



**NOTICE OF DECISION ON A TYPE II LAND USE PERMIT**

**Decision:** Approved with Conditions

**Permit Type:** Partition

**File No.** Z0243-24

**Applicant's Proposal:** EFU zone, 3 parcel, M49 partition property currently undeveloped with High Value soils 2 parcels not to exceed 2 acres. The property is relatively flat, no environmental overlays have been identified. M49 Election – E129559E - SEAGRAVES - PURSLEY sold from original claimant 11/20/2023 starting the 10 year validity window.

**Decision Date:** August 12, 2024

**Deadline for Filing Appeal:** August 26, 2024, at 4:00 pm.

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

**Applicant:** Pat Sisul Engineering

**Owner:** Lonnie Young, K&L Strowbridge Holdings LLC

**Zoning:** EFU – Exclusive Farm Use 7.94 acres

**Assessor's Map & Tax Lot(s):** T3S R3E Section 04 Tax Lot 00301

**Site Address/Location:** The SE corner of S Strowbridge Rd. and S Charriere Rd.



**Community Planning Organization (CPO) for Area:**

**Redland - Fischers Mill - Viola CPO:**

Lance Ward 503-631-2550

[lancecward@aol.com](mailto: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://acela.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](http://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.

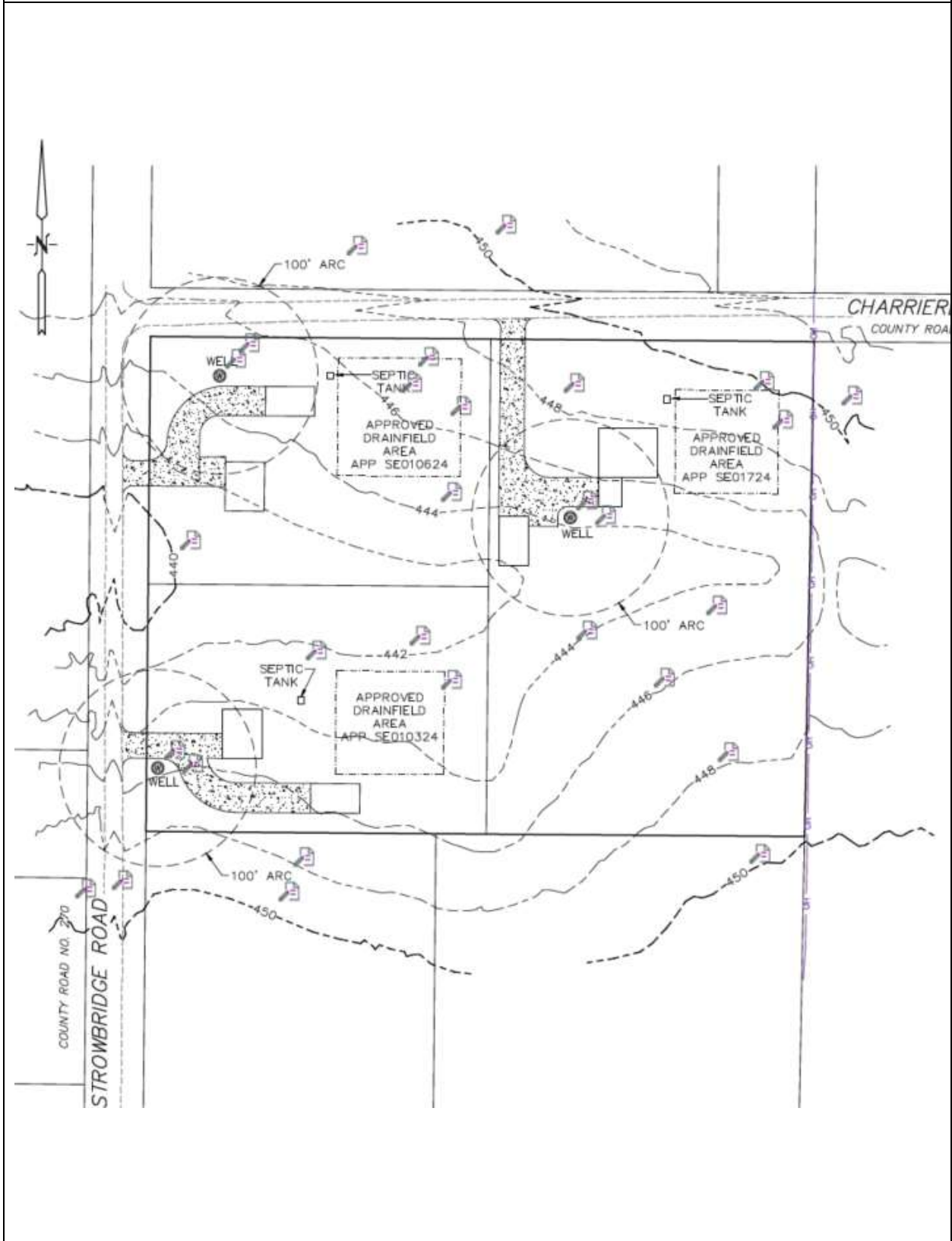
A person who is mailed written notice of this decision cannot appeal this decision directly to the Land Use Board of Appeals under ORS 197.830.

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](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 통?

# Partition Plan



## CONDITIONS OF APPROVAL

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

1. Approval of this land use permit is based on the submitted written narrative and plan(s) filed with the County on 6/11/2024. 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 these documents 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:
  - a. Preliminary partition approval is based upon the preliminary partition plan and the Ballot Measure 49 claim, Election No. E129559E - SEAGRAVES - PURSLEY, and these conditions of approval. Any change in design, including lot layout and access to lots, must be approved by the Planning and Zoning Division prior to final plat approval. No work shall occur under this permit other than which is specified within these documents. It shall be the responsibility of the property owner(s) to comply with this document(s) and the limitations of approval described herein.
  - b. 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.
  - c. The services of a registered professional land surveyor and a civil engineer are required to satisfy these conditions of approval.
  - d. **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.
    - i. A copy of the final plat survey and review deposit shall also be submitted separately to the County Surveyor's office for review.
    - ii. After the draft plat is approved by the Planning & Zoning Division staff and reviewed by the Survey Department, one (1) mylar copy of the final plat shall be submitted to the County Engineering Division for final review.
    - iii. 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.

- iv. 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.
  - v. 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.
  - vi. 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.
  - vii. New easements should include a statement that the easements are for the lots or parcels shown and any future divisions thereof.
  - viii. 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.
- e. **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).**
- f. **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.

**M49 timeline:** This request is enabled pursuant to State-approval of a Ballot Measure 49 claim (ORS 195.300 - 195.336), Election No. E129559E - SEAGRAVES - PURSLEY , permitting a modification of the lot sizing and dwelling establishment criteria of the EFU zoning district. The property was sold from the original claimant 11/20/2023. **When properties are sold from original claimant the 10 year validity clock begins as outlined in the claim- the land division shall be recorded and residential development shall be established within this**

**timeframe by 11/20/2033. Established means a finale building permit associated with residential development**

3. Prior to recording of the final plat, the applicant/property owner shall complete the following:
  - a. **Easements:** All existing, proposed and required easements shall be shown upon the final plat including the shared well agreement and water line easements.
  - b. **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.
  - c. Future construction on the proposed parcels shall be subject to the use, dimensional and development standards of the ZDO Section 401, the relevant requirements of Section 1001.02 and relevant conditions of approval herein except as modified by Measure 49 claim E129559E - SEAGRAVES - PURSLEY.
  - d. **On the final plat:** Proposed Parcels 1 and 2 shall not exceed 2 acres in size and future lot line adjustments resulting in an increase in a size exceeding two acres is prohibited. **A plat note/restriction to this effect shall be noted on the final partition plat.**
  - e. **On the Final plat –** a plat note required stating **No water service is available for this property**  
  
Exempt wells to provide water for parcels 1, 2 and 3. ZDO 1006.03
  - f. **Utilities:** Pursuant to Subsection 1006.01 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.**

**4. ZDO 1006.05 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:

Site plan shall be prepared and stamped by an Oregon registered professional engineer or Oregon registered professional land surveyor.

- a. 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) SE010324, SE010624 and SE010724.
- b. 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.
- c. 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.

## **5. ZDO 1007 TRANSPORTATION AND ENGINEERING CONDITIONS:**

### **A. General Provisions**

#### **Prior to Final Plat approval**

- i. The applicant shall dedicate a sufficient right-of-way to provide for a minimum 24-foot-feet from centerline along S Charriere Rd.
- ii. The applicant shall establish centerline and dedicate an eight-foot wide public sign and utility easement along the entire frontage of S Strowbridge Rd and S Charriere Rd.

### **B. Private Roads & Access Drives:**

#### **Prior to Building Permit issuance**

- iii. The applicant shall obtain Entrance Permits for each private access to the County road. Entrance Permits shall meet standard drawings D500, R100 and C350 for private access.
- iv. The applicant shall obtain Utility Placement Permits for any utility extension or connection work within County right-of-way.
- v. The applicant shall provide written approval from the Fire Marshal for emergency access and circulation of the private access. If greater than 150 feet, a fire apparatus turnaround at or near the end of the shared private roadway will be required, per Standard Drawing C350 at a location approved by Clackamas Fire and Engineering staff.

- vi. The applicant shall provide and maintain minimum intersection sight distances at the proposed private road intersection with the County roadway. Pedestrian & Bicycle Facilities:

## **APPLICABLE APPROVAL CRITERIA**

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This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Section(s) 202, 401, 1105, 1000, 1001, 1002, 1005, 1006, 1007, 1012 in accordance with 1307 except as modified by Measure 49 claim. ORS 195.300 - 195.336.

## **PUBLIC AND AGENCY COMMENTS**

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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 Fire District 1:** Provided comments that are included in conditions and findings of this decision and attached as advisory notes herein.

**Redland – Fischers Mill – Viola CPO:** did not provide comments

***Public Comments:*** Public comments were received in opposition to the additional partitioning of Resource zone properties. Staff understands these concerns however Measure 49 claims are allowed per State rule circumventing base lot sizing and residential criteria of the EFU zone. This partition meets density standards as modified by the M49 Claim and can meet all additional relevant standards Zoning and Development Ordinance for a partition as outline herein.

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

## **FINDINGS**

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**Project Overview:** Request for a M49 E129559E - SEAGRAVES - PURSLEY Partition of a 7.94 acre EFU zoned property into 3 parcels two not to exceed 2 acres in size and a remainder parcel approximately 3.94 acres.

This request is enabled pursuant to State-approval of a Ballot Measure 49 claim (ORS 195.300 - 195.336), Election No. E129559E - SEAGRAVES - PURSLEY, permitting a modification of the lot sizing and dwelling criteria for the EFU zoning district. As stated in the M49 claim this claim is valid for 10 years from the time the properties are no



longer owned by the claimant, the property was sold 11/20/2023 starting the 10 year validity clock. Within this time this partition shall be recorded and residential development established meaning final inspection. After 11/20/2033 development will be subject to the current zoning standards.

The findings below identify the standards and criteria that are relevant to this decision,

- 1) 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 three 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.
- 2) Sections 401 of the ZDO sets forth the allowed uses, dimensional standards and development requirements of the EFU zoning district. The use and development of the proposed lots is subject to Section 401 as they are located within the EFU zone.

**Finding:**

- A. *The applicant is proposing to divide the property into 3 parcels.*
- B. *Pursuant to Ballot Measure 49 claim, E129559E - SEAGRAVES - PURSLEY, the maximum number of parcels authorized is three with one permanent home site on each parcel is also authorized. Additionally, as the property is mapped as high value farm soils, the two of the 3 new parcels cannot exceed 2 acres with the remainder parcel, 3 parcels are proposed.*
- C. *The proposed partition plan is consistent with the Measure 49 claim requirements.*
- D. *As modified by the Measure 49 claim, the proposed partition complies with the parcel size requirements of the EFU zoning district.*
- E. *A condition of approval is warranted requiring that all structures on, and uses of, the parcels created by the proposed partition shall conform to the requirements of the zoning districts subject to the provisions of Section 401 of the ZDO except as modified by the approved Measure 49 claim. Parcels 1 and 2 shall be no larger than 2 acres in size and future lot line adjustments increasing the size of these parcels is prohibited unless future changes in zoning render this limitation moot.*

Based upon the information shown upon the preliminary plan, the proposed partition can comply with the minimum lot size criteria of the zone as modified by the Measure 49 claim. **As conditioned this criteria can be met.**

**ZDO 401** by reference 401 Dimensional Standards: Minimum Front side and rear Setbacks in addition, Fire Siting Standards.

**Finding:** Proposed parcels 1 and 2 are two acres, and parcel 3 is the remainder parcel at 3.94 acres. Parcels 1 and 2 will have individual direct access to S Strowbridge Rd and Parcel 3 will have direct access to S Charriere Rd. The primary setback standards for the zone are 30 foot front, 10 foot sides and 30 foot rear setbacks will be applied to all future development. Parcel 1 is a corner lot, as defined a corner lot has 2 fronts. **As conditioned these standards can be met.**

- 3) 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:** As proposed these standards are met.

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

**1002.06** Deer Elk Winter Range Development in deer and elk winter range below 3,000 feet in elevation, as identified on Comprehensive Plan Map III-2, Scenic and Distinctive Resource Areas, shall be designed to minimize adverse wildlife impacts.

**Finding:** The property is not within the Deer Elk Winter Range. This standards does not apply.

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 gradually sloped towards its center with slopes between 3-7%

- 5) Sec. 1003 of the ZDO pertains to hazards to safety such as landslides, 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:** *The property are not in any mapped hazard areas identified in this section. There are no mapped DOGAMI areas on the property. **These standards do 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 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.*

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 underground pursuant to the requirements of the applicable district or company. **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. Each individual lot will have septic systems and wells installed in areas approved by the County. Septic systems will be installed with building permits for Parcels 1, 2 and 3. All runoff from the site will sheet flow and eventually infiltrate. The future homesites should be graded to provide positive drainage away from their foundations, and the downspouts from roof runoff can drain to the ground surface, directed away from the homes, allowing the runoff to infiltrate into the ground. Specific runoff for future homes would be further addressed at the time of the building permits. Clackamas County is the surface water management authority for the area including the subject site. The proposal must be in conformance with Chapter 4 of the Clackamas County Roadway Standards. Positive drainage must be provided to an existing storm drainage system capable of accommodating the estimated contribution. **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:** *Proposed parcels 1, 2 and 3 will take direct access from a county*

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

- 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 the Portland Metropolitan Urban Growth Boundary. This criterion is not applicable.*

- F. Water Supply: Pursuant to Subsection 1006.03 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:** *The newly created undeveloped parcels 1, 2 and 3, will use exempt-wells. In addition plat note stating no public water is available at this site is required. A condition 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 be served by subsurface sewage disposal (more properly called onsite wastewater treatment). Under the relevant statutes and administrative rules, approval of a new onsite wastewater treatment system requires an approved site evaluation. The site evaluation details the requirements for construction of the future systems and established systems. The applicant has submitted an approved site evaluation for systems serving single-family dwellings on proposed parcels 1, 2 and 3. See files SE010324, SE010624 and SE010724. These records appear to 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.*

- I. 1006.07- Preliminary Statement of Feasibility

***Finding:*** *All Statements of Feasibility, On Site Surface Water Management and Septic - were provided with the submittal of this partition request.*

## **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 proposed development has frontage along both S Stowbridge Rd and S Charriere Rd, both of which are classified as rural local roads. According to the current tax map S Stowbridge Rd has an existing right-of-way width of 60-feet and S Charriere Rd has an existing right-of-way width of 40-feet.*

*Standard drawing C110 requires a minimum right-of-way width of 24-feet from centerline for rural local roads. While S Stowbridge Rd exceeds the minimum right-of-way width, S Charriere Rd does not meet the minimum requirement. Therefore, the applicant will be required to dedicate sufficient right-of-way along S Charriere Rd to provide a minimum of 24-feet from centerline.*

*The applicant will be required to establish centerline along both S Stowbridge Rd and S Charriere Rd.*

*The applicant will be required to dedicate an eight-foot wide public utility and sign easement along both S Stowbridge Rd and S Charriere Rd.*

*The applicant will be required to show all new right-of-way widths and easement on the final plat. 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 proposed development is located at the SE Corner of S Strowbridge Rd and S Charriere Rd, both of which are classified as rural local road with no access restrictions per Section 220.3 of the Clackamas County Roadway Standards.*

*The applicant has submitted a preliminary site plan showing individual access for all three lots. **This criteria is met.***

#### 1007.02 PUBLIC AND PRIVATE ROADWAYS

D. All roadways shall be developed according to the classifications, guidelines, tables, figures, and maps in Chapters 5 and 10 of the Comprehensive Plan and the provisions of the Clackamas County Roadway Standards.

1. Development along streets with specific design standards specified in Chapter 10 of the Comprehensive Plan shall improve those streets as shown in Chapter 10.

**Finding:** *The applicant is not proposing any new private or public roads. All three newly created lots are proposing to access S Strowbridge Rd and S Charriere Rd with individual access points. **This criteria is not applicable.***

#### 1007.03 PRIVATE ROADS AND ACCESS DRIVES

E. 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:

1. 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:** *The proposed development has frontage long S Strowbridge Rd and S Charriere Rd, both of which are rural local roads with no access restrictions.*

*The applicant has submitted a preliminary site plan showing individual accesses for each lot. Two lots are proposed to access S Strowbridge Rd, while the third lot is proposed to access S Charriere Rd.*

*The applicant will be required to obtain individual Entrance Permits from the Engineering Department at Building Permit application. **As Conditioned and maintained these criteria can be met.***

2. 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:** *The proposed development has frontage long S Strowbridge Rd and S Charriere Rd, both of which do not have a posted speed limit. On a recent site*

visit intersection site distance was measured in excess of 500-feet along S Stowbridge Rd and S Charriere Rd. **This criteria is met.**

#### 1007.07 TRANSPORTATION FACILITIES CONCURRENCY

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

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

***Finding:*** Per ZDO subsection 1007.07, adequate roadway capacity is required to handle the additional traffic generated by the development. At the present time, S Stowbridge Rd and S Charriere Rd both operate 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 additional vehicle trips from the proposed three-lot partition 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.

#### **ADVISORY NOTES**

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

**See Attached**

# Clackamas Fire District #1

July 9, 2024

To: Lizbeth Dance, Clackamas County Planning and Zoning

RE: Z0243-24, M49 Partition at S Strowbridge and S Charriere Road

A land use plan review was conducted for the listed property. It has been determined that this property is in an area without a public water supply, and there are no site conditions to prevent the applicant from constructing the proper access. Fire department access and water supply are reviewed in accordance with the 2022 edition of the Oregon Fire Code (OFC), and OAR 918-480-0125 Uniform Alternate Construction Standard for One- and Two-Family Dwellings.

For one- and two-family dwellings located in rural areas without reliable municipal firefighting water supply the following apply:

<3,600 square feet (including attached garage)

a) No water supply required

>3,600 square feet (including attached garage)

a) Required fire flow for areas in which reliable water systems do not exist shall be calculated in accordance with current NFPA Standard 1142 or residential fire sprinklers in the NSFR.

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

- Applicant/contact name, e-mail, and phone number
- Scope of project
- Size of structure
- Location of building envelope
- Hose pull distance from access roads.
- Driveway width
- Driveway length
- Turnaround location (for dead end roads/driveways greater than 150 feet)
- Grade/slope of driveway
- Alternate water supply for homes greater than 3,600 square feet

Access and water supply plans can be submitted to Clackamas Fire District #1 via our website:

<https://clackamasfire.com/access-and-water-supply-plan-review-submittal/>

For design assistance we provide additional information including the Fire Code Application Guide, please visit our new construction website at <https://clackamasfire.com/wp-content/uploads/2021/05/Fire-Code-Applications-Guide-2021.pdf>



**Note: This review is to determine if the project can be designed and constructed to meet the requirements of the Oregon Fire Code and should not be considered approval of the design as submitted.**

Mike Boumann  
Clackamas Fire  
Captain Deputy Fire Marshal  
[mike.boumann@clackamasfire.com](mailto:mike.boumann@clackamasfire.com)  
503-742-2673