

**BEFORE THE LAND USE HEARINGS OFFICER
OF CLACKAMAS COUNTY, OREGON**

Regarding an application by Forests Forever, Inc. to add a 24 x 36 foot classroom/meeting facility and six parking spaces at the existing forest research and education facility at 33003 S. Dickey Prairie Road, in unincorporated Clackamas County, Oregon	<u>FINAL ORDER</u>) Case No. Z0270-25) (OSU Forest Education Facility)
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A. SUMMARY

1. The applicant, Forests Forever, Inc. requests conditional use approval to modify the existing forest research and education facility located at 33003 S. Dickey Prairie Road; also known as tax lot 01300 Section 14 Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County (the “site”). The 21-acre site and abutting properties to the north, east, and south are zoned AG/F (Agriculture/Forest). Properties to the west are zoned EFU (Exclusive Farm use). The Molalla River cuts across the northwest corner of the site.

a. Land use file Z0114-20-C approved an open-sided pavilion measuring 24 x 36 feet and a single vault toilet to provide enhanced educational opportunity for students, teacher, woodland owners and the public to learn about the forest and Molalla River. It was estimated that education programs would be performed on the property 1-2 time per month for an estimated 20-30 individuals per visit for a total of 500 to 600 visitors per year.

b. With this application the applicant requests approval of a second structure, a 36 x 72 foot pole building, which will be used as a classroom/meeting facility to allow OSU forestry extension staff to lead education events as part of the Forest management research and experimentation facilities that are located on the site.

i. The new pole building is proposed on the upper bench of the site, adjacent to Dickey Prairie Road, outside of the flood plain of the Molalla River, and outside the 100-foot Riparian Management Area (“RMA”) for Dickey Creek as required by the Oregon Department of Forestry. The pole building will include a 12-foot storage bay on one end of the building. The remainder of the building will contain a men and women’s restroom, a storage room, and meeting/classroom space. No kitchen facilities are proposed for the building. A gravel access road and an adjacent parking area will be developed to provide access to the proposed pole building. An existing parking lot is also available to accommodate school buses and overflow visitors.

2. Hearings Officer Joe Turner (the "hearings officer") held an online public hearing about the application. County staff recommended that the hearings officer approve the application, subject to conditions. See the Staff Report and Recommendation to the Hearings Officer dated October 15, 2025 (the “Staff Report”). The applicant

accepted the findings and conditions of approval as recommended by County staff without exceptions. No one else testified orally or in writing.

3. Based on the findings provided or incorporated herein, the hearings officer finds that the applicant sustained the burden of proof that the proposed use does or can comply with the relevant approval standards of the Clackamas County Zoning and Development Ordinance (the “ZDO”), provided the applicant complies with conditions of approval recommended by County staff or warranted by the facts and law to ensure the proposed use does comply in fact with those standards. Therefore the hearings officer approves the application subject to the conditions at the end of this final order based on the findings and conclusions incorporated herein.

B. HEARING AND RECORD HIGHLIGHTS

1. The hearings officer received testimony at the public hearing about this application on October 23, 2025. All exhibits and records of testimony are filed at Clackamas County Department of Transportation and Development. At the beginning of the hearing, the hearings officer made the declaration required by ORS 197.763. The hearings officer disclaimed any *ex parte* contacts, bias, or conflicts of interest. The following is a summary by the hearings officer of selected testimony at the public hearing.

2. County planner Joy Fields summarized the Staff Report and her PowerPoint presentation. She noted that the County approved the existing building, pit toilet, and other improvements on the site in 2020. With this application the applicant proposes to add an enclosed classroom building and permanent restrooms on the site. The proposed use is a conditional use in the AG/F zone. She noted two typographical errors in the Staff report:

a. The applicant is not requesting a variance. Therefore, the variance reference on page 5 of the Staff Report should be deleted.

b. The reference to “Exhibit 2.f” on page 14 of the Staff Report should refer to “Exhibit 2.e.”

3. Ken Everett, executive director of Forests Forever, Inc. testified in support of the application.

a. Forests Forever, Inc. has been operating for 35 years and owns several other demonstration forests in the County totaling 140 acres. Their mission is forest education. They serve four to five thousand school kids per year and another 15,000 people use their forests to hike and recreate. They also provide classes for woodland owners to learn how to manage their lands.

b. This 21-acre site provides unique resources that do not exist on their other properties, including 600 feet of frontage on the Molalla River, which increases the educational opportunities that Forests Forever, Inc. can provide. The proposed pole building will allow them to offer three to four classes per month. The building will also be available for use by other community groups and associations. Students are transported to the site by bus in order to limit the amount of traffic generated by the use.

c. He accepted the findings and conditions in the Staff Report without exceptions and waived the applicant's right to submit a final written argument.

4. At the end of the public hearing, the hearings officer closed the record and announced his intention to approve the application subject to the findings and conditions in the Staff Report.

C. DISCUSSION

The hearings officer adopts the following findings as his own.

1. ZDO Section 407 AG/FOREST DISTRICT (AG/F)

Section 407 of the Clackamas County Zoning and Development Ordinance regulates the AG/Forest Zone, including allowed uses. Table 407-1 identifies "*Forest management research and experimentation facilities as a conditional use subject to Section 406.05(A)(1) & (C)(1)*".

407.07 DEVELOPMENT STANDARDS

Subsection 406.08, which establishes development standards in the TBR District, shall apply in the AG/F District.

2. ZDO Section 406 Timber (TBR)

Section 406 regulates the Timber District, and provides the standards referenced in Table 407-1.

406.05(A) General Criteria

1. *The use may be allowed provided that:*

- a. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands; and*
- b. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.*

Finding: The applicant is proposing to upgrade the existing facility and is keeping the existing driveway, parking lot, and structure approved through Z0114-20 and SC005020.

As the applicant states in the application:

The use is consistent with the purpose of the AG/F zone, which supports resource-based activities and limited, compatible public or institutional uses. The project will not detract from the forest land base or impede the area's resource production capacity.

(Exhibit 2 at 10)

The classroom will support and enhance these goals by providing a location for educational programming, research, and outreach related to sustainable forest management, watershed health, and riparian restoration. Activities at the site will be infrequent, small in scale, and consistent with the quiet, low-impact nature of the surrounding uses. There will be no industrial development, commercial retail traffic, or activities incompatible with forest and agricultural uses.

The proposed structure will be modest in size and designed to blend with the natural environment. It will be sited near existing improvements and accessed via an established driveway, minimizing disturbance to the landscape and preserving the forested setting.

Importantly, the use will not generate noise, traffic, lighting, or other external effects that would interfere with the use of nearby properties for their intended agricultural or forestry purposes. Instead, the educational and research focus of the project will support and complement the district's goals and may offer benefits to neighboring landowners through increased knowledge and stewardship practices.

(Exhibit 2 at 9)

The applicant did not identify what farm and forest practices are taking place on the adjacent properties. However, the use is existing and the applicant notes that the expanded uses made possible through the proposed structure will be infrequent, small in scale and will not generate noise, traffic, lighting or other external effects that would impact the farm and forest activities of the area.

On October 9, 2025, the applicant provided narrative related to fire impacts or fire suppression costs and that document states:

The Schink Demonstration Forest property is actively and professionally managed to maintain a healthy and fire-resistant forest ecosystem. Fire hazards are minimized through ongoing vegetation management practices, including removal of heavy brush and competing understory vegetation, which reduces available fuels and promotes vigorous tree growth. The property is served by a system of well-maintained rocky roads that provide year-round access, serve as effective fire breaks, and facilitate rapid response for fire suppression activities.

The site also benefits from nearby water resources, including the Molalla River and a small tributary stream on the property, which can be utilized

for firefighting purposes if necessary. The proposed pole building will be constructed with non-combustible materials, including a metal roof and siding, to further reduce fire risk.

These measures collectively ensure that the proposed use will not significantly increase fire hazard, fire suppression costs, or risks to fire suppression personnel. In fact, continued management and on-site educational use will likely enhance awareness and application of wildfire prevention and forest stewardship practices.

(Exhibit 2e at 1)

The hearings officer concurs with the applicant and finds the proposal will not increase fire risk or fire suppression costs for the area based on the clearing of fuel, construction materials proposed for the building, and access to the river.

This criterion is met.

406.05(C)(1) Natural Resource Uses

Forest management research and experimentation facilities as described by ORS 526.215 or where accessory to forest operations.

ORS 526.215 Oregon State University research and experimentation programs.

To aid in the economic development of the State of Oregon, Oregon State University shall institute and carry on research and experimentation to develop the maximum yield from the forestlands of Oregon, to obtain the fullest utilization of the forest resource, and to study air and water pollution as it relates to the forest products industries.

ORS 526.225 Forest Research Laboratory; cooperative programs; advisory committee.

- (1) The Forest Research Laboratory is established at Oregon State University. In administering the laboratory, Oregon State University shall cooperate with individuals, corporations, associations and public agencies wherever and whenever advisable to further the purposes of ORS 526.215, and may enter into any necessary agreements therefor.*
- (2) In order that there may be close coordination between the research and experimentation programs and the wise management and use of Oregon's forests for the production of goods and services that benefit all its citizens, the Higher Education Coordinating Commission, in consultation with Oregon State University, shall appoint a Forest Research Laboratory Advisory Committee composed of 15 members. Nine members shall be individuals who are actively and principally engaged in timber management on forestlands, harvesting or the processing of forest products, one of whom shall be from a small woodland owner's association, three members shall be individuals*

who are the heads of state and federal public forestry agencies and three members shall be individuals from the public at large. No individual who is a public member may have any relationship or pecuniary interest that would interfere with that individual representing the public interest. The advisory committee shall render practical counsel in the fields of forest management and use and forest harvest and utilization as they relate to the economic and social well-being of the people of Oregon.

Finding: As evidence by the letters of support for the project from faculty of Oregon State University's Forestry and Natural Resources Extension Program (Exhibit 2 at 16), Forests Forever, Inc. cooperates and associates with OSU to comply with and further the purposes of ORS 526.215. As the letter of support states:

As a faculty member with Oregon State University's Forestry and Natural Resources Extension Program, I have worked in close partnership with Forests Forever Inc. for many years. Together, we deliver community-based education in forestry and natural resources throughout Clackamas County. This partnership supports a wide array of programming, including youth outdoor education, landowner workshops, and public engagement in sustainable forest stewardship.

(Id.).

This criterion is met.

406.08 DEVELOPMENT STANDARDS

- A. Fire-Siting Standards for New Structures: Fuel-free break standards shall be provided surrounding any new structure approved after April 28, 1992, pursuant to a land use application, as follows:
1. A primary fuel-free break area shall be maintained surrounding any new structure, including any new dwelling.
 - a. The primary safety zone is a fire fuel break extending a minimum distance around structures. The minimum distance is established by Table 406-2, Minimum Primary Safety Zone and Figure 406-1, Example of Primary Safety Zone. The goal within the primary safety zone is to remove fuels that will produce flame lengths in excess of one foot. Vegetation within the primary safety zone may include green lawns and shrubs less than 24 inches in height. Trees shall be spaced with greater than 15 feet between the crowns and pruned to remove dead and low (less than eight feet) branches. Accumulated leaves, needles, limbs and other dead vegetation shall be removed from beneath trees. Nonflammable materials (i.e., rock) instead of flammable materials (i.e., bark mulch) shall be placed next to the structure. As slope increases, the primary

safety zone shall increase away from the structure and down the slope at a 45-degree angle from the structure, in accordance with Table 406-2 and Figure 406-1:

Table 406-2: Minimum Primary Safety Zone

<i>Slope</i>	<i>Feet of Primary Safety Zone</i>	<i>Feet of Additional Primary Safety Zone Down Slope</i>
<i>0%</i>	<i>30</i>	<i>0</i>
<i>10%</i>	<i>30</i>	<i>50</i>
<i>20%</i>	<i>30</i>	<i>75</i>
<i>25%</i>	<i>30</i>	<i>100</i>
<i>40%</i>	<i>30</i>	<i>150</i>

- 2. For any new dwelling, a secondary fuel-free break area shall be cleared and maintained on land surrounding the dwelling that is owned or controlled by the owner...*
- 3. Structures within a River and Stream Conservation Area or the Willamette River Greenway shall be sited consistent with the requirements of Sections 704, River and Stream Conservation Area (RSCA) and 705, Willamette River Greenway (WRG), respectively. Structures shall be sited so that a primary safety zone can be completed around the structure outside of the river or stream corridor setback/buffer area. The area within the river or stream setback/buffer area shall be exempt from the secondary fuel-free break area requirements.*
- 4. The fuel-free break standards shall be completed and approved prior to issuance of any septic, building, or manufactured dwelling permits. Maintenance of the fuel-free breaks shall be the continuing responsibility of the property owner.*

Finding: The applicant indicated that the fire-siting standards would be met through the following:

A. Fire-Siting Standards:

- 1. A primary fuel-free break of 30 feet shall be maintained surrounding the proposed pole building. A secondary fuel-free break of 100 feet will be extended around the primary safety zone. The goal of the secondary fuel-free break shall be to reduce fuels*

so that the overall intensity of any wildfire would be lessened and the likelihood of crown fires and crowning is reduced. Vegetation within the secondary fuel-free break shall be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees shall be removed to prevent spread of fire up into the crowns of the larger trees. Dead fuels shall be removed.

- 2. The pole building is planned to be built with a metal roof*
- 3. The pole building is sited to be built on flat ground.*
- 4. The building will not have any stove or fireplace or chimney.*

(Exhibit 2 at 11).

The structure proposed in the application is not a dwelling, so following the fuel reduction methods in a secondary fuel-free break, and having a metal roof with no chimney would reduce the potential for fire danger.

The site is not within 150 feet of the Molalla River and is therefore, outside of the Principal River Conservation Area regulated by ZDO 704. The property is not within the Willamette River Greenway.

These criteria are met.

B. Additional Fire-Siting Standards for New Dwellings:

Finding: The applicant is not proposing a new dwelling.

These criteria are inapplicable.

C. Compatibility Siting Standards: The following compatibility siting standards shall apply to any new structure, including any new dwelling, approved pursuant to a land use application based on standards in effect on or after April 28, 1994:

- 1. Structures shall be sited on the subject property so that:*
 - a. They have the least impact on nearby or adjoining forest or agricultural lands;*
 - b. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;*
 - c. The amount of forest lands used to site access roads, service corridors, and structures is minimized; and*
 - d. The risks associated with wildfire are minimized.*
- 2. Siting criteria satisfying Subsection 406.08(C)(1) may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads, and siting on that portion of the subject property least suited for growing trees.*

Finding: The applicant indicated that the compatibility siting standards were addressed through the answer to Question 5, related to ZDO 1203.03(D) (Exhibit 2 at 11). The applicant addresses how the proposed location of the structure reduced wildfire risks, and impact to forest lands in forest operations in Exhibit 2e.

In the original application narrative the applicant states:

The property is uniquely configured with two distinct topographic areas: an upper bench adjacent to Dickey Prairie Road, and a lower bench situated within the floodplain of the Molalla River. The upper bench, which is easily accessible from Dickey Prairie road, is the proposed site for the new classroom facility.

(Exhibit 2 at 7).

In the supplemental application materials the applicant states further:

The proposed pole building has been strategically sited on the upper bench of the Schink Demonstration Forest property near Dickey Prairie Road to minimize impacts on active forest management operations across the remainder of the property. The selected location takes advantage of existing road infrastructure to reduce land disturbance.

The building site is located approximately 60 feet from Dickey Prairie Road, 350 feet from the northern property boundary, and over 200 feet from the southern boundary. These substantial setbacks ensure compatibility with adjacent forestlands and avoid any interference with neighboring land uses. A 60-foot buffer of retained trees will be maintained along Dickey Prairie Road to screen the building from view and preserve the forested character of the property.

The total developed area—including the pole building and small parking area—will encompass approximately one-half acre of the 21-acre parcel, thereby limiting the conversion of forestland to the minimum necessary to support the educational use. Access to the site will be provided via an existing rocky road from Dickey Prairie Road, eliminating the need for new road construction and minimizing disturbance to the forest environment.

Wildfire risk is minimized through the incorporation of both primary and secondary defensible space zones surrounding the proposed structure. A 30-foot primary fuel-free break will be maintained immediately around the building, complemented by a 100-foot secondary zone in which ladder fuels have been removed, understory vegetation thinned, and lower tree limbs pruned to reduce the potential for crown fires. Dead and down materials have been removed to further reduce fuel loads and fire intensity.

The pole building will be constructed on level terrain using non-combustible materials, including a metal roof and siding. No fireplace or

chimney is included in the design. These combined measures ensure that the risks associated with wildfire are minimized and that the proposed development remains compatible with surrounding forestland uses.

Please refer to the site map previously submitted for the exact location and layout of the proposed structure and associated facilities.

(Exhibit 2e at 2).

The hearings officer finds that the additional narrative identifies how the structure is compatible with the site, how it will limit impacts to forestry operations, and how it will minimize risks associated with wildfire.

This criterion is met.

D. The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Oregon Water Resources Department's (OWRD) administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Oregon Forest Practices Rules (OAR chapter 629). Evidence of a domestic water supply means:

- a. Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water;*
- b. A water use permit issued by the OWRD for the use described in the application; or*
- c. Verification from the OWRD that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under Oregon Revised Statutes 537.545, the applicant shall submit the well constructor's report to the County upon completion of the well.*

Finding: The applicant contacted the Oregon Water Resource Department's representative and after a few emails with the applicant and staff, the District 20 Water Master indicated that the existing well could be used for the proposed use and that a water use permit is not required for the use described in the application. (Exhibit 2a).

This criterion is met.

3. ZDO SECTION 1203 CONDITIONAL USES

1203.01 PURPOSE AND APPLICABILITY

Section 1203 is adopted to provide standards, criteria, and procedures under which a conditional use may be approved.

Finding: The applicant submitted a conditional use application because the upgrades to the 2020 Conditional Use approval are above and beyond what can be processed through a conditional use modification pursuant to ZDO 1309. The use proposed through this application is a conditional use in the AG/F District pursuant to ORS 526.215, ORS 526.225 and Table 406-1.

This criterion is met.

1203.02: SUBMITTAL REQUIREMENTS

Finding: This application includes a site plan, application fee, and a completed land use application form addressing the criteria in ZDO Section 1203. The application, Z0270-25, was submitted on June 30, 2025, with additional application materials submitted on July 31, 2025, August 27, 2025, and September 4, 2025. (Exhibits 2-2e). The application was deemed complete on September 4, 2025 after receiving a signed form indicating the applicant provided all of the missing information.

The applicant provided preliminary statements of feasibility for surface water management (Exhibit 2c at 27). A letter from the Clackamas Water Master was also provided indicating the use of the exempt well from the site for the proposed use would be consistent with state requirements (Exhibit 2a). The applicant provided a site evaluation indicating there are suitable sites on the property for onsite wastewater treatment (Exhibit 2c at 15).

This criterion is met.

1203.03: GENERAL APPROVAL CRITERIA

1203.03(A): The use is listed as a conditional use in the zoning district in which the subject property is located.

Finding: The use is a classroom with storage and restroom facilities to support educational programs in conjunction with the demonstration forest and forest research sites located on the property. Therefore, the hearings officer finds that it is a conditional use in the AG/F District pursuant to ORS 526.215, ORS 526.225 and Table 406-1.

This criterion is met.

1203.03(B): The characteristics of the subject property are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features.

The applicant states:

The Schink Demonstration Forest consists of approximately 21 acres located along the Molalla River in Clackamas County. The property is uniquely configured with two distinct topographic areas: an upper bench adjacent to Dickey Prairie Road, and a lower bench situated within the floodplain of the

Molalla River. The upper bench, which is easily accessible from Dickey Prairie road, is the proposed site for the new classroom facility and is well-suited for development due to its flat topography and minimal environmental constraints.

(Exhibit 2 at 7).

The entire property is managed as forestland and provides an ideal setting for forestry education and research. The proximity to the Molalla River, including a side channel critical to salmonid rearing, offers valuable opportunities to demonstrate watershed and riparian area management in a real-world context. These natural features directly support the Extension Service's mission of teaching sustainable forest practices within ecologically sensitive environments.

(Exhibit 2 at 2).

Finding: The site is located east south-east of Molalla, and south of Feyrer Park, along the Molalla River. The location of the proposed development is outside of the Molalla River floodplain. Therefore, the location is not a limiting factor, rather it is the location relative to the river that makes this property suitable for the proposed use for a demonstration site and educational site.

The property is managed for forest use. The only improvements on site are those approved through Z0114-20 that include a covered outdoor shelter, picnic tables, a vault toilet, along with parking and access, all of which are used to support current educational activities.

As noted above, the site is wooded and a large part of the property is within the mapped 100-year floodplain. The proposed development (classroom/additional parking) is located above and outside the mapped floodplain.

Therefore, the hearings officer finds that the characteristics of the site are suitable to accommodate the proposed use.

This criterion is met.

1203.03(C): *The proposed use is consistent with Subsection 1007.07, and safety of the transportation system is adequate to serve the proposed use.*

1007.07 TRANSPORTATION FACILITIES CONCURRENCY

- A. *Subsection 1007.07 shall apply to the following development applications: design review, subdivisions, partitions, and conditional uses.*
- B. *Approval of a development shall be granted only if the capacity of transportation facilities is adequate or will be made adequate in a timely manner. The following shall be exempt from this requirement:*
 - 1. *Development that is located:*

- a. *In the Light Industrial, General Industrial, or Business Park District; and*
 - b. *North of the Clackamas River; and*
 - c. *West of Highway 224 (south of Highway 212) or 152nd Drive (north of Highway 212); and*
 - d. *South of Sunnyside Road (east of 82nd Avenue) or Harmony Road (west of 82nd Avenue) or Railroad Avenue (west of Harmony Road); and e. East of Interstate 205 (south of Milwaukie Expressway) or the city limits of Milwaukie (north of the Milwaukie Expressway).*
2. *Modification or replacement of an existing development (or a development that has a current land use approval even if such development has not yet been constructed) on the same property, provided that an increase in motor vehicle traffic does not result;*
 3. *Unmanned utility facilities, such as wireless telecommunication facilities, where no employees are present except to perform periodic servicing and maintenance;*
 4. *Mass transit facilities, such as light rail transit stations and park-and-ride lots;*
 5. *Home occupations to host events, which are approved pursuant to Section 806; and*
 6. *Development in Government Camp that is otherwise consistent with the Comprehensive Plan land use plan designations and zoning for Government Camp.*

Finding: The proposed use is an enclosed structure with classroom space, storage, and restroom facilities. ZDO 202 defines an “institutional use” as:

*The use of land and/or structures for activities such as child care, adult daycare and pre-school facilities, public and private schools, colleges, universities, art, music, trade and **other educational and training facilities**, convalescent care facilities, nursing homes, hospitals, places of worship, fraternal lodges, municipal and civic buildings, transit centers and park-and-ride facilities, parks, swimming pools and other recreational facilities open to the public or a membership group, senior and community centers, libraries, museums, cemeteries and mausoleums, utility facilities, and similar public and private uses*

(Emphasis added).

The enclosed pole building structure and the proposed educational services provided in that structure an “other educational and training facility[y]” and therefore constitutes an “institutional use.” The pole building would include a 12-foot storage bay on one end of

the building. The remainder of the building would contain meeting/classroom space, a men and women's restroom, and a storage room. No kitchen is planned for the building.

The applicant states in reference to ZDO 1007.07:

The proposed use complies with ZDO Subsection 1007.07 by ensuring that the additional transportation demand generated by the classroom facility will not exceed the capacity of existing public transportation infrastructure or degrade the level of service (LOS) below county standards.

The Schink Demonstration Forest is accessed via Dickey Prairie Road, a rural local road with low traffic volumes and no known congestion or capacity issues. The proposed classroom will serve educational programs coordinated by Oregon State University Extension, which typically involve scheduled group visits rather than continuous or high-frequency traffic. These visits may include small groups of students, teachers, woodland owners, and members of the general public attending planned workshops, training sessions, and research activities.

Traffic generated by the proposed use will be infrequent and of low intensity, primarily consisting of small buses or vans and occasionally some vehicles. No large-scale events or high-volume traffic generators are planned as part of the regular programming. As a result, the additional trips generated by the new facility are expected to be minimal and well within the capacity of existing transportation infrastructure.

(Exhibit 2 at 8).

With the addition of an indoor classroom facility on the Schink property, we anticipate an increase in the number of school visits from 6 to approximately 18 visits per year. The average class size is 25 to 30 students. Generally, students are transported to the property by school bus. We also anticipate continuing with 3 to 4 woodland owner workshops per year tailored to woodland owners. These workshops average 10 to 15 individuals per workshop.

Beyond educational programming, the proposed pole building will also serve as a meeting space for local organizations such as the Clackamas County Farm Forestry Association, the Molalla River Alliance, and Molalla River Watch. These meetings are usually 1 per month are expected to draw between 10 and 20 participants per meeting.

Taking into account the expanded programming and anticipated increase in use by schools and community organizations, we estimate that the facility will host approximately 1,000 to 1,200 visitors annually.

(Exhibit 2 at 6).

Ken Kent, the Senior Planner in the Clackamas County Transportation and Engineering Program, reviewed this information and concurred with the applicant. Transportation and Engineering staff comments are included in the file as Exhibit 3.

This criterion can be met as conditioned met.

1203.03 D: *The proposed use will not alter the character of the surrounding area in a manner that substantially limits, impairs, or precludes the use of surrounding properties for the primary uses allowed in the zoning district(s) in which surrounding properties are located.*

Finding: The applicant does not identify the boundary of the surrounding area but states:

The proposed use—a pole building to be used as a classroom facility for educational and research purposes by Oregon State University Extension—is fully consistent with the rural and forested character of the surrounding area. The subject property and adjacent lands are located in the AG/Forest (AG/F) zoning district, where forest management, conservation, and related uses are primary and encouraged.

The classroom will support and enhance these goals by providing a location for educational programming, research, and outreach related to sustainable forest management, watershed health, and riparian restoration. Activities at the site will be infrequent, small in scale, and consistent with the quiet, low-impact nature of the surrounding uses. There will be no industrial development, commercial retail traffic, or activities incompatible with forest and agricultural uses.

The proposed structure will be modest in size and designed to blend with the natural environment. It will be sited near existing improvements and accessed via an established driveway, minimizing disturbance to the landscape and preserving the forested setting.

Importantly, the use will not generate noise, traffic, lighting, or other external effects that would interfere with the use of nearby properties for their intended agricultural or forestry purposes. Instead, the educational and research focus of the project will support and complement the district's goals and may offer benefits to neighboring landowners through increased knowledge and stewardship practices..

(Exhibit 2 at 9).

Using the narrative provided throughout the application in addition to the letters of support, and plans provided, the hearings officer agrees that the expansion of the proposed educational facility will not limit, impair, or preclude the use of surrounding properties from farm and forest uses that are the primary uses in the EFU to the west and AG/F zone for the properties to the north, south and east.

This criterion is met.

1203.03 E: *The proposed use is consistent with the applicable goals and policies of the Comprehensive Plan.*

Finding: The proposed development is consistent with the following Clackamas County Comprehensive Plan Goals:

4.NN.6 Education and dissemination of information on agricultural crops, methods, and technology; special tax assessment programs; and new land-use techniques should be encouraged.

4.OO.3 Prohibit land uses that conflict with forest uses.

The examiner finds that by establishing a classroom in the AG/F District for the Extension Service to use, the applicants are proposing a use that is supportive of farm and forest activities and consistent with Policies 4.NN.6 and 4.OO.3

Additionally the background in Chapter 9 states the following:

“Numerous natural, historic and recreation resources will continue to be available for everyone's enjoyment if the commitment is made to preserve them. The streams and river corridors, the steep wooded hillsides, marshes and wetlands, the rich farmlands, and the vast, magnificent mountains form a natural network of significant benefit.”

(Comprehensive Plan at 9-1).

Chapter 9, Goal 3 states: *“Provide land, facilities, and programs which meet the recreation needs of County residents and visitors.”*

While the classes provided at the site are supportive of sustainable farm and forest practices, they also provide a recreational opportunities that highlight the vast natural network and river corridors of the County, which supports Chapter 9 Goal 3.

This criterion is met.

1203.03 F: *The proposed use complies with any applicable requirements of the zoning district and any overlay zoning district(s) in which the subject property is located, Section 800, Special Use Requirements, and Section 1000, Development Standards.*

4. ZDO SECTION 800 SPECIAL USE REQUIREMENTS

Finding:

There are no sections in the 800s that apply to forest management, research, or farm and forest related educational programing.

These criteria are inapplicable.

5. ZDO SECTION 1000 DEVELOPMENT STANDARDS

Finding:

As stated in ZDO 1001 “Section 1000 applies to all development, as identified in Table 1001-1, Applicability of Section 1000.”

Educational and training facilities, are an institutional use and are subject to the following:

Table 1001-1 Applicability of Section 1000.

Type of Development	1002 Protection of Natural Features	1003 Hazards to Safety	1004 Historic Protection	1005 Site and Building Design	1006 Utilities, etc	1007 Roads & Connectivity	1009 Land-scaping	1010 Signs	1011 Open Space and Parks	1012 Lot Size and Density	1013 Planned Unit Developments	1015 Parking and Loading	1017 Solar Access	1021 Solid Waste & Recyclable Material Collection
Partitions														
Subdivisions	✓	✓	✓		✓	✓		✓	✓	✓	✓	✓	✓	
Replats														
Institutional														
Commercial ²	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓		✓
Industrial														

6. ZDO SECTION 1002, Protection Of Natural Features

Finding: The subject site contains no slopes greater than 20 percent. The property does contain a portion of the Molalla River that has a mapped floodplain and is considered a Principal River. The applicant identified that the proposed development is outside of the floodplain and the letter of support from the Molalla River Alliance indicated that the property was the site of an oak savannah demonstration area which is a significant group of trees (Exhibit 2 at 15). The proposed development is not disturbing the oak savannah demonstration site or the river.

These criteria are met.

7. ZDO Section 1003, Hazards To Safety

Finding: The subject site contains no mapped: mass movement hazards, or soil hazard areas. The property is outside the Urban Growth Boundary and it has unknown wildfire risk since the Oregon Wildfire Risk maps produced by the Oregon Department of Forestry (“ODF”) and Oregon State University has been repealed by the passage of 2025 Senate Bill 83. There are no steep slopes on the property. The proposed development is outside of the Special Flood Hazard area.

These criteria are not applicable.

8. ZDO Section 1004, Historic Protection

Finding: The site is not designated a Historic Landmark, and is not located in a Historic District or Historic Corridor. Therefore, there are no known historic resources on the subject site.

These criteria are not applicable.

9. ZDO Section 1005, Site and Building Design

1005.01 PURPOSE

Section 1005 is adopted to ensure sites are developed and buildings designed to:

- A. Efficiently utilize the land used in development, particularly urban land in centers, corridors, station communities and employment areas;*
- B. Create lively, safe, attractive and walkable centers, corridors, station communities, employment areas and neighborhoods;*
- C. Support the use of non-auto modes of transportation, especially pedestrian trips to and between developments;*
- D. Support community interaction by creating lively, safe and attractive public use spaces within developments and on the street;*
- E. Reduce impacts of development on natural features and vegetation;*
- F. Utilize opportunities arising from a site's configuration or natural features;*
- G. Encourage use of green building technologies and green site development practices, energy conservation and use of renewable energy resources;*
- H. Design illumination so that dark skies are maintained to the extent possible, balanced with the lighting needs of safe and functional developments; and*
- I. Accommodate the needs of the users to be located in developments.*

1005.02 GENERAL SITE DESIGN STANDARDS

The following site design standards apply:

- A. Where feasible, cluster buildings within single and adjacent developments for efficient sharing of walkways, on-site vehicular circulation, connections to adjoining sites, parking, loading, transit-related facilities, plazas, recreation areas, and similar amenities.*
- B. Where feasible, design the site so that so that the longest building elevations can be oriented within 20 degrees of true south in order to maximize the south-facing dimensions.*
- C. Minimum setbacks may be reduced by up to 50 percent as needed to allow improved solar access when solar panels or other active or passive solar use is incorporated into the building plan.*

Finding: The examiner finds that the proposed site development will cluster buildings within the developed portion of the site for efficient sharing of walkways and on-site vehicular circulation. The site is a rural AG/Forest zoned property with no commercial, industrial, or other institutional uses in the area; thus connections to adjoining sites, parking, loading, transit-related facilities, plazas, recreation areas, and similar amenities are not needed, because these amenities are not available in the area. The proposed

building is oriented to maximize the south-facing dimensions. No solar panels or other active or passive solar use is incorporated into the building plan and no setback reduction is requested.

These criteria are met.

D. A continuous, interconnected on-site walkway system meeting the following standards shall be provided.

- 1. Walkways shall directly connect each building public entrance accessible to the public to the nearest sidewalk or pedestrian pathway, and to all adjacent streets, including streets that dead-end at the development or to which the development is not oriented.*
- 2. Walkways shall connect each building to outdoor activity areas including parking lots, transit stops, children's play areas, and plazas.*
- 3. Walkways shall be illuminated. Separate lighting shall not be required if existing lighting adequately illuminates the walkway.*
- 4. Walkways shall be constructed with a well-drained, hard-surfaced material or porous pavement and shall be at least five feet in unobstructed width.*
- 5. Standards for walkways through vehicular areas:*
 - a. Walkways crossing driveways, parking areas, and loading areas shall be constructed to be clearly identifiable to motorists through the use of different paving material, raised elevation, warning signs, or other similar methods.*
 - b. Where walkways are adjacent to driveways, they shall be separated by a raised curb, bollards, landscaping, or other physical barrier.*
 - c. Inside the Portland Metropolitan Urban Growth Boundary (UGB), if the distance between the building public entrance and street is 75 feet or greater and located adjacent to a driveway or in a parking lot, the walkway shall be raised, with curbs, a minimum four-foot-wide landscape strip and shade trees planted a maximum of 30 feet on center.*
 - d. The exclusive use of a painted crossing zone to make walkways identifiable to motorists may be used only for portions of walkways which are shorter than 30 feet and located across driveways, parking lots, or loading areas.*
 - e. Walkways bordering parking spaces shall be at least seven feet wide or a minimum of five feet wide when concrete bumpers,*

bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles or opening doors from obstructing the walkway.

6. *The interconnected onsite walkway system shall connect to walkways in adjacent developments, or stub to the adjacent property line if the adjacent land is vacant or is developed without walkways.*
 - a. *Walkway stubs shall be located in consideration of topography and eventual redevelopment of the adjacent property.*
 - b. *Notwithstanding the remainder of Subsection 1005.02(D)(6), walkway linkages to adjacent development shall not be required within industrial developments, to industrial developments, or to vacant industrially zoned land.*

Finding: The applicant states:

A concrete sidewalk is planned for the front of the pole building to provide easy access for visitors and people with disabilities. A concrete handicap parking space will also be established to accommodate people with disabilities.

(Exhibit 2 at 12).

The application materials confirm that a walkway is proposed on the western edge of the building and connects the parking lot to the entrance of the building. Walkways to S. Dickie Prairie Road are not appropriate or needed since there are no sidewalks along the road, and there are no outdoor activity areas, transit stops, children's play areas, or plazas in or adjacent to the site. There are no adjacent developments that need to be connected to the proposed use.

These criteria are met.

- E. *Inside the UGB, except for industrial developments, a minimum of 50 percent of the street frontage of the development site shall have buildings located at the minimum front setback line.*
- F. *Inside the UGB, parking lots larger than three acres in size shall be built with major on-site vehicular circulation ways that include raised walkways with curbs, a minimum four-foot-wide landscape strip, and shade trees planted a maximum of 30 feet on center.*
- G. *New retail, office, mixed use, and institutional buildings located on major transit streets shall have at least one public entrance facing a major transit street, or street intersecting a major transit street.*
- H. *New retail, office, mixed use, multifamily, and institutional buildings located at a major transit stop shall be set back a maximum of 20 feet from at least one of the following: the major transit stop, the major*

transit street or an intersecting street, or a pedestrian plaza at the major transit stop or a street intersection.

- I. In the PMU District, there shall be no vehicular parking or circulation within the front setback area.*
- J. In the OC District, the design and siting of structures shall control public access points into office buildings, utilizing a central lobby design, entrance courtyard, internal pedestrian walkway or mall, or similar designs that protect business/professional uses from the disturbances of direct public access.*
- K. Where a minimum floor area ratio (FAR) is required by the standards of the applicable zoning district, it shall be calculated as follows:*
- L. The following standards apply in the HDR, RCHDR, and SHD Districts:*

Finding: The subject site is located outside the UGB, in an area without major transit, and no street frontage. The site is in the AG/F District that has no minimum FAR. Although the forest management, research, and education facility is considered an institutional use, the public does not visit or enter the facility outside of programmed times.

These criteria are not applicable.

1005.03 BUILDING DESIGN

- A. The following standards apply to building facades visible from a public or private street or accessway and to all building facades where the primary entrance is located.*
 - 1. Building facades shall be developed with architectural relief, variety and visual interest and shall avoid the effect of a single, long or massive wall with no relation to human size. Examples of elements that subdivide the wall: change in plane, texture, masonry pattern or color, or windows.*
 - 2. Building facades shall have particular architectural emphasis at entrances and along sidewalks and walkways*
 - 3. Provide visual interest through use of articulation, placement and design of windows and entrances, building trim, detailing, ornamentation, planters, or modulating building masses.*
 - 4. Utilize human scale, and proportion and rhythm in the design and placement of architectural features.*
 - 5. Use architectural features which are consistent with the proposed use of the building, level and exposure to public view, exposure to natural elements, and ease of maintenance.*

6. *When uses between ground-level spaces and upper stories differ, provide differentiation through use of bays or balconies for upper stories, and awnings, canopies, trim, and other similar treatments for lower levels.*

Finding: ZDO 1005.03(A) applies to “[b]uilding facades visible from a public or private street or accessway and to all building facades where the primary entrance is located.” (Underline added). The site is accessed through a driveway located for visibility purposes following the previous land use approval. There is a gate at the driveway to restrict visitors outside of class and workshop times. The site plan provided and picture of the driveway entrance shows that there is a heavy tree buffer between the proposed structure and the street. Therefore, no building facades will be visible from a public or private street or accessway. However, the front entrance of the building, where the primary entrance is located, is subject to this standard, based on the plain meaning of the words in this section. The applicant requested a modification to this standard pursuant to 1005.06. Those criteria are addressed below.

These criteria are met pursuant to the approved modification.

B. Requirements for building entries:

1. *Public entries shall be clearly defined, highly visible, and sheltered with an overhang or other architectural feature, with a depth of at least four feet.*

Finding: The applicant states:

The pole building would meet the requirement of the entryway since we have a porch the length of the building. We would also meet the requirement for the windows as well.

(Exhibit 2c at 10)

Based on the applicant’s plans (Exhibit 2 at 21-26), the public entry to the building meets this requirement, facing the parking area and access drive and covered by a porch along the entire north frontage with a gable above the entry, which will define and enhance the visibility of the entry.

This criterion is met.

2. *Commercial, mixed-use and institutional buildings sited to comply with 1005.02(E) shall have public entries that face streets and are open to the public during all business hours.*

This application is not subject to ZDO 1005.02(E) because the subject property is located outside of the UGB.

This criterion is inapplicable.

- C. *The street-facing facade of commercial, mixed-use and institutional buildings sited to comply with 1005.02(E) shall meet the following requirements:*

...

This application is not subject to ZDO 1005.02(E) because the subject property is located outside of the UGB.

This criterion is inapplicable.

D. *Requirements for roof design:*

1. *For buildings with pitched roofs:*
 - a. *Eaves shall overhang at least 24 inches.*
 - b. *Roof vents shall be placed on the roof plane opposite the primary street*

Finding: The building has a pitched roof with overhangs, but it is unclear if the overhangs extend 24-inches. No roof vents are shown on the applicant's plans.

These criteria are met pursuant to the approved modification.

E. *Requirements for exterior building materials:*

1. *Use architectural style, concepts, colors, materials, and other features that are compatible with the neighborhood's intended visual identity.*
2. *Building materials shall be durable and consistent with the proposed use of the building, level and exposure to public view, exposure to natural elements, and ease of maintenance.*
3. *Walls shall be surfaced with brick, tile, masonry, stucco, stone or synthetic equivalent, pre-cast masonry, gypsum reinforced fiber concrete, wood lap siding, architecturally treated concrete, glass, wood, metal, or a combination of these materials.*
4. *The surfaces of metal exterior building materials that are subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and the surfaces of metal exterior building materials with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion.*

The applicant states:

Three sides of the building and roof will be covered with aluminum siding which is powder coated. The front side of the building will be covered with board and bat cedar siding.

(Exhibit 2c at 10)

The hearings officer finds that the building's architectural style, concepts, colors, materials, and other features are compatible with the neighborhood's intended visual identity, as the site is located in the AG/F zone where this type of building is common. The metal roof and siding are durable and consistent with the proposed use of the building and exposures. As the applicant notes, the metal roof and walls are coated to inhibit rust and corrosion.

This criterion is met.

F. Additional building design requirements for multifamily dwellings and middle housing, except middle housing developed pursuant to Section 845, Triplexes, Quadplexes, Townhouses, and Cottage Clusters:

Finding: The proposed use is not a multifamily dwelling or middle housing type.

This criterion is inapplicable.

G. Requirements to increase safety and surveillance:

- 1. Locate buildings and windows to maximize potential for surveillance of entryways, walkways, and parking, recreation, and laundry areas.*
- 2. Provide adequate lighting for entryways, walkways, and parking, recreation, and laundry areas.*
- 3. Locate parking and automobile circulation areas to permit easy police patrol.*
- 4. Design landscaping to allow for surveillance opportunities.*
- 5. Locate mail boxes where they are easily visible and accessible.*
- 6. Limit fences, walls and, except for trees, landscaping between a parking lot and a street to a maximum of 30 inches in height.*
- 7. Locate play areas for clear parental monitoring.*

Finding: The building is located close to and facing the parking area and walkway proposed with this development, with windows and doors on the north façade maximizing surveillance potential for these areas. The applicant did not provide a lighting plan, but states:

“Porch lights will provide lighting for the sidewalk.

In addition to the porch lights on the building, the parking area will be illuminated using two LED Dusk to Dawn lights mounted on a utility pole.”

The circular driveway allows for easy police patrol. No landscaping, mailboxes, fences, walls, or play areas are proposed.

This criterion is met.

H. Solar access requirements:

- 1. Except for uses with greater cooling needs than heating needs, such as many retail uses, concentrate window areas on the south side of buildings (within 20 degrees of due south) where there is good southern exposure.*
- 2. Provide overhangs, balconies, or other shading devices to prevent excessive summer heat gains.*
- 3. Use architectural features, shape of buildings, fences, natural landforms, berms, and vegetation to catch and direct summer breezes for natural cooling, and minimize effects of winter winds.*

Finding: The building is surrounded by existing mature trees that will shade and cool the building and limit southern exposure and limit the availability of solar access.

This criterion is met.

I. Requirements for compatibility with the intent of the design type or with the surrounding area

Finding: The proposed development includes an additional classroom structure with bathrooms and storage. The surrounding area is in forestry and rural residential use with no specific design dominating the surrounding area. All of the structures in the upgrade are simple structures compatible with the surrounding area.

This criterion is met.

J. Requirements for screening mechanical equipment:

Finding: The upgrades do not include mechanical equipment on the roof of any of the buildings.

This criterion is met.

K. Requirements for specialized structures in industrial zoning districts

The underlying zone is not industrial.

This criterion is inapplicable.

1005.04 OUTDOOR LIGHTING

A. Outdoor lighting devices:

- 1. Shall be architecturally integrated with the character of the associated structures, site design, and landscape.*
- 2. Shall not direct light skyward.*
- 3. Shall direct downward and shield light; or direct light specifically toward walls, landscape elements, or other similar features, so that light is directed within the boundaries of the subject property;*

4. *Shall be suitable for the use they serve (e.g. bollard lights along walkways, pole mounted lights for parking lots);*
 5. *Shall be compatible with the scale and intensity of uses they are serving. The height of pole-mounted fixtures shall not exceed 25 feet or the height of the tallest structure onsite, whichever is less; and*
 6. *At entrances, shall be glare-free. Entrance lighting may not exceed a height of 12 feet and must be directed downward.*
- B. *The following are exempt from Subsection 1005.04(A):*
1. *Temporary lights used for holiday decorations;*
 2. *Street lights regulated in Section 1006, Utilities, Street Lights, Water Supply, Sewage Disposal, Surface Water Management, and Erosion Control; and*
 3. *Lighting associated with outdoor recreation uses such as ball fields or tennis courts.*

Finding: The proposed lighting specifications were not addressed in the application beyond what was discussed above for safety compliance.

These criteria can be met with a condition of approval.

1005.05 ADDITIONAL REQUIREMENTS

Development shall comply with a minimum of one of the following techniques per 20,000 square feet of site area. Regardless of site size, a minimum of one and a maximum of five techniques are required. Partial site area numbers shall be rounded.

- A. *Install a solar energy system in the development.*
- B. *Use passive solar heating or cooling techniques to reduce energy consumption.*

Examples of techniques:

1. *Modulate building masses to maximize solar access.*
2. *For developments with more than one structure, locate taller structures to minimize negative impacts on solar access for the development site and adjacent sites.*
3. *Locate buildings to maximize windbreaks.*
4. *Locate structures and landscaping to avoid winter shading on the south side and optimize summer shading on the west and southwest sides of buildings.*

5. *Utilize deciduous trees to provide summer shade and allow winter sun.*
 6. *Utilize deciduous vines on fences, trellises, and arbors to provide summer shade.*
 7. *Locate and form berms to protect buildings and exterior use spaces against winter winds or utilize dense evergreens or conifers to screen winter wind and protect against hostile winter elements.*
 8. *Provide skylights or clerestory windows to provide natural lighting, and/or solar heating of interior spaces.*
- C. *Use highly reflective (high albedo) materials on roof surfaces.*
 - D. *Place major outdoor use areas such as plazas, playgrounds, gardens, etc. on the south side of buildings.*
 - E. *Construct a minimum of 75 percent of walkway area of porous pavement.*
 - F. *Construct a minimum of 75 percent of all parking spaces with porous pavement.*
 - G. *Provide additional landscaping area at least 10 percent above the requirement for the site pursuant to Table 1009-1, Minimum Landscaped Area. For example, if the minimum area requirement is 20 percent, then 22 percent shall be provided. Credit shall be given for green roofs or other areas of vegetation that exceed the minimum area requirements.*
 - H. *Include additional swales in development landscaping, pursuant to Section 1009, Landscaping. Credit shall be given for additional swale(s) that exceed the requirements of Subsection 1009.04(A)(2) by at least 10 percent of area. For example, if 1009.04(A)(2) requires 200 square feet of swale area, then an additional 20 square feet of swale area would be required.*
 - I. *Collect rainwater from roofs and/or other impervious surfaces and use it for irrigation.*
 - J. *Apply other techniques for onsite storm water treatment identified by the surface water management regulatory authority.*
 - K. *Lay out sites and locate buildings and on-site vehicular circulation to create functional open areas such as plazas, courtyards, outdoor recreation areas, miniparks, and accessways that are open to the general public.*

Finding: The application materials do not show how this is met. However, although there is no minimum landscaping required pursuant to Table 1009-1, the applicant is leaving the forest around the proposed development and thus the vegetation on the site exceeds 25% of the site area and there are plenty of onsite techniques to slow, capture, and treat stormwater onsite. The majority of the site will be available for outdoor recreation. The applicant also provided a stormwater treatment plan that applies techniques for onsite stormwater treatment.

These criteria are met.

1005.06 MODIFICATIONS

Modification of any standard identified in Subsections 1005.02 and 1005.03 may be approved as part of design review if the proposed modification will result in a development that achieves the purposes stated in Subsection 1005.01 as well or better than the requirement listed.

The applicant states:

A modification of these requirements is requested since 1005.03 Building Design should not be applicable to the north facade. Those standards only apply to building facades visible from a public or private street. THIS BUILDING IS NOT VISIBLE FROM THE STREET.

The pole building would meet the requirement of the entryway since we have a porch the length of the building. We would also meet the requirement for the windows as well. Three sides of the building and roof will be covered with aluminum siding which is powder coated. The front side of the building will be covered with board and bat cedar siding.'

The applicant requested a modification to ZDO 1005.03. The hearings officer finds that modifications are warranted to ZDO 1005.03(A) and (D). The remaining criteria that apply to this application are met, based on the findings above. The two modification requests are consistent with ZDO 1005.01, because the modifications will reduce the development's impacts on natural features and vegetation by limiting the footprint of the structure through the simplistic pole building design.

These criteria are met and the modifications are approved.

10. ZDO Section 1006, Utilities, Street Lights, Water Supply, Sewage Disposal, Surface Water Management, and Erosion Control

1006.01 GENERAL STANDARDS

- A. The location, design, installation, and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbance of soil and site consistent with the rules and regulations of the surface water management regulatory authority.*
- B. All development that has a need for electricity, natural gas, and communications services shall install them pursuant to the requirements of the utility district or company serving the development. Except where otherwise prohibited by the utility district or company, utility service lines shall be installed underground.*
- C. Coordinated installation of necessary water, sanitary sewer, and surface water management and conveyance facilities is required.*

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

Finding: As conditioned these criteria are met.

1006.02 STREET LIGHTS

Street lights are required for all development inside the Portland Metropolitan Urban Growth Boundary. The following standards apply:

Finding: The site is located outside the Portland Metropolitan Urban Growth Boundary. Therefore, no street lights are required.

These criteria are met.

1006.03 WATER SUPPLY

- A. Development which has a need for, or will be provided with, public or community water service shall install water service facilities and grant necessary easements pursuant to the requirements of the district or company serving the development.*
- B. Approval of a development that requires public or community water service shall be granted only if the applicant provides a preliminary statement of feasibility from the water system service provider.*
- 1. The statement shall verify that water service, including fire flows, is available in levels appropriate for the development and that adequate water system capacity is available in source, supply, treatment, transmission, storage and distribution. Alternatively, the statement shall verify that such levels and capacity can be made available through improvements completed by the developer or the system owner.*
 - 2. If the statement indicates that water service is adequate with the exception of fire flows, 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 a sprinkler system, is acceptable.*
 - 3. The statement shall be dated no more than one year prior to the date a complete land use application is filed and need not reserve water system capacity for the development.*
- C. Prior to final approval of a partition or subdivision, the applicant shall provide evidence that any wells in the tract subject to temporary or*

permanent abandonment under Oregon Revised Statutes (ORS) 537.665 have been properly abandoned.

D. The following standards apply inside the Portland Metropolitan Urban Growth Boundary, Government Camp, Rhododendron, Wemme/Welches, Wildwood/Timberline, and Zigzag Village:

- 1. Land divisions or other development requiring water service shall not be approved, except as provided in Subsection 1006.03(D)(4), unless they can be served by a public water system in compliance with drinking water standards as determined by the Oregon Health Authority.*
- 2. Development requiring water service within the boundaries of a water service system, created pursuant to ORS chapters 264, 450, or 451, shall receive service from this system.*
- 3. New public water systems shall not be created unless formed pursuant to ORS chapters 264, 450, or 451.*
- 4. A lot of record not located within the approved boundaries of a public water system may be served by an alternative water source.*

Finding: Oregon Water Resources Staff indicated that the exempt well located on the site would likely meet the water requirements for the proposed use (Exhibit 2a). No land division is proposed and no new water system is being created.

These criteria are met.

1006.04 SANITARY SEWER SERVICE

Finding: The site is outside of all sanitary sewer districts and is not able to be served by a sanitary sewer service.

These criteria are not applicable.

1006.05 ONSITE WASTEWATER TREATMENT

- A. All development that requires onsite wastewater treatment shall receive approval for the system from the County prior to submittal of a land use application for development. Onsite wastewater treatment systems shall be installed pursuant to: Oregon Revised Statutes 454.605 through 454.745; Oregon Administrative Rules chapter 340, divisions 71 and 73; and the policies of the County.*
- B. Inside the Portland Metropolitan Urban Growth Boundary (UGB), Government Camp, Rhododendron, Wemme/Welches, Wildwood/Timberline, and Zigzag Village, all land divisions or other*

development that requires onsite wastewater treatment shall be prohibited except for:

- C. Notwithstanding Subsection 1006.05(B), development of triplexes, quadplexes, townhouses, or cottage clusters in the VR-4/5, VR-5/7, R-5, R-7, R-8.5, R-10, R15, R-20, or R-30 Districts and development of affordable housing subject to Section 846, Affordable Housing, is prohibited if the development requires onsite wastewater treatment.*

Finding: The site is located outside of the UGB and the development is not for triplexes, quadplexes, townhouses, or cottage clusters in a residential zone. The Clackamas County Septic and Onsite Wastewater Program evaluated the site through SE017025 and found “*The site that was prepared for this evaluation was found suitable for an Onsite Wastewater treatment system.*” (Exhibit 2c at 15). In the application, the applicant indicated that the structure would contain permanent restrooms for the expanded use.

These criteria are met.

1006.06 SURFACE WATER MANAGEMENT AND EROSION CONTROL

The following surface water management and erosion control standards apply:

- A. Positive drainage and adequate conveyance of surface water shall be provided from roofs, footings, foundations, and other impervious or near-impervious surfaces to an appropriate discharge point.*
- B. The requirements of the surface water management regulatory authority apply. If the County is the surface water management regulatory authority, the surface water management requirements of the Clackamas County Roadway Standards apply.*
- C. Approval of a development shall be granted only if the applicant provides a preliminary statement of feasibility from the surface water management regulatory authority. The statement shall verify that 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.*
 - 1. The surface water management regulatory authority may require a preliminary surface water management plan and report, natural resource assessment, and buffer analysis prior to signing the preliminary statement of feasibility.*
 - 2. The statement shall be dated no more than one year prior to the date a complete land use application is filed and need not reserve surface water treatment and conveyance system capacity for the development.*
- D. Development shall be planned, designed, constructed, and maintained to:*

1. *Protect and preserve existing natural drainage channels to the maximum practicable extent;*
 2. *Protect development from flood hazards;*
 3. *Provide a system by which water within the development will be controlled without causing damage or harm to the natural environment, or to property or persons within the drainage basin;*
 4. *Ensure that waters drained from the development are substantially free of pollutants, including sedimentary materials, through such construction and drainage techniques as sedimentation ponds, reseeding, and phasing of grading; and*
 5. *Ensure that waters are drained from the development in such a manner that will not cause erosion to any greater extent than would occur in the absence of development.*
- E. *Where culverts cannot provide sufficient capacity without significant environmental degradation, the County may require the watercourse to be bridged or spanned.*
- F. *If a development, or any part thereof, is traversed by any watercourse, channel, stream, creek, gulch, or other natural drainage channel, adequate easements for surface water management purposes shall be provided to the surface water management regulatory authority.*
- G. *Channel obstructions are not allowed, except as approved for the creation of detention, retention, or hydropower facilities approved under this Ordinance. Fences with swing gates may be utilized.*
- H. *The natural drainage pattern shall not be substantially altered at the periphery of the subject property. Greatly accelerated release of stored water is prohibited. Flow shall not be diverted to lands that have not previously encountered overland flow from the same upland source unless adjacent downstream owners agree.*
- I. *A surface water management and erosion control plan is required for significant residential, commercial, industrial, and institutional development. The plan shall include: 1. The methods to be used to minimize the amount of runoff siltation and pollution created from the development both during and after construction; and 2. Other elements required by the surface water management authority.*

Finding: The site is located outside all surface water management districts and thus the Clackamas County Transportation and Engineering Program is the surface water management agency. The applicant provided a stormwater management plan in the application. As indicated by the preliminary statements of feasibility signed the August 21, 2025, by the Clackamas County Transportation and Engineering Program the onsite surface water treatment requirements for the proposed use could be met (Exhibit 2c at 27).

As conditioned these criteria are met.

11. 1007 ROADS AND CONNECTIVITY

1007.01 GENERAL PROVISIONS

- A. *The location, alignment, design, grade, width, and capacity of all roads shall conform to Section 1007, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards. Where conflicts occur between Section 1007, the Comprehensive Plan, and the Clackamas County Roadway Standards, the Comprehensive Plan shall control.*
- B. *Right-of-way dedications and improvements shall be required of all new developments, including partitions, subdivisions, multifamily dwellings, duplexes, triplexes, quadplexes, townhouses, cottage clusters, detached single-family dwellings, and commercial, industrial, and institutional uses, consistent with Section 1007, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards.*

Finding: No new roads are proposed. The existing access will need to meet the requirements of the Clackamas County Roadway Standards and be adequate for fire and emergency access. As stated by engineering staff:

S Dickey Prairie Road is a rural minor arterial roadway located within a 50-foot wide public right-of-way, with an improved width of approximately 20 feet. The standard right-of-way width for a rural minor arterial roadway is 60 feet. Based on the limited number of vehicle trips generated by the proposed use, the existing right-of-way width and road improvements are adequate. and “Primary access to S Dickey Prairie Road for the project site was approved and constructed to county standards under Development Permit number SC005020. The applicant is proposing to construct an additional on-site access road to serve the new building and proposed adjacent parking areas.

(Exhibit 3).

While the 50-foot wide public right-of-way is adequate for the Roadway Standards, the Comprehensive Plan identifies S. Dickey Prairie Road as a minor arterial and a planned bikeway. Therefore, the minimum right of way of 60 feet is necessary to meet the Comprehensive plan cross sections of a minor arterial and facilitate the future development of the bikeway.

These criteria can be met as conditioned.

- C. *New developments shall have access points connecting with existing roads.*
 - 1. *Intersection spacing and access control shall be based on Subsection 3.08.110(E) of the Metro Code (Regional Transportation Functional*

Plan); Chapters 5 and 10 of the Comprehensive Plan; and the Clackamas County Roadway Standards.

- 2. For development on any portion of a contiguous site identified on Comprehensive Plan Map 5-6, Potentially Buildable Residential Sites > 5 Acres in UGB, the applicant shall provide a conceptual map of new streets for the entire site. The map shall identify street connections to adjacent areas to promote a logical, direct, and connected system of streets; demonstrate opportunities to extend and connect new streets to existing streets, and provide direct public right-of-way routes. Closed-end street designs shall be limited to circumstances in which barriers prevent full street extensions. Closed-end streets shall not exceed 200 feet in length and shall serve no more than 25 dwelling units. Subsequent development on the site shall conform to the conceptual street map, unless a new map is approved pursuant to Subsection 1007.01(C)(2).*
- 3. Access control shall be implemented pursuant to Chapter 5 of the Comprehensive Plan and the Clackamas County Roadway Standards considering best spacing for pedestrian access, traffic safety, and similar factors.*
- 4. Approaches to public and county roads shall be designed to accommodate safe and efficient flow of traffic and turn control where necessary to minimize hazards for other vehicles, pedestrians, and bicyclists.*
- 5. Joint access and circulation drives utilizing reciprocal easements shall be utilized as deemed necessary by the Department of Transportation and Development. In the NC District, joint street access for adjacent commercial developments shall be required.*
- 6. In the SCMU District, driveways shall be spaced no closer to one another than 35 feet, measured from the outer edge of the curb cut, unless compliance with this standard would preclude adequate access to the subject property as a result of existing off-site development or compliance with the Clackamas County Roadway Standards.*
- 7. In the VA District, no direct motor vehicle access is permitted on Sunnyside Road.*

Finding: The site is not in the NC, VA, or SCMU District and is not located in a station community. Joint access is not proposed. The driveway serving the site currently exists and the application materials do not propose to alter the location of the driveway. Comments provided by the Transportation and Engineering Program staff indicated that the primary access to S. Dickey Prairie Road for the project site was approved and constructed to county standards under Development Permit number SC005020 (Exhibit 3).

As conditioned these criteria are met.

8. *Inside the Portland Metropolitan Urban Growth Boundary:*
 - a. *The development shall have no more than the minimum number of driveways required by the Department of Transportation and Development on all arterial and collector streets.*
 - b. *For properties having more than one street frontage, driveways shall be located on the street with the lowest functional classification, if feasible.*
 - c. *Driveways shall be no wider than the minimum width allowed by the Clackamas County Roadway Standards.*
 - d. *Driveways shall be located so as to maximize the number of allowed on-street parking spaces, the number of street trees, and optimum street tree spacing.*
- D. *Street alignments, intersections, and centerline deflection angles shall be designed according to the standards set forth in Chapters 5 and 10 of the Comprehensive Plan and the Clackamas County Roadway Standards.*
- E. *All roads shall be designed and constructed to adequately and safely accommodate vehicles, pedestrians, and bicycles according to Chapters 5 and 10 of the Comprehensive Plan and the Clackamas County Roadway Standards. Development-related roadway adequacy and safety impacts to roadways shall be evaluated pursuant to the Clackamas County Roadway Standards and also to Oregon Department of Transportation standards for state highways.*
- F. *Roadways shall be designed to accommodate transit services where transit service is existing or planned and to provide for the separation of motor vehicles, bicycle, and pedestrian traffic, and other modes as appropriate*

Finding: The development does not propose the construction of any new roads. The public road adjacent to the site does not serve a transit service route. The site is outside the UGB and the driveway currently exists and will be reviewed for adequacy, safety, and compliance with the Comprehensive Plan and Roadway Standards through a Development Permit from Clackamas County Department of Transportation and Development.

As conditioned these criteria are met.

1007.02 PUBLIC AND PRIVATE ROADWAYS

- A. *All roadways shall be developed according to the classifications, guidelines, tables, figures, and maps in Chapters 5 and 10 of the Comprehensive Plan and the provisions of the Clackamas County Roadway Standards.*
- B. *The layout of new public and county roads...*
- C. *New county and public roads terminating in cul-de-sacs or other dead-end turnarounds are prohibited....*

Finding: The property is not identified as a scenic road in Comprehensive Plan Map 5-1; and is not on Map IV-8. The site is not located in a center, corridor, or station community and is outside of the area included on Map 5-5. No new public or county roads are proposed. The site is not located in: Government Camp; the Sunnyside Corridor; the Sunnyside Village; the Regional Center, or Mount Hood Resource Protection Area. Therefore there are no specific design standards for the road that is adjacent to the site beyond the provisions in the Roadway Standards for access.

No new roads are being developed.

These criteria are not applicable.

- D. *Developments shall comply with the intersection sight distance and roadside clear zone standards of the Clackamas County Roadway Standards. In addition:*
 - 1. *No planting, signing, or fencing shall be permitted which restricts motorists' vision; and*
 - 2. *Curbside parking may be restricted along streets with visibility problems for motorists, pedestrians, and/or bicyclists as deemed appropriate by the Department of Transportation and Development.*
- E. *New developments, subdivisions, and partitions may be required to dedicate land for right-of-way purposes and/or make road frontage improvements to existing rights-of-way, consistent with Section 1007, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards.*

Finding: The proposal includes the expansion and upgrade to an existing institutional development. While the classroom pole building structure is considered new development, staff is unclear about whether the expansion of use proposed through Z0270-25 would be considered part of the New Developments discussed in ZDO 1007.02(E). S. Dickey Prairie Road is classified as a Rural Minor Arterial and has a 50 foot right of way. The Comprehensive Plan Chapter Five Figures 5-2a and 5-2b indicate that Rural Arterials shall have a minimum of a 60 foot right of way. Therefore, to be consistent with the Comprehensive Plan Chapter 5 a five foot right of way dedication along the frontage of the property would be needed.

This criterion can be met as conditioned.

- F. Road frontage improvements within the UGB and in Government Camp, Rhododendron, and Wemme/Welches shall include:*

Finding: The site is outside of the UGB and the property is not in Government Camp, Rhododendron, or Wemme/Welches.

This criterion is not applicable.

1007.03 PRIVATE ROADS AND ACCESS DRIVES

A. Private roads and access drives shall be developed according to classifications and guidelines listed in Section 1007, Comprehensive Plan Figures 5-1 through 5-3, Typical Roadway Cross Sections, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards, except:

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

Finding: The driveway serving the site was approved through Development Permit number SC005020. Thus the intersection of the driveway with the public road was reviewed and approved by the Transportation and Engineering program.

These criteria are met.

1007.04 PEDESTRIAN AND BICYCLE FACILITIES

A. General Standards: Pedestrian and bicycle facilities shall be developed according to the classifications and guidelines listed in Section 1007, Comprehensive Plan Figures 5-1 through 5-3, Typical Roadway Cross Sections, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards.

B. *Pedestrian and Bicycle Facility Design: Pedestrian and bicycle facilities shall be designed to:*

...

4. *Be consistent with Chapters 5 and 10 of the Comprehensive Plan; Comprehensive Plan Maps 5-2a, Planned Bikeway Network, Urban, 5-2b, Planned Bikeway Network, Rural, and 5-3, Essential Pedestrian Network; North Clackamas Parks and Recreation District's (NCPRD) Park and Recreation Master Plan; and Metro's Regional Trails and Greenways Map.*

C. *Requirements for Pedestrian and Bicycle Facility Construction: Within the Portland Metropolitan Urban Growth Boundary (UGB).*

D. *Requirement for Sidewalk Construction: Within the UGB,....*

E. *Sidewalks or Pedestrian Pathways in Unincorporated Communities: In an unincorporated community,....*

F. *Sidewalk Location: Sidewalks required by Subsection 1007.04(C) or (D)....*

G. *Pedestrian Pathways: Within the UGB....*

K. *Bikeways: Bikeways shall be required as follows:*

Finding: The project is an institutional use located outside the Urban Growth Boundary, and zoned AG/F. The site is not located inside an unincorporated community. There is no requirement for pedestrian and bicycle facilities, or sidewalks, to be designed and constructed because it is located outside the UGB and the impact to the roadway is minor. Although Comprehensive Plan Map 5-2b identifies S. Dickey Prairie Road as a Planned Bikeway, the shoulders and bike lanes are required when a road is reconstructed which is not the case here.

These criteria are not applicable.

1007.07 TRANSPORTATION FACILITIES CONCURRENCY

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

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

Finding: The proposed use is not a design review, subdivision, or partition. Although the educational classroom are being reviewed as a conditional use, the Transportation and Engineering staff found the following that indicates there is transportation capacity to serve the proposed use:

S Dickey Prairie Road is a rural minor arterial roadway located within a 50-foot wide public right-of-way, with an improved width of approximately 20 feet. The standard right-of-way width for a rural minor arterial roadway is 60 feet. Based on the limited number of vehicle trips generated by the proposed use, the existing right-of-way width and road improvements are adequate. And

ZDO section 1007.07 requires that development is served by a transportation system that has adequate capacity to handle any increased vehicle trips generated by new development. There are no known vehicle capacity issues on S Dickie Prairie Road. The applicant has indicated that there will an anticipated increase in the number of visitors to the site with the addition of an indoor classroom/meeting space. However the total number of visitors remains low at 1,000 to 1,200 annually. Based on the limited number of vehicle trips generated by the additional site building, staff is confident that intersections in the vicinity of the project site will continue to have adequate capacity to serve the proposed development.

These criteria are met.

12. 1009 LANDSCAPING

1009.01 GENERAL PROVISIONS

- A. Landscaping materials shall be selected and sited to produce a hardy and low-maintenance landscaped area with an emphasis on fast-growing plants. Selection shall include consideration of soil type and depth, spacing, exposure to sun and wind, slope and contours of the subject property, building walls and overhangs, and compatibility with existing vegetation to be preserved. Notwithstanding the requirement for hardiness, annuals are permitted as provided in Subsection 1009.01(B).*
- B. A variety of plants, intermixed throughout landscaped areas, shall be provided, as follows:*
 - 1. Evergreen and deciduous;*
 - 2. Trees, shrubs, and groundcover;*
 - 3. Plants of varying textures;*
 - 4. Plants of varying widths and heights at maturity; and*
 - 5. Plants with seasonal color interest (e.g., foliage, flowering perennials, annuals).*
- C. The planting of invasive non-native or noxious vegetation shall be prohibited, and existing invasive non-native or noxious vegetation shall be removed.*

- D. *Landscaped areas shall not be used for other purposes, such as storage or display of automobiles, equipment, merchandise, or materials.*
- E. *Landscaping of the unimproved area between a lot line and the improved portion of an adjacent road right-of-way shall be required when there are no immediate plans to develop or otherwise disturb the unimproved area, and one or more of the following apply:*
 - 1. *The subject property is located inside the Portland Metropolitan Urban Growth Boundary;*
 - 2. *Landscaping is necessary to present an appearance consistent with the proposed development as viewed from the road;*
 - 3. *Landscaping is necessary to reduce dust, noise, erosion, or fire hazard; or*
 - 4. *The road is designated as a scenic road on Comprehensive Plan Map 5-1, Scenic Roads*
- F. *Landscaping shall be used to highlight public entrances to buildings. If—due to the depth of a front setback, a required walkway, or both—there is insufficient area to permit a typical, in-ground landscaping bed between a public entrance and a front lot line, this requirement may be met with trellises, hanging baskets, or planters, any of which shall include plants.*
- G. *Where feasible, landscaping shall be required adjacent to walkways and other areas intended for pedestrian use.*
- H. *Existing significant plants, terrain, and other natural features shall be incorporated into the landscaping design and development if such features are required to be retained by other provisions of this Ordinance or if otherwise feasible.*

Finding: The subject site is outside the Portland Metropolitan Urban Growth Boundary and the applicant is proposing to use existing vegetation on the north/eastern edge of the property and the wooded area on the river side of the property to meet the landscape requirements. The adjacent public road is not a Scenic Road. The proposed development is consistent with the development patterns of the area with the existing landscaping located between the proposed development and the public road. The applicant provided a site plan that shows the location of existing trees in relation to the proposed developments (Exhibit 2 at 21).

As conditioned these criteria are met.

1009.02 MINIMUM AREA STANDARDS

- A. *Table 1009-1, Minimum Landscaped Area, establishes the minimum percentage of the area of the subject property that shall be landscaped.*

Finding: The proposed use is a conditional use in the AG/Forest District so Table 1009-1 has no minimum requirements for landscaped area.

These criteria are not applicable.

1009.03 SURFACE PARKING AND LOADING AREA LANDSCAPING

Surface parking and loading areas shall be landscaped as follows:

- A. Surface parking areas that include more than 15 parking spaces shall comply with the following landscaping requirements:*
- B. Perimeter landscaping requirements for surface parking and loading areas adjacent to abutting lots or rights-of-way are as follows:*

...

Finding: The proposed use includes only six (6) parking spaces on the north side of the proposed building. The existing parking lot approved through Development Permit number SC005020 was previously developed. The surface parking area proposed in this application is not adjacent to abutting lots or rights-of-way and includes less than 15 parking spaces. Therefore, landscaping is not needed in or around the surface parking areas.

These criteria are not applicable.

1009.04 SCREENING AND BUFFERING

- A. Screening shall be used to eliminate or reduce the visual impacts of the following:*
 - 1. Service areas and facilities, such as loading areas and receptacles for solid waste or recyclable materials;*
 - 2. Storage areas;*
 - 3. Ground-mounted rainwater collection facilities with a storage capacity of more than 100 gallons;*
 - 4. Parking lots within or adjacent to an Urban Low Density Residential, VR-5/7, VR-4/5, RA-1, RA-2, RR, RRFF-5, FF-10, FU-10, or HR District; and 5. Any other area or use, as required by this Ordinance.*
- B. Screening shall be accomplished by the use of sight-obscuring evergreen plantings, vegetated earth berms, masonry walls, sight-obscuring fences, proper siting of disruptive elements, building placement, or other design techniques.*
- C. Screening shall be required to substantially block any view of material or equipment from any point located on a street or accessway adjacent to the*

subject property. Screening from walkways is required only for receptacles for solid waste or recyclable materials. A sight-obscuring fence at least six feet in height and up to a maximum of 10 feet in height shall be required around the material or equipment.

Finding: The proposed development includes screening through the use of existing tree cover and minimal vegetation removal around the proposed development. The picture of the access drive, site plan, and aerial images show that there is more than 15 feet of mature evergreen trees providing screening for the AG/F zoned property.

These criteria are met.

- D. Buffering shall be used to mitigate adverse visual impacts, dust, noise, or pollution, and to provide for compatibility between dissimilar adjoining uses. Special consideration shall be given to buffering between residential uses and commercial or industrial uses, and in visually sensitive areas.*
- E. Buffering shall be accomplished by one of the following: 1. A landscaping strip with a minimum width of 15 feet and planted with: a. A minimum of one row of deciduous and evergreen trees staggered and spaced a maximum of 30 feet apart; b. A perennial, evergreen planting with sufficient foliage to obscure vision and which will grow to form a continuous hedge a minimum of six feet in height within two years of planting; and c. Low-growing evergreen shrubs and evergreen ground cover covering the balance of the area;*

Finding: The proposed development is buffered by the existing wooded areas on the site. The adjacent neighbors are in farm or forest use with no residentially zoned properties surrounding the subject site that would need to be buffered.

These criteria are met.

1009.07 FENCES AND WALLS

- A. Fences and walls shall be of a material, color, and design complementary to the development.*

Finding: No fence or walls were discussed in the application. The property is not located in the BP, LI, or GI District.

These criteria are not applicable.

1009.08 RECREATIONAL AREAS AND FACILITIES

Finding: The applicant is not proposing the development of duplexes, triplexes, quadplexes, or multifamily dwellings in the MR-1, MR-2, or HDR Districts.

These criteria are not applicable.

1009.09 EROSION CONTROL

- A. *Graded areas shall be re-vegetated with suitable plants to ensure erosion control.*
- B. *Netting shall be provided, where necessary, on sloped areas while ground cover is being established.*

Finding: As noted above, the Clackamas County Transportation and Engineering Program is the Surface Water Management authority for the site and will review and approve an erosion control plan for the site prior to ground disturbing activities.

These criteria are met as conditioned.

1009.10 PLANTING AND MAINTENANCE

- A. *Impervious weed barriers (e.g., plastic sheeting) are prohibited.*
- B. *Plants shall not cause a hazard. Plants over walkways, sidewalks, pedestrian pathways, and seating areas shall be pruned to maintain a minimum of eight feet below the lowest hanging branches. Plants over streets, bikeways, accessways, and other vehicular use areas shall be pruned to maintain a minimum of 15 feet below the lowest hanging branches.*
- C. *Plants shall be of a type that, at maturity, typically does not interfere with above or below-ground utilities or paved surfaces.*
- D. *Plants shall be installed to current nursery industry standards.*
- E. *Plants shall be properly guyed and staked to current nursery industry standards as necessary. Stakes and guys shall not interfere with vehicular or pedestrian traffic, shall be loosened as needed to prevent girdling of trunks, and shall be removed as soon as sufficient trunk strength develops, typically one year after planting.*
- F. *Landscaping materials shall be guaranteed for a period of one year from the date of installation. The developer shall either submit a signed maintenance contract for the one-year period or provide a performance surety pursuant to Section 1311, Completion of Improvements, Sureties, and Maintenance, covering the landscape maintenance costs for the one-year period.*
- G. *Plants shall be suited to the conditions under which they will be growing. As an example, plants to be grown in exposed, windy areas that will not be irrigated shall be sufficiently hardy to thrive under these conditions. Plants shall have vigorous root systems, and be sound, healthy, and free from defects and diseases.*
- H. *When planted, deciduous trees shall be fully branched, have a minimum caliper of two inches, and have a minimum height of eight feet.*

- I. *When planted, evergreen trees shall be fully branched, have a minimum height of eight feet, and have only one leader.*
- J. *Shrubs shall be supplied in minimum one-gallon containers or eight-inch burlap balls with a minimum spread of 12 inches.*
- K. *Ground cover shall be planted a maximum of 30 inches on center with a maximum of 30 inches between rows. Rows of plants shall be staggered. Ground cover shall be supplied in minimum four-inch containers, except that the minimum shall be reduced to two and one-quarter inches or equivalent if the ground cover is planted a minimum of 18 inches on center.*
- L. *Plants shall be spaced so that ground coverage three years after planting is expected to be 90 percent, except where pedestrian amenities, rainwater collection systems, or outdoor recreational areas count as landscaping pursuant to Subsection 1009.02. Areas under tree drip lines count as ground coverage.*

Finding: Because existing vegetation is proposed to meet the landscaping needs, irrigation, and maintenance of new landscaping material is not needed.

These criteria are met.

13. 1010 SIGNS

Finding: The applicant included a picture of the existing sign in the application (Exhibit 2c at 9). In the narrative they state *“An entrance sign was erected in 2020 next to the gate entering the property. The sign is set back from Dickey Prairie Road. No additional signs are planned for the future.”* Staff reviewed the picture of the sign and the location of the sign and find that it meets the criteria in 1010.08 that limits institutional uses to one free standing sign that is located behind the front property line, and has a maximum area of 60 square feet per area.

ZDO 202 includes the following relevant definitions:

SIGN: A presentation or representation, other than a house number, by words, letters, figures, designs, pictures or colors displayed out of doors in view of the general public so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid or other type of identification. This definition specifically includes billboards, ground signs, freestanding signs, wall signs, roof signs, logo signs, and signs on the following: marquees, awnings, canopies, street clocks and furniture and includes the surface upon which the presentation or representation is displayed.

SIGN AREA, OR SURFACE AREA: The area, on the largest single face of a sign, within a perimeter which forms the outside shape of a sign. If the sign consists of more than one module, the total area of all modules will constitute the sign area. The area of a sign having no such perimeter or

border shall be computed by enclosing the entire copy area within the outline of either a parallelogram, triangle, circle or any other easily recognized geometric shape and then computing the area. Where a sign is of a three-dimensional, round or irregular shape, the largest cross section shall be used in flat projection for the purpose of computing sign area.

Based on those definitions, the sign includes the flat wooded area that includes the wording Schink Demonstration Forest. The sign does not include the roof cover that protects the sign from weather. Therefore, it appears that the sign meets the five foot height limit for a free standing sign for the institutional in a natural resource zone.

These criteria are met.

14. 1011 OPEN SPACE AND PARKS

Finding: The subject site has no Open Space Designation in the Comprehensive Plan.

These criteria are not applicable.

15. 1015 PARKING AND LOADING

1015.01 GENERAL STANDARDS

- A. Inside the Portland Metropolitan Urban Growth Boundary (UGB), parking, loading, and maneuvering areas shall be hard-surfaced, unless a permeable surface is required for surface water management pursuant to the regulations of the surface water management authority or in order to comply with Subsection 1006.06.*
- B. Outside the UGB, areas used for parking, loading, and maneuvering of vehicles shall be surfaced with screened gravel or better, and shall provide for suitable drainage*
- C. Parking and loading requirements for uses and structures not specifically listed in Tables 1015-1, Automobile Parking Space Requirements; 1015-2, Minimum Automobile Parking Space Requirements for Dwellings; 1015-3, Minimum Required Bicycle Parking Spaces; and 1015-4, Minimum Required Off-Street Loading Berths shall be subject to the requirements for the most similar use.*
- D. Motor vehicle parking, bicycle parking, and loading areas shall be separated from one another.*
- E. Required parking spaces and loading berths shall not be:*
 - a. Rented, leased, or assigned to any other person or organization, except as provided for under Subsection 1015.02(D)(3)(a) for shared parking or Subsection 1015.04(C) for shared loading berths.*

- b. *Used for storing or accumulating goods or storing a commercial or recreational vehicle, camper, or boat, rendering the space(s) useless for parking or loading operations.*
- c. *Occupied by the conducting of any business activity, except for permitted temporary uses (e.g., farmers' markets).*

Finding: The site is outside the Portland Metropolitan Urban Growth Boundary (UGB) and the parking, loading, and maneuvering areas will be surfaced as required and verified through a Development Permit with the Clackamas County Transportation and Engineering Program. The site plan submitted in the application showed that the additional parking being review, is limited to six new parking spaces adjacent to the proposed new building.

These criteria are met as conditioned.

1015.01 GENERAL STANDARDS

- A. *Inside the Portland Metropolitan Urban Growth Boundary (UGB),...*
- B. *Outside the UGB, areas used for parking, loading, and maneuvering of vehicles shall be surfaced with screened gravel or better, and shall provide for suitable drainage.*
- C. *Parking and loading requirements for uses and structures not specifically listed in Tables 1015-1, Automobile Parking Space Requirements; 1015-2, Minimum Automobile Parking Space Requirements for Dwellings; 1015-3, Minimum Required Bicycle Parking Spaces; and 1015-4, Minimum Required Off-Street Loading Berths shall be subject to the requirements for the most similar use.*
- D. *Motor vehicle parking, bicycle parking, and loading areas shall be separated from one another.*
- E. *Required parking spaces and loading berths shall not be:*
 - a. *Rented, leased, or assigned to any other person or organization, except as provided for under Subsection 1015.02(D)(3)(a) for shared parking or Subsection 1015.04(C) for shared loading berths.*
 - b. *Used for storing or accumulating goods or storing a commercial or recreational vehicle, camper, or boat, rendering the space(s) useless for parking or loading operations.*
 - c. *Occupied by the conducting of any business activity, except for permitted temporary uses (e.g., farmers' markets).*

Finding: The submitted site plan showed the parking spaces and maneuvering were adequate for the number of visitors for the proposed use. The surface requirements will be verified through a Development Permit with the Clackamas County Transportation and

Engineering Program. The site plan showed no indication that the parking spaces would be rented or shared by another use.

As conditioned these criteria are met.

1015.02 MOTOR VEHICLE PARKING AREA STANDARDS

A. *Off-street parking areas shall be designed to meet the following requirements:*

1. *Off-street motor vehicle parking areas shall be provided in defined areas of the subject property. No area shall be considered a parking space unless it can be shown that the area is accessible and usable for that purpose and has required maneuvering area for vehicles. Required backing and maneuvering areas shall be located entirely onsite.*
2. *Automobile parking spaces shall be a minimum of 8.5 feet wide and 16 feet long, except that parallel spaces shall be a minimum of 8.5 feet wide and 22 feet long.*
3. *A minimum of 25 percent of required parking spaces shall be no larger than 8.5 feet wide and 16 feet long.*
4. *Parking areas shall comply with minimum dimensions for curb length, stall depth, and aisle width established by the Clackamas County Roadway Standards; these dimensions are based on the orientation (e.g., 45-degree, 90-degree), length, and width of the spaces.*
5. *Double-loaded, 90-degree angle parking bays shall be utilized where possible.*
6. *A minimum of one parking space or five percent of the required spaces, whichever is greater, shall be marked and signed for use as carpool/vanpool spaces. These spaces shall be the closest employee automobile parking spaces to the building entrances normally used by employees, but shall not take priority over any spaces required for individuals with disabilities.*

Finding: The submitted site plan showed the parking space dimensional standards could be met and will be verified through a Development Permit with the Clackamas County Transportation and Engineering Program.

As conditioned these criteria are met.

1015.03 BICYCLE PARKING STANDARDS

A. *Bicycle parking areas shall meet the following on-site locational requirements:*

B. *Bicycle parking shall be designed to meet the following requirements:*

Finding: Classroom facilities are not identified in Table 1015-3 as having a minimum number of Bicycle Parking Spaces.

These criteria are not applicable.

Finding: Table 1015-4, Minimum Required Off-Street Loading Berths, does not identify a minimum number required for a farm and forest related classroom.

These criteria are not applicable

16. 1021 SOLID WASTE AND RECYCLABLE MATERIAL COLLECTION

Finding: As discussed above, staff and students visit the site, but do not have offices on site. The education facility is existing and there is currently no trash service based on the application materials. Therefore, there is little to no solid waste and recycling anticipated to be added from the proposed upgrades, and on-call service seems adequate.

These criteria are not applicable.

17. 1203.05 APPROVAL PERIOD AND TIME EXTENSION

- A. Approval of a conditional use is valid for four years from the date of the final decision. If the County's final decision is appealed, the approval period shall commence on the date of the final appellate decision. During this four-year period, the approval shall be implemented, or the approval will become void.*
 - 1. Implemented means all major development permits shall be obtained and maintained for the approved conditional use, or if no major development permits are required to complete the development contemplated by the approved conditional use, implemented means all other necessary County development permits (e.g., grading permit, building permit for an accessory structure) shall be obtained and maintained. A major development permit is:*
 - a. A building permit for a new primary structure that was part of the conditional use approval; or*
 - b. A permit issued by the County for parking lot or road improvements required by the conditional use approval.*
- B. If the approval of a conditional use is not implemented within the initial approval period established by Subsection 1203.05(A), a two-year time extension may be approved pursuant to Section 1310, Time Extension.*

Finding: This is informational only.

18. 1203.06 DISCONTINUATION

If a conditional use is implemented pursuant to Subsection 1203.05 and later discontinued for a period of more than five consecutive years, the conditional use shall become void.

Finding: This is informational only.

D. CONCLUSION

Based on the findings and discussion provided or incorporated herein, the hearings officer concludes that Case No. Z0270-25 (OSU Forest Education Facility) should be approved, because the application does or can comply with applicable standards of the Clackamas County ZDO, provided it is subject to conditions that ensure timely compliance in fact with the ZDO and relevant Comprehensive Plan Policies.

E. DECISION

Based on the findings, discussion and conclusions provided or incorporated herein and the public record in this case, the hearings officer hereby approves Z0270-25 (OSU Forest Education Facility) subject to the following conditions:

Conditions of Approval:

1. Approval of this land use permit is based on the submitted written narrative and plans filed with the County on June 30, 2025 and additional documents for on July 31st, August 27th, September 4, 2025 and October 9, 2025. No work shall occur under this permit other than which is specified within these documents, unless otherwise required or specified in the conditions below. It shall be the responsibility of the property owner(s) to comply with this document(s) and the limitation of any approval resulting from the decision described herein.
2. The conditional use approval is valid for four (4) years from the date of the final written decision (ZDO 1203.05). During this four year period, the approval shall be implemented, or the approval will become void. "Implemented" means all major development permits shall be obtained and maintained for the approved conditional use, or if no major development permits are required to complete the development contemplated by the approved conditional use, "implemented" means all other necessary County development permits (e.g. grading permit, building permit for an accessory structure) shall be obtained and maintained. A "major development permit" is:
 - a. A building permit for a new primary structure that was part of the conditional use approval; or

- b. A permit issued by the County Engineering Division for work in the right of way or road improvements required by the conditional use approval.

If the approval of a conditional use is not implemented within the initial approval period established by Subsection 1203.05(A), a two-year time extension may be approved pursuant to Section 1310, Time Extension. [ZDO 1203.05]

- 3. If a conditional use is implemented pursuant to Subsection 1203.05 and later discontinued for a period of more than five consecutive years, the conditional use shall become void. [ZDO 1203.06]
- 4. The following fire fuel break standards shall be required. Maintenance of the fuel-free breaks shall be the continuing responsibility of the property owner. **Prior to Planning and Zoning approval of an onsite wastewater treatment, building, placement permit for the structure authorized by this land use permit,** the applicant shall submit a signed and notarized form acknowledging compliance with the fuel-free fire break standards. A copy of the Fuel-Free Break Standards Compliance Form may be obtained from Planning and Zoning. [ZDO 406.08.A]
 - a. The primary safety zone is a fire fuel break extending a minimum distance around structures. The minimum distance is established by Table 406-2, *Minimum Primary Safety Zone* and Figure 406-1, *Example of Primary Safety Zone*. Vegetation within the primary safety zone may include green lawns and shrubs less than 24 inches in height. Trees shall be spaced with greater than 15 feet between the crowns and pruned to remove dead and low (less than eight feet) branches. Accumulated leaves, needles, limbs, and other dead vegetation shall be removed from beneath trees. Nonflammable materials (i.e., rock) instead of flammable materials (i.e., bark mulch) shall be placed next to the structure. As slope increases, the primary safety zone shall increase away from the structure and down the slope at a 45-degree angle from the structure, in accordance with Table 406-2 and Figure 406-1.
- 5. Coordinated installation of necessary water, septic, and surface water management facilities is required with consistency to the regulations of the management authority. [ZDO 1006.01]
- 6. Specifications of the lighting provided in the parking area shall be provided to the Planning and Zoning Program to ensure the light fixtures direct downward and shield light. [ZDO 1005.04(A)]
- 7. Dedicate five feet of right of way along the S. Dickey Prairie frontage of the property. [ZDO 1007]

Development Engineering Recommended Conditions Of Approval:

- 8. All frontage improvements in, or adjacent to Clackamas County right-of-way, or on site, shall be in compliance with *Clackamas County Roadway Standards*.

9. The applicant shall obtain a Development Permit from Clackamas County Department of Transportation and Development prior to the initiation of any construction activities associated with the project.
10. The applicant shall provide adequate on site circulation for the parking and maneuvering of all vehicles anticipated to use site, as follows:
11. Parking spaces shall meet minimum *ZDO* section 1015 and Roadway Standards Drawing P100 requirements.
12. All roads used to access the site shall be surfaced with screened gravel or better and no less than 12 feet in width. Pull out areas shall be provided every 400 feet, per Standard Drawing C350.
13. Roads and parking areas shall be constructed per Standard Drawing R100.
14. Parking spaces shall be adequately delineated. For paved surfaces, parking spaces shall be striped. For a gravel surface, tire stops or similar physical feature shall be provided to delineate each gravel parking space.
15. ADA accessible parking spaces and adjacent accessible areas shall be paved with asphalt concrete or an equivalent approved by Clackamas County Engineering staff, as required by the Building Department.
16. Adequate storm drainage facilities shall be provided for the proposed impervious areas. A storm water management plan shall be provided and shall comply with Clackamas County Roadway Standards, Chapter 4. Erosion control measures shall be installed and maintained throughout the construction process.

Prior to the issuance of a building permit and/or site development, the applicant shall submit to Clackamas County Engineering Office:

17. Written approval from Molalla Fire District #73 for the planned access and circulation. The approval shall be in the form of site stamped and signed by the Fire Marshal.
18. A set of street and site improvement construction plans, in conformance with *Clackamas County Roadway Standards* Section 140, to Clackamas County's Engineering Office and obtain written approval, in the form of a Development Permit.
19. The permit will be for driveway, drainage, parking and maneuvering areas, and other site improvements.
20. The minimum fee deposit is required upon submission of plans for the Development Permit. The fee will be calculated based on 8.83% of the public improvements and 5% of the onsite transportation improvements, according to the current fee schedule.

21. The applicant shall have an Engineer, registered in the state of Oregon, design and stamp construction plans for all required improvements, or provide alternative plans acceptable to the Engineering Division.

DATED this 6th day of November 2025.

A handwritten signature in black ink, appearing to read 'Joe Turner', is written over a horizontal line.

Joe Turner, Esq., AICP
Clackamas County Land Use Hearings Officer

APPEAL RIGHTS

ZDO 1307.14(D)(6) provides that, with the exception of an application for an Interpretation, the Land Use Hearings Officer's decision constitutes the County's final decision for purposes of any appeal to the Land Use Board of Appeals (LUBA). State law and associated administrative rules promulgated by LUBA prescribe the period within which any appeal must be filed and the manner in which such an appeal must be commenced. Presently, ORS 197.830(9) requires that any appeal to LUBA "shall be filed not later than 21 days after the date the decision sought to be reviewed becomes final." This decision will be "final" for purposes of a LUBA appeal as of the date of mailing (which date appears on the last page herein).