



NOTICE OF DECISION ON A TYPE II LAND USE PERMIT

Decision: Approved with Conditions

Permit Type: Partition

File No. Z0046-24

Applicant's Proposal: Two parcel partition of a 2.14 acre property in the RA-1 zone. One new lot to be created for residential development. Site is currently developed with a circa 1964 single family home and several accessory buildings.

Decision Date: April 25, 2024

Deadline for Filing Appeal: May 7, 2024, at 4:00 pm.

Issued By : Lizbeth Dance, Planner II, Ldance@clackamas.us, 503-742-4524

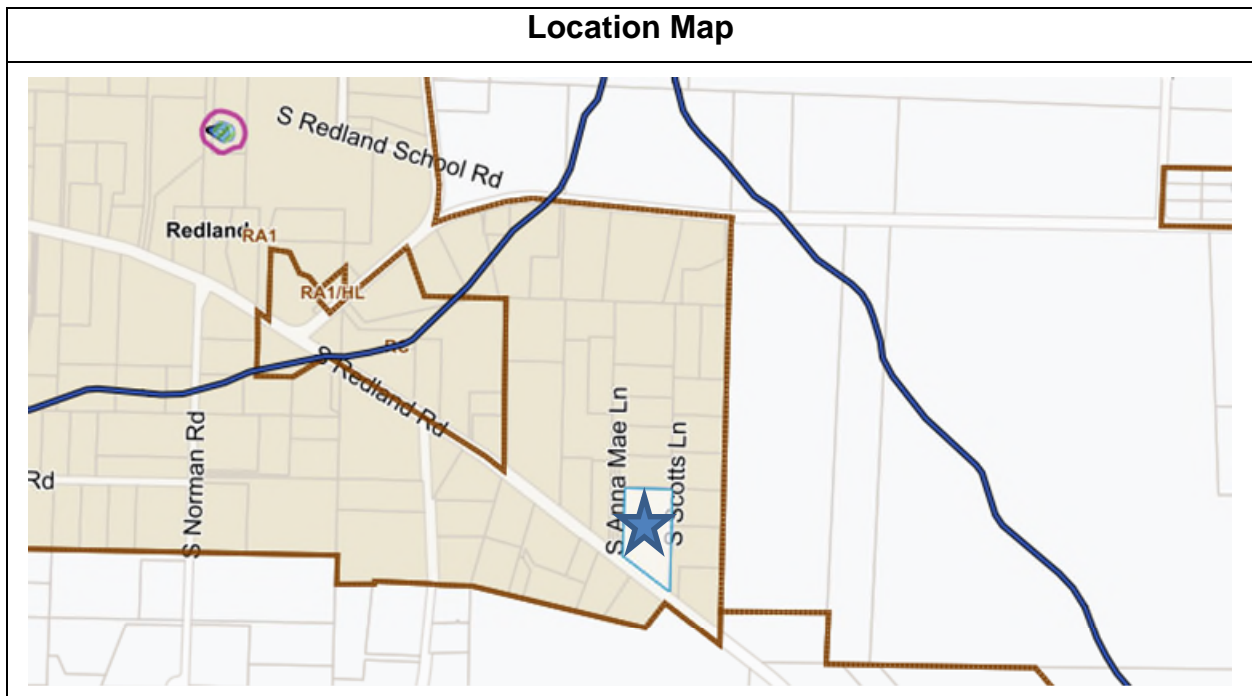
Applicant: Yuriy Cheshev

Owner of Property: Yuriy and Tatyana Cheshev

Zoning: RA1 –Rural Area Residential–1 acre; 2.14 acres

Assessor's Map & Tax Lot(s): Map, 33E06B tax lot 03600

Site Address: 18429 S Redland Rd.



Community Planning Organization (CPO) for Area:

REDLAND-VIOLA-FISCHER'S

Lance Ward 503-631-2550

lancecward@aol.com

Community Planning Organizations (CPOs) are part of the county's community involvement program. They are advisory to the Board of County Commissioners, Planning Commission and Planning and Zoning Division on land use matters affecting their communities. CPOs are notified of proposed land use actions and decisions on land within their boundaries and may review these applications, provide recommendations or file appeals. 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.

Opportunity to Review the Record and Decision: The complete decision, including findings and conditions of approval, and the submitted application are available for review online at <https://accela.clackamas.us/citizenaccess/>. Select the **Planning** tab and enter the file number to search. Select **Record Info** and then select **Attachments** from the dropdown list, where you will find the submitted application. A copy of the decision, application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost by contacting the Planner listed above. Copies of all documents may be purchased at a cost established by the County fee schedule.

Appeal Rights: **This decision will not become final or effective until the period for filing an appeal with the County has expired without the filing of an appeal.** Any person who is adversely affected or aggrieved or who is entitled to written notice of the decision pursuant to Subsection 1307.09(C) of the Clackamas County Zoning and Development Ordinance may appeal this decision to the Clackamas County Land Use Hearings Officer by filing a written appeal. An appeal must include a completed Appeal Form available at www.clackamas.us/planning/supplemental.html and a \$250.00 filing fee and must be **received** by the Planning and Zoning Division by the appeal deadline identified above.

Appeals may be submitted in person during office hours (8:00 am to 4:00 pm Monday through Thursday, closed Friday and holidays). Appeals may also be submitted by email or US mail.

A person who is mailed written notice of this decision cannot appeal this decision directly to the Land Use Board of Appeals under ORS 197.830.

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.

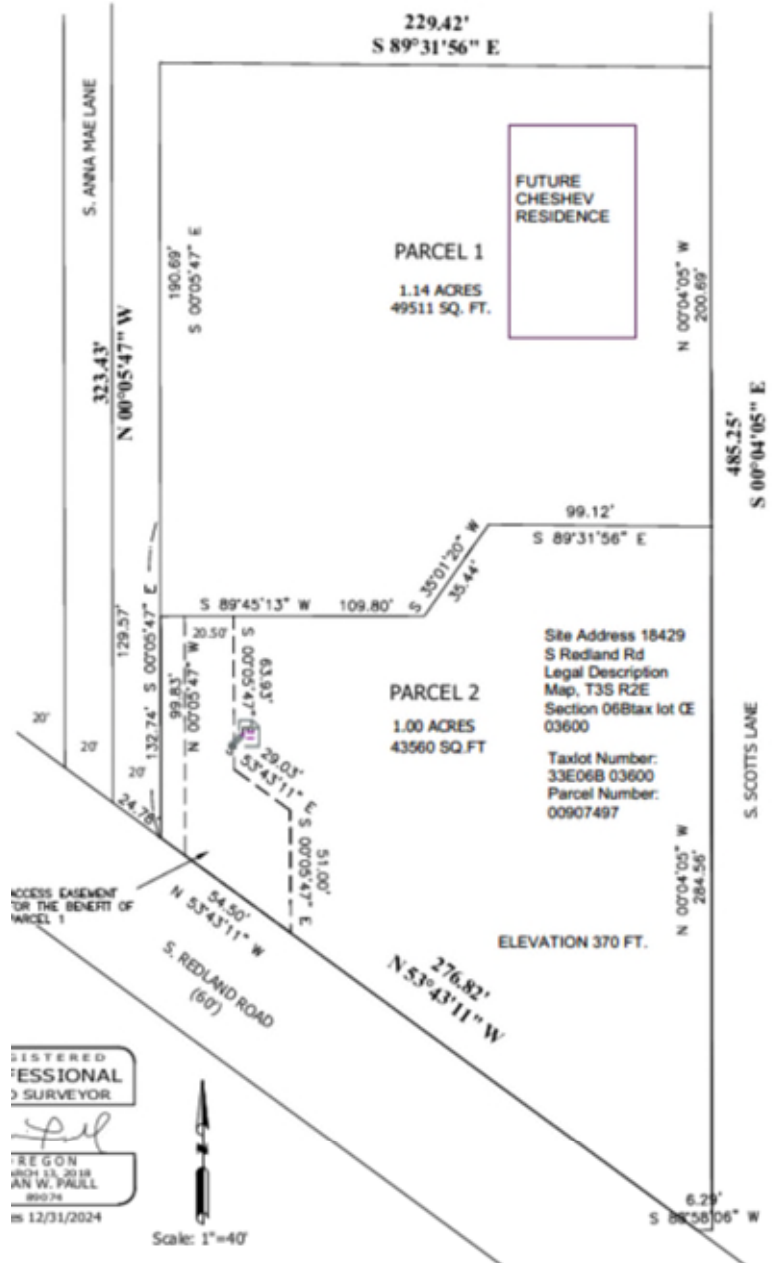
Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4545 or email DRenhard@clackamas.us.

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

Partition Plan

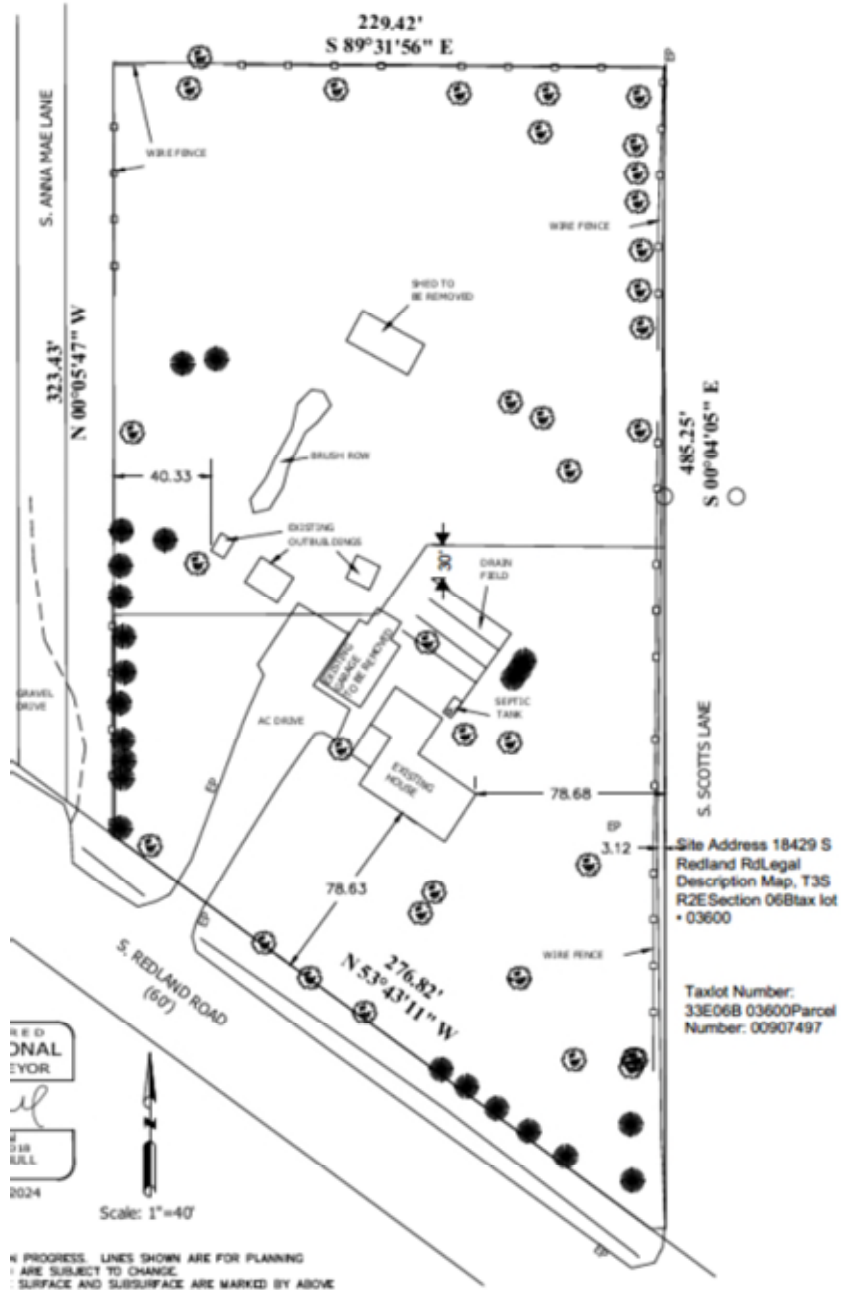
SITE PLAN

LOCATED IN THE NE AND NW 1/4 OR SEC. 6, T.35., R.3E., W.M.,
CLATSOP COUNTY, OREGON.
JULY 24, 2023



EXISTING CONDITIONS

LOCATED IN THE NE AND NW 1/4 OR SEC. 6, T.35, R.3E, W.M.,
CLACKAMAS COUNTY, OREGON.
JULY 24, 2013



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

1. Approval of this land use permit is based on the submitted written narrative and plan(s) filed with the County on 2/13/2024 and 3/5/2024. No work shall occur under this permit other than which is specified within these documents, unless otherwise required or specified in the conditions below. It shall be the responsibility of the property owner(s) to comply with this document(s) and the limitation of any approval resulting from the decision described herein.
2. Prior to any earth disturbing activity, the applicant/property owner shall complete the following:

I. General Conditions: Lizbeth Dance, (503) 742-4524, Ldance@clackamas.us

- 1) This decision becomes effective the day after expiration of the appeal period (if not appealed). After that date, no changes to these conditions can be made without a new land use application unless otherwise specified herein.
- 2) The services of a registered professional land surveyor and a civil engineer are required to satisfy these conditions of approval.
- 3) **Platting:** Pursuant to ORS 92, two (2) copies of the draft partition plat survey of the development shall be submitted to the Engineering Division for routing & review.
 - a. A copy of the final plat survey and review deposit shall also be submitted separately to the County Surveyor's office for review.
 - b. After the draft plat is approved by the Planning & Zoning Division staff and reviewed by the Survey Department, one (1) mylar copy and two (2) paper copies of the final plat shall be submitted to the County Engineering Division for final review.
 - c. The draft and final plats shall be prepared by a registered professional land surveyor in a form and with information consistent with the provisions of ORS 92, relevant portions of ORS 209.250, the County ZDO, Chapters 11.01 and 11.02 of the County Code and these conditions of approval.
 - d. When final approval is given by the Planning and Zoning Division and the final plat is approved by the County Surveyor, the plat must then be filed and recorded with the County Clerk. All property taxes shall be paid in full for the current year in order for the plat to be recorded.

e. None of the individual parcels may be sold, transferred or assigned until the final plat has been approved by the County Surveyor and recorded with the County Clerk.

4) **Approval Period:** Pursuant to subsection 1105.09(A) of the ZDO, this preliminary partition approval is valid for **four years** from the date of this final written decision. **Failure to record the final partition plat with the County Clerk within four years of the date of this decision will void this approval unless a time extension is approved (see following).**

5) **Time Extensions:** Prior to expiration of this approval, the applicant may request a single two-year extension of the preliminary approval subject to the criteria set forth in Section 1310 of the ZDO.

6) **Easements:** All existing, proposed and required easements shall be shown upon the final plat.

7) **Fire Protection:** **Prior to final plat approval,** the applicant shall submit stamped and approved plans or written verification from the Clackamas Fire District # 1, Fire Marshal indicating that the access and fire flow standards have been, or will be met.

8) **Water Service:** The property is within the Clackamas River Water district. Parcels 1, and 2 will be provided access to public water. **The water line easement serving each parcel shall be represented on the final plat.**

9) **On-site Septic Systems:** Installation of septic systems shall comply with the requirements of the Oregon DEQ rules administered by the County Septic and Onsite Wastewater staff. Care shall be taken in the location of homes, wells, driveways, etc. to ensure that the approved drainfield and repair areas within the parcels are not compromised. Approved Septic locations shall be indicated on the preliminary plat map.

10) **Utilities:** Pursuant to Subsection 1006 of the ZDO, electricity, gas, and communications services shall be installed consistent with the requirements of the district or company serving the development. Except where otherwise prohibited by the utility district or company, **all new or relocated utilities shall be installed underground and in accordance with the requirements of the service providers.** The Utilities and their associated easements cannot be through the zoned portion of the property.

II. **County Surveyor Conditions:** County Survey department (503) 742-4475.

1) All partition plats shall be prepared pursuant to ORS 92 and County Code Chapters 11.01 and 11.02.

- 2) Any private access easements should also contain provisions for public utility services such as water, electricity, communications, natural gas, storm drainage, sanitary sewer, emergency services, etc.
- 3) New easements should include a statement that the easements are for the lots or parcels shown and any future divisions thereof.
- 4) Easements created for access to parcels that can be redeveloped or further divided shall contain language that would allow the access and utilities easement(s) used by any additional development or parcels created in future. Any private easements should also contain provisions for public utility services such as water, electricity, communications, gas, storm drainage, sanitary sewer, etc.

III. Planning and Zoning Division Conditions: Contact: Lizbeth Dance, 503-742-4524, Ldance@clackamas.us

- 1) Prior to recording the Accessory buildings on parcels 1 and 2 within the 30' Front and 10' rear setback areas shall be removed. ZDO 316 table 316-2
- 2) Underground utilities are required for this partition for all new development and shall be installed pursuant to the requirements of the utility service providers serving the development.

IV. Onsite Wastewater Treatment Conditions:

Prior to final plat approval, applicant shall submit to the Clackamas County Onsite Wastewater Program (Onsite Program) a site plan that complies with the following standards:

- 1) Site plan shall be prepared and stamped by an Oregon registered professional engineer or Oregon registered professional land surveyor.
- 2) Site plan shall delineate the approved area for installation of the primary and/or replacement absorption systems (approval area) as approved under site evaluation file(s) SE044423 and SE042023.
- 3) Site plan shall demonstrate that the approval area, or any existing system if it is proposed to remain in use, is located entirely on the proposed lot or parcel (lot) that the onsite wastewater treatment system will serve or within an easement on one of the other proposed lots, provided that such easement complies with the requirements of the Onsite Program. Such easement shall be properly documented on the final plat.
- 4) Site plan shall label proposed setback distances from the approval area to structures, wells, surface waters and proposed lot lines. The proposed setback distances shall comply with the regulations administered by the Onsite Program.

Prior to approval of the certificate of occupancy for each new dwelling, a construction permit for an onsite wastewater treatment system to serve that

dwelling, and an approved final inspection of the system, shall be obtained from the Onsite Program. This condition is not applicable to any dwelling served by an existing system that complies with the requirements of the Onsite Program.

V. Clackamas River Water Conditions: Anthony Steele; astele@crwater.com

- 1) Clackamas County Development Permit:
 - a. It will be the developer's responsibility to acquire any necessary easements for water facilities that shall be provided and designated on the final plat, as deemed necessary by the District. These easements must have functional access to public right of way and be properly recorded.
 - b. Fire and domestic water services, as approved with this land use application, are intended specifically for the lot(s) being developed and are not intended to serve additional parcels or structures which may be created in the future. In the event that the parcels and/or lots are further divided to create additional parcels or lots, the owner is required to provide separate fire and domestic water services per CRW Rules and Regulations.
 - c. Any fire suppression related improvements will require review and approval of Clackamas County Fire District #1 to ensure proper fire coverage and fire service connection installation in accordance with applicable regulations along with the appropriate backflow prevention assembly and flow detector.

VI. County Engineering Division Conditions: Jonny Gish; Jgish@clackamas.us

1. **Prior to Final Plat approval**
 - a. The applicant shall consult with the Development Engineering for permitting requirements of proposed or required private access improvements.
 - b. The applicant shall provide a minimum 20-foot wide access and utility easement from S Redland to serve both parcels. The easement shall be a common, nonexclusive reciprocal access and utility easement benefitting parcels 1 and future division thereof.
 - c. Provide an onsite passenger vehicular turnaround
 - d. The applicant shall provide a road maintenance agreement for the shared private road implementing ORS 105.170 – 105.185. This agreement shall include any and all signings and postings and be recorded with the plat.
 - e. The applicant shall provide a note restricting parcel 2 to shared vehicular access to S Redland Rd without Jurisdictional approval.
 - f. The applicant shall meet the requirements set forth within Section 190 of the Clackamas County *Roadway Standards*, including all shared private access improvements.

Private Roads & Access Drives:

2. Prior to Engineering Permit issuance

- a. Provide an onsite passenger vehicular turnaround for parcel 2 per standard detail C220
- b. The applicant shall provide written approval from the Fire Marshal for emergency access and circulation of the private access.

APPLICABLE APPROVAL CRITERIA

This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Section(s) 202, 316, 1001, 1002, 1003, 1006, 1007, 1012, 1105 and 1307.

PUBLIC AND AGENCY COMMENTS

Notice was sent to applicable agencies and owners of property within 750 feet. Comments received relating to the applicable approval criteria listed above are addressed in the Findings Section. Comments from the following were received:

Agencies:

Clackamas County Engineering and Transportation Department provided comments that are included in conditions and findings of this decision and attached as advisory notes herein.

Clackamas River Water: Provided comments that are included in conditions and findings of this decision and attached as advisory notes herein.

Public Comments: No Public comments were received regarding this application.

CPO Comments: The Redland-Viola-Fischer's CPO did not provide comment.

All comments have been added to the record and are available upon request.

FINDINGS

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

I. PROJECT OVERVIEW:

The subject property is 2.13 acres in the RA-1 zone in Redland an Unincorporated Community. Property is developed with a circa 1964 single family home to remain on parcel 2, a garage to be removed and 3 out buildings that may need to be removed. S Anna Mae Ln and S Scotts Ln border the property to the west and east, access for the new parcel 1 will be on the established access for the existing home on parcel 2. All surrounding properties also zoned RA1.

Section 1105 of the ZDO sets forth the process, standards and requirements for a land use application for a Partition.

- A. A Partition is defined as a division of property that creates three or fewer parcels in a calendar year and shall be processed as an administrative decision by the Planning Director, or designate, pursuant to subsection 1305.02. The proposed request is a partition to create two parcels. The applicant has submitted a complete application on County forms consistent with the requirements of ZDO Secs. 1105 and 1307.
 - B. Pursuant to Section 1105, partitions shall comply with the ZDO and Oregon Revised Statutes (ORS) Chapter 92. Compliance with the applicable provisions of the ZDO is discussed in the findings that follow. Compliance with County subdivision criteria and procedures will satisfy the relevant requirements of ORS 92 as well.
- 1) Sections 316 of the ZDO sets forth the allowed uses, dimensional standards and development requirements of the RA1 zoning districts. Accessory uses are only allowed on properties where primary uses are established.

Finding: *Based upon the information shown upon the preliminary plan, the proposed partition complies with the*

- *minimum lot size criteria of Section 316 requiring that each parcels RA1 zone be at least 1 acre in size.*
Parcel 2, 1 acre
Parcel 1, 1.14 acres
- *Setbacks, Where these accesses are sheared they will be considered front lot lines. All existing and proposed development is subject to setback standards of the appropriate zone. There are several accessory buildings on the parcel within proposed new front and rear setback areas. Verification of the setback shall be identified in the draft plat survey including an access easement dedication. If buildings are located within the required 30' front or 10' rear setbacks on the proposed new parcels development encroaching into the setback shall be removed.*

As Conditioned these standards can be met.

- 2) Section 1001 of the ZDO sets forth the general provisions of the 1000 Sections that, taken together, set forth the general standards for development of property and associated facilities within the unincorporated area of Clackamas County.
- A. Pursuant to Subsection 1001.02(A), the standards set forth in the 1000 Sections apply to all partition applications and approvals.

Finding: *The property land division is considered development all applicable code sections outlined in section 1001 have been addressed through the application materials. **As proposed these standards can be met through the***

findings below.

- 3) Section 1002 of the ZDO sets forth the standards, requirements and considerations that pertain to the protection of the natural features of Clackamas County.

Finding: *There are no identified natural features on this property. **These Standards do not apply.***

- 4) Section 1002.01 Hillside A. Development on slopes greater than or equal to 20 percent and less than or equal to 35 percent—except that for residential development in the RR, MRR, and HR Districts, the upper limit is 25 percent—shall require review of a Type I application pursuant to Section 1307, Procedures, and shall be subject to the following standards:

1. No partition or subdivision shall create any new lot or parcel which cannot be developed under the provisions of Subsection 1002.01.

Finding: *The property is relatively flat with no areas of slopes over 20%. **This standard does not apply.***

- 5) Sec. 1003 of the ZDO pertains to hazards to safety such as landslides, floodplains, soil hazards, and fire hazard area. The intent of these standards is to protect lives and property from natural or man-induced geologic or hydrologic hazards and disasters.

Finding: *There are no mapped DOGAMI areas or other identified hazards on the property. **This Standard does not apply.***

- 6) Section 1006 of the ZDO sets forth the standards, requirements and considerations that pertain to water supply, sanitary sewer, surface water and utilities services concurrency.

- A. Pursuant to Subsection 1006.01A- The location, design, installation, and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbance of soil and site consistent with the rules and regulations of the surface water management regulatory authority.

Finding: *Based upon the preliminary plans and information submitted with this application, the staff of these reviewing bodies have determined that it is feasible to comply with the requirements of this section. Supporting information is found in findings and conditions as well as Advisory Notes herein.*

- B. Pursuant to Subsection 1006.01B. All development that has a need for electricity, natural gas, and communications services shall install them pursuant to the requirements of the utility district or company serving the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be installed underground. A condition of approval to this effect is warranted.

Finding: *The applicant states that all electric, gas and communication services will be installed pursuant to the requirements of the applicable district or*

company. All new and replacement utilities are required to be underground. **As conditioned this criterion can be met.**

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

Finding: Construction/installation of utilities will be coordinated with Clackamas River Water, the Septic Department and Transpiration and Engineering as verified through this application prior to residential development of each parcel. Each individual lot will have septic systems. Septic systems will be installed with building permits for Parcel 1. The project site is located within Clackamas River Water District, public water will be provided to lots 1 and 2 as required. The proposal must be in conformance with the on-site surface water management rules and regulations of Chapter 4 of the Clackamas County Roadway Standards. A statement of feasibility completed by the surface water management authority in the area was submitted with this application. Positive drainage must be provided at the time of residential development. **As conditioned this criterion can be met.**

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

Finding: The applicant shall provide all existing and proposed easements including written verification from an attorney, surveyor or professional engineer for Parcels 1 and 2 including the 20' access easement that provides access to the proposed parcel 1. These easement agreements shall be recorded with the final plat. **A condition of approval is warranted to assure compliance with this standard.**

- E. Pursuant to Subsection 1006.02, street lights shall be required for all developments inside the urban growth boundary, as outlined under this Subsection.

Finding: The site is not located within an Urban Growth Boundary, therefore **this criterion is not applicable.**

- F. Water Supply: Pursuant to Subsection 1006.03(E) specifies the requirements for water supply outside the Portland Metropolitan Urban Growth Boundary.

- G. Applicants shall specify a lawful water source for the proposed development, such as a public or community water system, certificated water right, or exempt-use well.

Finding: Public Water will serve parcels 1 and 2 to be established as required by the Clackamas River Water District. Clackamas River Water provided comments 3/15/2024 addressing their standards and requirements included in advisory notes herein. Verification of these standards will be required prior to

*Plat recording. **Conditions of approval will be imposed to assure compliance with these standards.***

H. ZDO 1006.05(A): All development proposing subsurface sewage disposal shall receive approval for the system from the County prior to submittal of a land use application for development. Said systems shall be installed pursuant to Oregon Revised Statutes 454.605 through 454.745 and Chapters 171, 523, and 828; Oregon Administrative Rules Chapter 340, Divisions 71 and 73; and the policies of the County.

Finding: *The parcels created by this proposed land division will have onsite wastewater treatment systems. The relevant statutes and administrative rules requires an approved site evaluation prior to the installation of a new onsite wastewater treatment system. The site evaluation details the requirements for construction of the future system. The applicant has submitted an approved site evaluation for a system to serve a single-family dwelling on proposed parcels 1 and 2. See files SE0444423 and SE042023. These records demonstrate that the approved area for installation of each onsite wastewater treatment system (is contained within the proposed lot lines for the lot that the system will serve. Conditions of approval will require that prior to final plat approval the applicant shall submit a site plan sufficient to verify the location of each onsite wastewater treatment system approval area, and each existing system proposed to remain in use, relative to the new lot lines, as well as any necessary easement documents if system locations prove to be outside the boundaries of the lots they will serve. Installation of the future system(s) must comply with the statutes and administrative rules cited above and administered by the Clackamas County Onsite Wastewater Program. **Conditions of approval will require such compliance.***

1006.07- Preliminary Statements of Feasibility

Finding: *All required Statements of Feasibility from Clackamas River Water, On Site Surface Water Management and Septic - were provided with the submittal of this partition request. **This criterion is met.***

7) ZDO Section 1007 ROADS AND CONNECTIVITY

1007.01 GENERAL PROVISIONS

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

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

Finding: *The applicant has proposed a 2-lot partition with frontage along SE Redland Rd, which is classified as a rural major arterial. S Redland Rd has an existing right-of-way width of 30-feet from centerline, which meets the minimum requirement of standard detail C140. No additional right-of-way will be required at this time. As conditioned this criteria can be met.*

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

Finding: *The applicant has submitted a site plan showing a shared access and utility easement through parcel 2 benefitting parcel 1. The applicant will be required to provide a plat note restricting the vehicular access of parcel 2 to a shared access to S Redland Rd without jurisdictional approval. As conditioned this criteria can be met.*

1007.03 PRIVATE ROADS AND ACCESS DRIVES

- A. Private roads and access drives shall be developed according to classifications and guidelines listed in Section 1007, Comprehensive Plan Figures 5-1 through 5-3, *Typical Roadway Cross Sections*, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards, except:
2. When easements or “flag-pole” strips are used to provide vehicular access to lots or parcels, the minimum width shall be 20 feet, unless a narrower width is approved by the Department of Transportation and Development and the applicable fire district’s Fire Marshal;
 3. Where the number of lots served exceeds three, a wider width may be required as deemed appropriate or necessary by the Department of Transportation and Development consistent with other provisions of Section 1007, the Comprehensive Plan, and the Clackamas County Roadway Standards;

Finding: The applicant has submitted a site plan showing the usage of the existing paved access to S Redland Rd for the shared private access. The existing private access meets the requirement set forth in standard detail D500.

Due to the classification of S Redland Rd, a rural major arterial, the applicant will be required to provide an onsite vehicular turnaround per standard detail C220 to promote accessing S Redland Rd in a forward motion. **As conditioned these criteria can be met.**

4. Access easements or “flag-pole” strips may be used for utility purposes in addition to vehicular access;
5. The standards listed above may be deviated from when deemed appropriate by the Department of Transportation and Development to accommodate one-half streets or private common access drives and roads within developed urban areas providing access to not more than seven lots; and
6. The intersection of private roads or access drives with a public or county road and intersections of two private roads or access drives shall comply with the sight distance and clear zone standards pursuant to Subsection 1007.02(D).

Finding: Section 240.2(e) of the Clackamas County Roadway Standards allows existing accesses subject to land use approval where ADT is increased by 20 or fewer trips shall provide adequate stopping sight distance. The Northbound lane of S Redland Rd has a posted speed limit of 55 mph, therefore the required stopping sight distance is 495-feet. Engineering staff visited the site of the proposed development and measurements exceed the required distances. **As conditioned this criteria can be met.**

1007.07 TRANSPORTATION FACILITIES CONCURRENCY

- B. Subsection 1007.07 shall apply to the following development applications: design review, subdivisions, partitions, and conditional uses.

Finding: At the present time, S Redland Rd operates during the mid-day one hour peak and first and second hours of the PM peaks at acceptable volume to capacity (v/c) ratios. The proposed tenant improvement will not adversely impact the current v/c ratios. Therefore, the County’s concurrency requirements as they relate to the transportation system are met by the applicant’s proposal. **This Criteria is met with this proposal.**

ADVISORY NOTES

Advisory notes are not a part of the decision on this land use permit. The items listed below are not conditions of land use approval and are not subject to appeal. They are advisory and informational only but may represent requirements of other agencies/departments. As such, they may be required by these other agencies/departments in order to complete your proposed development.

Building Codes: Building construction on any of the approved lots shall be consistent with Oregon Plumbing Specialty Code, Oregon Residential Specialty Code, Oregon Structural Specialty Code and/or Oregon Manufactured Home Standard requirements, as administered by the DTD, Building Codes Division. Foundation drain requirements shall be designed to ensure structural stability and proper foundation and crawl space drainage.



Date: March 15, 2024 **SENT VIA EMAIL**

To: Lizbeth Dance, Planning
Clackamas County

From: Anthony Steele, Engineering Associate
Clackamas River Water

Subject: Land Use Review Application: **File #Z0046-24**

Site Address: 18429 S Redland Rd, Oregon City, OR 97045

Legal Description: 33E06B 03600

Comments:

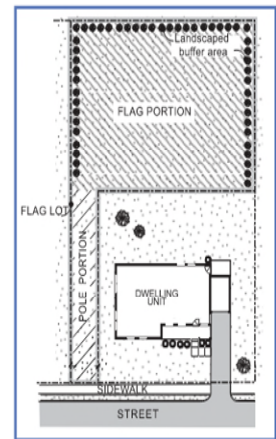
CRW has reviewed the subject application and makes the following comments. Comments are introductory and may change based on the preliminary/final design.

1. CRW currently has the following infrastructure available within the public right-of-way to serve the site:
 1. 6-inch ductile iron waterline within S Redland Rd;
 2. 8-inch ductile iron waterline within S Scotts Ln (Private).

2. CRW currently is serving the site with the following service:
 1. 3/4-inch meter along S Redland Rd.

3. Water Distribution Design & Infrastructure Requirements:
 1. The proposed development lies within the service boundaries of Clackamas River Water (CRW) and shall be subject to the following CRW requirements:
 1. Clackamas River Water Rules and Regulations, April 1996, Resolution No. 2-99
 2. Clackamas River Water, Standard Specifications for Development, May 2021
 3. Clackamas River Water, SDC, Miscellaneous Fees and Charges for Services, latest edition.
 2. All water improvements designed and constructed by the Applicant to serve the proposed development must meet all CRW standards, must be reviewed and approved by CRW prior to issuance of a Clackamas County Development Permit, and must consider the following:
 1. The available water system capacity to the site is limited to the size, pressure, and volume within an existing or future water main serving the property. Where the requested demand exceeds the water main capacity, the Applicant is responsible for the total costs of a water main enlargement or extension required to meet the demand.
 2. The Applicant is responsible for all costs associated with design, construction and testing to provide adequate domestic water and fire service to the development.
 3. All public water system improvements required for this development, including side branch waterlines, fire hydrants, meters, fire services, and other appurtenances, shall become the ownership of CRW.
 4. Additional fire hydrants proposed for the development on existing or new waterlines shall be reviewed and approved by CRW. CRW shall have the sole authority for determining the existing water system capacity to serve the development.
 5. Water service solely for private fire protection to a customer-owned fire sprinkler system is classified as a fire service connection (restricted water use).
 6. Fire services, including those serving private fire sprinkler systems, shall be installed where required and shall be provided, owned, maintained, and tested by the customer. All fire services shall be metered and protected from backflow.
 3. CRW reserves the right to require a water main replacement if a development or redevelopment does not meet current water system standards or would demand more capacity for consumption or fire suppression than existing water mains could adequately supply. The cost of any mainline replacement required to serve the development or redevelopment shall be borne entirely by the Applicant.
 4. The average system pressure range at this location in the CRW distribution system is approximately 135-140 psi. Where static pressure in water supply piping exceeds 80 psi, an approved pressure regulator shall be provided, installed, and maintained by the Customer to reduce the pressure in accordance with Oregon Plumbing Specialty Code.
4. Service Connection and System Development Charges:
 1. Service Connection:
 1. To request new water services, visit CRW's website at <https://crwater.com/connect-service/> for service request information, forms, and examples.
 2. A Water Service Application will only be issued after all required informational forms, site plans, proof of active building or plumbing permits, and any other required information have been submitted.
 3. Required deposits, fees, and charges will be collected in full only after an approved Water Service Application has been submitted.

4. Per Section 8 of CRW's Rules and Regulations, the following will be required when the County Development Permit is issued for the parcel or per ZDO1006.05.F:
 - A. Domestic service will require review and approval by Clackamas River Water to ensure adequate sizing based on site demand.
 - B. *“Water service will be provided only from pipes or mains located within public streets, alleys or rights-of-way, or within easements furnished CRW, and to property or premises with frontage to such mains...”*
 - i. CRW has a 30-ft water easement along S Scotts Ln. In the proposed partition, the proposed Parcel 1 will have frontage on the main within S Scotts Ln. Water service shall be from this main, and the meter installed along the parcel's frontage within public water easement along Scotts Ln.
 - C. *“Each dwelling or building will be provided with its own water service connection and meter*
5. When a lot or parcel of land is provided with a service connection and the parcel is subdivided, the service connection shall be considered as belonging to the lot or parcel of land which it directly enters.
 - A. In the proposed subdivision, the existing meter to 18429 S Redland Rd shall remain in service to the proposed Parcel 2.
6. All domestic and private mains must be installed entirely on the lot for which it serves. Services and private mains will not be allowed to cross property lines or to be placed in a private utility easement unless an exemption has been granted by the Clackamas River Water Board of Commission.



2. System Development Charges (SDC):
 1. SDCs are based on meter size. SDCs will be assessed in accordance with the CRW Water Rate Schedule at the time an approved Water Service Application has been submitted. SDC rate adjustments occur annually on July 1st.
 2. The 2023-2024 Water Rate, Connection & System Development Charges are as follows:

Meter Size (in)	SDC Reimbursement	SDC Improvement	Total SDC Charges
3/4	\$ 4,296	\$ 6,302	\$ 10,598
1	\$ 7,162	\$ 10,504	\$ 17,666
1-1/2	\$ 14,324	\$ 21,011	\$ 35,335
2	\$ 22,918	\$ 33,613	\$ 56,531
3	\$ 45,836	\$ 67,226	\$ 113,062
4	\$ 71,620	\$ 105,040	\$ 176,660
6	\$ 143,239	\$ 210,081	\$ 353,320
8	\$ 229,183	\$ 336,129	\$ 565,312
10	\$ 329,451	\$ 483,185	\$ 812,636
12	\$ 483,433	\$ 709,023	\$ 1,192,456

5. District Approvals:
 - a. Water improvement drawings shall be prepared by an Oregon Professional Engineer and submitted to CRW for approval.
 - b. The Developer will be required to pay a time-and-materials deposit to the District for Plan Check and Inspection prior to review of any construction plans. The developer will be reimbursed for any unused deposit amount or billed for any additional expenses due.

- c. Upon completion of construction plan review, additional requirements may be set forth by the District.
6. Clackamas County Development Permit:
- d. It will be the developer's responsibility to acquire any necessary easements for water facilities that shall be provided and designated on the final plat, as deemed necessary by the District. These easements must have functional access to public right of way and be properly recorded.
 - e. Fire and domestic water services, as approved with this land use application, are intended specifically for the lot(s) being developed and are not intended to serve additional parcels or structures which may be created in the future. In the event that the parcels and/or lots are further divided to create additional parcels or lots, the owner is required to provide separate fire and domestic water services per CRW Rules and Regulations.
 - f. Any fire suppression related improvements will require review and approval of Clackamas County Fire District #1 to ensure proper fire coverage and fire service connection installation in accordance with applicable regulations along with the appropriate backflow prevention assembly and flow detector.

For further information regarding this application, please contact Anthony Steele at 503-722-9239 or astele@crwater.com.

cc: Clackamas Fire
Applicant
file