



**PLANNING STAFF REPORT AND RECOMMENDATION TO
THE PLANNING COMMISSION**

REPORT DATE: July 7, 2025

HEARING DATE: July 14, 2025 (Agenda Item Time: 6:30 pm)

PLANNING FILE NOS.: Z0109-25 and Z0110-25

PROPOSAL: A Comprehensive Plan map amendment to change the land use plan designation for the subject property from Rural (R) to Rural Commercial (RC), with a corresponding zone change from Rural Residential Farm Forest 5-acre (RRFF-5) to Rural Commercial (RC). No development is proposed with this application.

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Taylor Campi, (503) 742-4512, tcampi@clackamas.us

LOCATION: 23000 SE Eagle Creek Road, Eagle Creek, OR; on the east side of Eagle Creek Rd, approximately 500 feet southeast of Highway 211.

T2S, R4E, Section 31A Tax Lot 02804

APPLICANT(S): Mark Wright

OWNER(S): Eagle Creek Road LLC

SUBJECT PROPERTY AREA: Approximately 2.06 acres

CURRENT ZONING: Rural Residential Farm Forest, 5-Acre (RRFF-5)

COMPREHENSIVE PLAN DESIGNATION: Rural (R)

COMMUNITY PLANNING ORGANIZATION: Eagle Creek-Barton CPO, Bret Parries,
eaglecreekcpo@gmail.com

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS Chapter 215 requires that if you receive this notice, it must be promptly forwarded to the purchaser.

OPPORTUNITY TO REVIEW THE RECORD: The submitted application is available for review online at [Accela Citizen Access](#). 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. The complete application file is available for inspection at no cost by contacting the

Planner listed on the first page of this decision. Copies of all documents may be purchased at the rate of \$2.00 per page for 8.5" x 11" or 11" x 14" documents, \$2.50 per page for 11" x 17" documents, \$3.50 per page for 18" x 24" documents, and \$0.75 per square foot with a \$5.00 minimum for large format documents.

APPLICABLE APPROVAL CRITERIA: These applications are subject to: Statewide Planning Goals; Clackamas County Comprehensive Plan; and Clackamas County Zoning and Development Ordinance (ZDO) Sections 202, 513, 1202, and 1307.

I. STAFF RECOMMENDATION

Staff recommends **DENIAL** of the Comprehensive Plan map amendment and zone change in file nos. Z0109-25 and Z0110-25, for the following reason:

1. The application cannot be found to meet the criteria in ZDO Section 1202.03(B), related to service feasibility, because the required Preliminary Statement of Feasibility for surface water management was not provided.

However, the Planning Commission should note that if that if a completed Preliminary Statement of Feasibility is received that confirms adequate surface water management, treatment, and conveyance is or could be made available to serve future development that could result from this proposal; then the application can be found to meet all of the applicable criteria to **APPROVE** of the Comprehensive Plan map amendment and zone change in file nos. Z0109-25 and Z0110-25. If approved, staff recommends the following conditions of approval:

1. The Clackamas County Comprehensive Plan Map 4-7a, *Non-Urban Area Land Use Plan*, and all other maps of the Comprehensive Plan that include the subject property (tax lot 21E31A 02804, with situs address 2300 SE Eagle Creek Rd, Eagle Creek) shall be amended to show the subject property as having a Comprehensive Plan land use designation of Rural Commercial (RC).
2. The Clackamas County *Non-Urban Area Zoning Map* shall be amended to show the subject property as being in the Rural Commercial (RC) zoning district.

II. BACKGROUND

Proposal: This application requests that Clackamas County's Comprehensive Plan land use plan designation, as identified in Comprehensive Plan maps, be changed from Rural (R) to Rural Commercial (RC), and for the zoning designation be changed concurrently from Rural Residential Farm Forest, 5-Acre (RRFF-5) to Rural Commercial (RC) on the subject property.

The application does not itself propose, nor would its approval authorize, any new development. Zoning & Development Ordinance (ZDO) Subsection 1102.01(A) requires that new development in a commercial zoning district, such as the proposed RC District, receive design review approval, for which the Applicant has not yet applied. The Applicant has been advised by staff that, even if this Comprehensive Plan Map amendment and zone change application is approved, approval of any desired commercial building(s) will require a separate design review application, with consideration of

particular aspects such as building design, parking, and landscaping. Design review may also be required for the conversion of an existing building to a new use.

Subject property and surrounding area: The subject property is located on the northeasterly side of SE Eagle Creek Road, approximately 500 feet southeast of the intersection of Eagle Creek Road and Highway 211 in the Eagle Creek area. The subject property consists of one, generally rectangular tax lot, which is approximately 2.06 acres in size and has approximately 540 feet of frontage on SE Eagle Creek Rd. The site takes direct access off SE Eagle Creek Rd, via a single driveway located near the southern boundary of the site.

The subject property is relatively flat, is outside of a mapped flood hazard area, and has no County-regulated mass-movement or soil hazard areas, stream conservation areas, mapped wetlands, nor historic landmarks.

Per ZDO Section 316, the minimum lot size in the RRFF-5 zoning district is five acres. Under its current zoning, the subject site could developed with one single-family dwelling but could not be partitioned or divided. The subject site is not currently developed with a dwelling, however; but it does contain a gravel-surfaced lot and several structures.

According to aerial photography, land use and building permit history, Assessor's data, and the applicant's narrative, the subject property appears to currently have the following improvements:

- An approximately 4,800 square-foot office building with 6 RV garage bays;
- Eleven, "container" storage buildings; and
- A relatively large amount of graveled surface for parking and vehicle circulation

The site contains no visible trees and minimal landscaping. Development on the site is currently served by a well and septic system.

The subject property is located in an area characterized by a mix of rural residential, commercial and industrial uses. Properties to the north, south and east are used for commercial and industrial uses. Uses in the immediate vicinity include a foundry operation, feed and hardware store, the Philip Foster Farm living history facility, a private airport, a private gun club shooting range, a gas station/ convenience store, a cemetery, and an excavation company office, maintenance and vehicle and equipment storage facility.

Zoning of properties in the vicinity of the subject site is also varied.

- Properties to the north and east are primarily zoned Rural Residential Farm Forest, 5-Acre (RRFF-5), three of which have a Historic Landmark Overlay (HL).
- A property approximately 250 feet northeast of the subject property and several others nearby along HWY 211 are zoned Rural Commercial (RC).
- Properties directly south and west (across SE Eagle Creek Rd) are zoned Rural Industrial (RI).
- Further to the west and southwest is agricultural land, zoned Exclusive Farm Use (EFU).

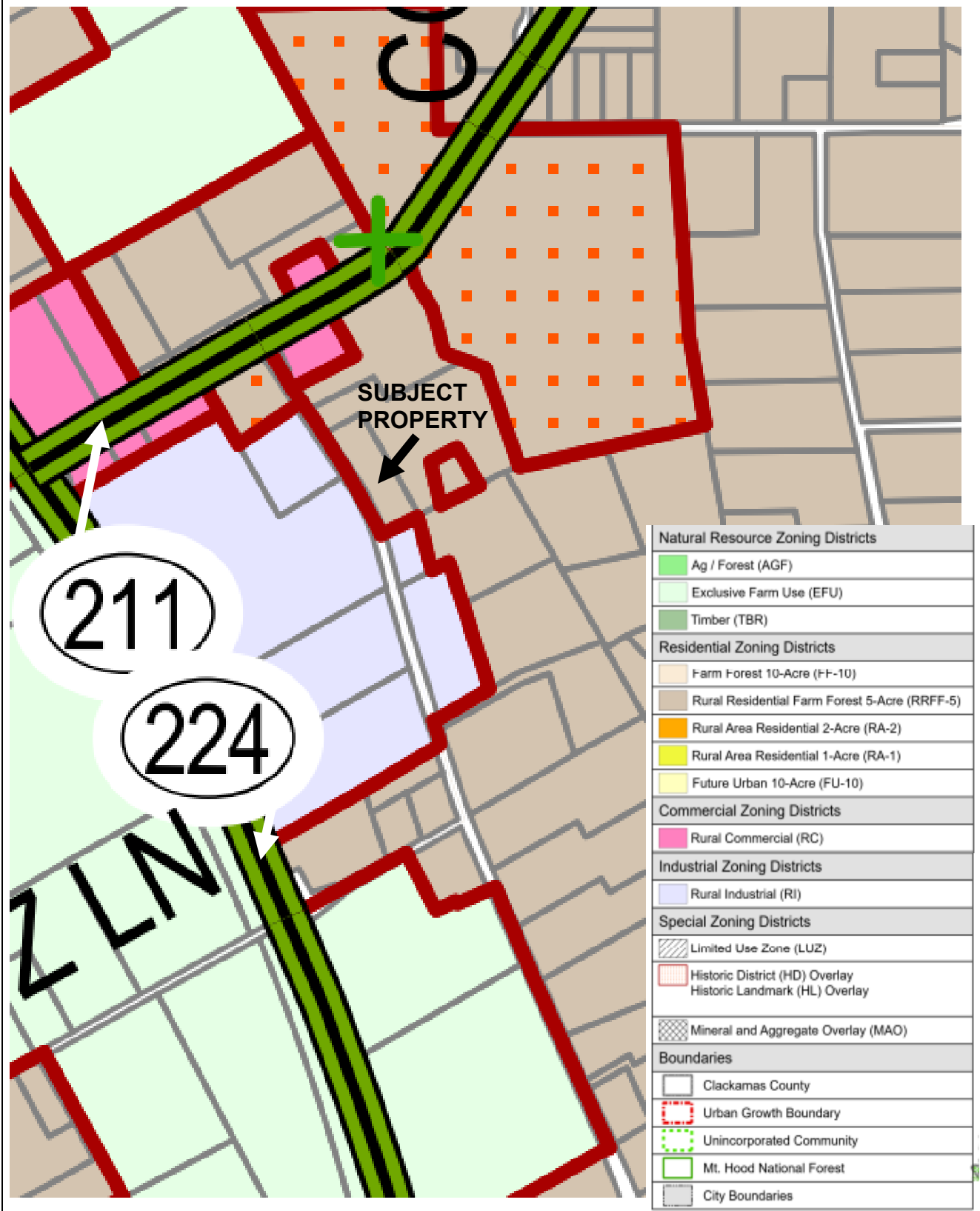
The current RRFF-5 zoning classification was adopted and applied to the subject property on June 28, 1976. Prior to that date, the subject property was not zoned, but was subject to the Unzoned Area Development Permit (UADP) requirements adopted on July 7, 1975. Prior to that date, the subject property was not subject to restrictive zoning regulations.

Subject Property and Vicinity (2023 Aerial Photo)



Source: Clackamas County GIS, PlanMap

Subject Properties in Current *Non-Urban Area Zoning Map*



Land Use History

Based on the subject property's permitting history, the site has been occupied by number of different uses in the past, including: a propane storage and service business, semi-truck/trailer storage, sales of wood stove pellets, and, most recently, an RV and boat storage, service, and repair facility with limited sales of parts and accessories.

None of those listed uses are allowed under the property's RRFF-5 zoning, but they all have been permitted on this site because it had been determined that the site had a legally-established nonconforming use. Nonconforming uses are structures on or uses of property that were legally established—either because they received land use approval or were allowed by right at the time of establishment—but that are now prohibited due to a change in the zoning regulations that apply to the property. Such uses are allowed to continue to operate and may be altered/changed as long as the nonconforming use has not been discontinued for a period of time, as determined in the county's Zoning & Development Ordinance (ZDO).

The nonconforming use determinations and alterations for the subject property over the last several decades is summarized below.¹

Z0190-18 Alteration of a Nonconforming Use. This file permitted construction of four new buildings ranging in size from 7200 sq. ft. to 10,720 sq. ft. and a total area of 37,680 sq.ft. for RV and boat storage, modifying the prior approval for 120 storage spaces to 80 spaces and replacing the existing outdoor storage.

Z0555-10 Alteration of a Nonconforming Use. This approval was limited to the following uses:

- a. General mini-storage type usage as described in the application including the construction of a 20 ft. by 150 ft. structure for mini-storage bays. Storage bays may be used for storage of materials, products, vehicles, etc. used by other businesses needing additional storage space, but not for the actual conduct of other businesses; e.g. manufacturing, service commercial or any other retail and service commercial use or light industrial use;
- b. Use of the site for the parking/storage of up to ten (10) semi-trucks and trailers, provided such storage did not impede required drive aisles/fire lanes.
- c. The uses and structures approved under three previous nonconforming use alterations (File Nos. Z0761-04-E, Z0494-05-E and Z0618-08-E).

Z0618-08, Alteration of a Nonconforming Use. This file permitted use of up to three enclosed bays for RV services including repair and sales and installation of accessories and parts and to permit sales of wood stove pellets using one outdoor storage bay for storage of product.

Z0993-05-D and Z0494-04-E, alteration of a nonconforming use and design review approval for an addition(s) to the existing RV storage facility, to include a 50 ft. by 100 ft. building for office use and RV storage and a 60 ft. by 365 ft. open-sided covered RV storage building. The smaller building was also to include a permitted single family residential dwelling unit, although it does not appear to have been used as such.

¹ Staff is making no formal determination with this application about whether this property has retained its nonconforming use status since the last approved alteration.

Z0761-04-E, Alteration of a Nonconforming Use. This file authorized an alteration to an existing nonconforming use, to allow for an RV and boat storage facility. The file found that a nonconforming use status has been established for a propane storage and sales use that was established some time in 1974, according to county tax and assessment department appraisal records. The original occupant was Doxol L. P. Gas and the use consisted of a large bulk propane tank, storage of residential and commercial propane tanks, propane delivery trucks, miscellaneous related equipment and a small storage shed.

Service providers:

1. Sewer: The subject property is not located within a public or private sewer district. Development on the site is currently served by a septic system. Any future development would also need to be served by a septic system, subject to Clackamas County's Septic and Onsite Wastewater Program's rules and regulations.
2. Water: The subject property is not located within a public or private water district. Development on the site is currently served by a private well. Any future development would also need to be served by a private well, subject to the Oregon Water Resources Department's rules and regulations.
3. Fire Protection: Clackamas RFPD #1

Noticing: This application has been processed consistent with the legal noticing requirements in Section 1307, *Procedures*, of the County's Zoning and Development Ordinance (ZDO) and with state noticing requirements. Specifically, the County has provided notice to interested agencies, local governments and property owners within 2,640 feet of the subject property consistent with State law and Section 1307 of the ZDO. The notification to property owners, public notices and hearings ensures an opportunity for citizens to participate in the land use process.

Responses received: To date, the only comments received have been from the Oregon Department of Transportation (ODOT) and the county's Engineering staff regarding the applicant's traffic study.

ODOT's comments are limited to a note that the application requires a traffic analysis to address compliance with the Transportation Planning Rule (TPR) but provides no assessment of the traffic study the applicant has provided. County Engineering staff states that they have reviewed the traffic study and supplemental safety analysis and take no exception to the findings. See Exhibits 4 and 5.

The local Community Planning Organization, the Eagle Creek-Barton CPO, has not provided any comments to Planning staff.

Public Hearings:

Two public hearings on the current proposal are scheduled: one before the Planning Commission on July 14, 2025, and another before the Board of County Commissioners (Board) on August 5, 2025. The Planning Commission makes a recommendation to the Board, who will ultimately decide whether the proposal is approved.

III. FINDINGS

This application is subject to the following provisions:

- A. Statewide Planning Goals;
- B. Clackamas County Comprehensive Plan; and
- C. Zoning and Development Ordinance (ZDO) Sections 202, 1202, and 1307.

Staff have reviewed these provisions and the Applicant's preliminary findings in conjunction with this proposal. Compliance with the applicable regulations found in each is discussed below. ZDO Sections 202 and 1307 provide only definitions and procedural requirements that do not warrant separate written findings in this report.

A. Statewide Planning Goals

GOAL 1 – CITIZEN INVOLVEMENT

Statewide Planning Goal 1 calls for “the opportunity for citizens to be involved in all phases of the planning process” and requires the County to have a citizen involvement program with certain features.

This application only proposes to amend the County's Comprehensive Plan maps and zoning map. Even if approved, the County's existing, State-acknowledged citizen involvement program would not change.

ZDO Section 1307, Procedures, contains acknowledged procedures for citizen involvement and public notice of quasi-judicial applications. This application has been processed consistent with those requirements, including providing notice to: property owners within 2,640 feet of the subject property; the Department of Land Conservation and Development (DLCDD); the Eagle Creek-Barton CPO; and other interested agencies. Notice of the application and its public hearings has also been published in the newspaper and on County websites.

Before the Board of County Commissioners (Board) can decide on this application, there will have been at least two public hearings with opportunity for interested parties to testify. The public has also been given the opportunity to provide written comments, and all comments provided to date have been included in the record.

The relevant requirements of Statewide Planning Goal 1 are satisfied.

GOAL 2 – LAND USE PLANNING

Goal 2 requires the County to have and to follow a comprehensive land use plan and implementing regulations. Comprehensive plan provisions and regulations must be consistent with Statewide Planning Goals, but Goal 2 also provides a process by which exceptions can be made to certain Goals.

This amendment to the County's Comprehensive Plan maps, including Map 4-07a, would not change the County's land use planning process. Even with this amendment, the County will continue to have a comprehensive plan and consistent implementing regulations. This report outlines how this amendment is consistent with applicable policies of the County's acknowledged Comprehensive Plan. The applicant does not request an exception to any statewide planning goal, nor is an exception required for this amendment.

The relevant requirements of Statewide Planning Goal 2 are satisfied.

GOAL 3 – AGRICULTURAL LANDS

Goal 3 requires the County to identify farmland, designate it as such on its Comprehensive Plan maps, and zone it Exclusive Farm Use (EFU).

The County has already satisfied these requirements. This application does not propose to change the Comprehensive Plan or zoning designation of any farmland, nor does it propose a change in any allowed land use in the EFU zone. The subject property is currently zoned for residential development, not agriculture.

Statewide Planning Goal 3 is not applicable.

GOAL 4 – FOREST LANDS

Goal 4 requires the County to identify forest lands, designate it as such on Comprehensive Plan maps, and zone it consistently with State rules.

The County has already satisfied these requirements. This application does not propose to change the Comprehensive Plan or zoning designation of any forest land, nor does it propose a change in any allowed land use in the County's forest zones (i.e., Ag/Forest and Timber). The subject property is currently zoned for residential development, not forest uses.

Statewide Planning Goal 4 is not applicable.

GOAL 5 – NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

Goal 5 requires the County to adopt programs that will protect an area's natural resources and will conserve scenic, historic, and open space resources for present and future generations. It requires an inventory of natural features, groundwater resources, energy sources, and cultural areas, and encourages the maintenance of inventories of historic resources.

This proposal would not change the County's acknowledged inventories or programs for the protection of such resources. The subject property does contain any areas of identified Goal 5 resources.

The relevant requirements of Statewide Planning Goal 5 are satisfied.

GOAL 6 – AIR, WATER, AND LAND RESOURCES QUALITY

Goal 6 instructs the County to consider the protection of air, water, and land resources from pollution and pollutants when developing its Comprehensive Plan.

This proposal would not change the County's acknowledged Comprehensive Plan policies or implementing regulations regarding Goal 6 resources, nor would it modify the mapping of any protected resource.

The relevant requirements of Statewide Planning Goal 6 are satisfied.

GOAL 7 – AREAS SUBJECT TO NATURAL HAZARDS

Goal 7 requires the County to address Oregon's natural hazards.

This proposal would not change the County's acknowledged Comprehensive Plan policies or implementing regulations regarding natural disasters and hazards, nor would it modify the mapping of any hazard. As noted previously, the subject site is flat and does contain any areas with identified Goal 7 hazards.

Statewide Planning Goal 7 is not applicable.

GOAL 8 – RECREATIONAL NEEDS

Goal 8 requires the County to plan for the recreational needs of its residents and visitors.

This proposal would not change the County's acknowledged Comprehensive Plan policies or implementing regulations regarding recreational needs, nor would it modify the mapping of any recreational resource.

Statewide Planning Goal 8 is not applicable.

GOAL 9 – ECONOMIC DEVELOPMENT

The purpose of Goal 9 planning is to provide adequate opportunities throughout Oregon for a variety of economic activities vital to the health, welfare, and prosperity of Oregonians.

Goal 9 is implemented by OAR chapter 660, division 9. Pursuant to OAR 660-009-0010(1), the requirements of division 9 apply only within UGBs. As noted, the subject property is not within a UGB. Therefore, Goal 9 is not applicable to this amendment. Nonetheless, this amendment would further Goal 9 generally, by providing economic support and employment opportunities for the rural area of the county because it would allow for more diverse types of commercial businesses to locate on the subject site than could do so through a continuation of the nonconforming use status.

This proposal is consistent with Goal 9.

GOAL 10 – HOUSING

The purpose of Goal 10 is to meet housing needs.

Goal 10 recommends that the County's Comprehensive Plan (including its maps) "be developed in a manner that ensures the provision of appropriate types and amounts of land" within UGBs for housing; it also advises that areas planned for residential development "be necessary and suitable for housing that meets the housing needs of households of all income levels." And, like Goal 9, Goal 10 is only directly applicable to areas within UGBs.

Nonetheless, the Board finds that the potential loss of one dwelling is negligible in relation to the county's housing stock, particularly in light of the numerous recent efforts by the County to allow

for more housing units within the Portland Metro UGB—a more appropriate place for housing because of better access to urban goods and services and transportation options.

This proposal is consistent with Statewide Planning Goal 10.

GOAL 11 – PUBLIC FACILITIES AND SERVICES

The purpose of Goal 11 is to ensure that local governments plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. Goal 11 is implemented by OAR Chapter 660, Division 11.

This proposal would not change any adopted facilities plans or implementing regulations. The subject site is currently not served by public water or public sewer and, because it is outside of an urban growth boundary (UGB), it will not be served by these public facilities. Any future development on the site would continue to be served by the on-site water and sewage disposal facilities.

The relevant portions of Statewide Planning Goal 11 are satisfied.

GOAL 12 – TRANSPORTATION

The purpose of Goal 12 is to provide and encourage a safe, convenient, and economic transportation system. It requires the County to create a transportation system plan (TSP) that takes into account all relevant modes of transportation.

Goal 12 is implemented by OAR chapter 660, division 12, commonly referred to as the Transportation Planning Rule (TPR). When an amendment to the County's Comprehensive Plan map or zoning map is proposed, OAR 660-012-0060 requires an analysis of whether the proposed amendment would "significantly affect" an existing or planned transportation facility, and whether it is necessary to update transportation facility plans to accommodate such effects. The TPR defines what it means to "significantly affect" a transportation facility.

The applicant has provided a traffic study and supplemental information, prepared by a licensed engineering firm, Clemow Associates, LLC, and dated March 6, 2025. The traffic study addresses TPR requirements and includes a comparison of the reasonable worst-case traffic impacts caused by potential development of the subject property under the property's current RRFF-5 zoning to the reasonable worst-case traffic impacts of future development under the proposed RC zoning. Key findings from the traffic study include:

- *"Proposed land use actions include a Type III land use application for a Comprehensive Plan map amendment, designation change, and a corresponding zone change from RRFF-5 to RC. The proposed land use actions do not include a specific development application. As such, the following scope of work identifies reasonable worst-case development scenarios and the development area of influence, including intersections and accesses receiving 50 or more development trips and having a 10% or greater trip volume increase."*
- *"...the OHP trip generation threshold for plan amendments requiring a TPR analysis is an increase of 400 or more average daily trips on state facilities."*
- *"...reasonable worst-case development in the proposed RC zone generates an additional 247 daily, 23 AM peak hour, and 33 PM peak hour trips over development in the RRFF-5 zone"*

- *The memorandum concludes: “Overall, the proposed Comprehensive Plan map amendment and corresponding zone change will result in a small increase in traffic and will not significantly affect an existing or planned transportation facility. As such, it can be found that the TPR criteria outlined in OAR 660-012-0060 are satisfied without the need for additional transportation analysis.”*

County Engineering staff has reviewed the traffic study and supplemental analysis and provided comments, noting that he takes “no exception to the findings as presented. With the supplemental safety analysis, the documentation provided by the applicant adequately addresses the relevant safety and transportation criteria set forth in ZDO 1202.03(C) and (D) and OAR 660-012-0060.” (Exhibit 5). ODOT was notified of this application, but did not provide comments specific to this traffic analysis.

The relevant requirements of Statewide Planning Goal 12 are satisfied.

GOAL 13 – ENERGY CONSERVATION

Goal 13 encourages land use plans to consider lot size, siting controls, building height, density, and other measures in order to help conserve energy.

This proposal would not change the County’s acknowledged Comprehensive Plan policies or implementing regulations regarding energy conservation.

The relevant requirements of Statewide Planning Goal 13 are satisfied.

GOAL 14 – URBANIZATION

The purpose of Goal 14 is to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The subject property is not located within an urban growth boundary (UGB). However, per Oregon Administrative Rules (OAR) 660, Division 14, Goal 14 applies to rural lands in that those lands should only be available for rural uses; if an urban use is proposed, then an exception to Goal 14 must be obtained.

When making a determination about whether a Goal 14 exception is required, DLCD v. Klamath County, 38 Or LUBA 769 (2000) makes it clear that findings need to be included in a local government’s action to explain why the proposed use on rural exception lands is “rural” and not “urban”. Some examples of factors that may be used for such a determination are:

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

Although the Applicant provided very limited findings related to Goal 14, Planning Staff has reviewed the proposal and finds it reasonable to conclude that allowing the proposed zone change would retain the property in “rural” uses and this proposal would not require a Goal 14 exception for the following reasons:

- The uses allowed by Section 513 (Rural Commercial) of the county’s ZDO have been acknowledged and found to be appropriate in type and scale for the rural area. In addition, there is a limitation on the size of structures for each commercial use within the RC zone. Per ZDO Section 513, the maximum building floor space per commercial use is 3,000 square feet, but a lawfully established commercial use that existed in 2001 may be expanded by 25%. In limiting the size of commercial use in this manner, the types of commercial uses that can and will locate within the RC zoning district are more limited in scale to what is appropriate for the rural area. If this proposal is approved, any development on the subject property would be required to comply with the RC standards.*
- As noted in the application, “the site does not require extension of, or support from any public services considered urban. The existing development of the site does not create an urban enclave or precipitate urban development on surrounding properties.” Indeed, the subject property is located approximately three miles from the city of Estacada’s UGB and approximately five miles from the Portland Metro UGB, which are the closest “urban” areas with urban services. Commercial uses in the subject property would not have access to nor need urban services.*
- Although there is there is no specific use that would be approved through this application, the Applicant has noted that the proposed use, if the Comprehensive Plan amendment and zone change is approved, would generally consist of a “commercial business that maintains fil equipment,” presumably a service commercial use for the storage and rental, purchase or use of said equipment throughout the area. This type of use is similar to what has been currently occurring on the property, with no need for public facilities and no discernable impact to the urbanization within any of the closest UGBs. As such, it can be considered a “rural” use.*

The relevant requirements of Statewide Planning Goal 14 are satisfied.

GOAL 15 – WILLAMETTE RIVER GREENWAY

The purpose of Goal 15 is to “protect, conserve, enhance, and maintain the natural, scenic, historical, agricultural, economic, and recreational qualities of lands along the Willamette River as the Willamette River Greenway.”

The subject property is approximately 12.5 miles from the Willamette River and is not located in the Willamette River Greenway. The Applicant’s proposal would not change the County’s acknowledged Comprehensive Plan policies or implementing regulations regarding the Willamette River Greenway.

Statewide Planning Goal 15 is not applicable.

GOAL 16 – ESTUARINE RESOURCES; GOAL 17 – COASTAL SHORELANDS; GOAL 18 – BEACHES AND DUNES; GOAL 19 – OCEAN RESOURCES

Statewide Planning Goals 16 through 19 are not applicable to Clackamas County.

B. Clackamas County Comprehensive Plan (Plan)

The County's Comprehensive Plan includes goals and policies that must be considered when evaluating a proposed change in Comprehensive Plan. Staff has reviewed each chapter of the Comprehensive Plan. This section of the report outlines whether the Applicant's proposal is consistent with the applicable goals and policies.

Chapter 2: Citizen Involvement: The purpose of this Chapter is to promote citizen involvement in the governmental process and in all phases of the planning process.

There is one policy in this Chapter applicable to this application:

- 2.A.1 Require provisions for opportunities for citizen participation in preparing and revising local land use plans and ordinances. Insure opportunities for broad representation, not only of property owners and County wide special interests, but also of those within the neighborhood or areas in question.

The Comprehensive Plan and ZDO include acknowledged procedures for citizen involvement. This application has been processed consistent with those procedures. Specifically, the County has provided notice to interested agencies, local governments, and nearby property owners, consistent with state law and ZDO Section 1307, which implements the public notice policies of Chapter 2. Notice to property owners, public notices, and hearings ensure an opportunity for citizens to participate in the land use process.

This application is consistent with Chapter 2.

Chapter 4 Land Use: This Section of the Comprehensive Plan includes the definitions for urban and rural land use categories, and outlines policies for determining the appropriate Comprehensive Plan land use designation for all lands within the County.

This chapter contains sections addressing (1) Urbanization, (2) Urban Growth Concepts, and (3) land use policies for each designation. The land use policies for the proposed designation are addressed below.

Rural Commercial

Rural Commercial lands "are those that are outside urban growth boundaries and that are suitable based on specific factors for commercial development on a rural scale." The following policies apply to Rural Commercial lands.

- 4.KK.1 The Rural Commercial plan designation may be applied in non-urban areas to provide for commercial uses that are necessary for, and on a scale commensurate with, rural development.

The subject property is located in a non-urban area (outside an urban growth boundary). The commercial uses that are allowed within a Rural Commercial (RC) area, per Section 513 of the county's Zoning and Development Ordinance (ZDO) are those that have been determined as appropriate for rural areas and commensurate with rural development. If this proposal is approved, any future uses and development on the subject site would need to comply with the standards in ZDO Section 513.

This policy is met.

4.KK.2 The Rural Commercial (RC) zoning district implements the Rural Commercial plan designation.

*If this proposal is approved, both the Plan designation and zoning designation would be changed to Rural Commercial. **This policy is met.***

4.KK.3 Areas may be designated Rural Commercial when either the first or both of the other criteria are met:

- 4.KK.3.1 Areas shall have an historical commitment to commercial uses; or
- 4.KK.3.2 Areas shall be located within an Unincorporated Community; and
- 4.KK.3.3 The site shall have direct access to a road of at least a collector classification.

The subject property is not located within an Unincorporated Community and therefore must meet the first criteria – an historical commitment to commercial uses.

Historical commitment

Based on the subject property's permitting history, the site has been used in the past by a propane storage and service business, semi-truck/trailer storage, sales of wood stove pellets, and, most recently, by an RV and boat storage, service and repair facility with limited parts and accessories sales.

The propane storage and sales use was established over 50 years ago, sometime in 1974. Since that date, use of the property for non-residential uses has been verified and altered through a number of alterations authorized from 2004 through 2018 (see discussion of land use file nos. Z0190-18; Z0555-10; Z0618-08; Z0618-08; Z0993-05; Z0494-04; and Z0761-14 on pages 6-7 of this report). With each alteration of the nonconforming use, a determination had to be made that the use to be altered had not been discontinued on the property and therefore, staff can conclude that the property was continually used and "committed" to the identified non-residential uses at least through 2018, and likely longer, given that several of the structures were established on the site after the 2018 approval.

It is not clear from the applicant's materials when or if the uses approved in 2018 ceased operations on the site. The site remains physically developed with several commercial structures and is almost entirely graveled, however. Regardless of whether the use has been discontinued for the last few years, staff finds that the clear use history and physical development on the subject property provides sufficient evidence to determine that the site does indeed have an "historical commitment" to non-residential uses.

Commercial versus Industrial Uses

Because the property has contained a number of different non-residential uses in the past, a determination also needs to be made about whether these uses would constitute and commitment to "commercial" rather than "industrial" uses. In the application narrative, the Applicant does not provide a clear argument as to what type of commitment the property has, but instead makes references both to the site being developed with industrial uses and commercial uses.

To determine whether the property's "commitment" is to commercial or to industrial uses, staff looked to how the county's ZDO classifies the various non-residential uses that have been permitted on the site and finds the following:

- *Storage, maintenance and repair of vehicles such as boats and recreational vehicles are consistently classified under "service commercial" uses in the county's ZDO, including in Section 513 (Rural Commercial), which allows for the following outright (i.e. as a "primary" use):*
 - *Services, Commercial—Maintenance and Repair of any of the following: boats; heavy trucks such as dump trucks, moving trucks, and truck tractors; large cargo trailers such as semitrailers; large construction equipment such as backhoes and bulldozers; large farm equipment such as tractors and combines; large forestry equipment; large mineral extraction equipment; and recreational vehicles*
 - *Services, Commercial—Storage of any of the following: boats; heavy trucks such as dump trucks, moving trucks, and truck tractors; large cargo trailers such as semitrailers; large construction equipment such as backhoes and bulldozers; large farm equipment such as tractors and combines; large forestry equipment; large mineral extraction equipment; and recreational vehicles*
 - *Services, Commercial—Mini-Storage/Self-Storage Facilities*
- *Retailing is clearly a commercial use, as it has broad outright allowances allowed in both rural and urban commercial districts, including in the RC district. Retailing is allowed only on a very limited basis in the county's industrial districts and is most often limited either to retailing what is manufactured or produced on the site (rural industrial district) and/or is allowed only on a limited basis (urban industrial districts).*
- *The original use that established the "commitment" on the property was propane storage and distribution. Without more complete information about the actual business, it is difficult to classify that use within the existing structure of the ZDO. It could be considered an industrial use, under a "warehousing and distribution", or it could be considered a "service commercial" and/or "retailing" or, most likely, some combination of industrial and commercial uses. Regardless of how this particular use would be classified, staff finds that the clear commitment to commercial uses since at least 2004, and likely prior, is sufficient to determine that the subject property has a commercial and not an industrial "commitment."*

Based on the extensive permitting history, which demonstrates the subject site has been used primarily with commercial uses since 1975, and the existing development on the site, staff finds there is sufficient evidence to conclude that this property has an historical commitment to commercial uses.

This policy is met.

The Applicant further notes that because the site is currently "developed for commercial purposes with a gravel lot, paving, and a commercial structure," developing a single-family dwelling on the site, as would be allowed by its current zoning designations, would "require these developments to be removed or mitigated. The dwelling would not have a yard or garden or orchard areas without

removal of the gravel from the site.” Staff concurs that the existing commercial development on the property effectively precludes the use of the property for residential uses allowed under the current RRFF-5 zoning and that a commercial zoning designation would be more appropriate.

This application is consistent with Chapter 4.

Chapter 5 Transportation: This Chapter outlines policies addressing all modes of transportation and contains eight Sections including 1) Foundation and Framework; 2) Land Use and Transportation; 3) Active Transportation; 4) Roadways; 5) Transit; 6) Freight, Rail, Air, Pipelines and Water Transportation; 7) Finance and Funding; and 8) Transportation Projects and Plans.

There is only one policy in this chapter applicable to this application:

- 5.F.6 Require changes in land use plan designation and zoning designation to comply with the Transportation Planning Rule [Oregon Administrative Rules (OAR) 660-012-0060].

The Applicant’s submitted traffic analysis, which was completed by a licensed engineer, finds that the proposed Comprehensive Plan map amendment and corresponding zone change will result in a small increase in traffic and will not significantly affect an existing or planned transportation facility. The study concludes that TPR criteria outlined in OAR 660-012-0060 are satisfied.

Staff from County Engineering concur with the findings from the traffic analysis (see Exhibit 5).

This application can be consistent with Chapter 5.

Chapter 11 The Planning Process: The purpose of this Chapter is to establish a framework for land use decisions that will meet the needs of Clackamas County residents, recognize the County’s interrelationships with its cities, surrounding counties, the region, and the state, and insure that changing priorities and circumstances can be met.

There is only one policy in this chapter applicable to this application:

- 11.A.1 Participate in interagency coordination efforts with federal, state, Metro, special purpose districts and cities. The County will maintain an updated list of federal, state and regional agencies, cities and special districts and will invite their participation in plan revisions, ordinance adoptions, and land use actions which affect their jurisdiction or policies.

Notice of this application has been provided to all appropriate agencies and parties, and advertised public hearings before the Planning Commission and the Board of County Commissioners provide an adequate opportunity for interagency coordination of this proposed Comprehensive Plan map amendment and demonstrates compliance with this policy.

This application is consistent with Chapter 11.

C. Zoning & Development Ordinance (ZDO)

Section 1202, *Zone Changes*, provides standards, criteria, and procedures under which a change to the County’s zoning map (i.e., a zone change from RRFF-5 to RC) may be approved. Staff has reviewed the subsections of Section 1202 relevant to this application and makes the following findings.

Section 1202.02, Submittal Requirements

Section 1202.02 lists the information that must be included in a complete application for a zone change.

The application was initially submitted on March 18, 2025, and deemed incomplete. The applicant submitted additional materials on April 25, 2025, and the application was deemed complete on that same date.

Section 1202.03, General Approval Criteria

Section 1202.01 states that a zone change may be allowed, after a hearing conducted pursuant to Section 1307, if the applicants provide evidence substantiating the following criteria found in Subsection 1202.03 are met.

Subsection 1202.03(A): The proposed zone change is consistent with the applicable goals and policies of the Comprehensive Plan.

Findings against the relevant Comprehensive Plan policies are detailed in the Section III.B of this Staff Report (pages 14 to 17). Based on those findings and the findings provided by the applicant, staff finds that the proposed zone change is compliant with all relevant goals and policies in the Comprehensive Plan.

This application is consistent with Subsection 1202.03(A).

Subsection 1202.03(B): If development under the proposed zoning district designation has a need for any of the following public services, the need can be accommodated with the implementation of the applicable service provider's existing capital improvement plan: sanitary sewer, surface water management, and water. The cumulative impact of the proposed zone change and development of other properties under existing zoning designations shall be considered.

Development that could occur under the proposed RC zoning district would not have access to or need public sewer or water service. The subject property is not located in a public sanitary sewer district and an onsite waste disposal system would be required for development on the site. The subject property is not located in a public water district and a private well would be required for development on the site. Evidence in the record demonstrates that these on-site facilities currently exist on the site and serve the existing commercial uses.

The incomplete notice sent to the applicant on April 10, 2025, specifically listed a completed Preliminary Statement of Feasibility as an item required for the application. In response, the applicant asserted that the "Statement of feasibility has been determined as not relevant, the response for Clackamas County sanitarium [staff presumes this was intended to say sanitarian] is attached. Please deem our application as complete as is the applicant's right." While the applicant is correct that this form is not needed for public water and sewer provision, as it is not available to the subject property, the Preliminary Statement of Feasibility is indeed necessary in order for an affirmative finding that the surface water management can be accommodated if the proposed zone change is approved. Without confirmation from the surface water management agency – in this case, County Engineering – staff cannot find that this application meets this criterion.

This application is not consistent with 1202.03(B).

Subsection 1202.03(C): The transportation system is adequate and will remain adequate with approval of the proposed zone change. For purposes of this criterion:

1. Adequate means a maximum volume-to-capacity ratio (v/c), or a minimum level of service (LOS), as established by Comprehensive Plan Tables 5-2a, Motor Vehicle Capacity Evaluation Standards for the Urban Area, and 5-2b, Motor Vehicle Capacity Evaluation Standards for the Rural Area.
2. The evaluation of transportation system adequacy shall be conducted pursuant to the Transportation Planning Rule (Oregon Administrative Rules 660-012- 0060).
3. It shall be assumed that the subject property is developed with the primary use, allowed in the proposed zoning district, with the highest motor vehicle trip generation rate.
4. The methods of calculating v/c and LOS are established by the Clackamas County Roadway Standards.
5. The adequacy standards shall apply to all roadways and intersections within the impact area of the proposed zone change. The impact area shall be identified pursuant to the Clackamas County Roadway Standards.
6. A determination regarding whether submittal of a transportation impact study is required shall be made based on the Clackamas County Roadway Standards, which also establish the minimum standards to which a transportation impact study shall adhere.
7. Notwithstanding Subsections 1202.03(C)(4) through (6), motor vehicle capacity calculation methodology, impact area identification, and transportation impact study requirements are established by the ODOT Transportation Analysis Procedures Manual for roadways and intersections under the jurisdiction of the State of Oregon.

Subsections 1202.03(C)(1) to (7) define what is meant by an “adequate” transportation system. The applicant’s traffic study, which was completed by a licensed engineer,

The Applicant’s submitted traffic analysis, which was completed by a licensed engineer, finds that the proposed Comprehensive Plan map amendment and corresponding zone change will result in a small increase in traffic and will not significantly affect an existing or planned transportation facility. The study concludes that TPR criteria outlined in OAR 660-012-0060 are satisfied.

Staff from County Engineering concur with the findings from the traffic analysis (see Exhibit 5).

This application is consistent with 1202.03(C).

Subsection 1202.03(D): Safety of the transportation system is adequate to serve the level of development anticipated by the proposed zone change.

At the request of county Engineering, the applicant’s traffic study included a “supplemental safety analysis” which includes consideration of crash data for SE Eagle Creek Rd and the SE Eagle

Creek Rd/SE Weitz Rd intersection, as well as a site distance evaluation along the property frontage and its current access point. Based on these considerations, the analysis finds that:

- *“Crash data materials find that there is one recorded crash on SE Eagle Creek Road in the study area and no recorded crashes at the SE Eagle Creek Road/SE Weitz Road intersection.”*
- *“A preliminary review of field conditions finds that sight distance for vehicles entering or exiting the subject property at the existing (or future) access to SE Eagle Creek Road is not restricted by horizontal or vertical roadway curvature and that Clackamas County sight distance requirements can be met.”*
- *“SE Eagle Creek Road is considered relatively safe, and the proposed land use actions are not anticipated to affect the crash rates. A preliminary review of field conditions finds that Clackamas County sight distance requirements are met at the existing access and can be met at a future access.”*

Staff from County Engineering has reviewed this supplemental safety analysis and concur with these findings (see Exhibit 5).

This application is consistent with 1202.03(D).

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

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

**Planning Commission Exhibit List
In The Matter Of File No. Z0109-25 & Z0110-25**

<i>Ex. No.</i>	<i>Date Received</i>	<i>Author or source</i>	<i>Subject & Date of document</i>
1*	3/18/25 & 4/24/25	Applicant	Submitted Application 3/18/25 & 4/24/25
2*	4/07/25 & 4/10/25	Planning & Engineering Staff	Incomplete Application Notice and County Engineering Initial TIS Comments and 4/7/25 & 4/10/25
	6/10/25	Planning Staff	Public Hearing Notice 6/10/25
4*	6/26/25	ODOT Region 1	ODOT Comments 6/26/25
5*	7/1/25	Engineering Staff	County Engineering Updated TIS Comments 7/1/25
6*	---	Planning Staff	Misc. background documents: <ul style="list-style-type: none"> • Alteration of Nonconforming Use Approval Z0190-18 7/18/18 • Assessor Jacket 24E31A 02804
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* Exhibits received prior to or during Planning Commission (PC) hearing

** Exhibits received after PC hearing and prior to or during Board of County Commissioners (Board) hearing



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

STAFF USE ONLY

RECEIVED

Mar 18 2025

Z0109-25-CP
Z0110-25-ZAP

Clackamas County

Planning & Zoning Division

Staff Initials:

File Number:

Land use application for:

**COMPREHENSIVE PLAN MAP AMENDMENT
& ZONE CHANGE**

Application Fee: \$14,920 (+\$150 for expanded notification area if the property is in the AG/F, EFU, FF-10, FU-10, RA-1, RA-2, RC, RI, RR, RRFF-5, or TBR zone)

APPLICANT INFORMATION

Applicant name: Mark Wright	Applicant email: mw@thisneedscoffee.com	Applicant phone:
Applicant mailing address: 16380 S Springwater Road	City: Oregon City	State: ZIP: Oregon 97045
Contact person name (if other than applicant): Peter Finley Fry	Contact person email: peter@finleyfry.com	Contact person phone: 503 703-8033
Contact person mailing address: 303 NW Uptown Terrace; Unit 1B	City: Portland	State: ZIP: Oregon 97210

PROPOSAL

Brief description of proposal: Comprehensive Plan amendment and zone change	Pre-application conference file number: ZPAC0090-24
--	--

SITE INFORMATION

Site address: 23000 SE Eagle Creek Road	Comprehensive Plan designation: Rural Residential Farm and Forest	Zoning district: RC
Map and tax lot #: Township: 2S Range: 4E Section: 32 Tax Lot: 02804 Township: Range: Section: Tax Lot: Township: Range: Section: Tax Lot:	Land area: 2.06 acres	
Adjacent properties under same ownership: Township: Range: Section: Tax Lot: Township: Range: Section: Tax Lot:		

Printed names of all property owners: Mark Wright	Signatures of all property owners: 	Date(s): 3/18/2025
I hereby certify that the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge. Applicant signature:		Date: 3/18/2025

D. Answer the following questions:

1. What Comprehensive Plan designation are you requesting for the subject property?

Requested Plan designation: RuralCommercial

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

Requested zoning district: RC

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

☒ NO

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

4. Are you filing this Comprehensive Plan Map amendment and zone change application with another application (e.g., an application for a partition or subdivision)?

☒ NO, this application is being filed alone.

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



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

STAFF USE ONLY

Land use application for:

ZONE CHANGE

Reviewed by Hearings Officer

Application Fee: \$6,340 if filed with another application for the same property, or \$6,890 if filed alone. (+ \$150 for an expanded notification area if the property is in the AG/F, EFU, FF-10, FU-10, RA-1, RA-2, RC, RI, RR, RRFF-5, or TBR zone.)

Staff Initials:

File Number:

APPLICANT INFORMATION

Applicant name: Mark Wright	Applicant email: mw@thisneedscoffee.com	Applicant phone:
Applicant mailing address: 16380 S Springwater Rd	City: Oregon City	State: Oregon ZIP: 97045
Contact person name (if other than applicant): Peter Finley fry	Contact person email: peter@finleyfry.com	Contact person phone: 503 703-8033
Contact person mailing address: 303 NW Uptown Terrace, Unit 1B	City: Portland	State: Oregon ZIP: 97210

PROPOSAL

Brief description of proposal: Comprehensive Plan map amendment and zone change to Rural Commercial.RC	Pre-application conference file number: ZPAC0090-24
---	--

SITE INFORMATION

Site address: 23000 SE Eagle Creek Road	Comprehensive Plan designation: Rural Residential Farm and Forest	Zoning district: RC
Map and tax lot #: Township: 2S Range: 4E Section: 32 Tax Lot: 02804 Township: Range: Section: Tax Lot: Township: Range: Section: Tax Lot:	Land area: 2.06 acres	
Adjacent properties under same ownership: Township: Range: Section: Tax Lot: Township: Range: Section: Tax Lot:		

Printed names of all property owners: Mark Wright	Signatures of all property owners: 	Date(s): March 3, 2025
--	--	---------------------------

I hereby certify that the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.

Applicant signature:

Date:

A. Complete a pre-application conference:

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

B. Review applicable land use rules:

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

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

C. Turn in all of the following:

- ☐ **Complete application form:** Respond to all the questions and requests in this application, and make sure all owners of the subject property sign the first page of this application. Applications without the signatures of *all* property owners are incomplete.
- ☐ **Application fee:** The cost of this application is **\$6,340 if it is filed concurrently with another land use application for the same property** or **\$6,890 if it is filed alone**. A \$150 notification surcharge also applies if an expanded notification area is required by ZDO Section 1307. Payment can be made by cash, by check payable to "Clackamas County", or by credit/debit card with an additional card processing fee using the [Credit Card Authorization Form](#) available from the Planning and Zoning website. Payment is due when the application is submitted. Refer to the FAQs at the end of this form and to the adopted [Fee Schedule](#) for refund policies.
- ☐ **Vicinity map:** Provide a map of the area around the property, drawn to scale, that shows the uses and location of improvements on adjacent properties and properties across any road.
- ☐ **Site plan:** Provide a site plan (also called a plot plan). A [Site Plan Sample](#) is available from the Planning and Zoning website. The site plan must be accurate and drawn to-scale on paper measuring no larger than 11 inches x 17 inches. The site plan must illustrate all of the following (when applicable):
 - Lot lines, lot/parcel numbers, and acreage/square footage of lots, and contiguous properties under the same ownership;
 - All existing and proposed structures, fences, roads, driveways, parking areas, and easements, each with identifying labels and dimensions;
 - Setbacks of all structures from lot lines and easements;
 - Significant natural features (rivers, streams, wetlands, slopes of 20% or greater, geologic hazards, mature trees or forested areas, drainage areas, etc.); and
 - Location of utilities, wells, and all onsite wastewater treatment facilities (e.g., septic tanks, septic drainfield areas, replacement drainfield areas, drywells).
- ☐ **Service Feasibility Determinations:** Request that the property's water provider, sanitary sewer provider, and surface water management authority, as applicable, each complete a [Preliminary Statement of Feasibility](#) and include those completed statements with your application. If the proposed development will be served by an onsite wastewater treatment system (e.g., a septic system), include an approved Site Evaluation or Authorization Notice from the [Septic & Onsite Wastewater Program](#) attesting to the feasibility of your proposal.
- ☐ **Transportation impact study:** Refer to the information provided at the pre-application conference regarding the need for a transportation impact study. Include a copy of any required study with your application submittal.
- ☐ **Any additional information or documents advised of during the pre-application conference**

D. Answer the following questions:

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

Requested zoning district: Rural Commercial Rural Commercial

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

☒ NO

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

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

☒ NO, this application is being filed alone.

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

E. Respond in a narrative:

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

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

April 24, 2025

Response to

NOTICE OF INCOMPLETE TYPE III LAND USE APPLICATION

FILE NUMBER: Z0109-24 & Z0110-24

APPLICATION TYPE: Comp Plan Map Amendment and Zone Change

APPLICANT NAME: Mark Wright

SITE ADDRESS: 23000 SE Eagle Creek Road

STAFF CONTACT: Taylor Campi, Senior Planner EMAIL: tcampi@clackamas.us

- A. The authorization to sign is attached.
- B. Additional evidence of historic commitment is attached.
- C. The narrative has been amended to add additional findings to Statewide Planning Goals and is attached.
- D. The Traffic Engineer consultation with Clackamas County has provided additional information that I attached.
- E. The Statement of feasibility has been determined as not relevant, the response for Clackamas County sanitarium is attached.

Please deem our application as complete as is the applicant's right.

Peter Finley Fry AICP MUP Ph.D.

(503) 703-8033

March 05, 2025
Amended April 24, 2025

GENERAL INFORMATION

Applicants: Owner

Mark Wright
23000 SE Eagle Creek Rd
Eagle Creek, 97022

Planning Consultant:
Peter Finley Fry AICP
303 NW Uptown Terrace, 1B
Portland, Oregon 97210
peter@finleyfry.com

Phone: 503-703-8033

Location: 23000 SE Eagle Creek Rd, Eagle Creek, 97022



Jurisdiction: Clackamas County

Tax Lots: 01853122

SID 24E31A 02804

Size: 2.06 acres

Preapplication Conference: ZPAC0090-24

Comprehensive Plan Designation/Zoning:

Current: Rural Residential Farm and Forest

RRFF-5

Proposed: Rural Commercial RC

PROPOSAL

We are requesting a comprehensive plan map amendment and zone change to rural commercial. The Rural Commercial Comprehensive plan designation best fits the area's land use context and historic use of the property. Rural commercial use allows the owner

303 NW Uptown Terrace #1B
Portland, Oregon USA 97210
peter@finleyfry.com

Peter Finley Fry
Mark Wright
23000 SE Eagle Creek Rd, Eagle Creek

March 05, 2025
Amended April 24, 2025

to occupy the site with a commercial business that provides and maintains film equipment for national producers to fil throughout the region.

CRITERIA

I. Proposed Amendment of the Comprehensive Plan

3.0 Amend the Comprehensive Plan pursuant to the following procedures and guidelines.

3.1 Allow initiation of a map amendment only by the Board of County Commissioners, the Planning Commission, the Planning Director, or the owner of the property for which a change is requested.

3.2 Allow initiation of a text amendment only by the Board of County Commissioners, the Planning Commission, or the Planning Director.

3.3 Consider all proposed Comprehensive Plan amendments at advertised public hearings before the Planning Commission and the Board of County Commissioners, in accordance with state law and County requirements.

3.4 For quasi-judicial amendments, provide notice of application and public hearing to nearby property owners and the applicable Community Planning Organization a minimum of 20 days prior to the first scheduled public hearing. Provide a copy of the application to the applicable Community Planning Organization a minimum of 35 days prior to the first scheduled public hearing. For legislative amendments, provide notice of proposal and public hearing to all active and recognized Community Planning Organizations, and ensure that the proposal is available for review, a minimum of 35 days prior to the first scheduled public hearing.

3.5 Provide the opportunity for the Department of Land Conservation and Development and Metro to review and comment on proposed legislative amendments, pursuant to the applicable provisions of state law and the Metro Code.

3.6 Recognize the Board of County Commissioners as the decision making body for quasi-judicial and legislative Plan amendments, but provide for the Planning Commission to make recommendations to the Board on these amendments, except in the case of a Plan amendment to designate an historic resource, in which case the Historic Review Board shall be the recommending body.

FINDING

The request is made by the property owner and is an amendment to the map and not the Comprehensive Plan text. The request shall be noticed and heard before the Clackamas County Planning Commission for recommendation and the Clackamas County Board of County Commissioners for the local land use decision. The site is not a designated historic resource. The following findings support the request as equal to/or improved upon the existing Comprehensive Plan map.

Clackamas County Comprehensive Plan

Chapter 1 - Introduction

GOALS

The overall goals of the Plan are:

- Balance public and private interests and adopt a coordinated set of goals and policies to guide future development in Clackamas County.
- Identify the most appropriate land uses for individual sites by evaluating site characteristics in light of market demand, human needs, technology, and state, regional, and County goals.
- Provide for growth in areas where public facilities can economically be provided to support growth.
- Create development opportunities most compatible with the fiscal and financial capacity of the County and its residents.

Peter Finley Fry
Mark Wright
23000 SE Eagle Creek Rd, Eagle Creek

March 05, 2025
Amended April 24, 2025

- Implement the policies of this Plan by adopting a zoning map and set of regulations, and by guiding public investments to support anticipated growth.
- Establish a system whereby individual interests may be compared to stated County policy and provide a process for review and amendment of those policies as expressed in this Comprehensive Plan.

FINDING

The applicant provides findings that assert that the proposal meets or exceeds all the relevant goals and policies of Clackamas county's Comprehensive Plan.

Chapter 2 – Citizen Involvement

FINDING

The application for an amendment of Clackamas County's Comprehensive Plan requires public notice and two public hearings. The first public hearing is before the Clackamas County Planning Commission who make a recommendation. The second hearing is before the Clackamas County Board of County Commissioners who make the final local land use decision. The public is invited to participate.

Chapter 3 – Natural Resources & Energy

WATER RESOURCES

FINDING

The site is not on a river or stream corridor and stream and does not have wetland or water features. The site will be developed through Clackamas County's permitting process to ensure that any storm water is treated and disposed of appropriately.

AGRICULTURE

FINDING

The site is not in or near an agricultural area. The site is a rural location where the surrounding zone and uses are exceptions to the resource designations outside of an Urban Growth Boundary.

FORESTS

FINDING

The site is not in or near a forested area. The site is a rural location where the surrounding zone and uses are exceptions to the resource designations outside of an Urban Growth Boundary.

MINERAL AND AGGREGATE RESOURCES

FINDING

The site is not near mineral or aggregate resources.

WILDLIFE HABITATS AND DISTINCTIVE RESOURCE AREAS

FINDING

The site is not in or near a wildlife habitat or distinctive resource area.

NATURAL HAZARDS

FINDING

Peter Finley Fry
Mark Wright
23000 SE Eagle Creek Rd, Eagle Creek

March 05, 2025
Amended April 24, 2025

The site is not in or near an area of natural hazards.

ENERGY SOURCES AND CONSERVATION

FINDING

Any development of the requested amendment site will conform with Clackamas County and Oregon State laws regarding noise and air quality.

NOISE AND AIR QUALITY

FINDING

Any development of the requested amendment site will conform with Clackamas County and Oregon State laws regarding noise and air quality.

Chapter 4 – Land Use

URBANIZATION

FINDING

The site is in a rural area far outside an urban growth boundary and cannot be urbanized as urban services cannot be extended to the site.

URBAN GROWTH CONCEPT

Rural lands are exception lands, as defined in Oregon Administrative Rules 660-004-0005(1), that are outside urban growth boundaries and Unincorporated Communities and are suitable for sparse settlement such as small farms, wood lots or acreage home sites. They lack public facilities or have limited facilities and are not suitable, necessary, or intended for urban, agricultural, or forest use.

FINDING

The site is in a rural area far outside an urban growth boundary and cannot be urbanized as urban services cannot be extended to the site. The site is not located in a Future Urban Study area.

OPEN SPACE AND FLOODPLAINS

FINDING

The site is not located in an open space or floodplain.

UNINCORPORATED COMMUNITIES

Unincorporated Communities, as defined in Chapter 660, Division 22 of the Oregon Administrative Rules, are settlements located outside urban growth boundaries in which concentrated residential development is combined with limited commercial, industrial, or public uses. Unincorporated Communities may have limited public facilities and services.

FINDING

The site is located in an unincorporated community.

RURAL GOALS

4.MM.11.2 The RRFF-5 zoning district shall be applied when all the following criteria are met:

4.MM.11.2.a Parcels are generally five acres.

4.MM.11.2.b The area is affected by development.

4.MM.11.2.c There are no serious natural hazards, and the topography and soils are suitable for development. Clackamas County Comprehensive Plan [4-48] Last Amended 9/9/2024

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4.MM.11.2.d Areas are easily accessible to an Unincorporated Community or incorporated city.

FINDING

The site is 2.06 acres below the RRFF-5 expectation of five acre lots. One single family dwelling would be allowed on a lot of record. The site is developed for commercial purposes with a gravel lot, paving, and a commercial structure. A single-family dwelling would require these developments to be removed or mitigated. The dwelling would not have a yard or garden or orchard areas without removal of the gravel from the site. The site is accessible to an unincorporated community and city.



RURAL COMMERCIAL

Rural Commercial lands are those that are outside urban growth boundaries and that are suitable based on specific factors for commercial development on a rural scale.

RURAL COMMERCIAL GOALS

- To provide for the continuation of commercial uses in non-urban areas having an historical commitment to such uses.
- To implement the goals and policies of this Plan for commercial development in Unincorporated Communities.

4.KK Rural Commercial Policies

4.KK.1 The Rural Commercial plan designation may be applied in non-urban areas to provide for commercial uses that are necessary for, and on a scale commensurate with, rural development.

4.KK.2 The Rural Commercial (RC) zoning district implements the Rural Commercial plan designation.

4.KK.3 Areas may be designated Rural Commercial when either the first or both of the other criteria are met:

4.KK.3.1 Areas shall have an historical commitment to commercial uses; or

4.KK.3.2 Areas shall be located within an Unincorporated Community; and 4.KK.3.3 The site shall have direct access to a road of at least a collector classification.

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Mark Wright
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4.KK.4 Implement dimensional and development standards to address compatibility, function, and aesthetics.

4.KK.5 Require utility service lines to be underground unless prohibited by the utility service provider.

FINDING

The property was conveyed to a commercial use – Leathers Oil company in 1985. The deeds reveal that the property was transferred to an RV commercial storage company in 2007. The aerial depicts the site and abutting properties as used for commercial purposes with rural residential uses to the east separated from the abutting commercial uses by a thick forested barrier. A cemetery is adjacent to the southeast. The area between the site and the primary state highway to Estacada is used as agricultural with several rural residences. The site is fully developed for rural commercial purposes. An rural residential use would require complete redevelopment of the property with the result of only one single family dwelling. The site is not large enough to be used for rural industrial uses nor does it have gravel or other resources that would justify industrial extraction operation. The site is not situated in a location that would justify industrial warehouse or manufacturing use because other better situated sites close to interstate freeways are available. The site is isolated and not close to the interstate freeway system.

RURAL INDUSTRIAL

FINDING

The site has been committed to and developed as a rural commercial site for the past forty years.

RURAL RESIDENTIAL

FINDING

The site is currently zoned as rural residential but is fully developed as a commercial site for the past forty years. The commercial development would require removal to allow one single family dwelling.

AGRICULTURE

FINDING

The site is not located in an agricultural area.

FOREST

FINDING

The site is not located in a forest area.

Chapter 5 – Transportation System Plan

Building on the foundation of our existing assets, we envision a well-maintained and designed transportation system that provides safety, flexibility, mobility, accessibility and connectivity for people, goods and services; is tailored to our diverse geographies; and supports future needs and land use plans.

TSP GOALS

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- Goal 1: Provide a transportation system that optimizes benefits to the environment, the economy and the community
- Goal 2: Plan the transportation system to create a prosperous and adaptable economy and further the economic well-being of businesses and residents of the County.
- Goal 3: Tailor transportation solutions to suit the diversity of local communities.
- Goal 4: Promote a transportation system that maintains or improves our safety, health, and security.
- Goal 5: Provide an equitable transportation system.
- Goal 6: Promote a fiscally responsible approach to protect and improve the existing transportation system and implement a cost-effective system to meet future needs.

FINDING

A Traffic Study was conducted by a certified Transportation Engineer that concluded:

“Based on the materials presented in this scope of work letter, the applicant believes that the proposed land use actions will result in a small increase in traffic and will not significantly affect an existing or planned transportation facility. As such, it can be found that the TPR criteria outlined in OAR 660-012-0060 are satisfied without the need for additional transportation analysis. Regardless, we respectfully request that agency staff please identify the specific transportation analyses necessary to support this land use application so that we can begin our work effort. ‘

Chapter 6 – Housing

Meeting the future housing needs and desires of residents will require the County to allow for new housing types and densities. A wider range of housing prices can be encouraged by providing a greater variety of lot sizes and more opportunities for the development of a range of housing sizes and types. Providing more opportunities for the development of multifamily dwellings and other alternative housing forms are needed to house the young, the elderly, and lower-income households who may prefer, or only be able to afford, housing types other than detached single-family homes. And as the current housing stock ages and redevelopment takes place, regulations pertaining to density, design and accessibility will shape neighborhoods and the county.

6.A Houselessness Policies

6.B Housing Type Policies

6.B Housing Affordability Policies

6.C Neighborhood Quality Policies

6.D Livability Policies

FINDING

The site is located outside the urban growth boundary on a site that has been developed for commercial purposes for over forty years. The site would require redevelopment and removal of gravel and asphalt to allow residential use that would only be a single single-

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family dwelling. The dwelling would be a rural dwelling as the site is isolated from services that residential uses require. The site abuts a cemetery.

Chapter 7 – Public Facilities & Services

The provision of public facilities and services is a key ingredient in the development of Clackamas County and the implementation of this Plan. All development requires a certain level of public facilities and services. The objective of this Plan element is to provide the level of public facilities and services to support the land use designations in this Plan, and to provide those facilities and services at the proper time to serve development in the most cost-effective way.

FINDING

The site is located near the intersection of two paved state highways (211 & 224). The site is served by the Clackamas County Sheriff. Eagle Creek Fire Station #18 is located at 3220 SE Judd Road, Eagle Creek provides emergency response and fire suppression services. The site is privately served by well water and a septic system. The application includes proof of these services.

Chapter 8 – Economics

If any community is to thrive and prosper, jobs must be available to provide income for its residents. The type, quality, wage rates, and variety of jobs available in the community determine, to a large extent, the lifestyle and well-being of its residents.

The economy of Clackamas County is not separable from that of surrounding urban areas, nor is it uniform throughout. The northwest urban portion of the County clearly is part of the highly diversified urban economy of the Portland metropolitan area, with similar industries, and many retail and service businesses to serve the large urban population. The rural parts of the County and the cities lying outside the northwest urban area have traditionally been timber- or agriculture-based economies; however, residents are increasingly commuting to jobs in the Portland and Salem urban areas.

GOALS • Establish a broad-based, stable, and growing economy to provide employment opportunities to meet the needs of the County's residents.

- Retain and support the expansion of existing industries and businesses. Clackamas County Comprehensive Plan [8-3] Last Amended 10/13/14

- Attract new industrial and commercial development that is consistent with environmental quality, community livability, and the needs of County residents.

FINDING

The site abuts a paved road the connects to two paved state highways. The site has been developed for over eighty years for commercial purposes. The site will provide a vital location for rural commercial creating direct and ancillary employment in a rural area. The site has and will provide commercial services to rural residents and farms specifically propane.

8.A Existing Industry and Business Policies

Chapter 9 – Open Space, Parks & Historic Sites

The conservation of land, water, and historic resources, and the related provision of recreation opportunities, is one of the most important factors in maintaining the quality of life which has made Clackamas County an attractive place to live. Recently, however, the urban area in particular has

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experienced a sharp jump in population, with substantial changes in the physical environment. Population growth is inevitable, at least for the foreseeable future, but the degradation of our communities is not.

FINDING

The requested amendment does not affect open space, parks, or historic sites.

Chapter 10 - Community Plans & Design Plans

The following Community Plans and Design Plans are included in Chapter 10:

FINDING

The site is not in an area with a community plan or design plan.

Chapter 11 – The Planning Process

The purpose of Clackamas County's comprehensive planning process is to establish a framework for land use decisions that will meet the needs of County residents; recognize the County's interrelationships with its cities, surrounding counties, the region, and the state; and ensure that changing priorities and circumstances can be met. Coordination with other governmental agencies and refinement of this Plan and County ordinances is essential to achieve this end.

FINDING

The requested amendment is processed through a quasi-judicial land use process that requires public hearings before Clackamas County Planning Commission and Clackamas County Board of County Commissioners. The Board of County Commissioners is empowered to approve or deny the application.

METRO CHAPTER 3.07 URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN REGIONAL FUNCTIONAL PLAN REQUIREMENTS

Title 1: Housing Capacity 3.07.110 Purpose and Intent 3.07.120 Housing Capacity

FINDING

The site is too small to have a material effect on the regions' housing capacity and the site is not in an urban area.

Title 2: Regional Parking Policy [Repealed Ord. 10-1241B, Sec. 6]

FINDING

Title was repealed.

Title 3: Water Quality and Flood Management

FINDING

Development is required to be reviewed and approved by Clackamas County in a site review process. The site is not in a flood plain nor abutting a water feature.

Title 4: Industrial and Other Employment Areas

FINDING

The site is not located in an industrial or employment area.

Title 5: Neighbor Cities and Rural Reserves [Repealed Ord. 10-1238A, Sec. 4]

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FINDING

Title was repealed.

Title 6: Centers, Corridors, Station Communities, and Main Streets

FINDING

The site is not in a center, corridor, station community, or main street.

Title 7: Housing Choice 3.07.710

FINDING

The site is too small to have a material effect on the region's housing choice and is not in an urban area.

Title 8: Compliance Procedures 3.07.810

FINDING

This title is not relevant to a comprehensive plan amendment or zone change.

Title 9: Performance Measures[Repealed Ordinance No. 10-1244B, Sec. 8]

FINDING

Title was repealed.

Title 10: Functional Plan Definitions 3.07.1010 Definitions

FINDING

This title is not relevant to a comprehensive plan amendment or zone change.

Title 11: Planning for New Urban Areas

FINDING

The site is not in an urban area.

Title 12: Protection of Residential Neighborhoods

FINDING

The site is not in a residential neighborhood.

Title 13: Nature In Neighborhoods

FINDING

The site is not in a residential neighborhood.

Title 14: Urban Growth Boundary

FINDING

The site is not on or near an urban growth boundary. The amendment does not materially affect the twenty-year land supply for either the region's residential or industrial land because of the very small size of the request.

Oregon State Land Use Goals

[Goal 1](#) Citizen Involvement

[Goal 2](#) Land Use Planning

[Goal 3](#) Agricultural Lands

[Goal 4](#) Forest Lands

[Goal 5](#) Natural Resources, Scenic and Historic Areas, and Open Spaces

[Goal 6](#) Air, Water and Land Resources Quality

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Finding: The Comprehensive Plan amendment from Rural Residential to Rural Industrial will create a higher probability that the site will produce externalities that impact the environment. Development on the site requires permits from Clackamas County. The permit process shall identify any requirement for review by state agencies. Any required review shall identify and determine required mitigation measures. The site is not located in a designated area suitable for the county's use in controlling pollution.

[Goal 7](#) Areas Subject to Natural Hazards

[Goal 8](#) Recreational Needs

[Goal 9](#) Economic Development

Finding: The amendment provides an opportunity for locating businesses that provide economic support for the rural area and employment opportunities.

[Goal 10](#) Housing

Finding: The site is fully developed with pavement, gravel and industrial type improvements including an office building. The zoning would only allow a single residential dwelling. The condition of the site and the fact that only one dwelling could be developed creates a factual situation where the site is not suitable for residential development and does not add to the county's housing inventory.

[Goal 11](#) Public Facilities and Services

Finding: The conversion of the site into a rural industrial designation does not require the extension of any public services. Essentially services such as water and sanitation are provided privately on the site.

[Goal 12](#) Transportation

Finding: The applicant has provided a traffic study that found that the expected increase in traffic is not significant and does not have a material effect on county or state transportation facilities. The actual physical characteristic of the site access to the county's road was found to be safe.

[Goal 13](#) Energy Conservation

Finding: The site is developed as an industrial use. The amendment makes the site's use consistent with the Comprehensive Plan. The consistency allows the uses to be regulated consistent with the development code. The use of an existing disturbed site conserves the use of land in the rural area.

[Goal 14](#) Urbanization

Finding: The industrial use will continue to serve the rural area. The site is privately served by a well and septic system. The site does not require extension of, or support from any public services considered urban. The existing development of the site does not create an urban enclave or precipitate urban development on surrounding

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properties. The applicant does not propose or plan to subdivide the property. The property's size precludes a subdivision in relationship[the size and configurations of surrounding properties.

[Goal 15](#) Willamette River Greenway
[Goal 16](#) Estuarine Resources
[Goal 17](#) Coastal Shorelands
[Goal 18](#) Beaches and Dunes
[Goal 19](#) Ocean Resources

FINDING

Clackamas County's Comprehensive Plan has been acknowledged by the Department of Land Conservation and Development as in compliance with the state goals. The applicant is requesting an amendment to the plan through the established public quasi-judicial process (Goal 1 and 2). The following goals are not relevant to the proposed amendment: Goal 3 – 5 and Goal 7 and 8. Future development requires a public quasi-judicial site/design review that will address Goal 6, Goals 11 -19.

II. Zone Change

1202.03 GENERAL APPROVAL CRITERIA A zone change requires review as a Type III or IV application pursuant to Section 1307, Procedures, and shall be subject to the following standards and criteria:

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

FINDING

A requested zone change to RC is consistent with the requested comprehensive plan amendment to Rural Commercial.

B. If development under the proposed zoning district designation has a need for any of the following public services, the need can be accommodated with the implementation of the applicable service provider's existing capital improvement plan:

Sanitary sewer,

FINDING

The site does not have physical access to sanitary sewer and is located outside of an urban growth boundary. The site is served by an approved septic system the current use was granted occupancy by Clackamas County in 2024 after verification that the septic system was operating correctly.

Surface water management, and

FINDING

No development is proposed on this improved site. The existing site is fully developed with a building and paved surface around the building providing parking areas. The remainder of the site – approximately 70% is developed in a gravel surface.

Water.

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FINDING

The site is served by a well. The well was tested in March 0f 2024 and found to be safe and passed - specific tests for toxic substances found no evidence of toxicity...

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

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

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

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

4. The methods of calculating v/c and LOS are established by the Clackamas County Roadway Standards.

5. The adequacy standards shall apply to all roadways and intersections within the impact area of the proposed zone change. The impact area shall be identified pursuant to the Clackamas County Roadway Standards.

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

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

FINDING

A Traffic Study conducted by a certified Transportation Engineer concluded:

“Based on the materials presented in this scope of work letter, the applicant believes that the proposed land use actions will result in a small increase in traffic and will not significantly affect an existing or planned transportation facility. As such, it can be found that the TPR criteria outlined in OAR 660-012-0060 are satisfied without the need for additional transportation analysis. Regardless, we respectfully request that agency staff please identify the specific transportation analyses necessary to support this land use application so that we can begin our work effort.”



Instructions for PRELIMINARY STATEMENTS OF FEASIBILITY

Instructions to Applicant:

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

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

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

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

Instructions to Reviewing Service Provider or Surface Water Management Authority:

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

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

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

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

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



PRELIMINARY STATEMENT OF FEASIBILITY

TO BE COMPLETED BY APPLICANT		
Applicant name:	Applicant email:	Applicant phone:
Project engineer:	Project engineer email:	Project engineer phone:
Site address:		
Map and tax lot #: Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____		

TO BE COMPLETED BY SERVICE PROVIDER / SURFACE WATER MANAGEMENT AUTHORITY	
Name of service provider / surface water management authority:	Name and title of authorized representative:
Representative email:	Representative phone:
Check all that apply: Water Service <input type="checkbox"/> Water service, <i>including fire flows</i> , is available in levels appropriate for the development and adequate water system capacity is available in source, supply, treatment, transmission, storage, and distribution, or such levels and capacity can be made available through improvements completed by the developer or the system owner. <input type="checkbox"/> Water service is adequate <i>with the exception of fire flows</i> . The applicant shall provide a statement from the fire district serving the subject property that states that an alternate method of fire protection, such as an on-site water source or sprinkler system, is acceptable. <input type="checkbox"/> Adequate water service <i>cannot</i> be provided. Sanitary Sewer Service <input type="checkbox"/> Sanitary sewer capacity in the wastewater treatment system and the sanitary sewage collection system is available to serve the development or can be made available through improvements completed by the developer or the system owner. <input type="checkbox"/> Adequate sanitary sewer service <i>cannot</i> be provided. Surface Water Management, Treatment, and Conveyance <input type="checkbox"/> Adequate surface water management, treatment, and conveyance is available to serve the development or can be made available through improvements completed by the developer or the system owner. <input type="checkbox"/> Adequate surface water management, treatment, and conveyance <i>cannot</i> be provided.	
Is this statement issued subject to any conditions of approval? <input type="checkbox"/> YES, and those conditions are attached. <input type="checkbox"/> NO	
Signature of authorized representative:	Date of signature:



Burlington, WA *Corporate Laboratory (a)*
1620 S Walnut St - Burlington, WA 98233 - 800.755.9295 • 360.757.1400

Bellingham, WA *Microbiology (b)*
805 Orchard Dr Ste 4 - Bellingham, WA 98225 - 360.715.1212

Portland, OR *Microbiology/Chemistry (c)*
9725 SW Commerce Cr Ste A2 - Wilsonville, OR 97070 - 503.682.7802

Corvallis, OR *Microbiology/Chemistry (d)*
1100 NE Circle Blvd, Ste 130 - Corvallis, OR 97330 - 541.753.4946

Bend, OR *Microbiology (e)*
20332 Empire Blvd Ste 4 - Bend, OR 97701 - 541.639.8425

EXHIBIT 1
20109-25 & 20110-25
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Drinking Water Report

Client Name: Skyles Well Drilling
21912 S Beavercreek Road
Oregon City, OR 97045

Reference Number: **24-05772**

Report Date: 3/12/24

Approved By: bj,pdk,smv

Authorized by:

Thanh B Phan
Lab Manager, Portland

Project: 23000 Mike Patterson
Field ID: Bath Faucet
Sample Description: 23000 SE Eagle Creek Rd
Sample Date: 3/5/24 12:20

Lab Number: OR100063-11354

Date Received: 3/5/24

Sampled By: Denny Collins

Sampler Phone:

CAS Number	Analyte	Result	MCL	Pass [^]	Lab	QL	Units	Analyzed
Coli-To-t	TOTAL COLIFORM	Absent		Pass	c	P/A	per100ml	3/7/24
68583-22-2	E. Coli	Absent		Pass	c	Y/N	per100ml	3/7/24
7440-38-2	ARSENIC	0.0040	0.010	Pass	a	0.001	mg/L	3/8/24
14797-55-8	NITRATE-N	0.02	10	Pass	c	0.005	mg/L	3/5/24

Notation:

MCL = Maximum Contaminant Level, maximum permissible level of a contaminant in water established by EPA; Federal Action Levels are 0.015 mg/L for Lead and 1.3 mg/L for Copper. Sodium has a recommended limit of 20 mg/L. A blank MCL value indicates a level is not currently established.

QL = Quantitation Limit is the lower calibration concentration.

ND = Not detected above the listed specified reporting limit (QL).

CAS Number = Chemical Abstract Service Number is an unique identifier of the chemical tested.

[^] = 'PASS', indicates that the parameter tested meets EPA, State, or local jurisdiction MCL. 'Exceeds' indicates EPA secondary limit (Aesthetic) was exceeded. 'Fail' indicates EPA Primary limit (Health) was exceeded.

An * in front of the parameter name indicates it is not NELAP accredited but it is accredited through OR DEQ or USEPA Region 10.

These test results meet all the requirements of NELAC, unless otherwise stated in writing, and relate only to these samples.

If you have any questions concerning this report contact Thanh B Phan at the above phone number.

FORM: ShortList.rpt

LOT CONFIRMATION

March 08, 2025

GENERAL INFORMATION

Applicants: Owners

Mark Wright
23000 SE Eagle Creek Rd
Eagle Creek, 97022

Location: 23000 SE Eagle Creek Rd,
Eagle Creek, 97022

Property Tax #: 01853122 **SID:** 24E31A 02804

Jurisdiction: Clackamas County, Oregon

CONFIRMATION

The lot was created by a recorded deed (attached) on December 09, 1976 as a lot.

FORM No. 722-BARGAIN AND SALE DEED (Individual or Corporate)

STEVENS-HERR LAW PUBLISHING CO., PORTLAND, OR. 97204

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That RALPH A. & JOSEPHINE E. HILL, as to 1/3 int.; ROBERT E. TAYLOR, as to 1/3 int.; and LORENE K. AICHELE, as to 1/3 int., hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto ROBERT E. & CAROLYN E. TAYLOR, undivided 1/2 int., and DAVID W. & VIOLA R. TILLSTROM, undivided 1/2 int., hereinafter called grantees, and unto grantees' heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to-wit:

A tract of land situated in the Philip Foster D.L.C. #37 and James W. Foster D.L.C. #4, in Sections 31 and 32, Township 2 South, Range 4 East of the W.M. in the County of Clackamas and State of Oregon, more particularly described as follows:
BEGINNING at the intersection of the northeasterly line of said D.L.C. No. 37 with the southerly line of State Hiway No. 211; thence S. 29° 30' E., along said northeasterly line, a distance of 450 feet, more or less, to the most northerly corner of Parcel II of that certain tract of land conveyed to Ralph A. Hill and Josephine E. Hill, husband and wife, Robert E. Taylor and Carolyn E. Taylor, husband and wife, and Sol Aichel and Lorene K. Aichele, husband and wife, by contract recorded May 14, 1969, Records Fee No. 69-8672; thence S. 69° 36' E., along the northeasterly line of said Hill, et al, tract, a distance of 232.4 feet to an angle point; thence S. 13° 09' E., along the easterly line of said Parcel II, a distance of 484.4 feet to the southeasterly corner thereof; thence S. 77° 18' W., along the south line of said Parcel II, a distance of 14.5 feet to the southwest corner thereof, and the southeasterly corner of that parcel known as "The Cemetery Tract"; thence N. 29° 30' W., along the northeasterly line of said "Cemetery Tract" and the northeasterly line of said Foster D.L.C. #37, a distance of 130.00 feet to a point; thence S. 63° W., along the northerly line of the "Cemetery Tract", a distance of 260.0 feet to the northwest corner thereof; thence S. 29° 30' E., parallel with the northeasterly line of said D.L.C. #37, a distance of 130.00 feet to a point in the northwesterly line of that certain tract of land conveyed to Gottlieb Kirchrerr by deed recorded June 29, 1883, in Book W-215, Deed Records; thence S. 63° W., along said northwesterly line, a distance of 390 feet, more or

(If space insufficient, continue description on reverse side)

To Have and to Hold the same unto the said grantees and grantees' heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$33,551.89.

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 7 day of May, 1976; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Josephine E. Hill
Ralph A. Hill

Robert E. Taylor
Carolyn E. Taylor

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,
County of Multnomah } ss.
May 7, 1976

STATE OF OREGON, County of _____) ss.
_____, 19____

Personally appeared _____, who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of _____

Personally appeared the above named RALPH A. HILL, JOSEPHINE E. HILL, ROBERT E. TAYLOR and LORENE K. AICHELE

and acknowledged the foregoing instrument to be _____ voluntary act and deed.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me, _____
Notary Public for Oregon
My commission expires 12-9-76

Notary Public for Oregon
My commission expires _____

RALPH A. HILL, ET AL
6026 N. E. Sandy Blvd.
Portland, Oregon

GRANTOR'S NAME AND ADDRESS
ROBERT E. TAYLOR, ET AL
Rt. 3, Box 870
Gresham, Oregon 97030

GRANTEE'S NAME AND ADDRESS
After recording return to:
ROBERT E. TAYLOR, ET AL
Rt. 3, Box 870
Gresham, Oregon 97030

NAME, ADDRESS, ZIP
Until a change is requested all tax statements shall be sent to the following address.
ROBERT E. TAYLOR, ET AL
Rt. 3, Box 870
Gresham, Oregon 97030

STATE OF OREGON,

County of _____ ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book _____ on page _____ or as file/reel number _____ Record of Deeds of said county. Witness my hand and seal of County of _____

By _____ Recording Officer
Deputy

76 15180

16 MAY 12
ALL: 35





March 6, 2025

Clackamas County
Attention: Taylor Campi and Christian Snuffin
150 Beavercreek Road
Oregon City, Oregon 97045

Oregon Department of Transportation
Attention: Marah Danielson and Avi Tayar
123 NW Flanders Street
Portland, Oregon 97209

Sent via email to:

TCampi@Clackamas.us
CSnuffin@clackamas.us
Marah.B.Danielson@odot.oregon.gov
Abraham.Tayar@odot.oregon.gov

Re: **23000 SE Eagle Creek Road Comprehensive Plan Amendment and Zone Change**
Eagle Creek (Clackamas County), Oregon
Traffic Impact Study Scoping Letter

Clackamas County File Number ZPAC0090-24
ODOT Case Number 13449
C&A Project Number 20241102.00

Dear Agency Staff,

This Traffic Impact Study (TIS) scoping letter supports the proposed 23000 SE Eagle Creek Road Comprehensive Plan Amendment and Zone Change in Eagle Creek (Clackamas County) and presents project information for the Clackamas County and the Oregon Department of Transportation (ODOT) review. The following items are addressed:

1. Proposed Development and Analysis Requirements
2. Existing Conditions
3. Clackamas County Transportation System Plan (TSP) and Capital Improvement Plan (CIP)
4. Site Development
5. Trip Distribution and Traffic Assignment
6. Transportation Analysis
7. Site Access
8. Scoping Summary

1. PROPOSED DEVELOPMENT AND ANALYSIS REQUIREMENTS

The property is at 23000 SE Eagle Creek Road in Eagle Creek (Clackamas County), Oregon. The subject property is approximately 2.0 acres and is identified as tax lot 2804 on Clackamas County Assessor's map 24E31A. The property location is illustrated in the attached Figure 1.

Proposed land use actions include a Type III land use application for a Comprehensive Plan map amendment and designation change from *Unincorporated Community Residential, Rural, and Future Urban* to *Community Commercial* and a corresponding zone change from *Rural Residential Farm Forest 5-Acre (RRFF-5)* to *Rural Commercial (RC)*. The proposed land use actions do not contemplate a specific development application.

In support of the proposed land use actions, a TIS is necessary to address the following:

- Transportation Planning Rule (TPR) criteria outlined in Oregon Administrative Rule (OAR) 660-012-0060
- Clackamas County Zoning and Development Ordinance (ZDO)
- Clackamas County Roadway Standards
- Oregon Highway Plan (OHP)
- Oregon Department of Transportation (ODOT) requirements

Transportation Planning Rule (TPR) Criteria

OAR 660-012-0060 (1) states, *"If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

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C&A Project Number 20241102.00
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Page 3

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan."

OAR 660-012-0060 (9) states, "Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

(a) The proposed zoning is consistent with the existing comprehensive plan map designation, and the amendment does not change the comprehensive plan map;

(b) The local government has an acknowledged TSP, and the proposed zoning is consistent with the TSP; and

(c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule, but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area."

Clackamas County Zoning and Development Ordinance (ZDO) requirements

Clackamas County ZDO 1202.03 states, "A zone change requires review as a Type III or IV application pursuant to Section 1307, Procedures, and shall be subject to the following standards and criteria:

- C. The transportation system is adequate and will remain adequate with approval of the proposed zone change. For the purpose of this criterion:*
 - 1. Adequate means a maximum volume-to-capacity ratio (v/c), or a minimum level of service (LOS), as established by Comprehensive Plan Tables 5-2a, Motor Vehicle Capacity Evaluation Standards for the Urban Area, and 5-2b, Motor Vehicle Capacity Evaluation Standards for the Rural Area.*
 - 2. The evaluation of transportation system adequacy shall be conducted pursuant to the Transportation Planning Rule (Oregon Administrative Rules 660-012- 0060).*
 - 3. It shall be assumed that the subject property is developed with the primary use, allowed in the proposed zoning district, with the highest motor vehicle trip generation rate.*
 - 4. The methods of calculating v/c and LOS are established by the Clackamas County Roadway Standards.*
 - 5. The adequacy standards shall apply to all roadways and intersections within the impact area of the proposed zone change. The impact area shall be identified pursuant to the Clackamas County Roadway Standards.*
 - 6. A determination regarding whether submittal of a transportation impact study is required shall be made based on the Clackamas County Roadway Standards, which also establish the minimum standards to which a transportation impact study shall adhere.*

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

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

Clackamas County Roadway Standards

Clackamas County Roadway Standards Section 295 – Transportation Impact Study (TIS) Requirements state,

"295.1 General

The objective of a transportation impact study (TIS) is to assess the impacts of a proposed project or land use action on the transportation system and identify mitigation for any capacity or safety deficiencies. These requirements are intended to provide standards for the generation of a TIS for land development applications that are consistent with land use regulations and guidelines for traffic analysis that is prepared for County capital projects.

295.2 Requirement for a Traffic Impact Study

- a) A TIS shall be required based upon an assessment of Engineering regarding the anticipated relative impact of a proposed development on the existing or planned transportation system.*
- b) A TIS to address traffic capacity is not required where the proposed development will generate less than twenty vehicles trips in any peak hour unless to address specific safety issues identified by the County. The need for a TIS is at the discretion of the Road Official.*

295.3 Traffic Study Scope and Coordination

- a) Engineering and the applicant should coordinate to develop a written TIS scope that will guide the work of the TIS and define the study requirements based on the anticipated influence area of the proposed development.*
- b) The influence area of a proposed development establishes the requirements of analysis for the TIS and is defined on a case-by-case basis but is typically based upon the trip generation of the proposed development in relation to the proximity of congested roadways and intersections or the proposed development's potential impact on safety issues. 76 Clackamas County Roadway Standards*

295.4 Traffic Engineering Expertise

All traffic impact studies shall be conducted under the direction of and stamped by an Engineer with expertise in traffic engineering.

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295.5 Coordination with Other Agencies

As applicable, the applicant is expected to coordinate with ODOT and affected local jurisdictions in the scoping, development, and review of a TIS regarding intersections or roadways that are not under the County's jurisdiction. In some cases, the County has adopted adjacent agency standards as part of the ZDO.

295.6 Zone Changes and Comprehensive Plan Amendments

Zone changes and Comprehensive Plan amendments require analysis compliant with OAR 660-012-0060, the Transportation Planning Rule."

Oregon Highway Plan Considerations

Oregon Highway Plan Action 1F.5, states "For purposes of evaluating amendments to transportation system plans, acknowledged comprehensive plans, and land use regulations subject to OAR 660- 12-0060, in situations where the volume-to-capacity ratio or alternative mobility target for a highway segment, intersection, or interchange is currently above the mobility targets in Table 6 or Table 7 or those otherwise approved by the Oregon Transportation Commission, or is projected to be above the mobility targets at the planning horizon, and transportation improvements are not planned within the planning horizon to bring performance to the established target, the mobility target is to avoid further degradation. If an amendment subject to OAR 660-012-0060 increases the volume-to-capacity ratio further or degrades the performance of a facility so that it does not meet an adopted mobility target at the planning horizon, it will significantly affect the facility unless it falls within the thresholds listed below for a small increase in traffic.

In addition to the capacity-increasing improvements that may be required to mitigate impacts, other performance-improving actions to consider include, but are not limited to:

- *System connectivity improvements for vehicles, bicycles, and pedestrians.*
- *Transportation demand management (TDM) methods to reduce the need for additional capacity.*
- *Multi-modal (bicycle, pedestrian, transit) opportunities to reduce vehicle demand.*
- *Operational improvements to maximize the use of the existing system.*
- *Land use techniques such as trip caps/budgets to manage trip generation.*

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

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

- *Any proposed amendment that does not increase the average daily trips by more than 400.*
- *Any proposed amendment that increases the average daily trips by more than 400 but less than 1,001 for state facilities where:*
 - *The annual average daily traffic is less than 5,000 for a two-lane highway.*
 - *The annual average daily traffic is less than 15,000 for a three-lane highway.*
 - *The annual average daily traffic is less than 10,000 for a four-lane highway.*
 - *The annual average daily traffic is less than 25,000 for a five-lane highway.*
- *If the increase in traffic between the existing plan and the proposed amendment is more than 1,000 average daily trips, then it is not considered a small increase in traffic, and the amendment causes further degradation of the facility and would be subject to existing processes for resolution.*

In applying OHP mobility targets to analyze mitigation, ODOT recognizes that there are many variables and levels of uncertainty in calculating volume-to-capacity ratios, particularly over a specified planning horizon. After negotiating reasonable levels of mitigation for actions required under OAR 660-012-0060, ODOT considers calculated values for v/c ratios that are within 0.03 of the adopted targets in the OHP to be considered in compliance with the target. The adopted mobility target still applies for determining significant affect under OAR 660-012-0060.

Oregon Department of Transportation (ODOT) Criteria

ODOT typically recommends analyzing intersections expected to experience an increase of 50 peak hour trips, 300 daily trips, and/or 10% total entering volume.

Summary of Traffic Impact Study Criteria

Proposed land use actions include a Type III land use application for a Comprehensive Plan map amendment, designation change, and a corresponding zone change from RRFF-5 to RC. The proposed land use actions do not include a specific development application. As such, the following scope of work identifies reasonable worst-case development scenarios and the development area of influence, including intersections and accesses receiving 50 or more development trips and having a 10% or greater trip volume increase.

Further, the OHP trip generation threshold for plan amendments requiring a TPR analysis is an increase of 400 or more average daily trips on state facilities.

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2. EXISTING CONDITIONS

The property has a frontage and direct access to SE Eagle Creek Road to the west. It is anticipated that future development on the property will also have direct access to this roadway.

Roadway Facilities

The following table summarizes existing roadway classifications and characteristics within the study area.

TABLE 1 – EXISTING ROADWAY CHARACTERISTICS						
Roadway	Functional Classification	Lanes	Speed Limit (MPH)	Sidewalks	Bicycle Lanes	On-Street Parking
SE Eagle Creek Road	Minor Arterial	2	45	No	No	No
OR Highway 211	District Highway (ODOT) Major Arterial (Clackamas County)	2	55	No	No	No
OR Highway 224	District Highway (ODOT) Major Arterial (Clackamas County)	2	55	No	No	No
SE Weitz Lane	Local	2	25 (Not Posted)	No	No	No
SE Burnett Road	Local	2	25 (Not Posted)	No	No	No

Eagle Creek (Clackamas County), Oregon
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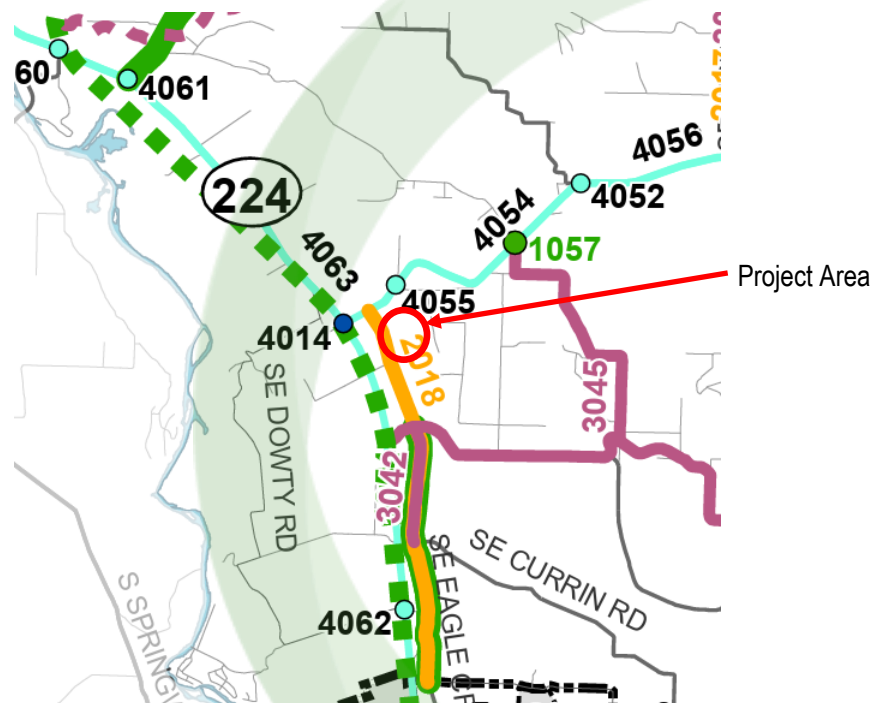
3. CLACKAMAS COUNTY TRANSPORTATION SYSTEM PLAN (TSP) AND CAPITAL IMPROVEMENT PLAN (CIP)

The Clackamas County TSP includes the CIP, which contains a comprehensive list of transportation projects necessary to meet County transportation needs within the 2035 planning period. The County CIP includes a 5-year programmed project list and a 20-year plan for needed transportation improvement projects. The four CIP project lists are described as follows:

- 5-Year Capital Improvement Program Projects: The list of capital projects scheduled for construction for the next five years.
- 20-Year Capital Projects: The prioritized list of needed transportation projects that can reasonably be undertaken given the current estimates of available funding.
- Preferred Capital Projects: A second group of needed, prioritized transportation projects the County would undertake if additional funding becomes available during the next 20 years.
- Long-Term Capital Projects: The remainder of the needed transportation projects. Although these projects will be needed to meet the transportation needs of the County in the next 20 years, they are not expected to be funded or constructed by the County.

TSP and CIP materials specific to transportation projects in the project area include:

TSP Map 5-11b Capital Improvement Plan (East County) – (excerpt)



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TABLE 2 – CLACKAMAS COUNTY COMPREHENSIVE PLAN AND CIP PROJECT EXCERPTS					
Project ID	Map	Project Name / Street Name	Segment / Locations	Project Description	Priority
5-Year Capital Improvement Program Projects (Table A)					
None	–	–	–	–	–
20-Year Capital Projects (Table 5-3a)					
None	–	–	–	–	–
Preferred Capital Projects (Table 5-3b)					
2018	5-11b	Eagle Creek Rd	OR 211 to Duus Rd	Add paved shoulders	–
Long-Term Capital Projects (Table 5-3c)					
None	–	–	–	–	–
Regional Capital Projects (Table 5-3d)					
4014	5-11b	OR 224	Eagle Creek Rd / OR 224 intersection	Install signal	High
4054	5-11b	OR 211	Eagle Creek Rd to Tickle Creek Rd	Widen to include bikeways /shoulders and add passing /climbing lanes where needed	Low
4055	5-11b	OR 211	0.14 miles east of Coop Rd to Jackknife Rd	Widen to add shoulder/bikeways; realign to remove horizontal and vertical curves	Low
4063	5-11b	OR 224	OR 212 to Estacada city limits	Widen to include shoulders and bikeways; add passing lanes where needed	Low

Overall, the Clackamas County TSP and the included CIP do not identify any 5-year programmed projects or 20-year fiscally constrained (funded) projects in the subject project area that can reasonably be undertaken or assumed to be in place within the 2035 planning period.

4. SITE DEVELOPMENT

Development Assumptions

As previously identified, the proposed land use actions include a Comprehensive Plan map amendment and a corresponding zone change from RRFF-5 to RC. The proposed land use actions do not contemplate a specific development application. As such, this transportation analysis evaluates impacts resulting from reasonable worst-case development scenarios in the current and proposed zone designations as follows.

Current Clackamas County RRFF-5 Zone Assumptions

- The RRFF-5 zone implements the policies of the Comprehensive Plan for Unincorporated Community Residential, Rural, and Future Urban areas.
- The RRFF-5 zone allows a number of rural residential, forest, and farm uses, all of which have seasonal or low trip generation.
- The site area is approximately 2.0 acres.
- Reasonable worst-case development is assumed to be one single-family residence.

Proposed Clackamas County RC Zone Assumptions

- The RC zone implements the policies of the Comprehensive Plan for Community Commercial areas.
- There are a large number of permitted uses in the RC zone, including the following: bed and breakfast inns; childcare facilities; construction and maintenance contractors; farmers markets; financial institutions; fitness facilities; government uses; marijuana retailing; offices; medical offices; recreational uses; retailing; service stations; maintenance and repair facilities; commercial services; and wholesaling.
- The site area is approximately 2.0 acres (87,120 square feet).
- Given the property location, the low visibility for commercial uses, and surrounding development patterns, the higher potential trip generation uses include specialty trade contractors, motor vehicle repair uses, and building materials and lumber stores.
- Specific reasonable worst-case development assumptions based on the property size and average size of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition land uses include:
 - **Scenario 1** – Specialty Trade Contractor – two separate 6,000-square-foot buildings resulting in a total 12,000-square-foot-building area.
 - **Scenario 2** – Motor Vehicle Repair (Automobile Care Center) – a 10,000-square-foot building.
 - **Scenario 3** – Building Materials and Lumber Store – a 15,000-square-foot building.

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Development Trip Generation

Using the above-identified development assumptions, trip generation for the different scenarios is estimated using the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition, and practices from the ITE *Trip Generation Handbook*, 3rd Edition. Trip generation is as follows:

TABLE 2 – DEVELOPMENT TRIP GENERATION ¹									
Development	ITE Code	Size	Daily Trips	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Current Clackamas County RRFF-5 Zone – Reasonable Worst-Case									
Single-Family Detached Housing	210	1 DU	9	0	1	1	1	0	1
Proposed Clackamas County RC Zone – Reasonable Worst-Case									
Scenario 1									
Specialty Trade Contractor	180	12,000 SF	118	15	5	20	7	16	23
Scenario 2									
Automobile Care Center	942	10,000 SF	224 ²	15	8	23	15	16	31
Scenario 3									
Building Materials and Lumber Store	812	15,000 SF	256	15	9	24	16	18	34
Total Trip Generation Change (Proposed RC – Existing RRFF-5)			247	15	8	23	15	18	33

¹ Trip generation estimated using the *Average Rate* per recommended practice in the ITE *Trip Generation Handbook*, 3rd Edition, for all land uses.

² Daily trip generation for an Automobile Care Center use is not provided, and it is assumed to be proportionally similar to ITE Land Use 943 - Automobile Parts and Service Center.

As identified in the table above, reasonable worst-case development in the proposed RC zone, assumed to be a 15,000-square-foot building materials and lumber store, generates an additional 247 daily, 23 AM peak hour, and 33 PM peak hour trips over development in the RRFF-5 zone.

5. TRIP DISTRIBUTION AND TRAFFIC ASSIGNMENT

Preliminary development trip distribution is based on existing traffic patterns, surrounding land uses, and engineering judgment. It is anticipated that this will be refined based on agency review comments and intersection traffic counts.

The resulting trip distribution and traffic assignment for the AM and PM peak hours are illustrated in the attached Figures 2 and 3.

6. TRANSPORTATION ANALYSIS

As identified in the *Site Development* section of this letter, reasonable worst-case development in the proposed RC zone generates an additional 247 daily, 23 AM peak hour, and 33 PM peak hour trips over development in the RRFF-5 zone.

As illustrated in Figures 2 and 3, reasonable worst-case development in the proposed RC zone does not add 50 or more trips to any intersection or site access.

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Overall, the proposed Comprehensive Plan map amendment and corresponding zone change will result in a small increase in traffic and will not significantly affect an existing or planned transportation facility. As such, it can be found that the TPR criteria outlined in OAR 660-012-0060 are satisfied without the need for additional transportation analysis.

7. SITE ACCESS

The property has frontage and direct access to SE Eagle Creek Road to the west. It is anticipated that future development on the property will also provide direct access to this roadway. Clackamas County will have to approve the access at the time of a specific land use application.

The (future) applicant is anticipated to construct any necessary frontage improvements at the time of development (as part of a future, specific development land use application).

8. SCOPING SUMMARY

The proposed land use actions include a Type III land use application for a Comprehensive Plan map amendment and designation change from *Unincorporated Community Residential, Rural, and Future Urban* to *Community Commercial* and a corresponding zone change from *Rural Residential Farm Forest 5-Acre (RRFF-5)* to *Rural Commercial (RC)*. The proposed land use actions do not contemplate a specific development application.

Based on the materials presented in this scope of work letter, the applicant believes that the proposed land use actions will result in a small increase in traffic and will not significantly affect an existing or planned transportation facility. As such, it can be found that the TPR criteria outlined in OAR 660-012-0060 are satisfied without the need for additional transportation analysis. Regardless, we respectfully request that agency staff please identify the specific transportation analyses necessary to support this land use application so that we can begin our work effort.

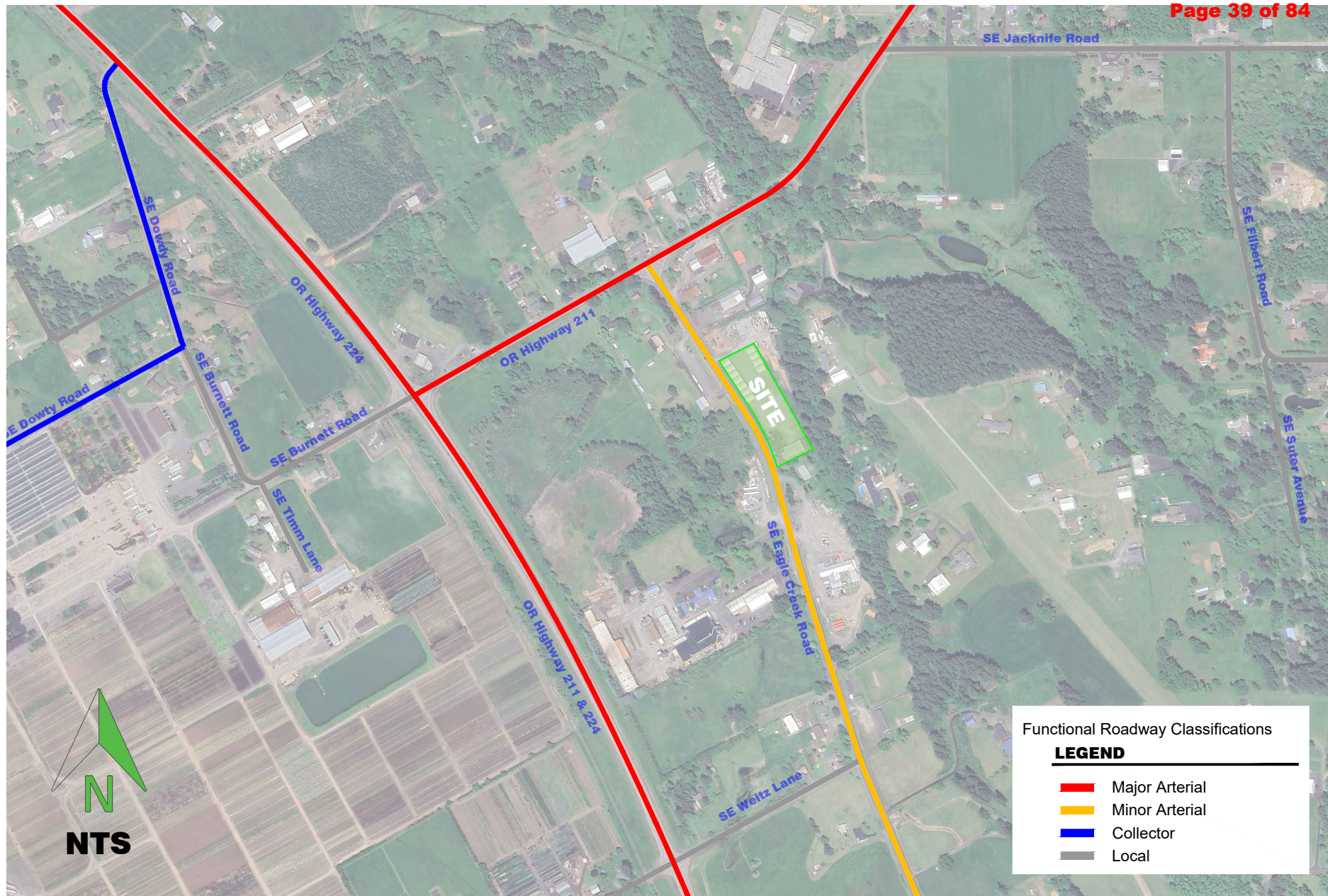
Sincerely,



Christopher M. Clemow, PE, PTOE
Transportation Engineer

Attachments: Figures 1, 2, and 3





2237 NW Torrey Pines Drive
Bend, Oregon 97703
541-579-8315
cclemow@clemow-associates.com

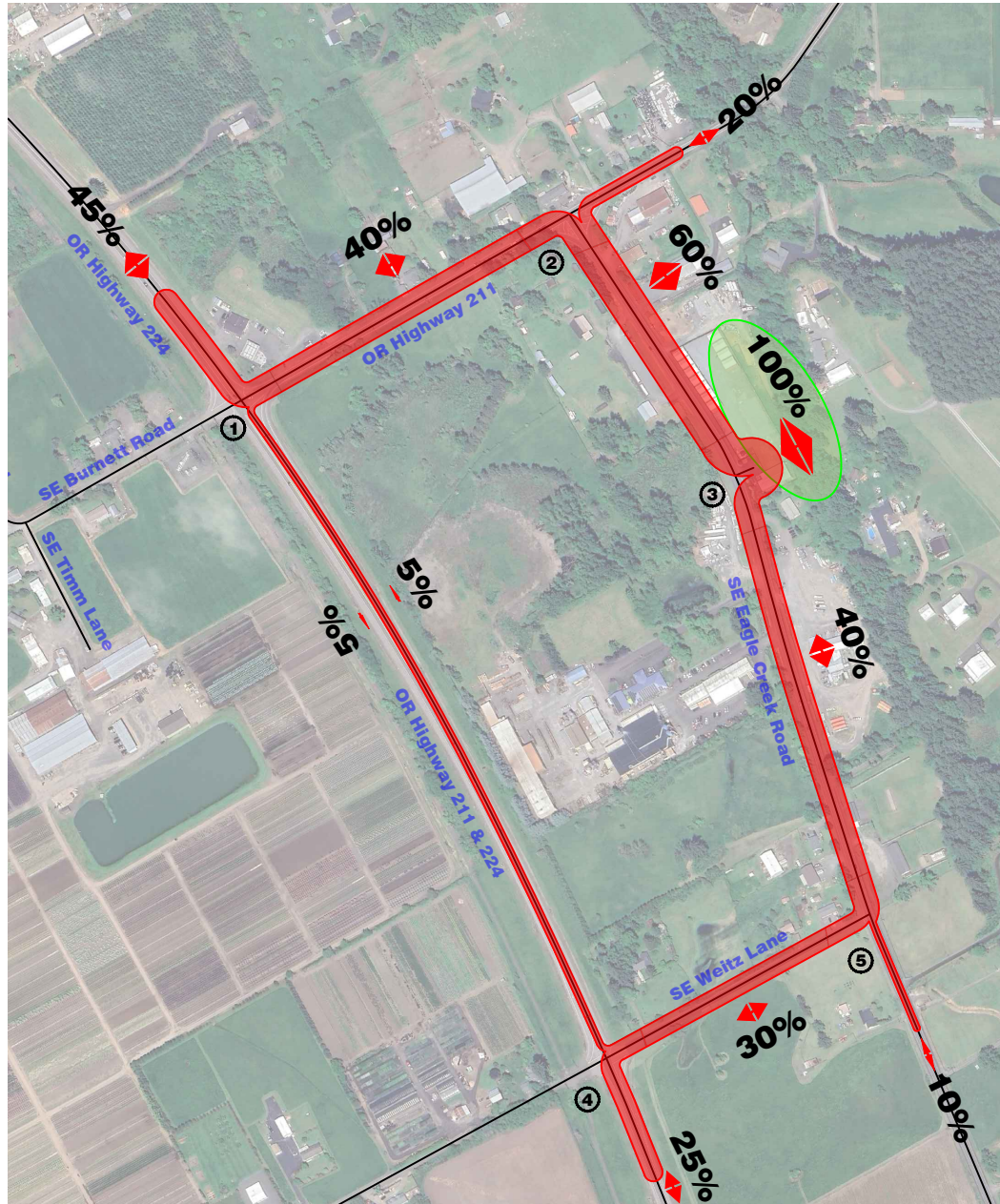
SITE AREA

23000 Eagle Creek Road CPA-ZC - (Eagle Creek) - Cackamas County, Oregon

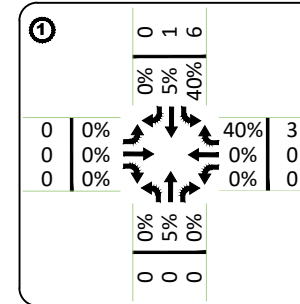
C&A Project No. 20241102.00

FIGURE

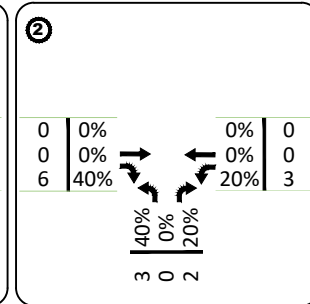
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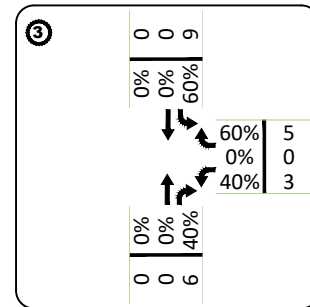
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SE Burnett Road



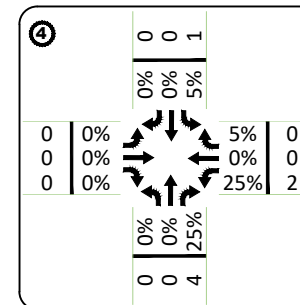
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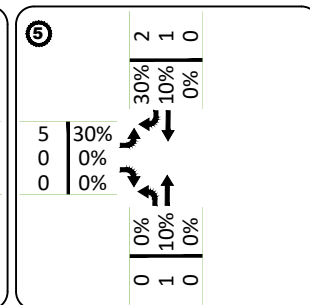
SE Eagle Creek Road /
Site Access

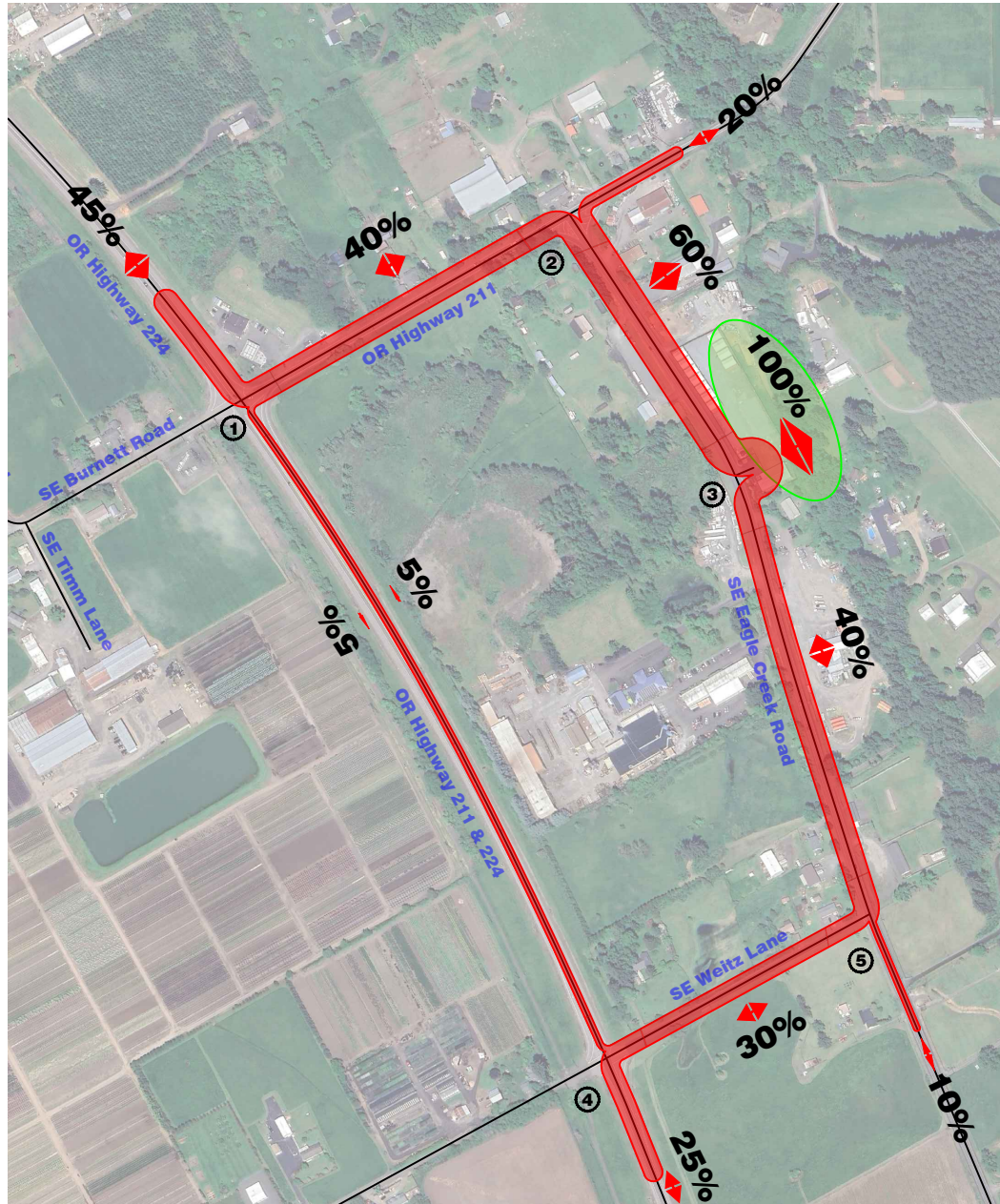


OR Hwy 211 / OR Hwy 224 /
SE Weitz Road

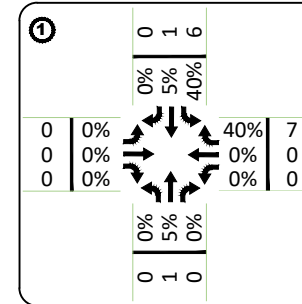


SE Eagle Creek Road /
SE Weitz Road

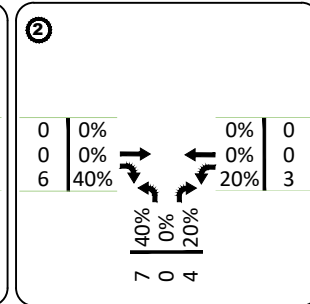




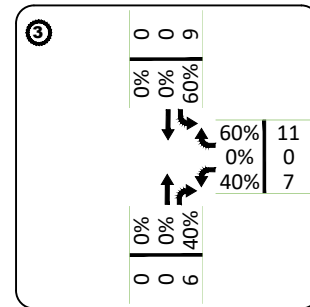
**OR Hwy 211 / OR Hwy 224 /
SE Burnett Road**



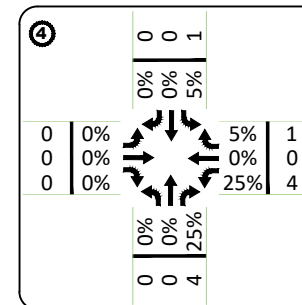
**OR Hwy 211 /
SE Eagle Creek Road**



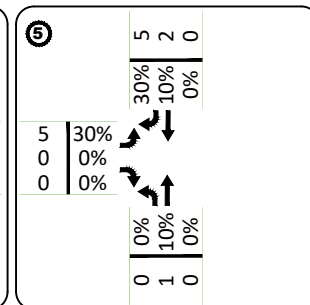
**SE Eagle Creek Road /
Site Access**



**OR Hwy 211 / OR Hwy 224 /
SE Weitz Road**



**SE Eagle Creek Road /
SE Weitz Road**





March 6, 2025

Clackamas County
Attention: Taylor Campi and Christian Snuffin
150 Beaver Creek Road
Oregon City, Oregon 97045

Sent via email to: **TCampi@Clackamas.us**
CSnuffin@clackamas.us

Re: 23000 SE Eagle Creek Road Comprehensive Plan Amendment and Zone Change
Eagle Creek (Clackamas County), Oregon
Technical Letter #1 – Supplemental Safety Analysis

Clackamas County File Numbers Z0109-24 and Z0110-24
ODOT Case Number 13449
C&A Project Number 20241102.00

Dear Agency Staff,

This technical letter supplements the March 6, 2025, Traffic Impact Study (TIS) scoping letter prepared by Clemow & Associates for the proposed 23000 SE Eagle Creek Road Comprehensive Plan Amendment and Zone Change in Eagle Creek (Clackamas County). This letter presents a supplemental safety analysis addressing the April 10, 2025, Clackamas County Notice of Incomplete Type II Land Use Application letter and the April 17, 2025, email correspondence with Christian Snuffin (Clackamas County). The following items are addressed:

1. Background and Agency Review Comments
2. Safety Analysis
3. Sight Distance Evaluation
4. Scoping Summary

Eagle Creek (Clackamas County), Oregon
C&A Project Number 20241102.00
March 6, 2025
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1. BACKGROUND AND AGENCY REVIEW COMMENTS

Materials contained in the March 6, 2025, Traffic Impact Study (TIS) scoping letter concluded that the proposed land use actions will result in a small increase in traffic and will not significantly affect an existing or planned transportation facility. As such, it can be found that the TPR criteria outlined in OAR 660-012-0060 are satisfied without the need for additional transportation analysis.

Review comments contained in the April 10, 2025, Clackamas County Notice of Incomplete Type II Land Use Application letter specific to transportation state, *"D. Traffic Impact Study: ZDO Subsection 1202.03(D) requires the traffic impact study to address the safety of the transportation system. The submitted Traffic Impact Study dated 3/6/2025 did not include a safety, crash, or sight distance analysis to address this criterion. Transportation Engineering staff recommends assessing crashes on Eagle Creek Rd in the site vicinity, and the intersections of Eagle Creek Rd/OR 211 and OR 211/OR 224, as well as evaluating any potential sight distance issues along the site frontage. Contact Christian Snuffin with questions: Csnuffin@clackamas.us | (503) 680-5623."*

Subsequent April 17, 2025, email correspondence with Christian Snuffin states, *"[R]ecognizing that your analysis demonstrated that the number of potential trips generated by the proposed rezone would not constitute a significant effect under the TPR... it is reasonable to omit detailed safety analyses at offsite intersections...[; however,] safety at the site will still need to be addressed... [and] for the purposes of this land use approval, a crash history on Eagle Creek Rd in vicinity of the site will need to be provided to enable identification of potential safety issues, and to satisfy ZDO 1202.03(D).*

The history should include a five-year summary of crashes on Eagle Creek Rd within the influence area of potential access locations, identification of crash patterns, and a discussion of recommended mitigation measures if warranted."

It is noted that Clackamas County ZDO 1202.03(D) states, *"Safety of the transportation system is adequate to serve the level of development anticipated by the proposed zone change."*

2. SAFETY ANALYSIS

When evaluating roadway and intersection safety, consideration is given to the number and types of crashes occurring and the number of vehicles traveling on a roadway segment or entering the intersection. This leads to the concept known as the "crash rate." Specific to intersections, it is typically expressed in terms of the number of crashes occurring per one million vehicles entering the intersection (CMEV). A critical crash rate analysis is then performed by comparing the subject intersection to the published statewide 90th percentile intersection crash rates at comparable/reference intersections. Crash rates close to or exceeding 1.0 CMEV or the 90th percentile rates require further analysis.

Crash data for facilities under Clackamas County jurisdiction, including SE Eagle Creek Road and the SE Eagle Creek Road/SE Weitz Road intersection, were obtained from the Oregon Department of Transportation (ODOT) for five years from January 1, 2019, through December 31, 2023.

Crash data materials find that there is one recorded crash on SE Eagle Creek Road in the study area and no recorded crashes at the SE Eagle Creek Road/SE Weitz Road intersection. The attached Figure TL1-1 illustrates the crash location, and the crash data are attached for reference.

Eagle Creek (Clackamas County), Oregon
C&A Project Number 20241102.00
March 6, 2025
Page 3

A review of the one crash finds that the roadway surface was icy, the crash involved a single vehicle, and it was caused by the motorist driving left of the centerline on a two-way roadway due to an event described as *"sliding or swerving due to wet, icy, slippery, or loose surface (not gravel)."* The crash severity was property damage only, wherein the vehicle struck a fixed object and overturned.

The number of crashes on the study roadway (one) and the intersection (zero) is low. Overall, the roadway is considered relatively safe, and the proposed land use actions are not anticipated to affect the crash rates. No further evaluation of safety deficiencies is necessary.

3. SIGHT DISTANCE EVALUATION

The proposed land use actions include a Comprehensive Plan map amendment and a corresponding zone change from RRFF-5 to RC. The proposed land use actions do not contemplate a specific development application.

The property has frontage and direct access to SE Eagle Creek Road to the west. It is anticipated that future development on the property will also directly access this roadway. A preliminary review of field conditions finds that sight distance for vehicles entering or exiting the subject property at the existing (or future) access to SE Eagle Creek Road is not restricted by horizontal or vertical roadway curvature and that Clackamas County sight distance requirements can be met.

It is anticipated that as part of a future, specific development application, the applicant will obtain any necessary Clackamas County sight distance approvals, construct the site access to applicable County standards, and construct any necessary frontage improvements.

4. SCOPING SUMMARY

Based on the materials presented in this technical letter, SE Eagle Creek Road is considered relatively safe, and the proposed land use actions are not anticipated to affect the crash rates. A preliminary review of field conditions finds that Clackamas County sight distance requirements are met at the existing access and can be met at a future access.

It is anticipated that as part of a future, specific development application, the applicant will obtain any necessary Clackamas County sight distance approvals, construct the site access to applicable County standards, and construct any necessary frontage improvements.

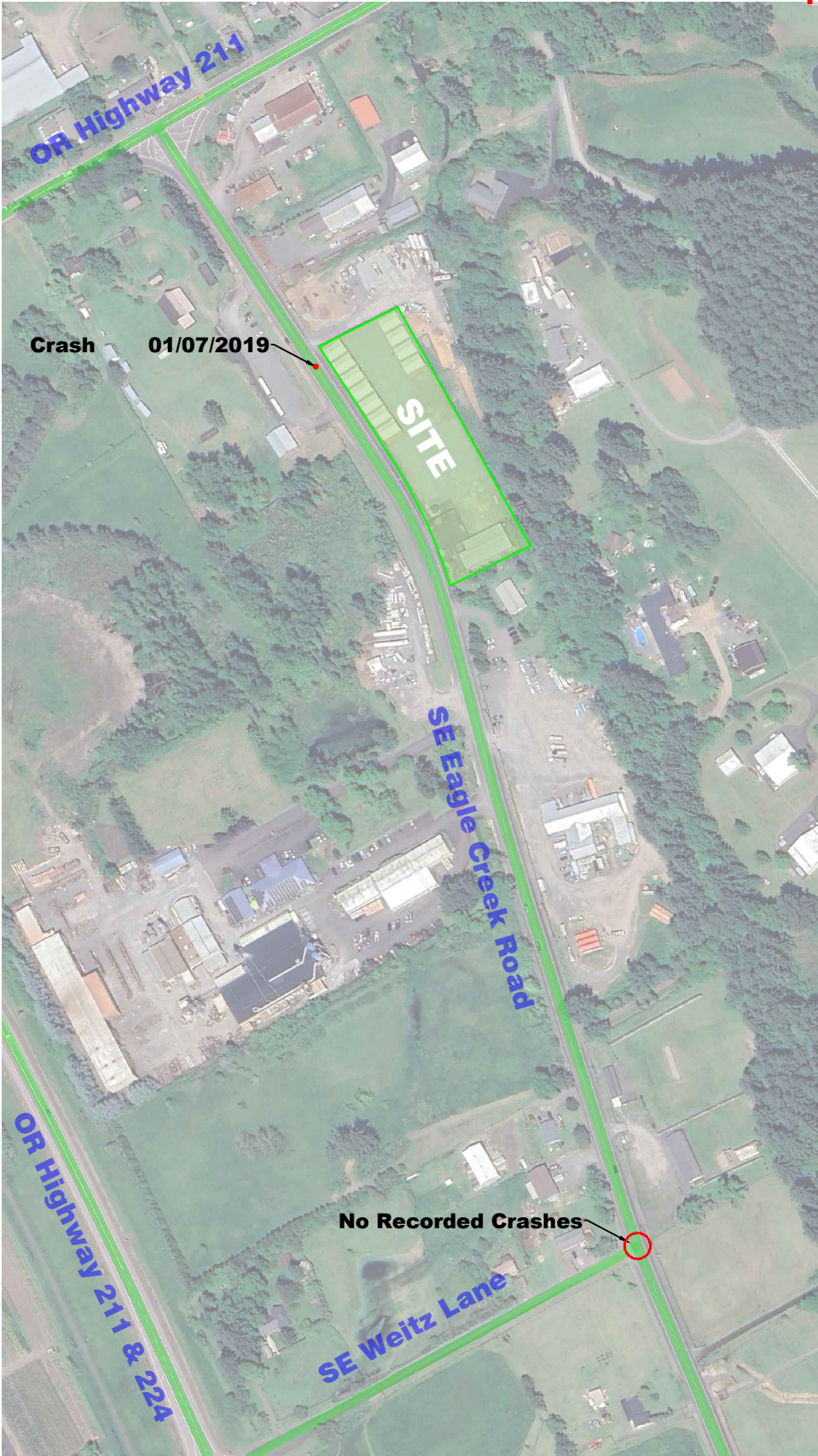
Sincerely,



Christopher M. Clemow, PE, PTOE
Transportation Engineer

Attachments: Figure TL1-1
Crash Data





2237 NW Torrey Pines Drive
Bend, Oregon 97703
541-579-8315
cclemow@clemow-associates.com

CRASH LOCATIONS - SE Eagle Creek Road

23000 Eagle Creek Road CPA-ZC - Cackamas County, Oregon
C&A Project No. 20241102.00

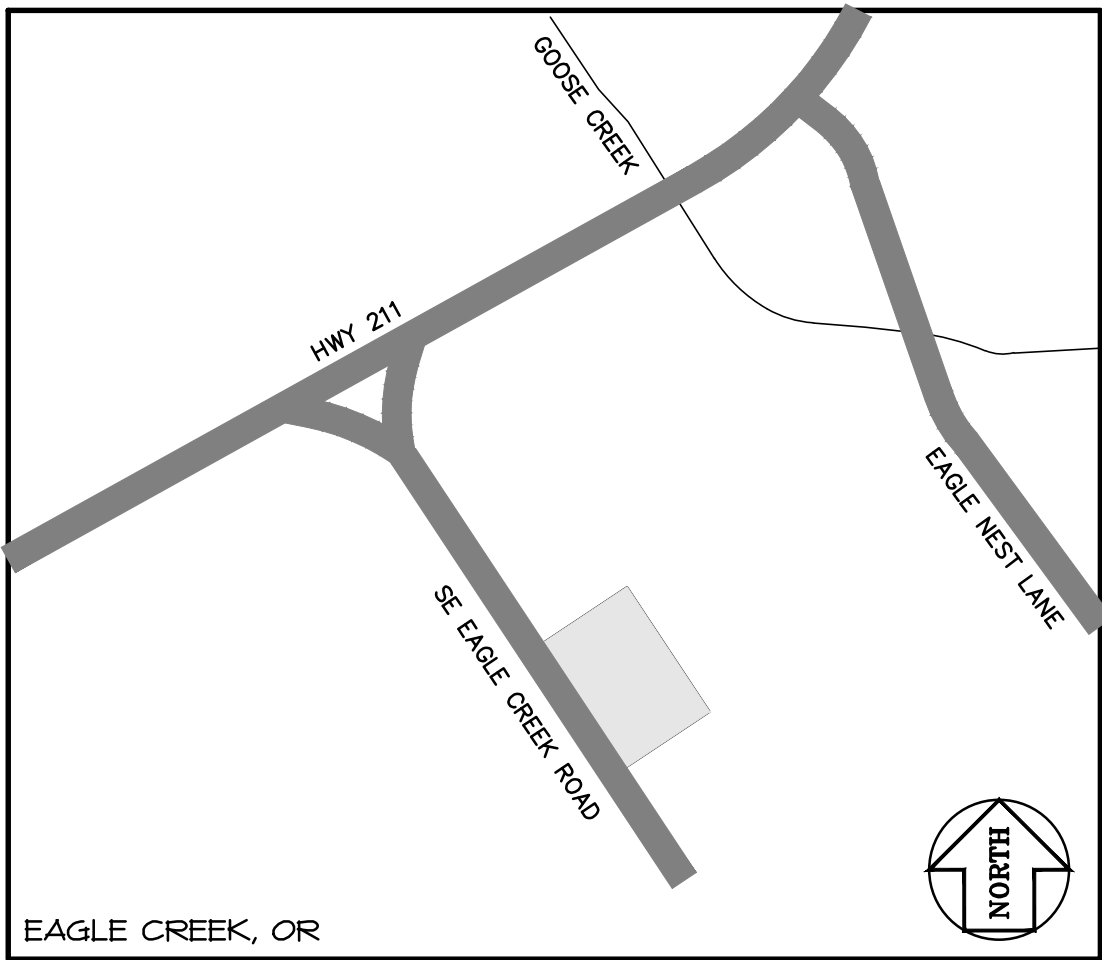
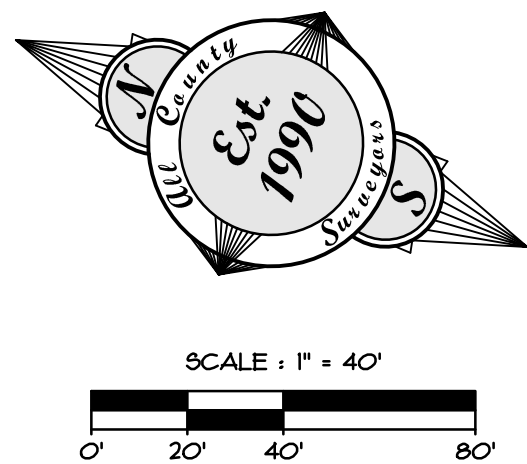
FIGURE
TL1-1

TOPOGRAPHIC SURVEY

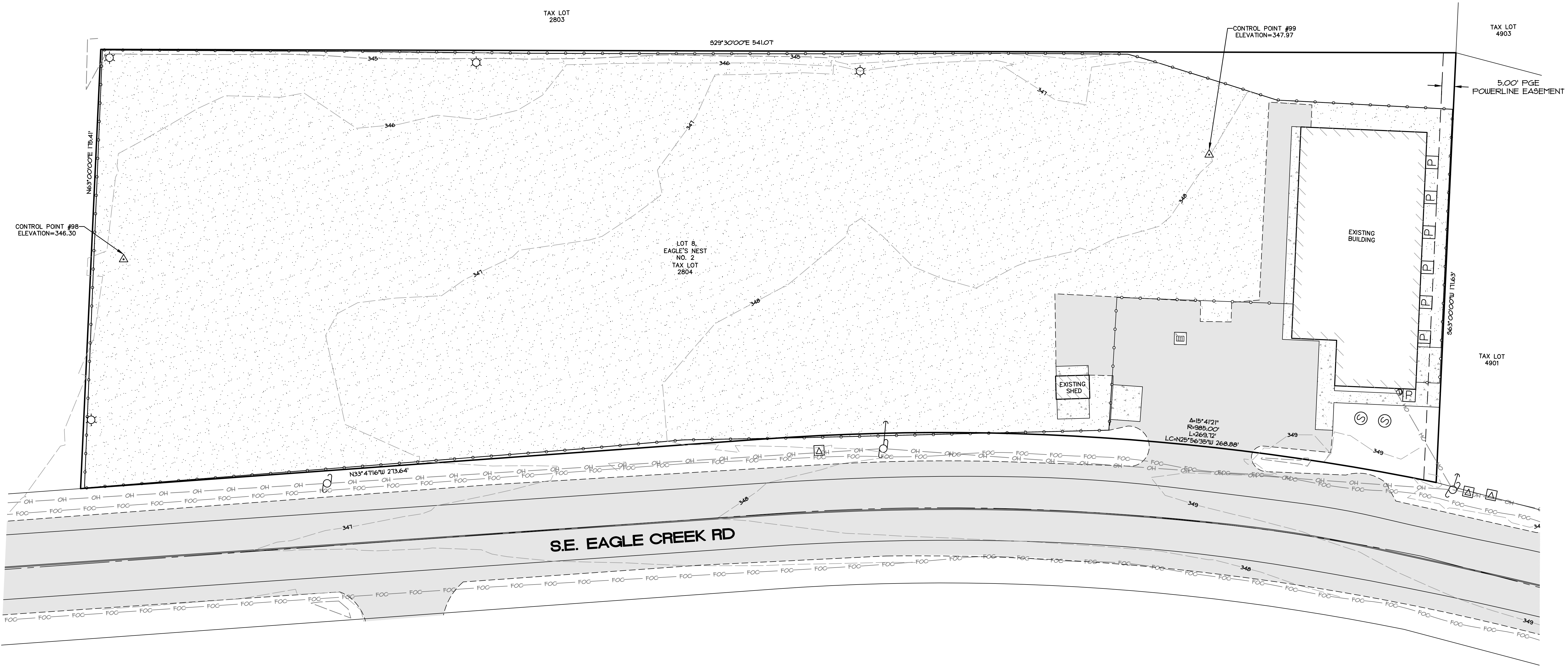
LEGEND	
	(E) PROPERTY LINE
	(E) LOT LINE
	(E) CL RIGHT OF WAY
	(E) 5' GROUND CONTOUR
	(E) 1' GROUND CONTOUR
	(E) AC PAVEMENT
	(E) SIDEWALK/CONCRETE
	(E) GRAVEL
	(E) BUILDING WALL
	(E) FENCE CHAIN LINK
	(E) OVERHEAD POWER LINE
	(E) UNDERGROUND FIBER
	(E) RISER
	(E) POWER METER
	(E) POLE W/ GUY WIRE
	(E) LIGHT POLE
	(E) CATCH BASIN
	(E) SANITARY SEWER MANHOLE
	(E) SANITARY SEWER CLEANOUT
	(E) SURVEY CONTROL POINT

NOTES

- 1) THIS IS NOT A BOUNDARY SURVEY. NO LIABILITY IS ASSUMED BY ALL COUNTY SURVEYORS AND PLANNERS FOR THE EXISTENCE OF ANY EASEMENTS, ENCUMBRANCES AND DISCREPANCIES IN BOUNDARY OR TITLE DEFECTS. THE BOUNDARY LINES, BEARINGS AND DISTANCES SHOWN HEREON ARE BASED ON RECORD OF SURVEY AS NOTED. EAGLE'S NEST NO.2 BOOK 114 PAGE 14
- 2) UNDERGROUND UTILITIES SHOWN ON THIS SURVEY ARE LIMITED TO THOSE ITEMS VISIBLE BY SURFACE INSPECTION AND LOCATES PAINTED ON THE GROUND PER LOCATE TICKET # 25029997 AS OF THE DATE OF THIS SURVEY. SUBSURFACE STRUCTURES, IF ANY, ARE NOT SHOWN.
- 3) UNDERGROUND UTILITY LOCATIONS MUST BE POTHOLED AND VERIFIED PRIOR TO CONSTRUCTION.
- 4) THE ELEVATION DATUM IS NAVD 88 BY GPS OBSERVATION ON CONTROL POINT #99 RED PLASTIC CAP ELEVATION=347.97
- 5) THIS FIELD SURVEY WAS COMPLETED ON 02-06-25



VICINITY MAP
NTS



REGISTERED PROFESSIONAL LAND SURVEYOR		DATE	NO.	REVISION	BY
		—	—	—	—

FILE: 25-013-TOPO-0061		DESIGNED: [Signature]		OF 1	
		DRAWN: DANIEL J. BURTON		1	
		JANUARY 1987		1	
		CHECKED: [Signature]		1	
		RENEWED: 12/31/25		1	
		APPROVED: [Signature]		1	

SCALE	VERT: 1"=20'	LEGAL		SECTION	TWP.	RANGE
DATE: 02-20-25	HORIZ: 1"=20'			32	2S	4E

SHEET
1

Archived: Monday, March 10, 2025 10:13:24 AM
From: Mark Wright
Sent: Mon, 3 Mar 2025 23:23:20 +0000ARC
To: Peter Fry
Subject: Re: Zone Change
Sensitivity: Normal

Hi Peter,
Here is the email regarding the septic system. This was sent to Aaron Dennis at Clackamas County verifying the septic system is working as it should. THIS is what Clackamas Conty needed to give us occupancy:

From: Dustin Kenton <dustinkenton@yahoo.com>
Sent: Friday, May 3, 2024 2:42 PM
To: adennis@clackamas.us; Craig Shearmire <craigs@brockamp-jaeger.com>
Subject: 23000 SE Eagle Creek Rd

Hello Aaron,

I am writing you today as requested to inform you of the condition of the sewage holding tank at 23000 SE Eagle Creek Rd.

On 04/25/2024, we went to the above address and pumped out all the sewage that was in the holding tank. I raised the alarm float and did verify that the SJ Rhombus alarm panel is functioning properly. The overall condition of the system is good. I did not see any infiltration or problems. It is in proper working order and ready for use.

Attached is the holding tank pumping contract that we have in place with the new property owner.

Let me know when the septic department has signed off on this, the general contractor would like to move forward with obtaining his building permits as soon as possible.

Thanks,

Dustin Kenton
Oregon Waste Water Services Inc.
Byers Septic Tank Service Inc.
503-805-3881

Mark Wright

From: Peter Fry <peter@finleyfry.com>
Sent: Sunday, March 2, 2025 2:30 PM
To: Mark Wright <mw@thisneedscoffee.com>
Subject: Zone Change

Mark

We have completed the site plan, the narrative, and our traffic impact study shows that we have no impact on the transportation system. My only challenge on the narrative is that I cannot find old pictures or other evidence as to when the site was first developed. They may request this so we should be thinking of possible sources.

We need to complete the two attached forms. One is regarding the well and septic system (and transportation that is done). The other is the application form.

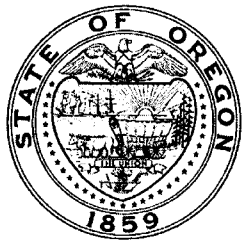
Peter Finley Fry AICP, PhD, MUP

CLACKAMAS COUNTY

SE EAGLE CREEK RD, MP 0.01 to 0.5, ALL Crashes Severity, ALL Crashes Circumstance, 01/01/2019 to 12/31/2023

1 - 1 of 1 Crash records shown.

[illegible]



Secretary of State
Corporation Division
255 Capitol Street NE, Suite 151
Salem, OR 97310-1327

Phone: (503) 986-2200
FAX: (503) 378-4381
sos.oregon.gov/business

EXHIBIT 1
Z0109-25 & Z0110-25
Page 49 of 84
REGISTRY NUMBER: 219209005
TYPE: DOMESTIC LIMITED LIABILITY COMPANY

Next Renewal Date: 11/6/2024

23000 EAGLE CREEK ROAD, LLC
16380 S. SPRINGWATER ROAD
OREGON CITY OR 97045

Acknowledgment Letter

The document you submitted was recorded as shown below. Please review and verify the information listed for accuracy.

DOCUMENT	FILED ON	STATUS
ARTICLES OF ORGANIZATION	11/6/2023	ACTIVE
NAME 23000 EAGLE CREEK ROAD, LLC		
JURISDICTION OREGON		
PRINCIPAL PLACE OF BUSINESS 16380 S. SPRINGWATER ROAD OREGON CITY, OR 97045	REGISTERED AGENT MARK WRIGHT 16380 S. SPRINGWATER ROAD OREGON CITY, OR 97045	
MAILING ADDRESS 16380 S. SPRINGWATER ROAD OREGON CITY, OR 97045	MANAGER MARK WRIGHT 16380 S. SPRINGWATER ROAD OREGON CITY, OR 97045	

ELIGAR
ACK - NEWORG
11/06/2023



23000 EAGLE CREEK ROAD, LLC

NEWORG

Registry Number: 219209095

**ARTICLES OF ORGANIZATION
OF
23000 EAGLE CREEK ROAD, LLC,
an Oregon Limited Liability Company**

The undersigned natural person of the age of 18 years or more, acting as organizer under the Oregon Limited Liability Company Act, adopts the following Articles of Organization:

**ARTICLE I
NAME**

The name of the limited liability company is 23000 Eagle Creek Road, LLC (the "*Company*").

**ARTICLE II
DURATION**

The duration of the Company shall be perpetual.

**ARTICLE III
PRINCIPAL OFFICE**

The principal office of the Company is 16380 S. Springwater Road, Oregon City, OR 97045.

**ARTICLE IV
REGISTERED AGENT AND ADDRESS WHERE THE DIVISION MAY MAIL
NOTICES**

The name of the initial registered agent is Mark Wright, 16380 S. Springwater Road, Oregon City, OR 97045. The address where the Division may mail notices is 16380 S. Springwater Road, Oregon City, OR 97045.

**ARTICLE V
MANAGEMENT**

The Company will be managed by one or more managers.

**ARTICLE VI
ORGANIZER**

The name and address of the organizer is Mark Wright, 16380 S. Springwater Road, Oregon City, OR 97045.

**ARTICLE VII
MANAGER**

The name and address of the manager is Mark Wright, 16380 S. Springwater Road, Oregon City, OR 97045.

**ARTICLE VIII
PURPOSE**

The purposes for which the Company is organized shall be to engage in any lawful business or activity which may be conducted by a limited liability company under the Oregon Limited Liability Company Act.

**ARTICLE IX
INDIVIDUAL WITH DIRECT KNOWLEDGE**

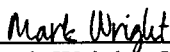
The name and address of an authorized representative of the Company with direct knowledge of the operations and business activities of the Company is Mark Wright, 16380 S. Springwater Road, Oregon City, OR 97045.

**ARTICLE X
EFFECTIVE DATE**

The effective date of the Company's existence shall be the date of filing of these Articles of Organization with the Secretary of State.

I, the undersigned organizer, declare under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any members, managers, employees or agents of the limited liability company. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment or both.

Dated: October 17, 2023

DocuSigned by:

Mark Wright, Organizer

The person to contact about this filing:

Cliff DeGroot
(503) 243-5875



Land Use and Zoning

Development Services Building

Mike McCallister, Manager

150 Beavercreek Road, Oregon City, OR 97045

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

e-mail: zoninginfo@co.clackamas.or.us

Web: <http://www.clackamas.us/transportation/planning/>

NOTICE OF LAND USE DECISION

This document represents the Land Use and Zoning Staff findings and conditions of approval for a Land Use Application, File No. Z0555-10-E, as cited below. It contains three parts:

Section 1 – Summary, Section 2 – Conditions of Approval and Section 3 – Findings.

SECTION 1 – SUMMARY

DATE: December 7, 2010

APPEAL DEADLINE: December 20, 2010

CASE FILE NO.: Z0555-10-E

STAFF CONTACT: Rick McIntire, (503)742-4516, rickm@co.clackamas.or.us

LOCATION: 23000 SE Eagle Creek Rd., Eagle Creek, OR

REFERENCE PARCEL NUMBER: T2S, R4E, Section 31A, Tax Lot 2804, W.M.

APPLICANT: Sonas Capital Group, LLC, dba Eagle Creek RV Storage, 23000 SE Eagle Creek Rd., Eagle Creek, OR 97022

OWNER: Sonas Capital Group, LLC, c/o Craig Anderson, 1111 Main St. Suite 700, Vancouver, WA 98660

TOTAL AREA: Approximately 2.12 acres

ZONING: Rural Residential Farm/Forest (RRFF-5), five (5) acre district

CITIZENS PLANNING ORGANIZATION:

Eagle Creek-Barton CPO,

c/o Charlene DeBruin, 503-637-3507

P.O. Box 101

Eagle Creek, OR 97022

PROPOSAL: An Alteration of a Nonconforming Use, an RV and boat storage, service and repair facility with limited parts and accessories sales, to permit mini-storage type usage of the facility including construction of a 20 ft. by 150 ft. structure for storage bays in addition to the existing structure and previously approved, but not yet built structure(s). In addition, the applicant requests approval to use the site for parking/storage of up to ten (10) semi-trucks and trailers.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS Chapter 215 requires that if you receive this notice, you must promptly forward it to the purchaser.

OPPORTUNITY TO REVIEW THE RECORD: A copy of the Land Use and Zoning Staff Decision and all evidence submitted with this application is available for inspection, at no cost, at the Land Use and Zoning office during normal business hours. Copies of all documents may be purchased at the rate of \$1.00 for the first page and 10-cents per page thereafter. The Land Use Decision contains the findings and conclusions upon which the decision is based along with any conditions of approval.

APPEAL RIGHTS: If you disagree with this decision or the conditions of approval, you may appeal this decision to the Clackamas County Land Use Hearings Officer. The cost of the appeal is \$250.00. An appeal must be received by the Land Use and Zoning Division by 4:00 p.m. on the last day to appeal which is **December 20, 2010**. This decision will not be effective until the day after the appeal deadline provided an appeal is not filed prior.

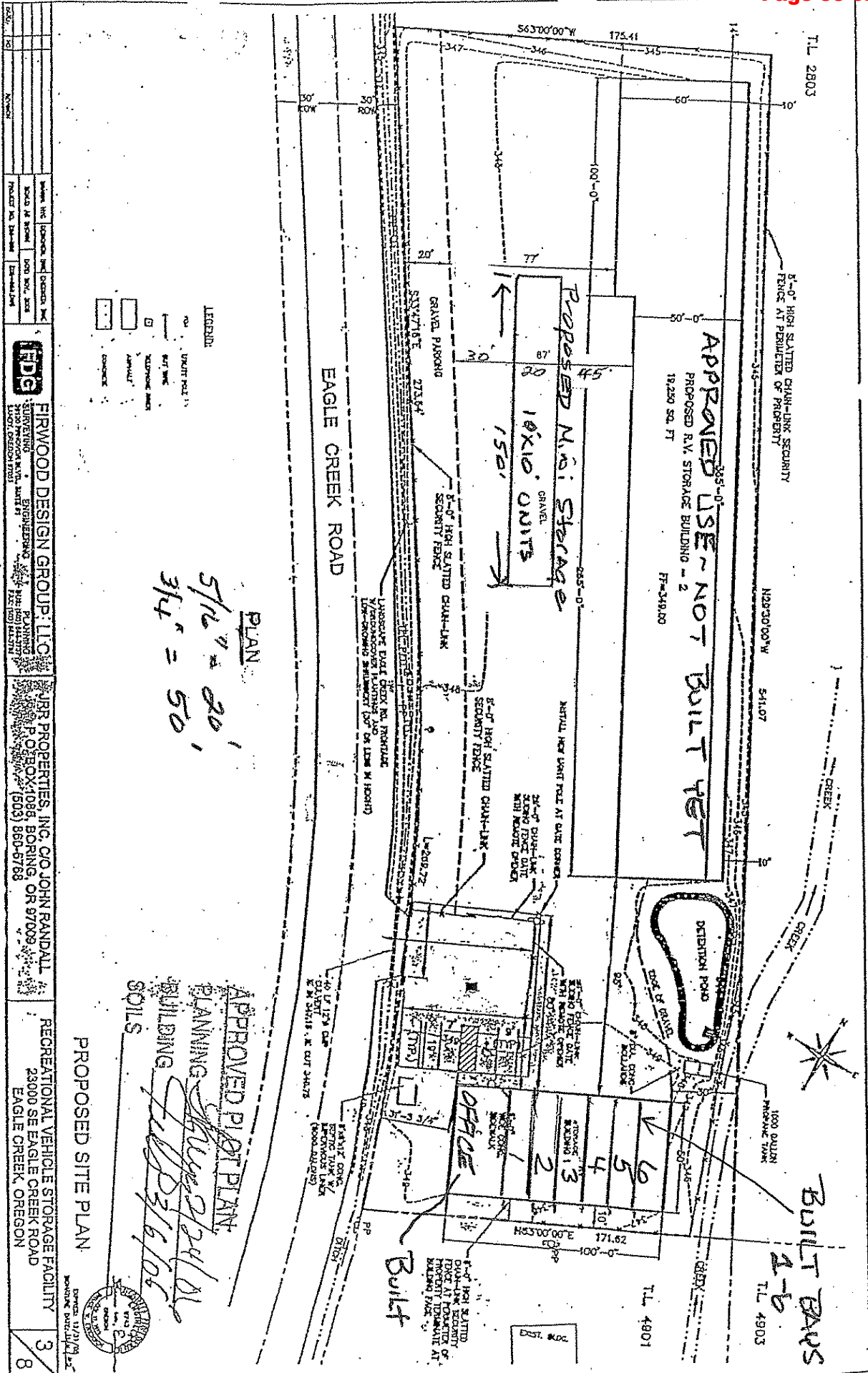
APPLICABLE APPROVAL CRITERIA: This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Sections(s) 309 and 1206.



Vicinity Map

Site Plan

A site plan of the existing, approved and proposed structures is shown on the following page.



RECOMMENDATION: Approval subject to conditions.

SECTION 2 – CONDITIONS OF APPROVAL:

The Clackamas County Land Use and Zoning staff grants APPROVAL of this application for an Alteration of a Nonconforming Use subject to compliance with the following conditions:

I. Land Use and Zoning Division Conditions: Rick McIntire, (503) 742-4516, or rickm@co.clackamas.or.us

- 1) Approval of this request is based upon the written proposal and site plan submitted with the application, the Findings discussed in Section 3, and these conditions of approval. Any changes to the use as proposed and as limited by the Findings and Conditions herein must be approved by the Land Use and Zoning Division prior to implementation.
- 2) This approval is limited to the following uses:
 - a) The uses and structures approved under File Nos. Z0761-04-E, Z0494-05-E and Z0618-08-E(see Findings; Section 3);
 - b) General mini-storage type usage as described in the application including the construction of a 20 ft. by 150 ft. structure for mini-storage bays;
 - c) Storage bays may be used for storage of materials, products, vehicles, etc. used by other businesses needing additional storage space, but not for the actual conduct of other businesses; e.g. manufacturing, service commercial or any other retail and service commercial use or light industrial use; and
 - d) Use of the site for the parking/storage of up to ten (10) semi-trucks and trailers provided such storage does not impede required drive aisles/fire lanes.
- 3) Compliance with these conditions of approval is mandatory and non-compliance may be cause for revocation of this permit.

II. Building Codes Division Conditions: Contact 503-742-4739.

- 1) Prior to the commencement of construction, the applicant shall obtain any Building, Plumbing, Electrical, Mechanical or other specialty code permits deemed necessary by the County Building Codes Division for the change in use and proposed building upgrades.
- 2) The applicant is advised to contact the Building Codes Div. staff to determine if any of the use changes proposed and approved herein will require any changes to structures completed or permitted, but not yet constructed.
- 3) The applicant shall comply with all relevant requirements of the Boring Fire District no. 59 Fire Marshal regarding fire protection water supply, emergency vehicle access and any other applicable fire and life safety requirements.
- 4) Prior to the issuance of any building permits, the applicant shall obtain approval of the means of sewage disposal from the County WES, Soils Section.

SECTION 3 – FINDINGS

This application is subject to the relevant provisions of Clackamas County Zoning and Development Ordinance (ZDO) Section(s) 309 and 1206. The Clackamas County Land Use and Zoning Staff have reviewed these Sections of the ZDO in conjunction with this proposal and make the following findings and conclusions:

1. The applicant is requesting approval of an Alteration of a Nonconforming Use, an RV and boat storage, service and repair facility with limited parts and accessories sales, to permit mini-storage type usage of the facility including construction of a 20 ft. by 150 ft. structure for storage bays in addition to the existing structure and previously approved, but not yet built structure(s). In addition, the applicant requests approval to use the site for parking/storage of up to ten (10) semi-trucks and trailers. After the Notice of Application was mailed, the applicant contacted staff and indicated that they were also seeking approval to use one or more of the approved storage bays to house unspecified small manufacturing and business uses. The staff will address this later in this report.
2. The subject property is located on the northeasterly side of SE Eagle Creek Rd., approximately 500 ft. southeast of the intersection of Eagle Creek Rd. and Hwy 211 in the Eagle Creek area. The site is nearly level and is presently developed with an approximately 50 ft. by 100 ft. enclosed structure housing office space, residential living quarters and six bays, and a paved area with spaces for 108 RV's and boats. The applicant has previously obtained approval for a 60 ft. by 365 ft. open-sided RV/Boat storage structure that has yet to be constructed. These structures were approved under Land Use & Zoning File No. Z0494-05-E, a modification of the approval under File No. Z0761-04-E permitting a change of use allowing the RV and boat storage use. The existing nonconforming use, RV and boat storage use; the use of three storage bays for RV servicing and the sales and installation of RV accessories and parts; and sales of pellet stove fuel was approved as a further modification under File No. Z0618-08-E.
3. Pursuant to subsection 1206.05B(2) of the ZDO, the applicant must first verify that the existing use(s), structure(s) and/or other physical improvements were established as a protected nonconforming use as defined in Sec. 202 of the ZDO. Sec. 202 of the ZDO defines a "Nonconforming Use" as:

"A use of any building, structure or land allowed by right when established or that obtained a required land use approval when established but, due to a change in the zone or zoning regulations, is now prohibited in the zone."

- A. The subject property is currently zoned Rural Residential Farm/Forest (RRFF-5), a rural residential and small-scale farm and forestry use zoning district. The current zoning classification was adopted and applied to the subject property on June 28, 1976. Prior to that date, the subject property was not zoned, but was subject to the Unzoned Area Development Permit (UADP) requirements adopted on July 7, 1975. Prior to the adoption of the UADP standards, the subject property was not subject to restrictive zoning regulations. The existing and proposed uses are not listed as primary, accessory or conditional uses in the RRFF-5 zoning district. Under the UADP provisions, a county-approved permit for such uses would have been required.
2. In order to demonstrate the establishment of a nonconforming use, the applicant must demonstrate the following: (1) that the use(s) and structure(s) were established prior to the effective date of the initial zoning of the property; **or** (2) that the use(s) and structure(s) were allowed by right under the zoning applicable at the time of establishment; **or** (3) that a required land use permit; e.g. conditional use permit, was obtained from the County to establish the use(s) and structure(s) prior to a change in zoning regulations pursuant to subsection 1206.06B of the ZDO.

- A. The subject property has been the subject of three prior Alteration of a Nonconforming Use applications. On November 22, 2004, the Land Use & Zoning Division issued a decision, File No. Z0761-04-E, finding that a nonconforming use status had been established for a propane storage and sales use that was established sometime in 1974 according to County Tax and Assessment department appraisal records. The original occupant was Doxol L.P. Gas. The use consisted of a large bulk propane storage tank, storage of residential and commercial propane tanks, propane delivery trucks, miscellaneous related equipment and a small storage shed. In the 2004 decision, the Planning Division authorized an alteration/change in use to permit the applicant's proposed RV and boat storage business. On August 24, 2005, the Planning Division approved a modification of the 2004 approval to allow construction of two buildings, one being the office/residential/storage structure that has been completed and one being the open-sided covered storage structure noted earlier (File No. Z0494-05-E). On December 30, 2008, the Land Use & Zoning Div. issued an approval of a further modification permitting the use of three storage bays within the completed structure for RV servicing and the sales and installation of RV accessories and parts; and sales of pellet stove fuel in addition to the previously-approved RV and boat storage use.
- B. **Conclusion:** Based upon the prior land use permitting history, the staff finds that the existing nonconforming use permitted under File No. Z0761-040E and modified by File Nos. Z0494-05-E and Z0618-08-E, is a lawfully established nonconforming use under the current RRFF-5 zoning designation. **This criterion is satisfied.**
3. If the applicant proves that a nonconforming use status has been established, the nonconforming use may be continued pursuant to subsec. 1206.01 of the ZDO. Subsec. 1206.01 of the ZDO states:
- “A nonconforming use may be continued although not in conformity with the regulations for the zone in which the use is located.”
4. If the applicant has demonstrated that a nonconforming use has been lawfully established, the applicant must also provide evidence as to the nature, extent, existence and continuity of the nonconforming use and that the nonconforming use has not been discontinued for any period exceeding twelve (12) consecutive months during the 20-year period immediately preceding the date of the application for verification pursuant to subsec. 1206.02 of the ZDO and ORS 215.130(11). Subsec. 1206.02 of the ZDO states:
- “If a nonconforming use is discontinued for a period of more than twelve (12) consecutive months, the use shall not be resumed unless the resumed use conforms with the requirements of the Ordinance and other regulations applicable at the time of the proposed resumption.”
- A. Based upon the land use and building permitting records for the subject properties, the applicant's affirmation and staff knowledge of the use, the staff concludes that the nonconforming use of the subject property has not been discontinued for any period in excess of twelve (12) consecutive months since the adoption of restrictive zoning regulations in December of 1967. **This criterion is satisfied.**
5. Pursuant to subsection 1206.05B(1) of the ZDO, in order to approve this request, the proposed alteration of the nonconforming use, structure and/or other physical improvements shall have no greater adverse impact upon the neighborhood than the existing use, structure(s) and/or physical improvements. The Planning Director, or designate, may impose conditions designed to mitigate any potential additional adverse impacts pursuant to subsection 1206.05B(3) of the ZDO.
- A. The applicant is proposing an Alteration of a Nonconforming Use to modify the nonconforming use.

In addition to the currently approved uses (see prior Findings), the applicant is requesting approval to permit general mini-storage type usage of the facility including construction of a 20 ft. by 150 ft. structure for mini-storage bays in addition to the existing completed structure and previously approved, but not yet built structure. The applicant does indicate that storage bays may be used for storage of materials, products, vehicles, etc. used by other businesses needing additional storage space. In addition, the applicant requests approval to use the site for the parking/storage of up to ten (10) semi-trucks and trailers. Approval of these uses would reduce the scale of the RV and boat storage uses.

The Land Use Application form completed by the applicant apparently also seeks approval for the use of an unspecified number of the storage bays for unspecified manufacturing and other business uses not including on-site retail sales. However, the more detailed description of the proposed uses in the Supplemental Application does not include any further specification of such uses. The staff recalls conversations about this issue with the applicant prior to the filing of the application at which time the staff advised the applicant that approval of a request to establish such commercial or light industrial uses without specifying the exact nature and scale of the future commercial/industrial uses would not be approved. In this type of application, the County cannot approve general commercial or light industrial uses as an Alteration of a Nonconforming Use without specifying the actual uses. Nonconforming use status is specific to a use for which the nature, scope and scale of the use has been specified. It does not, and cannot, confer approval for commercial or industrial uses in general nor does it change the zoning designation of the subject property. It would be impossible for the staff to address the relevant approval criteria with such a request. Therefore; based upon this discussion of the issue, the staff will not address this issue further in this decision.

- B. Approval of this request will also require the applicant to obtain any required building, plumbing, electrical and any other specialty code permits required by the County Building Codes Div and any requirements of the Boring Fire District No. 59 Fire Marshal to ensure that all fire and life safety, water quality and public safety concerns are satisfied with respect to the proposed structure(s). Conditions of approval are warranted requiring the applicant to comply with these requirements prior to the commencement of construction of the proposed mini-storage units.
- C. The County Traffic Engineering Div. staff and ODOT staff have reviewed this application and neither has submitted any objections or concerns. The applicant has submitted an analysis of the likely changes in traffic to and from the use when compared to the previously approved uses. The applicant notes that when the mini-storage building is completed, the number of RV/Boat storage spaces will be reduced. The reduction in traffic due to that change will be offset by customers using the mini-storage units. The overall change in trips generated will be minimal in that, while the type of items stored will change, the type of use in general will be similar and the overall volume of traffic should not be significantly changed. The applicant estimates that the parking/storage of the trucks and trailers should add no more than 10 trips each per month as these vehicles will be on the road a significant part of the time. In addition, the entrance to the site onto SE Eagle Creek Rd. is located such that there is adequate sight distance and the approach is designed to permit two-way traffic into and from the facility, helping to minimize potential turning movement conflicts.
- D. Notice of this application was mailed to all property owners of record within 500 ft. of the subject property requesting submittal of any comments or concerns. None have been received.
- E. Given the relative similarity of the existing and proposed uses, the staff is unable to identify any additional adverse impacts to the surrounding properties that would occur as a result of approval of this change in use when compared to the existing use.
- F. **Conclusion:** Based upon the Findings discussed above, the staff finds that approval of this

alteration of a nonconforming use, as described in the application materials and herein, will not cause any additional adverse impacts to the surrounding area when compared with the existing nonconforming use. **This criterion is satisfied.**

6. The Federal Endangered Species Act (ESA) is not a criterion for approval of this application. The County has reviewed the approval standards in light of the requirements of the ESA, believes that the criteria for approval are consistent with the terms of the ESA and has submitted the Development Ordinances for consideration for a “4(d)” programmatic limitation. However, the analysis included in this report does not include an evaluation by the County of the application for consistency with the ESA nor does the report reach any conclusions concerning that federal law. The applicant is responsible for designing, constructing, operation and maintaining the activities allowed by an approval of this application in a manner that ensures compliance with the ESA. Any questions concerning this issue should be directed to the applicant, its consultant and the federal agencies responsible for administration and enforcement of the ESA for the affected species.

SUMMARY: The Land Use and Zoning Staff finds that the applicant has submitted information which demonstrates that the proposal can satisfy the relevant approval standards of the Zoning and Development Ordinance and other County and State Regulations, as outlined in Section 3 of this report. The imposition of, and compliance with, Conditions of Approval found in Section 2 will assure compliance with these relevant requirements.

DECISION: Based upon the findings and conclusions herein, the proposed Alteration of a Nonconforming Use is hereby **APPROVED** subject to the conditions of approval found in Section 2.

NOTICE OF DECISION -
ALTERATION OF A NONCONFORMING USE -APPROVAL WITH CONDITONS

CLACKAMAS COUNTY DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
LAND USE AND ENVIRONMENTAL PLANNING DIVISION
9101 SE Sunnybrook Blvd., Clackamas, OR 97015
Telephone: 353-4500/4501

TO: Applicant, Citizens Planning Organization, Agencies, and Property Owners within 500 feet of this application.

DATE: August 24, 2005

LAST DATE TO APPEAL: September 6, 2005

FILE NO.: Z0494-05-E

STAFF CONTACT: Rick McIntire (503-353-4516; rickm@co.clackamas.or.us)

APPLICANT: JRR Properties, Inc., c/o John Randall, P.O. Box 1086, Boring, OR 97009

OWNER OF PROPERTY: Same as applicant.

LEGAL DESCRIPTION: T2S, R4E, Section 31A, Tax Lot 2804, W.M.

SITE ADDRESS: 23000 SE Eagle Creek Rd., Eagle Creek, OR

TOTAL AREA INVOLVED: Approximately 2.12 acres.

PRESENT ZONING: Rural Residential Farm/Forest (RRFF-5), five (5) acre district.

CITIZENS PLANNING ORGANIZATION FOR AREA: Eagle Creek-Barton CPO, c/o Tim Alderman, P.O. Box 101, Eagle Creek, OR 97022

PROPOSAL: An alteration of a nonconforming use, an approved commercial recreational vehicle storage facility, to construct a 50 ft. by 100 ft. enclosed building for office use and RV storage and a 60 ft. by 365 ft. open-sided covered RV storage building. The smaller building will also include permitted single family residential dwelling unit. This application is a modification of an Alteration of a Nonconforming Use approved under Planning File no. Z0761-04-E.

FINDINGS: The Planning Division has reviewed this application for an alteration of a nonconforming use. This application is subject to Section 1206 of the Clackamas County Zoning and Development Ordinance (ZDO). The Planning Division has reviewed this section of the ZDO with respect to this proposal and makes the following findings:

1. The applicant is requesting approval of an alteration of a nonconforming use, an approved commercial recreational vehicle storage facility, to construct a 50 ft. by 100 ft. enclosed building for office use and RV storage and a 60 ft. by 365 ft. open-sided covered RV storage building. The smaller building will also include permitted single family residential dwelling unit. This application is a modification of an Alteration of a Nonconforming Use approved under Planning File no. Z0761-04-E. In the prior application, the applicant received approval to convert a propane storage and service business use previously established upon the site. The proposed use would include the storage of campers, travel trailers, motorhomes, and boats. The proposed site development plan indicates that the site would be fenced with chain-link fencing with a single, gated entrance to Eagle Creek Rd. toward the southerly end of the property. The applicant proposes to construct the smaller structure, which will house RV storage, the office and the residential apartment, at the southerly end of the site. The larger, open-sided structure, would be used for covered RV parking spaces in the center of the site. Open RV storage spaces are proposed around the easterly, northerly and southerly perimeter of the site. The applicant estimates that the facility as proposed could accommodate an estimated 214 recreational vehicles. The RV storage lot would be surfaced with crushed rock.

The subject property is located on the northeasterly side of SE Eagle Creek Rd., approximately 500 ft. southeast of the intersection of Eagle Creek Rd. and Hwy 211 in the Eagle Creek area. The site is nearly level and the southeasterly end is presently developed with a gravel-surfaced lot formerly used by the propane storage and distribution facility. The remainder of the property is undeveloped and cleared of trees.

2. Pursuant to subsection 1206.05B(2) of the ZDO, the applicant must first verify that the existing use(s), structure(s) and/or other physical improvements were established as a protected nonconforming use as defined in Sec. 202 of the ZDO. Sec. 202 of the ZDO defines a "Nonconforming Use" as:

"A use of any building, structure or land allowed by right when established or that obtained a required land use approval when established but, due to a change in the zone or zoning regulations, is now prohibited in the zone."

The subject property is currently zoned Rural Residential Farm/Forest (RRFF-5), a rural residential and small-scale farm and forestry use zoning district. The current zoning classification was adopted and applied to the subject property on June 28, 1976. Prior to that date, the subject property was not zoned, but was subject to the Unzoned Area Development Permit (UADP) requirements adopted on July 7, 1975. Prior to that date, the subject property was not subject to restrictive zoning regulations. The prior use, a commercial propane storage and sales use and the proposed use are not listed as primary, accessory or conditional uses in the RRFF-5 zoning district. Under the UADP provisions, a county-approved permit for such uses would have been required.

3. In order to demonstrate the establishment of a nonconforming use, the applicant must demonstrate the following: (1) that the use(s) and structure(s) were established prior to the effective date of the initial zoning of the property; **or** (2) that the use(s) and structure(s) were allowed by right under the zoning applicable at the time of establishment; **or** (3) that a required

land use permit; e.g. conditional use permit, was obtained from the County to establish the use(s) and structure(s) prior to a change in zoning regulations pursuant to subsection 1206.06B of the ZDO.

The commercial propane storage and sales use was established sometime in 1974 according to County Tax and Assessment department appraisal records. The original occupant was Doxol L.P. Gas. The use consisted of a large bulk propane storage tank, storage of residential and commercial propane tanks, propane delivery trucks, miscellaneous related equipment and a small storage shed.

Conclusion: Based upon the County Assessor's records discussed above, the staff finds that the propane storage and sales use, as described above, was established as a nonconforming use as of the initial date of adoption of restrictive zoning regulations on July 7, 1975.

4. If the applicant proves that nonconforming use status has been established, the nonconforming use may be continued pursuant to subsec. 1206.01 of the ZDO. Subsec. 1206.01 of the ZDO states:

“A nonconforming use may be continued although not in conformity with the regulations for the zone in which the use is located.”

5. If the applicant has demonstrated that a nonconforming use has been lawfully established, the applicant must also provide evidence as to the nature, extent, existence and continuity of the nonconforming use and that the nonconforming use has not been discontinued for any period exceeding twelve (12) consecutive months during the 20-year period immediately preceding the date of the application for verification pursuant to subsec. 1206.02 of the ZDO and ORS 215.130(11). Subsec. 1206.02 of the ZDO states:

“If a nonconforming use is discontinued for a period of more than twelve (12) consecutive months, the use shall not be resumed unless the resumed use conforms with the requirements of the Ordinance and other regulations applicable at the time of the proposed resumption.”

Based upon the applicant's statement in the application and the County permitting records, the previous owner, Ferrell Gas, began the permitting process to relocate to nearby tax lot 2500 (Eagle Foundry property) in late 2002 and into 2003. The previous occupant, Ferrell Gas, continued to store equipment and materials on the site for some time thereafter. The applicant states that the prior owner did not remove all of its equipment and materials from the site until his purchase in May of 2004.

Based upon this information, the staff concluded in the prior application, file no. Z0761-04-E that there was a reasonable likelihood that the nonconforming use of the subject property had not been discontinued for any period in excess of twelve (12) consecutive months since the adoption of restrictive zoning regulations or during the 20-year period preceding the date of filing of that application. The applicant has since been in the process of developing construction plans for the site to comply with the conditions of approval of Z0761-04-E.

6. Pursuant to subsection 1206.05B(1) of the ZDO, in order to approve this request, the proposed alteration of the nonconforming use, structure and/or other physical improvements shall have no greater adverse impact upon the neighborhood than the existing use, structure(s) and/or physical improvements. The Planning Director, or designate, may impose conditions designed to mitigate any potential additional adverse impacts pursuant to subsection 1206.05B(3) of the ZDO.

The subject property is located within an area characterized by a mix of rural residential, commercial and industrial uses. There are no single family dwellings in immediate proximity to the subject property. Properties to the north, south and east are used for commercial, industrial and cultural uses either as existing nonconforming uses, conditional uses or permitted uses in the RRFF-5, EFU, Rural Commercial and Rural Industrial zoning districts. Properties in the immediate vicinity include a large foundry operation, feed and hardware store, the Philip Foster Farm living history facility, a private airport, a large property that has been used as a commercial recreational facility, a private gun club shooting range, gas station/convenience store, and an excavation company office, maintenance and vehicle and equipment storage facility.

Based upon the nature of the uses of the majority of the adjoining and nearby properties as described above, the proposed use of the subject property, a commercial RV storage facility, is not inconsistent with the uses of the majority of adjoining properties and other properties in the immediate area. The proposed use will likely generate less traffic, on a daily basis, than the prior nonconforming use of the site. The prior use, a propane bulk storage and sales use, involved daily trips to and from the property by propane delivery trucks. It is unlikely that an RV storage facility would generate traffic of that magnitude except around holidays, summer weekends and during hunting season. Generally speaking, the proposed use should not generate inordinate noise impacts to surrounding properties most days. The site will not be used for any repair or similar activities. RV's will be driven, towed or carried to the site and parked until owners need to use them again. The only noise generated will be occasional vehicle noise during these short duration activities. The impact of these activities will be very limited as there are no existing single family dwellings in close proximity to the site. Additionally, this proposed modification of the original approval under Z0761-04-E, specifically adding the two proposed structures will not cause any additional adverse impact when compared to the original approval of the basic use. Approval of the structures will not increase the number of RV's that may be stored. The use of the site would be the same as the RV storage use initially approved.

The applicant has proposed that the site be entirely fenced with chain-link fencing. In order to reduce the visual impact of the proposed facility, the staff finds that a condition of approval is warranted requiring that the fence be a minimum of eight (8) ft. in height and slatted to better obscure the larger type of vehicles to be stored. A fence of this height should also provide better security for the stored RV's than one of a shorter height. The applicant shall also landscape the area along the property frontage between the fence/property line and ditch or road shoulder with groundcover plants and low-growing shrubs unless there is little or no available width to do so (subject to final site development plan review by the Planning Div.).

In any event, the applicant shall keep the frontage outside the fence well-maintained; e.g. mowed, weeded, free of brush and blackberries, etc.

The applicant has proposed an on-site office and residential apartment which will require water and sewage disposal service. The applicant has not, as of this date, obtained approval of an on-site septic system or sewage holding tank system from the County Soils Sec. In order to construct the office and apartment, the applicant will need to obtain approval of the means of sewage disposal. If such is granted, approval of the proposed use and structures should have no adverse impact to local surface and groundwater resources. It appears that a 6000 gallon storage tank, that would require periodic pumping, is proposed as the sewage disposal system.

In order to lessen the chance of motor oil and other fluid spills, the staff finds that a condition of approval is warranted requiring that all stored recreational vehicles shall be in operable condition and no wrecked vehicles may be stored on site. The applicant must also provide emergency spill absorption kits on site for use in case of an accidental spill of motor oil, antifreeze or other fluids from stored vehicles.

The County Engineering Div. has submitted comments dated July 28, 2005. These comments are incorporated herein and discussed in the following. The proposed site development plan has been approved by the Boring Fire District no. 59 Fire Marshal provided that adequate fire flows and an approved terminated fire detection system are installed. The proposed improvements will add approximately 26,900 square feet of impervious roof area. This significant increase in impervious surface in comparison to the original approval with no structures will require the applicant to comply with the provisions of Sec. 1008 of the ZDO and will most likely require the provision of storm water detention facilities to properly manage and dispose of storm water runoff. Properly addressing storm water runoff and detention issues will help insure that no greater adverse impacts to the neighborhood would occur due to increased surface water runoff from the site to adjoining properties and a nearby stream.

The preliminary site plan proposes parking spaces adjacent to the driveway throat. This is not recommended as vehicles maneuvering into and out of the proposed parking spaces could require a recreational vehicle to stop on Eagle Creek Road and have to wait for the vehicle to complete the parking or backing maneuver before entering the driveway. The full length of the throat, 60 feet, shall not be used for a maneuvering area for parking spaces, so that recreational vehicles may exit Eagle Creek Road completely before encountering the gate or a maneuvering vehicle. The site is large enough to provide the required parking in a location that does not interfere with the safe operation of Eagle Creek Road, the driveway and the driveway throat. Allowing the throat to be used as a maneuvering area, resulting in the possibility of a recreational vehicle needing to stop in the travel lanes of Eagle Creek Road would increase the potential for rear end and turning type collisions at the driveway. This would increase adverse impact to the neighborhood and, again, is not recommended.

The proposed gate at the southwest corner of Building 2 (the larger structure), aligned north/south when closed, and associated vehicle maneuvers through this gate, also impact the operation of the driveway throat and is not recommended. A revised design and/or location of the gate will be necessary to address these concerns.

Buildings 1 and 2 appear to be approximately 55 feet apart. No dimension has been provided on the site plan for this separation distance and it has been reduced so the exact scale is unknown. In addition, Building 1 appears to provide overhead type doors allowing access to the building. Depending on the length and wheelbase of recreational vehicles proposed to be garaged in building one, the maneuvering area between the buildings may not provide adequate maneuvering room. For longer recreational vehicles, some with significant overhang beyond the rear axle, considerable maneuvering room is required. In this situation, this type of vehicle would need to completely exit from the building in virtually a straight line until the rear of the vehicle cleared the door. Only then could a turning maneuver be initiated. As proposed, staff is concerned about this issue and would recommend that the applicant illustrate on a revised site plan, with turning templates, the paths that recreational vehicles would follow maneuvering into and out of the garage spaces in building one. With that information, staff would be able to recommend appropriate spacing between buildings so that parking and exiting maneuvers from building one could be safely accomplished.

The Traffic Engineering Sec. staff is also concerned about maneuvering for Building 2 and the proposed gravel perimeter parking spaces. If the gravel area is parked with vehicles, boats, etc, it appears that only 25 feet of maneuvering room would be provided between Building 2 and the parking areas. This again would not provide adequate maneuvering room for large recreational vehicles as this maneuvering room is approximately what is recommended for passenger vehicles. Turning maneuvers of anticipated vehicles, illustrated with turning templates on a site plan are again recommended to insure that adequate maneuvering room is provided on site. Maneuvers around the north end of Building 2 should also be illustrated on a site plan to insure that parked vehicles along the perimeter of the site do not interfere with turning maneuvers.

A handicapped parking space is proposed on the site plan near the proposed office/living quarters. Any handicapped parking space, the adjacent accessible area and walkway from the accessible area to the office shall be hand surfaced with asphalt concrete, Portland Cement concrete, pavers, or equivalent approved by County Engineering Div. staff.

In addition, the existing paved approaches shall be removed and replaced with appropriate gravel shoulder and ditch to match the existing ditch and shoulder. The removal of the two existing driveways and replacing them with one driveway would limit the turning maneuvers into and out of the site to one location. Decreasing the number of driveways from two to one would allow the site to come closer to compliance with access spacing standards of 600 feet for this minor arterial street. Intersection sight distance at the proposed access point was also measured by staff and found to be adequate, also in excess of 610 feet, both to the north and south. The staff has determined that the traffic generated by the proposed use will not adversely affect the functioning, in terms of capacity and safety, of Eagle Creek Rd.

The proposed site plan may require significant modification to provide for adequate maneuvering room for recreational vehicles and adequate passenger vehicle parking. Additional issues related to the gate design and location, storm water management and sewage disposal also require additional refinement. The Traffic Engineering Div. staff recommends that the applicant revise the site plan and be required to participate in a separate County Design

Review application process to work through the site development design issues discussed here. With a revised site plan addressing these concerns and appropriate conditions of approval, the Traffic Engineering Div. staff believes the proposal could be constructed so that there would be no additional adverse impact to the neighborhood and motorists traveling the county road fronting the property.

The County Building Codes Division has submitted comments dated July 14, 2005. These indicate that at least three building permits will be needed, one each for the two storage buildings, and one for the 8-foot fence around and/or within the property. Building 1 will contain an office and an apartment. As a mixed use occupancy, appropriate separations will have to be maintained between the occupancies. The Building Codes Div. recommends that a condition of approval be imposed requiring the applicant to apply for all relevant building permits and other relevant permits from the Building Codes Division. The Division anticipates a minimum of three building permits will be required, one for each building and one for the 8-foot fence. All work under these permits shall be completed, inspected, and approved before the business is opened. The same applies for any ancillary plumbing, electrical, mechanical, or fire/life safety permits that may be required.

7. **Conclusion:** Based upon the Findings discussed above, and provided that the issues discussed above can be adequately addressed, the staff finds that approval of this request will not cause additional adverse impacts to the surrounding neighborhood when compared with the existing nonconforming use.

DECISION: Approval with conditions. Based upon the Findings discussed above, it is the decision of the Clackamas County Planning Director, by his designate, to approve this application for an alteration of a nonconforming use subject to the following conditions of approval.

CONDITIONS OF APPROVAL

1. This decision is based upon the application, site plan and building plans submitted by the applicant, the Findings discussed above and the conditions of approval contained herein. Any changes to the proposal, except as required by these conditions and approved by the Planning Div., shall be reviewed by the Planning Div. as a separate application. This approval is subject to all previous conditions of approval from case file Z0761-04-E except as modified herein.
2. The recreational vehicle storage facility shall be developed and used consistent with the use proposed in the application materials. The site shall be used for the storage of recreational vehicles, including motorhomes, pick-up bed campers, travel trailers, boats, personal watercraft, only. The site shall not be used for storage of personal automobiles, commercial trucks or similar vehicles, heavy equipment, etc.
3. All recreational vehicles stored shall be in operable condition and no substantially damaged or wrecked vehicles may be stored on site. The site shall not be used for maintenance of recreational vehicles including washing, oil and fluid changes, etc. The applicant shall provide

emergency spill absorption kits on-site and accessible for use in case of an accidental spill of motor oil, antifreeze or other fluids from stored vehicles.

4. Recreational vehicles shall not be occupied while on site.
5. The entire storage facility shall be fenced with an eight (8) ft. tall, slatted chain-link fence and gate.
6. Signing shall be limited to a single, 32 s.f. sign mounted flush on the site fencing near the entrance.
7. Prior to the issuance of Building Permits requiring plumbing and water service, the applicant shall obtain approval of the means of sewage disposal from the County WES, Soils Sec. and/or the Oregon Dept. of Environmental Quality.
8. Prior to the commencement of construction and opening for business, the applicant shall apply for and obtain all relevant building permits and other relevant permits; e.g. electrical, plumbing, etc., from the County Building Codes Division. The Building Codes Division anticipates that a minimum of three building permits will be required, one for each building and one for the 8-foot fence. All work under these permits shall be completed and inspected and approved by the Building Codes Division before the business is opened.
9. **The applicant shall submit an application for Design Review to the County Planning Div. prior to the application for Building Permits.** The application is required to adequately address the concerns expressed by the County Traffic Engineering Div. staff as discussed in the Findings.
 - (a) As part of the application, the applicant shall submit a revised site development plan addressing the following.
 - (b) The revised site development plan required for the Design Review application shall depict a landscaped area along the property frontage between the fence/property line and ditch or road shoulder with groundcover plants and low-growing shrubs (less than 30 inches) unless there is little or no available width to do so. In any event, the applicant shall keep the frontage outside the fence well-maintained; e.g. mowed, weeded, free of brush and blackberries, etc. If there is available area for landscape plantings, any dead, diseased or dying plantings shall be replaced by the owner/operator of the facility.
 - (c) The applicant shall design and construct surface water runoff facilities in conformance with Sec. 1008 of the County Zoning and Development Ordinance, including any required detention facilities, and also in conformance with *Clackamas County Roadway Standards* Chapter 3. The revised site development plan required for the Design Review application shall depict the required storm water management facilities.
 - (d) A site grading plan.

- (e) The applicant's plans shall demonstrate that adequate on-site circulation for the parking and maneuvering of all vehicles anticipated to use the parking and maneuvering areas will be provided. The applicant shall show the paths traced by the extremities of anticipated large vehicles (fire apparatus, garbage and recycling trucks, recreational vehicles, vehicles towing boats, etc), including off-tracking, on the site plan to insure adequate turning radii are provided for the anticipated large vehicles maneuvering on the site and into and out of proposed Buildings 1 and 2. The size and positioning of the proposed buildings may need to be modified to accommodate these issues.
- (f) The paved 60-foot long driveway throat, 28 feet in width, shall not be permitted to have any parking spaces or access gates located adjacent to the northerly and southerly sides of the entire 60-foot long throat with the exception of a gate exclusively for the use of the local Fire District.
- (g) The proposed gate at the easterly end of the 60-foot long driveway throat shall swing open to the east and north.
- (h) Any handicapped parking spaces, the adjacent accessible area, and the walkway from the accessible area to the office shall be hard surfaced with asphalt concrete, Portland cement concrete, pavers, or equivalent approved by County Engineering staff.
- (i) The applicant shall provide adequate on site circulation for the parking and maneuvering of all vehicles anticipated to use the storage/parking area. Required circulation and maneuvering aisles shall not be used for vehicle storage/parking.
- (j) The revised site development plan shall demonstrate that items a-h will be addressed.
- (k) Written approval from the Boring Fire District no. 59 Fire Marshal for the planned access, circulation, fire lanes and water source supply. The approval shall be in the form of site and utility plans stamped and signed by the Fire Marshal.

10. **Upon approval of the required Design Review application and prior to the commencement of construction and use of the site for RV storage**, the applicant shall obtain a Street Construction and Encroachment Permit from the County Engineering Div. In order to obtain the permit, the applicant shall submit a set of site improvement and construction plans for review and approval, in conformance with *Clackamas County Roadway Standards* Section 130, to Deana Mulder of the Clackamas County Engineering Division for review and approval. The permit will be for drainage, circulation and parking improvements. The permit fee is a minimum of \$400.00 or calculated at \$50.00 per new or reconstructed parking space, whichever is greater. The applicant shall have an Engineer, registered in the state of Oregon, design and stamp the construction plans for all required improvements.
11. Since the Department of Transportation and Development is the surface water authority for the proposed project and detention facilities are a requirement of development, the applicant shall provide a copy of an approved grading permit to Deana Mulder of the DTD Engineering Div. prior to the issuance of the Street Construction and Encroachment Permit.

12. Compliance with these conditions of approval is mandatory and non-compliance may be cause for revocation of this permit.

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

IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION OFFICE. IF YOU DISAGREE WITH THESE FINDINGS OR CONDITIONS, YOU MAY APPEAL THIS DECISION TO THE CLACKAMAS COUNTY HEARINGS OFFICER. THE COST OF THE APPEAL IS \$250.00. YOUR APPEAL MUST BE RECEIVED IN THE PLANNING DIVISION OFFICE BY 5:00 P.M. ON THE LAST DATE TO APPEAL WHICH IS SEPTEMBER 6, 2005. THIS DECISION IS NOT EFFECTIVE UNTIL THE DAY AFTER THE APPEAL DEADLINE PROVIDED THAT NO APPEAL IS FILED.

**NOTICE OF DECISION -
ALTERATION OF A NONCONFORMING USE -APPROVAL WITH CONDITONS**

**CLACKAMAS COUNTY DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
LAND USE AND ENVIRONMENTAL PLANNING DIVISION**

150 Beavercreek Rd., Oregon City, OR 97045
Phone: (503) 742-4500 Fax: (503) 742-4550

TO: Applicant, Citizens Planning Organization, Agencies, and Property Owners within 500 feet of this application.

DATE: December 30, 2008

LAST DATE TO APPEAL: January 12, 2009

FILE NO.: Z0618-08-E

STAFF CONTACT: Rick McIntire (503-353-4516; rickm@co.clackamas.or.us)

APPLICANT: Eagle Creek RV Storage, LLC, c/o John Randall, 23000 SE Eagle Creek Rd., Eagle Creek, OR 97022

OWNER OF PROPERTY: Applicant.

LEGAL DESCRIPTION: T2S, R4E, Section 31A, Tax Lot 2804, W.M.

SITE ADDRESS: 23000 SE Eagle Creek Rd., Eagle Creek, OR

TOTAL AREA INVOLVED: Approximately 2.12 acres.

PRESENT ZONING: Rural Residential Farm/Forest (RRFF-5), five (5) acre district.

CITIZENS PLANNING ORGANIZATION FOR AREA:

Eagle Creek-Barton CPO,
c/o Charlene DeBruin, 503-637-3507
P.O. Box 101
Eagle Creek, OR 97022

PROPOSAL: An alteration of a nonconforming use, an approved commercial recreational vehicle and boat storage facility, to permit additional commercial activities including the use of up to three service bays in the existing 50 ft. by 84 ft. storage building for RV and boat service and repair use, sales of RV and boat parts and accessories, and sales of wood pellets and fire logs. The applicant proposes to use one of the existing RV storage bays for storage of the latter products. This application is a modification of an Alteration of a Nonconforming Use approved under Planning File Nos. Z0761-04-E and Z0495-05-E.

FINDINGS: The Planning Division has reviewed this application for an alteration of a nonconforming use. This application is subject to Section 1206 of the Clackamas County Zoning and Development Ordinance (ZDO). The Planning Division has reviewed this section of the ZDO with respect to this proposal and makes the following findings:

1. The applicant is requesting approval of an alteration of a nonconforming use, an approved commercial recreational vehicle and boat storage facility, to permit additional commercial activities including the use of up to three service bays in the existing 50 ft. by 84 ft. enclosed storage building for RV and boat service, repair and accessories installation use, sales of RV and boat parts and accessories, and sales of wood pellets and fire logs. The applicant proposes to use one of the existing RV storage bays for storage of the latter products.

The subject property is located on the northeasterly side of SE Eagle Creek Rd., approximately 500 ft. southeast of the intersection of Eagle Creek Rd. and Hwy 211 in the Eagle Creek area. The site is nearly level and is presently developed with a 50 ft. by 100 ft. enclosed structure housing office space, residential living quarters and six RV/Boat storage bays, and a paved area with spaces for 108 RV's and boats. The applicant has previously obtained approval for a 60 ft. by 365 ft. open-sided RV/Boat storage structure that has yet to be constructed. The proposed service bays would be located within the new structure that has already been constructed.

2. Pursuant to subsection 1206.05B(2) of the ZDO, the applicant must first verify that the existing use(s), structure(s) and/or other physical improvements were established as a protected nonconforming use as defined in Sec. 202 of the ZDO. Sec. 202 of the ZDO defines a "Nonconforming Use" as:

"A use of any building, structure or land allowed by right when established or that obtained a required land use approval when established but, due to a change in the zone or zoning regulations, is now prohibited in the zone."

The subject property is currently zoned Rural Residential Farm/Forest (RRFF-5), a rural residential and small-scale farm and forestry use zoning district. The current zoning classification was adopted and applied to the subject property on June 28, 1976. Prior to that date, the subject property was not zoned, but was subject to the Unzoned Area Development Permit (UADP) requirements adopted on July 7, 1975. Prior to that date, the subject property was not subject to restrictive zoning regulations. The existing and proposed uses are not listed as primary, accessory or conditional uses in the RRFF-5 zoning district. Under the UADP provisions, a county-approved permit for such uses would have been required.

3. In order to demonstrate the establishment of a nonconforming use, the applicant must demonstrate the following: (1) that the use(s) and structure(s) were established prior to the effective date of the initial zoning of the property; **or** (2) that the use(s) and structure(s) were allowed by right under the zoning applicable at the time of establishment; **or** (3) that a required land use permit; e.g. conditional use permit, was obtained from the County to establish the use(s) and structure(s) prior to a change in zoning regulations pursuant to subsection 1206.06B of the ZDO.

On November 22, 2004, the Planning Division issued a decision, File No. Z0761-04-E, finding that a nonconforming use status had been established for a propane storage and sales use that was established sometime in 1974 according to County Tax and Assessment department appraisal records. The original occupant was Doxol L.P. Gas. The use consisted of a large bulk propane storage tank, storage of residential and commercial propane tanks, propane delivery trucks, miscellaneous related equipment and a small storage shed. In the 2004 decision, the Planning Division authorized an alteration/change in use to permit the applicant's proposed RV and boat storage business. On August 24, 2005, the Planning Division approved a modification of the 2004 approval to allow construction of two buildings, one being the office/residential/storage structure that has recently been completed and one being the open-sided covered storage structure noted earlier.

Conclusion: Based the discussion above and prior decisions, the staff finds that the RV and boat storage use is an approved change of use from the original propane storage and sales use, as described above, that was established as a nonconforming use as of the initial date of adoption of restrictive zoning regulations on July 7, 1975.

4. If the applicant proves that nonconforming use status has been established, the nonconforming use may be continued pursuant to subsec. 1206.01 of the ZDO. Subsec. 1206.01 of the ZDO states:

“A nonconforming use may be continued although not in conformity with the regulations for the zone in which the use is located.”

5. If the applicant has demonstrated that a nonconforming use has been lawfully established, the applicant must also provide evidence as to the nature, extent, existence and continuity of the nonconforming use and that the nonconforming use has not been discontinued for any period exceeding twelve (12) consecutive months during the 20-year period immediately preceding the date of the application for verification pursuant to subsec. 1206.02 of the ZDO and ORS 215.130(11). Subsec. 1206.02 of the ZDO states:

“If a nonconforming use is discontinued for a period of more than twelve (12) consecutive months, the use shall not be resumed unless the resumed use conforms with the requirements of the Ordinance and other regulations applicable at the time of the proposed resumption.”

The Planning Division staff concluded in the prior applications, file nos. Z0761-04-E and Z0494-05-E that there was a reasonable likelihood that the nonconforming use of the subject property had not been discontinued for any period in excess of twelve (12) consecutive months since the adoption of restrictive zoning regulations or during the 20-year period preceding the date of filing of that application. The applicant has since been in the process of constructing the improvements to the site to comply with the conditions of approval of File Nos. Z0761-04-E and Z0494-05-E. Therefore; the staff finds that the nonconforming use status has been continued.

6. Pursuant to subsection 1206.05B(1) of the ZDO, in order to approve this request, the proposed alteration of the nonconforming use, structure and/or other physical improvements shall have no greater adverse impact upon the neighborhood than the existing use, structure(s) and/or physical improvements. The Planning Director, or designate, may impose conditions designed to mitigate any potential additional adverse impacts pursuant to subsection 1206.05B(3) of the ZDO.

The subject property is located within an area characterized by a mix of rural residential, commercial and industrial uses. There are no single family dwellings in immediate proximity to the subject property. Properties to the north, south and east are used for commercial, industrial and historic/cultural uses either as existing nonconforming uses, conditional uses or permitted uses in the RRFF-5, EFU, Rural Commercial and Rural Industrial zoning districts. Properties in the immediate vicinity include a large foundry operation, feed and hardware store, the Philip Foster Farm living history facility, a private airport, a large property that has been used as a commercial recreational facility in the past, a private gun club shooting range, gas station/convenience store, and an excavation company office, maintenance and vehicle and equipment storage facility.

Based upon the nature of the uses of the majority of the adjoining and nearby properties as described above, the existing use of the subject property, a commercial RV/Boat storage facility, is not inconsistent with the uses of the majority of adjoining properties and other properties in the immediate area. It is unlikely that the proposed changes to the RV storage facility would generate inordinate noise impacts to surrounding properties on most days. Generally, once RV's and boats are brought to the site, they are not moved around. The proposed service, repair and accessory installation use will occur entirely indoors within the existing structure. RV's will be driven, towed or carried to the site and parked until owners need to use them again. The only noise generated will be occasional vehicle noise during these short duration activities. The impact of these activities on nearby properties will be very limited as there are no existing single family dwellings in close proximity to the site. Approval of the proposed alterations will not increase the number of RV's that may be stored on the site.

In approving the prior alterations, the Planning staff required the applicant to construct a sight-obscuring fence a minimum of eight (8) ft. in height and slatted to obscure the larger type of vehicles to be stored on site in order to reduce the visual impact of the facility from off-site. The applicant was also required to landscape the area along the property frontage between the fence/property line and ditch or road shoulder with groundcover plants and low-growing shrubs unless there is little or no available width to do so. In any event, the applicant shall keep the frontage outside the fence well-maintained; e.g. mowed, weeded, free of brush and blackberries, etc.

The applicant has constructed an on-site office and residential apartment as part of the large structure. The applicant has obtained approval of a 3000 gal. sewage holding tank system from the County Soils Sec. This approval requires a regular schedule of pumping of the tank. The County Soils Sec. has indicated that the applicant may need to provide data on sewage flow to determine if any modifications to this system will be required, but any modifications can be accommodated on site if needed.

In order to lessen the chance of motor oil and other fluid spills, the staff finds that a condition of approval is warranted requiring that all stored recreational vehicles shall be in operable condition and no wrecked vehicles may be stored on site. The applicant must also provide emergency spill absorption kits on site for use in case of an accidental spill of motor oil, antifreeze or other fluids from stored or parked vehicles.

The County Engineering Div. has submitted comments dated December 18, 2008. These comments are incorporated herein as additional findings and discussed in the following.

The proposal indicates that from one to three covered RV storage spaces are to be converted to service bays (one now and up to three total over time). In addition, the application indicates that sales of accessories, the installation of accessories, and the sales of wood pellets and fire logs would also occur on site. Some customers would likely already have RVs stored on site, and taking advantage of the maintenance services would not necessarily generate additional traffic on area roadways. However, staff anticipates that the majority of RV service, sales of accessories, and sales of wood pellet and fire logs would be provided to customers that would not necessarily be storing their RVs, boats, campers, etc., on site. The result of the customer base being principally comprised of those that do not store RVs on site is that more traffic would be generated by the site with the proposed additional services provided. The applicant did not provide a traffic study with the proposal and also did not provide existing and anticipated trip generation for the site that would provide a basis for an evaluation of generated traffic volumes.

Therefore, staff, in an effort to attempt to quantify the traffic volume that might be generated by the proposed modifications, referred to the Institute of Transportation Engineers (ITE) Trip generation manual. The proposed use is not one that has been studied and included in the ITE manual, and staff's determination of the closest match was for an auto parts sales and service center. The ITE Trip Generation manual indicates that this type of business (auto parts sales and service center) generates approximately 4.46 trips per 1000 gross square feet in the PM peak hour, which is typically 10% of the total daily traffic. The three covered bays measure 14 feet by 50 feet each, and the office is 576 square feet in size. Therefore, the total square footage likely associated with the proposed expanded business is approximately 2676 square feet. Based on this information, the site offering maintenance and accessories could generate approximately 120 trips per day ($2676/1000 \times 4.46 \times 10$). Staff finds that this number is likely too high as there are significantly fewer RVs than passenger vehicles, limiting the potential number of customers. However, even discounting this number by 50% indicates that approximately 60 additional vehicle trips (the arrival and departure of 30 cars and/or RVs) per day could be anticipated to be generated by the site. This is likely several times the volume of traffic generated by the existing RV/Boat storage facility. However, an increase in traffic on local streets per se is not considered a negative impact unless the additional traffic generated exceeds the capacity of the road. The subject property takes access directly onto SE Eagle Creek Rd., a County roadway, which runs parallel to State Hwy 224 a short distance away, the main traffic artery for the Eagle Creek/Estacada area. It is not anticipated that the likely increase in traffic when compared with the RV/Boat storage use will exceed the traffic capacity of Eagle Creek Rd.

The provision of service for RVs on site results in additional design requirements for the site to accommodate RVs that may arrive at the site by being towed. A site plan needs to be submitted by the applicant that illustrates where towed RVs would be delivered and stored while awaiting service/repair. In addition, the provision of adequate on site maneuvering room must be demonstrated so that tow vehicles, with an attached RV, have adequate room to deliver an RV to the site, disconnect from the RV, and exit the site. Another design requirement for the site, if RV maintenance service is provided, is a parking area for RVs that may be dropped off and picked up days later when service is completed. The applicant has not addressed this issue in the submitted materials. It is assumed that some of the existing RV/boat storage bays would be identified for this use. In any case, parking of RV's awaiting service, employee vehicles and other customer vehicles cannot be allowed to block required drive aisles through the site. The plan must also show where employees and customers will park when purchasing parts and accessories, arriving for work and for picking up serviced RV's.

The site is likely adequately large enough to accommodate these additional parking and maneuvering areas, but by accommodating those needs, some storage spaces for RVs, boats, campers, trailers, etc would likely need to be eliminated. However, staff finds that the site is large enough to feasibly accommodate any design revisions necessary to accommodate the aforementioned additional parking and maneuvering needs that would be associated with the proposed expanded services that the applicant proposes to provide.

The County Building Codes Division has submitted comments indicating that the proposed RV/Boat service bays will be approved upon land use permit approval.

7. **Conclusion:** Based upon the Findings discussed above, and provided that the issues discussed above can be adequately addressed, the staff finds that approval of this request will not cause additional adverse impacts to the surrounding neighborhood when compared with the existing nonconforming use.

DECISION: Approval with conditions. Based upon the Findings discussed above, it is the decision of the Clackamas County Planning Director, by his designate, to approve this application for an alteration of a nonconforming use subject to the following conditions of approval.

CONDITIONS OF APPROVAL

1. This decision is based upon the application, site plan and building plans submitted by the applicant, the Findings discussed above and the conditions of approval contained herein. Any changes to the proposal, except as required by these conditions and approved by the Planning Div., shall be reviewed by the Planning Div. as a separate application. This approval is subject to all previous conditions of approval from case file Z0761-04-E except as modified herein.
2. The facility shall be developed and used consistent with the prior land use approvals and the additional uses proposed in the application materials. The conditions of approval of Planning

File Nos. Z0761-04-E and Z0494-05-E continue to apply except to the extent they are modified by this decision.

3. Prior to the issuance of Building Permit No. B0416008, the applicant shall obtain approval of the means of sewage disposal from the County WES, Soils Sec. and/or the Oregon Dept. of Environmental Quality as appropriate.
4. Prior to the commencement of the additional uses, the applicant shall obtain all relevant building permits and other relevant permits; e.g. electrical, plumbing, etc., deemed necessary by the County Building Codes Division. All work under these permits shall be completed and inspected and approved by the Building Codes Division before the additional commercial uses are begun.
5. **The applicant shall submit a revised site development plan to, and obtain a Development Permit from the County Engineering Div. The purpose of this plan review is to review the on-site parking and maneuvering issues identified in the Engineering Division comments dated December 18, 2008 and discussed earlier in the Findings.**
 - (a) The applicant's plans shall demonstrate that adequate on-site circulation for the parking and maneuvering of all vehicles anticipated to use the parking and maneuvering areas will be provided.
 - (b) The applicant shall show the paths traced by the extremities of anticipated tow vehicles delivering RV's for service and repair, parking for additional employees of the service business, the parking of RV's awaiting service and pickup after service and parking by customers purchasing parts and/or accessories and picking up RV's after service and storage of pellets and firelogs.
 - (c) The applicant shall provide adequate on site circulation for the parking and maneuvering of all vehicles anticipated to use the storage/parking area. Required circulation and maneuvering aisles shall not be used for vehicle storage/parking.
 - (d) Written approval from the Boring Fire District no. 59 Fire Marshal for the planned access, circulation, fire lanes and water source supply. The approval shall be in the form of site and utility plans stamped and signed by the Fire Marshal.
 - (e) In order to obtain the permit, the applicant shall submit a set of site plans addressing the issues noted above for review and approval, in conformance with *Clackamas County Roadway Standards* Section 130, to Deana Mulder (503-742-4710) of the Clackamas County Engineering Division for review and approval. Please contact Ms. Mulder for plan review and permit fee information.
6. Compliance with these conditions of approval and those of the prior approvals is mandatory and non-compliance may be cause for revocation of this permit.

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

IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION OFFICE. IF YOU DISAGREE WITH THESE FINDINGS OR CONDITIONS, YOU MAY APPEAL THIS DECISION TO THE CLACKAMAS COUNTY HEARINGS OFFICER. THE COST OF THE APPEAL IS \$250.00. YOUR APPEAL MUST BE RECEIVED IN THE PLANNING DIVISION OFFICE BY 5:30 P.M. ON THE LAST DATE TO APPEAL WHICH IS **JANUARY 12, 2009.**

THIS DECISION IS NOT EFFECTIVE UNTIL THE DAY AFTER THE APPEAL DEADLINE PROVIDED THAT NO APPEAL IS FILED.



**Planning and Zoning
Department of Transportation and Development**

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

**EXHIBIT 1
Z0109-25 & Z0110-25
Page 79 of 84**

PRE-APPLICATION CONFERENCE SUMMARY

Permit Type: Comprehensive Plan Map Amendment and Zone Change

File No.: ZPAC0090-24

Proposal: Zone change from RRFF-5 (rural residential farm forest 5-acre) to RI (rural industrial) and corresponding comprehensive plan map amendment

Staff Contact: Taylor Campi, Senior Planner, TCampi@Clackamas.us, 503-742-4512

Applicant: Peter Finley Fry & Mark Wright

Assessor's Map and Tax Lot No.: 24E31A 2804

Site Address: 23000 SE Eagle Creek Rd, Eagle Creek OR 97022

Current Zoning: RRFF-5 **Proposed Zoning:** RI

Pre-Application Conference Date: 10/24/2024 via Zoom.

Date of this Summary: 10/30/2024

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

503-742-4545: ¿Traducción e interpretación? | Требуется ли вам устный или письменный перевод?

翻译或口译? | Cần Biên dịch hoặc Phiên dịch? | 번역 또는 통역?

I. APPLICABLE STATE AND COUNTY STANDARDS

A zone change must be consistent with all applicable Statewide Planning (SWP) Goals and implementing Oregon Revised Statutes (ORSs) and Oregon Administrative Rules (OARs). An applicant must review and address any applicable SWP Goals in the application narrative. In this case, these should include, **at a minimum:**

Goal 12, Transportation

The applicant will be required to submit a traffic study or similar evidence to demonstrate compliance with the requirements of the Transportation Planning Rule (TPR), found in Oregon Administrative rules 660-012-0060, as well as the requirements of ZDO Section 1202.03 and Chapter 5 of the Comprehensive Plan.

Goal 14, Urbanization

For rural rezone proposals Planning staff first have to verify if an exception to Statewide Planning Goal 14 (Urbanization) is required. If a goal exception is required then a Comprehensive Plan amendment application would also be needed to address the goal exception criteria in OAR 660, Division 4.

In the zone change application, please provide findings that address whether a Goal Exception is required under OAR 660-004-0040(6) for your specific proposal. If a goal exception is not required under OAR 660-004-0040(6), case law makes it clear that findings also need to be included to explain why the proposed use on rural exceptions lands is “rural” and not “urban,” as defined in relevant LUBA case law and per Oregon Administrative Rules and Revised Statutes¹. Some examples of factors that may be used for such a determination are:

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

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

II. APPLICABLE ZDO AND COMPREHENSIVE PLAN STANDARDS

a. ZDO Section 1202 (Zone Changes):

Zone changes are subject to the approval criteria in Section 1202.03 of the County's ZDO, which requires the zone change to:

- A. Be consistent with the Comprehensive Plan,**
- B. Have adequate services provided,**
- C. Have no significant impact on the adequacy of the transportation system, and**
- D. Have no significant impact on safety of the transportation system.**

(A) **Comprehensive Plan.** Please note that both the Comprehensive Plan amendment and ZDO Section 1202.03(A) require review of Comp Plan and findings to address any applicable policies within the entire Plan. *Some of the most relevant Chapters and policies are noted below, but the applicant should review the Comprehensive Plan to identify all policies applicable to the subject site and proposal.*

Chapter 4, Land Use, Policies 4.LL.1 & 3:

4.LL.1 The Rural Industrial plan designation may be applied in non-urban areas to provide for industrial uses that are not labor-intensive and are consistent with rural character, rural development, and rural facilities and services.

4.LL.3 Areas may be designated Rural Industrial when the first, the second, or both of the other criteria are met:

4.LL.3.1 Areas shall have an historical commitment to industrial uses; or

4.LL.3.2 The site shall be an abandoned or diminished mill site, as defined in the Zoning and Development Ordinance, provided that only the portion of the site that was improved for the processing or manufacturing of wood products may be designated Rural Industrial; or

4.LL.3.3 Areas shall be located within an Unincorporated Community; and

4.LL.3.4 The site shall have direct access to a road of at least an arterial classification.

Comments: As discussed in the pre-application meeting, the site is neither a former mill site (4.LL.3.2) nor located in an Unincorporated Community (4.LL.3.3). Therefore, the only criterion that could potentially be met by this property is 4.LL.3.1 "Areas shall have an historical commitment to industrial uses". However, as also discussed in the pre-application meeting, **the information available to staff does not demonstrate, in the opinion of staff, that the property has an historical commitment to industrial uses.**

Chapter 4, Land Use, Policies 4.KK.1 & 3:

4.KK.1 The Rural Commercial plan designation may be applied in non-urban areas to provide for commercial uses that are necessary for, and on a scale commensurate with, rural development.

4.KK.3 Areas may be designated Rural Commercial when either the first or both of the other criteria are met:

4.KK.3.1 Areas shall have an historical commitment to commercial uses; or

4.KK.3.2 Areas shall be located within an Unincorporated Community; and

4.KK.3.3 The site shall have direct access to a road of at least a collector classification.

Comments: As discussed in the pre-application meeting, the site is not located in an Unincorporated Community (4.KK.3.2) so the only criterion that could potentially be met by this property is 4.KK.3.1 “Areas shall have an historical commitment to commercial uses”. As discussed in the pre-application meeting, the information available to staff at the time of this meeting does appear to indicate an historical commitment to commercial uses. In the opinion of staff, with the information available and provided, a proposed zone change to Rural Commercial appears more feasible for the County to approve than a zone change to Rural Industrial.

Chapter 5, Transportation

To address this chapter and section 1202.03(C) and (D) of the ZDO applicants are required to provide a traffic study. Please coordinate with Christian Snuffin (contact below) regarding scope of traffic study for this site.

(B) **Services – water and surface water management.** This criteria largely relates to public services (water, sewer, stormwater). The site is not within a water or sewer district, so this criteria will be applicable only as it relates to storm water drainage/surface water management. Please submit a signed [Preliminary Statement of Feasibility](#) from County Engineering (contact below).

(C) **Adequacy of transportation system.**

- a. Applicable OARs for the Transportation Planning Rule
- b. Policies in Chapter 5 of the Comprehensive Plan
- c. Specifics in 1202.03(C)

(D) **Safety of transportation system.**

- a. Consult with County Engineering staff (roadway standards, safety standards etc.)
- b. Policies in Chapter 5 of the Comprehensive Plan

Please consult with **Christian Snuffin (contact below)** regarding scope of traffic study required to address items (C) and (D) above.

II. LAND USE PERMITTING PROCESS

The recommended land use application(s) is/are:

Comprehensive Plan Map Amendment and Zone Change is a “Type III” land use application process, as provided for in Section 1307 of the ZDO. Type III decisions include notice to owners of nearby land, the Community Planning Organization (CPO) if active, service providers (sewer, water, fire, etc.) and affected government agencies, and are reviewed at a public hearing before the Planning Commission and a second hearing before the Board of County Commissioners. If the application is approved, the applicant must comply with any conditions of approval identified in the decision. The County’s decision can be appealed to the Oregon Land Use Board of Appeals (LUBA).

- Application form: <https://dochub.clackamas.us/documents/drupal/592677ce-53dc-416d-84cc-b0367e1efca9>
- Fee: \$15,070

- Payable by cash, credit card, or check payable to Clackamas County
 - Credit card payment subject to a 2.75% service fee and must be accompanied by the [Credit Card Authorization Form](#)
- Timeline:
 - Completeness review: 30 days; within the first 30 days of the application being submitted the Planning Division will review the application materials to ensure that everything required has been turned in. In the event that there are items missing from the application packet, you will be notified of the specific items missing and information on how you can provide staff with the missing documents/information.
 - Notice period: at least 35 days prior to the first evidentiary hearing the County will send a mailed notice to surrounding property owners within 2,640 feet (½ mile) and other reviewing agencies
 - Staff report: Planning Division staff will write a staff report and make a recommendation to the Planning Commission and Board of County Commissioners (review authority). This report is available to the public for review at least one week prior to the hearing.
 - Public hearing: A public hearing is held with the Planning Commission for the purpose of receiving testimony regarding the application.
 - Decision: The decision authority is the Board of County Commissioners. Because this proposal involves a Comp Plan Map amendment, the 150-day timeline does not apply but we do attempt to complete these processes within 6 months.

III. QUESTIONS RAISED BY THE APPLICANT & COUNTY STAFF RESPONSES

The applicant did not submit a list of specific questions with this pre-application request and does not have specific intentions for future land uses on the subject property.

During the meeting, the applicant explained their reasoning for proposing a zone change to Rural Industrial being that a number of nearby properties are already zoned Rural Industrial and that this change would bring the subject property into alignment with other properties in the immediate vicinity.

Staff explained that the County is required to consider only the applicable approval criteria when evaluating this proposal. In this case, vicinity to other properties already zoned with the proposed zoning is not one of the approval criteria that the County can consider in its evaluation of the proposal.

Staff reminded the applicant that Comprehensive Plan Policy 4.LL.3.1 is one of the approval criteria which the County must address in its decision if a rezone to Rural Industrial is proposed, and that with the information available to staff at the time of the pre-application meeting, the subject property does not appear to meet this criterion (that is, having an historical commitment to industrial uses).

IV. MINIMUM LAND USE APPLICATION SUBMITTAL REQUIREMENTS

The submittal requirements are provided in ZDO 1307.07(C) and 1202.02. In addition, review the applicable criteria listed above while preparing your written narrative and other land use application items. It is the applicant's responsibility to clearly demonstrate how a proposal meets all applicable criteria.

V. AGENCY/DEPARTMENT CONTACT INFORMATION:

**This list is provided for the applicant to follow up with relevant service providers, agencies, Community Planning Organization and County staff as needed.*

Contact	Invited to Pre-App	Attended Pre-App
Martha Fritzie, Principal Planner, MFritzie@clackamas.us, 503-742-4529	Yes	Yes
Taylor Campi, Senior Planner, TCampi@clackamas.us, 503-742-4512	Yes	Yes
Christian Snuffin, CSnuffin@clackamas.us, 503-680-5623	Yes	Yes
Avi Tayar, ODOT, Abraham.TAYAR@odot.oregon.gov	Yes	Yes
Clackamas County Development Engineering: developmentengineering@clackamas.us	No	No
Clackamas Fire District #1, Valere Liljefelt, valere.liljefelt@clackamasfire.com, 971-282-2059	No	No
Community Planning Organization*	No	No

**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. You are encouraged to contact the CPO and attend any meeting they may hold to discuss your application.*

VI. LIMITATIONS AND DISCLAIMERS

Pre-application conferences are advisory and are intended to familiarize applicants with the requirements of the ZDO, provide applicants with an opportunity to meet with staff and discuss proposed projects in detail, and identify standards, criteria, and procedures prior to filing a land use permit application. The pre-application conference is a tool to orient applicants and to assist them in navigating the land use review process. It is not an exhaustive review that identifies or resolves all potential issues and does not bind or preclude the County from enforcing all applicable regulations or from applying regulations in a manner differently than may have been indicated at the time of the pre-application conference.

The information in this document is introductory and is designed to act as a guide to relevant Zoning and Development Ordinance (ZDO) and Comprehensive Plan standards. This is an initial review and is based on the information submitted by the applicant for the pre-application conference.

Any opinion or advice provided herein is informational only, and is based on any information specifically provided or reasonably available, as well as any applicable regulations in effect on the date the research was conducted. Any opinion or advice provided herein may be revised, particularly where new or contrary information becomes available, or in response to changes to state law or administrative rule, future legislative amendments of the Zoning and Development Ordinance, decisions of courts or administrative tribunals, or quasi-judicial land use decisions.

This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).



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

NOTICE OF INCOMPLETE TYPE III LAND USE APPLICATION

FILE NUMBER: Z0109-24 & Z0110-24
APPLICATION TYPE: Comp Plan Map Amendment and Zone Change
APPLICANT NAME: Mark Wright
SITE ADDRESS: 23000 SE Eagle Creek Road
STAFF CONTACT: Taylor Campi, Senior Planner EMAIL: tcampi@clackamas.us
DATE OF APPLICATION SUBMITTAL: 3/18/2025
DATE DEEMED INCOMPLETE: 4/10/2025
DATE OF MAILING OF THIS NOTICE: Emailed on 4/10/2025
DEADLINE FOR SUBMITTAL OF MISSING INFORMATION (180 days from date the application was first submitted): 9/14/2025

Your Type II or III land use application has been deemed **incomplete**. Pursuant to Subsection 1307.07(E) of the Clackamas County Zoning and Development Ordinance, your application will be void unless the missing information is submitted within 180 days of the date the application was first submitted. Upon voiding of an application, 75 percent of your application fee will be refunded, and you will need to reapply if you are still interested in obtaining this permit.

MISSING INFORMATION REQUIRED FOR A COMPLETE APPLICATION:

- A. Authorization to sign:** Clackamas County records show that the owner of the subject property is "23000 EAGLE CREEK ROAD LLC". The submitted application is signed by Mark Wright. Please provide documentation of Mark Wright's authority to sign on behalf of the property owner "23000 EAGLE CREEK ROAD LLC".
- B. Evidence of historic commitment to commercial uses:** Applicable approval criteria include Comprehensive Plan Policies 4.KK: Rural Commercial Policies. Because the property is not located in an Unincorporated Community, Policy 4.KK.3.1 requires that an area "shall have an historical commitment to commercial uses" in order to be eligible for the application of the Rural Commercial plan designation and zoning. The submitted narrative discusses property ownership history, uses on surrounding property, the inappropriateness of industrial or residential zoning, the site's distance from the interstate freeway system, and states that the site is fully developed for rural commercial uses as shown in aerial imagery. However, the submitted narrative and/or documents must provide evidence that the subject property has an historical commitment to

commercial uses, for example by documenting that a legal nonconforming commercial use has existed on the subject property.

- C. Statewide Planning Goal narrative:** Address applicable Goals, specifically Goal 14 urban vs rural The submitted application identifies that Statewide Planning Goals 3-5, 7, and 8 are not applicable to the proposal and that procedural Goals 1 and 2 are being met. The remaining Goals (6 and 9-14) must be addressed at the time of Comprehensive Plan Map amendment and zone change. The pre-application meeting comments (ZPAC0090-24) provide specific guidance on addressing Statewide Planning Goals 12 and 14.
- D. Traffic Impact Study:** ZDO Subsection 1202.03(D) requires the traffic impact study to address the safety of the transportation system. The submitted Traffic Impact Study dated 3/6/2025 did not include a safety, crash, or sight distance analysis to address this criterion. Transportation Engineering staff recommends assessing crashes on Eagle Creek Rd in the site vicinity, and the intersections of Eagle Creek Rd/OR 211 and OR 211/OR 224, as well as evaluating any potential sight distance issues along the site frontage. Contact Christian Snuffin with questions: Csnuffin@clackamas.us | (503) 680-5623
- E. Preliminary Statement of Feasibility:** The submittal includes a blank Preliminary Statement of Feasibility form. This form must be completed.

IMPORTANT

Your application will be deemed complete, if, within 180 days of the date the application was first submitted, Planning and Zoning receives one of the following:

1. All of the missing information; or
2. Some of the missing information and written notice from you (the applicant) that no other information will be provided; or
3. Written notice from you (the applicant) that none of the missing information will be provided.

If any one of these options is chosen within 180 days of the date of the initial submittal, approval or denial of your application will be subject to the relevant criteria in effect on the date the application was first submitted.

Your application will be considered **void** if, on the 181st day after the date the application was first submitted, you have been mailed this notice and have not provided the information requested in Options 1-3 above. In this case, no further action will be taken on your application.

Applicant or authorized representative, please check one of the following and return this notice to: **Clackamas County Planning and Zoning, 150 Beaver Creek Road, Oregon City, OR, 97045 or the staff contact email on page 1 of this notice**

- ☐ I am submitting the required information (attached); or
- ☐ I am submitting some of the information requested (attached) and no other information will be submitted; or
- ☐ I will not be submitting the requested information. Please accept the application as submitted for review and decision.

Signed

Date

Print Name

Campi, Taylor

From: Fritzie, Martha
Sent: Tuesday, April 8, 2025 10:10 AM
To: Snuffin, Christian; Campi, Taylor
Subject: RE: Comp Plan Map / Zone Change application traffic study

Thanks Christian. We have a few other items to not in the incomplete notice, and will definitely include this one. We will let you know when the applicant sends a response.
Martha

Martha Fritzie, Principal Planner
Clackamas County DTD | Planning & Zoning
150 Beavercreek Road | Oregon City, OR 97045
mfritzie@clackamas.us
(503) 742-4529

Working hours 7:30am to 6:00pm | Monday – Thursday

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This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).

From: Snuffin, Christian <CSnuffin@clackamas.us>
Sent: Monday, April 7, 2025 1:03 PM
To: Fritzie, Martha <MFritzie@clackamas.us>; Campi, Taylor <TCampi@clackamas.us>
Subject: RE: Comp Plan Map / Zone Change application traffic study

Hi Martha,

You are right: while the memo quoted ZDO 1202.03(D), they did not provide a safety/crash analysis to address it. I would recommend they assess crashes on Eagle Creek Rd in the site vicinity, and the intersections of Eagle Creek Rd/OR 211 and OR 211/OR 224. They should also evaluate any potential sight distance issues along the site frontage.

Christian Snuffin, PE, PTOE
503.680.5623

From: Fritzie, Martha <MFritzie@clackamas.us>
Sent: Monday, April 7, 2025 10:45 AM

To: Snuffin, Christian <CSnuffin@clackamas.us>; Campi, Taylor <TCampi@clackamas.us>

Subject: RE: Comp Plan Map / Zone Change application traffic study

Thank you for your quick turnaround, Christian. We will definitely be sending the application and traffic study to ODOT when notice goes out. And we can certainly chat about your concerns regarding the study land use assumptions.

I do have one additional question – just for my own clarity: When you say is provides sufficient information for our review, does that include also addressing the “safety” of the system, as per ZDO 1202.03(D)?

Martha

Martha Fritzie, Principal Planner
Clackamas County DTD | Planning & Zoning
150 Beaver Creek Road | Oregon City, OR 97045
mfritzie@clackamas.us
(503) 742-4529

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This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).

From: Snuffin, Christian <CSnuffin@clackamas.us>

Sent: Thursday, April 3, 2025 2:42 PM

To: Campi, Taylor <TCampi@clackamas.us>

Cc: Fritzie, Martha <MFritzie@clackamas.us>

Subject: RE: Comp Plan Map / Zone Change application traffic study

Hi Taylor,

I reviewed the Traffic Impact Scoping Letter, provided by Clemow Associates, and dated March 6, 2025. The letter provided a thorough outline of applicable approval criteria, including the Transportation Planning Rule (OAR 660-012-0060), Clackamas County Zoning and Development Ordinance, Clackamas County Roadway Standards, Oregon Highway Plan and other ODOT requirements. I believe it provides sufficient information for our review.

I would like to call out a few things:

The memo assumed the worst-case development scenario would be a 15,000 sf building materials and lumber store. Other permitted uses in the RC zone are farmers markets, financial institutions, fitness facilities, government uses, marijuana retailing, offices, medical offices, recreational uses, retailing, service stations, maintenance and repair facilities, commercial services, and wholesaling. Many of these uses could potentially

generate more trips than a 15,000 sf building materials and lumber store. However, the applicant argues that their selected development scenario is appropriate due to things like, “the property location, the low visibility for commercial uses, and surrounding development patterns.” This may be an appropriate assumption, but County staff may review these assumptions and ask for more information that could include revised trip generation values, additional traffic data collection and traffic analysis.

Provided there are no changes to the development scenario or trip generation, the applicant's submitted information is adequate for evaluating the zone change against applicable county approval criteria.

For collaborative review of potential impacts on state highways OR211 and OR224, I recommend sharing this memo with ODOT for their comments.

Please let me know if you have any questions. Thank you!

Christian Snuffin, PE, PTOE
503.680.5623

From: Campi, Taylor <TCampi@clackamas.us>
Sent: Wednesday, April 2, 2025 3:38 PM
To: Snuffin, Christian <CSnuffin@clackamas.us>
Cc: Fritzie, Martha <MFritzie@clackamas.us>
Subject: RE: Comp Plan Map / Zone Change application traffic study

Hey Christian,

Sorry for the short notice but we need to determine completeness by next Monday if possible, is there any chance you will be able to take a look at this – just reviewing it for completeness – by this coming Monday?

Taylor Campi, Senior Planner
Planning and Zoning
Clackamas County Department of Transportation and Development
150 Beavercreek Road, Oregon City, OR 97045
www.clackamas.us

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The Planning and Zoning public service telephone line at 503-742-4500 and email account at zoninginfo@clackamas.us are staffed, and the public service lobby is open, Monday through Thursday from 8:00 a.m. to 4:00 p.m.

Were you happy with the service you received today?



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administrative rule, future legislative amendments of the Zoning and Development Ordinance, decisions of courts or administrative tribunals, or quasi-judicial land use decisions.

This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).

From: Campi, Taylor
Sent: Monday, March 31, 2025 12:56 PM
To: Snuffin, Christian <CSnuffin@clackamas.us>
Cc: Fritzie, Martha <MFritzie@clackamas.us>
Subject: Comp Plan Map / Zone Change application traffic study

Hi Christian,

We received the attached Comp Plan/zone change application with the traffic analysis beginning on page 25. I am in the process of reviewing the application for completeness. For this purpose, I have two questions for you:

- (1) Is this traffic study sufficient to address the TPR (whether or not you agree with the conclusion); and
- (2) Is there sufficient information in here to address the safety of the system (per ZDO 1202.03(D))?

Please take a look and let me know your thoughts on the completeness (by April 14 if possible).

Thank you,

Taylor Campi, Senior Planner
Planning and Zoning
Clackamas County Department of Transportation and Development
150 Beavercreek Road, Oregon City, OR 97045
503-742-4512
Work Hours: M-F 8am-4:30pm
www.clackamas.us

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Were you happy with the service you received today?



CLICK A SMILEY

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This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).



NOTICE OF PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION AND THE BOARD OF COUNTY COMMISSIONERS ON A PROPOSAL IN YOUR AREA

Date of Mailing of this Notice: **June 10, 2025**

Notice Sent to: Applicant; property owners within 2,640 feet of the subject property; and applicable cities, Community Planning Organizations (CPOs), special districts, and government agencies

*Please note that the Planning Commission is holding land use public hearings virtually using the Zoom platform, and that the Board of County Commissioners is holding land use public hearings **both in person and virtually using the Zoom platform**.*

PLANNING COMMISSION HEARING:

Hearing Date & Time:

Monday, July 14, 2025,
at 6:30pm

How to Attend via Zoom:

One week prior to the hearing, a Zoom link to the public hearing and details on how to observe and testify online or by telephone will be available on our website:

<https://www.clackamas.us/planning/planning-commission>

BOARD OF COUNTY COMMISSIONERS HEARING:

Hearing Date & Time:

Tuesday, August 5, 2025,
at **11:30am**

In-Person Hearing Location:

BCC Hearing Room (4th Floor), 2051 Kaen Rd, Oregon City, 97045

How to Attend via Zoom:

One week prior to the hearing, a Zoom link to the public hearing and details on how to observe and testify online or by telephone will be available on our website:

www.clackamas.us/meetings/bcc/landuse

Planning File Numbers: Z0109-25 and Z0110-25

Applicant(s): Mark Wright

Property Owner(s): Eagle Creek Road LLC

Proposal: A Comprehensive Plan map amendment to change the land use plan designation for the subject property from Rural (R) to Rural Commercial (RC), with a corresponding zone change from Rural Residential Farm Forest 5-acre (RRFF-5) to Rural Commercial (RC). No development is proposed with this application.

Subject Tax Lot: T2S, R4E, Section 31A Tax Lot 02804

Situs Address: 23000 SE Eagle Creek Road, Eagle Creek

Location of Subject Property: On the east side of Eagle Creek Rd, approximately 500 feet southeast of HWY 211.

Area of Subject Property: Approximately 2.06 acres

Current Zoning: Rural Residential Farm Forest 5-acre

Approval Criteria: Statewide Planning Goals; Clackamas County Comprehensive Plan; and Clackamas County Zoning and Development Ordinance (ZDO) Sections 202, 513, 1202, and 1307.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER:

ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.

HOW TO OBTAIN ADDITIONAL INFORMATION

Staff Contact: Martha Fritzie, Principal Planner (Tel: 503-742-4529, Email: mfritzie@clackamas.us)

A copy of the entire application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost. In addition, a staff report on the application will be available for inspection at no cost at least **seven days prior to the Planning Commission hearing**. Hard copies of documents will be provided at reasonable cost. You may inspect or obtain these materials by:

1. Emailing or calling the staff contact, Martha Fritzie (see above);
2. Visiting the Planning & Zoning Division, at the address shown at the top of the first page of this notice, during regular business hours, which are Monday-Thursday, 8:00am to 4:00pm; or
3. Online at <https://aca-prod.accela.com/CLACKAMAS>. After selecting the "Planning" tab, enter the File Number to search. Select Record Info and then select "Attachments" from the dropdown list, where you will find the submitted application.

Community Planning Organization for Your Area:

The following recognized Community Planning Organization (CPO) has been notified of this application and may develop a recommendation. You are welcome to contact the CPO and attend their meeting on this matter, if one is planned. If this CPO currently is inactive and you are interested in becoming involved in land use planning in your area, please contact the Community Involvement Office at 503-655-8552. **CPO: Eagle Creek-Barton CPO**, Brent Parries, eaglecreekcpo@gmail.com

HOW TO SUBMIT TESTIMONY ON THIS APPLICATION

- All interested parties are invited to attend the Zoom hearings remotely online or by telephone, and to attend the Board of County Commissioners hearing in person. They will be provided with an opportunity to testify orally, if they so choose. One week prior to each hearing, additional instructions will be available online as explained on the first page of this notice.
- Written testimony received by **June 30, 2025**, will be considered by staff prior to the issuance of the staff report and recommendation on this application. However, written testimony will continue to be accepted until the record closes, which may occur as soon as the conclusion of the Board of County Commissioners' hearing.
- Written testimony may be submitted by email, fax, regular mail, or hand delivery. Please include the case file numbers (Z0109-25 and Z0110-25) on all correspondence and address written testimony to the staff contact who is handling this matter (Martha Fritzie).
- Testimony, arguments, and evidence must be directed toward the approval criteria identified on the first page of this notice. Failure to raise an issue at the hearing or by letter prior to the close of the record, or failure to provide statements or evidence sufficient to afford the Board of County Commissioners and the parties involved an opportunity to respond to the issue, precludes an appeal to the Oregon Land Use Board of Appeals based on that issue.
- Written notice of the Board of County Commissioners' decision will be mailed to you **if you submit a written request and provide a valid mailing address**.

PROCEDURE FOR THE CONDUCT OF THE HEARINGS

The following procedural rules have been established to allow orderly public hearings:

1. The length of time given to individuals speaking for or against an item will be determined by the Chair presiding over the hearing prior to the item being considered.
2. A spokesperson representing each side of an issue is encouraged.
3. Prior to the conclusion of the evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments, or testimony regarding the application. The Planning Commission or the Board of County Commissioners may either continue the hearing or leave the record open for additional written evidence, arguments, or testimony.
4. The Planning Commission will make a recommendation to the Board of County Commissioners on the application. The Board of County Commissioners is the final decision-maker for Clackamas County on this matter

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

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



Oregon

Tina Kotek, Governor

Department of Transportation
Transportation Region 1
123 NW Flanders St.
Portland, OR 97209-4012
(503) 731-8200
Fax: (503) 731-8259

June 26, 2025

ODOT # 13449

ODOT Formal Response

Project: Eagle Creek Road LLC Comprehensive Plan Amendment and Zone Change	Site Location: 23000 SE Eagle Creek Road, Eagle Creek
Jurisdiction: Clackamas County	Applicant: Mark Wright
Jurisdiction Case #: Z0109-25 and Z0110-25	State Highway: OR 211

The site of this proposed land use action is in the vicinity of OR 211. ODOT has permitting authority for this facility and an interest in assuring that the proposed zone change/comprehensive plan amendment is consistent with the identified function, capacity and performance standard of this facility.

These comments, standards, and requirements are current as of the date of this letter. If the project scope and/or timeline is modified, the applicant should contact the ODOT Region 1 Development Review program (ODOT_R1_DevRev@odot.oregon.gov) for an updated letter as updated comments may be necessary.

LAND USE PROPOSAL

ODOT was notified of a land use application submitted to Clackamas County for a Comprehensive Plan map amendment to change the designation from Rural to Rural Commercial. The application would also include a zone change from Rural Residential Farm Fores 5-acre to Rural Commercial. No development is proposed as part of this land use application.

COMMENTS

For zone changes and comprehensive plan amendments, local governments must make a finding that the proposed amendment complies with the Transportation Planning Rule (TPR), OAR 660-012-0060. There must be substantial evidence in the record to either make a finding of “no significant effect” on the transportation system, or if there is a significant effect, require assurance that the land uses to be allowed are consistent with the identified function, capacity, and performance standard of the transportation facility.

To determine whether there will be a significant effect on the State transportation system, ODOT requests the County require the applicant prepare a traffic letter to demonstrate trip generation. Only after reviewing the traffic memo, can it be determined if further analysis (a Traffic Impact Analysis) is required. The memo must be conducted and stamped by an Oregon-registered Professional Engineer (P.E.).

ODOT RECOMMENDED CONDITIONS OF APPROVAL FOR LOCAL JURISDICTION

Traffic Impacts

- ☒ The applicant shall submit a traffic letter assessing the additional trips generated by the proposed use. The analysis must be conducted and stamped by an Oregon-registered Professional Engineer (P.E.). Contact the ODOT Traffic Contact identified below and the local jurisdiction to review the traffic memo and determine if further analysis is required.

Contact the ODOT Development Review Planner identified below for further coordination or questions regarding ODOT comments and requirements during the land use process.

Please send a copy of the Land Use Notice to: ODOT_R1_DevRev@odot.oregon.gov

Development Review Planner: Melissa Gonzalez	Melissa.GONZALEZ-GABRIEL2@odot.oregon.gov
Traffic Contact: Avi Tayar, P.E.	Abraham.TAYAR@odot.oregon.gov

From: [Snuffin, Christian](#)
To: [Fritzie, Martha](#)
Subject: RE: Z0109-25 & Z0110-25
Date: Tuesday, July 1, 2025 3:42:16 PM

Hi Martha,

I've reviewed the supplemental safety analysis and related findings on pages 44–47 of the submitted application for the proposed Comp Plan map amendment and zone change at 23000 SE Eagle Creek Road (Files Z0109-25 and Z0110-25). Based on this review, I take no exception to the findings as presented. With the supplemental safety analysis, the documentation provided by the applicant adequately addresses the relevant safety and transportation criteria set forth in ZDO 1202.03(C) and (D) and OAR 660-012-0060.

Christian Snuffin, PE
503.680.5623

From: Fritzie, Martha <MFritzie@clackamas.us>
Sent: Tuesday, July 1, 2025 2:45 PM
To: Snuffin, Christian <CSnuffin@clackamas.us>
Subject: Z0109-25 & Z0110-25

Hi Christian. We are currently drafting the staff report for this proposed Comp Plan/Zone Change application. Have you had a chance to review the traffic study revision? We need comments from you by the end of this week (sorry, this one snuck up on us a bit) so we can incorporate them into the staff report that needs to go out to the Planning Commission on Monday.

Martha

Martha Fritzie, Principal Planner
Clackamas County DTD | Planning & Zoning
150 Beaver Creek Road | Oregon City, OR 97045
mfritzie@clackamas.us
(503) 742-4529

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legislative amendments of the Zoning and Development Ordinance, decisions of courts or administrative tribunals, or quasi-judicial land use decisions.

This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).

Land Use and Zoning

Development Services Building

Mike McCallister, Manager

150 Beaver Creek Road, Oregon City, OR 97045

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

e-mail: zoninginfo@co.clackamas.or.us

Web: <http://www.clackamas.us/transportation/planning/>

NOTICE OF LAND USE DECISION

This document represents the Land Use and Zoning Staff findings and conditions of approval for a Land Use Application, File No. Z0190-18-E, as cited below. It contains three parts:

Section 1 – Summary, Section 2 – Conditions of Approval and Section 3 – Findings.

SECTION 1 – SUMMARY

DATE: July 11, 2018

APPEAL DEADLINE: July 23, 2018

CASE FILE NO.: Z0190-18-E

STAFF CONTACT: Rick McIntire, (503)742-4516, rickm@co.clackamas.or.us

LOCATION: 23000 SE Eagle Creek Rd., Eagle Creek, OR

REFERENCE PARCEL NUMBER: T2S, R4E, Section 31A, Tax Lot 2804, W.M.

APPLICANT: John Randall III, 23000 SE Eagle Creek Rd., Eagle Creek, OR 97022

OWNER: Eagle Creek RV, LLC

TOTAL AREA: Approximately 2.06 acres

ZONING: Rural Residential Farm/Forest (RRFF-5), five (5) acre district

CITIZENS PLANNING ORGANIZATION: Eagle Creek - Barton CPO, c/o Brent Parries, 503-680-3824
P.O. Box 101 Eagle Creek, OR 97022

PROPOSAL: An Alteration of a Nonconforming Use, an RV and boat storage, service and repair facility with limited parts and accessories sales, to permit construction of four new buildings ranging in size from 7200 s.f. to 10,720 s.f. and a total area of 37,680 s.f. for RV, ATV and boat storage. This request, if approved, would modify the existing approval for 120 storage spaces to 80 spaces and would largely replace the existing outdoor storage of the same items.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS Chapter 215 requires that if you receive this notice, you must promptly forward it to the purchaser.

OPPORTUNITY TO REVIEW THE RECORD: A copy of the Land Use and Zoning Staff Decision and all evidence submitted with this application is available for inspection, at no cost, at the Land Use and Zoning office during normal business hours. Copies of all documents may be purchased at the rate of \$1.00 for the first page and 10-cents per page thereafter. The Land Use Decision contains the findings and conclusions upon which the decision is based along with any conditions of approval.

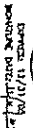
APPEAL RIGHTS: Any party disagreeing with this decision or the conditions of approval, may appeal this decision to the Clackamas County Land Use Hearings Officer. The cost of the appeal is \$250.00. An appeal must be received by the Planning and Zoning Division by 4:00 p.m. on the last day to appeal which is **July 23, 2018**. This decision will not be effective until the day after the appeal deadline provided an appeal is not filed prior. Unless an appeal is received by the appeal deadline, this decision will be final and no additional written confirmation will be sent. Any party or parties appealing this decision may withdraw their appeal at any time prior to the hearing or final decision by the Hearings Officer. Any party wishing to maintain individual appeal rights may wish to file an individual appeal and pay the \$250.00 fee, even if an appeal by another party or parties has been filed.

APPLICABLE APPROVAL CRITERIA: This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Sections(s) 309 and 1206.



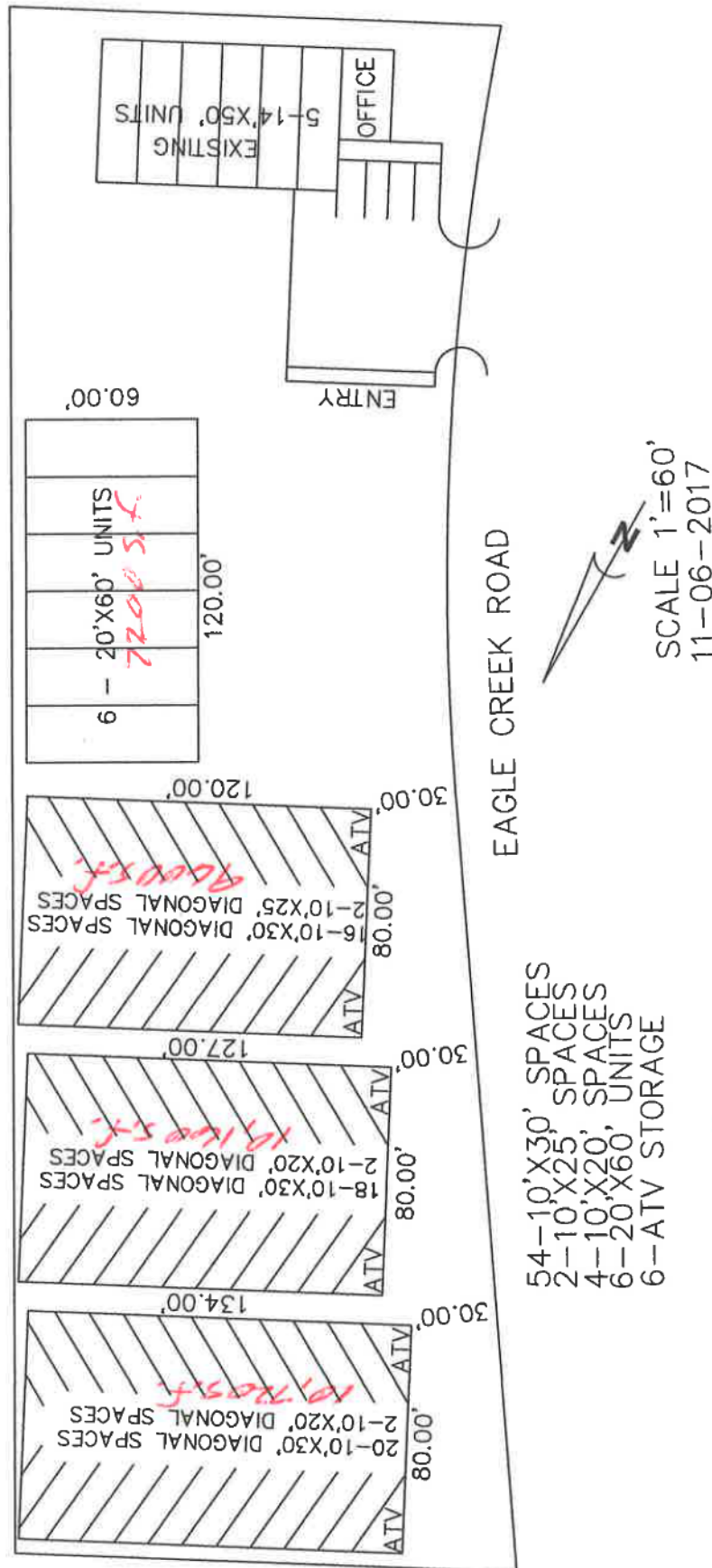
Vicinity Map

Site Plan approved under Planning File No. Z0555-10-E
(See following page)



Proposed Site Development Plan
(See following page)

EAGLE CREEK RV STORAGE



54-10'X30' SPACES
2-10'X25' SPACES
4-10'X20' SPACES
6-20'X60' UNITS
6-ATV STORAGE

Total building area
proposed (new) = 37,680 s.f.

SECTION 2 – CONDITIONS OF APPROVAL:

The Clackamas County Planning and Zoning Division staff grants APPROVAL of this application for an Alteration of a Nonconforming Use subject to compliance with the following conditions:

I. Planning and Zoning Division Conditions: Rick McIntire, (503) 742-4516, or rickmci@clackamas.us

- 1) Approval of this request is based upon the written proposal and site plan submitted with the application, the Findings discussed in Section 3, and these conditions of approval. Any changes to the use as proposed and as limited by the Findings and Conditions herein must be approved by the Planning and Zoning Division prior to implementation.
- 2) Pursuant to Section 1206.07A(1) of the ZDO, the proposed alteration shall be implemented within 10 years of the date of this decision. See Section 1206.07A(1) for the definition of “implemented”.
- 3) Compliance with these conditions of approval is mandatory and non-compliance may be cause for revocation of this permit.

II. Building Codes Division Conditions: Contact 503-742-4739.

- 1) Prior to the commencement of construction, the applicant shall obtain all building, electrical, mechanical or any other permits deemed necessary by the County Building Codes Division for the proposed structures prior to the commencement of construction and occupancy of the structures. Contact 503-742-4240, or dtbtps@co.clackamas.or.us or bldservice@clackamas.us.

III. Clackamas Fire District No. 1 Conditions: Contact Shawn Olson, shawn.olson@clackamasfire.com

- 1) The applicant shall comply with all relevant requirements of the Clackamas Fire District No. 1 Fire Marshal regarding fire protection water supply, emergency vehicle access and any other applicable fire and life safety requirements. Verification of compliance shall be submitted to the Planning and Zoning Division prior to issuance of building permits.
- 2) A Fire Access and Water Supply plan shall be provided for CFD#1 review and approval prior to issuance of building permits and commencement of construction. This shall be a site plan indicating fire apparatus access and available water supply, street widths, turning radius, “no parking fire lane” designations, turnarounds, FDC locations, fire flows, building square footages and construction type, hydrant locations, and any additional information requested by CFD#1.
- 3) Fire Department Access and Water Supply Requirements:
 - a. Provide address numbering that is clearly visible from the fire apparatus access response road.
 - b. On-site access drives/roads shall be within 150 feet of all portions of the exterior wall of the first story of a building as measured by an approved route around the exterior of the building.
 - c. Fire department turnarounds are required for dead ends exceeding 150 feet in length. When fire department turnarounds are required, they shall meet the dimensional requirements found in the Fire Code Applications Guide.
 - d. Gates across fire apparatus access roads shall be approved by Clackamas Fire District #1.
 - (1) Provide CFD#1 with proposed gate plan.
 - (2) Gates shall be a minimum 16’ feet wide.

- (3) Manual locking devices shall have a fire department lock.
- (4) Electronic gates shall have an electronic override switch.
- e. Fire apparatus access on-site drives shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to a fire hydrant) and an unobstructed vertical clearance of 13 feet 6 inches.
- f. “No Parking Fire Lane” signs shall be placed on one or both sides of the on-site roadways and in turnarounds as needed. Roads 26 feet wide or less shall have signs placed on both sides. Roads 26 to 32 feet wide shall have signs placed on one side posting as a fire lane. Red painted curbs can be used in lieu of signs.
- g. The inside turning radius and outside turning radius for a 20’ wide on-site road shall be not less than 28 feet and 48 feet respectively, measured from the same center point.
- h. On-site water supply in the form of a draft site may be needed if inadequate water is identified at the street. An adequate water supply will need to be established for fire suppression operations. The calculation to determine a static water source is calculated by using NFPA 1142 and ISO.
- i. The minimum flow and duration for buildings other than one and two-family dwellings shall be determined according to OFC Appendix B. The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi. If available, the minimum GPM for a commercial property is 1,500.
- j. Where a portion of the structure is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants shall be provided.

SECTION 3 – FINDINGS

This application is subject to the relevant provisions of Clackamas County Zoning and Development Ordinance (ZDO) Section(s) 202, 316, 1206 and 1307. The Clackamas County Planning and Zoning Staff have reviewed these Sections of the ZDO in conjunction with this proposal and make the following findings and conclusions:

- 1. The applicant is requesting approval of an Alteration of a Nonconforming Use, an RV and boat storage, service and repair facility with limited parts and accessories sales, to permit construction of four new buildings ranging in size from 7200 s.f. to 10,720 s.f. and a total area of 37,680 s.f. for RV, ATV and boat storage. This request, if approved, would modify the existing approval for 120 storage spaces to 80 spaces and would largely replace the existing outdoor storage of the same items.
- 2. The subject property is located on the easterly side of SE Eagle Creek Rd., approximately 500 ft. southeast of the intersection of Eagle Creek Rd. and Hwy 211 in the Eagle Creek area. The site is nearly level and is presently developed with an approximately 50 ft. by 100 ft. enclosed structure housing office space, residential living quarters and six bays, and a paved area with spaces for 108 RV’s and boats.
- 3. The applicant has previously obtained approval under Planning & Zoning File No. Z0494-05-E for a 60 ft. by 365 ft. open-sided RV/Boat storage structure that has not been constructed as a modification of the prior approval under File No. Z0761-04-E permitting a change of use initially permitting the RV and boat storage use to replace the original nonconforming use, a propane storage and distribution business.

The use of three storage bays for RV servicing and the sales and installation of RV accessories and parts; and sales of pellet stove fuel was approved as a further modification under File No. Z0618-08-E.

In the most recent application, File No. Z0555-10-E dated December 7, 2010, the applicant obtained approval to permit mini-storage type usage of the facility including construction of a 20 ft. by 150 ft. structure for storage bays in addition to the existing structure and previously approved uses and structures. Additionally, the applicant was permitted use of the site for parking/storage of up to ten (10) commercial semi-trucks and trailers.

With the exception of the parking lot and building at the southerly end of the property, which contains an office, residential living quarters and five bays, three of which were approved for RV servicing and accessories/parts sales, the site has no other structures.

4. Pursuant to subsection 1206.05B(2) of the ZDO, the applicant must first verify that the existing use(s), structure(s) and/or other physical improvements were established as a protected nonconforming use as defined in Sec. 202 of the ZDO. Sec. 202 of the ZDO defines a “Nonconforming Use” as:

“A use of any building, structure or land allowed by right when established or that obtained a required land use approval when established but, due to a change in the zone or zoning regulations, is now prohibited in the zone.”

- A. The subject property is currently zoned Rural Residential Farm/Forest (RRFF-5), a rural residential and small-scale farm and forestry use zoning district. The current zoning classification was adopted and applied to the subject property on June 28, 1976.
- B. Prior to that date, the subject property was not zoned, but was subject to the Unzoned Area Development Permit (UADP) requirements adopted on July 7, 1975.
- C. Prior to the adoption of the UADP standards, the subject property was not subject to restrictive zoning regulations.
- D. The existing and proposed uses are not listed as primary, accessory or conditional uses in the RRFF-5 zoning district. Under the UADP provisions, a county-approved permit for such uses would have been required.

2. In order to demonstrate the establishment of a nonconforming use, the applicant must demonstrate the following: (1) that the use(s) and structure(s) were established prior to the effective date of the initial zoning of the property; **or** (2) that the use(s) and structure(s) were allowed by right under the zoning applicable at the time of establishment; **or** (3) that a required land use permit; e.g. conditional use permit, was obtained from the County to establish the use(s) and structure(s) prior to a change in zoning regulations pursuant to subsection 1206.06B of the ZDO.

- A. The subject property has been the subject of four prior Alteration of Nonconforming Use applications.

On November 22, 2004, the Planning & Zoning Division issued a decision, File No. Z0761-04-E, finding that a nonconforming use status had been established for a propane storage and sales use that was established sometime in 1974 according to County Tax and Assessment department appraisal records. The original occupant was Doxol L.P. Gas. The use consisted of a large bulk propane storage tank, storage of residential and commercial propane tanks, propane delivery trucks, miscellaneous related equipment and a small storage shed. In that 2004 decision, the Planning & Zoning Division authorized an alteration/change in use to permit the applicant’s proposed RV and boat storage business.

On August 24, 2005, the Planning & Zoning Division approved a modification of the 2004 approval, File No. Z0494-05-E, to permit construction of two buildings, one being the structure at the south end of the property to house an office, residential living quarters and five storage bays that has been completed, and one open-sided covered storage structure that has not been constructed.

On December 30, 2008, the Planning & Zoning Div. approved a further modification permitting the use of three storage bays within the completed structure for RV servicing and the sales and installation of RV accessories and parts; and sales of pellet stove fuel in addition to the previously-approved RV and boat storage use.

On December 7, 2010, the Planning & Zoning Division approved a modification of the prior approvals to permit mini-storage type usage of the facility including construction of a 20 ft. by 150 ft. structure for storage bays in addition to the existing structure and previously approved uses and structures. Additionally, the applicant was permitted use of the site for parking/storage of up to ten (10) commercial semi-trucks and trailers.

B. **Conclusion:** Based upon the prior land use permitting history, the staff finds that the existing nonconforming use permitted under File No. Z0761-04-E and subsequently modified by File Nos. Z0494-05-E, Z0618-08-E and Z0555-10-E, is a lawfully established nonconforming use under the current RRFF-5 zoning designation. **This criterion is satisfied.**

3. If the applicant proves that a nonconforming use status has been established, the nonconforming use may be continued pursuant to subsec. 1206.01 of the ZDO. Subsec. 1206.01 of the ZDO states:

“A nonconforming use may be continued although not in conformity with the regulations for the zone in which the use is located.”

4. If the applicant has demonstrated that a nonconforming use has been lawfully established, the applicant must also provide evidence as to the nature, extent, existence and continuity of the nonconforming use and that the nonconforming use has not been discontinued for any period exceeding twelve (12) consecutive months during the 20-year period immediately preceding the date of the application for verification pursuant to subsec. 1206.02 of the ZDO and ORS 215.130(11). Subsec. 1206.02 of the ZDO states:

“If a nonconforming use is discontinued for a period of more than twelve (12) consecutive months, the use shall not be resumed unless the resumed use conforms with the requirements of the Ordinance and other regulations applicable at the time of the proposed resumption.”

- A. Based upon the land use, building permitting records and 2008, 2009, 2012 and 2016 county aerial photos for the subject properties, the applicant’s affirmation and staff knowledge of the use, the staff concludes that the nonconforming use of the subject property has not been discontinued for any period in excess of twelve (12) consecutive months since the adoption of restrictive zoning regulations in December of 1967 and approval of the prior land use decisions described above. **This criterion is satisfied.**

5. Pursuant to subsection 1206.05B(1) of the ZDO, in order to approve this request, the proposed alteration of the nonconforming use, structure and/or other physical improvements shall have no greater adverse impact upon the neighborhood than the existing use, structure(s) and/or physical improvements. The Planning Director, or designate, may impose conditions designed to mitigate any potential additional adverse impacts pursuant to subsection 1206.05B(3) of the ZDO.

- A. The applicant is proposing an Alteration of a Nonconforming Use to modify the nonconforming use to include the existing uses of the existing structure at the south end of the property . In addition to

the uses of that structure, the applicant is requesting approval to construct four new buildings ranging in size from 7200 s.f. to 10,720 s.f. with a total covered and/or enclosed area of 37,680 s.f. for RV, ATV and boat storage. This request, if approved, would modify the existing approval for 120 RV/Boat/Vehicle storage spaces to 80 spaces and would largely replace the existing outdoor storage of the same items.

- B. Approval of this request will also require the applicant to obtain any required building, plumbing, electrical and any other specialty code permits required by the County Building Codes Div. and any requirements of the Clackamas Fire District No. 1 Fire Marshal to ensure that all fire and life safety, water quality and public safety concerns are satisfied with respect to the proposed structure(s). Conditions of approval are warranted requiring the applicant to comply with these requirements prior to the commencement of construction of the proposed structures.
- C. The County Traffic Engineering Div. staff have reviewed this application. The Engineering Division has not stated any concerns related to traffic generated by the use. The comments submitted indicate that the layout and size of the proposed structures may require some modification to comply with Fire District emergency access standards. The applicant notes that if this proposal is implemented, it will reduce the total number of storage spaces 120 to 80 which will, in turn, result in an overall reduction of traffic to and from the facility. The Engineering Division has not indicated that there are any traffic capacity or mobility issues on SE Eagle Creek Rd. that would be adversely impacted (worsened) if the current proposal is approved. In addition, the entrance to the site onto SE Eagle Creek Rd. at the southerly end of the site is located such that there is adequate sight distance from both directions and the approach is designed to permit two-way traffic into and from the facility, helping to minimize potential turning movement conflicts.
- D. The Clackamas Fire District No. 1 Fire Marshal has submitted comments and recommendations concerning this proposal. These indicate that prior to issuance of permits and commencement of construction, the applicant must submit a Fire Access and Water Supply plan to the CFD#1 for review and approval. This site plan shall depict fire apparatus access and available water supply, street widths, turning radius, "no parking - fire lane" designations, turnarounds, FDC locations, fire flows, building square footages and construction type, hydrant locations, and any additional information requested by the CFD#1.

The Planning staff notes that the size and location of the proposed structures may need to be modified to meet the CFD#1 requirements and to comply with relevant structure setbacks from property lines; e.g. 30 feet to the Eagle Creek Rd. right of way and 10 feet to all other property lines pursuant to Section 316 of the ZDO. Additionally, building code requirements for separation distances may also require such modifications.

- E. The subject property is bordered on the south and west by commercial and industrial uses; e.g. foundry use, and additional commercial uses are in close proximity; e.g. , Ferrelgas across the street and a feed and hardware store a short distance to north. The Foster Farm living history facility is located to the west of the north end of the site. The immediate area can be characterized as commercial/industrial in nature.
- F. Given the similarity in terms of use and scale of the existing land use approvals for the site and the use proposed in this application, the staff is unable to identify any additional adverse impacts to the surrounding properties that would occur as a result of approval of this change in use when compared to the existing and approved uses of the site.
- G. **Conclusion:** Based upon the Findings discussed above, the staff finds that approval of this alteration of a nonconforming use, as described in the application materials and herein, will not cause any additional adverse impacts to the surrounding area when compared with the existing

nonconforming use. **This criterion is satisfied.**

6. The Federal Endangered Species Act (ESA) is not a criterion for approval of this application. The County has reviewed the approval standards in light of the requirements of the ESA, believes that the criteria for approval are consistent with the terms of the ESA and has submitted the Development Ordinances for consideration for a “4(d)” programmatic limitation. However, the analysis included in this report does not include an evaluation by the County of the application for consistency with the ESA nor does the report reach any conclusions concerning that federal law. The applicant is responsible for designing, constructing, operation and maintaining the activities allowed by an approval of this application in a manner that ensures compliance with the ESA. Any questions concerning this issue should be directed to the applicant, its consultant and the federal agencies responsible for administration and enforcement of the ESA for the affected species.

SUMMARY: The Planning and Zoning Division staff finds that the applicant has submitted information which demonstrates that the proposal can satisfy the relevant approval standards of the Zoning and Development Ordinance and other County and State Regulations, as outlined in Section 3 of this report. The imposition of, and compliance with, Conditions of Approval found in Section 2 will assure compliance with these relevant requirements.

DECISION: Based upon the findings and conclusions herein, the proposed Alteration of a Nonconforming Use is hereby **APPROVED** subject to the conditions of approval found in Section 2.

2024 RECHECK APPRAISAL WORK FILE

01853122

24E31A 02804



MH #: Action_Type: RED TAG

Existing/New Location:

Old Location:

NL

Space No.: Exempt:

Situs: 23000 SE EAGLE CREEK RD

2025 Return ☐ Office Only ☐

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
01853122
Parent Parcel Number

Property Address
23000 SE EAGLE CREEK RD
Neighborhood
20020 AREA 02 COMMERCIAL
Property Class
201 201 Commercial Improved
TAXING DISTRICT INFORMATION
Jurisdiction 003
Area 001

OWNERSHIP

23000 EAGLE CREEK ROAD LLC
16380 S SPRINGWATER RD
OREGON CITY, OR 97045
3492 EAGLES NEST #2 LT 8

23000 SE EAGLE CREEK RD

TRANSFER OF OWNERSHIP

Date		
11/14/2023	EAGLE CREEK R V LLC	\$1650000
	Doc #: 435512	
07/28/2011	SONAS CAPITAL GROUP LLC	\$375000
	Doc #: 218946	
06/19/2009	EAGLE CREEK RV STORAGE LLC	\$750000
	Doc #: 191036	
09/27/2007	J R R PROPERTIES INC	\$80000
	Doc #: 167603	
05/04/2004	LEATHERS KATHRYN S	\$80000
	Doc #: 96720	

COMMERCIAL

VALUATION RECORD

Assessment Year	01/01/2019	01/01/2020	01/01/2021	01/01/2022	01/01/2023	01/01/2024	Worksheet
Reason for Change	Reval	Reval	Reval	Reval	Reval	Reval	
VALUATION	I 361766	379854	401962	426080	442158	456227	456227
Market	E 221790	232280	245770	260760	271250	278740	343750
	I 583556	612134	647732	686840	713408	734967	799977

Site Description

Legal Acres:
2.0000

LAND DATA AND CALCULATIONS

Land Type	Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
1 C 10 Market Total		0.0		1.00	200981.00	200981.00	200981 L	127%	SV 456227

CI22: COMMERCIAL INVENTORY 2022
5/3/22 ML
NC09: NEW CONSTRUCTION 2009
RETAIL RV STORAGE BLDG 4,200 SF & EXTERNAL OFFICE
576 SF 100% & NEIGH CHG RES TO COMM 2-10-09 #58
INT/OWNER
NC24: NEW CONSTRUCTION 2024
13 STORAGE CONTAINERS 100% 4/23/24 EXT #92
NOR: Note of Record
'99 ALLOCATED SUBDIVISION. 2000 TRC #0823
BOPTA NO. 2009-0358 - WITHDRAWN. MH SITED L116137
4/22/10 #65 EXT/EMPLOYEE. MH GONE (L116137) 5/1/12
#96
OE00: 2000 NEW SUBDIVISION COMPLETE

Supplemental Cards

TRUE TAX VALUE 456227

Supplemental Cards

TOTAL LAND VALUE 456227

IMPROVEMENT DATA

PHYSICAL CHARACTERISTICS

ROOFING

Built-up

WALLS

Frame	B	1	2	U
Brick				
Metal				
Guard				

FRAMING

B	1	2	U
---	---	---	---

HEATING AND AIR CONDITIONING

B	1	2	U
---	---	---	---

Fr Comm 01 02

4776

Item Description	Unit	Cost	Total	Pct
------------------	------	------	-------	-----

(LCM: 100.00)

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Stry Hgt	Const Type Grade	Year Const	Eff Year	Cond	Base Rate	Feat- ures	Adj Rate	Size or Area	Computed Value	Phys Obsol Depr	Market Adj	% Comp	Value	
		C	GENCOMM	0.00	4	2008	2008	AV	0.00	N	0.00	4776	0	0	SV	100	100	0
		01	RV STOR	0.00	4	2008	2008	AV	0.00	N	0.00	0	149858	0	SV	100	100	278740
		02	RV STOR	0.00	4	2020	2020	AV	0.00	N	0.00	0	34946	0	SV	100	100	65010

Data Collector/Date

Appraiser/Date

Neighborhood

Neigh 20020 AV

Supplemental Cards

TOTAL IMPROVEMENT VALUE

343750

01853122

23000 EAGLE CREEK ROAD LLC

23000 SE EAGLE CREEK RD

EXHIBIT 6
Z0109-25 & Z0110-25

201

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
01853122

Parent Parcel Number

Property Address
23000 SE EAGLE CREEK RDNeighborhood
20020 AREA 02 COMMERCIALProperty Class
201 201 Commercial Improved

TAXING DISTRICT INFORMATION

Jurisdiction 003

Area 001

OWNERSHIP

23000 EAGLE CREEK ROAD LLC
16380 S SPRINGWATER RD
OREGON CITY, OR 97045

3492 EAGLES NEST #2 LT 8

Tax ID 24E31A 02804

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TRANSFER OF OWNERSHIP

Date		
11/14/2023	EAGLE CREEK R V LLC	\$1650000
	Doc #: 435512	
07/28/2011	SONAS CAPITAL GROUP LLC	\$375000
	Doc #: 218946	
06/19/2009	EAGLE CREEK RV STORAGE LLC	\$750000
	Doc #: 191036	
09/27/2007	J R R PROPERTIES INC	\$80000
	Doc #: 167603	
05/04/2004	LEATHERS KATHRYN S	\$80000
	Doc #: 96720	

COMMERCIAL

VALUATION RECORD

Assessment Year	01/01/2018	01/01/2019	01/01/2019	01/01/2020	01/01/2021	01/01/2022	01/01/2023
Reason for Change	Reval	Reval	Reval	Reval	Reval	Reval	Reval
VALUATION	L 335638	335638	361766	379854	401962	426080	442158
Market	B 205310	205310	221790	232280	245770	260760	271250
	T 540948	540948	583556	612134	647732	686840	713408

Site Description

Legal Acres:
2.0000

LAND DATA AND CALCULATIONS

Land Type	Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
1 C 10 Market Total		0.0		1.00	200981.00	200981.00		200981 L 120%	SV 442158

AP
NC24- 13 Storage Containers 100%
4-23-24 Ext 1/#92

CI22: COMMERCIAL INVENTORY 2022

5/3/22 ML

NC09: NEW CONSTRUCTION 2009

RETAIL RV STORAGE BLDG 4,200 SF & EXTERNAL OFFICE

576 SF 100% & NEIGH CHG RES TO COMML 2-10-09 #58

INT/OWNER

NOR: Note of Record

'99 ALLOCATED SUBDIVISION. 2000 TRC #0823

BOPTA NO. 2009-0358 - WITHDRAWN. MH SITED L116137

4/22/10 #65 EXT/EMPLOYEE. MH GONE (L116137) 5/1/12

#96

OE00: 2000 NEW SUBDIVISION COMPLETE

Supplemental Cards

TRUE TAX VALUE

442158

Supplemental Cards
TOTAL LAND VALUE

442158

Z0109-25 & Z0110-25

Page 17 of 68

IMPROVEMENT DATA

PHYSICAL CHARACTERISTICS

ROOFING

Built-up

WALLS

Frame	B	1	2	U
Brick				
Metal				
Guard				

FRAMING

B	1	2	U
---	---	---	---

HEATING AND AIR CONDITIONING

B	1	2	U
---	---	---	---

Fr Comm 01

4776

Item Description	Units	Cost	Total	Pct
------------------	-------	------	-------	-----

(LCM: 100.00)

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Stry Hgt	Const Type Grade	Year Const	Eff Year	Cond	Base Rate	Feat-ures	Adj Rate	Size or Area	Computed Value	PhysObsol	Market Adj	% Comp	Value	
C GENCOMM	0.00	4				2008	2008	AV	0.00	N	0.00	4776	0	0	SV	100	100	0
01 RV STOR	0.00	4				2008	2008	AV	0.00	N	0.00	0	149858	0	SV	100	100	271250

Storage Unit

2020

65,000

TTV

Data Collector/Date

Appraiser/Date

Neighborhood

Supplemental Cards

Neigh 20020 AV

TOTAL IMPROVEMENT VALUE

271250



2023

RT ~~2024~~

CHECK FOR ANY PROGRESS
ON POLE BLDG.

1-1-24
Ext. vac
13 Storage cont
100%
4-23-24 #92

24E31A 02804

Site Address: 23000 SE EAGLE CREEK RD

Owner: EAGLE CREEK R V LLC

WLAND: 401,962 WIMPS: 245,770 WTOTAL: 647,732

ProVal Values as of: 3/9/2022

Account #: 01853122 Nbrhd: 20020

Prop. Class: 201 Related

Exempt: Parcels:

Notes to Appraiser:

13 Storage Containers \$5,000 each

Permit Nbr	Jurisdiction	Permit Type	Address	Issued Date	Values Job / Contr	Work Description
AG016721	COUNTY	Building Agriculture	23000 SE EAGLE CREEK RD	02/01/22	0 / 0	EPR 50X120 AG EXEMPT POLE BUILDING FOR HEMP

5/9/23 *Posted warning not to enter*

Pole bldg NO START 2023

NONE /vac/#06

4-23-24 #92

vac, NH No change, no bldg started

Poles seen in 11-14-23 Pictometry No houses there

13 Storage Containers Placed in 2020 added for 1-1-24

Tuesday, June 14, 2022

Spoke w/new
owner on phone
Mark Wright. They
had to tear down
building for
code compliance.
No return.
#87

PV/YL

9/28/22

2023 RECHECK APPRAISAL WORK FILE

01853122

24E31A 02804



MH #: Action_Type: PERMITS

Existing/New Location:

Old Location:

NO START

Space No.: Exempt:

Situs: 23000 SE EAGLE CREEK RD

2024 Return ☒ Office Only ☐

01853122

EAGLE CREEK R V LLC

23000 SE EAGLE CREEK RD

EXHIBIT 6

201

ADMINISTRATIVE INFORMATION

OWNERSHIP

Tax ID 24E31A 02804

20109-25 & 20110-25
Printed 10/20/2022 Page 20 of 68PARCEL NUMBER
01853122EAGLE CREEK R V LLC
23000 SE EAGLE CREEK RD
EAGLE CREEK, OR 97022

Parent Parcel Number

3492 EAGLES NEST #2 LT 8

Property Address
23000 SE EAGLE CREEK RDNeighborhood
20020 AREA 02 COMMERCIALProperty Class
201 201 Commercial Improved

TAXING DISTRICT INFORMATION

COMMERCIAL

Jurisdiction 003
Area 001

TRANSFER OF OWNERSHIP

Date		
07/28/2011	SONAS CAPITAL GROUP LLC Doc #: 218946	\$375000
06/19/2009	EAGLE CREEK RV STORAGE LLC Doc #: 191036	\$750000
09/27/2007	J R R PROPERTIES INC Doc #: 167603	\$80000
05/04/2004	LEATHERS KATHRYN S Doc #: 96720	\$80000
07/01/1999	Doc #: 99-77243	\$0

VALUATION RECORD

Assessment Year	01/01/2018	01/01/2018	01/01/2019	01/01/2019	01/01/2020	01/01/2021	01/01/2022
Reason for Change	Reval	Reval	Reval	Reval	Reval	Reval	Reval
VALUATION	I 307501	335638	335638	361766	379854	401962	426080
Market	E 188820	205310	205310	221790	232280	245770	260760
	T 496321	540948	540948	583556	612134	647732	686840

Site Description

Legal Acres:
2.0000

LAND DATA AND CALCULATIONS

Land Type	Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
1 C 10 Market Total		0.0		1.00	200981.00	200981.00	200981 L	112%	SV 426080

CI22: COMMERCIAL INVENTORY 2022
5/3/22 ML
NC09: NEW CONSTRUCTION 2009
RETAIL RV STORAGE BLDG 4,200 SF & EXTERNAL OFFICE
576 SF 100% & NEIGH CHG RES TO COMML 2-10-09 #58
INT/OWNER
NOR: Note of Record
'99 ALLOCATED SUBDIVISION. 2000 TRC #0823
BOPTA NO. 2009-0358 - WITHDRAWN. MH SITED L116137
4/22/10 #65 EXT/EMPLOYEE. MH GONE (L116137) 5/1/12
#96
OE00: 2000 NEW SUBDIVISION COMPLETE
PT23: PERMIT 2023
50X120 POLE BLDG

Supplemental Cards

TRUE TAX VALUE

426080

Supplemental Cards
TOTAL LAND VALUE

426080

IMPROVEMENT DATA

PHYSICAL CHARACTERISTICS

ROOFING
Built-up

WALLS
B 1 2 U
Frame
Brick
Metal
Guard

FRAMING
B 1 2 U

HEATING AND AIR CONDITIONING
B 1 2 U

Fr Comm 01
4776

Item Description Unit CC% Total Pct

(LCM: 100.00)

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Description	Value	Stry Const		Year Eff		Base	Feat-	Adj	Size or	Computed	PhysObsolMarket		%	Value					
		ID	Use	Hgt	Type Grade						Const	Year Cond			Rate	ures	Rate	Area	Value
		C	GENCOMM	0.00		4	2008	2008	AV	0.00	N	0.00	4776	0	0	SV	100	100	0
		01	RV STOR	0.00		4	2008	2008	AV	0.00	N	0.00	0	149858	0	SV	100	100	260760

Data Collector/Date

Appraiser/Date

Neighborhood

Neigh 20020 AV

Supplemental Cards

TOTAL IMPROVEMENT VALUE

260760

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
01853122

Parent Parcel Number

Property Address
23000 SE EAGLE CREEK RD

Neighborhood
20020 AREA 02 COMMERCIAL

Property Class
201 201 Commercial Improved

TAXING DISTRICT INFORMATION

Jurisdiction 003

Area 001

OWNERSHIP

EAGLE CREEK R V LLC
23000 SE EAGLE CREEK RD
EAGLE CREEK, OR 97022

3492 EAGLES NEST #2 LT 8

Tax ID 24E31A 02804

Printed 05/05/2022

20109-25 & 20110-25
Page 22 of 68

EXHIBIT 6

COMMERCIAL

VALUATION RECORD							
Assessment Year		01/01/2018	01/01/2018	01/01/2019	01/01/2019	01/01/2020	01/01/2021
Reason for Change		Reval	Reval	Reval	Reval	Reval	Reval
VALUATION	I	307501	335638	335638	361766	379854	401962
Market	B	188820	205310	205310	221790	232280	245770
	T	496321	540948	540948	583556	612134	647732

Site Description

Legal Acres:
2.0000

LAND DATA AND CALCULATIONS									
Land Type	Rating	Measured	Table	Prod. Factor	Base	Adjusted	Extended	Influence	Value
	Soil ID	Acreage	Effective	-or-					
	-or- Actual Frontage	-or- Effective Frontage		Depth	Square Feet	Rate	Value	Factor	
1 C 10 Market Total		0.0		1.00	200981.00	200981.00		200981 L 100%	SV 401962

CI22: COMMERCIAL INVENTORY 2022
5/3/22 ML
NC09: NEW CONSTRUCTION 2009
RETAIL RV STORAGE BLDG 4,200 SF & EXTERNAL OFFICE
576 SF 100% & NEIGH CHG RES TO COMML 2-10-09 #58
INT/OWNER
NOR: Note of Record
'99 ALLOCATED SUBDIVISION. 2000 TRC #0823
BOPTA NO. 2009-0358 - WITHDRAWN. MH SITED L116137
4/22/10 #65 EXT/EMPLOYEE. MH GONE (L116137) 5/1/12
#96
OE00: 2000 NEW SUBDIVISION COMPLETE

FARMLAND COMPUTATIONS
Parcel Acreage 2.0000
81 Legal Drain NV [-]
82 Public Roads NV [-]
83 UT Towers NV [-]
9 Homesite(s) [-]
91/92 Excess Acreage[-]
TOTAL ACRES FARMLAND
TRUE TAX VALUE

Measured Acreage
Average True Tax Value/Acre
TRUE TAX VALUE FARMLAND
Classified Land Total
Homesite(s) Value (+)
Excess Acreage Value (+)
Supplemental Cards
TOTAL LAND VALUE 401962

Supplemental Cards
TRUE TAX VALUE 401962

EXHIBIT 6

20109-25 & 20110-25

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01853122

IMPROVEMENT DATA

PHYSICAL CHARACTERISTICS

ROOFING

Built-up

WALLS

Frame
Brick
Metal
Guard

FRAMING

HEATING AND AIR CONDITIONING

Fr Comm 01
4776

(LCM: 100.00)

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Description	Value	Stry Const																	
		ID	Use	Hgt	Type	Grade	Year	Eff	Base	Feat-	Adj	Size or	Computed	PhysObsol	Market	%			
							Const	Year	Rate	ures	Rate	Area	Value	Depr	Depr	Adj	Comp	Value	
		C	GENCOMM	0.00		4	2008	2008	AV	0.00	N	0.00	4776	0	0	SV	100	100	0
		01	RV STOR	0.00		4	2008	2008	AV	0.00	N	0.00	0	149858	0	SV	100	100	245770

Data Collector/Date

Appraiser/Date

Neighborhood

Neigh 20020 AV

Supplemental Cards

TOTAL IMPROVEMENT VALUE

245770

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
01853122

Parent Parcel Number

Property Address
23000 SE EAGLE CREEK RD

Neighborhood
20020 AREA 02 COMMERCIAL

Property Class
201 201 Commercial Improved

TAXING DISTRICT INFORMATION

Jurisdiction 003

Area 001

OWNERSHIP

EAGLE CREEK R V LLC
23000 SE EAGLE CREEK RD
EAGLE CREEK, OR 97022

3492 EAGLES NEST #2 LT 8

Tax ID 24E31A 02804

Printed 04/28/2022

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EXHIBIT 6

COMMERCIAL

VALUATION RECORD							
Assessment Year		01/01/2018	01/01/2018	01/01/2019	01/01/2019	01/01/2020	01/01/2021
Reason for Change		Reval	Reval	Reval	Reval	Reval	Reval
VALUATION	I	307501	335638	335638	361766	379854	401962
Market	B	188820	205310	205310	221790	232280	245770
	T	496321	540948	540948	583556	612134	647732

Site Description

Legal Acres:
2.0000

LAND DATA AND CALCULATIONS											
Land Type	Rating	Measured	Table	Prod. Factor							
	Soil ID	Acreage		-or-							
	-or-	-or-		Depth Factor							
	Actual Frontage	Effective Frontage	Effective Depth	-or- Square Feet	Base Rate	Adjusted Rate	Extended Value		Influence Factor	Value	
1 C 10 Market Total		0.0		1.00	200981.00	200981.00		200981 L	100%	SV	401962

CI22 #20 4-28-22

NC09: NEW CONSTRUCTION 2009
RETAIL RV STORAGE BLDG 4,200 SF & EXTERNAL OFFICE
576 SF 100% & NEIGH CHG RES TO COMML 2-10-09 #58
INT/OWNER
NOR: Note of Record
'99 ALLOCATED SUBDIVISION. 2000 TRC #0823
BOPTA NO. 2009-0358 - WITHDRAWN. MH SITED L116137
4/22/10 #65 EXT/EMPLOYEE. MH GONE (L116137) 5/1/12
#96
OE00: 2000 NEW SUBDIVISION COMPLETE

FARMLAND COMPUTATIONS

Parcel Acreage

81 Legal Drain NV [-]
82 Public Roads NV [-]
83 UT Towers NV [-]
9 Homesite(s) [-]
91/92 Excess Acreage[-]

TOTAL ACRES FARMLAND

TRUE TAX VALUE

Supplemental Cards

TRUE TAX VALUE

401962

Measured Acreage
Average True Tax Value/Acre
TRUE TAX VALUE FARMLAND
Classified Land Total
Homesite(s) Value (+)
Excess Acreage Value (+)

Supplemental Cards

TOTAL LAND VALUE

401962

PHYSICAL CHARACTERISTICS

01

IMPROVEMENT DATA

EXHIBIT 6
Z0109-25 & Z0110-25
Page 25 of 68

CIM - PROVAL INVENTORY STAMP	
Number of Buildings:	1 Rec 1 of 1
Bldg Type (Stat Class):	RV Storage Facility
Primary Occupancy (M&S):	General Commercial
Proval Misc Name Conven:	RV STOR
Grade/Rank:	4 (Default)
Building SF:	4,776
Year Built:	2008
Effective Year:	2008
Framing Class:	S
Wall Height:	14
Perimeter: If blank, use 1000	304
Comml Mkt Adj: (If Applicable)	
Computed Value	\$ No Change

(LCM: 100.00)

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Stry Hgt	Const Type Grade	Year Const	Eff Year	Cond	Base Rate	Feat- ures	Adj Rate	Size or Area	Computed Value	PhysObsol Depr	Market Adj	% Comp	Value		
		01	RETAIL	0.00			2008	2008	AV	0.00	N	0.00	0	149858	0	SV	164	100	245770

Acres

EAGLE CREEK OR

NO
CHK

[illegible][illegible]

23000 SE EAGLE CREEK RD
 EAGLE CREEK OR

01853122

X-Number:

24E31A 02804

Existing Location:

New Location:

Space No.:

Exempt:

11/29/12
 NO CHG

Action Type: RED TAG

67

2010 Return ☐

Office Only ☐

Class

Built

Area

Appr.

No.

VALUATION SUMMARY OF REAL PROPERTY

Assessment Year	Total Acres	Land	Improvements	F.P. Acres	F.P.L.V.	Remarks
-----------------	-------------	------	--------------	------------	----------	---------

99

28800

E31A 02804

9% L
 31,390

24E31A 02804
 2000

117,560

PROPERTY CLASS _____
PHOTO NO. _____

LAND APPRAISAL

EXHIBIT 6
AZ0109-25 & 20110-25
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24531A 02804
01853123

RECORD OF APPRAISAL		ORS 308.234
SUB TOTAL "A"	\$	
INCREMENTS TO LAND "B"	\$	
GROSS LAND VALUE "A" + "B"	\$	
SITE ADJUSTMENTS _____%	\$	
TOTAL APPRAISED VALUE	\$	
APPR. BY _____	DATE _____	19 _____

23000 SE Eagle Creek Rd
Eagle Creek, OR

MARKET DATA	REMARKS:
PURCHASE PRICE \$ _____	1-1-09 Zoning is RRFF-5 per Lori MASTRANTONIO (Clackamas Co. Planning)
DATE _____	on 2/17/09. RV Storage approved on 12/12/05. ON 10/15/04 an alteration
DEED _____ TYPE _____	of non-conforming use was approved. This site was formerly a
CONTRACT _____	propane storage/distribution site. #58
TRADE _____	
RENT _____	
LISTING _____	

ZONING RRFF-5 Rural Res Farm/For		COMPUTATION							
RESIDENTIAL	X	DIMENSIONS OR ACRES	LAND CLASS	BASIC UNIT VALUE	ADJUSTMENT FACTORS			ADJUSTED UNIT VALUE	TOTAL VALUE
MULTI-FAMILY									
COMMERCIAL		87,120 SF	201	360				360	313,632
NEIGHBORHOOD COM'L		2.0 AC							
LT. INDUSTRIAL									
HVY. INDUSTRIAL									
AGRICULTURAL									
AREA IMPROVEMENTS									
SIDEWALKS									
CURBS									
STREET									
WATER									
SEWERS									
ELECTRICITY									
SITE ADJUSTMENTS %									
ROAD TYPE D G P									
MI. TO ALL WTHR. RD. _____									
MI. TO MKT. CENTER _____									
TOPOGRAPHY									
VIEW									
STANDARD DEPTH	FEET	← TOTAL ACRES			SUB TOTAL "A"			(TRANSFER TO VALUE SUMMARY) →	
STANDARD DEPTH									
EFFECTIVE DEPTH									
		COMPUTER	DATE	CHECKED	DATE				

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Z0109-25 & Z0110-25
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[illegible]

NATURAL RES.: GRAVEL, OIL, GAS, MINERALS _____ ACRES ⑦ _____ PER ACRE

BURIED IRRIG. PIPE _____ SIZE _____ % GOOD _____ FT. @ _____ PER FT.

_____ SIZE _____ % GOOD _____ FT. @ _____ PER FT.

SUB TOTAL "B"

(TRANSFER TO VALUE SUMMARY)

REMARKS:

2008-09 Recheck

LAND COMPS									CURRENT ZONING	PROPERTY CLASS	BUSINESS NAME
	Map/Tax Lot	Ac-count #	Land (Ac)	Land (sf)	RMV Land	Price/SF	Location	Approx. dist. from subject			
Subject	24E31A 02804	01853122	2.00	87,120	\$136,603	\$1.57	ECrk	subject	RRFF-5	100	ECrk RV Storage
Comp 1	24E31A 02801	01853097	1.70	74,052	\$281,532	\$3.80	ECrk	290 FT	RC	201	ECrk Feed Store
Comp 2	24E32 04901	00683692	1.00	43,560	\$183,899	\$4.22	ECrk	0 FT (next door)	RRFF-5	201	unk
Comp 3	24E31A 01200	00682504	5.48	238,709	\$298,514	\$1.25	ECrk	1150 FT	RC	201	gas station
Comp 4				0		#DIV/0!					
Comp 5				0		#DIV/0!					
Comp 6				0		#DIV/0!					

AVERAGE #DIV/0!
MEDIAN #DIV/0!

Conclusion:

should be \$3⁶⁰ per SF for 201.

1.0 AC → 1.7 AC
6¢ per 1/10 ac.

230

1.0 AC → 5.48 AC
diff is 4.48 AC ÷ 10 = 44.8 × .06 = 2.69

4.22 - 2.69 = 1.53
4.22 - 2.97 = 1.25
44.8 = 0.066

Subject: @ 6¢ = \$3.62 small SF
@ 6.6¢ = 3.56 large SF
@ 6.2¢ = 3.60

COMMERCIAL IMPROVEMENT APPRAISAL

EXHIBIT 6

Z0109-25 & Z0110-25

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APP'L AREA _____

ACCT. NO. 01853122

T.L. NO. 24E31A 02804

RECORD OF LAST APPRAISAL ORS 308.234		
APPR _____	DATE _____	VALUE _____
RECORD OF ADJUSTMENTS		
BY _____	DATE _____	ADJ. _____ VALUE _____
BY _____	DATE _____	ADJ. _____ VALUE _____
BY _____	DATE _____	ADJ. _____ VALUE _____
SALES DATA		
DATE OF SALE _____		VERIFIED: YES _____ NO _____
AMOUNT _____	TERMS _____	
ALLOCATION (BY: OWNER APPR)		
LAND _____	P.P. _____	IMP. _____

EAGLE CREEK RV Storage
23000 SE EAGLE CREEK RD
EAGLE CREEK, OR

503-637-3227

INTERIOR INSPECTED: ☒ YES ☐ OFFICE ☐ NO PERSON CONTACTED John Raudall - owner/operator

NEIGHBORHOOD CHARACTERISTICS			PROPERTY CHARACTERISTICS		
USE	TYPE	TREND	USE	BUILDING	SITE IMPS
RETAIL <input checked="" type="checkbox"/>	CENTRAL CORE	DEVELOP.	STORE	GROUP <u>Comm'l</u>	WATER <input checked="" type="checkbox"/>
OFFICE	URBAN	STATIC	OFFICE <input checked="" type="checkbox"/>	TYPE <u>Storage</u>	SEWER <u>Septic</u>
MULTIFAM.	STRIP COM'L	DECLIN.	APT	CLASS	ELEC <input checked="" type="checkbox"/>
WHOLESALE	SPOT COM'L	TRANS <input checked="" type="checkbox"/>	<u>Storage</u> <input checked="" type="checkbox"/>		GAS
INDUSTRIAL	SHOPPING CNTR				
	SUBURBAN			PROPER IMP. <input checked="" type="checkbox"/>	
	<u>Rural</u> <input checked="" type="checkbox"/>		PROPER <input checked="" type="checkbox"/>	OVER-IMP.	PARKING <input checked="" type="checkbox"/>
			MARGINAL	UNDER-IMP.	

ZONING: RRFF-5 L. MASTRANTONIO 2/17/09 HIGHEST AND BEST USE

REMARKS: Clackamas Co. Planning

SUMMARY OF APPROACHES

COST	INCOME	MARKET
BUILDING D.R.C. \$ _____	BUILDING VALUE \$ _____	BUILDING VALUE \$ _____
YARD AND MISC IMP \$ _____	OTHER IMPS \$ _____	OTHER IMPS \$ _____
TOTAL IMPROVEMENT VALUE \$ _____	TOTAL IMPROVEMENT VALUE \$ _____	TOTAL IMPROVEMENT VALUE \$ _____

FINAL RECONCILIATION

1-1-09 Retail storage bldg 4200 SF with EXTERNAL OFFICE 576 SF 100% 2/10/09 #58 INT/OWNER
1-1-13 NO CHG BLDG ALREADY PICKED UP 11/29/12 #65 INT/OWNER

FINAL VALUE ESTIMATE \$ _____

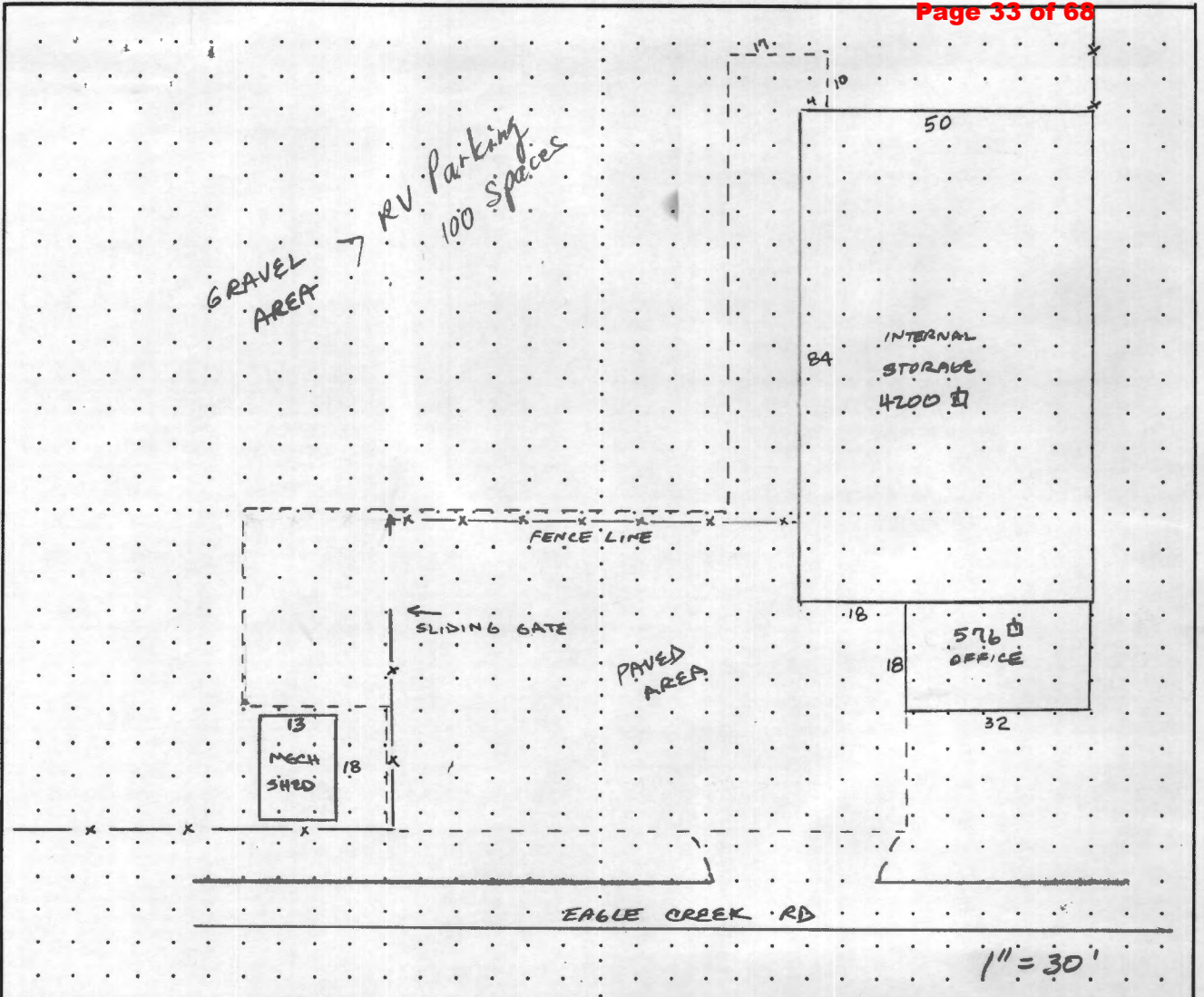
(TRANSFER TO RECORD OF LAST APPRAISAL)

BUILDING DIAGRAM-AREA COMPUTATION

EXHIBIT 6

Z0109-25 & Z0110-25

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YARD AND MISCELLANEOUS

ITEM

UNIT COST

John Randall

Office: 503-637-3227

Cell: 503-860-6768

Fax: 503-637-3277

eaglecreekrv@rconnects.com

23000 SE Eagle Creek Rd.
Eagle Creek, OR 97022

EAGLE CREEK
RV STORAGE



www.EagleCreekRVStorage.com

TOTAL DEPRECIATED REPLACEMENT COST (TRANSFER TO SUMMARY) \$

COST APPROACH

GROUP <i>Commercial</i>	TYPE <i>storage</i>	CLASS <i>4,776</i>	BASE FACTOR	LUMP SUM ADJ. FACTORS
GROUND FLOOR AREA <i>4200</i> <input checked="" type="checkbox"/> STORIES	GROSS FLOOR AREA <i>4200</i> <input checked="" type="checkbox"/>	/SQ. FT.		
UNITS AVE. SIZE <i>4,776</i> <input checked="" type="checkbox"/> UNITS IN COMPLEX	= \$ X %	/UNIT		
FACTOR BOOK		BASE ADJ. FACTORS	+	-
FOUNDATION	CONC BLK BRICK REINF.			
FRAME	BEARING WALL PILASTERS COL & BEAMS: WD CONC <u>STL</u>			
EXTERIOR WALL	HGT _____ WD FR: SGL DBL COVER: <u>ENAMEL METAL</u> CONC: POURED TILT-UP BLK BRICK: SOLID VEN OTHER: STUCCO MTL & GLASS MTL FR: BEAM & GIRDER TRUSS COVER			
ROOF	CONST: WD FR CONC <u>STL</u> TRUSS TYPE: FLAT SHED GAB <u>HIP</u> COVER: BUILT-UP COMPO SHGL SHAKE <u>MTL</u> UNDER ROOF IS WOOD COVERED			
FLOOR	WD FR: SGL DBL CONC: <u>GRADE</u> ELEV. REINF. COVER: NONE LINO H. WD CARPET VINYL TILE			
PARTITIONS	CONST: WD FR <u>MTL</u> MASONRY COVER: <u>DRYWALL</u> PLAS PANEL CEILING: DRYWALL PLAS ACCOU. TILE SUS. SYSTEM OFFICE: WOOD UNDERLYING ROOF			
INTERIOR COMPONENTS	APPLIANCES: RANGE DISHWASHER HOOD/FAN GD INTER.COM BUILT-INS: FIR H-WD ELEVATOR ESCALATOR FIRE SPKR			
ELECTRICAL	FLUO. <u>INCAN.</u> SPEC. FEW <u>AVE</u> MANY TOIL LAV URINAL TUB SHWR KIT SINK SERV SINK DR FOUN HTR			
PLUMBING				
HEATING-COOLING	HEAT: FA ELEC SUSP HT WTR COOL: COMB. SYS UNIT COOLERS HEAT PUMP - MITSUBISHI MUZ-AISNA			
BASEMENT	<u>NONE</u> FULL X WALLS: CONC FLR: CONC UNFIN: FIN: WALLS FLOOR CEIL USE: HEAT/COOL:			
UPPER STORIES	<u>NONE</u> FLOOR: WD FR CONC COVER: PARTITIONS: WD FR MTL COVER: USE: HEAT/COOL:			
EXT. COMP.	CANOPY DOCK			
MISC. ADDITIONS	13' x 18' Mech shed for gate operations LOT FENCED IN BY 8' tall fence - CONCERTINA WIRE ON TOP			

BUILT <i>2008</i> COST \$ _____	SUMMARY OF BUILDING COMPUTATIONS	SUB-TOTALS	+	
REMOD. 19 _____ COST \$ _____		TOTALS	-	
EFFECTIVE AGE _____				
REMARKS:	BLDG. AREA _____ SQ FT UNITS X _____ = \$ _____			
	TOTAL BASE COST \$ _____			
	19 _____ LCM _____ % X QUAL _____ % = _____ % MODIFIER			
	REPLACEMENT COST NEW \$ _____			
	DEPRECIATION _____ % PHY _____ % OBSOL _____ % GOOD			
	DEPRECIATED REPLACEMENT COST \$ _____			
APPRAISER:	DATE:	(TRANSFER TO SUMMARY)		

[illegible]

COMMERCIAL IMPROVEMENT APPRAISAL EXHIBIT 6

APP'L AREA 2

Z0109-25 & Z0110-25 108-017

ACCT. NO. _____

T.L. NO. 24E

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RECORD OF LAST APPRAISAL ORS 308.234
 APPR AND DATE 1-10-92 VALUE 7690

RECORD OF ADJUSTMENTS

BY _____ DATE _____ ADJ. _____ VALUE _____

BY _____ DATE _____ ADJ. _____ VALUE _____

BY _____ DATE _____ ADJ. _____ VALUE _____

SALES DATA

DATE OF SALE _____ VERIFIED: YES _____ NO _____

AMOUNT _____ TERMS _____

ALLOCATION (BY: OWNER APPR)

LAND _____ P.P. _____ IMP. _____

DOXOL PROPANE
 (BUCKEYE GAS PRODUCTS)
 (637-3016)

YARD Improvements Only

INTERIOR INSPECTED: YES _____ NO _____ PERSON CONTACTED INFO FROM Office Mgr.

NEIGHBORHOOD CHARACTERISTICS			PROPERTY CHARACTERISTICS		
USE	TYPE	TREND	USE	BUILDING	SITE IMPS
RETAIL	CENTRAL CORE	DEVELOP.	STORE	GROUP	WATER
OFFICE	URBAN	STATIC	OFFICE	TYPE	SEWER
MULTIFAM.	STRIP COM'L	DECLIN.	APT	CLASS	ELEC
WHOLESALE	SPOT COM'L	TRANS			GAS
INDUSTRIAL	SHOPPING CNTR				
	SUBURBAN			PROPER IMP.	
			PROPER	OVER-IMP.	PARKING
			MARGINAL	UNDER-IMP.	

ZONING:

REMARKS:

HIGHEST AND BEST USE

SUMMARY OF APPROACHES

COST	INCOME	MARKET
BUILDING D.R.C. \$ _____	BUILDING VALUE \$ _____	BUILDING VALUE \$ _____
YARD AND MISC IMP \$ _____	OTHER IMPS \$ _____	OTHER IMPS \$ _____
TOTAL IMPROVEMENT VALUE	TOTAL IMPROVEMENT VALUE	TOTAL IMPROVEMENT VALUE
\$ <u>7690</u>	\$ _____	\$ _____

FINAL RECONCILIATION

1-1-09 DATA card found in 24E31AD2801. Owner of TL 2801 has no recollection of gas facility on her property. TL 2804 apparently was used as a gas facility/distribution at one point. Both TL 2801 and TL 2804 were once part of TL 2800 so this card will be moved to TL 2804. The gas tank farm no longer exists. TL 2804 is now an RV storage park.
 2/18/09 #58

FINAL VALUE ESTIMATE \$ _____

(TRANSFER TO RECORD OF LAST APPRAISAL)

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[illegible]

COST APPROACH

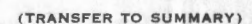
EXHIBIT 6

20109-25 & 20110-25
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GROUP	TYPE	CLASS	BASE FACTOR	LUMP SUM ADJ. FACTORS									
GROUND FLOOR AREA	<input checked="" type="checkbox"/> STORIES	GROSS FLOOR AREA	<input checked="" type="checkbox"/> /SQ. FT.										
UNITS	AVE. SIZE	<input checked="" type="checkbox"/> UNITS IN COMPLEX	= \$ X %	/UNIT									
FACTOR BOOK			BASE ADJ. FACTORS	+ -									
FOUNDATION	CONC BLK BRICK REINF.												
FRAME	BEARING WALL PILASTERS COL & BEAMS: WD CONC STL												
EXTERIOR WALL	HGT _____ WD FR: SGL DBL COVER: CONC: POURED TILT-UP BLK BRICK: SOLID VEN OTHER: STUCCO MTL & GLASS MTL FR: BEAM & GIRDER TRUSS COVER												
ROOF	CONST: WD FR CONC STL TRUSS TYPE: FLAT SHED GAB COVER: BUILT-UP COMPO SHGL SHAKE MTL												
FLOOR	WD FR: SGL DBL CONC: GRADE ELEV. REINF. COVER: NONE LINO H. WD CARPET VINYL TILE												
PARTITIONS	CONST: WD FR MTL MASONRY COVER: DRYWALL PLAS PANEL CEILING: DRYWALL PLAS ACCOU. TILE SUS. SYSTEM												
INTERIOR COMPONENTS	APPLIANCES: RANGE DISHWASHER HOOD/FAN GD INTER.COM BUILT-INS: FIR H.WD ELEVATOR ESCALATOR FIRE SPKR												
ELECTRICAL	FLUO. INCAN. SPEC. FEW AVE MANY												
PLUMBING	TOIL LAV URINAL TUB SHWR KIT SINK SERV SINK DR FOUN HTR												
HEATING-COOLING	HEAT: FA ELEC SUSP HT WTR COOL: COMB. SYS UNIT COOLERS												
BASEMENT	NONE FULL X WALLS: CONC FLR: CONC UNFIN: FIN: WALLS FLOOR CEIL USE: HEAT/COOL:												
UPPER STORIES	NONE FLOOR: WD FR CONC COVER: PARTITIONS: WD FR MTL COVER: USE: HEAT/COOL:												
EXT. COMP.	CANOPY DOCK												
MISC. ADDITIONS													
BUILT 19____ COST \$_____		<table border="1" style="width: 100%;"> <tr> <td rowspan="2" style="width: 30%;">SUMMARY OF BUILDING COMPUTATIONS</td> <td style="width: 20%;">SUB-TOTALS</td> <td style="width: 10%;">+</td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> <tr> <td>TOTALS</td> <td>-</td> <td></td> <td></td> </tr> </table>			SUMMARY OF BUILDING COMPUTATIONS	SUB-TOTALS	+			TOTALS	-		
SUMMARY OF BUILDING COMPUTATIONS	SUB-TOTALS					+							
	TOTALS	-											
REMOD. 19____ COST \$_____													
EFFECTIVE AGE _____													
REMARKS:		<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;"> BLDG. AREA _____ SQ FT UNITS X _____ = \$ _____ </td> <td style="width: 50%;"> TOTAL BASE COST \$ _____ 19 _____ LCM _____ % X QUAL _____ % = _____ % MODIFIER REPLACEMENT COST NEW \$ _____ DEPRECIATION _____ % PHY _____ % OBSOL _____ % GOOD DEPRECIATED REPLACEMENT COST \$ _____ (TRANSFER TO SUMMARY) </td> </tr> </table>			BLDG. AREA _____ SQ FT UNITS X _____ = \$ _____	TOTAL BASE COST \$ _____ 19 _____ LCM _____ % X QUAL _____ % = _____ % MODIFIER REPLACEMENT COST NEW \$ _____ DEPRECIATION _____ % PHY _____ % OBSOL _____ % GOOD DEPRECIATED REPLACEMENT COST \$ _____ (TRANSFER TO SUMMARY)							
BLDG. AREA _____ SQ FT UNITS X _____ = \$ _____	TOTAL BASE COST \$ _____ 19 _____ LCM _____ % X QUAL _____ % = _____ % MODIFIER REPLACEMENT COST NEW \$ _____ DEPRECIATION _____ % PHY _____ % OBSOL _____ % GOOD DEPRECIATED REPLACEMENT COST \$ _____ (TRANSFER TO SUMMARY)												
Doxel rents 292'x200' Tanks, Valves Pumps reported on P.P. (Buckeye Gas Prod.)													
APPRaiser: _____ DATE: _____													

INCOME SCHEDULE

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TOTAL (A) \$-

SELECT APPROPRIATE CHOICE OR CHOICES:	NEW BUILDING CONSTRUCTED	X	NEW REMODEL, RENOVATION OR REHAB		NEW ADDITION TYPE		ADDED SQ.FT.
DATE PREPARED	2/17/2009	YEAR BUILT	2008	YEAR OF REMODEL / ADDN:		INSPC DATE:	02/10/09
MAP & TAX LOT #	24E31A 02804	ACCOUNT #	01853122	NO OF BLDGS:	1		
ACCOUNT NEIGHBORHOOD	20020	NEIGHBORHOOD CHG'D FROM:	12051	REASON:	VACANT TO COMM'L		
OWNER OF RECORD	EAGLE CREEK RV STORAGE LLC	ADDRESS:	PO BOX 1086	BORING, OR 97009			
BUSINESS NAME	EAGLE CREEK RV STORAGE					Owner/Operator or Tenant	OWNER/ OPERATOR
CONTACT NAME & TITLE	JOHN RANDALL - OWNER/OPERATOR					PHONE:	503-637-3227
SITUS ADDRESS & CITY	23000 SE EAGLE CREEK RD EAGLE CREEK, OR 97022					APPRaiser #:	58 / 20
CURRENT ZONING (Example: C-3 Commercial)	RRFF-5 with non-conform	ZONE CHG'D FROM:	RRFF-5	VERIFIED: NAME / DEPT	Lori Mastrantonio Clack Co Plan	MO/YR ZONE CHANGED:	Oct-04
CURRENT USE:	RETAIL - RV STORAGE		PRIOR USE:	VACANT LAND		MO/YR USE CHANGED	Oct-08
REF. OTHER ACCOUNTS							
SALE PRICE	\$ 80,000		SALE DATE	September 27, 2007			
INCOME APPROACH	# OF PARKING SPACES	MONTHLY NNN RENT	ANNUAL TOTAL	Comments & Support Data or * MISC ITEMIZED INCOME ALWAYS PUT DATE FIRST BEFORE COMMENT			
RV PARKING SPACES	100	\$40.00	\$ 48,000	1-1-09 RETAIL RV STORAGE BLDG 4200 SF WITH SIX INDOOR STORAGE UNITS, EXTERNAL OFFICE OF 576 SF & RV STORAGE YARD WITH 100 OUTDOOR SPACES - ALL 100% COMPLETE.			
RV ENCLOSED STORAGE	6	\$250.00	\$ 18,000				
Total Building Sq.Ft.							
Potential Gross Income			\$ 66,000	THE 576 SF OFFICE IS FOR THE ON-SITE MANAGER TO CONDUCT DAILY BUSINESS AND THE OFFICE VALUE IS INCLUDED IN THE BUILDING IMPROVEMENTS.			
VACANCY		25.00%	\$ 16,500				
Effective Gross Income			\$ 49,500	THE LAND ON-SITE DEVELOPMENT COSTS PER SQUARE FOOT WERE PROVIDED BY THE OWNER.			
EXPENSES	#DIV/0!	3.00%	\$ 1,485				
Net Operating Income			\$ 48,015	LAND WAS REVALUED IN-KIND WITH OTHER COMMERCIAL PROPERTIES			
OVERALL CAP RATE		7.50%					
Total RMV			\$ 640,200	MONTHLY RENT WAS SUPPLIED BY THE OWNER.			
RMV per Sq. Ft. GBA			#DIV/0!				
L/B Ratio (i.e., 3 to 1=enter 3)	1	LAND SECTION		VACANCY AND CAP RATE CAME FROM THE ASSESSOR'S 2008-10 RENT STUDY WHICH CONSULTED INDEPENDENT BROKERAGE FIRMS. EXPENSES AND VACANCY WERE ADJUSTED TO REFLECT LOWER EXPENSES AND HIGHER VACANCY INVOLVED WITH THE OPERATION OF AN OUTDOOR RV STORAGE WITHOUT FULL ASPHALT YARD.			
Land Req. = L/B X Bldg Sq.Ft.	87,120						
Total Parcel Size (Sq.Ft.)	87,120			ALL APPROACHES TO VALUE WERE CONSIDERED BUT THE INCOME APPROACH WAS THE MOST RELIABLE.			
Total Parcel Real Market Value	\$ 313,632	Price Sq. Ft.	\$ 3.60				
Percent of Land Developed	% of Land	100%	\$ 313,632	+ 1.97 = 200,981			
Site Development to Land	Cost Sq. Ft.	% Complete	OSD VALUE				
Land site value per sq. ft.	\$ 4.54	100%	\$ 82,300				
LESS LAND VALUE			\$ 395,932				
Imp RMV			\$ 244,268				
Imp RMV per Sq Ft			\$ 40,711				
Less Incomplete			\$ -				
Imp RMV			\$ 244,268				
MARKET APPROACH	SITE SIZE	VALUE SQ.FT.	TOTAL VALUE				
PER SQ. FT.	87,120	\$ 7.50	\$ 653,400				
			\$ -				
			\$ -				
TOTAL RMV VALUE			\$ 653,400				
Less Land Value			\$ 395,932				
Imp RMV			\$ 257,468				
Imp RMV per Sq. Ft. (GBA)			\$ 3				
Less Incomplete			\$ -				
Imp RMV			\$ 257,468				
VALUE METHOD USED:	INCOME APPROACH			ALLOCATION OF VALUE			
Total Improvement Value		\$	244,268	MAP AND TAX LOT	% OF VALUE	VALUE	
Accum. Market Adjustment	FOR 1-1-08		1.63			\$	-
Total Base Value for Current Year		\$	149,858			\$	-
						TOTAL:	\$ -

2/10/09

John Randall - owner/operator

Oct 2008 open

all fenced in 8' tall

fine wire on top

\$21,000 installed

enclosed 6 units 12' x 50'
250 mo.

all RV.

apx 100 outdoor storage slots
\$40 mo. about half rented.

steel framed

enamel sides

concrete floors.

incandescent lighting

wall board

1 restroom

Heat pump

~~HVAC~~ - Mitsubishi

MUZ-A15NA

interior ceiling is wood underlying

metal frame.

2nd floor
for operation

OSD

✓ 52,000 gravel

✓ 3,800 electrical inground

✓ 2,700 plumbing

11,000 permits

5,800 architect

✓ 6,000 septic

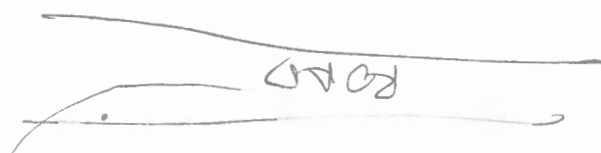
1,000 retention pond

✓ 64,500
17,800
82,300



NO 2nd floor.

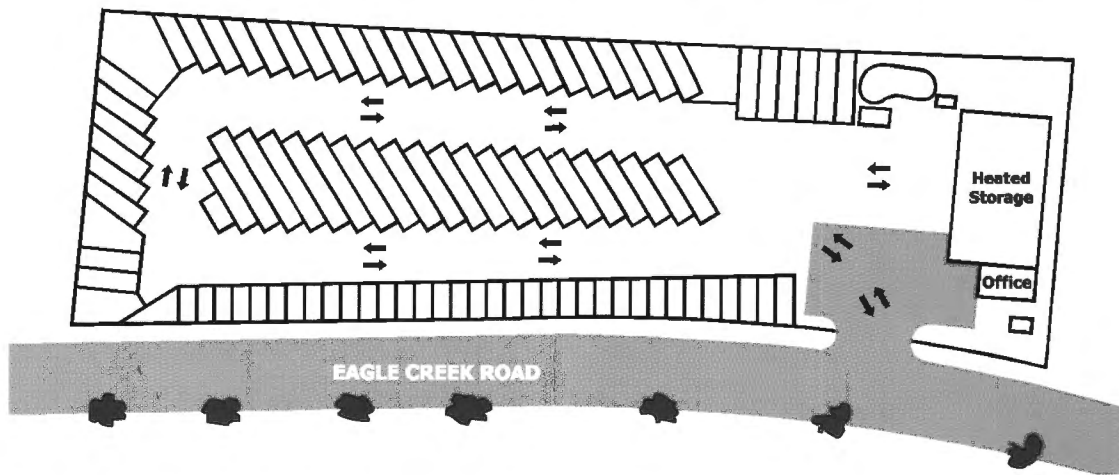
62,000 bldg - installed
- 13 days -





EAGLE CREEK RV STORAGE

2/10/09



- Close to I-205 & Highway 26
- 7-day access for your convenience
- Big doors, wide drives and high ceilings to accommodate everything from a small car to a large moving truck
- Climate controlled units for added protection
- Wide variety of self storage unit sizes so you only pay for what you need
- Competitive rates - No hidden charges - Visa/MasterCard accepted
- Automatic credit card payment options to ensure your payment is received on time every month
- RV, Boat and Camper storage
- Monthly Billing Statements
- 15 Video cameras all over lot
- Private wash areas
- On-site propane and ice
- Fenced and well-lit with electronic gates for additional security

John Randall

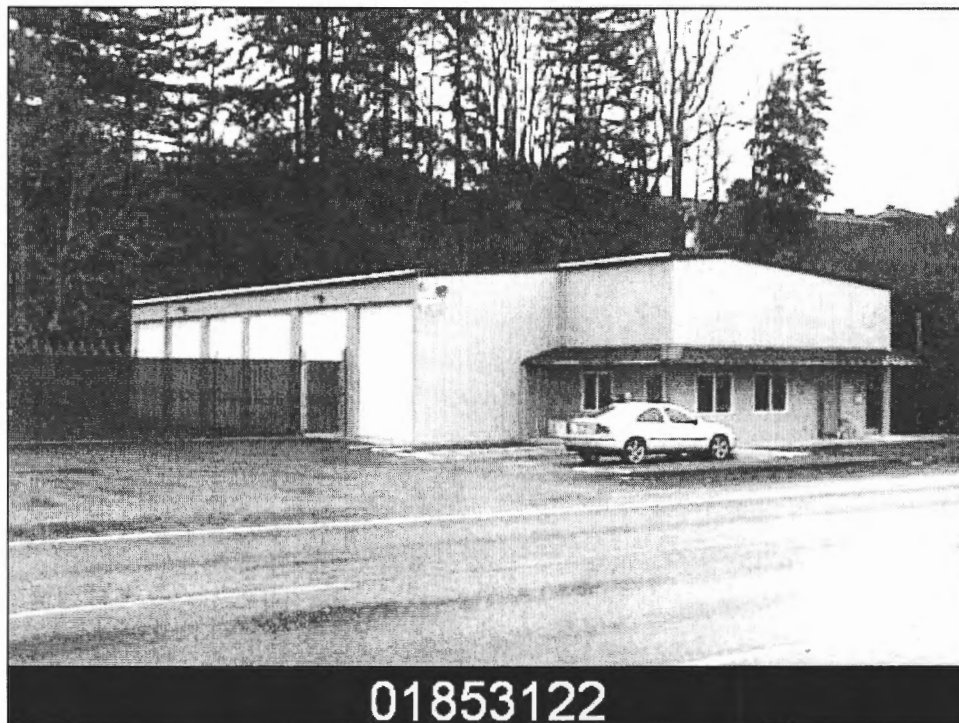
503-637-3227 • cell 503-860-6768 • fax 503-637-3277

23000 SE Eagle Creek Road • Eagle Creek, OR 97022

www.EagleCreekRVStorage.com

EXHIBIT 6
20109-25 & 20110-25
Page 43 of 68
24E31A 02804

Key # 1853122 Disk # C063 Photo # 1



01853122

Picture taken 2/10/09

This map was prepared for
assessment purpose only.

DLC.

PHILLIP FOSTER NO. 37, 47
JOHN P. GLOVER NO. 38
JOSEPH CHURCH NO. 39
J.W. FOSTER NO. 40

NE 1/4 SEC 31 T.2S. R. 4E. W.M.

CLACKAMAS COUNTY

1" = 200'

SEE MAP 2 4E 30

29700

SE COR J. GLOVER
DLC NO. 38NW COR J.W. FOSTER
DLC NO. 40

NE COR

P. FOSTER DLC NO. 37

CANCELLED TAX LOTS

1300
2490
2700
2800
2900
2500A1
2893
2892
2200

22500

32

MAP

2

4E

30

SEE

23000

30

MAP

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SEE

23000

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MAP

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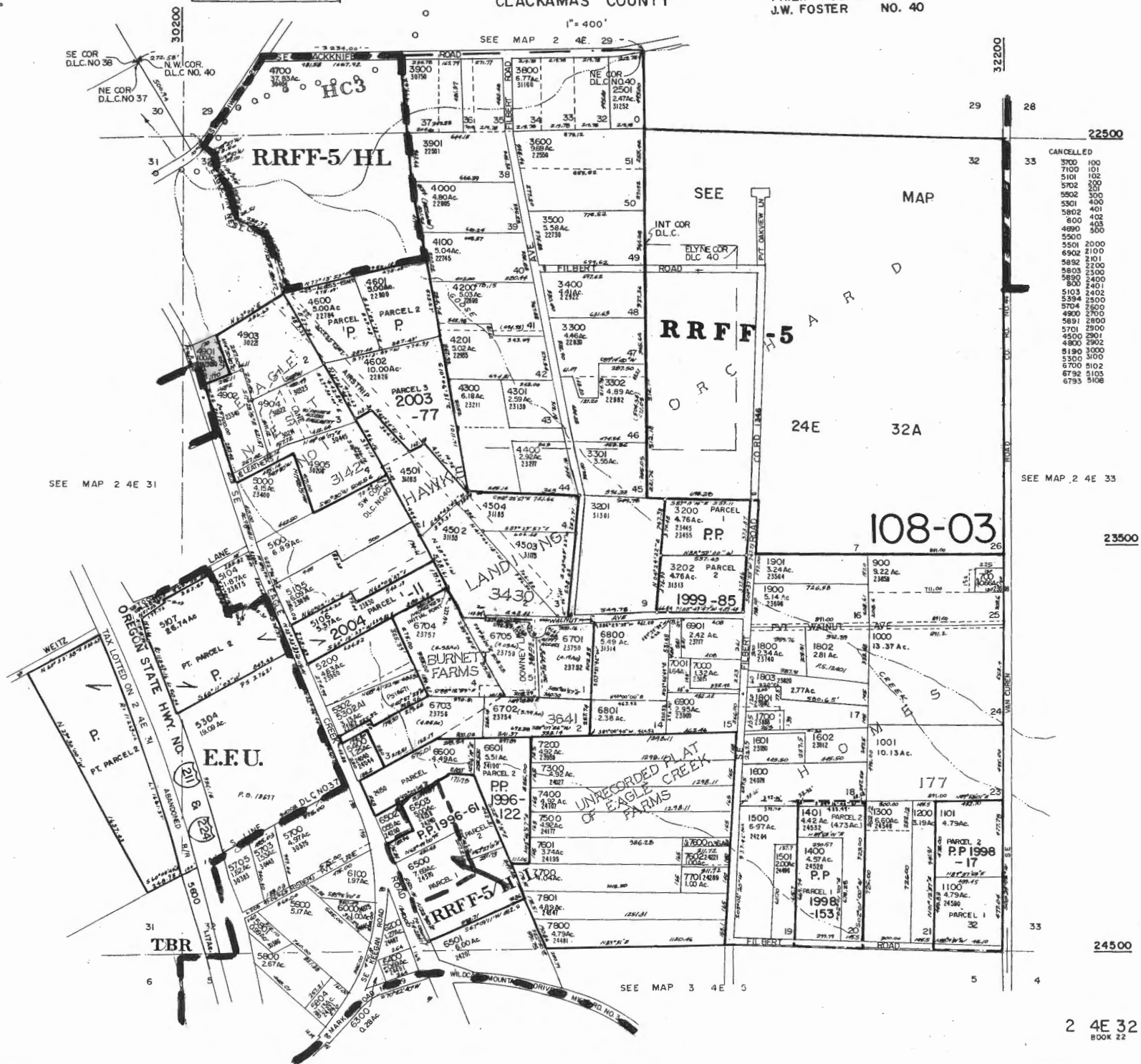
4E

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SEE

23000

2 4E 32
BOOK 22



2013

24E31A 02804

EXHIBIT 6
20109-25 & 20110-25
Page 46 of 68

NO CHG BLDG
ALREADY PICKED UP (01853/22)

2012 Bldg Val: \$ 167,840

Applied: 10/20/2008

Approved: 5/22/2012

Final:

LAST YR NEW CONST: 1-1-2009

Expiration: 11/18/2012

SALE: 7-28-2011

Class: 437 \$ 375,000

YR BUILT: 2008

Permit No: B0416008

Type: Commercial

Status: ISSUED

Situs Address: 23000 SE EAGLE CREEK RD

Insp Area: 4-TEDS

Description: CHG OF USE OF THREE 700 SQ. FT. S-1 RV STORAGE SPACES FOR INSTALLATION OF ACCESSORIES ON

Location:

Parcel: 24E31A 02804

Occupancy:

Valuation: \$0.00

SqFt: 0

Insp Area: 4-TEDS

of Bldgs: 1

of Units: 0

Owner: EAGLE CREEK RV STORAGE LLC PO BOX 1086 BORING, OR 97009

Applicant: EAGLE CREEK RV STORAGE LLC PO BOX 1086 BORING, OR 97009

Contractor:

PERMIT IS FROM 2008.

BUILDING BUILT OVER PARKING
SPACES.

10/4/12



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Record Z0555-10:
Planning - PD-HO-Ministerial

10/19/2010

[View Permit Documents](#)

STATUS: APPROVED

Work Location

23000 SE EAGLE CREEK RD
Eagle Creek 97022

Record Details

Applicant:

SONAS CAPITAL GROUP LLC DBA EAGLE C
SONAS CAPITAL GROUP LLC DBA EAGLE CREEK RV
STORAGE
23000 SE EAGLE CREEK RD
97022

Project Description:

Alt/Chg of Non-Conf Use
An Alteration of a Nonconforming Use, an RV/Boat storage, service and repair facility with limited parts and accessories sales, to permit mini-storage type usage of the facility including construction of a 20 ft. by 150 ft. structure for storage bays in addition to the existing structure and previously approved, but not yet built structure. In addition, the applicant requests approvals to use the site for parking/storage of up to ten (10) semi-trucks and trailers.

Owner:

SONAS CAPITAL GROUP LLC DBA EAGLE CREEK RV
STORAGE
23000 SE EAGLE CREEK RD
EAGLE CREEK OR
97022

▼ More Details

- ☒ Related Contacts
- ☒ Application Information
- ☒ Parcel Information

► Fees

▼ Inspections

Upcoming

You have not added any inspections.
Click the link above to schedule or request one.

Completed

There are no completed inspections on this record.

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Record Z0993-05:
Planning - PD-HO-Ministerial

12/12/2005

[View Permit Documents](#)

STATUS: APPROVED

Work Location

23000 SE EAGLE CREEK RD
Eagle Creek 97022

Record Details**Applicant:**

RANDALL JOHN R. III
RANDALL JOHN R. III
P.O. BOX 1086
97009
Home Phone: 503-860-6768
Mobile Phone: 503-622-7679

Project Description:

Design Review
R V STORAGE

Owner:

J R R PROPERTIES INC
PO BOX 1086
BORING, OR
97009

More Details**Fees****Inspections****Upcoming**

You have not added any inspections.
Click the link above to schedule or request one.

Completed

There are no completed inspections on this record.

Processing Status**Attachments****Related Records****Valuation Calculator**



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[Search Applications](#)

Record Z0761-04:
Planning - PD-HO-Ministerial

10/15/2004

[View Permit Documents](#)

STATUS: APPROVED

Work Location

23000 SE EAGLE CREEK RD
Eagle Creek 97022

Record Details

Applicant:

J R R PROPERTIES INC/JOHN R RANDALL
J R R PROPERTIES INC/JOHN R RANDALL
PO BOX 1086
97009
Home Phone: 503-860-6768

Project Description:

Alt/Chg of Non-Conf Use
AN ALTERATION OF A NONCONFORMING USE, A
PROPANE DISTRIBUTION FACILITY, TO PERMIT
CONVERSION TO AN RV AND BOAT STORAGE USE.

Owner:

J R R PROPERTIES INC
PO BOX 1086
BORING, OR
97009

More Details

► Fees

▼ Inspections

Upcoming

You have not added any inspections.
Click the link above to schedule or request one.

Completed

There are no completed inspections on this record.

► Processing Status

► Attachments

► Related Records

~~2008~~ 09 NOT STARTED
1/29/08 #61

24E31A 02804
LK 100

EXHIBIT 6

Z0109-25 & Z0110-25

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PV
DB

Permit No: B0073206
Type: Commercial
Status: ISSUED
Situs Address: 23000 SE EAGLE CREEK RD CLAC
Insp Area: 4-TEDS
Description: 8' CYCLONE FENCE W/SLATS
Location:
Parcel: 24E31A 02804
Occupancy: U
Valuation: \$28,000.00
SqFt: 0

Applied: 02/24/2006
Approved: 10/08/2007
Final:
Expiration: 04/05/2008
Class:

Insp Area: 4-TEDS
of Bldgs: 0
of Units: 0

OWNER: J R R PROPERTIES INC PO BOX 1086 BORING, OR 97009
APPLICANT: J R R PROPERTIES INC PO BOX 1086 BORING, OR 97009

1/29/08 #61 Drive By

NOT STARTED

440 FT. 8 FT.

167 FT.

52 FT

64 FT

60 657 FT.

1380 FT.

01853122

EAGLE CREEK R V LLC

23000 SE EAGLE CREEK RD,EAGLE CREEK OR,9

201

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
01853122
Parent Parcel Number

Property Address
23000 SE EAGLE CREEK RD,EAGLE CREEK,OR,9
Neighborhood
20020 AREA 02 COMMERCIAL
Property Class
201 201 Commercial Improved
TAXING DISTRICT INFORMATION
Jurisdiction 003
Area 001

OWNERSHIP

EAGLE CREEK R V LLC
23000 SE EAGLE CREEK RD
EAGLE CREEK, OR 97022
3492 EAGLES NEST #2 LT 8

Tax ID 24E31A 02804

Printed 10/11/2012 Card No. 1

TRANSFER OF OWNERSHIP

Date		
07/28/2011	SONAS CAPITAL GROUP LLC	Doc #: 218946
		\$375000
06/19/2009	EAGLE CREEK RV STORAGE LLC	Doc #: 191036
		\$750000
09/27/2007	J R R PROPERTIES INC	Doc #: 167603
		\$80000
05/04/2004	LEATHERS KATHRYN S	Doc #: 96720
		\$80000
07/01/1999		Doc #: 99-77243
		\$0

RESIDENTIAL

VALUATION RECORD

Assessment Year	01/01/2007	01/01/2008	01/01/2009	01/01/2009	01/01/2010	01/01/2011	01/01/2012
Reason for Change	Reval	Reval	Reval	NC	Reval	Reval	Reval
VALUATION	L 131139	136603	120210	355736	285393	271324	271324
Market	B 0	0	0	220290	176840	167840	167840
	T 131139	136603	120210	576026	462233	439164	439164

Site Description

Topography:

Public Utilities:

Street or Road:

Neighborhood:

Zoning:

Legal Acres:
2.0000

LAND DATA AND CALCULATIONS

Land Type	Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
1 C 10 Market Total		0.0		1.00	200981.00	200981.00	200981 L	35%	SV 271324

NC09: NEW CONSTRUCTION 2009
RETAIL RV STORAGE BLDG 4,200 SF & EXTERNAL OFFICE
576 SF 100% & NEIGH CHG RES TO COMM 2-10-09 #58
INT/OWNER
NOR: Note of Record
'99 ALLOCATED SUBDIVISION. 2000 TRC #0823
BOPTA NO. 2009-0358 - WITHDRAWN. MH SITED L116137
4/22/10 #65 EXT/EMPLOYEE. MH GONE (L116137) 5/1/12
#96
OE00: 2000 NEW SUBDIVISION COMPLETE
PT13: PERMIT 2013
CHG OF USE

FARMLAND COMPUTATIONS

Parcel Acreage
81 Legal Drain NV [-]
82 Public Roads NV [-]
83 UT Towers NV [-]
9 Homesite(s) [-]
91/92 Excess Acreage [-]
TOTAL ACRES FARMLAND
TRUE TAX VALUE

2.0000 Measured Acreage
Average True Tax Value/Acre
TRUE TAX VALUE FARMLAND
Classified Land Total
Homesite(s) Value (+)
Excess Acreage Value (+)

Supplemental Cards

TRUE TAX VALUE

271324

Supplemental Cards
TOTAL LAND VALUE

271324

PHYSICAL CHARACTERISTICS

01

IMPROVEMENT DATA

01853122

23000 01853122 2010-25 & 2011-25
 Property Class: 201
 Tax Map: 01853122 01853122, OR, 9
 Page 52 of 68



(LCM: 100.00)

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Stry Hgt	Const Type Grade	Year Const	Eff Year	Cond	Base Rate	Feat- ures	Adj Rate	Size or Area	Computed Value	PhysObsol Depr	Market Adj	% Comp	Value	
		01	RETAIL	0.00		2008	2008	AV	0.00	N	0.00	0	149858	0	SV	112	100	167840

Data Collector/Date

Appraiser/Date

Neighborhood

Neigh 20020 AV

Supplemental Cards

TOTAL IMPROVEMENT VALUE

167840

01853122

EAGLE CREEK R V LLC

23000 SE EAGLE CREEK RD, EAGLE CREEK, OR 97136

EXHIBIT 6

20109-25 & 20110-25

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ADMINISTRATIVE INFORMATION

PARCEL NUMBER
01853122

Parent Parcel Number

Property Address
23000 SE EAGLE CREEK RD, EAGLE CREEK, OR, 9Neighborhood
20020* AREA 02 COMMERCIALProperty Class
201 201 Commercial Improved

TAXING DISTRICT INFORMATION

Jurisdiction 003

Area 001

OWNERSHIP

EAGLE CREEK R V LLC
23000 SE EAGLE CREEK RD
EAGLE CREEK, OR 97022

3492 EAGLES NEST #2 LT 8

Tax ID 24E31A 02804

TRANSFER OF OWNERSHIP

Date

Date	Owner	Doc #	Value
07/28/2011	SONAS CAPITAL GROUP LLC	218946	\$375000
06/19/2009	EAGLE CREEK RV STORAGE LLC	191036	\$750000
09/27/2007	J R R PROPERTIES INC	167603	\$80000
05/04/2004	LEATHERS KATHRYN S	96720	\$80000
07/01/1999		99-77243	\$0

RESIDENTIAL

VALUATION RECORD

Assessment Year	01/01/2007	01/01/2008	01/01/2009	01/01/2009	01/01/2010	01/01/2011	Worksheet
Reason for Change	Reval	Reval	Reval	NC	Reval	Reval	
VALUATION	L	131139	136603	120210	355736	285393	271324
Market	B	0	0	0	220290	176840	167840
	T	131139	136603	120210	576026	462233	439164

Site Description

Topography:

Public Utilities:

Street or Road:

Neighborhood:

Zoning:

Legal Acres:

2.0000

LAND DATA AND CALCULATIONS

Rating	Measured	Table	Prod. Factor							
Soil ID	Acreage		-or-							
-or-	-or-		Depth Factor							
Actual	Effective	Effective	-or-							
Frontage	Frontage	Depth	Square Feet	Base	Adjusted	Extended	Influence		Value	
				Rate	Rate	Value	Factor			
Land Type										
Zoning:	1 C 10 Market Total	0.0	1.00	200981.00	200981.00	200981 L	35%	SV	271324	

NC09: NEW CONSTRUCTION 2009

RETAIL RV STORAGE BLDG 4,200 SF & EXTERNAL OFFICE
576 SF 100% & NEIGH CHG RES TO COMML 2-10-09 #58
INT/OWNER

NOR: Note of Record

'99 ALLOCATED SUBDIVISION. 2000 TRC #0823

BOPTA NO. 2009-0358 - WITHDRAWN. MH SITED L116137
4/22/10 #65 EXT/EMPLOYEE. MH GONE (L116137) 5/1/12
#96

OE00: 2000 NEW SUBDIVISION COMPLETE

FARMLAND COMPUTATIONS

Parcel Acreage

81 Legal Drain NV [-]

82 Public Roads NV [-]

83 UT Towers NV [-]

9 Homesite(s) [-]

91/92 Excess Acreage [-]

TOTAL ACRES FARMLAND

TRUE TAX VALUE

2.0000 Measured Acreage

Average True Tax Value/Acre

TRUE TAX VALUE FARMLAND

Classified Land Total

Homesite(s) Value (+)

Excess Acreage Value (+)

Supplemental Cards

TRUE TAX VALUE

271324

Supplemental Cards

TOTAL LAND VALUE

271324

PHYSICAL CHARACTERISTICS

01

IMPROVEMENT DATA

01853122

23000

EXHIBIT 6
Property Class: 201
20109-25 & Z0110-25
Page 54 of 68

(LCM: 100.00)

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Stry Hgt	Const Type Grade	Year Const	Eff Year	Cond	Base Rate	Feat- ures	Adj Rate	Size or Area	Computed Value	Phys Obsol	Market %	Value
		01	RETAIL	0.00			2008 2008	AV	0.00	N	0.00	0	149858	0	SV 112	100 167840

Data Collector/Date

Appraiser/Date

Neighborhood

Neigh 20020 AV

Supplemental Cards
TOTAL IMPROVEMENT VALUE

167840

Page 55 of 68

Date _____

06/19/2009	EAGLE CREEK RV STORAGE LLC	Doc #:	191036
		\$750000	
09/27/2007	J R R PROPERTIES INC	Doc #:	167603
		\$80000	
05/04/2004	LEATHERS KATHRYN S	Doc #:	96720
		\$80000	
07/01/1999		Doc #:	99-77243
		\$0	
04/01/1999		Doc #:	99-44067
		\$0	

Property Class
201 201 Commercial Improved

RESIDENTIAL

Jurisdiction	003
Area	001

Assessment Year	01/01/2006	01/01/2007	01/01/2007	01/01/2008	01/01/2009	01/01/200	01/01/2010	
Reason for Change	Reval	Reval	Reval	Reval	Reval	N	Reval	
VALUATION	L	106160	117088	131139	136603	120210	355736	285393
Market	B	0	0	0	0	0	220290	176840
	T	106160	117088	131139	136603	120210	576026	462233

Topography:

Public Utilities:

Street or Road:

Neighborhood:

Zoning: Land Type

Legal Acres:	1 C 10 Market Total
2.0000	

LAND DATA AND CALCULATIONS

Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
	0		1.00	200981.00	200981.00	200981 L	42%	SV 285393

NC09: NEW CONSTRUCTION 2009
RETAIL RV STORAGE BLDG 4,200 SF & EXTERNAL OFFICE
576 SF 100% & NEIGH CHG RES TO COMM1, 2-10-09 #58
INT/OWNER
NOR: Note of Record
'99 ALLOCATED SUBDIVISION. 2000 TRC #0823
BOPTA NO. 2009-0358 - WITHDRAWN. MH SITED L116137
4/22/10 #65 EXT/EMPLOYEE
OE00: 2000 NEW SUBDIVISION COMPLETE

Supplemental Cards

MEASURED ACREAGE

FARMLAND COMPUTATIONS

Parcel Acreage

```

81 Legal Drain NV [-]
82 Public Roads NV [-]
83 UT Towers NV [-]
  9 Homesite(s) [-]

```

TOTAL ACRES FARMLAND

TRUE TAX VALUE

Supplemental Cards

TRUE TAX VALUE

285393

Measured Acreage
2.0000 Average True Tax Value/Acre

TRUE TAX VALUE FARMLAND

Classified Land Total

Homesite(s)	Value	(+)
-------------	-------	-----

Supplemental Cards
TOTAL LAND VALUE

PHYSICAL CHARACTERISTICS

01

IMPROVEMENT DATA

01853122

23000

EXHIBIT 6
Property Class: 201
20109-258 20110-25
Page 56 of 68

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Stry Hgt	Const Type Grade	Year Const	Eff Year	Cond	Base Rate	Feat- ures	Adj Rate	Size or Area	Computed Value	Phys Obsol	Market %	Value
		01	RETAIL	0.00		2008	2008	AV	0.00	N	0.00	0	149858	0	SV 118 100	176840

Data Collector/Date

Appraiser/Date

Neighborhood

Supplemental Cards

Neigh 20020 AV

TOTAL IMPROVEMENT VALUE

176840

01853122

SONAS CAPITAL GROUP LLC

23000 SE EAGLE CREEK RD, EAGLE CREEK, OR 97001

EXHIBIT 6

20109-25 & 20110-25

Page 57 of 68

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
01853122

Parent Parcel Number

Property Address
23000 SE EAGLE CREEK RD, EAGLE CREEK, OR, 9Neighborhood
20020 AREA 02 COMMERCIALProperty Class
201 201 Commercial Improved

TAXING DISTRICT INFORMATION

Jurisdiction 003

Area 001

OWNERSHIP

SONAS CAPITAL GROUP LLC
1111 MAIN ST STE 700, VANCOUVER, WA, 98660,

3492 EAGLES NEST #2 LT 8

Tax ID 24E31A 02804

TRANSFER OF OWNERSHIP

Date

Date	Owner	Doc #	Value
06/19/2009	EAGLE CREEK RV STORAGE LLC	191036	\$750000
09/27/2007	J R R PROPERTIES INC	167603	\$80000
05/04/2004	LEATHERS KATHRYN S	96720	\$80000
07/01/1999		99-77243	\$0
04/01/1999		99-44067	\$0

RESIDENTIAL

VALUATION RECORD

Assessment Year	01/01/2006	01/01/2006	01/01/2007	01/01/2007	01/01/2008	01/01/2009	Worksheet
Reason for Change	Reval	Reval	Reval	Reval	Reval	Reval	
VALUATION	L	89767	106160	117088	131139	136603	120210 355736
Market	B	0	0	0	0	0	220290
	T	89767	106160	117088	131139	136603	120210 576026

Site Description

Topography:

Public Utilities:

Street or Road:

Neighborhood:

Zoning:

Land Type	Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
Legal Acres: 2.0000	1 C 10 Market Total	0	1.00	200981.00	200981.00	200981 L	77%	SV	355736

LAND DATA AND CALCULATIONS

NC09: NEW CONSTRUCTION 2009
RETAIL RV STORAGE BLDG 4,200 SF & EXTERNAL OFFICE
576 SF 100% & NEIGH CHG RES TO COMML 2-10-09 #58
INT/OWNER
NOR: Note of Record
'99 ALLOCATED SUBDIVISION
2000 TRC #0823
OE00: 2000 NEW SUBDIVISION COMPLETE

Supplemental Cards

MEASURED ACREAGE

FARMLAND COMPUTATIONS

Parcel Acreage

81 Legal Drain NV [-]
82 Public Roads NV [-]
83 UT Towers NV [-]
9 Homesite(s) [-]

TOTAL ACRES FARMLAND

TRUE TAX VALUE

Supplemental Cards

TRUE TAX VALUE

355736

Measured Acreage
2.0000 Average True Tax Value/Acre

TRUE TAX VALUE FARMLAND

Classified Land Total
Homesite(s) Value (+)

2.0000

Supplemental Cards
TOTAL LAND VALUE

PHYSICAL CHARACTERISTICS

01

IMPROVEMENT DATA

01853122

23000

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Stry Hgt	Const Type Grade	Year Const	Eff Year	Cond	Base Rate	Feat- ures	Adj Rate	Size or Area	Computed Value	PhysObsol Depr	Market Adj	% Comp	Value	
		01	RETAIL	0.00		2008	2008	AV	0.00	N	0.00	0	149858	0	SV	147	100	220290

01853122

EAGLE CREEK RV STORAGE LLC

23000 SE EAGLE CREEK RD, EAGLE CREEK, OR, 97109-2588

EXHIBIT 6

20109-25 & 20110-25

100

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
01853122

Parent Parcel Number

Property Address
23000 SE EAGLE CREEK RD, EAGLE CREEK, OR, 9

Neighborhood
12051 ESTACADA RURAL 100, 101

Property Class
100 100 Residential Land Only

TAXING DISTRICT INFORMATION

Jurisdiction 003
Area 001

OWNERSHIP

EAGLE CREEK RV STORAGE LLC
PO BOX 1086, BORING, OR, 97009,

3492 EAGLES NEST #2 LT 8

Tax ID 24E31A 02804

TRANSFER OF OWNERSHIP

Date

09/27/2007 J R R PROPERTIES INC

05/04/2004 LEATHERS KATHRYN S

07/01/1999

04/01/1999

Doc #: 167603

\$80000

Doc #: 96720

\$80000

Doc #: 99-77243

\$0

Doc #: 99-44067

\$0

RESIDENTIAL

VALUATION RECORD

Assessment Year	01/01/2005	01/01/2006	01/01/2006	01/01/2006	01/01/2007	01/01/2007	01/01/2008
Reason for Change	Reval	Reval	Reval	Reval	Reval	Reval	Reval
VALUATION	L 89767	89767	89767	106160	117088	131139	136603
Market	B 0	0	0	0	0	0	0
	T 89767	89767	89767	106160	117088	131139	136603

Site Description

Topography:

Public Utilities:

Street or Road:

Neighborhood:

Zoning:

Legal Acres:
2.0000

LAND DATA AND CALCULATIONS

Land Type	Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
1 26 RURAL HOME SITE		2.0000			1.00	20328.00	20328.00	40656 1 92% L 75%	136603

NOR: Note of Record
'99 ALLOCATED SUBDIVISION
2000 TRC #0823
OE00: 2000 NEW SUBDIVISION COMPLETE

NLO9 CL FENCE 10070

10/27/08 #65 EXT MR

Supplemental Cards

MEASURED ACREAGE 2.0000

FARMLAND COMPUTATIONS

Parcel Acreage

81 Legal Drain NV [-]

82 Public Roads NV [-]

83 UT Towers NV [-]

9 Homesite(s) [-]

TOTAL ACRES FARMLAND

TRUE TAX VALUE

Supplemental Cards

TRUE TAX VALUE

136603

Measured Acreage
Average True Tax Value/Acre

TRUE TAX VALUE FARMLAND

Classified Land Total
Homesite(s) Value (+)

Supplemental Cards
TOTAL LAND VALUE

CH FENCE

5

08/08

1380

100

01853122

LEATHERS KATHRYN S

23000 SE EAGLE CREEK RD,EAGLE CREEK,OR,9

EXHIBIT 6

100

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
01853122
Parent Parcel Number

Property Address
23000 SE EAGLE CREEK RD,EAGLE CREEK,OR,9

Neighborhood
12051 ESTACADA RURAL 100, 101

Property Class
100 100 Residential Land Only

TAXING DISTRICT INFORMATION

Jurisdiction 003
Area 001

OWNERSHIP

LEATHERS KATHRYN S
22300 SE STARK ST,GRESHAM,OR,97030,USA

3492 EAGLES NEST #2 LT 8

Tax ID 24E31A 02804

TRANSFER OF OWNERSHIP

Date

07/01/1999

04/01/1999

Doc #: 99-77243

\$0

Doc #: 99-44067

\$0

Printed 03/13/2001 Ca Page 61 of 68

RESIDENTIAL

VALUATION RECORD

Assessment Year	01/01/1999	01/01/2000	01/01/2000	
Reason for Change				Worksheet
		Reval	OEV	
VALUATION	L	31390	31080	117560 77299
Market Value	B	0	0	0 0
	T	31390	31080	117560 77299

Site Description

Topography:

Public Utilities:

Street or Road:

Neighborhood:

Zoning:

Legal Acres:
2.0000

LAND DATA AND CALCULATIONS

Land Type	Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
1 26 RURAL HOME SITE		2.0000		1.00	6600.00	6600.00	13200 1	92% L 205%	77299

NOR: Note of Record
'99 ALLOCATED SUBDIVISION
2000 TRC #0823
OE00: 2000 NEW SUBDIVISION COMPLETE

Supplemental Cards

MEASURED ACREAGE 2.0000

FARMLAND COMPUTATIONS

Parcel Acreage

81 Legal Drain NV [-]
82 Public Roads NV [-]
83 UT Towers NV [-]
9 Homesite(s) [-]

TOTAL ACRES FARMLAND

TRUE TAX VALUE

Supplemental Cards

TRUE TAX VALUE

77299

2.0000 Measured Acreage
Average True Tax Value/Acre

TRUE TAX VALUE FARMLAND

Classified Land Total
Homesite(s) Value (+)

2.0000

Supplemental Cards
TOTAL LAND VALUE

01853122

LEATHERS KATHRYN S

23000 SE EAGLE CREEK RD, EAGLE CREEK, OR, 97109-25

EXHIBIT 6

100

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
01853122

Parent Parcel Number

Property Address
23000 SE EAGLE CREEK RD, EAGLE CREEK, OR, 9Neighborhood
12051 ESTACADA RURAL 100, 101Property Class
100 100 Residential Land Only

TAXING DISTRICT INFORMATION

Jurisdiction 003

Area 001

OWNERSHIP

LEATHERS KATHRYN S
22300 SE STARK ST, GRESHAM, OR, 97030, USA

3492 EAGLES NEST #2 LT 8

Tax ID 24E31A 02804

TRANSFER OF OWNERSHIP

Date

07/01/1999

04/01/1999

Doc #: 99-77243

Doc #: 99-44067

\$0

\$0

RESIDENTIAL

VALUATION RECORD

Assessment Year	01/01/1999	01/01/2000	01/01/2000	
Reason for Change				Worksheet
		Reval	OEV	
VALUATION L	31390	31080	117560	77300
Market Value B	0	0	0	0
T	31390	31080	117560	77300
VALUATION L	31390	31080	117560	77300
M5 Value B	0	0	0	0
T	31390	31080	117560	77300

Site Description

Topography:

Public Utilities:

Street or Road:

Neighborhood:

Zoning:

Legal Acres: 1 23 RURAL ACRES
2.0000

LAND DATA AND CALCULATIONS

Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
	2.0000		1.00	6600.00	6600.00	13200	1 92% L 205%	77300

NOR: Note of Record
'99 ALLOCATED SUBDIVISION
OE00: 2000 NEW SUBDIVISION COMPLETE

Supplemental Cards

MEASURED ACREAGE 2.0000

FARMLAND COMPUTATIONS

Parcel Acreage

81 Legal Drain NV [-]
82 Public Roads NV [-]
83 UT Towers NV [-]
9 Homesite(s) [-]

TOTAL ACRES FARMLAND

TRUE TAX VALUE

Supplemental Cards

TRUE TAX VALUE

77300

Measured Acreage
Average True Tax Value/Acre

TRUE TAX VALUE FARMLAND

Classified Land Total
Homesite(s) Value (+)Supplemental Cards
TOTAL LAND VALUE

77300

01853122

LEATHERS KATHRYN S

23000 SE EAGLE CREEK RD, EAGLE CREEK, OR 97001 100

EXHIBIT 6

Z0109-25 & Z0110-25

100

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
01853122

Parent Parcel Number

Property Address
23000 SE EAGLE CREEK RD, EAGLE CREEK, OR, 9

Neighborhood
12051 ESTACADA RURAL 100, 101

Property Class
100 100 Residential Land Only

TAXING DISTRICT INFORMATION

Jurisdiction 003

Area 001

OWNERSHIP

LEATHERS KATHRYN S
22300 SE STARK ST, GRESHAM, OR, 97030, USA

3492 EAGLES NEST #2 LT 8

Tax ID 24E31A 02804

TRANSFER OF OWNERSHIP

Date _____

07/01/1999

04/01/1999

Doc #: 99-77243

\$0

Doc #: 99-44067

\$0

RESIDENTIAL

VALUATION RECORD

Assessment Year		01/01/1999	01/01/2000	
Reason for Change			Reval	Worksheet
VALUATION	L	31390	31080	117560
0	B	0	0	0
	T	31390	31080	117560
VALUATION	L	31390	31080	117560
0	B	0	0	0
	T	31390	31080	117560

LAND DATA AND CALCULATIONS

Street or Road:	Rating	Measured	Table	Prod. Factor								
Neighborhood:	Soil ID	Acreage		-or- Depth Factor								
Zoning:	-or- Actual Frontage	Effective Frontage	Effective Depth	-or- Square Feet	Base Rate	Adjusted Rate	Extended Value		Influence Factor			Value
Legal Acres: 2.0000	23 RURAL ACRES	2.0000		1.00	6600.00	6600.00	13200	1	192%	L	205%	117560

NOR: Note of Record
'99 ALLOCATED SUBDIVISION
OE00: 2000 NEW SUBDIVISION COMPLETE

117560

Supplemental Cards
TOTAL LAND VALUE

117560

01853122

LEATHERS KATHRYN S

23000 SE EAGLE CREEK RD, EAGLE CREEK, OR 97100

EXHIBIT 6

20109-25 & 20110-25

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ADMINISTRATIVE INFORMATION

PARCEL NUMBER

01853122

Parent Parcel Number

Property Address

23000 SE EAGLE CREEK RD, EAGLE CREEK, OR, 9

Neighborhood

12051 ESTACADA RURAL 100, 101

Property Class

100 100 Residential Land Only

TAXING DISTRICT INFORMATION

Jurisdiction 003

Area 001

OWNERSHIP

LEATHERS KATHRYN S

22300 SE STARK ST, GRESHAM, OR, 97030, USA

3492 EAGLES NEST #2 LT 8

Tax ID 24E31A 02804

TRANSFER OF OWNERSHIP

Date

07/01/1999

Doc #: 99-77243

\$0

04/01/1999

Doc #: 99-44067

\$0

RESIDENTIAL

VALUATION RECORD

Assessment Year 01/01/1999 01/01/2000

Worksheet

Reason for Change

Reval

VALUATION	L	31390	31080	117560
0	B	0	0	0
	T	31390	31080	117560
VALUATION	L	31390	31080	117560
0	B	0	0	0
	T	31390	31080	117560

LAND DATA AND CALCULATIONS

Site Description

Topography:

Public Utilities:

Street or Road:

Neighborhood:

Zoning:

Legal Acres:
2.0000

Land Type

Rating
Soil ID
-or-
Actual
FrontageMeasured
Acreage
-or-
Effective
FrontageTable
Effective
DepthProd. Factor
-or-
Depth Factor
-or-
Square FeetBase
RateAdjusted
RateExtended
ValueInfluence
Factor

Value

23 RURAL ACRES
26✓

2.0000

1.00

6600.00

6600.00

13200 1

192%

205%

117560

77,300

NOR: Note of Record

'99 ALLOCATED SUBDIVISION

OE00: 2000 NEW SUBDIVISION COMPLETE

2000 TRC # 0823✓

117560

Supplemental Cards
TOTAL LAND VALUE

117560

77,300

2009

24E31A 02804
LK100

EXHIBIT 6

20109-25 & 20110-25

Page 65 of 68

Permit No: B0171406
Type: Commercial
Status: ISSUED
Situs Address: 23000 SE EAGLE CREEK RD CLAC
Insp Area: 4-TEDS
Description: RANDALLS RV STORAGE NEW STORAGE BLDG 1
Location: RANDALLS RV STORAGE
Parcel: 24E31A 02804
Occupancy: S-1/B
Valuation: 154,725.60
SqFt: 4776

Applied: 05/16/2006
Approved: 12/19/2007
Final: 2008 Bldg Value
Expiration: 07/23/2008
Class: 328

PT08

Insp Area: 4-TEDS
of Bldgs: 1
of Units: 1

OWNER: JRR PROPERTIES INC P O BOX 1086 BORING, OR 97009
APPLICANT: JOHN RANDALL PO BOX 1086 BORING OR 97009 503-860-6768

Current neigh. 100 - Check for use, zone, 3 neigh. chg.
Add Land OSD.

CLACKAMAS COUNTY ASSESSOR

EXHIBIT 6
20109-25 & 20110-25
Page 66 of 68

RAY ERLAND
 COUNTY ASSESSOR

2000-2001 TAX ROLL CORRECTION

February 12, 2001

ACCOUNT IDENTIFICATION	
ASSESSORS MAP NUMBER	24E31A 02804
KEY	01853122
TAX CODE	108-017
EDUCATION RATE	5.0745
GOVERNMENT RATE	5.6518
BONDS	0.1995
TOTAL RATE	10.9258
FIRE DISTRICT RATE	2.3771

- ☐ Assessor's Authority ORS 308.242
☐ Opinion & Order ORS 311.205(1)(d)
☐ Magistrate Order ORS 311.205(1)(d)
☒ Error or Omission ORS 311.205 (1)(c)
☐ Omitted Property ORS 311.207 to 213
☐ Clerical Error ORS 311.205 (1)(a)
☐ Board of Property Tax Appeals (BOPTA)

VALUES	CERTIFIED	CORRECTED	VARIANCE
MARKET or M5 TOTAL	117,560	77,300	(40,260)
ASSESSED TOTAL	90,292	59,337	(30,955)
EXEMPTION AMOUNT	-	-	-
TAXABLE TOTAL	90,292	59,337	(30,955)
FIRE PATROL LAND VALUE		-	-
TAX CALCULATION	CERTIFIED	CORRECTED	VARIANCE
PLUS FIRE PATROL TAX	0.00	-	-
PLUS FIRE PATROL SURCHARGE	0.00	0.00	-
PLUS OTHER SPECIAL ASMTS	0.00	0.00	-
TOTAL SPECIAL ASSESSMENTS	0.00	0.00	-
MINUS FPLV ADJ	-	-	-
AD VALOREM TAX AMOUNT	986.51	648.30	(338.21)
NET TAX AMOUNT	986.51	648.30	328.06 (338.21)

TAX DUE OR REFUND INFORMATION

CREDIT			
DISCOUNT/INTEREST ADJ			
BALANCE			
12% ANNUAL INTEREST			
TOTAL REFUND			

REASON

INCORRECT CONDITION CODE USED ON LAND VALUE FOR 2000-01.

Pursuant to ORS 311.205, this Correction is Certified to be made on the Clackamas County Assessment and Tax Roll

TAX ROLL CORRECTION NUMBER

2000-0823

LEATHERS KATHRYN S
 22300 SE STARK ST
 GRESHAM, OR 97030

A&T Specialist:

JEAN BORDEN

Value Mod

☒ Date: 2-13-01

Tax Recalculation

☒ Date: 2-13-01

Statement Attached

Refund Pending

Refund Receipt

APPRAISAL WORKSHEET
Tax Roll Correction

- ☐ ASSESSOR'S AUTHORITY ORS 308.242
☒ ERROR OR OMISSION ORS 311.205 (1) (c)
☐ OMITTED PROPERTY ORS 311.207 TO 213
☒ CLERICAL ERROR ORS 311.205 (1) (a)
☒ OPINION & ORDER / JUDGEMENT
☐ BOARD OF PROPERTY TAX APPEALS
☐ REQUEST FOR ADJUSTMENT

DATE: 1-18-01

Appraiser: 03 Reviewed By: JH

Property No: 01853122 Map No: 24E 31A 2804 TCA: 108017

	CURRENT	CORRECTION	VARIANCE	VALUE COMPONENTS	
2000-2001				FMKLD	77300
Real Mkt Land	117560	77300		FOEV	-
Real Mkt Bldg	0	0		FSAVL	
Real Mkt Total	117560	77300		FSMKL	
				M5SAV	
M5 Mkt Land	117560	77300		MKIMP	
M5 SAV	-	-		MKLND	77300
M5 Mkt Bldg	0	0		MSAV	
M5 Total	117560	77300		NEWCN	
				OEV	45910
MAV (Mkt Portion)	90292	59337		SAMKI	
SAVL (Use Portion)	-	-		SAMKL	
MAV TOTAL	90292	59337		SAVI	
FMAVM	90292	59337		SAVL	

	CURRENT	CORRECTION	VARIANCE	VALUE COMPONENTS	
1999-2000				FMKLD	
Real Mkt Land				FOEV	
Real Mkt Bldg				FSAVL	
Real Mkt Total				FSMKL	
				M5SAV	
M5 Mkt Land				MKIMP	
M5 SAV				MKLND	
M5 Mkt Bldg				MSAV	
M5 Total				NEWCN	
				OEV	
MAV (Mkt Portion)				SAMKI	
SAVL (Use Portion)				SAMKL	
MAV TOTAL				SAVI	
FMAVM				SAVL	

wrong cond used in Land value

