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November 13, 2025

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

**Adoption of a Previously Approved Comprehensive Plan Map Amendment and Zone Change in File
Nos. Z0169-25 and Z0170-25. No County General Funds are involved.**

Previous Board Action/Review	Land Use Hearing - October 14, 2025		
Performance Clackamas	1. Public trust in good government		
Counsel Review	Yes	Procurement Review	No
Contact Person	Caleb Huegel	Contact Phone	503-655-8362

EXECUTIVE SUMMARY: File Nos. Z0169-25 and Z0170-25 include a Comprehensive Plan map amendment from High Density Residential (HDR) and Public and Community Use Open Space (PCU) to General Commercial (GC) and Public and Community Use Open Space (PCU), with a corresponding zone change from High Density Residential (HDR) and Open Space Management (OSM) to General Commercial (C-3) and Open Space Management (OSM). The subject site is approximately 6.63 acres and is located at 15301 SE 92nd Avenue, described as T2S, R2E, Section 09BD, Tax Lot 4900, W.M. The amendments are proposed to allow for future development of a recovery campus and community use open space.

A public hearing was held before the Planning Commission on September 29, 2025, at which the Commission voted 6-3 to recommend approval of the application as proposed. A public hearing was held before the Board of County Commissioners on October 14, 2025, at which the Board voted 4-0 to approve the application subject to conditions recommended by staff and directed staff to draft an order and findings consistent with its decision. An order implementing the Board's decision is attached, and findings are attached to the order.

RECOMMENDATION: Staff recommends that the Board adopt the attached order and findings.

Respectfully submitted,

Caleb Huegel
Assistant County Counsel

For Filing Use Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of File Nos. Z0169-25 and
Z0170-25, an Application by Mary
Rumbaugh for a Comprehensive Plan Map
Amendment and Zone Change for Property
Described as T2S, R2E, Section 09BD, Tax
Lot 4900, W.M.



Board Order No.

Page 1 of 1

Whereas, Mary Rumbaugh made an application for a Comprehensive Plan map amendment from High Density Residential (HDR) and Public and Community Use Open Space (PCU) to General Commercial (GC) and Public and Community Use Open Space (PCU), with a corresponding zone change from High Density Residential (HDR) and Open Space Management (OSM) to General Commercial (C-3) and Open Space Management (OSM), for an approximately 6.63-acre property located at 15301 SE 92nd Avenue; described as T2S, R2E, Section 09BD, Tax Lot 4900, W.M.; and shown on Exhibit A, attached hereto and by this reference incorporated herein; and

Whereas, after appropriate notice, a public hearing was held before the Planning Commission on September 29, 2025, at which testimony and evidence were presented and at which the Commission voted 6-3 to recommend approval of the application as proposed; and

Whereas, after appropriate notice, a public hearing was held before the Board of County Commissioners on October 14, 2025, at which testimony and evidence were presented and at which the Board voted 4-0 to approve the application subject to conditions recommended by staff; and

Whereas, the application, subject to the conditions of approval recommended by staff, complies with the applicable state, regional, and county criteria;

NOW, THEREFORE, the Clackamas County Board of Commissioners does hereby order as follows:

Section 1: The requested Comprehensive Plan map amendment and zone change are approved subject to the conditions identified in Exhibit B, attached hereto and by this reference incorporated herein.

Section 2: The Board adopts the findings shown in Exhibit B.

DATED this 13th day of November 2025.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

Board Order Exhibit A

Z0169-25 & Z0170-25

Comprehensive Plan Map Amendment/Zone Change

Taxlot 22E09BD 04900

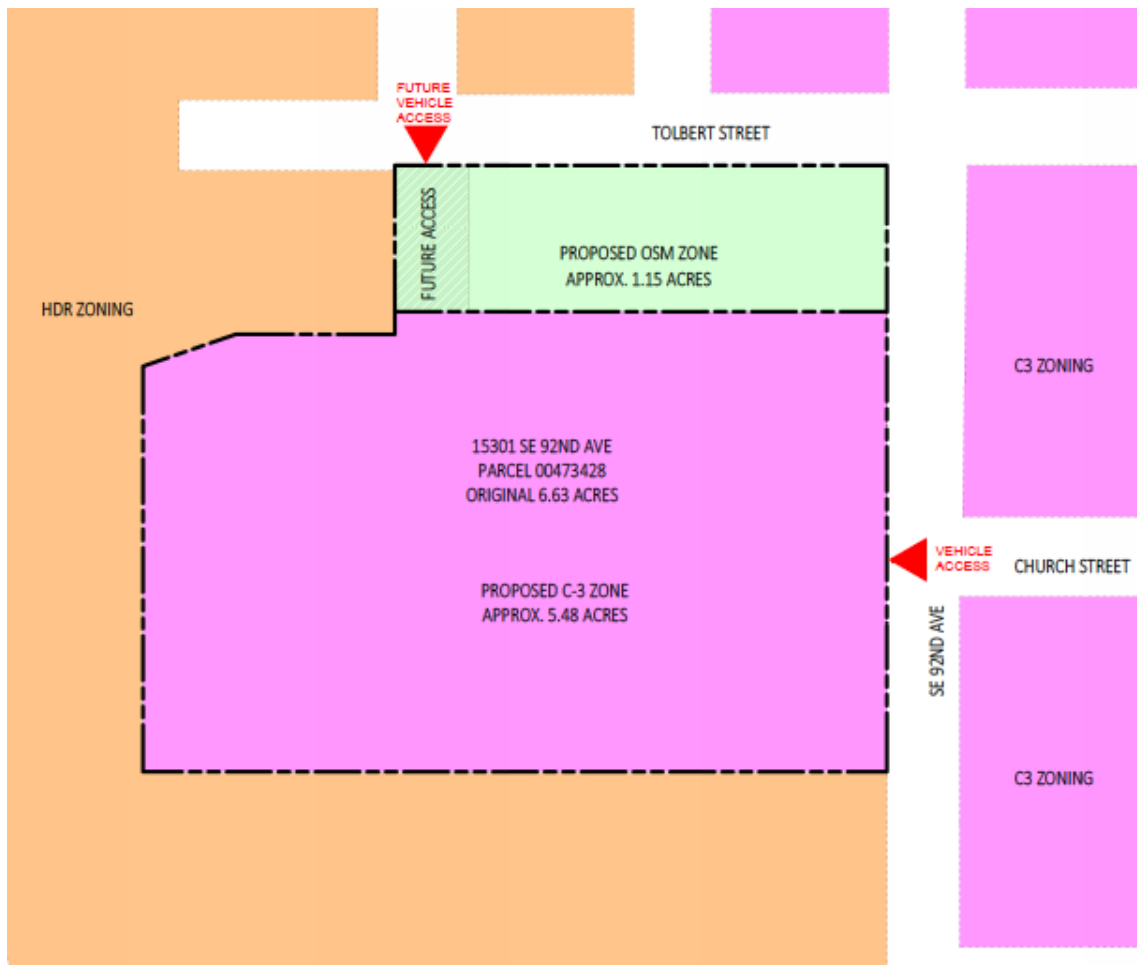
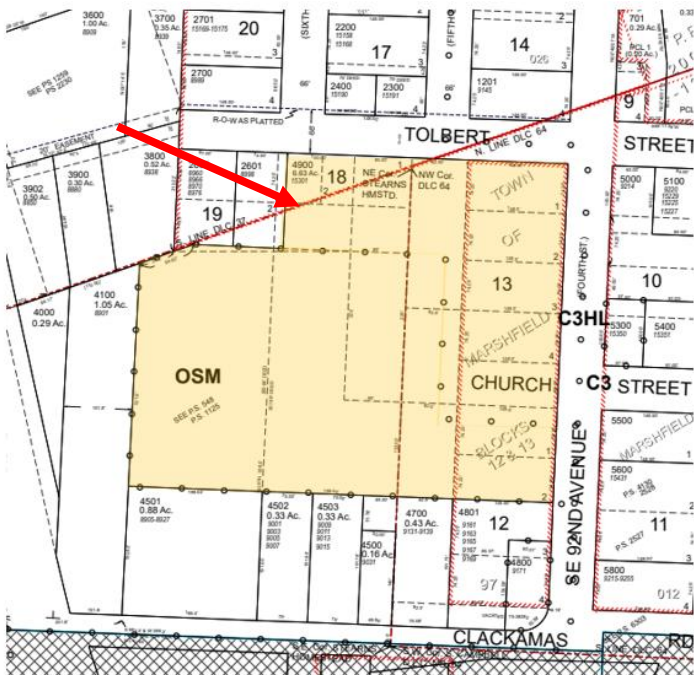


Exhibit B
Findings for File Nos. Z0169-25 and Z0170-25:
Comprehensive Plan Map Amendment and Zone Change

SECTION I: GENERAL INFORMATION

PLANNING FILE NOS.: Z0169-25 and Z0170-25

PROPOSAL: A Comprehensive Plan map amendment and zone change for an approximately 6.63-acre property as follows:

	Approximate Area	Comprehensive Plan Designation/ Zoning Designation
Current	2.33 acres	High Density Residential (HDR)/ High Density Residential (HDR)
	4.30 acres	Public and Community Use Open Space (PCU)/ Open Space Management (OSM)
Proposed	5.48 acres	General Commercial (GC)/ General Commercial (C-3)
	1.15 acres	Public and Community Use Open Space (PCU)/ Open Space Management (OSM)

The amendment is proposed to allow for future development of a park and a recovery campus, including a substance abuse disorder treatment facility, medical offices, housing, and other related uses. No development is proposed with this application.

LOCATION: 15301 SE 92nd Avenue, Clackamas; on the southwest corner of SE 92nd Avenue and SE Tolbert Street, approximately 200 feet west SE 82nd Drive.

T2S, R2E, Section 09BD Tax Lot 4900, W.M.

APPLICANT(S): Mary Rumbaugh, Clackamas County

OWNER(S): Clackamas County

SUBJECT PROPERTY AREA: Approximately 6.63 acres

CURRENT ZONING: High Density Residential (HDR) and Open Space Management (OSM)

COMPREHENSIVE PLAN DESIGNATION: High Density Residential (HDR) and Public and Community Use Open Space (PCU)

COMMUNITY PLANNING ORGANIZATION: Clackamas CPO (inactive)

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

SECTION II: CONCLUSION AND CONDITIONS OF APPROVAL

The Board of County Commissioners (the Board) finds that this application satisfies all applicable state and county criteria to amend the Comprehensive Plan designation for the subject property from HDR and PCU to GC and PCU, and to rezone the subject property from HDR and OSM to C-3 and OSM. The Board **APPROVES** the application subject to the following conditions:

1. Uses permitted within the C-3 designation on the subject property are limited to the following:
 - A. Dwellings:
 - a. Multifamily, quadplex, triplex, duplex, or townhouse units: maximum 150 units
 - b. Transitional housing/single room occupancy units: maximum 80 beds
 - B. Residential treatment facility:
 - a. Medical withdrawal management (detox): maximum 16 beds
 - b. Substance use disorder (SUD) residential treatment services: maximum 50 beds
 - C. Medical office and outpatient clinics: maximum 10,000 square feet
 - D. Customarily permitted accessory uses, including but not limited to offices and childcare facilities, provided the childcare facility is not open to the public.
2. Community use open space on the approximately one-acre portion of the subject property zoned OSM shall be developed within two years of issuance of the final certificate of occupancy for any uses allowed by this zone change.
3. Clackamas County Comprehensive Plan Map 4-6, *North Urban Area Land Use Plan*, and all other maps of the Comprehensive Plan that include the subject property (Tax Lot 22E09BD04900, with situs address 15301 SE 92nd Avenue) shall be amended to show the subject property as having Comprehensive Plan land use designations of GC and PCU as approved herein.
4. The Clackamas County *North Urban Area Zoning Map* shall be amended to show the subject property as being in the C-3 and OSM zoning districts as approved herein.

SECTION III: OVERVIEW AND BACKGROUND

The subject property is located at 15301 SE 92nd Avenue (Tax Lot 22E09BD04900), on the southwest corner of SE 92nd Avenue and SE Tolbert Street, approximately 200 feet west of SE 82nd Drive. The subject property consists of a single tax lot, which is approximately 6.63 acres in size and has approximately 500 feet of frontage on SE 92nd Avenue and approximately 400 feet for frontage on SE Tolbert Street.

The subject property is relatively flat, is outside of a mapped flood hazard area, and has no County-regulated mass-movement or soil hazard areas, or historic landmarks. The northwest corner of the subject property contains a relatively small area mapped as within the Habitat Conservation Area District (HCAD), subject to ZDO Section 706. However, the site contains no mapped water resources or wetlands, and the HCAD overlay is largely applied over developed or landscaped portions of the site. The presence of the HCAD does not preclude approval of the proposed amendment.

The subject property is the site of a former elementary school and, like most school sites that existed in the urban area when the modern zoning scheme was first applied in the early 1980s, was split-zoned, with the school's outdoor play areas and fields given a Comprehensive Plan designation of PCU and zoned OSM, and the remainder given a residential zoning designation similar to nearby properties. For the subject property, that meant approximately 4.30 acres were zoned OSM and approximately 2.33 acres were zoned HDR.¹

The site contains the following improvements:

- HDR portion: School buildings and associated parking. The site housed the former Clackamas Elementary School, which was originally built circa 1939 but ceased operation as a public elementary school in 2012. Since 2012, a portion of the school building has been used for a small charter school, but much of the building has remained unutilized and vacant.
- OSM portion: Playground, sport courts, and playing fields. Originally developed with the school, usage of these recreation facilities was limited much of the week to students. Since the closure of the school, the Board presumes that this area has been more available to the general public but, as it is fully fenced, the Board has been unable to determine what level of usage and maintenance of these facilities has occurred.

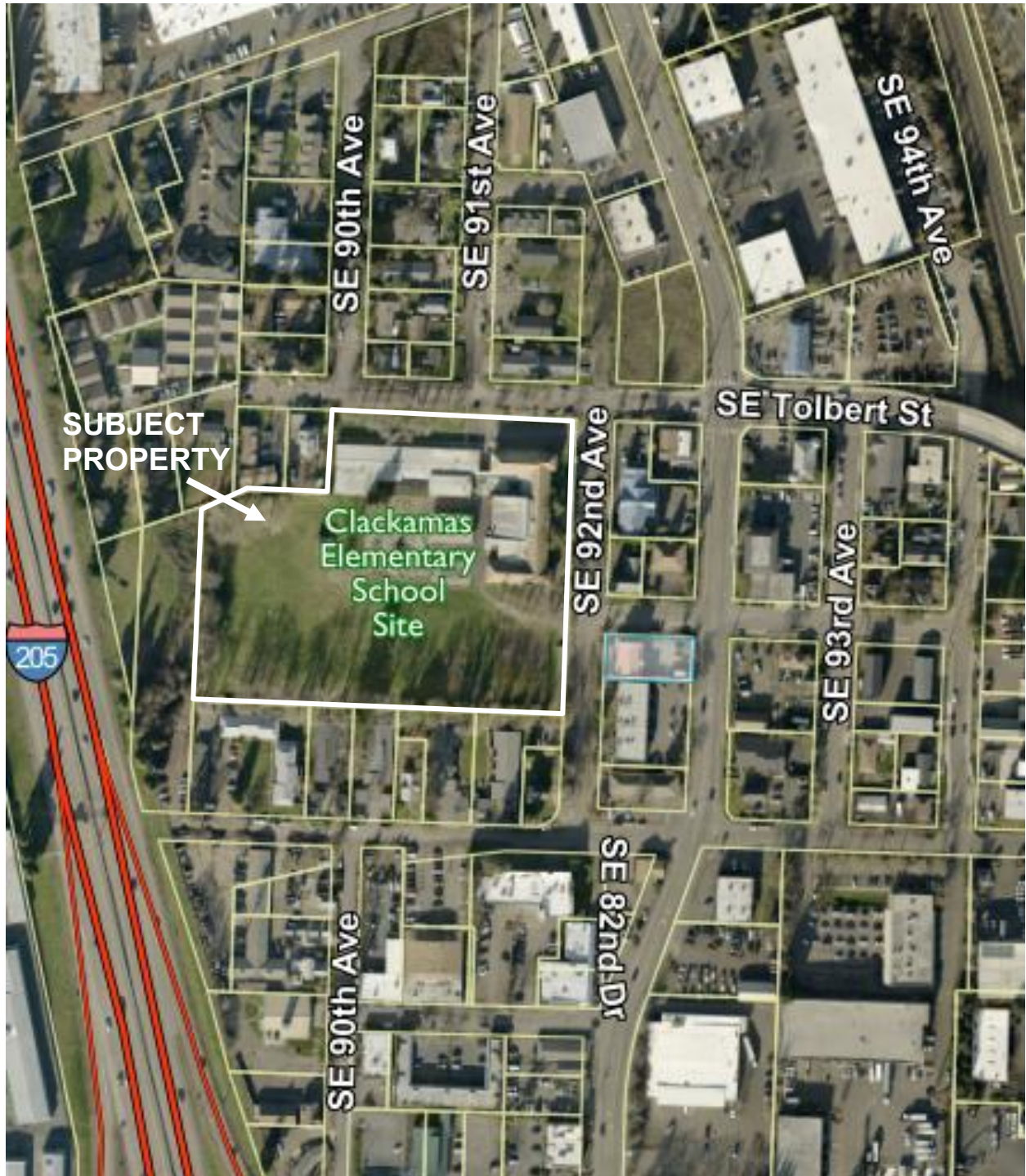
Development on the site is currently served with public water and sewer.

The subject property is located in an area characterized by a mix of residential, commercial, and industrial uses and zoning. Much of the development in the immediate vicinity is older; newer development has generally occurred in industrial areas to the east and northeast of the subject property.

- Immediately adjacent to the northwest, west, and south are properties zoned HDR. These properties are developed with a mix of older single-family residences and small multi-family developments. The area zoned HDR is bound on the west by I-205.
- Properties adjacent to the east and northeast and within one block to the south are zoned C-3. Uses in this area range from older single-family dwellings to small multi-family developments, commercial strip malls, restaurants, small office buildings, and a DEQ testing station.
- Several single-family dwellings in both the HDR and C-3 districts nearby have an Historic Landmark (HL) overlay designation.
- Less than one-quarter mile to the north, northeast, and east are developed industrial areas, generally zoned Business Park (BP) or Light Industrial (LI). These industrial areas connect with the Clackamas Industrial Area, which provides one of the highest concentrations of employment in the unincorporated urban area.

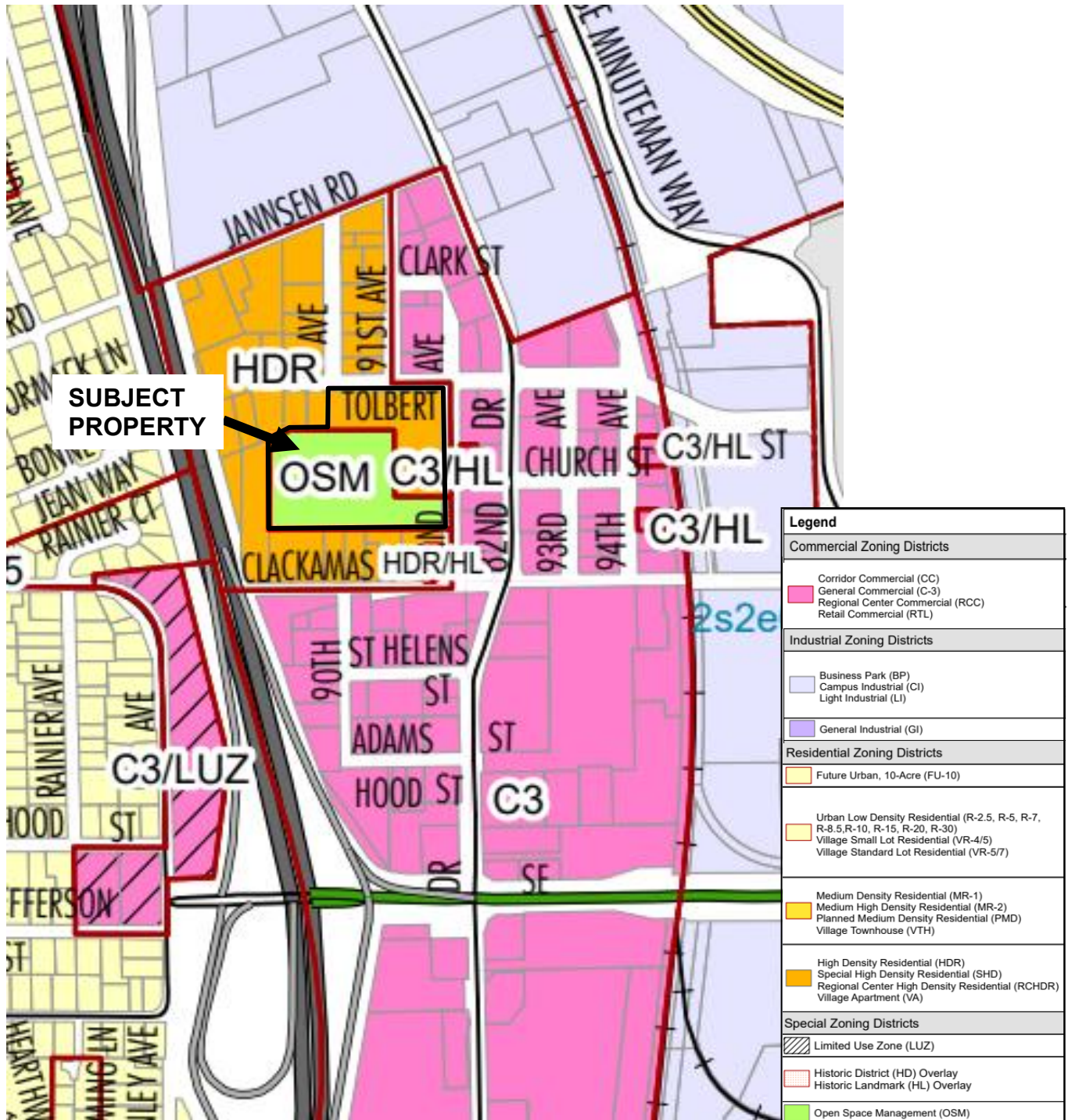
¹ The application incorrectly established one of the zoning boundaries on the subject property, which resulted in a calculation of approximately 4.13 acres zoned OSM and 2.50 acres zoned HDR. The acreages utilized in this staff report differ slightly from those identified in the application and are based on staff's calculations utilizing the correct location for the zoning boundaries. However, the Board finds that, because the discrepancy in acreage calculations is so small, it does not warrant any additional analysis or change any relevant conclusions.

Subject Property and Vicinity (2025 Aerial Photo)



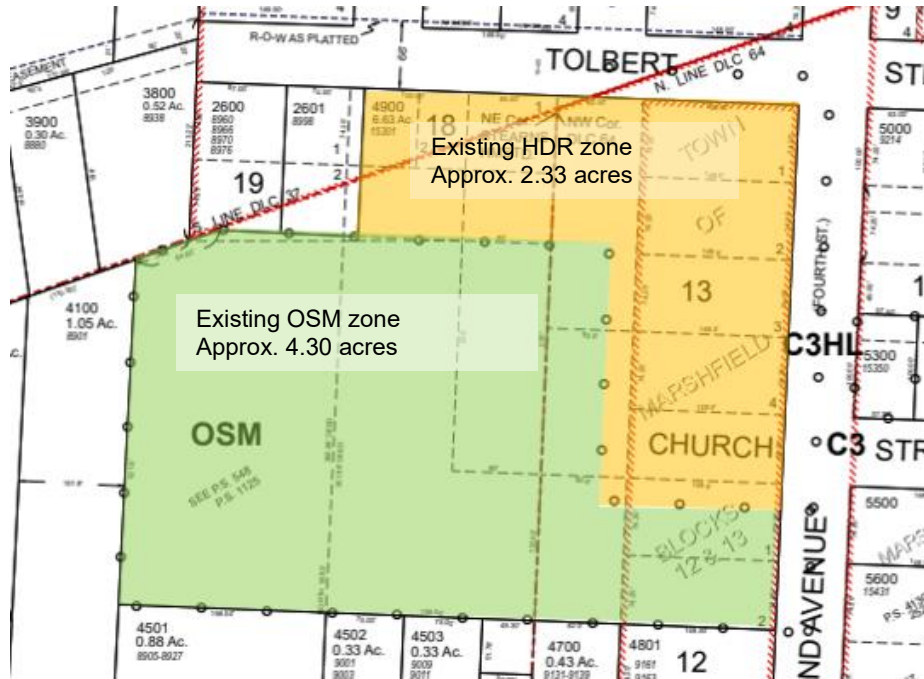
Source: Clackamas County GIS, PlanMap

Subject Properties in Current North Urban Area Zoning Map

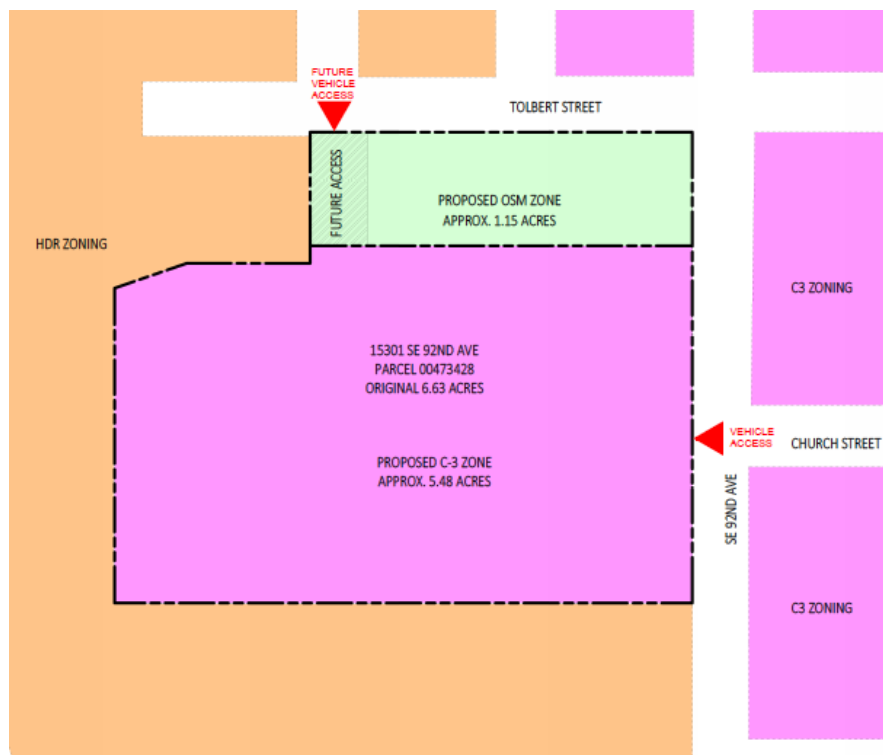


Existing and Proposed Zoning, Subject Property

Existing



Proposed



Notice: This application has been processed consistently with the notice requirements in ZDO Section 1307, *Procedures*, and with state notice requirements. Specifically, the County has provided notice to interested agencies, local governments, and property owners within 300 feet of the subject property. The notice to property owners, public notices, and hearings ensure an opportunity for citizens to participate in the land use process.

Responses: Five comments were received, including:

- Four comments in support of the application and the future development of the proposed recovery campus. These included comments from a local fire district, two members of a Good Neighbor Group convened by recovery campus project staff, and one from the director of a non-profit that offers support for persons in recovery.
- One comment included a series of emails from County Engineering staff regarding the applicant's traffic study and revisions that occurred prior to the application being deemed complete. County Engineering staff state that they have reviewed the revised traffic study and concur with its findings.

The local Community Planning Organization, the Clackamas CPO, is inactive.

Public Hearings: Two public hearings were held to consider this application.

- September 29, 2025: A public hearing was held before the Planning Commission. The applicant's team was the only party who provided testimony. The Commission voted 6-3 to recommend approval of the application as proposed. All the commissioners expressed general support for the proposed zone change and for the recovery campus, but there were differences of opinion over the scope of the conditions of approval.
 - One commissioner did not want any limitation on the zone change.
 - Others expressed concern about the tie between the proposed uses and the traffic study; and
 - At least one commissioner expressed a preference for looking at each proposed phase of development separately.
- October 14, 2025: A public hearing was held before the Board. Again, the applicant's team was the only party who provided testimony. The Board voted 4-0 to approve the application subject to conditions recommended by staff.

SECTION IV: FINDINGS

This application is subject to the following provisions:

- A. Statewide Planning Goals;
- B. Metro Urban Growth Management Functional Plan;
- C. Clackamas County Comprehensive Plan; and
- D. ZDO Sections 202, 1202, and 1307.

These provisions, and the applicant's preliminary findings, have been reviewed. Compliance with the applicable regulations found in each is discussed below. ZDO Sections 202 and 1307 provide only definitions and procedural requirements that do not warrant separate written findings.

A. Statewide Planning Goals

GOAL 1 – CITIZEN INVOLVEMENT

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

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

ZDO Section 1307, Procedures, contains acknowledged procedures for citizen involvement and public notice of quasi-judicial applications. This application was processed consistently with those requirements, including providing notice to property owners within 300 feet of the subject property, the Department of Land Conservation and Development (DLCD), and other interested agencies. Notice of the application and its public hearings was also published in the newspaper and on County websites.

Before the Board decided on this application, there were two public hearings with opportunities for interested parties to testify. The public was also given the opportunity to provide written comments, and all comments provided were included in the record.

In addition, the applicant conducted outreach to neighboring residents and business owners through a “Good Neighbor Group.” Although little information was provided about this outreach in the application, including how many meetings were held or members attended, two of the public comments received were from members of this group. Both are in support of the application, and their comments provide some insight into this outreach effort:

- *One commenter noted, “This group hits one of the key points of my CPO [which is no longer active]: the involvement of residents and businesses. The Good Neighbor Group does include both nearby residents and businesses. During our meetings and a site visit at Fora Health’s Cherry Blossom treatment center, there are always candid conversations about the Center, the Services offered, measurable results, and community impacts. We also talk at some length about the nearby residents and businesses.”*

This commenter concluded, “There have been no objections raised by the Good Neighbor Group that Fora Health and/or Clackamas County have not been able to address and resolve.”

- *Another commenter noted, “[A]s a member of the Good Neighbor Group, a few of us met with the architect firm designing the recovery campus. The design plans, lay-out of campus buildings has taken into consideration to minimize, if not, have zero disruptions, congestion to the surrounding neighbors. The Good Neighbor Group led by Cindy Becker at the start, has been critical to address potential concerns, solutions and successes.”*

The applicant has also committed to working with the community during the planning and development of the approximate one acre of open space that will be developed as a park, to ensure that it meets the community’s needs.

The relevant requirements of Statewide Planning Goal 1 are satisfied.

GOAL 2 – LAND USE PLANNING

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

This application would not change the County's land use planning process. Even if approved, the County will continue to have a comprehensive plan and consistent implementing regulations. These findings outline how this amendment is consistent with applicable policies of the County's acknowledged Comprehensive Plan. The applicant does not request an exception to any Statewide Planning Goal, nor is an exception required for this amendment.

The relevant requirements of Statewide Planning Goal 2 are satisfied.

GOAL 3 – AGRICULTURAL LANDS

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

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

Statewide Planning Goal 3 is not applicable.

GOAL 4 – FOREST LANDS

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

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

Statewide Planning Goal 4 is not applicable.

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

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

This application would not change the County's acknowledged inventories or programs for the protection of such resources. While the subject property does contain some mapped HCAD, approval of this application would not itself authorize any development or change the applicability of ZDO Section 706 to potential future development on the subject property. The application does not propose to reduce or otherwise modify the boundaries of any open space areas that have been designated as such under Goal 5.

The relevant requirements of Statewide Planning Goal 5 are satisfied.

GOAL 6 – AIR, WATER, AND LAND RESOURCES QUALITY

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

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

Clackamas Water Environment Services (WES) is the surface water management authority for the subject property. The submitted application includes a Preliminary Statement of Feasibility in which WES has determined that adequate surface water treatment and conveyance is already available to serve future industrial development of the subject property or could be made available through improvements completed by the developer or system owner. The need for any specific stormwater management system improvements will be evaluated during the design review application process required ahead of any actual residential or commercial development of the subject property.

The relevant requirements of Statewide Planning Goal 6 are satisfied.

GOAL 7 – AREAS SUBJECT TO NATURAL HAZARDS

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

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

Statewide Planning Goal 7 is not applicable.

GOAL 8 – RECREATIONAL NEEDS

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

This application would not change the County's acknowledged Comprehensive Plan policies or implementing regulations regarding recreational needs, but it would modify the mapping of a recreational resource.

The subject property is identified on Clackamas County Comprehensive Plan Map 9-1, Open Space Network & Recreation Needs, as a part of the general "open space network." This resource is not proposed for removal; rather, the open space/recreation area on the site would be reconfigured and redeveloped, with feedback from the community to ensure that the new park space continues to or better meets the recreational needs of the community.

This application is consistent with Statewide Planning Goal 8.

GOAL 9 – ECONOMIC DEVELOPMENT

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

Goal 9 is implemented by OAR chapter 660, division 9. Pursuant to OAR 660-009-0010(1), the requirements of division 9 are applicable only to areas within urban growth boundaries (UGBs). Goal 9 requires the County's Comprehensive Plan to contain economic analyses

and development policies for its urban areas. It also requires the Comprehensive Plan to provide “at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses.”

The County’s acknowledged Comprehensive Plan already contains the required economic analyses and development policies, which this application does not propose to change. Neither Goal 9 nor OAR chapter 660, division 9, requires the applicant to conduct an economic opportunities analysis (EOA) to justify its proposal, as this application would not result in a reduction in employment (industrial or commercial) lands. Rather, approval of the application would increase both housing and employment opportunities and further the purpose of Goal 9 by allowing a currently underutilized site to be developed into a recovery campus that “will directly serve the health and welfare needs of the local community.”

This application is consistent with Statewide Planning Goal 9.

GOAL 10 – HOUSING

The purpose of Goal 10 is to meet housing needs.

Goal 10 recommends that the County’s Comprehensive Plan (including its land use designation maps) “be developed in a manner that insures the provision of appropriate types and amounts of land” within UGBs for housing. It also advises that areas planned for residential development “be necessary and suitable for housing needs of households of all income levels.”

OAR chapter 660, division 7 (Metropolitan Housing), contains the administrative rules for compliance with Goal 10 within the Portland metropolitan urban area, where the subject property is located. Specifically, OAR 660-007-0060(2) states:

For plan and land use regulation amendments which are subject to OAR 660, division 18, the local jurisdiction shall either:

- (a) Demonstrate through findings that the mix and density standards in this Division are met by the amendment; or
- (b) Make a commitment through the findings associated with the amendment that the jurisdiction will comply with provisions of this Division for mix or density through subsequent plan amendments.

The Board finds that this application satisfies the requirements of Goal 10 for the following reasons:

- *The proposed zoning designations and configuration of the subject property would allow for more residential development and a higher likelihood that residential development would occur than under the current zoning configuration.*
 - *No dwelling units are currently developed on the subject property, despite a portion being zoned HDR. In fact, the majority of the area zoned HDR is already developed with school buildings and associated parking. To develop housing units on this portion of the site would necessitate the demolition of the existing structures, adding an expense that could only be spread among the limited number of units that could be built on approximately two acres. With the approval of this application, however,*

plans to develop a number of dwellings—both permanent and transitional housing—are imminent, and over five acres of the site could be developed at sufficient intensity to make the demolition of the existing structure more financially feasible.

- *Amending the zoning district and reconfiguring and reducing the OSM-zoned area of the subject property (which is not buildable for any dwellings) would allow for substantially more housing to develop for several reasons:*
 - *Multifamily dwelling units are an allowed use in the C-3 district and are, in fact, proposed for development once this application is approved;*
 - *The amount of acreage on the site that would be available for development of dwelling units would increase from 2.33 to 5.48 acres; and*
 - *The maximum density (without any bonuses) for dwellings in the HDR zone is 25 units/acre, whereas the maximum density (without any bonuses) for dwellings in the C-3 zone is 60 units/acre.*
- *The applicant notes, “Rezoning the existing property from OSM/HDR will allow for additional housing. Current zoning would allow a maximum of 100 affordable units or 69 market rate. The C3 zone allows for dwellings, and the recovery campus proposes to provide a combination of up to 150 dwellings plus a variety of support services with additional beds to serve a range of needs currently in short supply in the County.”*

The Board finds the applicant’s analysis compelling but also notes that it likely understates the net increase that could occur on the site because the calculation is based on the assumption that the HDR portion is 2.5 acres, not 2.3 acres, and does not account for the units of transitional housing planned for the site.

- *Development that would result from this application would directly address an identified housing need in the county. The proposed recovery campus that would be developed if this application is approved would provide housing that directly addresses an identified gap in the housing continuum in the county, specifically for lower-income residents that may struggle to find and retain jobs and housing due to substance use. As noted by the applicant, “The proposed rezone will allow for development of a recovery campus that will provide housing in conjunction with the required services for its residents that will give them the tools required to remain housed and not relapse into houselessness.”*

This application is consistent with Statewide Planning Goal 10.

GOAL 11 – PUBLIC FACILITIES AND SERVICES

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

The applicant has provided Preliminary Statements of Feasibility from the subject property’s sewer, water, and stormwater service providers. The statements attest that there are already adequate services available to the properties to accommodate expected future development, or that adequate services could be made available concurrently with future development if the application is approved.

The relevant requirements of Statewide Planning Goal 11 are satisfied.

GOAL 12 – TRANSPORTATION

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

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

The applicant has provided a traffic study and supplemental information, prepared by a licensed engineering firm, Kittelson & Associates, and dated July 15, 2025. The traffic study addresses TPR requirements and includes a comparison of the reasonable worst-case traffic impacts caused by potential development of the subject property under its current zoning configuration with HDR and OSM designations to the reasonable worst-case traffic impacts of future development under the proposed zoning configuration with C-3 and OSM designations.

The traffic study initially finds, "If one were to posit that the 5.62 acres of C-3 would be reasonably developed with a maximum FAR of 1.0, this could enable approximately 244,807 square feet of building space. We further note that of the permitted uses, a medical office building would result in the maximum trip generating potential for the proposed zoning (considering that after accounting for pass-trips, the net new retail trips on a per square foot basis are less than medical office trips). Further, we note that 244,807 square feet of medical office building space could equate to 8,813 daily trips and 962 weekday PM peak hour trips. This potential level of trip generation far exceeds what the applicant is proposing for use of the site and would likely result in a significant effect on the transportation system. Accordingly, the applicant is proposing to limit the future use of the site assuming the zone change is approved."

The traffic study then provides, "To test for a potential significant effect, we reviewed the change in trip generation potential of the permitted land uses associated with the existing versus the proposed zoning designations."

Key conclusions from this analysis include:

- "The type of housing and support facilities proposed by the County for those with substance abuse disorders are not directly proportional to the land use types included in the Trip Generation Manual. However, based on other projects we've worked on throughout the state that provide supportive housing for those in need, we identified potential land use categories within the Trip Generation Manual that could serve as a proxy to estimate the vehicle trips related to the proposed housing, on-site staff and medical services."*
- "[T]he rezone to C3 with no trip limitations has the potential to result in a significant impact per OHP Policy 1F.5. ... [I]f the rezone is limited to the permanent supportive housing units, treatment/transitional housing beds and medical office building space proposed, the daily trip increase would be less than 1,000 and more than 400 trips, thereby requiring a limited review of the adequacy of the facilities for County purposes but no further TPR analysis per Policy 1F.5 of the Oregon Highway Plan."*

- *The memorandum concludes, “[T]here are adequate facilities to accommodate the proposed changes, assuming a limitation is placed on the future use of the C-3 zoned lands. This limitation would equate to 146 recovery/treatment/transitional housing beds, 150 units of permanent supportive housing, and 10,000 square feet of medical office building for outpatient facilities. This limitation on land uses equates to a maximum of 1,226 daily and 112 weekday PM peak hour trips (i.e., an increase of 913 daily and 85 weekday PM peak hour trips more than what is allowed under the existing zoning). With this limitation on the type of future development allowable, the proposed Zone Change and Comprehensive Plan satisfies TPR requirements.”*

The Board notes that the specific types and sizes of uses included in the conditions of approval were proposed by the applicant. As explained in a letter provided by the applicant:

“We support the conditions as they allowed our application to comply with zoning requirements around traffic. As part of our application, we commissioned a required traffic study (done by Kittleson) to ensure that we were able to meet these requirements based on the service/dwelling array. We worked with Fora Health to project these numbers. Additionally:

- The conditions apply to the entire property, including the undeveloped area. We intentionally wanted to do the rezoning for the whole site at the same time rather than come back again.*
- The numbers in the conditions above allow for flexibility and sufficient capacity for both the existing plans and future expansion. We are not obligated to develop all these beds/units; these are just the maximum...”*

County Engineering staff reviewed the traffic study and concur with its assumptions and findings, noting that the study “adequately addresses the requirements of the [TPR] (OAR 660-012-0060) and ... ZDO Sections 1202.03(C) and (D), assuming the proposed limitations on land use intensity are adopted. The study uses reasonable worst-case trip generation scenarios and appropriate land use proxies to estimate project impacts. Operational and safety analyses of the SE 82nd Dr/Tolbert St intersection confirm that the transportation system is adequate and will remain so under the proposed zoning.”

The relevant requirements of Statewide Planning Goal 12 are satisfied with conditions.

GOAL 13 – ENERGY CONSERVATION

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

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

The relevant requirements of Statewide Planning Goal 13 are satisfied.

GOAL 14 – URBANIZATION

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

This application does not propose to expand or modify any UGB or to permit rural land uses inside the UGB. The subject property is already inside of a UGB and is already planned to accommodate urban uses. The application would provide more opportunities for urban housing, services, and employment than could occur on the site under its current zoning configuration.

The relevant requirements of Statewide Planning Goal 14 are satisfied.

GOAL 15 – WILLAMETTE RIVER GREENWAY

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

The subject property is nearly three miles from the Willamette River and is not located in the Willamette River Greenway. This application would not change the County’s acknowledged Comprehensive Plan policies or implementing regulations regarding the Willamette River Greenway.

Statewide Planning Goal 15 is not applicable.

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

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

B. Metro Urban Growth Management Functional Plan (UGMFP)

The UGMFP, adopted by the Metro Council in 1997, is a regional functional plan which contains requirements that are binding on cities and counties in the region, including Clackamas County. It also contains recommendations that are not binding. The requirements and recommendations include those for the County’s Comprehensive Plan and implementing ordinances.

The Board finds only one applicable UGMFP policy.

Title 1 – Housing Capacity

Metro Code 3.07.120(e), in Title 1 of the UGMFP, provides that the County may reduce the minimum zoned capacity of a single lot or parcel so long as the reduction has a “negligible effect” on the County’s overall minimum zoned residential capacity. However, despite the fact that this application would eliminate approximately 2.33 acres of land in a residential zoning district, the actual potential for housing units (“zoned capacity”) would increase under this application for the reasons identified above in the Goal 10 findings. Notably:

- *Multifamily dwelling units are an allowed use in the proposed C-3 district and are, in fact, proposed for development if this application is approved;*
- *The amount of acreage on the site that would be available for development of dwelling units would increase from 2.33 to 5.48 acres; and*
- *The maximum density that could be developed in the increased acreage would increase from 25 units/acre to 60 units/acre.*

The relevant requirements of Title 1 are satisfied.

C. Clackamas County Comprehensive Plan

The County's Comprehensive Plan includes goals and policies that must be considered when evaluating a proposed change in Comprehensive Plan. These findings outline whether the application is consistent with the applicable goals and policies.

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

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

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

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

In addition, the applicant has conducted outreach to neighboring residents and business owners through a "Good Neighbor Group," two members of which provided comments in support of this application and of the future development of the recovery campus. The applicant has also committed to working with this Good Neighbor Group to assist with the planning of the approximate one acre of open space that will be developed as a park for the community.

This application is consistent with Chapter 2.

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

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

General Commercial

General Commercial lands "are areas designated for sale of a wide range of goods and services."

The following policies apply to General Commercial lands.

- 4.BB.1 The following areas may be designated General Commercial when either the first criterion is met or all of the other criteria are met:

- 4.BB.1.1 Areas having an historical commitment to commercial uses.

As evidenced in ZDO Section 202, Definitions, a school is considered and institutional use, not a commercial use.

“INSTITUTIONAL USE: 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...”

The only other historic use on the subject property is a recreation area—school playground and fields—which is also not a commercial use. As such, the subject property does not have an historical commitment to commercial uses and must meet all of the remaining criteria for a General Commercial designation.

4.BB.1.2 Areas necessary to serve the shopping needs of County residents.

In addressing this policy, the applicant states, “Shopping can be defined as the pursuit of goods and services. Much of the adjacent and surrounding properties are zoned commercial and there exist plenty of nearby facilities to serve the County residents’ need for various goods. This Application seeks to fill the deficit of services, specifically those for behavioral health substance use disorder. The proposed project will serve the needs of those requiring recovery in the County and house them in an area that is largely commercial in nature, and conveniently close to facilities for other goods and services needed for daily life.”

The Board concurs that, although “shopping” is typically associated only with retail, “shopping” need not be limited to only shopping for retail goods. Indeed, definitions available for the verb “shop” in Webster’s Third New International Dictionary (unabridged) include several references to goods and services, including “to look over (available goods or services) with an eye to purchase.”

The applicant provided several documents attesting to the need for the recovery campus, including recent actions by the Board related to addressing the need.

- In 2023, the Board passed a resolution to guide County actions regarding individuals living with substance abuse or mental illness who are houseless, which included an action to prioritize the creation of a Recovery-Oriented System of Care (ROSC), a system which addresses the chronic nature of addictions by focusing on improvements in many aspects of life, supporting a community-led response, and closing gaps for those entering treatment and maintaining recovery.*
- The Board then convened a two-day summit of expert panelists, County staff, and community stakeholders focused on creating a ROSC across the county. At the summit, current assets and gaps in the county were discussed, and the panel of experts made a series of recommendations to the County, one of which was to “Create a Recovery-Oriented Center/Campus that includes the full continuum of care: assessment, withdrawal management (detox), crisis stabilization, residential, outpatient treatment, and employment opportunities.”*
- The findings from this summit identified community recovery centers and withdrawal management as two of the current gaps in the County’s system of substance abuse services.*

The conditions of approval limit the uses allowed on the portion of the subject property zoned C-3 to those that the applicant has deemed necessary for the development of the recovery campus that is needed to help fill this gap. Included would be detox beds and

residential treatment beds for substance abuse recovery, along with both transitional and permanent housing units and office/clinic space for continued treatment including family therapy, life skills and employment training, medication management, and related services. In other words, the use of the portion of the subject property not retained for park uses would be limited to those uses identified for the development of the recovery campus.

- 4.BB.1.3 Areas having access to a street of at least a major arterial classification or to a high capacity transit corridor. Siting should not result in significant traffic increase on local streets serving residential areas.

The subject property is approximately 200 feet west of SE 82nd Drive, which provides direct access to Highway 212, a principal arterial, and the on-ramp to I-205, approximately 1/4-mile to the south.

As noted in the application, a new driveway for the recovery campus development would align with existing roadways that dead-end into the site, improving vehicular circulation around the site, improving pedestrian safety, and utilizing a direct connection to SE 82nd Drive via SE Church Street through a commercial area, thus reducing traffic through local residential streets.

- 4.BB.1.4 Areas which do not increase an existing commercial strip or create new strips.

A commercial strip is most commonly a reference to a linear group of commercial properties along a road or highway. Commercial strips do exist near the subject property, about two blocks away along SE 82nd Drive. There are no commercial strips adjacent to the subject property, however. Commercial designated land between the subject property and the commercial strips on SE 82nd Drive are developed with a mix of small retail or office uses and a number of residential uses, none of which would constitute a "strip" along a road.

In addition, under this application, the portion of the subject property zoned C-3 would be allowed to develop with a limited number of uses, which are residential, institutional, or service-related in nature. The site would not be allowed to develop with a commercial "strip" along one of the road frontages.

- 4.BB.1.5 Areas where adverse effects, such as traffic and noise, will have a minimal effect on adjacent neighborhoods or can be minimized through on-site improvements.

The applicant notes that, if approved, traffic and noise impacts that may result from development of the recovery campus would be "minimized by moving the designated Open Space to the north end of the site to serve as a buffer for neighboring residential properties. New driveways can align with existing roadways that dead-end into the site, improving vehicular circulation around the site and improving pedestrian safety. County has formed a 'Good Neighbor Group' of neighboring residents and business owners to address operational concerns."

The Board concurs that, with the proposed zoning configuration and development, it is reasonable to conclude that adverse effects such as traffic and noise can be minimized with development of the site.

4.BB.1.6 Areas near employment centers.

The subject property abuts a relatively large area of commercial development and is also within 1/4-mile of one of the largest employment areas in the county, the Clackamas Industrial Area. In addition, approximately one mile north of the subject property is the Clackamas Regional Center, which employs a significant number of people in retail, restaurant, and service businesses.

This policy is met.

The following policies apply to lands designated as Open Space, particularly open space designated as Public and Community Use.

- 4.GG.1 Designate as Open Space areas of land or water substantially free of buildings or other significant structures which also are one of the following:
 - 4.GG.1.1 Natural resource areas with recognized unique or significant value, primarily those associated with stream/river corridors and hillsides.
 - 4.GG.1.2 Areas with some constraint or degree of hazard for development, such as landslides, steep slope, or flooding.
 - 4.GG.1.3 Existing parks and other committed open areas, such as golf courses, playgrounds, and cemeteries.

A portion of the subject property is currently designated as Open Space under Policy 4.GG.1.3 because it was a developed playground and fields associated with an elementary school. As noted by the applicant, "Existing open space is developed as a turf and paved playground that is associated with a school, is fenced, and is provided for school rather than public use. Proposal would maintain one acre designated as Open Space and relocate it to the north end of the site where low quality wetlands have previously been identified. Proposal would redevelop this acre into a higher quality open space than currently exists. Development of site plan will utilize a community engagement process with the neighborhood to program the Open Space and its amenities."

The Board finds that, although the location of the Open Space in the application is not in the exact location of the existing park or committed open area, moving the park to a different location on the same site meets the intent of this policy and will retain the "commitment" on the same site.

The Board also finds that, since the application must meet this requirement for "suitable replacement or retention" of any Public and Community Use Open Space lands that are converted to other uses, it is necessary include a condition to ensure that the park is actually developed in a timely manner. This condition of approval will require the Public and Community Use Open Space to be developed within two years of issuance of a final certificate of occupancy for any uses allowed by this zone change.

- 4.GG.10 Conversion of land designated Public and Community Use open space may occur when an alternate use proposal is accompanied by suitable retention or replacement of open space, developed recreation or other suitable compensating actions.

Policy 4.GG.10 is relevant to this application because a portion of the subject property designated Public and Community Use Open Space will be converted to a different designation and use, but some Public and Community Use Open Space will be established as a replacement in a different location on the site.

An important distinction in this policy is that it does not necessarily require an acre-for-acre replacement of the Public and Community Use Open Space. Although that could be considered a “suitable” replacement, the Board also considers “suitable” retention or compensating actions to potentially include developing a smaller public park on a portion of the subject property that is more intensive and/or better serves the neighborhood than the school playground.

As noted above, the applicant would redevelop this acre into a higher quality open space than currently exists because the applicant will utilize a community engagement process with the neighborhood to program the reconfigured open space and its amenities so that it better meets the needs of the community. The Board finds this to be a suitable retention and replacement of the existing open space.

This application is consistent with Chapter 4.

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

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

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

The applicant’s submitted traffic analysis, which was completed by a licensed engineer, finds that, with the proposed limitation on the type of future development allowable, the TPR criteria outlined in OAR 660-012-0060 are satisfied. County Engineering staff concur with the findings from the traffic analysis. The proposed development limitations are included in the conditions of approval.

This application is consistent with Chapter 5 with conditions.

Chapter 6, Housing: This Chapter outlines policies related to meeting the housing needs of all the county’s populations.

The County is not required by this Chapter to keep the subject property zoned for residential use. Despite this, with the proposed Comprehensive Plan amendment and zone change, the area that could be developed with housing and the amount of housing that could be developed on that area will both increase for the reasons discussed above. As such, this application addresses the following policies.

- 6.A.4 Collaborate with community partners to provide a continuum of supportive services and programs that address the needs of unhoused persons and families to assist in their transition to more permanent housing solutions.

Approval of this application would allow for the development of a recovery campus that supports the County Recovery Program and provides housing during treatment to prevent future houselessness.

- 6.B.6 Provide for increased capacity for multifamily development in the urban area.

Despite the fact that this application would eliminate approximately 2.33 acres of land in a residential zoning district, the actual potential for housing units, particularly multifamily units, would increase under this application for the reasons identified above in the Goal 10 findings. Notably:

- *Multifamily dwelling units are an allowed use in the proposed C-3 district and are, in fact, proposed for development once this application is approved;*
- *The amount of acreage on the site that would be available for development of dwelling units would increase from 2.33 to 5.48 acres; and*
- *The maximum density that could be developed in the increased acreage would increase from 25 units/acre to 60 units/acre.*

- 6.D.8 Encourage shared access to limit impervious surface and to promote efficient use of existing infrastructure and pedestrian safety.

According to the applicant, the proposed relocation of the open space will allow new driveways to align with existing roadways that dead-end into the site, thereby improving vehicular circulation around the site and improving pedestrian safety. The Board concurs.

This application is consistent with Chapter 6.

Chapter 8, Economics: This Chapter outlines policies related to attracting and retaining industrial and commercial development and employment.

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

- 8.B.6 Provide for a broad range of types and sizes of industrial and commercial development to provide a broad cross section of employment opportunities for residents.

This application and subsequent development will provide employment opportunities both in the recovery treatment center facility and associated office and medical clinic space.

This application is consistent with Chapter 8.

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

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

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

Notice of this application was provided to all appropriate agencies and parties, and advertised public hearings before the Planning Commission and the Board provided an adequate opportunity for interagency coordination on this application, demonstrating compliance with this policy.

This application is consistent with Chapter 11.

D. Clackamas County Zoning and Development Ordinance (ZDO)

Section 1202, *Zone Changes*, provides standards, criteria, and procedures under which a change to the County's zoning map may be approved.

Section 1202.02, Submittal Requirements

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

The application was initially submitted on April 30, 2025, and deemed incomplete. The applicant submitted additional materials on July 15, 2025, and the application was deemed complete on that same date.

Section 1202.03, General Approval Criteria

Section 1202.01 states that a zone change may be allowed, after a hearing conducted pursuant to Section 1307, if the applicant provides evidence substantiating that the criteria in Section 1202.03 are met.

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

Findings regarding the relevant Comprehensive Plan policies are provided above. Based on those findings and the findings provided by the applicant, the Board finds that the proposed zone change is consistent with all relevant goals and policies in the Comprehensive Plan.

This application is consistent with Subsection 1202.03(A).

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

Development that could occur on the subject property under this application will need sanitary sewer, surface water management, and water services. The applicant has

provided a Preliminary Statement of Feasibility from the provider of each of these services attesting that the prospective development can be provided with the necessary services.

This application is consistent with Subsection 1202.03(B).

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

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

Subsections 1202.03(C)(1) to (7) define what is meant by an “adequate” transportation system. The applicant’s traffic study, which was completed by a licensed engineer, finds that, with the proposed limitation on the type of future development allowable, the TPR criteria outlined in OAR 660-012-0060 are satisfied. County Engineering staff concur with the findings from the traffic analysis. The proposed development limitations are included in the conditions of approval.

This application is consistent with Subsection 1202.03(C) with conditions.

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

The applicant's traffic study includes an analysis of the safety of the transportation system, which included consideration of crash records at the study intersection (SE 82nd Drive and SE Tolbert Street) and noted that the observed crash rate at this intersection is far below the 90th percentile crash rate—the threshold to which crash rates are compared. The traffic study also notes "that Clackamas County's 'Drive to Zero Safety Action Plan' (2019) does not identify any safety-based projects within the study area."

County Engineering staff reviewed this safety analysis and concur with the findings.

This application is consistent with Subsection 1202.03(D).