. APPLICABLE REGULATIONS**

- A. Clackamas County Comprehensive Plan
  - Chapter 3                      Natural Resources and Energy
  - Chapter 4                      Land Use
- B. Clackamas County Zoning and Development Ordinance:
  - Section 316                      Rural Area Residential
  - Section 1202                      Zone Changes
- C. Oregon Statewide Planning Goal 14

**II. BACKGROUND:**

The applicant is requesting a zone change from RRFF-5 to RA-2 for a future subdivision for single-family detached dwellings on each lot. The subject property for the zone change is identified by the Clackamas County assessor as Tax Lot 02000 of Tax Map 2S2E—36.

The adjacent properties to the east and south are in the RA-2 zone. The adjacent properties to the west are in the RRFF-5 zone. The property to the north is in the TBR zone.

The site has frontage along S Redland Road. The existing dwelling has access onto S Redland Road via a private driveway. There are 2 street stubs to the site from the east development. S Fieldstone Lane and S Jean Drive.

All necessary utilities (i.e., power, water, etc.) are presently available to the site for the existing dwelling. The future subdivision will be served by individual septic systems on each lot.

**III. FINDINGS**

**A. CLACKAMAS COUNTY COMPREHENSIVE PLAN**

**COMMENT:**

Except where required by the Clackamas County Zoning and Development Ordinance, this application is not required to address the county's goals and policies related to the development of land, since the Clackamas County Comprehensive Plan is implemented by the code.

**CHAPTER 3: NATURAL RESOURCES AND ENERGY**

**COMMENT:**

Chapter 3 implements Statewide Planning Goals 5, 6 and 13. There are no specific goals or policies in Chapter 3 that directly address zone changes. This application is consistent with the following goals and policies.

### **3.K Wildlife Habitat and Distinctive Resource Area Policies**

**3.K.5 Minimize adverse wildlife impacts in sensitive habitat areas, including deer and elk winter range below 3,000 feet elevation, riparian areas, and wetlands.**

#### **COMMENT:**

There are no riparian areas or wetlands on the site. Metro shows the treed area on the north portion of the site as upland habitat. County mapping does not show habitat in this area. The site is fenced and is not deer and/or elk range.

### **3.L Natural Hazards Policies**

**3.L.2 Prevent development (structures, roads, cuts and fills) of landslide areas (active landslides, slumps and planar slides as defined and mapped by the Oregon Department of Geology and Mineral Industries, DOGAMI) to avoid substantial threats to life and property except as modified by 3.L.2.1. Vegetative cover shall be maintained for stability purposes and diversion of stormwater into these areas shall be prohibited.**

#### **COMMENT:**

There are no known natural hazards or landslide hazard areas on the property. Per Metro mapping there are no slopes of 25% or greater on the site. There are some areas with at least 10% slope on the site. Specific grading for a future subdivision can be designed to not disturb any hillside with a slope of 20 percent or greater if found on the site after a site specific topographic survey.

## **CHAPTER 4: LAND USE**

### **4.MM Rural Policies**

**4.MM.1 Areas may be designated Rural if they are presently developed, built upon, or otherwise committed to sparse settlement or small farms with limited, if any, public services available.**

#### **COMMENT:**

The site is within an area surrounding by rural residential uses. Public sewer is not available to the site. The site and any future development of the site is provided by septic. Public water service is available to the site. The proposed 2-acre lots with a future subdivision will be compatible and similar to the lots to the east and south of the site (all in RA-2 zoning). The future development of the site to RA-2 zoning will be consistent with the "sparse settlement" quality identified in this policy. This policy is satisfied.

**4.MM.2 Designation of additional Rural lands shall be based on findings that shall include, but not be limited to:**

**4.MM.2.1 Reasons why additional Rural land is needed or should be provided;**

- 4.MM.2.2 An evaluation of alternative areas in the County that should be designated Rural and a statement of why the chosen alternative is more suitable;**
- 4.MM.2.3 An evaluation of the long-term environmental, economic, social, and energy consequences to the locality, region, or state of designating the area Rural; and**
- 4.MM.2.4 Reasons why designating the area Rural will be compatible with other adjacent uses;**

**COMMENT:**

The site is designated Rural on the Comprehensive Plan map. Therefore, this policy is not applicable.

- 4.MM.3 Areas impacted by major transportation corridors, adjacent to urban growth boundaries or areas designated Rural, and for which public services are committed or planned shall be given priority in designating additional Rural areas.**

**COMMENT:**

The site is designated Rural on the Comprehensive Plan map. Therefore, this policy is not applicable.

**4.MM.4 Residential lot sizes shall be based upon:**

- 4.MM.4.1 Parcelization;**

**COMMENT:**

Per Exhibit 8, within a ¼ mile of the site, the majority (61 of 120) of the parcels are 2 acres or below in size. The BCC interpreted the use of "generally two acres" to mean parcels that are "less than 2 acres". The term "generally" is interpreted to mean a "simple majority of the parcels within the area under consideration." Given that a majority (50.8%) of the tax lots within ¼ of a mile of the site are 2 acres or less, it can be found that parcelization weighs in favor of the proposed zone change to RA-2. This policy is met.

- 4.MM.4.2 Level of existing development;**

**COMMENT:**

There are RA-2 zoned properties to the east and south of the site. The site is the same distance from the Redland rural center as the properties directly south of the site, which are zoned RA-2. The subdivision to the east of the site has 2 street stubs (Fieldstone and Jean) to the site to allow for future development. The site is on the north side of S Redland Road, a main through roadway. There are lots less than 2 acres in size within the ¼ mile radius of the site (Exhibit 8) that have goats, sheep or horses, and/or hobby farms. The level of existing development near the site supports the proposed zone change to RA-2. This policy is met.

#### **4.MM.4.3 Topography;**

##### **COMMENT:**

The site is one parcel. The northern portion of the site is treed. There are no topographical features of the site that would limit future residential development. There are no creeks, wetlands or other waterbodies on the site. The site is gently sloped. This policy is met.

#### **4.MM.4.4 Soil conditions;**

##### **COMMENT:**

The site is one parcel. The northern portion of the site is treed. The soils on the site are well suited to construction, and to the location of subsurface sewage disposal systems (i.e., septic) at a potential 2-acre density. This policy is met.

#### **4.MM.4.5 Compatibility with the types and levels of available public facilities;**

##### **COMMENT:**

Public water service is available in S Fieldstone Lane and S Jean Drive and can be extended into the site during the subdivision phase. The proposed two-acre minimum parcel size will be sufficient to support onsite septic systems (See Exhibit 6). The existing house is on a septic system. An onsite disposal evaluation was done for one future house site in the past and is included in Exhibit 6. Further testing/evaluation for each lot will be provided during the subdivision phase.

#### **4.MM.4.6 Proximity to Unincorporated Communities or an incorporated city; and**

##### **COMMENT:**

The site is not adjacent to the Rural Center of Redland. It is approximately ¼ mile west of this rural center; therefore, in proximity to the rural center. In general, the Oregon Land Conservation and Development Commission's (LCDC) rules consider "in proximity" to an incorporated city to be within 3 miles (OAR 660-003-0130(2)(a), 19(a), 40(b)(E)). There are properties (i.e., just south of the site) within the RA-2 zone that are the same distance from the rural center. For this reason, it can be found that "in proximity" for purposes of this policy includes properties within 3 miles of the nearest unincorporated community, and consequently, find that this proximity factor supports application of the RA-2 zone to the site. This policy is met.

#### **4.MM.4.7 Capacity and level of service of the road network**

##### **COMMENT:**

The Traffic Impact Study (Exhibit 7) shows that development of this site to the RA-2 zone would have a minimal impact on the existing transportation system. This policy is met.

#### **4.MM.5 Existing large lots should be reduced to meet future rural housing needs prior to expanding the areas designated as Rural.**

**COMMENT:**

The proposed zone change is consistent with this policy as it reduces the minimum lot size of existing Rural lands; therefore, relieving pressure on other agricultural lands that might otherwise be sought for conversion to Rural lands. This policy is met.

**4.MM.6 Areas with marginal or unsuitable soils for agricultural or forest use shall be given a higher priority for conversion to rural development than areas with more suitable soils.**

**COMMENT:**

This zone change does not propose the conversion of resource-zoned (farm/forest) lands to Rural lands. This policy is not applicable.

**4.MM.7 Public facilities should be expanded or developed only when consistent with maintaining the rural character of the area.**

**COMMENT:**

The proposed zone change does not include the expansion of public facilities. This policy is not applicable.

**4.MM.8 Increased water service to an area shall not be used in and of itself to justify reduced lot sizes.**

**COMMENT:**

The zone change to RA-2 zoning on the subject site is to provide lots that are more consistent with the surrounding lot sizes to the east and south. Although the future subdivision will benefit from the availability of public water, it does not depend on it. The existing house is on a well.

**4.MM.11 The Rural Area Residential 2-Acre (RA-2), Rural Residential Farm/Forest 5-Acre (RRFF-5), and Farm/Forest 10-Acre (FF-10) zoning districts implement the goals and policies of the Rural plan designation. These zoning districts shall be applied in Rural areas as follows:**

**4.MM.11.1 The RA-2 zoning district shall be applied when all the following criteria are met:**

**4.MM.11.1.a Parcels are generally two acres or smaller.**

**COMMENT:**

Per Exhibit 8, within a ¼ mile of the site, the majority (61 of 120) of the parcels are 2 acres or below in size. The BCC interpreted the use of "generally two acres" to mean parcels that are "less than 2 acres". The term "generally" is interpreted to mean a "simple majority of the parcels within the area under consideration." Given that a majority (50.8%) of the tax lots within ¼ of a mile of the site are 2 acres or less, it can be found that parcelization weighs in favor of the proposed zone change to RA-2. This policy is met.

**4.MM.11.1.b The area is significantly affected by development.**

**COMMENT:**

There are RA-2 zoned properties to the east and south of the site. The site is the same distance from the Redland rural center as the properties directly south of the site, which are zoned RA-2. A majority of the lots directly south of the site (south of S Redland Road) are less than 1 acre in size. A 12-lot subdivision on S Grasle Road in the RA-2 zone (southeast of the site) was platted in 2005 (Marklund Place). The lots in the subdivision to the east (Fieldstone Subdivision) are approximately 1.5 acres to 3 acres in size. The subdivision to the east of the site has 2 street stubs (S Fieldstone Lane and S Jean Drive) to the site to allow for future development. The properties north of S Redland Road between S Potter Road and S Plum Tree Lane (west of the site) range from 0.41 acres to 4.99 acres (in the RRFF-5 zone), with a majority of the lots 2 acres or less (14 lots of 23 lots).

The surrounding area (1/4 mile radius) and subject properties are significantly affected by development. The 120 properties partially, or wholly, within 1/4 mile of the subject property are developed as follows:

Total Lots Within 1/4 Mile	Total Developed Lots	Total Undeveloped Lots	Developed Lots 2 Acres or Less	Percentage of All Developed Lots 2 Acres or Less
120	117	3	63	52.5%

The site is on the north side of S Redland Road, a main through roadway. The site is approximately 3.5 miles east of Highway 213. The level of existing development near the site supports the proposed zone change to RA-2. This policy is met.

**4.MM.11.1.c There are no natural hazards, and the topography and soil conditions are well suited for the location of homes.**

**COMMENT:**

The site is one parcel. The northern portion of the site is treed. There are no topographical features of the site that would limit future residential development. There are no creeks, wetlands or other waterbodies on the site. The site is gently sloped. The soils on the site are well suited to construction, and to the location of subsurface sewage disposal systems (i.e., septic) at a potential 2-acre density. This policy is met.

**4.MM.11.1.d A public or private community water system is available.**

**COMMENT:**

Public water is available from Clackamas River Water District. Public water service is available in S Fieldstone Lane and S Jean Drive and can be extended into the site during the subdivision phase. This policy is met.

**4.MM.11.1.e Areas are in proximity or adjacent to an Unincorporated Community or incorporated city.**



**COMMENT:**

The site is not adjacent to the Rural Center of Redland. It is approximately ¼ mile west of this rural center; therefore, in proximity to the rural center. In general, the Oregon Land Conservation and Development Commission's (LCDC) rules consider "in proximity" to an incorporated city to be within 3 miles (OAR 660-003-0130(2)(a), 19(a), 40(b)(E)). There are properties (i.e., just south of the site) within the RA-2 zone that are the same distance from the rural center. For this reason, it can be found that "in proximity" for purposes of this policy includes properties within 3 miles of the nearest unincorporated community, and consequently, find that this proximity factor supports application of the RA-2 zone to the site. This policy is met.

**4.MM.11.1.f In areas adjacent to urban growth boundaries, RA-2 zoning shall be limited to those areas in which virtually all existing lots are two acres or less.**

**COMMENT:**

The ZDO defines the word "adjoining" to mean "contiguous or abutting," and includes within that definition the word "adjacent." Therefore, the correct interpretation of this policy is that it applies to properties that are "contiguous or abutting" a UGB. The site is not adjacent to the urban growth boundary. Therefore, this policy is not applicable.

**B. CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE**

**SECTION 300: URBAN AND RURAL RESIDENTIAL DISTRICTS**

**SECTION 316: RURAL AREA RESIDENTIAL**

**316.02 APPLICABILITY**

**Section 316 applies to land in the Rural Area Residential 1-Acre (RA-1), Rural Area Residential 2-Acre (RA-2), Recreational Residential (RR), Rural Residential Farm Forest 5-Acre (RRFF-5), Farm Forest 10-Acre (FF-10), and Future Urban 10-Acre (FU-10) Districts, hereinafter collectively referred to as the rural residential and future urban residential zoning districts.**

**COMMENT:**

The site is in the RRFF-5 zone. The applicant is proposing a zone change to the RA-2 zone. Therefore, this section is applicable.

**316.03 USES PERMITTED**

**A. Uses permitted in each rural residential and future urban residential zoning district are listed in Table 316-1, *Permitted Uses in the Rural Residential and Future Urban Residential Zoning Districts*. Uses not listed are prohibited.**

**COMMENT:**

Per Table 316-1, single-family detached dwellings are a permitted use. The existing house is proposed to remain at this time. A future subdivision application for single-family detached dwellings will be applied for upon approval of the subdivision. This criterion is met.

- C. Permitted uses are subject to the applicable provisions of Subsection 316.04, Dimensional Standards; Section 1000, Development Standards; and Section 1100, Development Review Process.**

**COMMENT:**

The future single-family lots in the future proposed subdivision will be for detached dwellings and will comply with these Sections during the subdivision application process.

**316.04 DIMENSIONAL STANDARDS**

- A. General: Dimensional standards applicable in the rural and future urban residential zoning districts are listed in Table 316-2, Dimensional Standards in the Rural Residential and Future Urban Residential Zoning Districts. As used in Table 316-2, numbers in superscript correspond to the notes that follow the table.**
- B. Modifications: Modifications to the standards in Table 316-2 are established by Sections 800, Special Use Requirements; 903, Setback Exceptions; 1012, Lot Size and Density; 1107, Property Line Adjustments; and 1205, Variances.**

**COMMENT:**

The future single-family lots in the future proposed subdivision will be for detached dwellings and will comply with these Sections during the subdivision application process. The conceptual 12-lot subdivision has been designed to meet the RA-2 dimensional standards listed in Table 316-2 (See Exhibit 5). Maximum height and setbacks will be reviewed with each building permit as house designs are unknown at this time. This criterion is satisfied.

**SECTION 1202: ZONE CHANGES**

**1202.02 SUBMITTAL REQUIREMENTS**

**In addition to the submittal requirements identified in Subsection 1307.07(C), an application for a zone change shall include a site plan of the subject property showing existing improvements, and a vicinity map showing the relationship of the subject property to the surrounding area. An application for a zone change to NC District also shall include:**

- A. The requirements listed in Subsection 1102.02;**
- B. A vicinity map, drawn to scale, showing the uses and location of improvements on adjacent properties and properties across any road; and**
- C. A site plan, drawn to scale, showing the following:**

1. **Property dimensions and area of property;**
2. **Access to property;**
3. **Location and size of existing and proposed improvements showing distance from property lines and distance between improvements;**
4. **Location of existing and proposed parking; and**
5. **Location of existing and proposed pedestrian and bicycle facilities, including pedestrian rest and gathering areas.**

**COMMENT:**

The applicable submittal materials have been included in the zone change application packet.

**1202.03 GENERAL APPROVAL CRITERIA**

**A zone change requires review as a Type III or IV application pursuant to Section 1307, Procedures, and shall be subject to the following standards and criteria:**

- A. The proposed zone change is consistent with the applicable goals and policies of the Comprehensive Plan.**

**COMMENT:**

The applicable goals and policies of the Comprehensive Plan are addressed earlier in this narrative. This criterion is satisfied.

- B. If development under the proposed zoning district designation has a need for any of the following public services, the need can be accommodated with the implementation of the applicable service provider's existing capital improvement plan: sanitary sewer, surface water management, and water. The cumulative impact of the proposed zone change and development of other properties under existing zoning designations shall be considered.**

**COMMENT:**

Public water is already available to the site. The future lots will rely on onsite septic systems for sewerage. Public stormwater systems will not be required as the lots at approximately 2 acres each will be large enough to fully infiltrate all runoff on each lot. Therefore, this criterion is not applicable.

- C. The transportation system is adequate and will remain adequate with approval of the proposed zone change. For the purpose of this criterion:**

- 1. Adequate means a maximum volume-to-capacity ratio (v/c), or a minimum level of service (LOS), as established by Comprehensive Plan Tables 5-2a, Motor Vehicle Capacity Evaluation Standards for the Urban Area, and 5-2b, Motor Vehicle Capacity Evaluation Standards for the Rural Area.**

**COMMENT:**

Per the Traffic Impact Study prepared by Lancaster Mobley (Exhibit 7), the full buildout of the site (15 lots) allowed if zoned RA-2 will not negatively impact the existing LOS of the surrounding transportation system. There are not recommended mitigation measures for the future potential subdivision of the site as there is no significant impact on the surrounding transportation system.

- 2. The evaluation of transportation system adequacy shall be conducted pursuant to the Transportation Planning Rule (Oregon Administrative Rules 660-012- 0060).**

**COMMENT:**

A detailed Transportation Planning Rule analysis is provided on pages 3 & 4 of the Traffic Impact Study (Exhibit 7) prepared by Lancaster Mobley. The analysis in Traffic Impact Study cites the relevant sections of OAR 600-012-0060 and provides detailed responses to the requirements. This criterion is satisfied.

- 3. It shall be assumed that the subject property is developed with the primary use, allowed in the proposed zoning district, with the highest motor vehicle trip generation rate.**

**COMMENT:**

The Traffic Impact Study (Exhibit 7) addresses the full density possibility of 15-lots in the proposed RA-2 zone. This zone change would have a very minimal increase in trips. The increase in trips is estimated to be a total of 15 additional trips over the maximum allowed density of the current zone (RRFF-5). This criterion is satisfied.

- 4. The methods of calculating v/c and LOS are established by the Clackamas County Roadway Standards.**
- 5. The adequacy standards shall apply to all roadways and intersections within the impact area of the proposed zone change. The impact area shall be identified pursuant to the Clackamas County Roadway Standards.**

**COMMENT:**

The increase in trips is estimated to be a total of 15 additional trips over the maximum allowed density of the current zone (RRFF-5). Per the Traffic Impact Study (Exhibit 7), "This potential increase in site traffic is too small to affect the functional classification of S Redland Road or degrade the performance of the transportation system." This criterion is satisfied.

- 6. A determination regarding whether submittal of a transportation impact study is required shall be made based on the Clackamas County Roadway Standards, which also establish the minimum standards to which a transportation impact study shall adhere.**

**COMMENT:**

The Traffic Impact Study was determined to be required for the zone change application in the pre-application meeting with staff.

**7. Notwithstanding Subsections 1202.03(C)(4) through (6), motor vehicle capacity calculation methodology, impact area identification, and transportation impact study requirements are established by the ODOT Transportation Analysis Procedures Manual for roadways and intersections under the jurisdiction of the State of Oregon.**

**COMMENT:**

S Redland Road, S Jean Road and S Fieldstone Lane are all County Roads. Therefore, this criterion is not applicable.

**D. Safety of the transportation system is adequate to serve the level of development anticipated by the proposed zone change.**

**COMMENT:**

The Traffic Impact Analysis (Exhibit 7) addresses this criterion. In this report, Lancaster Mobley, finds that the potential future full development of the site in the proposed RA-2 zoning (highest motor vehicle trip generation rate) is a small increase in traffic and will not cause and further degradation of the nearby transportation facilities. The proposed zone change, and potential maximum density buildout will have a minimal impact on the operability and safety of the surrounding transportation system. This criterion is satisfied.

**C. OREGON STATEWIDE GOAL 14**

The site (17449 S Redland Road) is currently zoned RRFF-5 and is designated "Rural" on the Comprehensive Plan map. Pursuant to County Plan policy 4.MM, "areas may be designated Rural if they are presently developed, built upon, or otherwise committed to sparse settlement or small farms with limited, if any, public service available." RRFF-5 is one of three zones that implement the Rural Plan designation; the other zones include Rural Area Residential 2-Acre (RA-2) and Farm Forest 10-Acre (FF-10).

This application proposes a zone change from RRFF-5 to RA-2, facilitating a reduction in the minimum parcel size from 5 acres to 2 acres. This application does not propose a change to the site's current Rural designation. As the Rural Comprehensive Plan designation includes 3 different zones/parcel sizes (FF-10, RRFF-5, and RA-2), this application is a zone change only and does not require a Comprehensive Plan amendment. The selection of appropriate parcel size is based on the factors listed in Policy 4.MM.4 and a change from a larger parcel size to the RA-2 zoning district is subject to Policy 4.MM.11.1 and its criteria, which are addressed earlier in this narrative.

Under OAR 660-004-0040, the minimum allowable lot size within a rural residential area is 2 acres. Establishment of lot sizes smaller than this requires an exception to Goal 14. A Goal 14 exception is not required for this application, based on the following reasons:

1. The future subdivision application of up to 15 lots will show how these lots will be equal to or greater than the 2-acre minimum lot size in OAR 660-004-0040.

2. The future subdivision lots will remain Rural as defined in the Plan for the following reasons:
  - a. The application will not require new urban levels of service. Public water lines are already in place in the area. Each new lot will be served with a separate septic system. The proposed 2-acre lots will be similar in size to the lots to the east and south of the site, which will allow the lots to retain a rural character.
  - b. The proposed 2-acre lots are not urban lots. They are large enough to support separate septic systems and allow small-scale agriculture. Also, they cannot be further divided pursuant to OAR 660-004-0040.
  - c. This zone change application will not adversely affect the ability of the Metro UGB to serve its "urbanization function" because it will maintain a level of rural character on the site, as with similar sized lots abutting the site. The future lots will remain rural in character and function and will not diminish the UGB's distinction between urban and rural areas. Even if each new home/lot is occupied by a family, this level of density will not be enough on its own to create a demand for new supportive urban development (such as new schools and stores), especially since those services are already available in nearby Oregon City and Redland.
3. A Goal 14 exception is not required for application of a rural residential zoning district that was in effect on October 4, 2000 (OAR 660-004-0040(6)(a)). The RA-2 zoning district has been in existence since 1981 and has been one of the zones that implement the Rural Plan designation since that time. Application of such existing zones to other Rural areas is not itself subject to a Goal 14 exception requirement. *See Oregon Shores Conservation Coalition v Curry County*, LUBA Nos. 20006-218 and 2006-219 (2007).

#### **IV. SUMMARY AND CONCLUSIONS**

Based upon the findings of this report and the submitted supplemental graphics material, the applicant has demonstrated compliance with the requirements of the relevant sections of the Clackamas County Comprehensive Plan and Clackamas County Zoning and Development Ordinance for the requested zone change to the RA-2 zone. Therefore, the request should be approved.



July 5, 2022

**APPLICANT'S STATEMENT**

**APPLICANT:** Robert & Stan Bleszinski  
16525 SW Holcumb Blvd.  
Oregon City, OR 97045

**OWNER:** Stanley, Katherine & Robert Bleszinski  
17449 S Redland Road  
Oregon City, OR 97045

**APPLICANT'S REPRESENTATIVE:** Danelle Isenhart, AICP  
Isenhart Consulting, LLC  
P.O. Box 2364  
Beaverton, Oregon 97075

**REQUEST:** Zone Change from RRFF-5 to RA-2

**SITE LEGAL DESCRIPTION:** Tax Lot 2000; Tax Map 2S2E 36  
Clackamas County, Oregon

**SIZE:** 30.6 acres

**LOCATION:** 17449 S Redland Road

**LAND- USE DISTRICT:** RRFF-5 (current)



**I. APPLICABLE REGULATIONS**

- A. Clackamas County Comprehensive Plan
  - Chapter 3 Natural Resources and Energy
  - Chapter 4 Land Use
- B. Clackamas County Zoning and Development Ordinance:
  - Section 316 Rural Area Residential
  - Section 1202 Zone Changes
- C. Oregon Statewide Planning Goal 14

**II. BACKGROUND:**

The applicant is requesting a zone change from RRFF-5 to RA-2 for a future subdivision for single-family detached dwellings on each lot. The subject property for the zone change is identified by the Clackamas County assessor as Tax Lot 02000 of Tax Map 2S2E—36.

The adjacent properties to the east and south are in the RA-2 zone. The adjacent properties to the west are in the RRFF-5 zone. The property to the north is in the TBR zone.

The site has frontage along S Redland Road. The existing dwelling has access onto S Redland Road via a private driveway. There are 2 street stubs to the site from the east development. S Fieldstone Lane and S Jean Drive.

All necessary utilities (i.e., power, water, etc.) are presently available to the site for the existing dwelling. The future subdivision will be served by individual septic systems on each lot.

**III. FINDINGS**

**A. CLACKAMAS COUNTY COMPREHENSIVE PLAN**

**COMMENT:**

Except where required by the Clackamas County Zoning and Development Ordinance, this application is not required to address the county's goals and policies related to the development of land, since the Clackamas County Comprehensive Plan is implemented by the code.

**CHAPTER 3: NATURAL RESOURCES AND ENERGY**

**COMMENT:**

Chapter 3 implements Statewide Planning Goals 5, 6 and 13. There are no specific goals or policies in Chapter 3 that directly address zone changes. This application is consistent with the following goals and policies.

**3.K Wildlife Habitat and Distinctive Resource Area Policies**

**3.K.5 Minimize adverse wildlife impacts in sensitive habitat areas, including deer and elk winter range below 3,000 feet elevation, riparian areas, and wetlands.**

**COMMENT:**

There are no riparian areas or wetlands on the site. Metro shows the treed area on the north portion of the site as upland habitat. County mapping does not show habitat in this area. The site is fenced and is not deer and/or elk range.

**3.L Natural Hazards Policies**

**3.L.2 Prevent development (structures, roads, cuts and fills) of landslide areas (active landslides, slumps and planar slides as defined and mapped by the Oregon Department of Geology and Mineral Industries, DOGAMI) to avoid substantial threats to life and property except as modified by 3.L.2.1. Vegetative cover shall be maintained for stability purposes and diversion of stormwater into these areas shall be prohibited.**

**COMMENT:**

There are no known natural hazards or landslide hazard areas on the property. Per Metro mapping there are no slopes of 25% or greater on the site. There are some areas with at least 10% slope on the site. Specific grading for a future subdivision can be designed to not disturb any hillside with a slope of 20 percent or greater if found on the site after a site specific topographic survey.

**CHAPTER 4: LAND USE**

**4.MM Rural Policies**

**4.MM.1 Areas may be designated Rural if they are presently developed, built upon, or otherwise committed to sparse settlement or small farms with limited, if any, public services available.**

**COMMENT:**

The site is within an area surrounding by rural residential uses. Public sewer is not available to the site. The site and any future development of the site is provided by septic. Public water service is available to the site. The proposed 2-acre lots with a future subdivision will be compatible and similar to the lots to the east and south of the site (all in RA-2 zoning). The future development of the site to RA-2 zoning will be consistent with the "sparse settlement" quality identified in this policy. This policy is satisfied.

**4.MM.2 Designation of additional Rural lands shall be based on findings that shall include, but not be limited to:**

**4.MM.2.1 Reasons why additional Rural land is needed or should be provided;**

- 4.MM.2.2 An evaluation of alternative areas in the County that should be designated Rural and a statement of why the chosen alternative is more suitable;**
- 4.MM.2.3 An evaluation of the long-term environmental, economic, social, and energy consequences to the locality, region, or state of designating the area Rural; and**
- 4.MM.2.4 Reasons why designating the area Rural will be compatible with other adjacent uses;**

**COMMENT:**

The site is designated Rural on the Comprehensive Plan map. Therefore, this policy is not applicable.

- 4.MM.3 Areas impacted by major transportation corridors, adjacent to urban growth boundaries or areas designated Rural, and for which public services are committed or planned shall be given priority in designating additional Rural areas.**

**COMMENT:**

The site is designated Rural on the Comprehensive Plan map. Therefore, this policy is not applicable.

- 4.MM.4 Residential lot sizes shall be based upon:**

- 4.MM.4.1 Parcelization;**

**COMMENT:**

Per Exhibit 8, within a ¼ mile of the site, the majority (61 of 120) of the parcels are 2 acres or below in size. The BCC interpreted the use of "generally two acres" to mean parcels that are "less than 2 acres". The term "generally" is interpreted to mean a "simple majority of the parcels within the area under consideration." Given that a majority (50.8%) of the tax lots within ¼ of a mile of the site are 2 acres or less, it can be found that parcelization weighs in favor of the proposed zone change to RA-2. This policy is met.

- 4.MM.4.2 Level of existing development;**

**COMMENT:**

There are RA-2 zoned properties to the east and south of the site. The site is the same distance from the Redland rural center as the properties directly south of the site, which are zoned RA-2. The subdivision to the east of the site has 2 street stubs (Fieldstone and Jean) to the site to allow for future development. The site is on the north side of S Redland Road, a main through roadway. There are lots less than 2 acres in size within the ¼ mile radius of the site (Exhibit 8) that have goats, sheep or horses, and/or hobby farms. The level of existing development near the site supports the proposed zone change to RA-2. This policy is met.

#### **4.MM.4.3 Topography;**

##### **COMMENT:**

The site is one parcel. The northern portion of the site is treed. There are no topographical features of the site that would limit future residential development. There are no creeks, wetlands or other waterbodies on the site. The site is gently sloped. This policy is met.

#### **4.MM.4.4 Soil conditions;**

##### **COMMENT:**

The site is one parcel. The northern portion of the site is treed. The soils on the site are well suited to construction, and to the location of subsurface sewage disposal systems (i.e., septic) at a potential 2-acre density. This policy is met.

#### **4.MM.4.5 Compatibility with the types and levels of available public facilities;**

##### **COMMENT:**

Public water service is available in S Fieldstone Lane and S Jean Drive and can be extended into the site during the subdivision phase. The proposed two-acre minimum parcel size will be sufficient to support onsite septic systems (See Exhibit 6). The existing house is on a septic system. An onsite disposal evaluation was done for one future house site in the past and is included in Exhibit 6. Further testing/evaluation for each lot will be provided during the subdivision phase.

#### **4.MM.4.6 Proximity to Unincorporated Communities or an incorporated city; and**

##### **COMMENT:**

The site is not adjacent to the Rural Center of Redland. It is approximately ¼ mile west of this rural center; therefore, in proximity to the rural center. In general, the Oregon Land Conservation and Development Commission's (LCDC) rules consider "in proximity" to an incorporated city to be within 3 miles (OAR 660-003-0130(2)(a), 19(a), 40(b)(E)). There are properties (i.e., just south of the site) within the RA-2 zone that are the same distance from the rural center. For this reason, it can be found that "in proximity" for purposes of this policy includes properties within 3 miles of the nearest unincorporated community, and consequently, find that this proximity factor supports application of the RA-2 zone to the site. This policy is met.

#### **4.MM.4.7 Capacity and level of service of the road network**

##### **COMMENT:**

The Traffic Impact Study (Exhibit 7) shows that development of this site to the RA-2 zone would have a minimal impact on the existing transportation system. This policy is met.

#### **4.MM.5 Existing large lots should be reduced to meet future rural housing needs prior to expanding the areas designated as Rural.**

**COMMENT:**

The proposed zone change is consistent with this policy as it reduces the minimum lot size of existing Rural lands; therefore, relieving pressure on other agricultural lands that might otherwise be sought for conversion to Rural lands. This policy is met.

**4.MM.6 Areas with marginal or unsuitable soils for agricultural or forest use shall be given a higher priority for conversion to rural development than areas with more suitable soils.**

**COMMENT:**

This zone change does not propose the conversion of resource-zoned (farm/forest) lands to Rural lands. This policy is not applicable.

**4.MM.7 Public facilities should be expanded or developed only when consistent with maintaining the rural character of the area.**

**COMMENT:**

The proposed zone change does not include the expansion of public facilities. This policy is not applicable.

**4.MM.8 Increased water service to an area shall not be used in and of itself to justify reduced lot sizes.**

**COMMENT:**

The zone change to RA-2 zoning on the subject site is to provide lots that are more consistent with the surrounding lot sizes to the east and south. Although the future subdivision will benefit from the availability of public water, it does not depend on it. The existing house is on a well.

**4.MM.11 The Rural Area Residential 2-Acre (RA-2), Rural Residential Farm/Forest 5-Acre (RRFF-5), and Farm/Forest 10-Acre (FF-10) zoning districts implement the goals and policies of the Rural plan designation. These zoning districts shall be applied in Rural areas as follows:**

**4.MM.11.1 The RA-2 zoning district shall be applied when all the following criteria are met:**

**4.MM.11.1.a Parcels are generally two acres or smaller.**

**COMMENT:**

Per Exhibit 8, within a ¼ mile of the site, the majority (61 of 120) of the parcels are 2 acres or below in size. The BCC interpreted the use of "generally two acres" to mean parcels that are "less than 2 acres". The term "generally" is interpreted to mean a "simple majority of the parcels within the area under consideration." Given that a majority (50.8%) of the tax lots within ¼ of a mile of the site are 2 acres or less, it can be found that parcelization weighs in favor of the proposed zone change to RA-2. This policy is met.

**4.MM.11.1.b The area is significantly affected by development.**

**COMMENT:**

There are RA-2 zoned properties to the east and south of the site. The site is the same distance from the Redland rural center as the properties directly south of the site, which are zoned RA-2. A majority of the lots directly south of the site (south of S Redland Road) are less than 1 acre in size. A 12-lot subdivision on S Grasle Road in the RA-2 zone (southeast of the site) was platted in 2005 (Marklund Place). The lots in the subdivision to the east (Fieldstone Subdivision) are approximately 1.5 acres to 3 acres in size. The subdivision to the east of the site has 2 street stubs (S Fieldstone Lane and S Jean Drive) to the site to allow for future development. The properties north of S Redland Road between S Potter Road and S Plum Tree Lane (west of the site) range from 0.41 acres to 4.99 acres (in the RRFF-5 zone), with a majority of the lots 2 acres or less (14 lots of 23 lots).

The surrounding area (1/4 mile radius) and subject properties are significantly affected by development. The 120 properties partially, or wholly, within 1/4 mile of the subject property are developed as follows:

Total Lots Within 1/4 Mile	Total Developed Lots	Total Undeveloped Lots	Developed Lots 2 Acres or Less	Percentage of All Developed Lots 2 Acres or Less
120	117	3	63	52.5%

The site is on the north side of S Redland Road, a main through roadway. The site is approximately 3.5 miles east of Highway 213. The level of existing development near the site supports the proposed zone change to RA-2. This policy is met.

**4.MM.11.1.c There are no natural hazards, and the topography and soil conditions are well suited for the location of homes.**

**COMMENT:**

The site is one parcel. The northern portion of the site is treed. There are no topographical features of the site that would limit future residential development. There are no creeks, wetlands or other waterbodies on the site. The site is gently sloped. The soils on the site are well suited to construction, and to the location of subsurface sewage disposal systems (i.e., septic) at a potential 2-acre density. This policy is met.

**4.MM.11.1.d A public or private community water system is available.**

**COMMENT:**

Public water is available from Clackamas River Water District. Public water service is available in S Fieldstone Lane and S Jean Drive and can be extended into the site during the subdivision phase. This policy is met.

**4.MM.11.1.e Areas are in proximity or adjacent to an Unincorporated Community or incorporated city.**

**COMMENT:**

The site is not adjacent to the Rural Center of Redland. It is approximately ¼ mile west of this rural center; therefore, in proximity to the rural center. In general, the Oregon Land Conservation and Development Commission's (LCDC) rules consider "in proximity" to an incorporated city to be within 3 miles (OAR 660-003-0130(2)(a), 19(a), 40(b)(E)). There are properties (i.e., just south of the site) within the RA-2 zone that are the same distance from the rural center. For this reason, it can be found that "in proximity" for purposes of this policy includes properties within 3 miles of the nearest unincorporated community, and consequently, find that this proximity factor supports application of the RA-2 zone to the site. This policy is met.

**4.MM.11.1.f In areas adjacent to urban growth boundaries, RA-2 zoning shall be limited to those areas in which virtually all existing lots are two acres or less.**

**COMMENT:**

The ZDO defines the word "adjoining" to mean "contiguous or abutting," and includes within that definition the word "adjacent." Therefore, the correct interpretation of this policy is that it applies to properties that are "contiguous or abutting" a UGB. The site is not adjacent to the urban growth boundary. Therefore, this policy is not applicable.

**B. CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE**

**SECTION 300: URBAN AND RURAL RESIDENTIAL DISTRICTS**

**SECTION 316: RURAL AREA RESIDENTIAL**

**316.02 APPLICABILITY**

**Section 316 applies to land in the Rural Area Residential 1-Acre (RA-1), Rural Area Residential 2-Acre (RA-2), Recreational Residential (RR), Rural Residential Farm Forest 5-Acre (RRFF-5), Farm Forest 10-Acre (FF-10), and Future Urban 10-Acre (FU-10) Districts, hereinafter collectively referred to as the rural residential and future urban residential zoning districts.**

**COMMENT:**

The site is in the RRFF-5 zone. The applicant is proposing a zone change to the RA-2 zone. Therefore, this section is applicable.

**316.03 USES PERMITTED**

**A. Uses permitted in each rural residential and future urban residential zoning district are listed in Table 316-1, *Permitted Uses in the Rural Residential and Future Urban Residential Zoning Districts*. Uses not listed are prohibited.**

**COMMENT:**

Per Table 316-1, single-family detached dwellings are a permitted use. The existing house is proposed to remain at this time. A future subdivision application for single-family detached dwellings will be applied for upon approval of the subdivision. This criterion is met.

- C. Permitted uses are subject to the applicable provisions of Subsection 316.04, Dimensional Standards; Section 1000, Development Standards; and Section 1100, Development Review Process.**

**COMMENT:**

The future single-family lots in the future proposed subdivision will be for detached dwellings and will comply with these Sections during the subdivision application process.

**316.04 DIMENSIONAL STANDARDS**

- A. General: Dimensional standards applicable in the rural and future urban residential zoning districts are listed in Table 316-2, Dimensional Standards in the Rural Residential and Future Urban Residential Zoning Districts. As used in Table 316-2, numbers in superscript correspond to the notes that follow the table.**
- B. Modifications: Modifications to the standards in Table 316-2 are established by Sections 800, Special Use Requirements; 903, Setback Exceptions; 1012, Lot Size and Density; 1107, Property Line Adjustments; and 1205, Variances.**

**COMMENT:**

The future single-family lots in the future proposed subdivision will be for detached dwellings and will comply with these Sections during the subdivision application process. The conceptual 12-lot subdivision has been designed to meet the RA-2 dimensional standards listed in Table 316-2 (See Exhibit 5). Maximum height and setbacks will be reviewed with each building permit as house designs are unknown at this time. This criterion is satisfied.

**SECTION 1202: ZONE CHANGES**

**1202.02 SUBMITTAL REQUIREMENTS**

**In addition to the submittal requirements identified in Subsection 1307.07(C), an application for a zone change shall include a site plan of the subject property showing existing improvements, and a vicinity map showing the relationship of the subject property to the surrounding area. An application for a zone change to NC District also shall include:**

- A. The requirements listed in Subsection 1102.02;**
- B. A vicinity map, drawn to scale, showing the uses and location of improvements on adjacent properties and properties across any road; and**
- C. A site plan, drawn to scale, showing the following:**



1. **Property dimensions and area of property;**
2. **Access to property;**
3. **Location and size of existing and proposed improvements showing distance from property lines and distance between improvements;**
4. **Location of existing and proposed parking; and**
5. **Location of existing and proposed pedestrian and bicycle facilities, including pedestrian rest and gathering areas.**

**COMMENT:**

The applicable submittal materials have been included in the zone change application packet.

**1202.03 GENERAL APPROVAL CRITERIA**

**A zone change requires review as a Type III or IV application pursuant to Section 1307, Procedures, and shall be subject to the following standards and criteria:**

- A. The proposed zone change is consistent with the applicable goals and policies of the Comprehensive Plan.**

**COMMENT:**

The applicable goals and policies of the Comprehensive Plan are addressed earlier in this narrative. This criterion is satisfied.

- B. If development under the proposed zoning district designation has a need for any of the following public services, the need can be accommodated with the implementation of the applicable service provider's existing capital improvement plan: sanitary sewer, surface water management, and water. The cumulative impact of the proposed zone change and development of other properties under existing zoning designations shall be considered.**

**COMMENT:**

Public water is already available to the site. The future lots will rely on onsite septic systems for sewerage. Public stormwater systems will not be required as the lots at approximately 2 acres each will be large enough to fully infiltrate all runoff on each lot. Therefore, this criterion is not applicable.

- C. The transportation system is adequate and will remain adequate with approval of the proposed zone change. For the purpose of this criterion:**

- 1. Adequate means a maximum volume-to-capacity ratio (v/c), or a minimum level of service (LOS), as established by Comprehensive Plan Tables 5-2a, Motor Vehicle Capacity Evaluation Standards for the Urban Area, and 5-2b, Motor Vehicle Capacity Evaluation Standards for the Rural Area.**

**COMMENT:**

Per the Traffic Impact Study prepared by Lancaster Mobley (Exhibit 7), the full buildout of the site (15 lots) allowed if zoned RA-2 will not negatively impact the existing LOS of the surrounding transportation system. There are not recommended mitigation measures for the future potential subdivision of the site as there is no significant impact on the surrounding transportation system.

- 2. The evaluation of transportation system adequacy shall be conducted pursuant to the Transportation Planning Rule (Oregon Administrative Rules 660-012- 0060).**

**COMMENT:**

A detailed Transportation Planning Rule analysis is provided on pages 3 & 4 of the Traffic Impact Study (Exhibit 7) prepared by Lancaster Mobley. The analysis in Traffic Impact Study cites the relevant sections of OAR 600-012-0060 and provides detailed responses to the requirements. This criterion is satisfied.

- 3. It shall be assumed that the subject property is developed with the primary use, allowed in the proposed zoning district, with the highest motor vehicle trip generation rate.**

**COMMENT:**

The Traffic Impact Study (Exhibit 7) addresses the full density possibility of 15-lots in the proposed RA-2 zone. This zone change would have a very minimal increase in trips. The increase in trips is estimated to be a total of 15 additional trips over the maximum allowed density of the current zone (RRFF-5). This criterion is satisfied.

- 4. The methods of calculating v/c and LOS are established by the Clackamas County Roadway Standards.**
- 5. The adequacy standards shall apply to all roadways and intersections within the impact area of the proposed zone change. The impact area shall be identified pursuant to the Clackamas County Roadway Standards.**

**COMMENT:**

The increase in trips is estimated to be a total of 15 additional trips over the maximum allowed density of the current zone (RRFF-5). Per the Traffic Impact Study (Exhibit 7), "This potential increase in site traffic is too small to affect the functional classification of S Redland Road or degrade the performance of the transportation system." This criterion is satisfied.

- 6. A determination regarding whether submittal of a transportation impact study is required shall be made based on the Clackamas County Roadway Standards, which also establish the minimum standards to which a transportation impact study shall adhere.**

**COMMENT:**

The Traffic Impact Study was determined to be required for the zone change application in the pre-application meeting with staff.

**7. Notwithstanding Subsections 1202.03(C)(4) through (6), motor vehicle capacity calculation methodology, impact area identification, and transportation impact study requirements are established by the ODOT Transportation Analysis Procedures Manual for roadways and intersections under the jurisdiction of the State of Oregon.**

**COMMENT:**

S Redland Road, S Jean Road and S Fieldstone Lane are all County Roads. Therefore, this criterion is not applicable.

**D. Safety of the transportation system is adequate to serve the level of development anticipated by the proposed zone change.**

**COMMENT:**

The Traffic Impact Analysis (Exhibit 7) addresses this criterion. In this report, Lancaster Mobley, finds that the potential future full development of the site in the proposed RA-2 zoning (highest motor vehicle trip generation rate) is a small increase in traffic and will not cause and further degradation of the nearby transportation facilities. The proposed zone change, and potential maximum density buildout will have a minimal impact on the operability and safety of the surrounding transportation system. This criterion is satisfied.

**C. OREGON STATEWIDE GOAL 14**

The site (17449 S Redland Road) is currently zoned RRFF-5 and is designated "Rural" on the Comprehensive Plan map. Pursuant to County Plan policy 4.MM, "areas may be designated Rural if they are presently developed, built upon, or otherwise committed to sparse settlement or small farms with limited, if any, public service available." RRFF-5 is one of three zones that implement the Rural Plan designation; the other zones include Rural Area Residential 2-Acre (RA-2) and Farm Forest 10-Acre (FF-10).

This application proposes a zone change from RRFF-5 to RA-2, facilitating a reduction in the minimum parcel size from 5 acres to 2 acres. This application does not propose a change to the site's current Rural designation. As the Rural Comprehensive Plan designation includes 3 different zones/parcel sizes (FF-10, RRFF-5, and RA-2), this application is a zone change only and does not require a Comprehensive Plan amendment. The selection of appropriate parcel size is based on the factors listed in Policy 4.MM.4 and a change from a larger parcel size to the RA-2 zoning district is subject to Policy 4.MM.11.1 and its criteria, which are addressed earlier in this narrative.

Under OAR 660-004-0040, the minimum allowable lot size within a rural residential area is 2 acres. Establishment of lot sizes smaller than this requires an exception to Goal 14. A Goal 14 exception is not required for this application, based on the following reasons:

1. The future subdivision application of up to 15 lots will show how these lots will be equal to or greater than the 2-acre minimum lot size in OAR 660-004-0040.

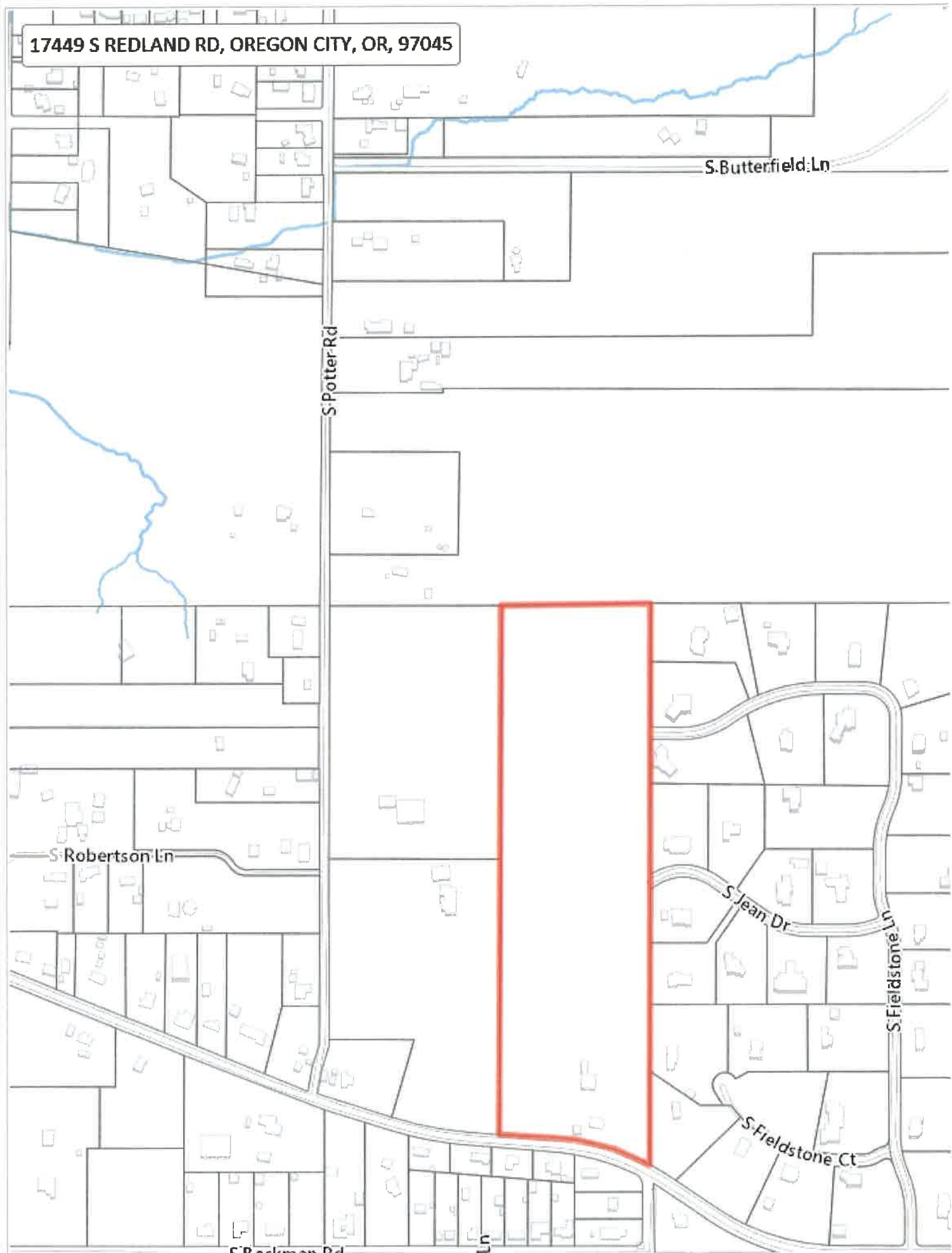
2. The future subdivision lots will remain Rural as defined in the Plan for the following reasons:
  - a. The application will not require new urban levels of service. Public water lines are already in place in the area. Each new lot will be served with a separate septic system. The proposed 2-acre lots will be similar in size to the lots to the east and south of the site, which will allow the lots to retain a rural character.
  - b. The proposed 2-acre lots are not urban lots. They are large enough to support separate septic systems and allow small-scale agriculture. Also, they cannot be further divided pursuant to OAR 660-004-0040.
  - c. This zone change application will not adversely affect the ability of the Metro UGB to serve its "urbanization function" because it will maintain a level of rural character on the site, as with similar sized lots abutting the site. The future lots will remain rural in character and function and will not diminish the UGB's distinction between urban and rural areas. Even if each new home/lot is occupied by a family, this level of density will not be enough on its own to create a demand for new supportive urban development (such as new schools and stores), especially since those services are already available in nearby Oregon City and Redland.
3. A Goal 14 exception is not required for application of a rural residential zoning district that was in effect on October 4, 2000 (OAR 660-004-0040(6)(a)). The RA-2 zoning district has been in existence since 1981 and has been one of the zones that implement the Rural Plan designation since that time. Application of such existing zones to other Rural areas is not itself subject to a Goal 14 exception requirement. *See Oregon Shores Conservation Coalition v Curry County*, LUBA Nos. 20006-218 and 2006-219 (2007).

#### **IV. SUMMARY AND CONCLUSIONS**

Based upon the findings of this report and the submitted supplemental graphics material, the applicant has demonstrated compliance with the requirements of the relevant sections of the Clackamas County Comprehensive Plan and Clackamas County Zoning and Development Ordinance for the requested zone change to the RA-2 zone. Therefore, the request should be approved.



17449 S REDLAND RD, OREGON CITY, OR, 97045





**PRE-APPLICATION CONFERENCE**

**ZPAC0085-21**

CLACKAMAS COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT

LAND USE & ENVIRONMENTAL PLANNING DIVISION

Development Service Building, 150 Beavercreek Road, Oregon City OR 97045

Phone: (503) 742-4500 Fax: (503) 742-4550

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**LOCATION:** Zoom Meeting

**DATE & TIME:** August 12<sup>th</sup>, 2021 at 11am

**STAFF CONTACT:** Melissa Ahrens, Phone: 503-742-4519, E-mail: mahrens@clackamas.us

**APPLICANT:** Danielle Isenhardt

**LEGAL DESCRIPTION:** 22E36 02000

**SITE ADDRESS:** 17449 s Redland Rd

**TOTAL AREA INVOLVED:** 30.6 acres

**PRESENT ZONING:** RRF5

**PROPOSAL:** Approval for subdivision and potential zone change to RA-2

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**I. APPLICABLE AGENCIES & STAFF:**

1. **Clackamas County Planning,** Melissa Ahrens [mahrens@clackamas.us](mailto:mahrens@clackamas.us),  
Martha Fritzie Mfritzie@clackamas.us Ben Blessing [bblessing@clackamas.us](mailto:bblessing@clackamas.us)  
Liz Dance Ldance@clackamas.us
2. **County Engineering, Ken Kent**
3. **Septic Division; Englebert, Eric**
4. **Clackamas River Water Dist. Betty Johnson (bjohnson@crwater.com)**
5. **Clackamas FD#1, Matt Amos; Matt.Amos@clackamasfire.com**

**II. ORDINANCE STANDARDS**

**Note:** The information contained in this memo is introductory in nature and is designed to act as a guide to relevant ZDO sections. This is an initial review and is based on the information submitted by the applicant for the pre-application conference.

When the proposal is submitted for land use approval, it will reviewed against all applicable ZDO sections and, through that process, please be aware that additional considerations may come to light. The County's ZDO is available here: <https://www.clackamas.us/planning/zdo.html>

**III. ZONE CHANGE:**

Please see ZDO Section 1307 for legal processing requirements on a Comprehensive Plan Amendment, Zone Change and Subdivision. The application is available to download on the County's website. The fee for a zone change only is \$4,110 plus \$120 for noticing costs. The



fee for a combined Comprehensive Plan amendment and a Zone change (if determined to be required if proposal is considered an urban use) is \$7,790 (+ \$120 if an expanded notification area is required by ZDO Section 1307).

### **1. Rural Residential Rezone Considerations**

*For rural residential rezone proposals Planning staff first have to verify if an exception to statewide planning goal 14 (urbanization) is required. If a goal exception is required then a Comprehensive Plan amendment would also be required. More background on that analysis is included below:*

Based on a close review of case law State Administrative Rules and Statutes, and the County's Comprehensive Plan and Zoning and Development Ordinance (ZDO), County Planning staff, in consultation with County Counsel, have determined that in some cases a Goal 14 exception (and corresponding Comprehensive Plan Amendment) is not required to change to a different rural residential zoning designation (e.g. FF-10 to RRFF-5). However, in order for a specific property to qualify for this 'carve out' pathway that avoids the needs for a Goal 14 exception the proposed zone change would have to meet the definition of a 'rural use'. To determine if a Goal Exception is required for rural residential rezones, County Planning staff will review such proposals on a case by case basis to determine if a use is 'rural' or 'urban', as defined in relevant LUBA case law and per Oregon Administrative Rules and Revised Statutes<sup>1</sup>. Some examples of factors that may be used for such a determination are:

- That public facilities and services providing for water and sewage disposal will be limited to the types and levels of service available and appropriate for rural lands. Or in other words, that the proposed uses on rural lands will not require urban levels of service.
- The potential impact on a nearby Urban Growth Boundary. Specifically, consideration of whether the density and number of residential units allowed under the proposed zoning would impermissibly affect the ability of nearby UGBs to perform their urbanization function.
- Whether the size of the proposed lots in a partition or subdivision that will accompany the zone change can be considered a rural use.

**DISCLAIMER:** This is guidance only and is subject to change based on changes to state law, future legislative amendment of the Comprehensive Plan or ZDO, decisions of courts or administrative tribunals, or quasi-judicial land use decisions. This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).

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<sup>1</sup> 1 The analysis of whether a particular proposed use will allow an urban or rural use within the meaning of Goal 14 requires a case by case analysis, 1000 Friends of Oregon v. LCDC (Curry Co.), supra, 301 Or at 521

Potential Permitting Pathways

	<b>If determined to be a Rural Use -</b>	<b>If determined to be an Urban Use- Goal 14 exception Required</b>
Application Type	Zone Change	Comprehensive Plan Amendment and Zone change
Process	Hearings Officer	Planning Commission, then Board of County Commissioners
Appeal Authority	LUBA	LUBA
Submittal Requirements/Approval Criteria	<p>Zone Change submittal requirements ZDO Section 1202.02/See ZDO 1202.03 and Comprehensive Plan Policy 4.MM.11.1 for RA-2 criteria-<i>Please note additional submittal materials may be required to demonstrate consistency with other applicable Comprehensive Plan Policies and statewide planning goals</i></p>	<p>(a) The applicant would need to submit a <b>Comprehensive Plan Amendment</b> for a reasons exception to Goal 14 and demonstrate compliance with the reasons exception criteria in that application context. (see Attachment A for submittal requirements)</p> <p><b>Zone Change</b> submittal requirements ZDO Section 1202.02/ See ZDO 1202.03 and Comprehensive Plan Policy 4.MM.11.1 for RA-2 criteria-<i>Please note additional submittal materials may be required to demonstrate consistency with other applicable Comprehensive Plan Policies and statewide planning goals</i></p>

## 2. Zone Change Approval Criteria

Zone changes are subject to the approval criteria in Section 1202.03, which requires the zone change to be (A) consistent with the Comprehensive Plan, (B) have adequate services provided, (C) have no significant impact on the adequacy of the transportation system or (D) safety of the transportation system. For (A) we look to the existing Comprehensive Plan. The major chapters of the Comprehensive Plan that would need to be addressed as part of compliance with 1202.03(A) are as follows:

### Chapter 3, Natural Resources and Energy

Address natural resources on site and consistency with the applicable policies of this chapter.

### Chapter 4, Land Use, Policy 4.MM.11.1:

*4.MM.11.1 The RA-2 zoning district shall be applied when all the following criteria are met:*

*4.MM.11.1a Parcels are generally two acres or smaller.*

*4.MM.11.1b The area is significantly affected by development.*

*4.MM.11.1c There are no natural hazards, and the topography and soil conditions are well suited for the location of homes.*

*4.MM.11.1d A public or private community water system is available.*

*4.MM.11.1e Areas are in proximity or adjacent to an Unincorporated Community or incorporated city.*

*4.MM.11.1f In areas adjacent to urban growth boundaries, RA-2 zoning shall be limited to those areas in which virtually all existing lots are two acres or less.*

The board of County Commissioners (BCC) has interpreted the use of “generally two acres” to mean parcels that are “less than 2 acres”. The term “generally” is interpreted to mean a “simple majority of the parcels within the area under consideration”. Additionally, the BCC has interpreted “area” as meaning a majority of the parcels within a Rural Land Use Designation that are at least partially located within ¼ mile of the boundaries of the property being considered for a zone change, including the parcels being considered for the zone change. This BCC interpretation was made in 2000, through Board Order 2000-57. **You have the option of submitting a mapping request for a \$480 fee to determine compliance, performing your own mapping analysis compliant with this interpretation, or submitting a different interpretation of this policy with supporting information.**

### Chapter 5, Transportation

To address this chapter and sections 1202.03(C) and (D) of the ZDO applicants are required to submit a traffic study. Please coordinate with Christian Snuffin, Senior Traffic Engineer, 503-680-5623, [CSnuffin@clackamas.us](mailto:CSnuffin@clackamas.us) to determine the traffic study requirements in this case.

## QUESTIONS FROM THE APPLICANT

1. What is required for sanitary sewer feasibility statement?

(Do we need any perk tests, a civil engineer report? I would think we would just need a statement that sewage is handled with approved drain sites for each parcel if future development is proposed.)

No septic feasibility would be required as part of the legal filing requirements of the zone change application. Please note though that providing evidence that there is septic feasibility on site to some degree would go towards findings you make as to why the proposed zone change is an urban use and would not require urban sewer service. That is more nuanced though and is not necessarily a legal filing requirement just something that may be part of your Goal 14 consistency analysis.

2. Are we a rural use? Is this a Zone Change only or a Zone Change and Comprehensive Plan Amendment?

(If we are a rural use then we just go to a hearings officer. Is RA-2 and RA-1 near a rural center a rural use?)

Per LUBA case law this is a complicated question the County's ZDO and state law do not have a clear answer for. It would be incumbent upon the applicant to make a case in the application that the proposed zone change is still a rural use not requiring a new Goal 14 exception.

The application you are submitting - would be for a zone change and a Comp. Plan amendment only if a Goal 14 exception (or other Goal exception) was found necessary to allow for the proposed zone change. That determination would be made in staff's recommendation to the hearing's officer and the HO's final decision.

3. Does a zone change require the same traffic study ORS 660-012-0060? Will the traffic study resolve the line of sight question for our driveway?

(I assume the maximum vehicle trips would be for a potential 15 lot development on 30.6 acres. Can this resolve the line of sight for our existing driveway? If the zone change is denied we will need this clarified for RRF-5 development.)

Please direct traffic related questions to Christian Snuffin in our engineering department. The application traffic study would have to legally address Comprehensive Plan consistency, which would by reference involve the TPR and associated OARs .

4. Do we need a sample plot plan or just an overview like the county mapping study?

(I like the mapping study as it shows RA-2, RA-1 and rural center but maybe a black and white county map or aerial might be better as I think we have to show existing buildings, etc.)

The mapping analysis wasn't submitted as part of the pre-application materials so maybe re-send it to me and I can take a look. The mapping analysis we do for a fee per the general land use application form follows the Board interpretation. The Board of County Commissioners (BCC) has interpreted the use of "generally two acres" to mean parcels that are "less than 2 acres". The term "generally" is interpreted to mean a "simple majority of the parcels within the area under consideration". Additionally, the BCC has interpreted "area" as meaning a majority of the parcels within a Rural Land Use Designation that are at least partially located within ¼ mile of the boundaries of the property being considered for a zone change, including the parcels being considered for the zone change. This BCC interpretation was made in 2000, through Board Order 2000-57. If the mapping analysis isn't compliant with the Board interpretation then you would want to submit a different interpretation of the specific Comp. Plan policy (see pre-app notes) with supporting information as part of your application.

5. Do we need to show slopes > 20% and potential road cuts, natural hazards or wetlands? Perhaps this could be show on the plot plan.

( It might be better to not raise this issue as the application form doesn't mention anything about showing potential development. We are just trying for the zone change.)

Yes, we would need this information addressed in some format for the comprehensive plan consistency analysis. The Comprehensive Plan has policies addressing water quality, groundwater resources, natural resources, natural hazards etc. that you would need to address in your application materials. I suggest looking through our comp. plan and then following up with specific questions.

6. Is the mapping analysis a plus or minus for us? Can we use the mapping analysis map or map from pre-app for our plat plan? Or how detailed does the potential layout need to be?(Melissa did state that BCC in 1980 agreed to a simple majority.)

Please see response above. The 'interpretation' from the BCC includes more than just one word in the Comp. Plan criteria so I would take a specific look at the interpretation board order. If you need a copy let me know. Again, if the mapping analysis met the Board interpretation you would know from Staff's mapping analysis. At that point you could choose to just submit the mapping analysis or submit a different analysis as to why you think you are still consistent with the subject Ch. 4 policy and what your interpretation of the intent is.

## **ATTACHMENT A**

Comprehensive Plan Amendment for a Reasons Exception to Statewide Planning Goal 14

Goal exceptions are authorized under statewide planning statutes, goals and administrative rules in order to provide flexibility for situations in which a departure from the strict application of the goals is justified based on site-specific and project specific conditions. Approval of a goal exception does not establish precedent for allowing future goal exceptions. Goal 2 defines the term "exception" as follows:

*"Exception means a comprehensive plan provision, including an amendment to an acknowledged comprehensive plan, that:*

*"(a) Is applicable to specific properties or situations and does not establish a planning or zoning policy of general applicability;*

*"(b) Does not comply with some or all goal requirements applicable to the subject properties or situations; and*

*"(c) Complies with standards for an exception."*

There are three types of exceptions: (1) "physically developed" exceptions are justified where the property is physically developed to the point where resource use is no longer practicable; (2) "irrevocably committed" exceptions are justified where the nature of nearby physical development makes resource use impracticable; and (3) **"reasons" exceptions are justified where there is a need for development at the site in question and where the applicant establishes that reasons justify why the policy embodied in the applicable goals should not apply, the proposed development cannot reasonable locate elsewhere, and the proposed use is compatible with other adjacent uses or can be made compatible through measures designed to reduce impacts.**

This potential application would require a "reasons" exception to Goal 3. ORS 197.732 sets for the following criteria for a goal exception based on a "reasons" argument, as follows:

*(c) The following standards are met:*

*Reasons justify why the state policy embodied in the applicable goals should not apply;*

*Areas that do not require a new exception cannot reasonably accommodate the use;*

*The long term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site; and*

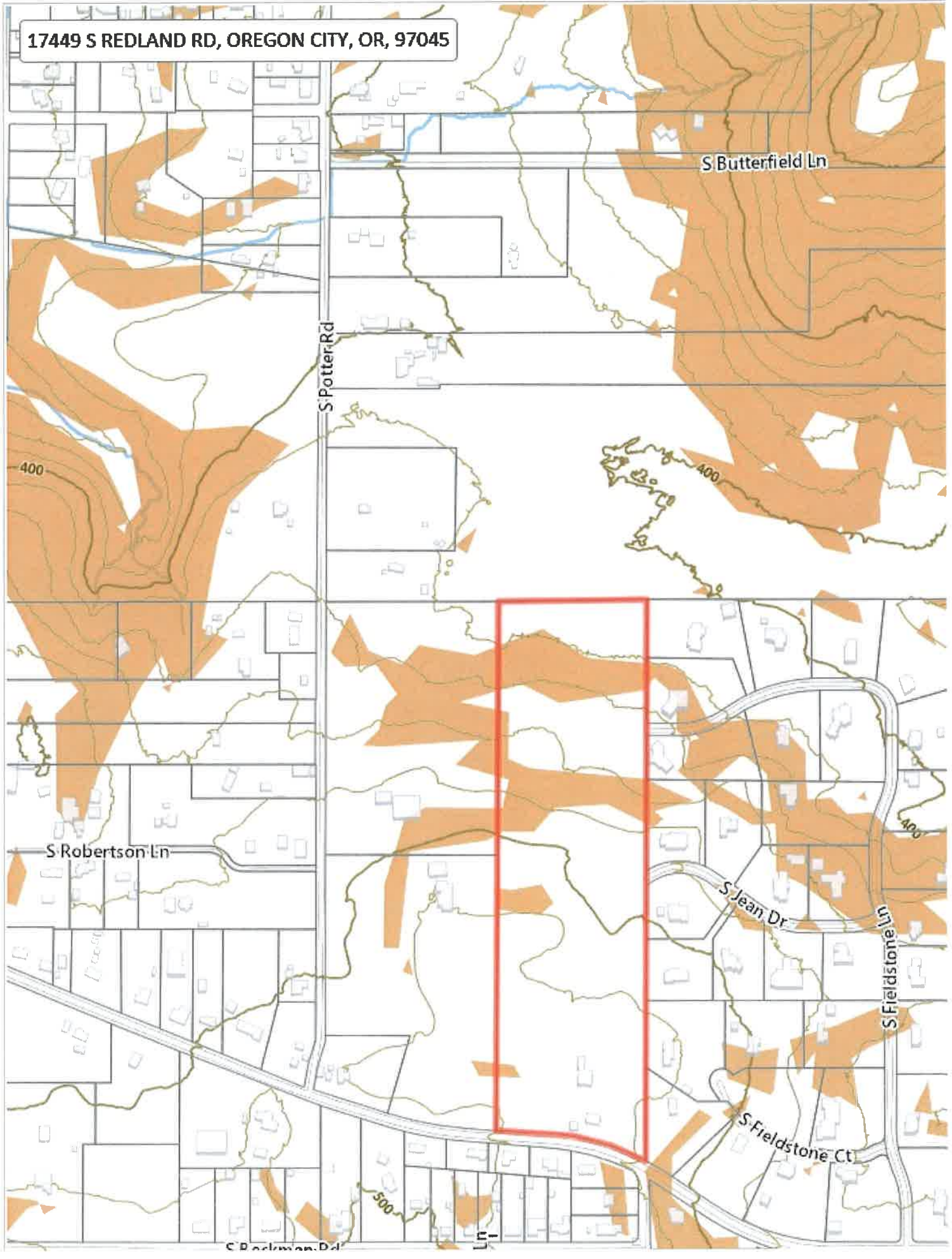
*(d) The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts.*

These four standards outline the four-step process an applicant must engage in to demonstrate the proposal (1) is "needed", (2) cannot reasonably be located on an "alternative" site, (3) will have minimal adverse "consequences", and (4) is "compatible" with neighboring uses.

The general criteria for reasons exceptions are set forth in the state statutes at ORS 197.732 and LCDC's administrative rules at OAR 660-004-0020. The rules then provide additional "reasons" that can justify an exception at OAR 660-004-0022, including criteria that must be applied to more specific types of uses. (OAR 660, Division 4 is attached for reference)



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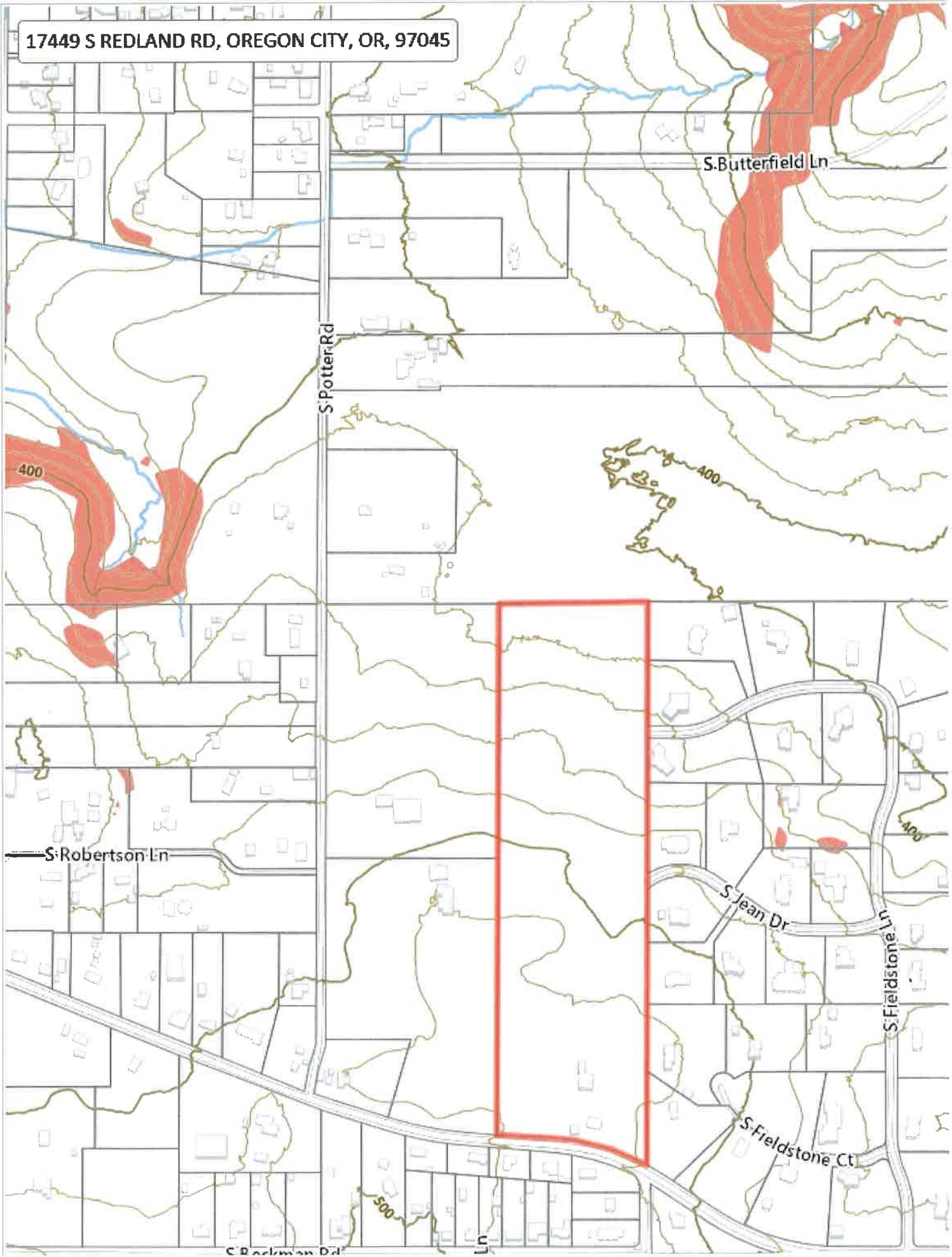


C Beckman, Dd





17449 S REDLAND RD, OREGON CITY, OR, 97045





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195'

195.5'

195.5'

195.5'

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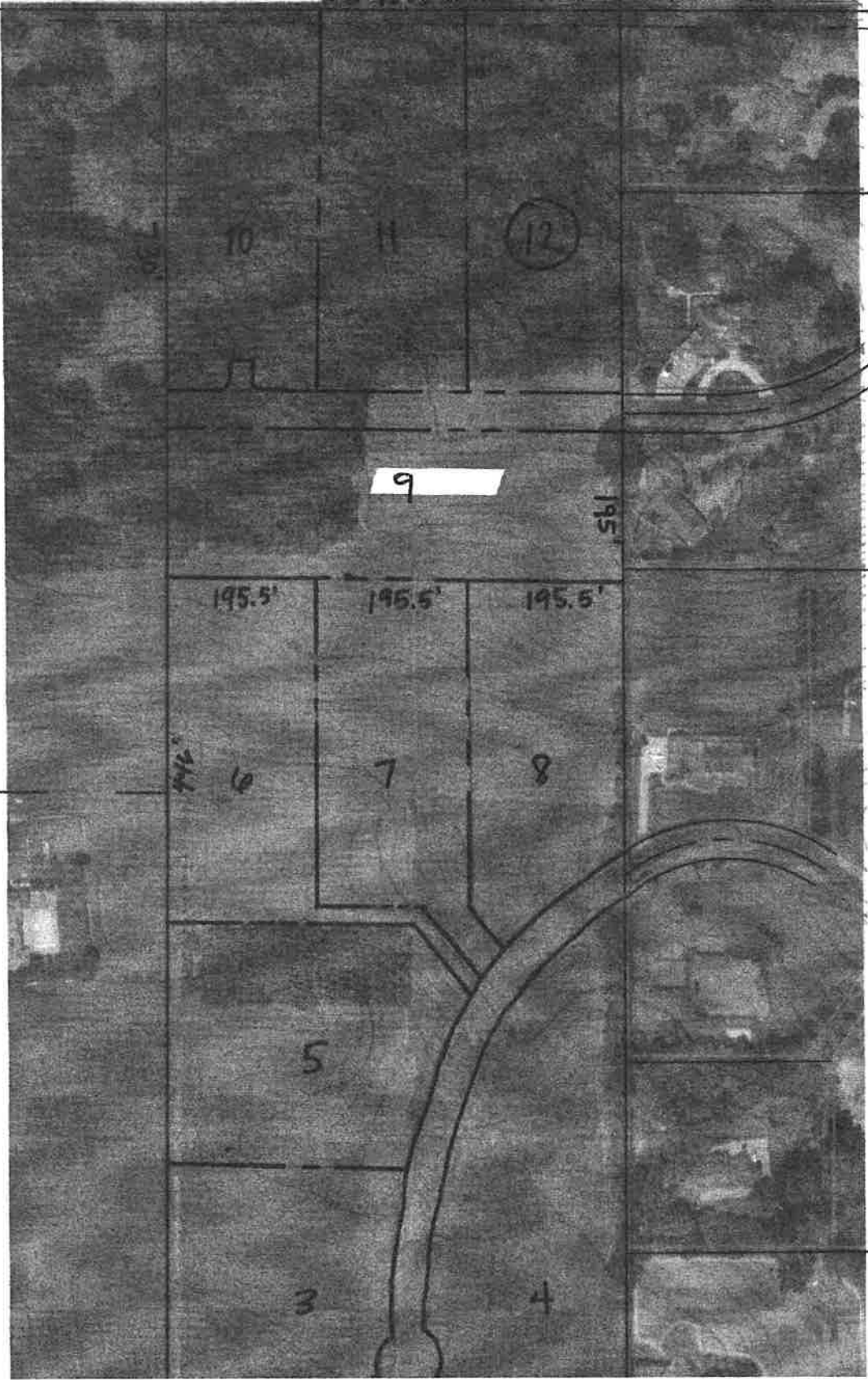
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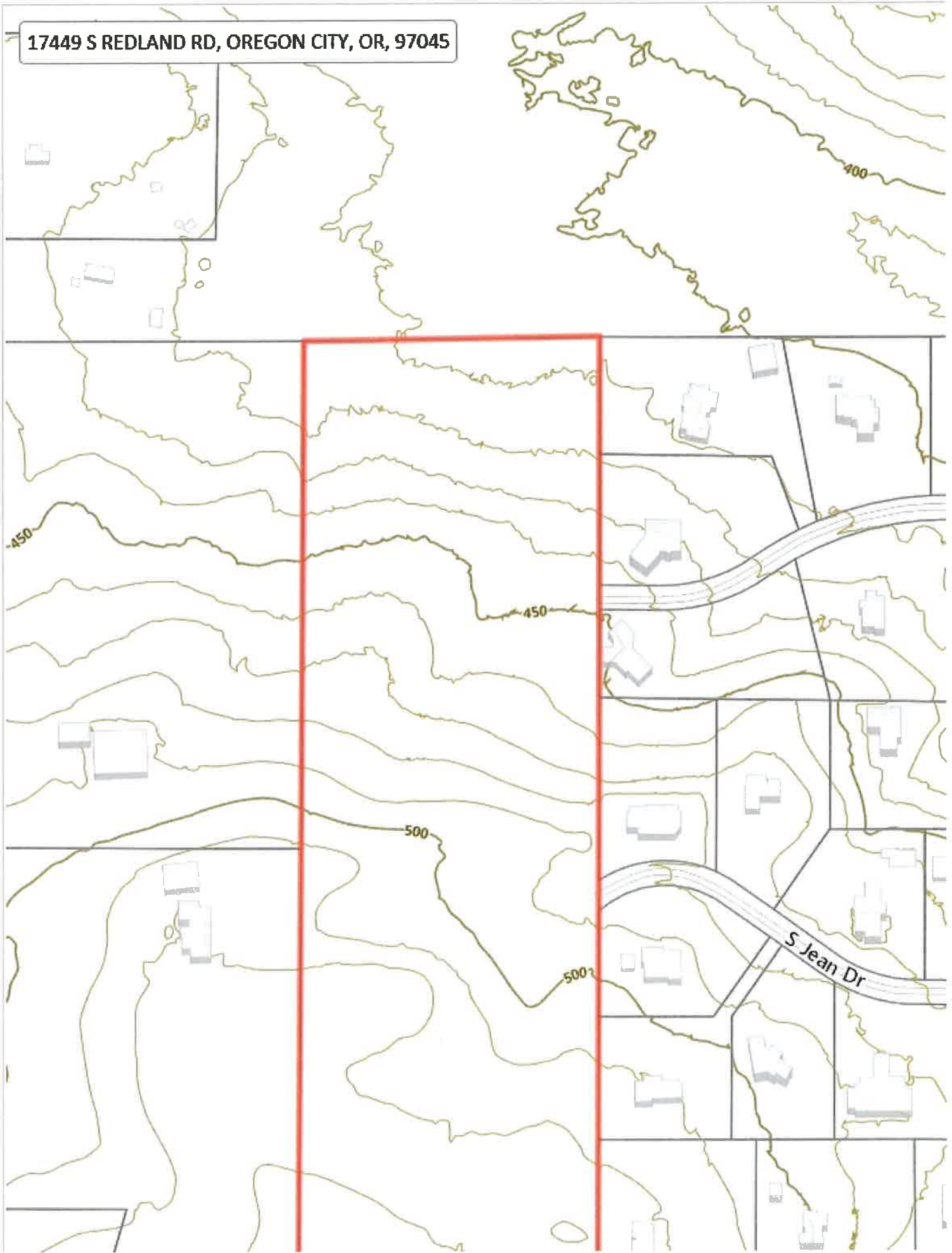
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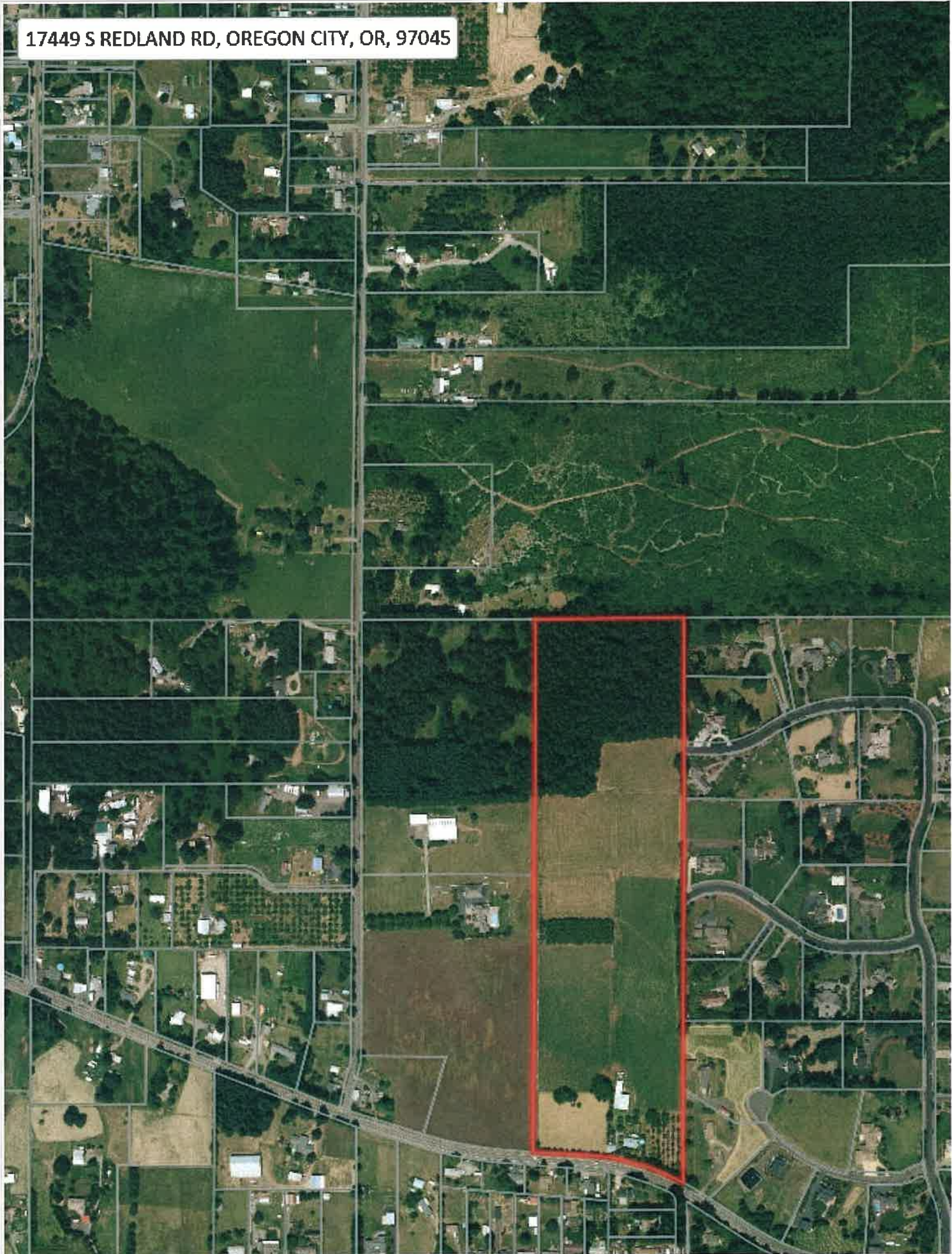


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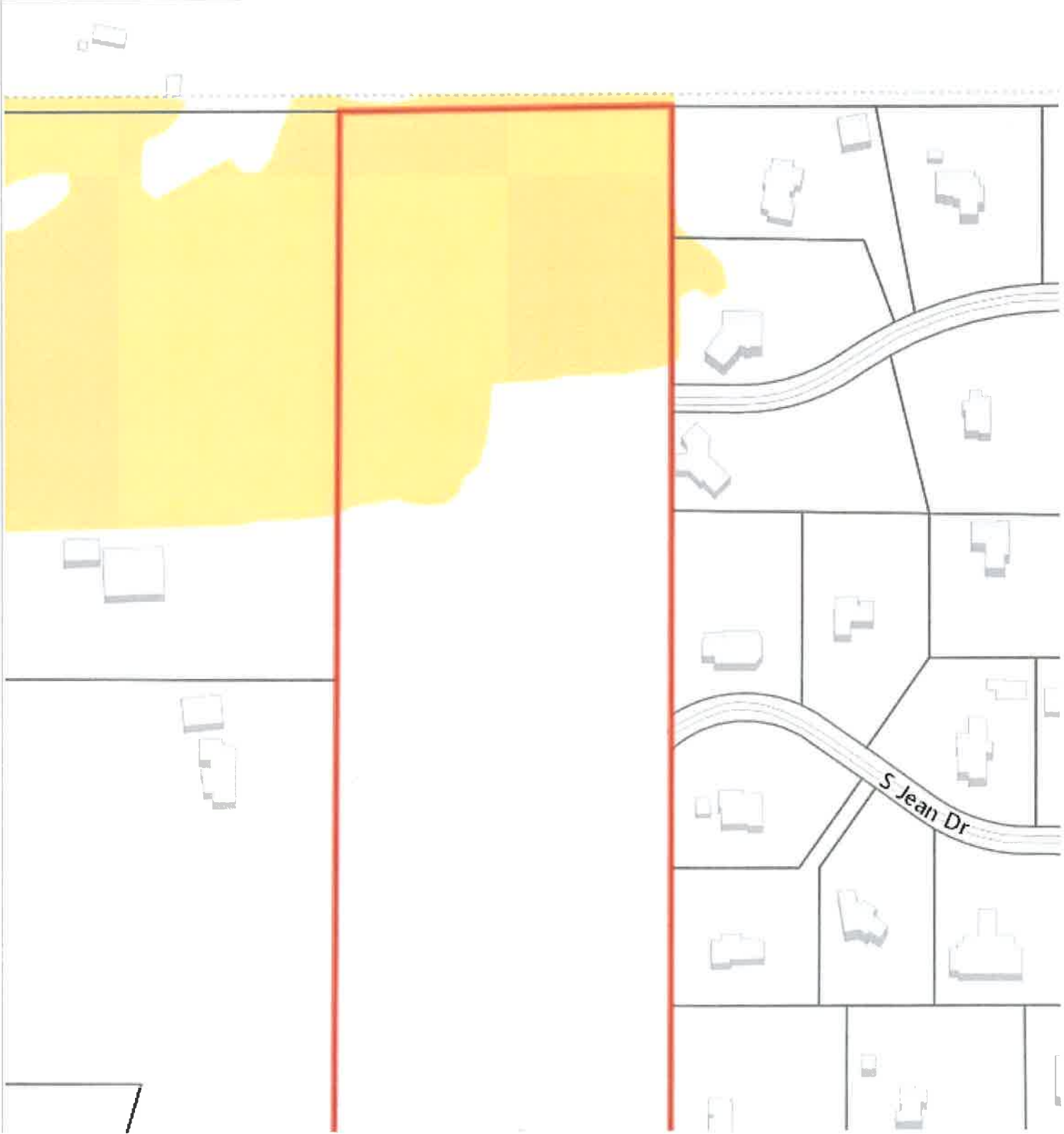
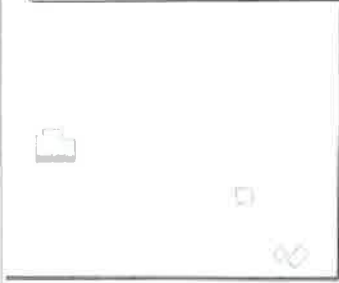
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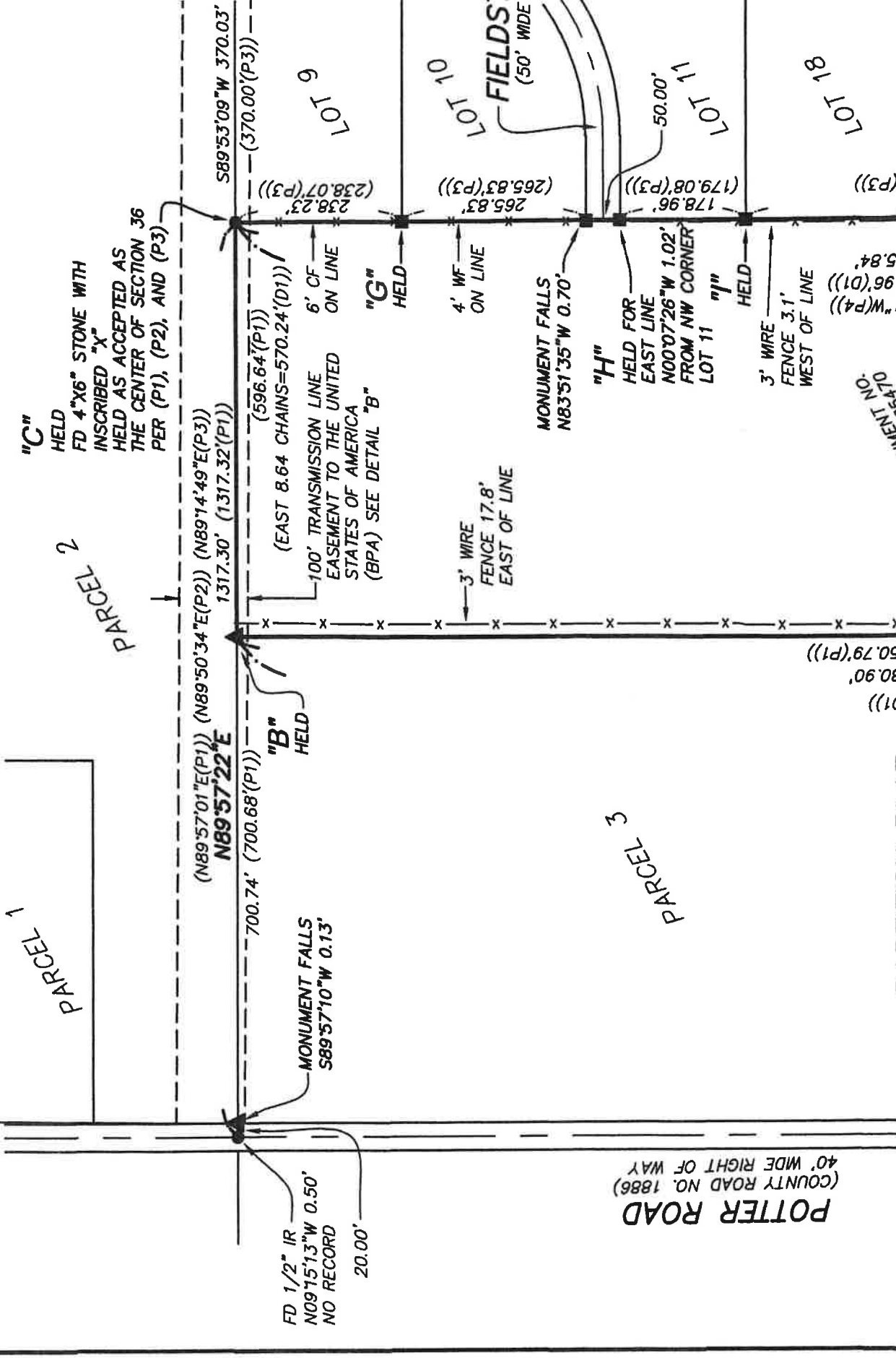


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PARTITION PLAT NO. 2017-045







Planning and Zoning  
Department of Transportation and Development  
Development Services Building  
150 Beavercreek Road | Oregon City, OR 97045  
503-742-4500 | zoninginfo@clackamas.us  
www.clackamas.us/planning

## Instructions for PRELIMINARY STATEMENTS OF FEASIBILITY

### Instructions to Applicant:

The attached *Preliminary Statement of Feasibility* form is to be completed by the applicable sanitary sewer service provider, surface water management authority, and water service provider. Where there is no surface water management service district for the subject property, this form is to be provided to the Clackamas County Department of Transportation and Development, Transportation Engineering Division. *Preliminary Statements of Feasibility* are not required for onsite wastewater treatment facilities (e.g., septic tanks) or water service by private well.

Completed *Preliminary Statement of Feasibility* forms must be submitted with a land use application for design review, a partition, a subdivision, conditional use permit, or zone change.

It is the responsibility of the applicant for a land use application to provide a copy of this form to each service provider for the subject property. A service provider may require the submission of detailed plans and/or engineering data prior to determining whether a *Preliminary Statement of Feasibility* will be issued. Contact the service providers for details.

The forms must be dated no more than one year prior to submittal of a complete land use application.

### Instructions to Reviewing Service Provider or Surface Water Management Authority:

A development is proposed within your service area. Please complete the attached *Preliminary Statement of Feasibility* to indicate whether adequate service can be provided to this development.

If adequate service can be provided only with the implementation of certain conditions of approval, you may attach such conditions to the completed form. Completion of the *Preliminary Statement of Feasibility* does not imply that additional requirements (e.g., plan submittals) may not be imposed by your agency once a land use application for the prospective development is filed.

Clackamas County Planning & Zoning will continue to provide notice to you of land use applications for property within your service area. This will allow you to determine whether the submitted development proposal differs from the plans reviewed by your agency in conjunction with the completion of this statement. This will also allow you to provide additional comments as necessary.

*Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4545 or drenhard@clackamas.us.*

**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?



**Planning and Zoning**  
**Department of Transportation and Development**  
 Development Services Building  
 150 Beaver Creek Road | Oregon City, OR 97045  
 503-742-4500 | zoninginfo@clackamas.us  
 www.clackamas.us/planning

## PRELIMINARY STATEMENT OF FEASIBILITY

TO BE COMPLETED BY APPLICANT														
Applicant name: <i>ROBERT BLEZINSKI</i>	Applicant email: <i>rjb.123@live.com</i>	Applicant phone: <i>503 703 8605</i>												
Project engineer:	Project engineer email:	Project engineer phone:												
Site address: <i>17449 S. REDLAND RD. OREGON CITY, OR 97045</i>														
Map and tax lot #: <table style="width: 100%; margin-top: 5px;"> <tr> <td style="text-align: center;">Township: <i>2</i></td> <td style="text-align: center;">Range: <i>2E</i></td> <td style="text-align: center;">Section: <i>36</i></td> <td style="text-align: center;">Tax Lot: <i>02000</i></td> </tr> <tr> <td style="text-align: center;">Township: _____</td> <td style="text-align: center;">Range: _____</td> <td style="text-align: center;">Section: _____</td> <td style="text-align: center;">Tax Lot: _____</td> </tr> <tr> <td style="text-align: center;">Township: _____</td> <td style="text-align: center;">Range: _____</td> <td style="text-align: center;">Section: _____</td> <td style="text-align: center;">Tax Lot: _____</td> </tr> </table>			Township: <i>2</i>	Range: <i>2E</i>	Section: <i>36</i>	Tax Lot: <i>02000</i>	Township: _____	Range: _____	Section: _____	Tax Lot: _____	Township: _____	Range: _____	Section: _____	Tax Lot: _____
Township: <i>2</i>	Range: <i>2E</i>	Section: <i>36</i>	Tax Lot: <i>02000</i>											
Township: _____	Range: _____	Section: _____	Tax Lot: _____											
Township: _____	Range: _____	Section: _____	Tax Lot: _____											

TO BE COMPLETED BY SERVICE PROVIDER / SURFACE WATER MANAGEMENT AUTHORITY	
Name of service provider / surface water management authority:	Name and title of authorized representative:
Representative email:	Representative phone:
Check all that apply: <ul style="list-style-type: none"> <li><b>Water Service</b></li> <li><input type="checkbox"/> Water service, including fire flows, is available in levels appropriate for the development and adequate water system capacity is available in source, supply, treatment, transmission, storage, and distribution, or such levels and capacity can be made available through improvements completed by the developer or the system owner.</li> <li><input type="checkbox"/> 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 sprinkler system, is acceptable.</li> <li><input type="checkbox"/> Adequate water service cannot be provided.</li> <li><b>Sanitary Sewer Service</b></li> <li><input type="checkbox"/> Sanitary sewer capacity in the wastewater treatment system and the sanitary sewage collection system is available to serve the development or can be made available through improvements completed by the developer or the system owner.</li> <li><input type="checkbox"/> Adequate sanitary sewer service cannot be provided.</li> <li><b>Surface Water Management, Treatment, and Conveyance</b></li> <li><input type="checkbox"/> 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.</li> <li><input type="checkbox"/> Adequate surface water management, treatment, and conveyance cannot be provided.</li> </ul>	
Is this statement issued subject to any conditions of approval? <div style="margin-left: 100px;"> <input checked="" type="checkbox"/> YES, and those conditions are attached. - <i>See attached email dated 3/18/22</i>  <input type="checkbox"/> NO           </div>	
Signature of authorized representative: <i>Melby Wousley</i>	Date of signature: <i>4/13/22</i>

COPY

January 5, 1995

Stanley Bleszinski  
17499 S. Redland Rd.  
Oregon City, OR 97045

EVALUATION REPORT FOR AN ON-SITE  
SEWAGE DISPOSAL SYSTEM

SUBJECT: Tax Lot PO2000, Section 36, Township 2S, Range 2E, W.M.  
Acreage 2 of 29 (parcel 2)

I have made an evaluation of the property described above for a single 3 bedroom building site in the area you proposed for on-site sewage disposal. Based on the results of this study, sewage disposal appears feasible through the construction of a STANDARD SEWAGE DISPOSAL SYSTEM, as described in the attached construction detail and setback sheets.

Only a limited area of your property appears suitable for this type of system. Please refer to the enclosed diagram for specifics concerning the dimensions and/or special conditions of the approved site.

Please note that this approval is site specific to the area tested and does not address the feasibility of locating the system elsewhere on the property.

Before construction of a subsurface sewage disposal system can take place, a permit must be obtained from the office of Building Services. Only the property owner or a licensed installer can construct a subsurface sewage disposal system or part thereof. A detailed, to-scale plot plan of the proposed development must be submitted with the permit application.



Stanley Bleszinski  
January 5, 1995  
Page 2

This approval will remain valid until the system is installed and approved. Technical rule changes which take place after the date of this letter will not invalidate this approval, except that construction standards may be changed to meet codes applicable at the time of permit issuance. However, if conditions on this or adjacent properties are changed in any manner which would prohibit issuance of a permit because of a conflict with the applicable State rules, this approval will then be considered null and void.

The approval of this property and the conditions set forth in this letter in no way waive requirements as may be set by the zoning of the area. A permit to construct a system on this property will be subject to the review and approval of the County Planning Department.

Technical information pertaining to this soil test is available upon request.

If you have any questions, feel free to contact this office at 655-8521.

Karen Livingstone - Soil Scientist  
Building Section

Attachments

c: Assessor's Office

STANDARD SYSTEM CONSTRUCTION DETAIL SHEET

DATE: 1/3/95

RECHECK: \_\_\_\_\_

Applicant: Bleszynski, Stanley

REPAIR: \_\_\_\_\_

Tax Lot P02000 Section 36 Twp: 25 Rng: 2E W.M.  
ACREAGE: 207 29 Parcel 2

1. Your site has been found suitable for a STANDARD ON-SITE SEWAGE DISPOSAL SYSTEM. The following construction specifications shall apply.

a. The septic tank shall have a minimum liquid capacity of 1000 gallons.

b. The drainfield shall be constructed in serial distribution with a maximum trench depth of 36 inches and a minimum trench depth of 24 inches. There must be at least 12 inches of backfill over the top of the gravel, measured from natural ground surface.

c. With the soil conditions observed on this site, 150 lineal feet of disposal trench will be required per 150 gallons maximum projected daily sewage flow. For your proposed development, a minimum of 950 lineal feet of disposal trench is required. Disposal trenches shall be constructed 2 feet wide on 10 foot minimum centers with no line exceeding 125 feet in length. The trenches and perforated pipe shall be installed within one inch of level and contoured to the natural ground surface.

d. A groundwater interceptor is required as part of this system. This interceptor must be constructed 12 inches wide by \_\_\_\_\_ inches deep with \_\_\_\_\_ inches of clean gravel placed over a 4 inch perforated pipe. A minimum 10 foot upslope setback must be maintained from the drainfield and be exhausted by a non-perforated line below and away from the entire system.

e. An effluent lift pump may be necessary to construct the drainfield in the approved area at the correct depth.

f. For the above described system(s), adequate area must be available for the original system and a complete replacement system. The replacement system is to be used if the original system fails for some non-repairable reason.

2. The conditions of approval are as follows:

For sanitation purposes, the minimum lot size for this single building site is \_\_\_\_\_.

This lot size will require an off-site community water supply.

Sewage disposal will not be permitted on slopes in excess of \_\_\_\_\_ percent.

No part of the system shall be installed within the \_\_\_\_\_ easement right-of-way.

3. Special Conditions: install between ridge top and test pits

*Loren Livingston*

DATE: 1/3/95

MINIMUM SETBACK REQUIREMENTS

Applicant: Bleszynski, Stanley

REPAIR: \_\_\_\_\_  
RECHECK: \_\_\_\_\_

Tax Lot: 20 2000 Sec.: 36

Twp.: 25

Rng.: 2E W.M.

Acreage: 20/20 Parcel 2

ITEMS REQUIRING SETBACK (as marked)	SEWAGE DISPOSAL AREA OR FIELD*	TREATMENT AND DISTRIBUTION UNITS**
<input checked="" type="checkbox"/> Groundwater Supplies (Wells) (1)	100'	50'
<input type="checkbox"/> Springs		
Upslope from system	50'	50'
Downslope from system	100'	50'
<input type="checkbox"/> Surface Public Waters (2)	100'	50'
For Sand Filter system (only)	50'	50'
<input type="checkbox"/> Intermittent Streams (3)	50'	50'
<input type="checkbox"/> Groundwater Interceptors (4)		
On a slope 3% or less	20'	20'
On a slope greater than 3%		
- upslope from system	10'	10'
- downslope from system	50'	25'
<input checked="" type="checkbox"/> Cuts Manmade (5)	<u>25'</u>	<u>25'</u>
<input type="checkbox"/> Escarpments (6)	_____	_____
<input checked="" type="checkbox"/> Curtain Drains		
Upslope from system	10'	10'
Downslope from system	50'	25'
<input checked="" type="checkbox"/> Property Lines	10'	10'
<input checked="" type="checkbox"/> Water Lines	10'	10'
<input checked="" type="checkbox"/> Building Foundations (all)	10'	5'
<input type="checkbox"/> Other _____	_____	_____

\* Includes drainfield trenches, "bottomless" sand filter, seepage beds and replacement area.

\*\* Includes septic tank effluent sewer, headerlines, drop boxes, distribution boxes, sand filter, dosing tank and pump, pressure line, diversion valve-box, etc.

- (1) Includes temporarily abandoned wells, agricultural wells, etc.
- (2) Means creeks, streams, rivers, lakes, ponds, etc. Setback measured from bank drop-off or mean yearly high water mark.
- (3) Drainageway, groundwater interceptor (ditch) that continuously flows water for a period of greater than 2 months but not continuously for any year.
- (4) Any natural or artificial groundwater or surface water drainage system including agricultural drain tile, ditches, etc.
- (5) Land surface as a result of mechanical land shaping where the modified slope exceeds 50 percent, and the depth of the cut exceeds thirty (30) inches or the effective soil depth.
- (6) Natural occurring slopes greater than 50% which extend vertically 6 feet or more calculated from toe to top characterized by a cliff or steep hillside. The setback is measured from top of slope break.

Karen Livingston  
Soil Scientist

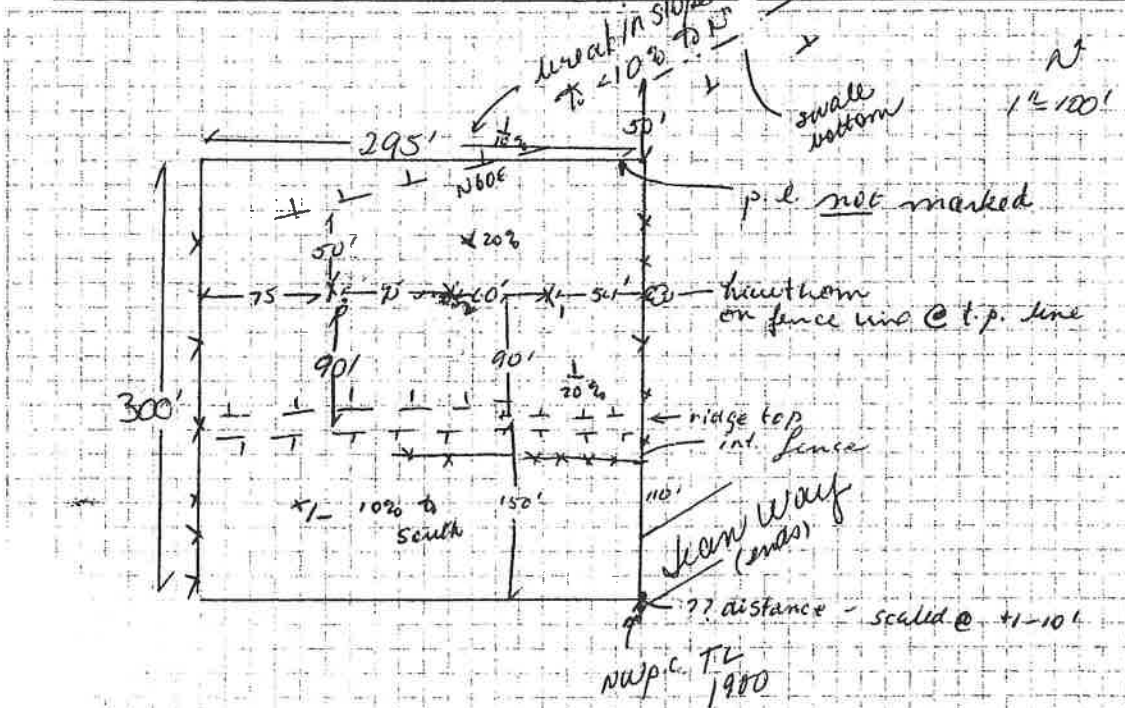
**FIELD SHEET FOR SOIL TEST**

Applicant: Blesniak, Stanley  
 Tax Lot: 2002 (Parcel 2) Section: 30 T: 25 R: 2E Acreage: 2 of 29  
 Soil Scientist: Karen Hainig Weather: clear, 40° Date: 1-3-95  
 Site:  Approved  Denied

Depth	Texture	Mottling	Soil Matrix Color, % Coarse Fragments, Roots, Structure, Layer Limiting Effective Soil Depth, Etc.
0-10	sil	none	10YR 3/2 120 H <sub>2</sub> O, ESD 7 3/8"
Pit 1 10-24	scl	none	10YR 7/4 Mn@30" + ice needles @ 26" slope = 20% N 25E roots = 40" +

Pit 2	like X,	to 52",	but ice needles @ 24" +

Pit 3	like X,	to 43",	but ice needles @ 31" +



\* proposed property lines NOT marked

STANDARD

Proposed Number of Bedrooms 3 (Occupant H<sub>2</sub>O) Required Lineal Feet of Leach Line Per 150 gpd. 150

Septic Tank Capacity 1000 Gallons Drainfield (Equal \_\_\_\_\_ or Serial serial) Distribution

Total Length of Lines 450 Feet Number of Lines 4 Distance Between Lines 10

Maximum Trench Depth 36/24 Inches Groundwater Interceptor Depth N/A Inches (Minimum)

Comments install between ridge top and test pits only. (+ p. are 90 ft north of ridge top)




# CLACKAMAS COUNTY, OREGON

Department of Transportation & Development  
Building Services Division  
902 Abernethy Road, Oregon City, Oregon 97045

Office Phone: (503) 655-8521  
Fax Line: (503) 650-3019  
Electrical Inspection Line: (503) 655-8699  
All Other Inspections: (503) 655-8690

File No : SE086594  
Permit Type : SFS SOIL FEASIBILITY STUDY  
Permit Status : PENDING  
Situs Address :  
Permit Title : SFS, SFR, NEW, PARCEL 2  
Permit Descr. : SFS, SFR, NEW, PARCEL 2  
Development :  
Development Des :  
Parcel Number : 22E36 -02000  
Valuation : 0  
Owner : BLESZINSKI STANLEY  
Applicant Name : BLESZINSKI STANLEY  
Applicant Addr. : 17449 S REDLAND RD  
OREGON CITY OR 97045  
Applicant Phone: 255-5125

Page : 1 of 1  
Date : 12/28/94  
Time : 16:37

Applied : 12/28/94  
Pits Stat :   
Results :  
To Expire :

Construction : OTH  
Classification :  
Occupancy : 3-BED  
Validated by : LDOP  
Inspector Area : 2

Are you: Owner/Agent/Othr OWNER  
Nearest Known Address 17533 S. JEAN DR  
Acres of Land 2 OF 29  
Water Source CLAIRMONT  
SFR-Give No. of Bedrooms 3-BED

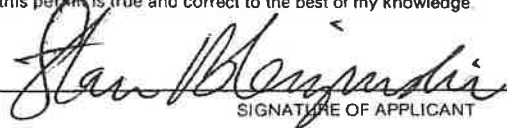
Fee description :	Units	Fee/Unit	Ext fee	Data
Soil Study Test 1.....(Y/N)>			310.00	Y
No. of Tests 0-1000 Gals.....>	1	35.00	35.00	
** Total Fees Due			345.00	
*** Fees Required ***	*** Fees Collected & Credits ***			

	Receipt No.	Date	Payment
TOTAL THIS DATE		12/28/94	345.00
Fees: 345.00		*****	345.00
Adjustments: .00	Total Credits:		.00
Total Fees: 345.00	Total Payments:		345.00
	Balance Due:		.00

**NOTICE:** Inspections are required and must be requested at least one working day before the day an inspection is needed. Permit Number and type of inspection must be provided with the inspection request. A reinspection fee may be charged when work for which inspection was requested was not ready for inspection or when required corrections had not been made.

Building, Plumbing, Mechanical, Electrical and Mobile Home Permits become null and void if the work or construction for which the permit is issued is not commenced within 180 days or if work is suspended or abandoned for 180 days after work has begun under this permit. Septic Tank Permits are valid for one year from the date of issuance.

I certify that the information presented by the applicant in support of this permit is true and correct to the best of my knowledge.

  
SIGNATURE OF APPLICANT

Department of Transportation & Development  
County of Clackamas  
902 Abernethy Road  
Oregon City, OR 97045  
Phone: 655-8521

Date Received 12-28-94  
Date Test Pits  
Will be Ready 1-1-94

# SOIL FEASIBILITY STUDY APPLICATION

PLEASE PRINT

Name STAN BLESZINSKI LEGAL DESCRIPTION OF PROPERTY  
Address 17449 S. REDLAND RD. Tax Lot 2000  
OREGON CITY, OREGON 97045 Section 36  
Phone (H) 631-2728 (W) \_\_\_\_\_ Township 2S Range 2E  
I am the:  PROPERTY OWNER  OWNER'S AGENT  OTHER \_\_\_\_\_  
Address of property or closest known address: 17533 S. JEAN DR.

Driving Directions: (Provide map on back of form) EAST ON Redland Rd about  
3/4 OF a mile before REDLAND STORE TURN NORTH ON  
Fieldstone LANE THEN LEFT ON JEAN DRIVE. GO TO  
END OF ROAD. Property is across fence north over the hill.

Acres of Land: \_\_\_\_\_ Water source: CLAIRMONT

Proposed Development:  Single Family Residence - Number of Bedrooms: \_\_\_\_\_  
 Other - Please Specify: \_\_\_\_\_

Has Planning Dept. been consulted?  Yes  No File No. \_\_\_\_\_

I understand that this application authorizes Clackamas County personnel to perform a Soil Feasibility Study on the above property. I understand that this Study will not be completed unless this Application is completed and signed. I understand that all fees required for completion of the Study are non-refundable once any substantial work has been done under this Application.

Signed: Stan Bleszinski Date: 12-28-94

Received By: \_\_\_\_\_ mail

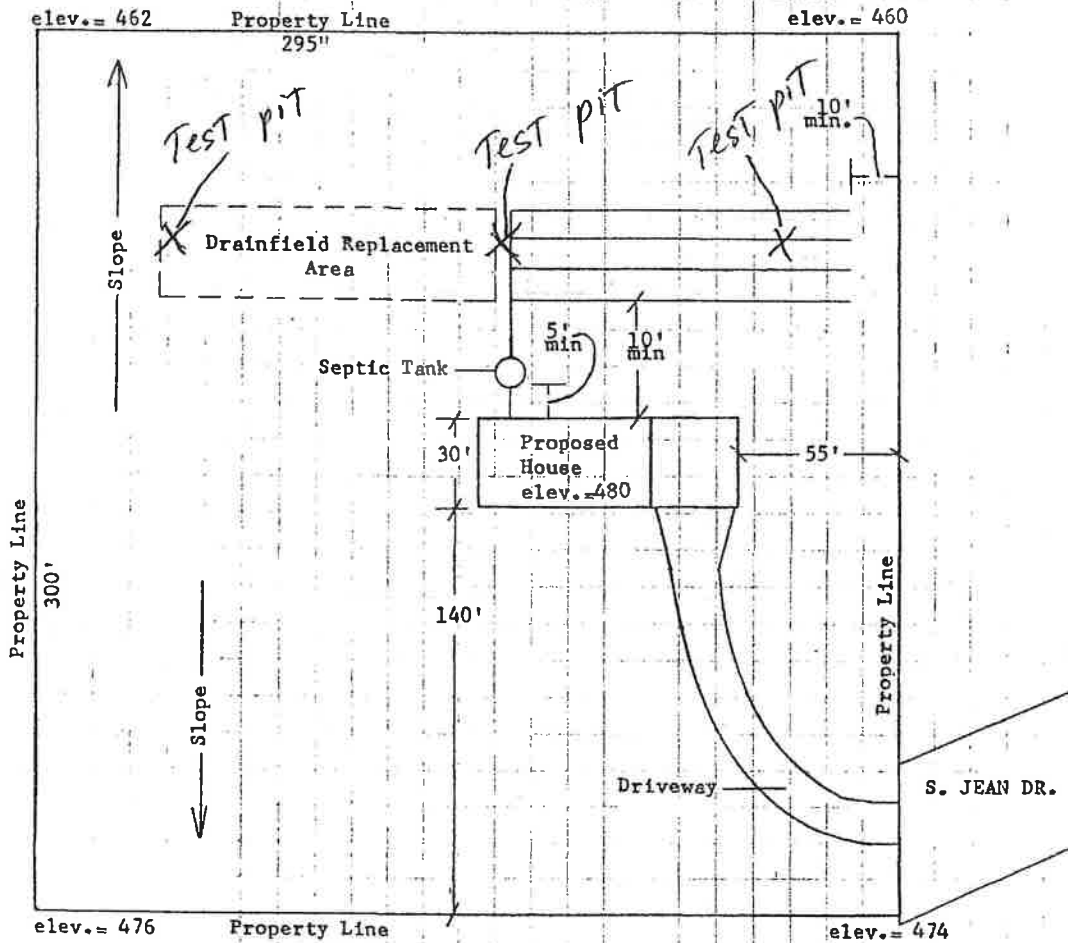
PLOT PLAN

Township 2S Range 3E Section 36 Tax Lot 2000  
Address: 17449 S. Redland Rd., Oregon City, Oregon 97045

Applicant: Stan Bleszinski  
17449 S. Redland Rd.  
Oregon City, Ore. 97045



SCALE:  
1" = 60'



Building Permit or Building Permit Application Number: \_\_\_\_\_

100' BPA Easement

Owners: Stanley J. Bleszinski  
Kathy E. Bleszinski  
Robert J. Bleszinski  
17449 S. Redland Rd.  
Oregon City, Ore. 97045  
631-2728

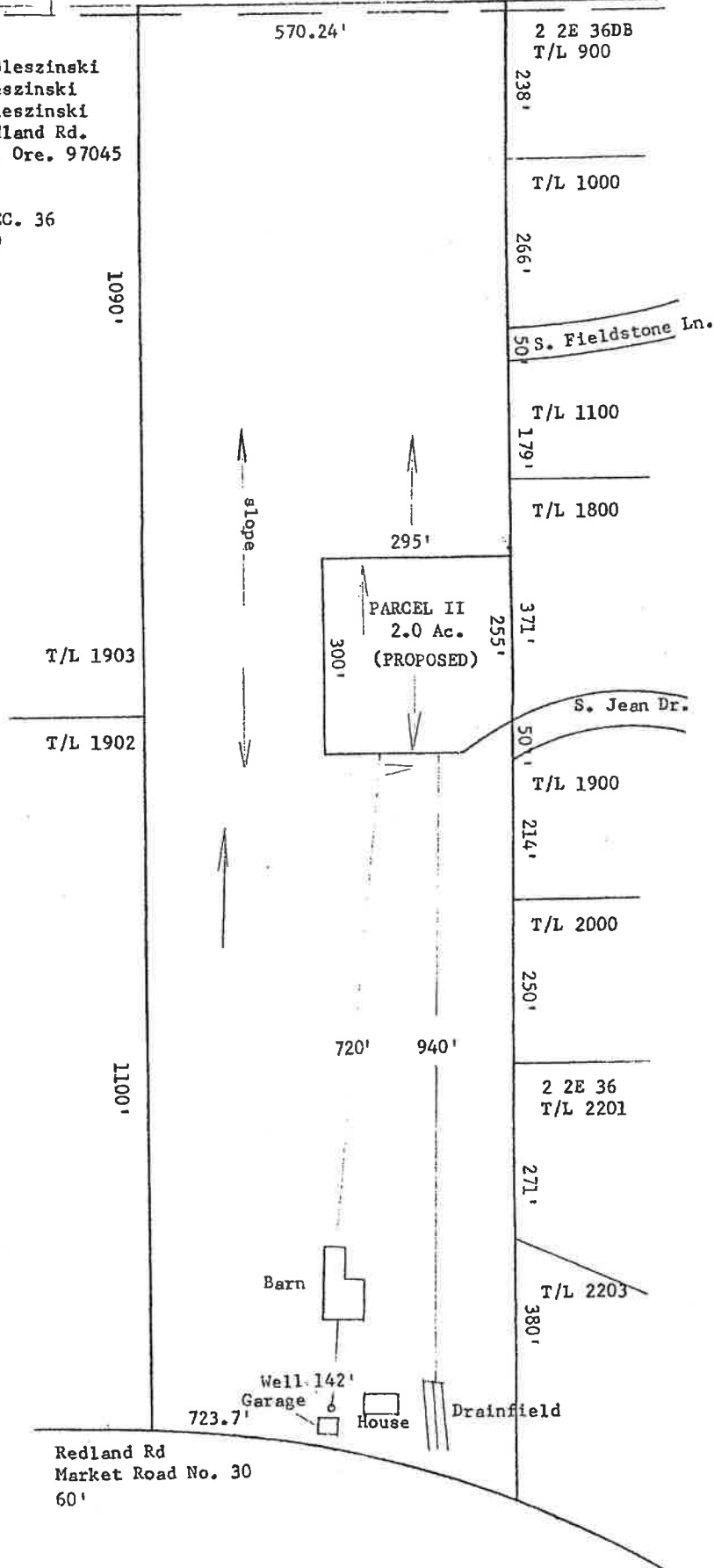
Legal: T2S, R2E, SEC. 36  
Tax Lot 2000

Zoning: RRRF-5

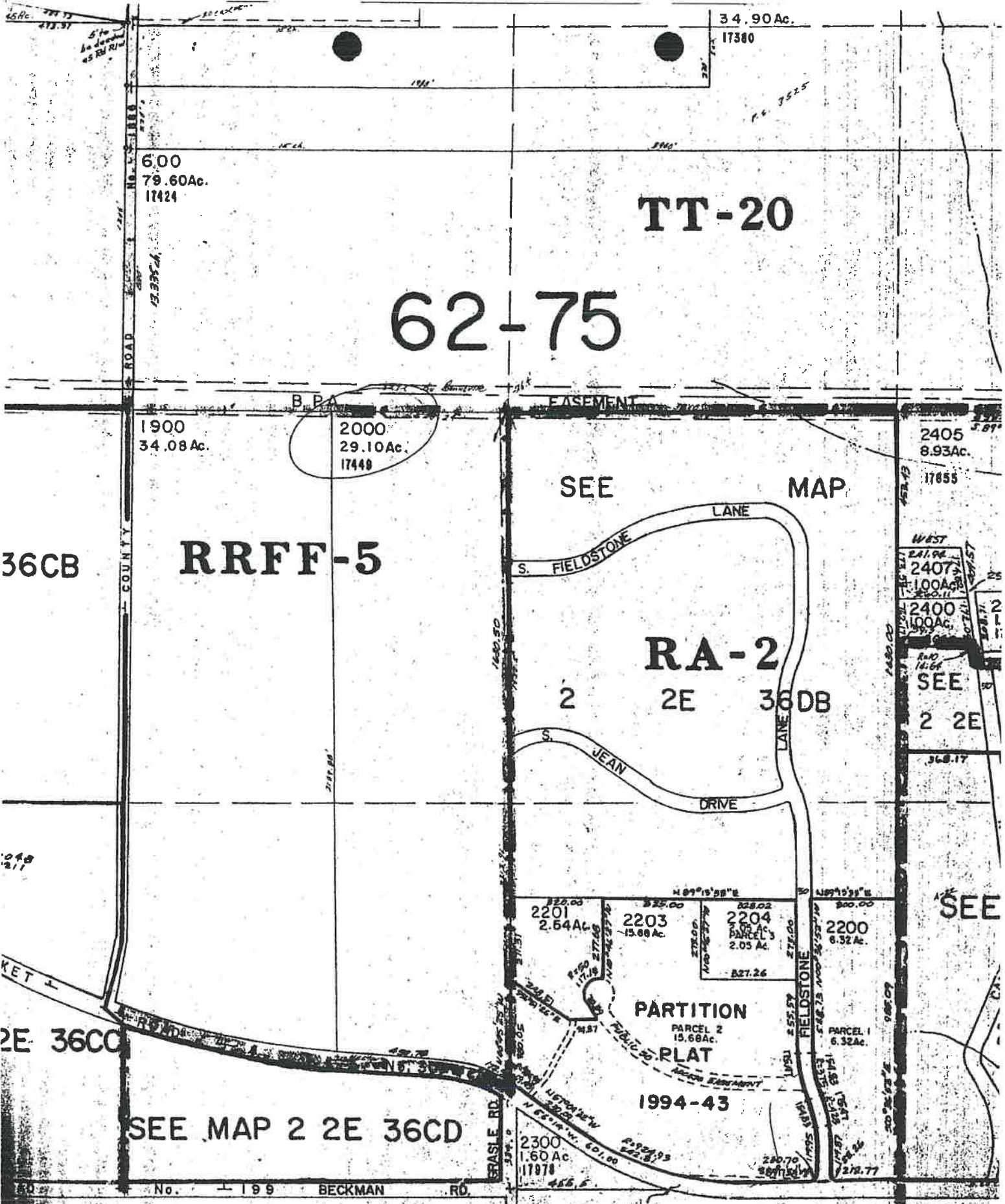
Water: Clairmont

Sewage: Septic Tank

Scale: 1" = 200'







TT-20

62-75

RRFF-5

RA-2

SEE MAP

2 2E 36DB

SEE

SEE MAP 2 2E 36CD

PARTITION PLAT

1994-43

600  
79.60 Ac.  
17424

34.90 Ac.  
17380

1900  
34.08 Ac.

2000  
29.10 Ac.  
17449

2405  
8.93 Ac.  
17655

2407  
10.00 Ac.  
17611

2400  
10.00 Ac.  
17611

2402  
16.66 Ac.  
17611

368.17

2201  
2.64 Ac.  
17716

2203  
15.68 Ac.  
17716

2204  
2.05 Ac.  
17716

2200  
6.32 Ac.  
17716

2300  
1.60 Ac.  
17978

36CB

2E 36CC

No. 199 BECKMAN RD.

COUNTY ROAD

EASEMENT

LANE

S. FIELDSTONE

S. JEAN

DRIVE

LANE

S. FIELDSTONE

S. JEAN

DRIVE

GRASLE RD.

S. FIELDSTONE

DRIVE

SEE MAP

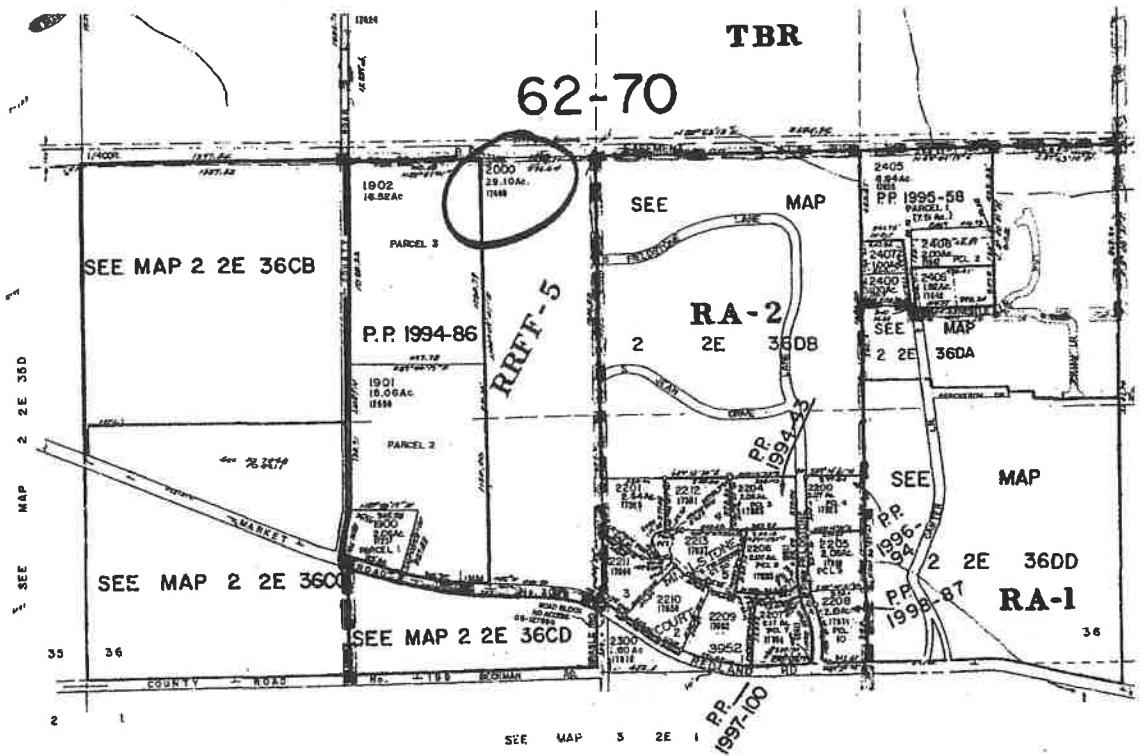
2 2E

SEE

SEE

SEE

SEE



62-70

TBR

SEE MAP 2 2E 36CB

P.P. 1994-86

1901  
10.00 AC  
1184

1902  
16.58 AC

SEE MAP 2 2E 36C

SEE MAP 2 2E 36D

SEE MAP

RA-2

2 2E 36DB

P.P. 1996-58

2405  
2.40 AC  
1188

2406  
2.00 AC  
1188

SEE MAP

2 2E 36DA

SEE MAP

2 2E 36DD

RA-1

1/2 SEE MAP 2 2E 36D

35

36

2

1

SEE MAP 3 2E 1

P.P. 1997-100

36

COUNTY ROAD

MARKET ROAD

STATE ROAD



## 17449 S Redland Rd - Zone Change

Wonsley, Shelby <SWonsley@clackamas.us>

Fri 3/18/2022 2:25 PM

To: 'rjb.123@live.com' <rjb.123@live.com>

Good afternoon,

This is a follow up email from our conversation at the front counter today. If the property located at 17449 S Redland Rd is going through a zone change only, with no proposed development or subdivision, then the Septic & Onsite Wastewater Systems Program does not have any requirements.

Please let me know if you have any questions or need additional information!

Sincerely,

**Shelby Wonsley**

Permit Technician

Septic & Onsite Wastewater Systems Program

Department of Transportation & Development

Clackamas County

We're excited to launch Development Direct -- our new one-stop digital services hub for Building Codes and Development Engineering. [Click here to learn more.](#)







**Planning and Zoning**  
**Department of Transportation and Development**  
 Development Services Building  
 150 Beaver Creek Road | Oregon City, OR 97045  
 503-742-4500 | zoninginfo@clackamas.us  
 www.clackamas.us/planning

## PRELIMINARY STATEMENT OF FEASIBILITY

### TO BE COMPLETED BY APPLICANT

Applicant name: <b>ROBERT BUEZINSKI</b>	Applicant email: <b>rjb.123@live.com</b>	Applicant phone: <b>503 703 8605</b>
Project engineer:	Project engineer email:	Project engineer phone:
Site address: <b>17449 S. REDLAND RD. OREGON CITY, OR 97045</b>		
Map and tax lot #:		
Township: <u>22</u>	Range: <u>E</u>	Section: <u>36</u>
Tax Lot: <u>02000</u>		
Township: _____	Range: _____	Section: _____
Tax Lot: _____		
Township: _____	Range: _____	Section: _____
Tax Lot: _____		

### TO BE COMPLETED BY SERVICE PROVIDER / SURFACE WATER MANAGEMENT AUTHORITY

Name of service provider / surface water management authority:	Name and title of authorized representative:
Representative email:	Representative phone:
Check all that apply: <ul style="list-style-type: none"> <li><b>Water Service</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Water service, including fire flows, is available in levels appropriate for the development and adequate water system capacity is available in source, supply, treatment, transmission, storage, and distribution, or such levels and capacity can be made available through improvements completed by the developer or the system owner.</li> <li><input type="checkbox"/> 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 sprinkler system, is acceptable.</li> <li><input type="checkbox"/> Adequate water service cannot be provided.</li> </ul> </li> <li><b>Sanitary Sewer Service</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Sanitary sewer capacity in the wastewater treatment system and the sanitary sewage collection system is available to serve the development or can be made available through improvements completed by the developer or the system owner.</li> <li><input type="checkbox"/> Adequate sanitary sewer service cannot be provided.</li> </ul> </li> <li><b>Surface Water Management, Treatment, and Conveyance</b> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> 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.</li> <li><input type="checkbox"/> Adequate surface water management, treatment, and conveyance cannot be provided.</li> </ul> </li> </ul>	
Is this statement issued subject to any conditions of approval? <ul style="list-style-type: none"> <li><input type="checkbox"/> YES, and those conditions are attached.</li> <li><input checked="" type="checkbox"/> NO</li> </ul>	
Signature of authorized representative:  <b>Ms. Alba Vogland</b>	Date of signature:

I hereby certify that Ms. Alba Vogland is duly qualified to sign this statement on behalf of the applicant.





## PRELIMINARY STATEMENT OF FEASIBILITY

TO BE COMPLETED BY APPLICANT		
Applicant name: <b>Robert Blezinski</b>	Applicant email: <b>rjb.123@live.com</b>	Applicant phone: <b>503.703.8605</b>
Project engineer:	Project engineer email:	Project engineer phone:
Site address: <b>17449 S Redland Rd, Oregon City, 97045</b>		
Map and tax lot #: <div style="text-align: center; margin-top: 10px;">           Township: <u>2S</u> Range: <u>2E</u> Section: <u>36</u> Tax Lot: <u>2000</u>            Township: _____ Range: _____ Section: _____ Tax Lot: _____            Township: _____ Range: _____ Section: _____ Tax Lot: _____         </div>		

TO BE COMPLETED BY SERVICE PROVIDER / SURFACE WATER MANAGEMENT AUTHORITY	
Name of service provider / surface water management authority: <b>Clackamas River Water</b>	Name and title of authorized representative: <b>Betty Johnson, Engineering Associate</b>
Representative email: <b>bjohnson@crwater.com</b>	Representative phone: <b>503-723-2571</b>
Check all that apply:	
<b>Water Service</b> <input checked="" type="checkbox"/> Water service, including fire flows, is available in levels appropriate for the development and adequate water system capacity is available in source, supply, treatment, transmission, storage, and distribution, or such levels and capacity can be made available through improvements completed by the developer or the system owner. <input type="checkbox"/> 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 sprinkler system, is acceptable. <input type="checkbox"/> Adequate water service cannot be provided.	
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<b>Surface Water Management, Treatment, and Conveyance</b> <input type="checkbox"/> 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. <input type="checkbox"/> Adequate surface water management, treatment, and conveyance cannot be provided.	
Is this statement issued subject to any conditions of approval?	
<input checked="" type="checkbox"/> YES, and those conditions are attached. <input type="checkbox"/> NO	
Signature of authorized representative: <i>Betty A. Johnson</i>	Date of signature: <b>10-6-21</b>





**Clackamas River Water**

## Attachment County Preliminary Statement of Feasibility

To: Robert Blezinski

---

From: Betty Johnson

---

Date: October 6, 2021

---

Re: 17449 S Redland Rd, Oregon City, 97045

---

### ● Comments:

- A. Development may require main extensions per Clackamas River Water Rules and Regulations.
- B. *“Water service will be provided only from pipes or mains located within public street, alleys or rights-of-way, or within easements furnished to CRW, and to property or premises with frontage to such mains. . . . Each dwelling or building will be provided with its own water service connection and meter . . . No person shall furnish water to other buildings or premises without the written approval of the Board, which may be granted in the sole discretion of the Board, and then only under the specific terms of an agreement approved by CRW”*
- C. Fire hydrant number and distribution shall be in accordance with the Oregon Fire Code C105.1
- D. Placement of fire hydrant systems shall be in accordance with the Oregon Fire Code 507.5.1
- E. Unless Noted on plans or specified otherwise, all construction and backflow devices are to be in accordance with the most recent version of Clackamas River Water standards and the Oregon Administration Rules (OAR), Chapter 333.
- F. All water facilities design, construction, testing and maintenance, where applicable, shall conform to the latest adopted revision of the Oregon state Health Division administrative Rules chapter 333 on Public water System except where provisions outlined in the Clackamas River Water rules and regulations.
- G. For design of District’s water system improvements, hydraulic system must be analyzed using the worst- case scenario envisioned in the district’s current Water System Facilities Plan. The water system analysis shall be conducted using a simultaneous demand for the maximum (peak) day demand or peak hour non-fire demand, whichever is greater, and the fire demand.
- H. Any substantial deviation from the approved construction plans must have prior approval of the Water District.
- I. Easements for water facilities shall be provided along property lines and designated on the final plat, as deemed necessary by the Water District.
- J. Resale of water purchased from the Water District will not be permitted. No user shall resell or permit resale of water directly to any person, or for any use.

F:\DEVELOPMENT & NEW SERVICES\Land Use Design Review\Pre-App, Design Review & Land Use Applications\17449 S Redland Rd\Preliminary Statement of Feasibility\17449 S Redland Rd - Statement of Feasibility Conditions.docx

- K. An approved water system capable of supplying required fire flow for fire protection shall be provided to all premises upon which buildings are to be constructed.
- L. If water service is adequate with the exception of fire flows, the applicant shall submit a statement to Clackamas River Water from the fire district serving the subject property that states that if and /or what alternate method of fire protection is acceptable.
- M. Upon plan review there may be additional requirements as set forth by the Water District.





321 SW 4th Ave., Suite 400  
Portland, OR 97204  
503.248.0313  
lancastermobley.com

September 29, 2021

Robert Blezinski  
17449 S Redland Road  
Oregon City, OR 97048

Dear Robert,

At your request, we are pleased to submit a proposal for professional transportation engineering and planning services related to the proposed zone change for the 30.6-acre property located at 17449 S Redland Road in Clackamas County, Oregon. Your preliminary conversations with Clackamas County staff have indicated that a full transportation impact study will not be required but an analysis addressing OAR 660-012-0060, the Transportation Planning Rule (TPR), and review of safety at nearby intersections will be required as part of the land use application.

## Scope of Work

Lancaster Mobley will reach out to Clackamas County staff to confirm the scope of the TPR analysis. Based on their preliminary feedback to you, the following analysis is anticipated:

- Trip generation calculations will be done based on the proposed use of the site based on trip rates from the Institute of Transportation Engineers (ITE), *Trip Generation Manual*. The specific edition to be used in the calculations will be confirmed with staff.
- A trip distribution will be prepared showing the assignment of trips generated by the site to the surrounding transportation system.
- Crash history will be reviewed along S Redland Road from S Potter Road to S Fieldstone Lane.
- Sight distance and access spacing for the planned site access(es) will be reviewed.

A draft version of the memorandum will be provided for review prior to the issuance of a final version. The final memorandum will include an appendix with supporting technical data and will be stamped by a professional engineer licensed in the state of Oregon.

Should the above scope of work change significantly based on input provided by agency staff, an updated proposal reflecting this change in scope and fee may be issued for your approval.

## Billing Information

The fee for this project will be a fixed fee of \$2,200, which includes a site visit and up to two calls/meetings with Clackamas County staff and/or you, as necessary. Preparation for and attendance at public gatherings such as

neighborhood meetings and land-use hearings will be additional work. We will notify you of the additional effort, provide an estimate for our services, and you will be billed at our hourly rates.

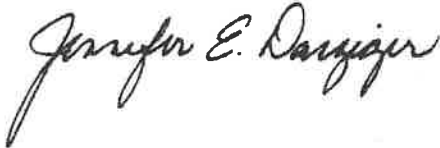
An advance payment of \$1,100 will be due prior to beginning work. Online payment is available at <https://lancastermobley.com/online-bill-pay/>. Please leave the Invoice Number blank to indicate it is an advance payment. In-process billings will be submitted monthly and are due upon receipt. A collectible late fee of 1.5% per month (18% APR) may be charged on accounts 31 days and older. A collections agency may be utilized on accounts in arrears. We reserve the right to suspend and/or terminate our service relating to all unpaid amounts. Invoice disputes must be made in writing within 30 days from the date of the invoice or the debt will be assumed to be valid.

## Contract Information

This letter can serve as a memorandum of agreement and authorization contract to begin work. This agreement is valid for 30 days. If a signed contract is received later than 30 days or remains unsigned for more than 30 days, it may become null and void and require that a new contract be established before work may begin. Significant changes to the scope of work may require a new or amended contract. Agreements made via email will be considered valid.

If this contract proposal is acceptable, please sign one copy and return it to us. If you have any questions, please do not hesitate to call.

Respectfully,



Jennifer Danziger  
Senior Transportation Engineer



## Contract Approval

The following person authorizes Lancaster Mobley to perform the work tasks associated with this project and assumes legal responsibility for the payment terms stated herein:

Approved By (Signature): \_\_\_\_\_

Printed Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Date: \_\_\_\_\_

Billing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_





PARTITION PLAT NO. 2017-045

PARCEL 1

PARCEL 2

PARCEL 3

PARTITION PLAT

JEAN D.

"C"  
HELD  
FD 4"x6" STONE WITH  
INSCRIBED "X"  
HELD AS ACCEPTED AS  
THE CENTER OF SECTION 36  
PER (P1), (P2), AND (P3)

S89°53'09"W 370.03'  
(370.00'(P3))

LOT 9

LOT 10

LOT 11

LOT 18



(N89°57'01"E(P1)) (N89°50'34"E(P2)) (N89°14'49"E(P3))  
1317.30' (1317.32'(P1))

(EAST 8.64 CHAINS=570.24'(D1))  
100' TRANSMISSION LINE  
EASEMENT TO THE UNITED  
STATES OF AMERICA  
(BPA) SEE DETAIL "B"

MONUMENT FALLS  
S89°57'10"W 0.13'

FD 1/2" IR  
N09°15'13"W 0.50'  
NO RECORD  
20.00'

"B"  
HELD

"G"  
HELD

3' WIRE  
FENCE 17.8'  
EAST OF LINE

4' WF  
ON LINE

MONUMENT FALLS  
N83°51'35"W 0.70'

"H"  
HELD FOR  
EAST LINE

N00°07'26"W 1.02'  
FROM NW CORNER  
LOT 11

3' WIRE  
FENCE 3.1'  
WEST OF LINE

45°01"W(P4)  
2313.96'(D1)  
2315.84'  
7.48'  
7.52'(P3)

FIELDST  
(50' WIDE I

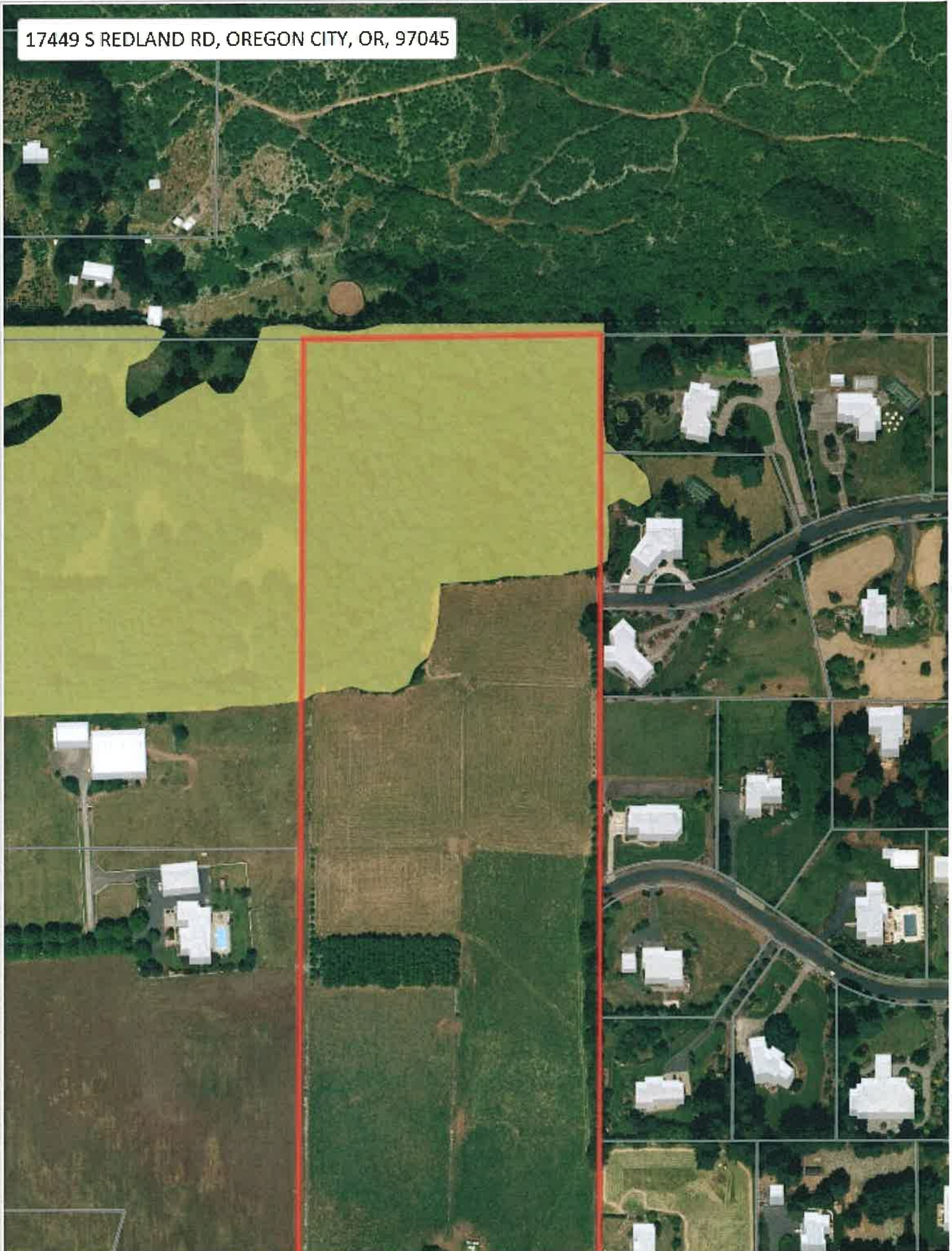
POTTER ROAD  
(COUNTY ROAD NO. 1886)  
40' WIDE RIGHT OF WAY

DOCUMENT NO.  
2004-083470





17449 S REDLAND RD, OREGON CITY, OR, 97045





Map and Taxlot	GIS acres	Notes
32E01BA01700	0.071662	
32E01A 00814	0.118522	
32E01BA01300	0.44031	
22E36CB00506	0.451827	
22E36CD00400	0.464784	
22E36CD00500	0.466998	
22E36CD00600	0.467819	
22E36CD00700	0.501451	
32E01BA01200	0.506251	
22E36CD01400	0.568258	
22E36CD01300	0.584982	
22E36CD01200	0.601784	
22E36CD01100	0.618566	
22E36CD01000	0.6354	
22E36CB00200	0.647682	
22E36CD00900	0.652213	
32E01BA00600	0.660221	
22E36CD00100	0.691691	
22E36CD00200	0.69477	
22E36CD00300	0.718779	
22E36CD00800	0.754183	
32E01BA00200	0.880327	
32E01BA00300	0.8829	
32E01A 00600	0.892559	
32E01BA01100	0.963379	
32E01BA00501	0.99641	
22E36CC01100	0.998013	
22E36CC01200	0.998408	
22E36CC01300	0.998919	
22E36CB00100	0.999979	
22E36CC01400	1.003051	
32E01BA01600	1.007929	
22E36CC00100	1.024657	
32E01BA01000	1.159456	
32E01BA01400	1.195502	
22E36CC00300	1.292177	
22E36CC01600	1.292192	
22E36CC00200	1.342021	
32E01BA00500	1.381408	
22E36 02300	1.465534	
22E36DB00100	1.518138	
22E36DB02200	1.581271	
22E36DB01600	1.608531	
22E36CB00600	1.609254	
22E36DB02300	1.617748	
32E01BA00902	1.62882	

22E36DB02100	1.638831	
32E01BA00100	1.661777	
22E36DB01900	1.673852	
22E36DB02000	1.678641	
22E36DB01500	1.729593	
22E36DB00200	1.738152	
32E01BA00403	1.850551	
32E01BA00402	1.850556	
32E01BA00401	1.850656	
22E36DB01800	1.858056	
22E36DB00400	1.864255	
32E01BA00901	1.896629	
22E36CD01500	1.937059	
22E36DB01700	1.944247	
22E36DB00300	1.967112	
32E01BA00404	1.996362	Platted at 2 ac.
32E01BA00405	1.99642	Platted at 2 ac.
22E36CD01501	2.000081	
22E36 02205	2.058756	
22E36 01900	2.060129	
22E36DB00700	2.060502	
22E36 02211	2.061029	
22E36 02204	2.063357	
22E36 02200	2.065872	
22E36 02206	2.068122	
22E36 02212	2.080168	
22E36DB01000	2.093744	
22E36DB01100	2.103224	
32E01BA00700	2.128642	
32E01A 00804	2.129	
22E36DB00800	2.129224	
22E36DB00500	2.149258	
32E01A 00803	2.159897	
32E01A 00802	2.159944	
22E36 02207	2.169384	
22E36CB00302	2.179387	
22E36 02208	2.195017	
22E36DB01300	2.214157	
22E36DB01200	2.216698	
22E36 02210	2.225405	
22E36CB00301	2.330251	
22E36DB00900	2.352305	
32E01A 00807	2.394028	
32E01A 00806	2.400026	
32E01A 00805	2.405978	
22E36 02213	2.464613	
22E36 02201	2.539473	

22E36 02209	2.617888
22E36CC01500	2.649476
22E36DB01400	2.764548
32E01A 00900	2.95136
22E36CC00903	3.12366
22E36DB00600	3.280129
22E36CC00900	3.579614
32E01A 00500	3.74164
22E36 00301	3.891789
32E01BA00801	4.401241
22E36CB00507	4.537737
32E01A 00700	4.796458
22E36CB00504	4.805522
22E36CC01000	4.826139
22E36CB00401	4.982858
22E36CB00400	4.988121
22E36 00601	5.042056
22E36 00300	5.914344
32E01 02802	6.684905
32E01 02700	6.992166
22E36 01901	15.055925
22E36 01902	16.525675
22E36 02000	30.599901
22E36 00500	34.991812
22E36 00400	35.224746
22E36 00800	40.944557
22E36 00600	73.809048

Only the green boxes are less than 2 acres  
61 out of 120 under 2 acres



**List of Exhibits**

Zone Change Application Form	1
Findings for Zone Change Approval	2
Pre-Application Notes	3
Vicinity Map	4
Site Plan	5
Service Feasibility Statement	6
Transportation Impact Study	7
2-Acre Property Analysis	8





## Memorandum

To: **Robert Blezinski**

From: **Myla Cross**  
**Jennifer Danziger, PE**

Date: **May 31, 2022**

Subject: **17449 S Redland Road – Zone Change Analysis**



RENEWS: 12/31/2023

### Introduction

This memorandum discusses transportation considerations around the proposed zone change for the property located at 17449 S Redland Road, which is located in unincorporated Clackamas County and subject to the County's zoning regulations. The 30.6-acre site is under Clackamas County's *Rural Residential Farm Forest 5-Acre (RRFF-5)* zoning. The applicant proposes to change the zoning to *Rural Area Residential 2-Acre (RA-2)*.

Figure 1 shows an aerial view of the nearby vicinity, with the project site outlined in yellow, the proposed development intends to take access via extensions of S Jean Drive and S Fieldstone Lane.



Figure 1: Vicinity Map

Zone changes in Oregon are subject to the state's Transportation Planning Rule (TPR), and approval criteria for Zone Changes in Clackamas County are specified by *Clackamas County Zoning and Development Ordinance* Section 12.02. Accordingly, this report addresses the proposal's compliance with the TPR.

## Existing Zoning

To determine the maximum development potential of the property under its existing zoning, the base density (BD) must be calculated from the property's gross site area (GSA). The subject property is located on tax lot 22E36 02000 and has a GSA of approximately 30.6 acres, all zoned as RRF-5.

Per Section 1012.05.B(1)(b) of the Clackamas County Zoning and Development Ordinance, no reductions to the GSA due to new county, public, or private roads (NR) are necessary. Therefore, the property's net site area (NSA) is equal to its GSA.

The general density (GD) of the property is calculated by dividing its NSA by the district land area (DLA). The DLA within the RRF-5 and RA-2 zones is equivalent to the minimum lot size. The County establishes a minimum lot size of 5 acres for properties within the RRF-5 zone<sup>1</sup>. Given an NSA of approximately 30.6 acres, the general density of the property is 6 units. Therefore, the reasonable maximum buildout development scenario for the site under RRF-5 zoning is 6 units.

## Proposed Zoning

The subject property is proposed to be rezoned to from RRF-5 zoning to RA-2 zoning. Using the same methodology for calculating the base density of the existing zoning and using the minimum lot size of 2 acres under RA-2 zoning, the maximum buildout development scenario for the site under the proposed RA-2 zoning is fifteen units.

## Trip Generation

To estimate the trips generated by the reasonable full build-out development scenario of the property under existing and proposed zoning, trip rates from the *Trip Generation Manual*<sup>2</sup> were used. Specifically, data from land use code 210, *Single Family Detached Housing* was used based on the number of units within the existing RRF-5 zoning as opposed to the proposed RA-2 zoning.

The trip generation calculations show that the proposed zone change is projected to generate a net increase of 7 morning peak hour, 8 evening peak hour, and 86 daily trips. Table 1 below summarizes the trip generation of both zoning scenarios. Detailed trip generation calculations are included in the appendix to this memorandum.

**Table 1: Trip Generation Summary**

Scenario	ITE Code	Size	Morning Peak Hour			Evening Peak Hour			Weekday Total
			Enter	Exit	Total	Enter	Exit	Total	
Existing Zoning	210	6 units	1	3	4	4	2	6	56
Proposed Zoning	210	15 units	3	8	11	9	5	14	142
<b>Net Difference</b>			<b>2</b>	<b>5</b>	<b>7</b>	<b>5</b>	<b>3</b>	<b>8</b>	<b>86</b>

<sup>1</sup> Table 316-2, Clackamas County Zoning and Development Ordinance Section 316. 10/23/21.

<sup>2</sup> Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 11<sup>th</sup> Edition, 2021



## Crash History Review

Using data obtained from ODOT's Crash Data System, a review of approximately five years of the most recent available crash history (January 2016 through December 2020) was performed at the intersection of S Redland Road & S Fieldstone Lane, in addition to the roadway segment of S Fieldstone Lane. The crash data was evaluated based on the number of crashes, the type of collisions, and the severity of the collisions. Crash severity is based on injuries sustained by people involved in the crash, and includes five categories:

- *PDO* – Property Damage Only
- *Injury C* – Possible Injury
- *Injury B* – Suspected Minor Injury
- *Injury A* – Suspected Serious Injury
- *Fatality*

One crash was reported at the intersection of S Redland Road & S Fieldstone Lane during the analysis period. The crash was classified as PDO and was a rear-end collision. No crashes were reported along the S Fieldstone Lane roadway segment during the analysis period.

## Transportation Planning Rule Adherence

Zone changes in the State of Oregon must adhere to the Transportation Planning Rule (TPR), which aims to ensure that the transportation system can support possible increases in traffic intensity that could result from changes to adopted plans and land use regulations. The applicable section of the TPR is quoted directly in italics below, with a response directly following.

*660-012-0060*

- (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
  - (b) Change standards implementing a functional classification system; or*
  - (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*



- (A) *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
- (B) *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
- (C) *Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

Subsections (a) and (b) are not triggered because the proposed zone change will not alter the functional classification of any existing or planned facility and the proposal does not include a change to any functional classification standards. S Jean Drive and S Fieldstone Lane are classified as local roads, and will not change because of this proposed zone change, and neither will any other existing or planned facility be changed.

Regarding Subsection (c), the proposed zone change is estimated to generate an additional 7 morning peak hour and 8 evening peak hour trips compared with the existing zoning. This potential increase in site traffic is too small to affect the functional classification of S Redland Road or degrade the performance of the transportation system.

Additionally, the Oregon Department of Transportation (ODOT) defines a threshold at which a project would "significantly affect" a transportation facility in relation to mobility targets. This threshold is detailed in the Oregon Highway Plan (OHP) Action 1F.5, with the relevant sections quoted below:

*If an amendment subject to OAR 660-012-0060 increases the volume to capacity ratio further, or degrades the performance of a facility so that it does not meet an adopted mobility target at the planning horizon, it will significantly affect the facility unless it falls within the thresholds listed below for a small increase in traffic.*

...

*In applying "avoid further degradation" for state highway facilities already operating above the mobility targets in Table 6 or Table 7 or those otherwise approved by the Oregon Transportation Commission, or facilities projected to be above the mobility targets at the planning horizon, a small increase in traffic does not cause "further degradation" of the facility.*

*The threshold for a small increase in traffic between the existing plan and the proposed amendment is defined in terms of the increase in total average daily trip volumes as follows:*

- *Any proposed amendment that does not increase the average daily trips by more than 400.*

As described in the *Trip Generation* section, the projected daily net increase in the traffic intensity of the site, which could potentially occur due to the proposed zone change, will be 86 trips. This daily trip generation is within the 400-trip impact threshold that is considered a "small increase" in traffic; therefore, the zone change will not cause further degradation of the nearby transportation facilities.



## Satisfaction of Approval Criteria

Section 1202.03 of the Clackamas County Zoning and Development Ordinance lists the general approval criteria for zone changes. Subsections 1202.03(C) and 1202.03(D) require the surrounding transportation system is adequate and will remain adequate to support the proposed zone change in regards to the system's operability and safety.

As discussed in the *Trip Generation* section, the proposed zone change is projected to generate a net increase of 7 morning peak hour, 8 evening peak hour, and 86 daily trips. These projections come from the highest motor vehicle trip generation rate of the proposed zone change. Per the OHP, this level of trip generation may be considered a "small increase" in traffic that will not cause further degradation of the nearby transportation facilities. Therefore, the proposed zone change is expected to have a minimal impact on the operability and safety of the surrounding transportation system.

## Conclusion

The subject property is proposed for a zone change from *Rural Residential Farm/Forest 5-Acre (RRFF-5)* to *Rural Area Residential 2-Acre (RA-2)*. The zone change would generate an increase of 7 morning peak hour trips, 8 evening peak hour trips, and 86 more daily trips than the worst-case development scenario under the existing zoning.

The proposed zone change will not cause further degradation of the nearby transportation facilities. Accordingly, the Transportation Planning Rule and Clackamas County general approval criteria are satisfied and no mitigation is necessary or recommended.



# Appendix





TRIP GENERATION CALCULATIONS  
Source: Trip Generation Manual, 11th Edition

Land Use: Single-Family Detached Housing  
Land Use Code: 210  
Land Use Subcategory: All Sites  
Setting/Location: General Urban/Suburban  
Variable: Dwelling Units  
Trip Type: Vehicle  
Variable Quantity: 6

WARNING: Variable Quantity is less than Minimum Survey Size for Peak Hours

AM PEAK HOUR

Trip Rate: 0.7

	Enter	Exit	Total
Directional Split	26%	74%	
Trip Ends	1	3	4

PM PEAK HOUR

Trip Rate: 0.94

	Enter	Exit	Total
Directional Split	63%	37%	
Trip Ends	4	2	6

WEEKDAY

Trip Rate: 9.43

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	28	28	56

SATURDAY

Trip Rate: 9.48

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	28	28	56





TRIP GENERATION CALCULATIONS  
Source: Trip Generation Manual, 11th Edition

Land Use: Single-Family Detached Housing  
Land Use Code: 210  
Land Use Subcategory: All Sites  
Setting/Location: General Urban/Suburban  
Variable: Dwelling Units  
Trip Type: Vehicle  
Variable Quantity: 15

AM PEAK HOUR

Trip Rate: 0.7

	Enter	Exit	Total
Directional Split	26%	74%	
Trip Ends	3	8	11

PM PEAK HOUR

Trip Rate: 0.94

	Enter	Exit	Total
Directional Split	63%	37%	
Trip Ends	9	5	14

WEEKDAY

Trip Rate: 9.43

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	71	71	142

SATURDAY

Trip Rate: 9.48

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	71	71	142

CLATSOP COUNTY








OREGON... DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION  
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT  
COUNTY ROAD CRASH LISTING  
8 REDLAND RD /33018, MP 7.56 to 7.60, 01/01/2016 to 12/31/2020  
1 - 1 of 1 Crash Records shown.

SER#	P R J S W DATE	MILEPNT	COUNTY ROADS	INT-TYPE	INT-REL	OFFRD	WTHR	CRASH	SPECL USE	TRLR QTY	MOVE	PRTC	INJ	SVFTY	E X RES	LOC	ENRDR	ACT EVENT	CNDR	
RD DPT	E L G N H R TIME	DIST FROM	FIRST STREET	(MEDIAN)	TRAFF-	RNDBT	SURF	COLL	OWNER	FROM	TO	TYPE	SVFTY	E X RES	LOC	ENRDR	ACT EVENT	CNDR		
UNLCT	D C S V I E LAT	LONG	LEGS	(#LANES)	CONTL	DRVRY	LIGHT	SVFTY	VE TYPE	S-1STOP	CLR	DRY	REAR	POD	DRK	DRY	REAR	POD	DRK	
02027	N N N N N 08/02/2020	7.56	S REDLAND RD /33018	(NONE)	NONE	N	CLR	S-1STOP	01 NONE	9	STRGHT	01	DRVR	NONE	00	UNK	UNK	000	000	00
	SU			(NONE)	NONE	N	DRY	REAR	N/A		E -W	01	DRVR	NONE	00	UNK	UNK	000	000	00
	9P	45 20 42.83 -122.30		(02)		N	DARK	POD	PSNGR CAR											
		10.99																		
									02 NONE	9	STOP	01	DRVR	NONE	00	UNK	UNK	011	000	00
									N/A		E -W									
									PSNGR CAR											

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.



# Lots 2 Acres or Below: 22E36 02000

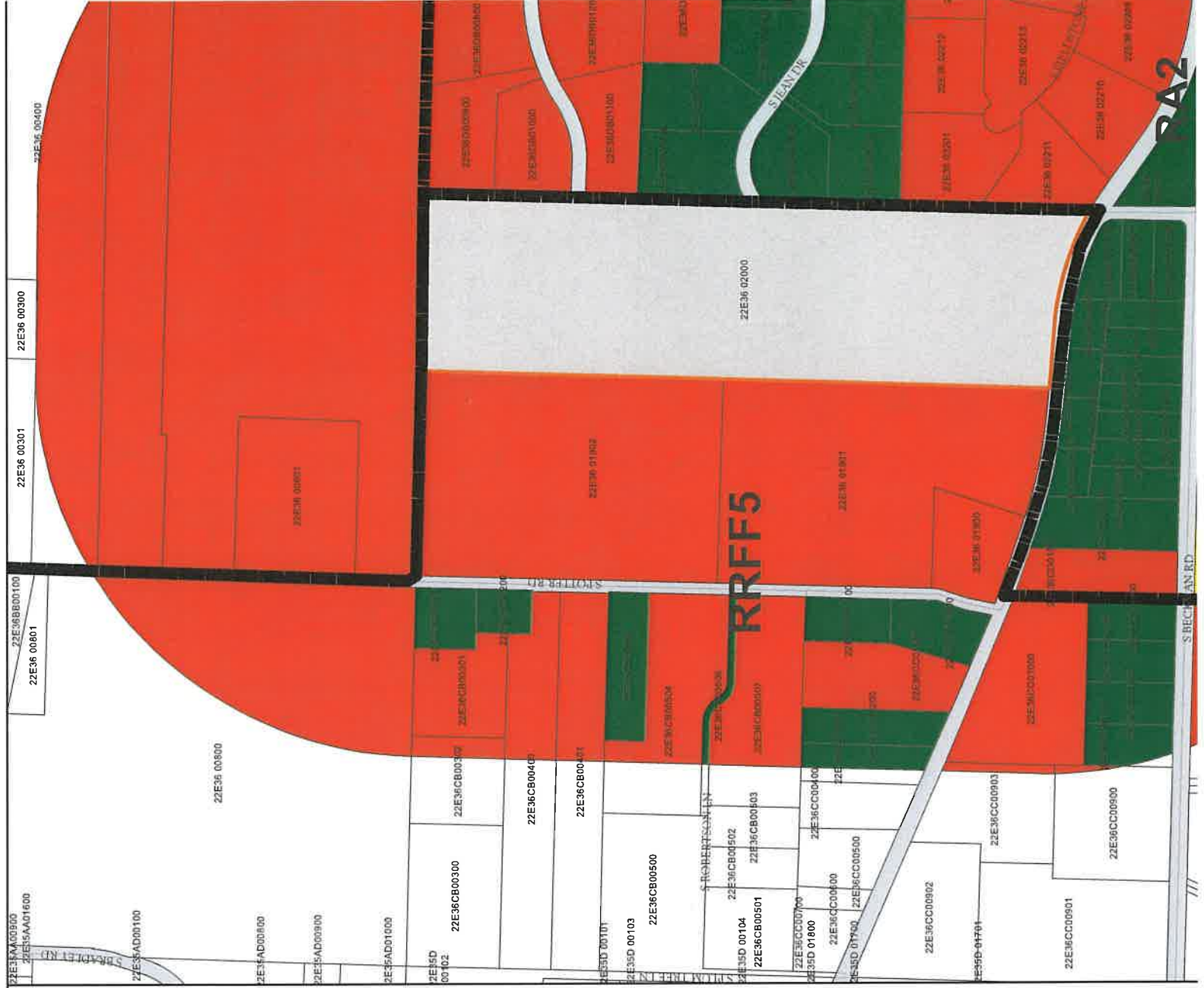
-  22E36 02000 Subject Property
-  Lots Platted at 2 acres
-  Lots under 2 acres
-  Lots 2 ac or greater
-  Tax Lots
-  City Boundaries
-  Lakes & Rivers

**Results"**  
 61 of 120 parcels below 2 acres.  
 50.8 % are smaller than 2, a slight majority  
 see attached results/spreadsheet

**\*Note on Accuracy:**  
 This information uses figures derived from the County GIS tax lot data set. Also used, for the lots highlighted yellow, was available subdivision data showing accurate acreage.  
 This data is the best available to staff, but should no way constitute accurate dimensions or area. Please read the disclaimer below, carefully, which explains this in detail.

**\*\*please also note, "Lot of Record" status was not determined in this analysis.**

1 inch = 500 feet



RA2

