



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

April 21, 2006



TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Clackamas County Plan Amendment
DLCD File Number 011-05

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: May 8, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist
Stacy Hopkins, DLCD Regional Representative
Jennifer Hughes, Clackamas County

<paa> ya/

FORM 2

DLCD NOTICE OF ADOPTION DEPT OF

This form must be mailed to DLCD within 5 working days after the final decision
per ORS 197.610, OAR Chapter 660 - Division 18

APR 18 2006

(See reverse side for submittal requirements)

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: Clackamas County Local File No.: ZDO-206
(If no number, use none)

Date of Adoption: April 13, 2006 Date Mailed: April 17, 2006
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 12/7/05

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____
(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

- ① Relocate property line adjustment standards to new section and make housekeeping changes.
- ② Revise parking space dimensional standards.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Revised clearance height for structured parking

Plan Map Changed from: _____ to _____

Zone Map Changed from: _____ to _____

Location: _____ Acres Involved: _____

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: 1, 2

Was an Exception Adopted? Yes: _____ No: X

DLCD File No.: 011-05
(14859)

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: _____

Local Contact: Jennifer Hughes Area Code + Phone Number: 503-353-4518

Address: 9101 SE Sunnybrook Blvd. City: Clackamas

Zip Code+4: 97015 Email Address: jenniferh@co.clackamas.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Larry.French@state.or.us - **ATTENTION: PLAN AMENDMENT SPECIALIST.**

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Amendments to
the Zoning and Development
Ordinance: ZDO-206



ORDER NO. 2006-90
(Page 1 of 2)

This matter coming regularly before the Board of County Commissioners and it appearing that the County Planning Division Staff has proposed amendments to the Zoning and Development Ordinance; and

Whereas, it is necessary to revise the text of Sections 1007 and 1020 of the Zoning and Development Ordinance; and adopt conforming amendments to Sections 303, 304, 314, 401, 406, 407, 506, 507, 508, 601, 602, 603, 606, 1702 and 1706 of the Zoning and Development Ordinance; and

Whereas, it is necessary to revise the Zoning and Development Ordinance in order to revise the dimensional requirements for parking spaces to more closely adhere to industry standards; to relocate the property line adjustment standards from Section 1020 to a new Section 1107, where they are more logically located; and to make housekeeping changes to the property line adjustment standards; and

Whereas, the amendments are consistent with the Statewide Planning Goals and Guidelines and the Metro Urban Growth Management Functional Plan; and

It further appearing that the Planning Commission, upon considering ZDO-206 at a public hearing held on January 23, 2006, recommended approval of the amendments, and

It further appearing that after appropriate notice, a public hearing was held before the Board of County Commissioners in the Board of County Commissioners Hearing Room, 2051 Kaen Rd., Oregon City, Oregon on March 15, 2006, during which an opportunity to provide testimony and evidence was given; and

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
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}

ORDER NO. 2006-90
(Page 2 of 2)

It further appearing that, after careful consideration of the proposed amendments, the Board of County Commissioners revised the Planning Commission's recommended amendments; and

Based upon the record, this Board finds that the proposed amendments are in the best interest of the citizens of Clackamas County.

NOW, THEREFORE, IT IS HEREBY ORDERED that amendments to the text of the Zoning and Development Ordinance are adopted as shown on Exhibit A.

ADOPTED this 13TH day of April 2006

BOARD OF COUNTY COMMISSIONERS


BILL KENNEMER, CHAIR


RECORDING SECRETARY

EXHIBIT A**ZDO-206**

Text to be added is underlined>. Text to be deleted is ~~struck through~~.

1007 ROADS, CIRCULATION AND PARKING (3/24/05)

1007.01 PURPOSE

To provide safe, efficient, convenient, and economical movement of vehicles and pedestrians while minimizing environmental degradation and conserving energy.

1007.02 GENERAL PROVISIONS

The location, alignment, design, grade, width and capacity of all road, circulation and parking systems within the County shall conform to the Comprehensive Plan and shall be established so as to:

- A. Protect public health and safety through functional, efficiently designed improvements.
- B. Require the least amount of impervious surface necessary to adequately serve the type and intensity of proposed land uses within developments, provide adequate access for service vehicles, and take into account future traffic demands by type and volume.
- C. Require the creation of the minimum feasible amounts of land coverage and the minimum feasible disturbance to the soil.
- D. Provide, to the extent feasible, for the separation of motor vehicular, bicycle, pedestrian and equestrian traffic.
- E. Create conditions of proper drainage.
- F. Provide for proper landscaping and preserve trees, vegetation, and topography to the greatest extent possible.

1007.03 ROADWAYS

- A. Right-of-way dedication and improvements shall be required of all new developments and subdivisions as deemed necessary by the Department of Transportation and Development. All roadways shall be developed according to classifications and guidelines listed in Tables V-2 and V-3 of the Clackamas

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

County Comprehensive Plan and the Clackamas County Roadway Standards. These standards may be deviated from when the County finds that alternate designs would better accommodate: (3/17/04)

1. Terrain
 2. Scenic qualities
 3. Existing development
 4. Forest or agricultural uses
 5. Planned Unit Developments
 6. Local streets less than 200 feet in length which are not extendible. (5/24/01)
 7. Interior vehicular circulation for multifamily, commercial and industrial developments.
 8. Half streets or private common access drives within developed urban areas providing access to not more than seven (7) lots.
- B. Where appropriate, roadways shall be designed to accommodate transit services.
- C. Development along the specific urban arterials listed in the Clackamas County Comprehensive Plan shall improve those arterials to the specifications set forth in the plan.
- D. Development adjacent to scenic roads listed in the Comprehensive Plan and adjacent to any future roads which may be designated as scenic roadways by Clackamas County shall conform where appropriate to the following design standards: (3/17/04)
1. New developments shall have strict access controls.
 2. Road shoulders shall be improved to accommodate pedestrian or bicycle traffic.
 3. Turnouts shall be provided at view points or for recreational needs as determined by the County.
 4. Design review of developments adjacent (immediately abutting) to scenic roads with particular emphasis on visual characteristics and signing appropriate for the area.

5. Building, parking areas and frontage roads which are developed adjacent to scenic roads shall be set back a suitable distance to provide for a landscaped buffer along the scenic road. (3/14/02)
- E. Boulevard design guidelines on Table V-4 shall be considered for Regional and Community Boulevards designated on Map V-3 or as specified in Chapter X in the Comprehensive Plan. (5/24/01)
1. Developments and subdivisions adjacent to boulevards shall provide pedestrian, bicycle, transit and visual amenities. These may include: Street trees, landscaping, kiosks, outdoor lighting, outdoor seating, bikeways/bike racks, bus shelters, pedestrian spaces and access to the boulevard, landscaped medians, aesthetically designed lights, bridges, signs, and turn bays rather than continuous turn lanes, as appropriate. (3/17/04)
 2. Vehicle access shall be strictly controlled with strict visibility controls on signing, planting, curbside parking.
 3. Boulevard design and developments fronting boulevards shall be environmentally sensitive including people oriented uses and transit amenities.
 4. Noise and pollution control measures shall be incorporated into the design of developments along boulevards.
- F. Road Frontage Improvements (10/15/92)
1. New developments, subdivisions and partitions may be required to dedicate land and/or make road frontage improvements to existing rights-of-way as required in Subsections 1007.02(A) through (F) and Subsections 1007.03, 1007.04, and 1007.05. (3/17/04)
 - a. A waiver of or modification to, or both, such requirements may be granted or approved by the Planning Director or authorized staff member upon finding that the proposed road frontage improvements are included in or are a part of a partition that develops less than one-half of a block. (3/17/04)
 2. Improvements in the urban area shall include surfacing, curbing or concrete gutters, except as provided under Subsection 1007.03(A), and street lights. Sidewalks, bikeways, and transit facilities shall be provided as required under Subsections 1007.05 and 1007.06. Street trees are required as specified in Subsection 1009.09. (3/17/04)
- G. Onsite vehicular circulation roadways in the case of multifamily, commercial and industrial developments shall be a maximum of twenty-four (24) feet in width

unless the size and intensity of development warrants additional width for turning lanes, or truck circulation.

- H. When easements are used to provide vehicular access to lots within short subdivisions or subdivisions, the minimum width shall be eighteen (18) feet. The access easements shall be developed according to the most recent standards adopted by separate order by the Board of County Commissioners. Access easements may also be used for utilities.

Access easements shall be designated as common access and utility easements on the final plat or recorded survey. Existing access easements shall be identified by recorder's fee number. (10/11/82)

- I. Roadways in condominium developments must be constructed to the standards of the Department of Transportation and Development. Such roadways shall be constructed or the construction shall be guaranteed pursuant to Section 1104 prior to final approval by the Department of Transportation and Development. Roadways in condominium developments shall be inspected by the County Road Engineer prior to final approval. The normal inspection fee shall be paid prior to review of road and storm drainage plans and recording of the final plat. (3/14/02)
- J. In all developments road compaction tests shall be conducted in all fill areas and backfill areas when deemed necessary by the Department of Transportation and Development. The cost of the compaction tests shall be borne by the developer. (10/11/82)

1007.04 VEHICLE ACCESS

- A. The location and design of an access to existing and new developments shall be planned, coordinated and controlled by the Department of Transportation and Development. (3/17/04)
- B. Access control shall be based on the guidelines found in Table V-5 of the Comprehensive Plan. Joint access and circulation drives shall be utilized whenever feasible. (3/17/04)
- C. Access to state highways shall require a road approach permit issued by the Oregon Department of Transportation (ODOT). (3/17/04)
- D. Visibility:
 - 1. Developments and subdivisions along all roadways shall be designed to optimize visibility for vehicular traffic. (3/14/02)
 - 2. No planting, signing, or fences shall be allowed which restricts vision.

3. Curbside parking restrictions may be required along streets determined to have visibility problems.

1007.05 PEDESTRIAN/BICYCLE CIRCULATION (9/8/94)

A. Pedestrian and bicycle circulation facilities shall be designed to: (9/8/94)

1. Minimize conflicts among automobiles, trucks, pedestrians and bicyclists.
2. Provide safe, convenient and an appropriate level of access to various parts of the development and to locations such as schools, employment centers, shopping areas, adjacent developments, recreation areas and open space, and transit corridors. (3/17/04)
3. Allow for unobstructed movements and access for transportation of disadvantaged persons. (3/17/04)
4. Be consistent with Maps V-7a, V-7b, and V-8 of the Clackamas County Comprehensive Plan, North Clackamas Parks and Recreation District's Park Recreation Master Plan, and Metro's Regional Trails and Greenways Map. (3/17/04)

B. Sidewalks and Accessways: (9/8/94)

1. Sidewalks, accessways, and walkways shall be developed according to the specifications of the Department of Transportation and Development within all subdivisions, partitions, developments, and structural additions to existing commercial or industrial buildings exceeding 10 percent of the assessed value of the existing structure, or for additions of 1,000 square feet or more within the Urban Growth Boundary. The Mt. Hood Urban area is excluded from this requirement. Sidewalks shall be built on: (3/17/04)
 - a) Both sides of a new street within a subdivision, or any new or reconstructed street. (9/8/94)
 - b) The street frontage(s) adjacent to a development or subdivision. (5/23/96)
 - c) The street frontage adjacent to a partition when the existing street is identified on Map V-8 in the Comprehensive Plan. (3/14/02)
2. Sidewalk requirements may be reduced by staff to one side of a street when: (3/17/04)
 - a) Topographic or natural areas require a reduction in road standards.

(3/17/04)

- b) New cul-de-sacs which are 350 feet or less in length and cannot be extended. (9/8/94)
3. Sidewalks shall be constructed to the following minimum widths: (9/8/94)

Table 1 (3/14/02)

Functional Class, Land Use Designation/Minimum Required Sidewalk Width

Street Type	Residential Sidewalk	Commercial/Public/ Institutional Sidewalk	Industrial Sidewalk
Local	5'	7'	5'
Connector	5'	7'	5'
Collector	5'	8'	5'
Arterial	6'	8'	6'

The entire required width of sidewalks shall be unobstructed. Sidewalks at transit stops shall be a minimum of eight (8) feet wide. A sidewalk setback from the curb by at least five feet may be one foot narrower (but not less than 5 feet) than the standard listed above. This 5 foot separation strip shall be landscaped and shall be maintained by the adjacent property owner. The separation strip may contain fixed objects such as trees, mailboxes, fire hydrants, telephone poles or benches. (9/8/94)

Industrial Uses containing over 5,000 square feet of office space shall comply with the requirements for Commercial/ Public and Institutional Uses. (9/8/94)

- 4. In Rural Centers and the Mt. Hood Urban Area either a sidewalk or a separated pedestrian path shall be provided along arterial and collector streets. (9/8/94)
- 5. Accessways for use by pedestrians and bicyclists shall be required where topography allows and where necessary to provide direct routes not otherwise provided by the road system. Developments shall not be required to provide right-of-way for accessways off-site to meet this requirement. If right-of-way is otherwise available off-site, the developer may be required to improve an accessway off-site up to 150 feet in length. (3/14/02)

Accessways shall provide safe, convenient access to facilities generating substantial pedestrian or bicycle trips, such as an existing or planned transit stop, school, park, church, day care center, library, commercial area, or community center. Facilities such as these shall be accessible from dead-end

streets, loops, or mid-block locations where accessways shall be constructed at intervals of no more than 330 feet, unless they are prevented by barriers such as topography, railroads, freeways, pre-existing development, or environmental constraints such as streams and wetlands. (5/24/01)

- a) An accessway shall include at least a 15-foot wide right-of-way and an 8-foot wide hard surface. For safety, accessways should be as straight as practicable. Bollards or other large objects may be used to block motor vehicular access. (3/14/02)
- b) Accessways shall be illuminated either by street lights or luminaires on shorter poles so that they may be safely used at night. Separate lighting shall not be required if existing lighting adequately illuminates the accessway. (9/8/94)
- c) Fences are not required but, the maximum height of a fence along an accessway shall not exceed 6 feet. (9/8/94)
- d) Ownership and maintenance responsibility for accessways shall be resolved during the development approval process. (9/8/94)

C. Walkways (9/8/94)

1. Walkways shall connect at least one public entrance of each building accessible to the public to the nearest sidewalk or other walkway leading to a sidewalk. Walkways shall also connect to outdoor activity areas such as parking lots, transit stops, children's play areas and plazas. Walkways shall be designed to minimize walking distance between sidewalks and public entrances of buildings. (9/8/94)
2. Buildings set back from the sidewalk more than 75 feet shall have walkways directly connecting to walkways in adjacent developments or stubbed to the adjacent side yard property line if the adjacent land is vacant or is developed without walkways. The location of such a walkway stub shall be in consideration of topography and eventual redevelopment of the adjacent property. Walkway linkage to adjacent developments shall not be required within industrial developments, to industrial developments, or to vacant industrially zoned land. (3/14/02)
3. Walkways shall be constructed with a well-drained, hard-surfaced, or permeable hard-surfaced material that shall be at least 5 feet in unobstructed width. (3/17/04)
4. Portions of walkways shorter than 30 feet across driveways, parking lots or walkways crossing surfaces shared by fork lift or heavy truck traffic may use a

painted crossing zone. Otherwise, walkways crossing driveways, parking areas, and loading areas shall be clearly identifiable to motorists through the use of a different paving material, raised elevation, warning signs or other similar method. Where walkways are adjacent to driveways, they shall be separated by a raised curb, bollards, landscaping or other physical barrier. If a raised walkway is used, the ends of the raised portions shall be equipped with curb ramps. (9/8/94)

5. Walkways shall be illuminated. Separate lighting shall not be required if existing lighting adequately illuminates the walkway. (9/8/94)

D. Bikeways: (9/8/94)

1. Shoulder bikeways, bike lanes, or bike paths shall be included in the reconstruction or new construction of any street if a bikeway is indicated in the Clackamas County Bikeway Plan (Maps V-7a and V-7b of the Comprehensive Plan), North Clackamas Parks and Recreation District Park and Recreation Master Plan, and Metro Regional Trails and Greenways Map. (3/17/04)
2. Shoulder bikeways, bike lanes or bike paths shall be considered in the reconstruction or new construction of any other arterial or collector. (3/17/04)
3. Bikeway improvement standards, including signage, shall be as specified by the current ODOT Oregon Bicycle Plan. (9/8/94)

E. Trails: (9/8/94)

1. Trail dedications or easements shall be provided and developed as shown on Map IX-1 of the Comprehensive Plan, the Facilities Plan (Figure 4.3) in the North Clackamas Parks and Recreation District Park and Recreation Master Plan, and Metro's Regional Trails and Greenways Map. (3/17/04)
2. Off-road sections of trails shall have a minimum 30-foot right-of-way width. (3/14/02)

1007.06 TRANSIT AMENITIES

Major new residential, commercial and industrial developments shall be reviewed with the participation of Tri-Met during the site analysis process under subsection 1102.06 to insure appropriate design and integration of transit amenities into the development. The design shall not be limited to streets but shall insure also that pedestrian/bikeway amenities and other transit supportive features, such as shelters, turn bays, park-and-ride spaces, and signing will be provided. (3/14/02)

1007.07 OFFSTREET PARKING REGULATIONS

A. General Provisions

1. The provision and maintenance of offstreet parking spaces is a continuing obligation of the property owner. When any parking area for the parking of three (3) or more cars is to be established, the standards set forth herein shall apply.
2. No area shall be considered a parking space unless it can be shown that the area is accessible and usable for that purpose and has maneuvering area for the vehicles, as determined by the Planning Director.
3. In cases of enlargement of a building or use existing on the effective date of this Ordinance, the number of parking spaces required shall be based only on the floor area or capacity added and not the area or capacity of the previously existing building or use.

At least the same number of parking spaces that were established for the previously existing building or use must be provided if enlargement covers any of the previously existing parking area.

4. In the event several uses occupy a single structure or parcel of land, the total requirement for offstreet parking shall be the sum of the requirements of the several uses computed separately. The total sum may be reduced up to 10% per use when "shared parking", as provided below, is utilized. (9/11/85)
5. "Shared parking" may be defined, for purposes of subsection 1007.07B2c, as parking spaces used jointly by two or more uses within the same development, or separate developments, which either have peak hours of operation which do not overlap, or typically provide services to many of the same patrons (i.e. hotel providing lodging for convention participants within the same development), provided satisfactory legal evidence is presented in the form of deeds, leases, or contracts securing full access to such parking spaces for all parties jointly using them. (9/11/85)
6. Offstreet parking spaces existing prior to the effective date of this Ordinance may be included in the amount necessary to meet the requirement in case of subsequent enlargement of the building or use to which such spaces are accessory.
7. Parking spaces fulfilling the minimum requirement for a specified use shall not be rented, leased, or assigned to any other person or organization, except as provided for "shared parking". The conducting of any business activity shall not be permitted on the required parking spaces, except for temporary

uses (e.g., Saturday markets).(9/11/85)

8. Parking spaces along the boundaries of a parking lot shall be provided with a sturdy bumper guard or curb at least four (4) inches high and located far enough within the boundary to prevent any portion of a car within the lot from extending over the property line or interfering with required landscaping.
9. All areas used for circulation and parking shall be graded and drained to dispose of all surface water on the site.
10. In Rural and Natural Resource areas, and Rural Centers, all areas used for parking and maneuvering of cars shall be surfaced with screened gravel or better. In urban areas, parking and maneuvering areas shall be hard surfaced, unless a permeable surface is required to reduce surface runoff, as determined by the Department of Transportation and Development.
11. Outdoor illumination in parking lots shall be designed and situated to avoid glare and shall be deflected so as not to shine into adjacent properties.
(3/14/02)
12. Adequate backing and maneuvering areas for cars, trucks, and service vehicles shall be located entirely on site.
13. Parking and loading should be separated from major onsite circulation patterns, and from each other, especially in commercial developments.
14. Utilize double loaded parking bays where possible to reduce hard surfacing.
15. Offstreet parking requirements for types of uses and structures not specifically listed in this Ordinance shall be determined by the Planning Director.
16. All parking lots shall be landscaped, screened and buffered, as provided in subsection 1009.04.
17. Uses located on transit service lines which have days and hours of operation not in conflict with weekday use, such as churches, fraternal organizations, or nighttime amusements, may be encouraged, or required under subsection 1007.06, to allow a portion of their parking area to be used for a park-and-ride lot.
18. New industrial and office developments shall provide carpool/vanpool spaces for employees. A minimum of five percent, but not fewer than one, of the required parking spaces shall be marked and signed for use as carpool/vanpool spaces. These spaces shall be the closest employee motor vehicle parking spaces to the building entrances normally used by employees, except for any

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

handicapped spaces provided. (9/8/94)

19. On-site parking spaces constructed in excess of those required may be redeveloped for transit oriented uses or any other uses permitted in the applicable zone. (9/8/94)

Table 2 Automobile Off-Street Parking Requirements (3/24/05)

Land Use	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
General Office (includes Office Park, "Flex-Space", Government Office and miscellaneous services) (per 1000 gsf)	2.7	3.4	4.1
Light Industrial, Industrial Park, Manufacturing (per 1000 gsf) See Section 1007.07 C 3	1.6	None	None
Warehouse (per 1000 gsf). See Section 1007.07 C 4. Maximum parking requirements apply only to warehouses 150,000 gsf or greater.	0.3	0.4	0.5
Schools: College/University and High School (per student or staff member)	0.2	0.3	0.3
Schools: Elementary and Junior High Schools (per school)	15	None	None
Tennis Racquetball Court (per 1000 gsf)	1	1.3	1.5
Bowling alleys (per alley)	3	None	None
Sports Club/Recreation Facilities (per 1000 gsf)	4.3	5.4	6.5
Amusement Parks, riding academies and camps (per 1000 square feet of serving area)	0.8	None	None
Retail/Commercial, including shopping centers (per 1000 gla)	4.1	5.1	6.2
Retail stores with bulky merchandise, such as furniture, appliances, automobiles, service/repair shops (per 1000 gla)	2	5.1	6.2
Bank with drive-in (per 1000 gsf)	4.3	5.4	6.5
Movie Theater (per seat)	0.3	0.4	0.5
Fast Food with Drive Thru (per 1000 gsf)	9.9	12.4	14.9
Other Restaurants, taverns (per 1000 gsf)	15.3	19.1	23
Places of Worship (per seat) (or 1 per 8-foot section of bench length)	0.33	0.6	0.8
Medical/Dental Clinic (per 1000 gsf)	3.9	4.9	5.9
Nursing homes, welfare or correctional institutions, institutions for children (per bed)	0.2	None	None

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Land Use	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Theaters, dance halls, community clubs, skating rinks, public meeting places (per seat) (or 1 per 100 gsf exclusive of stage)	0.25	None	None
Roadside stand (per stand)	4	None	None
Hotel/Motel (per unit)	1	None	None
Two- and Three-Family Dwellings (3/24/05)	1.5	None	None
Lodging or boarding houses (per boarder or lodger)	0.5	None	None
Manufactured dwelling park (per unit)	2	None	None
Fraternity or sorority houses or dormitories (per occupant)	0.33	None	None
Multifamily dwelling, one bedroom	1.25	None	None
Multifamily dwelling, two bedroom	1.5	None	None
Multifamily dwelling, three bedroom	1.75	None	None

gsf = gross square feet
gla = gross leasable area

B. Exceptions to Parking Requirements: Exceptions to standards of this section may be granted by staff as follows: (11/5/98)

1. Parking Maximums: exceptions to parking maximums in Table 2 may be taken for:

- a) Parking spaces in parking structures;
- b) Fleet parking;
- c) Designated employee carpool spaces;
- d) Dedicated valet parking spaces;
- e) User paid spaces; and
- f) Parking for vehicles for sale, lease or rent;

2. Parking Minimums: exceptions to the parking minimums in Table 2 may be taken for shared parking spaces provided under Subsection 1007.07A5. (11/5/98)

3. Government Camp: Parking space requirement may be reduced by the number of head-in parking spaces available between property lines projected out onto Old Mt. Hood Loop Highway for properties with frontage on Old Mt. Hood Loop Highway between Wyeast Trail and Church St. and on Little Trail between Olive and Church Streets. Corner lots shall count parking on adjacent streets calculated in the same manner towards a parking requirement reduction. (3/3/93).

C. Specific Parking Standards

1. Parking Minimums: (11/5/98)
 - a) New development is subject to the parking minimums in Table 2. Uses not listed in Table 2 are subject to the minimums for the most similar use, unless specified in the underlying zoning district, or Section 800. (3/14/02)
2. Parking Maximums:
 - a) Within the Urban Growth Boundary, the Parking Maximums listed in Table 2, Zone A, apply when an area has 20 minute peak hour transit service within one-quarter (1/4) mile walking distance for bus transit or one-half (1/2) mile walking distance for light rail transit; (3/14/02)
 - b) Within the Urban Growth Boundary, areas not meeting the requirement of 1007.07C2a, are subject to the maximums listed in Table 2, Zone B. (3/14/02)
 - c) Uses not listed in Table 2 are not subject to parking maximums.
3. Parking minimums for industrial, manufacturing and processing facilities: (3/14/02)
 - a) Zero to 24,999 square feet: See Table 2 (3/14/02)
 - b) 25,000 to 49,999 square feet: One (1) per 700 square feet.
 - c) 50,000 to 79,999 square feet: One (1) per 800 square feet.
 - d) 80,000 to 199,999 square feet: One (1) per 1,000 square feet.
 - e) 200,000 square feet and over: One (1) per 2,000 square feet.
4. Parking minimums for warehousing and storage distribution, terminals (air,

rail, truck, water, etc.): (3/14/02)

a) Zero to 49,999 square feet: See Table 2 (3/14/02)

b) 50,000 square feet and over: One (1) per 5,000 square feet.

D. Dimensions ~~Width and length requirements: Parking spaces shall satisfy the following minimum size requirements:~~

~~1. 8 x 22 feet for all parallel parking spaces.~~

~~2. 9 x 20 feet (18' with 2' overhang) for at least seventy (70) percent of the parking spaces required under this section.~~

~~3. 8 1/2 x 16 feet for no more than thirty (30) percent of the parking spaces required under this section, and for spaces in excess of the requirements of the Ordinance provided that all such spaces are marked "Compact Only".~~

1. Parallel parking spaces shall be a minimum of 8 feet wide and a minimum of 22 feet long.

2. Parking spaces in parking structures shall be a minimum of 8.5 feet wide and a minimum of 18 feet long. These spaces shall be considered full-size, rather than compact, for the purpose of calculating the maximum number of compact spaces permitted for a development.

3. All other parking spaces shall comply with one of the following:

a. A minimum of 70 percent of the required spaces shall be a minimum of 9 feet wide and a minimum of 20 feet long. All other spaces shall be a minimum of 8.5 feet wide and a minimum of 16 feet long, provided that such spaces are marked "Compact Only"; or

b. A minimum of 85 percent of the required spaces shall be a minimum of 9 feet wide and a minimum of 18 feet long. All other spaces shall be a minimum of 8.5 feet wide and a minimum of 16 feet long, provided that such spaces are marked "Compact Only".

c. Where appropriate, a two-foot overhang may be counted toward compliance with the minimum length standards.

4. Up to fifty (50) percent of the required parking spaces for residential, industrial, office, or institutional uses may be compact spaces when the applicant demonstrates that a higher ratio of compact and regular-sized vehicles are found in parking areas of similar developments and uses.

E. Bicycle Parking Standards (9/8/94)

1. Location (9/8/94)

- a) Required bicycle parking spaces must be illuminated and at least 75% of the bicycle parking spaces shall be located within 50 feet of a public entrance to the building. (3/14/02)
- b) Bicycle parking may be provided within a building, if the location is easily accessible for bicycles. (9/8/94)
- c) Bicycle parking for multiple uses, or a facility with multiple structures, may be clustered within 50 feet of each building's entrance in one or several locations and shall meet all other requirements for bicycle parking. (3/17/04)

2. Covered Spaces. Cover for bicycle parking can be provided by buildings or roof overhangs, awnings, bicycle lockers, bicycle storage within buildings or free standing shelters. (3/14/02)

3. Signs. If the bicycle parking is not visible from the street or main building entrance, then a sign must be posted indicating the location of the parking facilities. (9/8/94)

4. Rack types and dimensions. (9/8/94)

- a) Bicycle racks must hold bicycles securely by the frame and be securely anchored. (9/8/94)
- b) Bicycle racks must accommodate both: (9/8/94)
 - 1) Locking the frame and one wheel to the rack with a high-security U-shaped shackle lock; and, (9/8/94)
 - 2) Locking the frame and both wheels without removal of wheels to the rack with a chain or cable not longer than 6 feet. (3/17/04)

5. Bicycle parking spaces must be at least 6 feet long and 2 feet wide, and in covered situations the overhead clearance must be at least 7 feet. An aisle 5 feet wide for bicycle maneuvering must be provided. (3/14/02)

6. Areas set aside for required bicycle parking must be clearly marked and reserved for bicycle parking only, and separated from motor vehicle parking to prevent damage to parked bicycles. (9/8/94)

TABLE 3 (3/24/05)
 MINIMUM REQUIRED BICYCLE PARKING SPACES
 FOR URBAN AREAS
 (MINIMUMS IN NON-URBAN AREAS ARE 20% OF URBAN REQUIREMENTS)

USE CATEGORIES	MINIMUM REQUIRED SPACES
Multifamily Dwellings	1 per 2 dwelling units
Residential Care Facility, Nursing Home, and Hospital	1 per 8 beds
Preschools	4 per school
Elementary Schools	2 per classroom (maximum of required spaces – 100 spaces) (3/17/04)
Junior High and Middle Schools	2 per classroom (maximum of required spaces – 100) (3/17/04)
Senior High Schools	2 per classroom (maximum of required spaces – 100) (3/17/04)
Colleges	2 per classroom (maximum of required spaces – 100) (3/17/04)
Theater, Church, Auditorium, Dance Hall and other Public Assembly Places	1 per 40 seats or 1 per 40 persons of design capacity, whichever is greater
Retail and Commercial including offices and clinics	1 per 2500 sq. ft. up to 50,000 sq. ft. of building square footage. One additional space for each 5,000 sq. ft. (3/17/04)
Warehouses and industrial buildings without attached offices, automotive service uses such as service stations and tire stores or businesses selling large items such as major appliances, furniture, cars or boats	1 per 10,000 sq. ft. of building square footage (3/17/04)
Park and Ride Lots, Transit Centers and Community Parks	A minimum of 5 spaces per acre

- All development shall have a minimum of 2 bicycle parking spaces.
- When more than 7 bicycle parking spaces are required, 50% of the spaces shall be covered. 100% of all bicycle spaces required for schools, park and ride lots, retirement homes, boarding houses, and multifamily development shall be covered.
- When more than 15 covered bicycle parking spaces are required, 50% of the required covered spaces shall be enclosed and offer a high level of security, i.e., bicycle lockers or a locked cage or room with locking facilities inside, to provide safe long-term parking.

1007.08 OFFSTREET LOADING REGULATIONS

A. General Provisions:

1. The provisions and maintenance of offstreet loading facilities is a continuing obligation of the property owner. When any loading area is to be established, the standards set forth herein shall apply.
2. No area shall be considered a loading space unless it can be shown that the area is accessible and usable for that purpose, and has maneuvering area for vehicles, as determined by the Planning Director.
3. In cases of enlargement of a building or use existing on the effective date of this Ordinance, the number of loading spaces required shall be based only on the floor area or capacity added and not on the area or capacity of the previously existing building or use. At least the same number of loading spaces that were established for the previously existing building or use must be provided if enlargement covers any of the previously existing loading area.
4. In the event several uses occupy a single structure or parcel of land, the total requirement for offstreet loading shall be the sum of the requirements of the several uses computed separately.
5. Offstreet loading spaces existing prior to the effective date of this Ordinance may be included in the amount necessary to meet the requirements.
6. It shall be unlawful to store or accumulate goods in a loading space, rendering it useless for loading and unloading operations.
7. Where the boundary of a loading area adjoins or is within a residential district, such loading area shall be screened by a sight-obscuring fence. The screening shall be continuous along the boundary and shall be at least six (6) feet in height.
8. Artificial lighting, which may be provided, shall be deflected so the light does not shine into adjoining structures used as dwellings or other types of living units. (3/14/02)
9. In Rural and Natural Resource areas and Rural Centers, all areas used for loading and maneuvering of vehicles shall be surfaced with screened gravel or better, and shall provide for suitable drainage. In Urban areas, loading and maneuvering areas shall be hard-surfaced unless a permeable surface is required to reduce surface runoff, as determined by the Department of Transportation and Development.

10. Offstreet loading requirements for types of uses and structures not specifically listed in this Ordinance shall be determined by the Planning Director.

B. Specific loading requirements:

1. Multifamily dwellings and hotels:

a) Multifamily dwellings:

50 to 99 units:	One (1) loading berth
100 to 199 units:	Two (2) loading berths
200 or more units:	Three (3) loading berths

b) Motels and hotels (per square feet of gross floor area):

Under 5,000:	Zero (0) (3/14/02)
5,000 to 29,999:	One (1) loading berths
30,000 to 69,999:	Two (2) loading berths
70,000 to 129,999:	Three (3) loading berths
130,000 to 219,999:	Four (4) loading berths
220,000 to 379,000:	Five (5) loading berths
380,000 to 699,999:	Six: (6) loading berths
700,000 to 1,499,000:	Seven: (7) loading berths
More than 1,500,000:	Eight (8) loading berths

2. Institutions:

a) Nursing homes, welfare and correctional institutions, institutions for children:

- One (1) offstreet loading berth where the number of beds exceeds twenty-five (25). (5/29/91)

b) Schools shall provide at least one (1) offstreet location per two school buses for loading and unloading of school buses.

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c) Hospitals (square feet of floor area):

Under 5,000:	Zero (0) (3/14/02)
5,000 to 39,999:	One (1) loading berths
40,000 to 99,999:	Two (2) loading berths
100,000 to 159,999:	Three (3) loading berths
160,000 to 239,000:	Four (4) loading berths
240,000 to 319,000:	Five (5) loading berths
320,000 to 399,999:	Six: (6) loading berths

3. Commercial (square feet of floor area):

Under 5,000:	Zero (0) (3/14/02)
5,000 to 24,999:	One (1) loading berths
25,000 to 49,999:	Two (2) loading berths
50,000 to 100,000:	Three (3) loading berths
Each additional 50,000:	One (1) loading berth

4. Industrial, manufacturing, warehousing, storage, processing and terminals (square feet of floor area):

Under 5,000:	Zero (0) (3/14/02)
5,000 to 24,999:	One (1) loading berths
25,000 to 49,999:	Two (2) loading berths
50,000 to 100,000:	Three (3) loading berths
Each additional 50,000:	One (1) loading berth

C. Minimum length and width requirements of loading berths:

1. Hotel, local or general commercial, commercial amusement, office, bank or hospital, etc.: Thirty-five (35) feet; twelve (12) feet. (3/14/02)
2. Industry, wholesale, storage, etc.: Sixty (60) feet; twelve (12) feet. (3/14/02)
3. Multifamily dwellings: 25 feet; 12 feet. (3/24/05)

11071020 PROPERTY LINE ADJUSTMENTS (3/24/05)

~~1020.01~~ PURPOSE

~~The purpose of these provisions is to provide standards consistent with the Oregon Administrative Rules (OAR) and Oregon Revised Statutes (ORS) Chapters 92 and 215 for considering property line adjustments. Additionally, these provisions shall implement the provisions of the Zoning and Development Ordinance and policies of the Comprehensive Plan.~~

1107.011020.02 AREA OF APPLICATION OF SECTION

~~This section shall~~The provisions of Subsection 1020 apply to all property line adjustments between two (2) established legal lots of record as defined in Section 202 of the Ordinance. (5/28/98)

1107.021020.03 DEFINITIONS

~~The purpose of the following definitions is to provide clarity to terms that are used in the provisions of this subsection:~~

- A. Property Line Adjustment: A relocation of a common property line between two (2) abutting legal lots of record, as defined in Section 202 of the Ordinance, where an additional lot of record is not created, and any existing lot of record reduced in size by the adjustment complies with the provisions of this Ordinance. (5/28/98)
- B. Lot of Record: See definition in Section 202 of this Ordinance. As used in this section, the words "lot" and "parcel" are synonymous with the term "lot of record". (5/28/98)
- C. Lot: A single unit of land created by the subdivision of land including the recording of an approved subdivision plat under the provisions of Chapter 92 of the Oregon Revised Statutes Chap. 92 and Section 1105 of this Ordinance. (5/28/98)
- D. Parcel: A single unit of land created by the partitioning of land including the recording of an approved partition plat under the provisions of Chapter 92 of the Oregon Revised Statutes Chap. 92 and Section 1106 of this Ordinance. (5/28/98)
- E. Plat: A final recorded subdivision plat, replat or partition plat consistent with ORS Chap. 92 and this Ordinance. (5/28/98)
- F. Property Line: For the purposes of this Section, property line shall mean the division line(s) between two (2) abutting lots of record. (5/28/98)

G. Replat: The act of platting the lots, parcels, tracts and/or easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat, or to increase or decrease the number of lots in the subdivision or partition. (5/28/98)

H. Undersized Lot or Parcel: A lot of record that does not satisfy the district land area requirement established in Subsection 1012.04 or the minimum lot size established in the underlying zoning district. A lot or parcel of land that is less than the district land area requirement or the minimum lot size and approved pursuant to the flexible-lot-size development provisions of Subsection 1014.04(B) shall not be considered an undersized lot or parcel. (3/24/05)

1107.034020.04 GENERAL PROVISIONS

Property line adjustments shall be consistent with all of the following provisions:

- A. Property line adjustments involving lots or parcels of land shall satisfy the setback and lot size provisions of the underlying zoning district except, when located within an urban or rural zoning district, an adjustment between undersized lots or parcels may be granted when the adjustment is consistent with all remaining provisions of this subsection. A lot or parcel exceeding the minimum lot or parcel size of the underlying zoning district shall not be reduced to less than the minimum lot or parcel size of the underlying zoning district. An existing lot or parcel containing at least 3,000 square feet of area shall not be reduced in size such that the resulting size of the lot or parcel is less than 3,000 square feet. (5/28/98)
- B. Property line adjustments involving lots or parcels of land with nonconforming setbacks shall be granted provided the adjustment does not further reduce the setback and the adjustment satisfies the remaining provisions of this section. Setbacks shall be verified by a registered professional land surveyor prior to final approval of the Property Line Adjustment Survey of Record. (5/28/98)
- C. A property line adjustment shall be prohibited between lots or parcels of land separated by Urban, Rural, Forest or Agriculture Plan boundaries, as identified on the Comprehensive Plan Map IV-3, IV-4, IV-5, IV-6, or IV-7, except an adjustment may be granted when it results in an increase in the size of a lot or parcel of land within a natural resource zoning district. Approval of such an adjustment shall not result in the property qualifying for a rural/natural resource division pursuant to Subsection 902.01. (5/28/98)
- D. A property line adjustment shall not be permitted between lots or parcels of land separated by the Portland Metropolitan Urban Growth Boundary or a Mount Hood urban area village boundary. (5/28/98)
- E. A property line adjustment shall not be used to exceed the base density in the underlying zoning district(s).

- F. A property line adjustment application shall not be used to replat duly recorded subdivision or partition plats. For purposes of this ~~s~~Section, any proposal to reconfigures property lines within a plat that effectively vacates lots, parcels, tracts, easements, or roads; or increases or decreases the number of lots or parcels; or results in a significant reconfiguration of the plat, as determined by the Planning Director, shall be considered a replat and reviewed pursuant to the subdivision or partition provisions of ~~this~~the Ordinance. (5/28/98)
- G. Property line adjustments shall satisfy the requirements of Chapter 92 of the Oregon Revised Statutes. The survey requirements for a property line adjustment are waived when:
1. Each of the resulting lots, parcels, or tracts of land are greater than ~~ten~~(10) acres in size; or
 2. The affected lots or parcels are located within a platted subdivision or partition and the adjusted property line is a distance of even width along the common boundary. (5/28/98)
- H. An approved property line adjustment is valid for one ~~(1)~~ year following the date of approval. If at the end of that time it has not been submitted to the County Surveyor's Office, pursuant to ~~S~~subsection ~~1107.071020.08~~, the approval shall become null and void. (5/28/98)

~~1107.041020.05~~

AGRICULTURAL LANDS ZONING DISTRICTS

- A. A property line adjustment shall not be used to reconfigure a lot, parcel, or tract of land, the effect of which is to qualify a lot, parcel, or tract for the siting of a dwelling.
- B. A property line adjustment for a lot, parcel, or tract of land in areas designated Agriculture on the Comprehensive Plan ~~Map~~ Map IV-7 without an approved homestead or nonfarm use may be permitted pursuant to the following provisions:
1. A property line adjustment for a lot, parcel, or tract of land exceeding ~~eighty~~(80) acres may be approved when the adjustment does not reduce any lot, parcel, or tract of land to less than ~~(80)~~ acres.
 2. A property line adjustment for a lot, parcel, or tract of land less than ~~(80)~~ acres may be approved pursuant to the following provisions:
 - a. The property line adjustment will: (5/28/98)
 - (1.) ~~N~~ot reduce an undersized lot, parcel, or tract of land more than five percent ~~(5%)~~; and

- ~~(2.)~~ Only one ~~(1)~~ reduction is approved pursuant to this provision; or
- b. The resulting configuration (size) is determined to be at least as appropriate for the continuation of the existing commercial agricultural enterprise for the properties as compared to the original configuration provided:
- ~~(1.)~~ It is consistent with ~~existing applicable zoning ordinance~~ provisions of this Ordinance and state regulations; and
- ~~(2.)~~ Previous land use decisions, if any, are modified consistent with applicable ~~existing zoning ordinance~~ provisions of this Ordinance; and
- ~~(3.)~~ The application adjustment is reviewed with notice pursuant to Subsection 1305.02 of the Ordinance; or
- c3. The undersized lot, parcel or tract of land satisfies the provisions for siting a dwelling not in conjunction with a farm use as required by Oregon Administrative Rules 660-33-100(11) and the underlying zoning district, ~~provisions for siting a dwelling not in conjunction with a farm use and the application~~ is reviewed pursuant to Subsection 1305.02 of the Ordinance.
- C. A property line adjustment for a lot, parcel or tract of land in areas designated Agriculture on the Comprehensive Plan Mmap IV-7 with an approved homestead or nonfarm use may be approved pursuant to the following:
1. Both properties have approved homestead or nonfarm uses; or
 2. The adjustment affects only one ~~(1)~~ property line and does not result in an increase in the size of the homestead or nonfarm use property; or
 3. The adjustment satisfies the provisions for siting a dwelling not in conjunction with a farm use as required by Oregon Administrative Rules 660-33-100(11) and the underlying zoning district, and the application is reviewed pursuant to the provisions of Subsection 1305.02 of the Ordinance.

1107.054020.06

FOREST LANDS ZONING DISTRICTS

- A. A property line adjustment shall not be used to reconfigure a lot, parcel, or tract of land, the effect of which is to qualify a lot, parcel or tract for the siting of a dwelling.
- B. Property line adjustments for a lot, parcel, or tract of land without an approved homestead, nonforest, or farm/forest management plan in areas designated Forest on the Comprehensive Plan Mmap IV-7 may be permitted when the

adjustment is consistent with these provisions:

1. Property line adjustments for lots, parcels, or tracts of land exceeding ~~eighty (80)~~ acres may be approved when the adjustment does not reduce any lot, parcel, or tract of land to less than ~~(80)~~ acres.
2. Property line adjustments for lots, parcels, or tracts of land less than ~~(80)~~ acres may be approved pursuant to the following provisions:
 - a. The property line adjustment will: ~~(5/28/98)~~
 - ~~(1.)~~ Not reduce an undersized lot, parcel, or tract of land more than five percent ~~(5%)~~; and
 - ~~(2.)~~ Only one ~~(1)~~ reduction is approved pursuant to this provision.
- C. A property line adjustment for a lot, parcel, or tract of land with an approved homestead or nonforest use in areas designated Forest on the ~~Comprehensive~~ Plan ~~Map~~ IV-7 may be approved pursuant to the following:
 1. Both properties have approved homestead or nonforest uses; or
 2. The adjustment affects only one ~~(1)~~ property line and does not result in an increase in the size of the homestead or nonfarm use property.

1107.061020.07

SUBMITTAL REQUIREMENTS

- A. Applications for property line adjustments shall be submitted to the Planning Division on forms provided by the Department of Transportation and Development.
- B. Each application shall be accompanied by a tentative plan drawn to scale of not less than one inch equals 20 feet nor more than one inch equals 200 feet, and containing at a minimum, the following:
 1. Complete names, addresses, and phone numbers of the owners of the tracts to be adjusted;
 2. ~~Property~~ Description of the subject ~~proposed properties~~ sy line adjustment by Tax Lot Numbers, Quarter Section, Section, Township, and Range and if available, addresses;
 3. Dimensions and size in square feet or acres of all proposed tracts to be adjusted;
 4. Identification arrows showing the property proposed to be transferred;
 5. Adjacent tracts under the same ownership as the subject properties, including ~~property~~ descriptions by Tax Lot Numbers, Quarter Section,

Section, Township, and Range and, if available, addresses;:-

6. North ~~a~~Arrow;:-
7. All ~~A~~adjacent roads (noting whether public or private), including name and road width;:-
8. Location of wells or name of water district, if applicable;:-
9. Type of sewage disposal, or name of sewer district, if applicable;:-
10. Zoning;:-
11. All existing structures on the tracts and their setbacks to property lines. Note whether property lines referred to are existing or proposed;:-
12. Location of any septic tanks and drainfields;:-
13. Natural drainage ways, streams, wetlands, or other significant natural features of the tracts;:-
14. Other pending applications, including building permits, on the subject tracts;:-
15. All easements, including widths and types, labeled as existing or proposed, specifically noting the use and for whom they serve. ~~NOTE: A property line adjustment can not move an existing easement.~~

1107.071020-08 REVIEW PROCESS FOR PROPERTY LINE ADJUSTMENT APPROVAL

- A. Procedural Criteria: ~~A property line adjustment for a lot, parcel or tract of land shall be processed pursuant to Subsection 104.01(A)(1) through (4), except. Additionally, when processing pursuant to Subsection 1305.02 is specifically required by in thisthese section provisions, a property line adjustment shall be reviewed pursuant to Subsection 1305.02 of the Ordinance.~~
- B. Property Line Adjustment Survey-Submitted: ~~Within one (1)-year of a the final decision approving the tentative property line adjustment plan, two copies of a the final Property Line Adjustment Record of Survey map of the approved property line adjustment shall be submitted to the Department of Transportation and Development, Planning Division for review.~~
- C. Final Planning Approval: ~~If the Property Line Adjustment Record of Survey map is consistent with the approved tentative plan, and if all conditions of planning approval have been satisfied, the Planning Director, or designate, shall sign signify Planning Division approval of the final Property Line Adjustment Record of Survey map by signature on map.~~

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- D. ~~Filing and Recording of Approved Property Line Adjustment Required:~~ The Property Line Adjustment Record of Survey map shall be filed with the County Surveyor's Office pursuant to ~~the~~their standards and procedures ~~of that office~~ and the relevant provisions of Oregon Revised Statutes Chapters 92 and 209. Additionally, ~~the~~revised legal descriptions of the properties affected by the adjustment shall be prepared by a registered professional land surveyor, refer to the survey that is filed at the County Surveyor's Office, and be recorded with the County Clerk. (5/28/98)
- E. Deed Requirements: A property line adjustment deed shall contain the names of the parties, the description of the adjusted line, references to the original recorded documents, and signatures of all parties with proper acknowledgement. (5/28/98)
- F. Building Permits: No building permits shall be issued for a tract that is dependent upon a property line adjustment until the ~~final~~ Property Line Adjustment Record of Survey map and the ~~revised legal~~revised legal recorded tract descriptions of the subject properties have been submitted to the County Surveyor's Office and recorded with the County Clerk.

CONFORMING AMENDMENTS

[Revise Subsection 303.08(F)]

| ~~A property line adjustment may be allowed pursuant to Section 1020. Any lot less than 1 acre in size resulting from a property line adjustment is not buildable unless combined with other property as provided under Subsection 303.09(B). (3/24/05)~~

[Revise Subsection 304.08(F)]

| ~~A property line adjustment may be granted pursuant to Section 1020. Any lot less than 3 acres in size resulting from a property line adjustment is not buildable unless combined with other property as provided under Subsection 304.09(B). (3/24/05)~~

[Delete Subsection 314.09(C)]

| ~~A property line adjustment may be granted pursuant to the provisions of Section 1020. (2/9/95)~~

[Renumber Subsection 314.09(D) to 314.09(C)]

[Revise Subsection 401.08(D)]

| Any lot division, or property line adjustment, except those approved pursuant to Subsection 401.10 and Section 11071020. (1/9/03)

[Revise Subsection 401.10(E)]

| Property line adjustments shall be subject to Section 11071020. (1/9/03)

[Revise Subsection 406.10(E)]

| Property line adjustments shall be subject to Section 11071020. (1/9/03)

[Revise Subsection 407.10(E)]

| Property line adjustments shall be subject to Section 11071020. (1/9/03)

[Delete Subsection 506.09(C)]

| ~~Property Line Adjustments. A property line adjustment may be granted pursuant to the provisions of Section 1020 when consistent with the provisions of Subsection 506.06. (3/14/02)~~

[Renumber Subsection 506.09(D) to 506.09(C).]

[Revise Subsection 507.07(B)(2)]

~~Lot Divisions, Adjustments, and Setbacks: No minimum lot size shall be required for a lot created containing a partition or property line adjustment. However, parking requirements and setback and/or fire wall requirements of the Uniform Building Code shall be satisfied. Property line adjustments may be granted pursuant to the provisions of Section 1020. (2/9/95)~~

[Revise Subsection 508.07(D)(2)]

~~Lot Divisions, Adjustments, and Setbacks: No minimum lot size shall be required for a lot containing a partition or property line adjustment created for preexisting dwellings. However, the setback and/or fire wall requirements of the Uniform Building Code shall be satisfied. Property line adjustments may be granted pursuant to the provisions of Section 1020. (2/9/95)~~

[Revise Subsection 601.08(F)]

~~A property line adjustment may be granted pursuant to Section 1020. Any lot less than 2 acres in size resulting from a property line adjustment is not buildable, except for recreational uses under Subsection 601.03(D) on a lot a minimum of 1 acre in size, unless combined with other property as provided under Subsection 601.09(B). (3/24/05)~~

[Revise Subsection 602.07(B)(4)]

~~No minimum lot size shall be required for a new lot containing a preexisting dwelling shall have no minimum lot size. (5/22/03)~~

[Revise Subsection 602.07(B)(6)]

~~A property line adjustment involving a lot with a preexisting dwelling on it may be granted pursuant to Section 1020. (5/22/03)~~

[Renumber Subsections 602.07(B)(7) through (9) to 602.07(B)(6) through (8).]

No minimum lot size shall be required for a lot containing a partition or property line adjustment created for preexisting dwellings. However, the setback and/or fire wall requirements of the Uniform Building Code shall be satisfied.

[Revise Subsection 603.07(C)(4)]

~~No minimum lot size shall be required for a new lot containing a preexisting dwelling shall have no minimum lot size. (5/22/03)~~

[Delete Subsection 603.07(C)(6)]

~~A property line adjustment involving a lot with a preexisting dwelling on it may be granted pursuant to Section 1020. (5/22/03)~~

[Renumber Subsections 603.07(C)(7) through (9) to 603.07(C)(6) through (8).]

[Revise Subsection 606.07(B)(3)]

~~No minimum lot size shall be required for a new lot containing a preexisting dwelling shall have no minimum lot size. (5/22/03)~~

[Delete Subsection 606.07(B)(5)]

~~A property line adjustment involving a lot with a preexisting dwelling on it may be granted pursuant to Section 1020. (5/22/03)~~

[Renumber Subsections 606.07(B)(6) and (7) to 606.07(B)(5) and (6).]

[Revise Subsection 1702.07(D)(3)]

~~Lot Divisions, Adjustments, and Setbacks: No minimum lot size shall be required for a lot containing partitions or property line adjustments created for a lawfully established preexisting dwellings. However, the setback and/or fire wall requirements of the Uniform Building Code shall be satisfied. Property line adjustments may be granted pursuant to Section 1020. (3/24/05)~~

[Revise Subsection 1706.08(F)]

~~A property line adjustment may be granted pursuant to Section 1020. Any lot less than 3 acres in size resulting from a property line adjustment is not buildable unless combined with other property as provided under Subsection 1706.109(B)(1). (3/24/05)~~



Bill Kenemer
Chair

Larry Sowa
Commissioner

Martha Schrader
Commissioner

BOARD OF COUNTY COMMISSIONERS

PUBLIC SERVICES BUILDING
2051 KAEN ROAD | OREGON CITY, OR 97045

CERTIFICATE OF MAILING


To: Department of Land Conservation and Development

I hereby certify that the enclosed Land Use issue was deposited in the mail on April 17, 2006.

In the Matter of Amendments to the Zoning and Development Ordinance:

ZDO-206

Signed: _____


Cheryl J. Cornelison, Administrative Specialist
Clackamas County Board of Commissioners
(503) 655-8619