



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

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www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

09/17/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: Clackamas County Plan Amendment
DLCD File Number 006-12

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: Tuesday, October 02, 2012

This amendment was submitted to DLCD for review 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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Steve Koper, Clackamas County
Jon Jinings, DLCD Community Services Specialist
Jennifer Donnelly, DLCD Regional Representative
Gary Fish, DLCD Transportation Planner

<paa> YA



FORM **2**

DLCD

Notice of Adoption

In person electronic mailed

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DEPT OF

SEP 12 2012

LAND CONSERVATION
AND DEVELOPMENT
For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **Clackamas County**

Local file number: **ZDO 239**

Date of Adoption: **9/6/2012**

Date Mailed: **9/11/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 4/12/2012

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

Clackamas County has adopted an amendment to the FIGURE X-SV-5 of the Clackamas County Comprehensive Plan and text of the Clackamas County Zoning and Development Ordinance (ZDO) Section 1600. The amended Figure and ZDO Section change the existing travel lane width of a Local roadway in the Sunnyside Village area from 8-feet to 8-9-feet, and a corresponding change in the overall right-of-way from 34-feet to 34-36-feet.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: _____ to: _____

Zone Map Changed from: _____ to: _____

Location: **Sunnyside Village Area (see included map)**

Acres Involved: _____

Specify Density: Previous: _____

New: _____

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

006-12 (19288) [17164]

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

ODOT, City of Happy Valley, Clackmas Fire District #1

Local Contact: **Steve Koper**

Phone: (503) 742-4551 Extension:

Address: **150 Beaver Creek Road**

Fax Number: **503-742-4550**

City: **Oregon City**

Zip: **97045-**

E-mail Address: **stevekop@clackamas.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on **light green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

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

9. **Need More Copies?** Please print forms on 8½ -1/2x11 **green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.



DEPT OF

SEP 12 2012

LAND CONSERVATION
AND DEVELOPMENT

OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING

2051 KAEN ROAD OREGON CITY, OR 97045

Stephen L. Madkour
County Counsel

David W. Anderson
Kimberley Ybarra
Kathleen Rastetter
Scot A. Sideras
Chris Storey
Scott C. Ciecko
Alexander Gordon
Rhett C. Tatum
Assistants

CERTIFICATE OF MAILING

I hereby certify that the enclosed Ordinance No. ZDO-239 was deposited in the mail on September 11, 2012

Signed: _____

Cheryl J. Cornelison, Administrative Assistant
Clackamas County Counsel's Office
(503) 655-8619

ORDINANCE NO. ZDO-239

An Ordinance amending FIGURE X-SV-5 of the Clackamas County Comprehensive Pan and Section 1600 of the Clackamas County Zoning and Development Ordinance

WHEREAS, the Planning Director initiated an amendment to FIGURE X-SV-5 of the Comprehensive Plan and Section 1600 of the Zoning and Development Ordinance to allow for wider travel lanes on local streets in the Sunnyside Village, in response to policy changes regarding fire apparatus access by Clackamas Fire District #1; and

WHEREAS, an on-going process of amendments to the Comprehensive Plan and Zoning and Development Ordinance is necessary to respond to changes in outside agency policies and public input; and

WHEREAS, it is a policy of the Board of County Commissioners to provide excellent public service to citizens and the development community, streamline permitting processes, encourage sound land use and development and improve the Comprehensive Plan and Zoning and Development Ordinance as necessary; and

WHEREAS, the proposed amendments are consistent with the Clackamas County Comprehensive Plan, the Statewide Planning Goals and Guidelines and the Metro Urban Growth Management Functional Plan; and

WHEREAS, after a duly-noticed public hearing, the Clackamas County Planning Commission recommended approval of ZDO-239 on May 21, 2012; and

WHEREAS, the Board of County Commissioners held a public hearing on June 20, 2012; now therefore;

The Board of Commissioners of Clackamas County ordains as follows:


Section 1: FIGURE X-SV-5 of the Clackamas County Comprehensive Plan is hereby amended as shown in Exhibit A hereto.

Section 2: Section 1600 of the Clackamas County Zoning and Development Ordinance is hereby amended as shown in Exhibit B hereto.

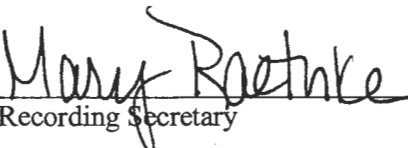
Section 3: This ordinance shall be effective on September 10, 2012.

ADOPTED this 6th day of September, 2012

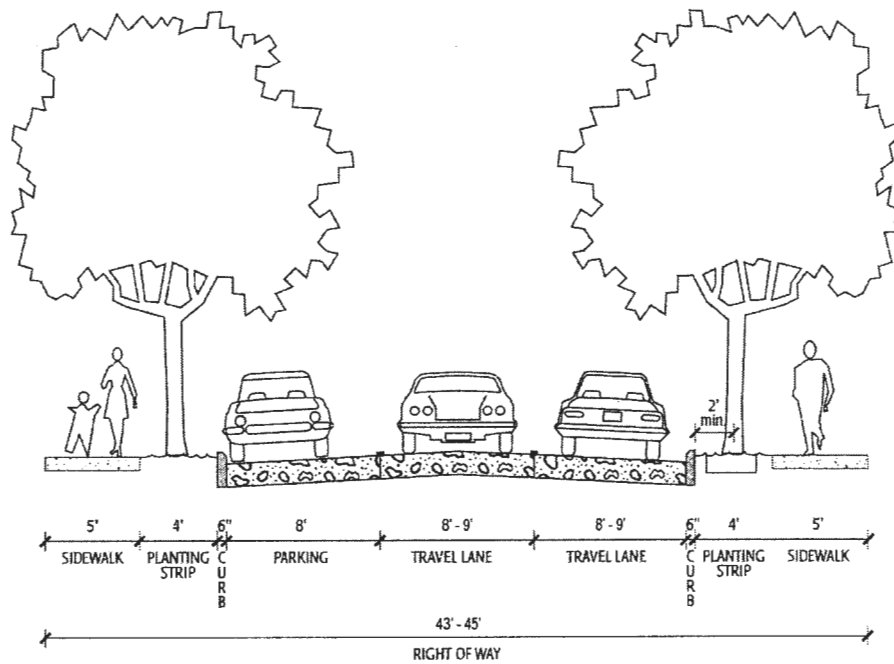
BOARD OF COUNTY COMMISSIONERS



Chair



Recording Secretary



Sunnyside Village Plan
Local Street With Planting Strips

CLACKAMAS COUNTY
 COMPREHENSIVE PLAN

FIGURE X-SV-5

Ordinance ZDO-239

Zoning and Development Ordinance Amendments

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

SECTION 1600

SUNNYSIDE VILLAGE

1600 VILLAGE GENERAL PROVISIONS

- A. Purpose: This section implements the policies of the Sunnyside Village Plan providing for a mixture of single family, townhouse, and multifamily residential as well as retail/office, commercial and business park uses. These uses are located in areas where suitable services and facilities are currently provided or can be provided as development occurs. In addition, this plan area allows for pedestrian friendly development with good connections via the sidewalks, trails and street system from residential areas to parks, open spaces, commercial and office uses.
- B. Area of Application: The Sunnyside Village Plan is applied within the area located generally east of I-205 along the south side of Sunnyside Road between 142nd and 152nd Avenues, including portions of land west of 142nd and east of 152nd, in addition to a section north of the intersection of 142nd and Sunnyside Road. The Sunnyside Village Plan is illustrated on Comprehensive Plan Map X-SV-1, *Sunnyside Village Plan, Land Use Plan Map*.

1600.01 ACCESSWAYS

A system of interconnecting accessways shall be provided from subdivisions and multifamily developments to commercial facilities and public amenities such as existing or planned transit stop or facility, school, park, church, daycare facility, children's play area, outdoor activity areas, plazas, library, or similar facility and to a dead-end street, loop, or mid-block where the block is longer than 600 feet.

- A. The accessway shall include at least 15 feet of right-of-way and a 10-foot wide paved surface.
- B. Accessways shall be illuminated so that they may be safely used at night.
- C. The maximum height of a fence along such a facility shall not exceed four feet.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- D. Bollards or other similar types of treatment may be required in order to prevent cars from entering the accessway.
- E. The designated East-West pedestrian accessway shall include a minimum 10-foot-wide concrete surface within a 10-foot-wide right-of-way, easement, or other legal form satisfactory to the County. Planting areas adjacent to the easement with street trees should be provided along at least one side of this accessway. However, alternatives to this standard may be considered through design review pursuant to Section 1102. If the accessway is within a parking area, it shall be lined by parking lot trees planted at a maximum of 30 feet on center along both sides.

[Amended by Ord. ZDO-224, 5/31/11]

1600.02 ONSITE WALKWAYS FOR COMMERCIAL, MULTIFAMILY (4 OR MORE UNITS), INSTITUTIONAL AND OFFICE DEVELOPMENT.

[Repealed by Ord. ZDO-224, 5/31/11]

1600.02 STREETS AND SIDEWALKS

- A. The following streets are unique to the Sunnyside Village Plan area, in addition to the arterial and collector streets. (Comprehensive Plan Map X-SV-3, Street Classifications).
 - 1. Connector streets with bike lanes shall include two 10-foot-wide travel lanes, two six-inch-wide standard curbs, two seven-foot-wide parking strips, two four- to five-foot-wide planting strips, two four-foot-wide bike lanes, and two five-foot-wide sidewalks. The minimum right-of-way width shall be 61 to 63 feet, depending on the planting strip width. If commercial/retail are adjacent to the site, then nine-foot-wide sidewalks are required. (See Comprehensive Plan Figure X-SV-1.)
 - 2. Connector streets without bike lanes shall include two 10-foot-wide travel lanes, two six-inch-wide standard curbs, two seven-foot-wide parking strips, two four- to five-foot-wide planting strips, and two five-foot-wide sidewalks. The minimum right-of-way width shall be 53 to 55 feet, depending on the planting strip width. If commercial/retail is adjacent to the site, then nine-foot-wide sidewalks are required. (See Comprehensive Plan Figure X-SV-2.)
 - 3. Local streets shall include two ~~eight-to-nine~~-foot-wide travel lanes, two six-inch-wide standard curbs, one eight-foot-wide parking strip, two five-foot-wide sidewalks, and two four-foot-wide tree planting strips. The ~~minimum~~-right-of-way width shall be 43 to 45 feet. (See Comprehensive Plan Figure X-SV-5.)

Cul-de-sacs are permitted only when topographic conditions or existing street patterns preclude extension of streets. The maximum radius shall be 40 feet.

4. All streets adjacent to Resource Protection Areas shall have at least one five-foot-wide sidewalk along one side of the street. If there are no significant trees (at least eight inches in diameter) along the Resource Protection Area adjacent to the street, then a minimum four-foot-wide planting strip is required along both sides of the street. If it is determined that a unique view is to be preserved, then the Planning Director will determine if street trees are required.
5. New street connections and private access driveways should be located along arterial and collector roadways within Sunnyside Village to provide safe and efficient traffic operations. New street connections along arterial streets are shown on Comprehensive Plan Map X-SV-3. New street connections to collector roadways shall be a minimum of 150 feet apart, measured road centerline to centerline.

New individual driveway connections shall not be permitted along arterial and collector roadways. The removal and/or consolidation of existing private driveways on arterial and collector streets should be investigated as redevelopment of properties occurs.

At existing or future major street intersections (existing or proposed traffic signals), no new driveways or street connections shall be allowed within the influence area of the intersection. The influence area is defined as the distance that vehicles will queue from the signalized intersection. The influence area shall be based upon traffic volumes summarized in the Sunnyside Area Master Plan (November 1994) or based upon information acceptable to the County Engineering Division. This influence area shall include an additional 100 feet beyond the queue length for back-to-back left turns.

The preferred minimum intersection spacing on minor arterials is 500 feet, measured road centerline to centerline. Major arterial intersection spacing is preferred to be between 600 feet and 1,000 feet, measured road centerline to centerline.

6. The interior angles at intersection roadways shall be as near to 90 degrees as possible, and in no case shall it be less than 80 degrees or greater than 100 degrees. Minimum centerline radius for local roadways shall be 100 feet unless the alternative horizontal curve illustrated on Comprehensive Plan Figure X-SV-9 is used. ()
7. Alleys shall be private streets with rights-of-way of 16 feet. (See Comprehensive Plan Figure X-SV-6.) ()

8. A traffic circle will mark the heart of the Sunnyside/Rock Creek Neighborhood and will provide suitable geometrics for the five radial streets that converge at this point. Travel on the circle shall occur in one direction. This shall be facilitated by traffic diverters that guide vehicles but still allow comfortable pedestrian movement. The raised diverters should consist of low raised curbs and/or special paving. The travel lane within the circle should allow for easy merging.

Special paving shall demark crosswalks. Bike lanes shall be clearly marked and shall occur at the edge of the travel lane and define the inner boundary of the crosswalks and bus loading areas. The bus loading areas shall be located adjacent to the Village Retail area. On the other side of the circle, this added dimension shall be used for planting strips with street trees, adjacent to nine-foot-wide sidewalks.

The center island shall have a radius of at least 30 feet and shall be landscaped. A vertical feature or monument identifying the entrance to the Sunnyside Village area should mark the center of the circle and shall be framed by blossoming trees.

9. Intersection dimensions should be minimized to reduce pedestrian crossing-distances and slow vehicles. Curb radiuses should not exceed 25 feet at corners.
10. For properties with frontage along SE 152nd Drive, adjacent to the proposed realignment of SE 152nd Drive, the applicant's share of costs associated with the realignment of 152nd Drive shall be limited to the dedication of required on-site right-of-way for the realignment of SE 152nd Drive as a collector street, and the guarantee of financing for the required on-site improvements, to collector-street standards, according to the requirements of the County Engineering Division.
 - B. Planting strips which include street trees are part of the street cross sections. See Subsection 1007.08 for details.
 - C. Sidewalks within Sunnyside Village shall have a minimum unobstructed width of five feet. No street lights, mailboxes, fire hydrants, etc. are allowed within the sidewalk.

[Renumbered and amended by Ord. ZDO-224, 5/31/11]

1600.03 TRAILS AND PEDESTRIAN CONNECTIONS

An interconnecting system of trails and accessways throughout the Sunnyside Village Plan area shall be provided. The general trail locations are shown on Comprehensive Plan Map X-SV-1. The location of the trails shall be set at the time a land use application is approved. The locations of the trails are based on achieving

connections to streets and/or pedestrian ways and protection of the significant features of the Resource Protection areas.

The trail system will generally occur along the creeks and resource protection areas. The accessways and/or trail system will provide connections to parks, the elementary school and to adjacent commercial and residential developments.

There shall also be an east-west accessway between 142nd and 152nd, south of Sunnyside Road and above the connector street located north of the neighborhood green and community service area.

The trail system shall be designed to provide multiple access points for the public. The trails shall be constructed by the developer.

All trails and accessways within the resource protection areas shall either be dedicated or an easement granted to the North Clackamas Parks District in conjunction with development. These connections shall be maintained by and constructed to the standards established by the North Clackamas Parks District.

The maintenance of all pedestrian connections and trails located outside the resource protection areas as identified on Comprehensive Plan Map X-SV-1 shall be the responsibility of the property owner(s).

[Renumbered and amended by Ord. ZDO-224, 5/31/11]

1600.04 STREET TREES

[Moved to Section 1007 and amended by Ord. ZDO-224, 5/31/11]

1600.04 SIGNS

Freestanding signs shall be constructed of brick, masonry, wood, or other materials that are compatible with the development.

[Renumbered and amended by Ord. ZDO-224, 5/31/11]

1600.05 BICYCLE PARKING

[Repealed by Ord. ZDO-224, 5/31/11]

1600.05 EXEMPTIONS

- A. The requirements of Subsection 1603.09 do not apply to new homes developed in subdivisions which have received final plat approval prior to August 26, 1993, if there are homes developed or under construction on existing lots within the subdivision.

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- B. New homes developed within subdivisions which have received preliminary plat approval within the VR 4/5 District shall meet the standards of Subsections 1603.06(I)(1) and 1603.06(J)(1).

[Renumbered and amended by Ord. ZDO-224, 5/31/11]

1600.06 INTERSECTION SIGHT DISTANCE REQUIREMENTS

[Repealed by Ord. ZDO-224, 5/31/11]

1600.09 STREET LIGHTS ARE REQUIRED PURSUANT TO SUBSECTION 1006.

[Repealed by Ord. ZDO-224, 5/31/11]

1600.10 REVIEW PERIOD

[Repealed by Ord. ZDO-224, 5/31/11]

AMAS
NTY
C SERVICES BUILDING
L OF COUNTY COUNSEL
LAEN ROAD | OREGON CITY, OR 97045



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Attn: Plan Amendment Specialist
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LAND CONSERVATION
AND DEVELOPMENT

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