



MULTNOMAH COUNTY OREGON

LAND USE AND TRANSPORTATION PROGRAM

1600 SE 190TH Avenue Portland, OR 97233

PH: 503-988-3043 FAX: 503-988-3389

http://www.co.multnomah.or.us/dbcs/LUT/land_use

NOTICE OF DECISION

This notice concerns a Planning Director Decision on the land use case(s) cited and described below.

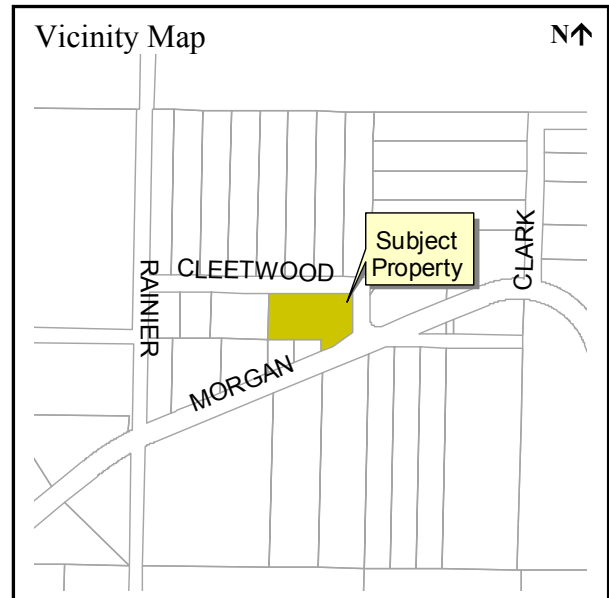
Case File: T2-03-084

Permit: Design Review

Location: 19260 NW Cleetwood
TL 2500, Sec 12, T 2N, R 2W, W.M.
Tax Account #R70830-1990

Applicant: Michael Greisen, Fire Chief
Scappoose Rural Fire Protection District

Owner: Scappoose Rural Fire Protection District
P.O. Box 625
Scappoose, OR 97056



Summary: Design Review Request for the Holbrook Fire Station.

Decision: Approved with conditions.

Unless appealed, this decision is effective Friday, May 7, 2004 at 4:30 PM.

Issued by:

By: _____
Lisa Estrin, Planner

For: Karen Schilling- Planning Director

Date: Friday, April 23, 2004

Opportunity to Review the Record: A copy of the Planning Director Decision, and all evidence submitted associated with this application, is available for inspection, at no cost, at the Land Use Planning office during normal business hours. Copies of all documents may be purchased at the rate of 30-cents per page. The Planning Director's Decision contains the findings and conclusions upon which the decision is based, along with any conditions of approval. For further information on this case, contact Lisa Estrin, Staff Planner at 503-988-3043.

Opportunity to Appeal: This decision may be appealed within 14 days of the date it was rendered, pursuant to the provisions of MCC 37.0640. An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. To obtain appeal forms or information on the procedure, contact the Land Use Planning offices at 1600 SE 190th Avenue (Phone: 503-988-3043). This decision cannot be appealed to the Land Use Board of Appeals (LUBA) until all local appeals are exhausted.

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Friday, May 7, 2004 at 4:30 pm.

Applicable Approval Criteria: Multnomah County Code (MCC): Rural Residential 33.3155 & 33.3180, Design Review 33.7000 through 33.7060, Off-Street Parking and Loading 33.4100 through 33.4215, Signs 33.7400 through 33.7505, Administration and Procedures: Chapter 37.

Copies of the referenced Multnomah County Code sections can be obtained by contacting our office at 503-988-3043 or by visiting our website at http://www.co.multnomah.or.us/dbcs/LUT/land_use.

Scope of Approval

1. Approval of this land use permit is based on the submitted written narrative(s) and plan(s). No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein.
2. **Pursuant to MCC 37.0690, this land use permit expires two years from the date the decision is final if; (a) development action has not been initiated; (b) building permits have not been issued; or (c) final survey, plat, or other documents have not been recorded, as required. The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 37.0690 and 37.0700. Such a request must be made prior to the expiration date of the permit.**

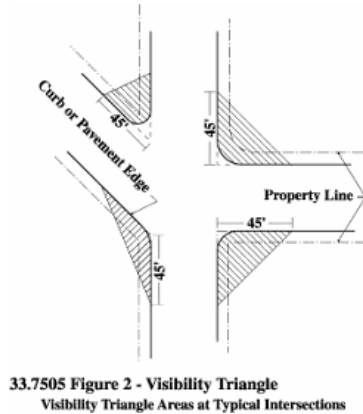
Conditions of Approval

The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in parenthesis.

1. Prior to the issuance of the Certificate of Occupancy for the Holbrook Fire Station, the Scappoose Fire Protection District shall obtain the required building permits, electrical permits, plumbing permits, septic permits and complete all required improvements to the site and building. [MCC 33.4135]

2. Prior to land use sign-off for the building permits, the applicant or his representative shall modify the site plan to show the outer boundary of the parking lot to have either a bumper rail or a minimum 4 inch in height curb. This bumper rail or curbing shall be installed prior to the issuance of the Certificate of Occupancy. [MCC 33.4180(B)(2)]
3. Prior to land use sign-off of the building permits, the applicant or his representative shall submit lighting details which shows all proposed and existing lighting fixtures meet the requirements of being shielded or deflected so as to not shine into adjoining dwellings or into the public right of way. If existing lighting fixtures do not meet the above requirements, the fixtures shall be replaced or modified to comply.[MCC 33.4185]
4. Prior to land use sign-off for the building permits, the applicant or his representative shall provide documentation stamped by a licensed engineer that the proposed stormwater drainage and detention system is adequate to handle the disposal of all water run-off generated from impervious surfaces on the lot. [MCC 33.4180(D) & MCC 33.7050(A)(6)]
5. Prior to land use sign-off for the building permits, the applicant or his representative shall modify the site plan/landscape plan to show 5, two inch caliper trees of a similar species to those lost in the recent past to adverse weather and vandalism. [Condition No. 11 of CS 0-4 & SEC 0-27]
6. Prior to land use sign-off for the building permits, the applicant or his representative shall modify the site plan/landscape plan (Exhibit A.1) to add 11 shrubs (a variety of Symphoricarpos albus, Philadelphus, Gaultheria shallon, Rhododendron and azaleas) within the front yard setback adjacent to Cleetwood Avenue to bring down the average frontage spacing of 5 feet per shrub. [MCC 33.7055(C)(3)(c)]
7. All newly planted trees and shrubs shall be watered on a weekly basis until established and no longer needing water to survive. All trees, shrubs and ground cover shall be continuously maintained. If the above vegetation is removed due to disease or death, it shall be immediately replaced. Any tree that dies shall be replaced with 2-inch caliper or similar sized tree of a similar species. [MCC 33.7055(C)(4) & (5), Condition No. 11 of CS 0-4 and SEC 0-27]
8. Prior to land use sign off of the building permit for the development, the applicant and/or his representative shall show on the site plan the location for the ADA sign and its size and detail. [MCC 33.7465(G)]
9. Prior to land use sign off of the building permit, the applicant or his representative shall either move the location of the breaker box so that it can be screened by vegetation or it shall be painted the same color as the building. [MCC 33.7050(A)(8)]
10. The applicant or his representative shall paint the side walls of the fire station and garage doors forest green. The trim and roof shall be either painted forest green to match or Garden Bramble Brown (Ralph Lauren C003D). [Condition No. 6 of CS 0-4 & SEC 0-27, MCC 33.7050(A)(1)(a)]

11. Prior to land use sign off of the building permit, the applicant or his representative shall modify the site plan to show the proposed freestanding sign outside of the Vision Clearance Area for each access drive. In order to establish the Vision Clearance Area, please draw two, 45 long lines along the sides of the access drive and Cleetwood Avenue intersections. Then, link the lines together to form a triangle. The area within the triangle is the Vision Clearance Area. Remove the sign for these restricted areas. See the following detail -



[MCC 33.7465(D), 33.7505(NN)
& Figure 2]

12. Prior to land use sign off of the building permit, the applicant or his representative shall modify the site plan to show the access drive leading to the parking lot to be 18 feet in width. [MCC 33.4170(A)]
13. All areas used for parking, loading or maneuvering of vehicles shall be surfaced with at least two inches of blacktop on a four inch crushed rock base or six inches of Portland cement or other material providing a durable and dustless surface capable of carrying a wheel load of 4,000 pounds. All areas for the parking and maneuvering of vehicles shall be marked in accordance with the approved plan and such marking shall be continually maintained. [MCC 33.4180(A) & (C)]

Notice to Mortgagee, Lien Holder, Vendor, or Seller:

ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.

Findings of Fact

FINDINGS: Written findings are contained herein. The Multnomah County Code criteria and Comprehensive Plan Policies are in **bold** font. The applicants statements are identified below as ‘**Applicant:**’. Staff comments and analysis are identified as ‘**Staff:**’ and address the applicable criteria. Staff comments may include a conclusionary statement in *italic*.

1.00 **General Provisions**

1.01 **TYPE II CASE PROCEDURES**

MCC 37.0530(B): Upon receipt of a complete application, notice of application and an invitation to comment is mailed to the applicant, recognized neighborhood associations and property owners within 750 feet of the subject tract. The Planning Director accepts comments for 14 days after the notice of application is mailed and renders a decision...

Staff: The application was submitted December 31, 2003 and was deemed complete as of January 30, 2004. An “Opportunity to Comment” notice was mailed on February 9, 2004 to all properties within 750 feet of the subject properties in compliance with MCC 37.0530. One written comment was received regarding preserving trees within the septic drainfield, shielding of existing lights and paving Cleetwood Avenue. Preservation of trees is required by Condition No. 11 of CS 0-4& SEC 0-27 and Condition No. 5 of T2-03-084. The lights are required to be shielded by Condition No. 3 of T2-03-084. Paving of Cleetwood was not required by the Transportation Department as part of the Community Service approval and may not be required at this time as there are no criteria for paving public right of way within the Zoning ordinance.

1.02 **Proof of Ownership**

MCC 37.0550 Initiation of Action

Except as provided in MCC 37.0760, Type I – IV applications may only be initiated by written consent of the owner of record or contract purchaser. PC (legislative) actions may only be initiated by the Board of Commissioners, Planning Commission, or Planning Director.

Staff: The proposed project is located on Tax Lot 2500, Section 12DB, Township: 2 North, Range: 2 West. Assessment & Taxation records show that the land is owned by Scappoose Rural Fire Protection District (Exhibit B.1). The property owners have granted approval for Fire Chief Michael Greisen to make application for the necessary permits for the Holbrook Fire Station (Exhibit A.7). *This criterion has been met.*

1.03 **Project Description**

Applicant: The Scappoose Rural Fire District wants to complete the requirements for their fire station located at 19260 NW Cleetwood Drive, Portland, Oregon. The District took over the structure from the Holbrook Fire Association in the early 1990's and was unaware that land use laws had not been followed.

The Site Design will allow the Fire District to complete the process need so work can be completed to meet Multnomah County requirements and to allow the Fire District to bring the Holbrook Station up to new earthquake standards for essential services.

The fire station is a 36 X 36 foot pole building used for housing emergency response apparatus and equipment. Emergency apparatus would respond to structure, wildland, other type fires, medical emergencies, motor vehicle accidents, special rescue situations, public assists, emergency disasters and other type of emergency incidents requested from the community.

Personnel only respond to the fire station to respond to emergency incidents, training and other functions at the station. There are no plans or accommodations to house 24 hour a day firefighters.

Hours of Day -The only set hours that can honestly be anticipated would be when a volunteer responds to the fire station for either Wednesday morning drill at 9:00 am to Noon or Wednesday evening drill which would be about 6:45 p.m. to 10:30 p.m. Emergency Incident response is hard to determine but you could estimate 2 to 4 people would show up at one time.

Noise concerns -Training for emergency personnel is traditionally held at the fire station in Scappoose; very little training is done at the Holbrook Station. If apparatus operators are training on pumping evolutions, they train off of Highway 30 at Rainbow Lake, which is not in a residential neighborhood.

Siren noise -Normally the emergency apparatus siren is not used for emergency response in this area due to light traffic on NW Morgan Road and NW Cleetwood Avenue. Emergency sirens are used getting onto Highway 30, which is about 0.7 miles away.

There is not a station siren. All notification of emergency personnel is through individual pagers.

Traffic Pattern -NW Cleetwood Avenue serves the fire station and seven residential structures. NW Cleetwood Avenue is a 50 'wide right-of-way with a gravel surface of 20 - 24 feet in width.

Volunteers would respond to the fire station by way of NW Morgan Road, which is a paved road and then dead ends. They would enter NW Cleetwood Avenue which is another dead end road off of NW Morgan Road. They would proceed about 265 feet to the fire station. The emergency apparatus would proceed to the emergency incidents following the same roads.

The fire apparatus would have to back into the fire station using NW Cleetwood Avenue.

Projects For Fire Station:

- Have structure reviewed by building inspector and repair any required building code changes.
- Have electrical and mechanical systems inspected by inspectors for any changes needed and complete any changes required.
- Review building for earthquake improvement and complete improvements.
- Install septic system on West side of property.
- Install bathroom inside East fire bay area.

- Close off one fire bay door to allow for an entrance and parking
- Landscaping-will be done to the property as designed and underbrush will be removed from between the firs and alders on the East side of the property.
- Painting -The building will be repainted in earth tone colors to meet the requirements of Multnomah County.
- Off street parking - will be developed on the East side of the fire station which will allow for a minimum of five parking spaces. Five off street parking spaces should be adequate for the Holbrook Fire Station.
- On Site Drainage - The Fire District would install an on site retention pond, which would be connected to the parking and apron area at the front of the fire station. The location of the retention pond will be near the parking lot.
- Paving of parking and apron areas would be completed.
- Signage - The current sign is within the allowable square footage but will need to be lowered and moved out of the right-of-way.

The fire station will have two apparatus bays after the construction of the restroom. This area will be adequate for current use.

Staff: In the year 2000, the Scappoose Fire Protection District applied for and received a Community Service (CS 0-4) approval and Significant Environmental Concern permit (SEC 0-27) to permit the existing fire station on the subject property. The proposed Design Review application will complete the needed permits to allow the fire station to finish improvements and operate from the site.

2.00 **Rural Residential Criteria**

2.01 **MCC 33.3155 Dimensional Requirements**

(A) Except as provided in MCC 33.3160, 33.3170, 33.3175 and 33.4300 through 33.4360, the minimum lot size for new parcels or lots shall be five acres. For properties within one mile of the Urban Growth Boundary, the minimum lot size shall be as currently required in the Oregon Administrative Rules Chapter 660, Division 004 (20 acre minimum as of October 4, 2000).

(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the area of such lot.

(C) Minimum Yard Dimensions – Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

Minimum Front Lot Line Length – 50 feet.

Applicant: The Fire District lot is less than 5 acres and is an old lot subdivided and approved by Multnomah County. The height of the structure will be less than 35 feet. The front lot line length is 242 feet, which is greater than the 50 feet required by the County.

Staff: The subject property is 0.76 acres and was legally created prior to zoning being applied to this area of the County in 1958. Since the CS approval a public right of way to the south of the fire station has been vacated and added to the lot. The area approved for CS is 0.6 acres in size. The fire station will be located 52 feet from the front property line (eastern property line), 95 feet from the rear property line (western property line), 35 feet from the southern side property line and 36 feet from the northern side property line (Exhibit A.1). The building height will be approximately 20 feet (Exhibit A.2). The front lot line of the subject property is 112 feet in width (Exhibit A.1). *These criteria have been met.*

- 2.02 **(D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and additional requirements not otherwise established by Ordinance.**

Applicant: The right-of-way width for NW Chestnut Drive is 50-foot width and meets Multnomah County requirements for a dead-end street.

Staff: The 50 feet wide public right of way known as Cleetwood Avenue is designated a local street on the Multnomah County Functional Classification of Trafficways. The specified width for a local street is 50 feet. *This criterion has been met.*

- 2.03 **(E) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirement if located at least 30 feet from any property line.**

Applicant: The District does not plan on building any structures over 35 feet.

Staff: The proposed building height is 20 feet (Exhibit A.2). *This criterion is not applicable at this time.*

- 2.04 **MCC 33.3180 Off-Street Parking and Loading**

Off-street parking and loading shall be provided as required by MCC 33.4100 through 33.4220.

Applicant: Off street parking will be provided as required by MCC 33.4100 through 33.4220

Staff: Under CS 0-4 and SEC 0-27, the hearings officer has conditioned that 6 parking spaces be provided for the facility. The applicant's site plan shows 6 parking spaces (5 typical parking spaces and 1 handicap space). Additional findings will be made under MCC 33.4100 through 33.4220. *This criterion has been met.*

3.00 **Off-Street Parking and Loading**

3.01 **MCC 33.4120 Plan Required**

A plot plan showing the dimensions, legal description, access and circulation layout for vehicles and pedestrians, space markings, the grades, drainage, setbacks, landscaping and abutting land uses in respect to the off-street parking area and such other information as shall be required, shall be submitted in duplicate to the Planning Director with each application for approval of a building or other required permit, or for a change of classification to O-P.

Applicant: Provided in application.

Staff: The applicant has submitted in a plot plan which has the dimensions, access and circulation layout, space markings, drainage, setbacks and landscaping. A copy of the legal description has been provided in a separate document. The subject site is flat with only a single contour located on site. *This criterion has been met.*

3.02 **MCC 33.4125 Use of Space**

(A) Required parking spaces shall be available for the parking of vehicles of customers, occupants, and employees without charge or other consideration.

(B) No parking of trucks, equipment, materials, structures or signs or the conducting of any business activity shall be permitted on any required parking space.

(C) A required loading space shall be available for the loading and unloading of vehicles concerned with the transportation of goods or services for the use associated with the loading space.

(D) Except for residential and local commercial districts, loading areas shall not be used for any purpose other than loading or unloading.

(E) In any district, it shall be unlawful to store or accumulate equipment, material or goods in a loading space in a manner which would render such loading space temporarily or permanently incapable of immediate use for loading operations.

Staff: The applicant has been advised of these code requirements.

3.03 **MCC 33.4130 Location of Parking and Loading Spaces**

(A) Parking spaces required by this Section shall be provided on the lot of the use served by such spaces.

Applicant: The Fire District will provide for a permanent on site parking lot on the East side of the structure. There should be no need for the Fire District to have off site parking. The Fire District does not believe that they are required to have a loading area, as freight is not shipped to this facility. If items were needed for the function of this fire station, most items would be hauled in by light duty vehicles, which would be using the parking lot. The District is requesting two accesses on property, one for the parking lot and the other for the response of fire apparatus.

Staff: The applicant's site plan shows 6 parking spaces on the subject site and is adjacent to the

fire station. *This criterion has been met.*

3.04 **MCC 33.4135 Improvements Required**

(A) Required parking and loading areas shall be improved and placed in condition for use before the grant of a Certificate of Occupancy under MCC 33.0525, or a Performance Bond in favor of Multnomah County equivalent to the cost of completing such improvements shall be filed with the Planning Director.

Applicant: The Fire District will provide for required parking under MCC 33.0525. No bond shall be necessary unless required by Multnomah County. The District will install the parking lot as soon as Multnomah County allows the District to do so.

Staff: Staff concurs. The following condition of approval has been included as part of this decision:

Prior to the issuance of the Certificate of Occupancy for the Holbrook Fire Station, the Scappoose Fire Protection District shall obtain the required building permits, electrical permits, plumbing permits, septic permits and complete all required improvements to the site and building.

As conditioned, this criterion will be met.

3.05 **MCC 33.4165 Design Standards: Scope**

(A) The design standards of this section shall apply to all parking, loading, and maneuvering areas except those serving a single or two-family residential dwelling or mobile home on an individual lot.

(B) All parking and loading areas shall provide for the turning, maneuvering and parking of all vehicles on the lot. After July 26, 1979 it shall be unlawful to locate or construct any parking or loading space so that use of the space requires a vehicle to back into the right-of-way of a public street.

Staff: The applicant's site plan (Exhibit A.1) for the approved fire station provides for the turning, maneuvering and parking of all vehicles on the lot. The parking lot allows for vehicles to properly back up and leave the site in a forward motion. *This criterion has been met.*

3.06 **MCC 33.4170 Access**

(A) Where a parking or loading area does not abut directly on a public street or private street approved under MCC 33.7700 et seq., the Land Division Chapter, there shall be provided an unobstructed paved drive not less than 20 feet in width for two-way traffic, leading to a public street or approved private street. Traffic directions therefore shall be plainly marked.

(B) Parking or loading space in a public street shall not be counted in fulfilling the parking and loading requirements of this section. Required spaces may be located in a private street when authorized in the approval of such private street.

Applicant: The Fire District will provide a 20 foot wide access way from the public street to the parking lot if required by Multnomah County. The Fire District feels that a 16 foot wide access way from the public street to the parking lot is adequate for access due to the parking lot

being only 30 feet from the public street. When emergency responders are using the access way it is at the same time or near the same time going in one direction because they will be responding to the same emergency. Normally when they leave the fire station they again are leaving at the same time or at a different time. Traffic for this access is normally in the same direction of travel.

Staff: The site plan (Exhibit A.1) shows a 16 feet wide access drive leading from the parking lot to Cleetwood Avenue. The access drive for the fire trucks from the fire station is shown as 24 feet in width. Deviation from the 20 feet wide access drive may be granted under MCC 33.7060. The maximum exception that may be permitted under that section is 25 percent. Based upon the addition findings listed below under MCC 33.7060, the access drive leading to the parking lot may be reduced to 18 feet in width.

3.07 **MCC 33.4175 Dimensional Standards**

(A) Parking spaces shall meet the following requirements:

(1) At least 70% of the required off-street parking spaces shall have a minimum width of nine feet, a minimum length of 18 feet, and a minimum vertical clearance of six feet, six inches.

(2) Up to 30% of the required off-street parking spaces may have a minimum width of eight-and-one-half feet, a minimum length of 16 feet, and a vertical clearance of six feet if such spaces are clearly marked for compact car use.

(3) For parallel parking, the length of the parking space shall be 23 feet.

(4) Space dimensions shall be exclusive of access drives, aisles, ramps or columns.

Applicant: Three (3) 90 degree parking stalls will be provided with a minimum of 9 feet in width and a minimum of 18 feet in length. Two (2) parallel parking stalls will be provided 9 feet in width and 23 feet in length. The district will provide for 1 handicap 90 degree parking stall 17 feet wide in 18 feet in length.

Staff: The applicant has shown on his site plan that 4 parking spaces will be 90 degree parking spaces and 2 spaces will be parallel to the access drive (Exhibit A.1). The 3 typical 90 degree spaces are shown to be 18 feet in length and scale to 9 feet in width. The handicap space will be 18 feet in length and will be 16.5 feet wide. The 2 parallel spaces are shown to be 23 feet in length and 9 feet wide. No ramps, columns or other features are shown within the required parking space dimensions. *This criterion has been met.*

3.08 **(B) Aisle width shall be not less than:**

(1) 25 feet for 90 degree parking,

(2) 20 feet for less than 90 degree parking, and

(3) 12 feet for parallel parking.

(4) Angle measurements shall be between the center line of the parking space and the center line of the aisle.

Applicant: The Aisle width will be 25 feet due to using a combination of 90-degree parking and parallel parking stalls.

Staff: The aisle width between the 90 degree parking spaces and the parallel spaces is shown as 25 feet in width. *This criterion has been met.*

3.09 (C) Loading spaces shall meet the following requirements:

(1)

District	Minimum Width	Minimum Depth
All	12 Feet	25 Feet

(2) Minimum vertical clearance shall be 13 feet.

Applicant: The Fire District does not feel a Loading Space is needed for this facility. The District will be using an apron in front of the station for fire apparatus access to fire station.

Staff: The proposed building is only 1,296 square feet in size and is not required to have a loading space based on the criteria under MCC 33.4210. *These criteria are not applicable at this time.*

3.10 MCC 33.4180 Improvements

(A) Surfacing

(1) All areas used for parking, loading or maneuvering of vehicles shall be surfaced with two inches of blacktop on a four inch crushed rock base or six inches of portland cement or other material providing a durable and dustless surface capable of carrying a wheel load of 4,000 pounds.

(2) Large parking fields for intermittent uses such as amusement parks, race tracks, stadiums, and the like may be surfaced with gravel or grass and spaces may be unmarked if the parking of vehicles is supervised.

Applicant: The Fire District will use a minimum two inches of blacktop on a minimum of four inch crushed rock base capable of carrying a wheel load of 4000 pounds. The apron area in front of the two bay doors for fire apparatus use will be designed for a 12,500 pound wheel load which will consist of 3 inches of blacktop and 6-8 inches crushed packed rock.

Staff: *Based upon the applicant's statement above, this criterion will be met.*

3.11 (B) Curbs and Bumper Rails

(1) All areas used for parking, loading, and maneuvering of vehicles shall be physically separated from public streets or adjoining property by required landscaped strips or yards or in those cases where no landscaped area is required, by curbs, bumper rails or other permanent barrier against unchanneled motor vehicle access or egress.

(2) The outer boundary of a parking or loading area shall be provided with a bumper rail or curbing at least four inches in height and at least three feet from the

lot line or any required fence.

Applicant: The District will be providing bumper rails on the West end of the parking lot to protect the fire station. All other sides of the parking lot will be landscaped.

Staff: The outer boundary of the parking area is required to have either a bumper rail or a minimum 4 inch high curbing to prevent unchanneled access or egress to or from the site. As indicated above, the applicant has indicated that only the west end of the parking lot adjacent to the fire station. This does not comply with the standard under (B)(2) above. In order to bring the project in to compliance with the applicable codes, staff has included the following condition of approval:

Prior to land use sign-off for the building permits, the applicant or his representative shall modify the site plan to show the outer boundary of the parking lot to have either a bumper rail or a minimum 4 inch in height curb. This bumper rail or curbing shall be installed prior to the issuance of the Certificate of Occupancy.

As conditioned, these criteria have been met.

- 3.12 **(C) Marking – All areas for the parking and maneuvering of vehicles shall be marked in accordance with the approved plan required under MCC 33.4120, and such marking shall be continually maintained.**

Applicant: All necessary painting of parking stalls will be done according to Multnomah County requirements. The handicap parking lot will be marked with required paint stripping and sign.

Staff: *Based upon the applicant's statement above, this criterion will be met.*

- 3.13 **(D) Drainage – All areas for the parking and maneuvering of vehicles shall be graded and drained to provide for the disposal of all surface water on the lot.**

Applicant: This parking lot and access ways consists of approximately 3700 square feet of blacktop surface. A storm drain will be installed to collect rain and direct it into a detention pond.

Staff: The applicant's site plan shows a storm drain system for the parking lots, access drives and the building. The collected water will be directed to a detention pond near the northeast corner of the parking lot (Exhibit A.1). The following condition of approval has been included with this decision to ensure compliance with this criterion:

Prior to land use sign-off for the building permits, the applicant or his representative shall provide documentation stamped by a licensed engineer that the proposed storm drainage system is adequate to handle the disposal of all surface water on the lot.

As conditioned, this criterion has been met.

- 3.14 **(E) Covered Walkways – Covered walkway structures for the shelter of pedestrians only, and consisting solely of roof surfaces and necessary supporting columns, posts and beams, may be located in an O-P district. Such structures shall meet the setback, height and other requirements of the district which apply.**

Applicant: Covered Walkways are not planned for this fire station.

Staff: Staff concurs. *This criterion is not applicable at this time.*

3.14 **MCC 33.4185 Lighting**

Any artificial lighting which may be provided shall be shielded or deflected so as to not shine into adjoining dwellings or other types of living units, and so as not to create a hazard to the traveling public on any street.

Applicant: A Light will be located on the East side of building above the walk through door. A floodlight is located on the Northwest corner of the fire station. All lighting will be shielded as not to shine into adjoining yards or residence.

Staff: The applicant has shown the location of proposed lighting on the site plan (Exhibit A.1) and has indicated that the lights will be shielded. No details regarding the light fixtures have been supplied. The following condition of approval has been included to ensure compliance with this criterion:

Prior to land use sign-off of the building permits, the applicant or his representative shall submit lighting details which shows all proposed lighting fixtures meet the requirements of being shielded or deflected so as to not shine into adjoining dwellings or into the public right of way.

As conditioned, this criterion has been met.

3.15 **MCC 33.4190 Signs**

Signs, pursuant to the provisions of MCC 33.7465.

Staff: The applicant is proposing a wooden sign be placed between the parking lot access driveway and the fire station access drive. The sign has been reviewed and is in compliance with the provisions of MCC 33.7465 as conditioned. *This criterion has been met.*

3.16 **MCC 33.4195 Design Standards: Setbacks**

(A) Any required yard which abuts upon a street lot line shall not be used for a parking or loading space, vehicle maneuvering area or access drive other than a drive connecting directly to a street.

(B) A required yard which abuts a street lot line shall not be paved, except for walkways which do not exceed 12 feet in total width and not more than two driveways which do not exceed the width of their curb cuts for each 150 feet of street frontage of the lot.

Applicant: The required yard will not be used as parking or loading. One access way, which allows the fire apparatus to back into the fire station, will be paved. Walkways will not be installed due to this being a rural setting and walkways are not installed in the neighborhood.

Staff: The subject site is located on the corner of Cleetwood Avenue. Cleetwood Avenue raps around the property on 2 sides. The parking lot is proposed to be 52 feet and 36 feet from Cleetwood Avenue (Exhibit A.1). No loading spaces are proposed or required pursuant to MCC

33.4210. Only the drive connecting the parking lot and a drive connecting to the fire station to Cleetwood Avenue encroaches into the street-side setback to the north. The subject site has 242 feet of street frontage adjacent to its north property line. The applicant has proposed 2 driveways. The first driveway will be 18 feet in width and the other will be 24 feet in width and will not exceed the width of their driveway approach. *These criteria have been met.*

3.17 **MCC 33.4200 Landscape and Screening Requirements**

(A) The landscaped areas requirements of MCC 33.7055 (C) (3) to (7) shall apply to all parking, loading or maneuvering areas which are within the scope of design standards stated in MCC 33.4165 (A).

Staff: The applicant's landscape design has been reviewed and is in compliance with the provisions of MCC 33.7055(C)(3) to (7) as conditioned. See additional findings under the applicable criteria below. *This criterion has been met.*

3.18 **MCC 33.4205 Minimum Required Off-Street Parking Spaces**

(E) Unspecified Uses

Any use not specifically listed above shall have the requirements of the listed use or uses deemed most nearly equivalent by the Planning Director.

Staff: As part of CS 0-4, the hearings officer determined that the subject fire station requires 6 parking spaces. The applicant's site plan shows 5 typical spaces and 1 handicap parking space. Based upon the hearings officer's decision, the minimum required off-street parking spaces have been provided. *This criterion has been met.*

3.19 **MCC 33.4210 Minimum Required Off-Street Loading Spaces**

(C) Manufacturing, Wholesale, Storage

Square foot of Floor or Land Area	Minimum Loading Spaces Required
Under 5,000	0
5,000 - 39,999	1
40,000 - 99,999	2
100,000 - 159,999	3
160,000 - 239,999	4
240,000 - 319,999	5
320,000 - 399,999	6
400,000 - 489,999	7
490,000 - 579,999	8
580,000 - 699,999	9
670,000 - 759,999	10
760,000 - 849,999	11
850,000 - 939,999	12
940,000 - 1,029,999	13
Over 1,030,000	14

(D) Public or Semi-Public Use: Treated as mixed uses.

Applicant: A loading area is not required, as the structure is less than 5,000 square feet.

Staff: The proposed fire station is 36 feet wide by 36 feet long for a total of 1,296 square feet of building area. No loading space is required. *This criterion has been met.*

4.00 **Design Review Criteria**

4.01 **MCC 33.7010 Design Review Plan Approval Required**

No building, grading, parking, land use, sign or other required permit shall be issued for a use subject to this section, nor shall such a use be commenced, enlarged, altered or changed until a final design review plan is approved by the Planning Director, under this ordinance.

Staff: The applicant has submitted a Design Review application for review. Upon approval of this application, the applicant will need to modify the development plans and submit in for building permit approval.

4.02 **MCC 33.7020 Application of Regulations**

Except those exempted by MCC 33.7015, the provisions of MCC 33.7000 through 33.7060 shall apply to all conditional and community service uses in any district.

Staff: The proposed fire station has received Community Service approval and the Design Review criteria are applicable.

4.03 **MCC 33.7030 Design Review Plan Contents**

(A) Any preliminary or final design review plan shall be filed on forms provided by the Planning Director and shall be accompanied by such drawings, sketches and descriptions as are necessary to describe the proposed development.

(B) Contents:

- (1) Preliminary Site Development Plan;**
- (2) Preliminary Site Analysis Diagram;**
- (3) Preliminary Architectural Drawings, indicating floor plans and elevations;**
- (4) Preliminary Landscape Plan;**
- (5) Proposed minor exceptions from yard, parking, and sign requirements; and**
- (6) Design Review Application Fee, as required under the applicable fee schedule in effect at time of application;**

Applicant: See project description above for applicant's findings.

Staff: The applicant has submitted in a site plan which shows the proposed landscaping and site analysis diagram (Exhibit A.1). In addition, elevations of the fire department building and sign, a floor plan and Design Review Fee (Exhibit A.2, A.3 & A.7). *This criterion has been met.*

4.04 **(C) A preliminary site analysis diagram may be in freehand form and shall generally indicate the following characteristics:**

- (1) Relation to adjacent lands;**
- (2) Location and species of trees greater than six inches in diameter at five feet;**
- (3) Topography;**
- (4) Natural drainage;**
- (5) Significant wildlife habitat;**
- (6) Information about significant climatic variables, including but not limited to, solar potential, wind direction and velocity; and**
- (7) Natural features and structures having a visual or other significant relationship with the site.**

Staff: The site plan (Exhibit A.1) shows the adjacent right of ways and existing trees. The site is flat with no natural drainage features on site. The proposed development has been designed to meet the Significant Environmental Concern permit for wildlife habitat. *This criterion has been met.*

- 4.05 **(D) A preliminary site development plan may be in freehand form and shall generally indicate the following as appropriate to the nature of the use:**

- (1) Access to site from adjacent rights-of-way, streets, and arterials;**
- (2) Parking and circulation areas;**
- (3) Location and design of buildings and signs;**
- (4) Orientation of windows and doors;**
- (5) Entrances and exits;**
- (6) Private and shared outdoor recreation spaces;**
- (7) Pedestrian circulation;**
- (8) Outdoor play areas;**
- (9) Service areas for uses such as mail delivery, trash disposal, above-ground utilities, loading and delivery;**
- (10) Areas to be landscaped;**
- (11) Exterior lighting;**
- (12) Special provisions for handicapped persons; and**
- (13) Other site elements and spaces which will assist in the evaluation of site development.**

Staff: The applicant's site plan (Exhibit A.1) shows the access points from the property to the public right of way, the parking lot and circulation, the location of the building and sign, proposed pedestrian circulation, the areas to be landscaped, the handicapped parking space and the location of exterior lighting. The floor plan (Exhibit A.3) shows the location of the man-door and the garage doors for the fire trucks. The elevations (Exhibit A.2) show the design of the building and location of the window. No private or shared outdoor recreation spaces, outdoor play areas, loading zones, mail facilities or outdoor trash enclosure is required or proposed. The mail is received at the Scappoose Fire District headquarters. The trash is kept inside the station and is disposed of at the headquarters. *This criterion has been met.*

- 4.06 **(E) The preliminary landscape plan shall indicate:**

- (1) The size, species, and approximate locations of plant materials to be retained or placed on the site; and**
- (2) Proposed site contouring.**

Staff: The site is flat and no site contouring is proposed. The site plan (Exhibit A.1) shows the proposed landscaping. *This criterion has been met.*

4.07 **MCC 33.7050 Design Review Criteria**

(A) Approval of a final design review plan shall be based on the following criteria:

(1) Relation of Design Review Plan Elements to Environment.

(a) The elements of the design review plan shall relate harmoniously to the natural environment and existing buildings and structures having a visual relationship with the site.

Applicant: The Fire District will close off the East Bay of the fire station to allow for a restroom facility inside the structure. With closing off the garage door and converting to a window area and lap siding, this will break up the building long looks. We will paint the structure more of an earth tone for blending. We will use a forest green color as was used by Tualatin Valley Fire Station on Skyline Road in Multnomah County.

Staff: The north side of the building will be lap-siding, 2 garage doors and a window to look more like the surrounding single family dwellings. The three remaining sides will continue to have metal siding. The roof, sidewalls, garage doors and trim are required to be painted a dark earth tone color per Condition No. 6 of the CS 0-4 & SEC 0-27. The applicant has indicated that the sides of the building will be painted a forest green color (Exhibit A.10). The applicant indicates that the trim is planned to be a different shade of green, but it can be trimmed how the County wants us to. The hearings officer under Condition No. 6 required that the final color choice be reviewed and approved under the Design Review permit. Since the applicant has not provided specific shades for the trim, garage doors and roof, a condition of approval has been included that requires that the garage doors be painted to match the siding and that the trim and roof be painted to match the sides or painted Garden Bramble Brown (Ralph Lauren C003D) as shown on the color chart in the Planning office. The proposed colors will fit harmoniously within the landscape of the site and surrounding neighborhood. *As conditioned, this criterion has been met.*

4.08 **(b) The elements of the design review plan should promote energy conservation and provide protection from adverse climatic conditions, noise, and air pollution.**

Applicant: The fire station is located in a rural area and is protected from adverse climatic conditions, noise and air pollution. The Fire District does not plan on allowing any training at this station so that we do not contribute to noise pollution in this rural setting.

Staff: The fire station is using an existing building and modifying the exterior to fit within the neighborhood and provide a restroom inside the structure. *This criterion has been met.*

4.09 **(c) Each element of the design review plan shall effectively, efficiently, and attractively serve its function. The elements shall be on a human scale, inter-related, and shall provide spatial variety and order.**

Applicant: The fire station is effective and efficiently in use for the operations of providing emergency service to the community. The attractiveness of the fire station is a plain design with little architecture design. With the closing of an apparatus bay, adding a window, lap siding,

earth tone colors and additional landscaping an increase in attractiveness maybe made.

Staff: Staff concurs. *This criterion has been met.*

- 4.10 **(2) Safety and Privacy – The design review plan shall be designed to provide a safe environment, while offering appropriate opportunities for privacy and transitions from public to private spaces.**

Applicant: The fire station and parking lot will provide a safe environment to the community and with additional landscaping and building change will give a transition from public to private space.

Staff: The parking lot for the fire station will have a light to illuminate it for night runs. All fire equipment will be located inside the building. *This criterion has been met.*

- 4.11 **(3) Special Needs of Handicapped – Where appropriate, the design review plan shall provide for the special needs of handicapped persons, such as ramps for wheelchairs and Braille signs.**

Applicant: The fire station will be handicapped accessible and the new bathroom will be required under the building code to be handicapped accessible. A parking stall will be installed for handicap access.

Staff: Staff concurs. *This criterion has been met.*

- 4.12 **(4) Preservation of Natural Landscape – The landscape and existing grade shall be preserved to the maximum practical degree, considering development constraints and suitability of the landscape or grade to serve their functions. Preserved trees and shrubs shall be protected during construction.**

Applicant: The Fire District will landscape and the existing grade will be preserved. There are many large trees taller than 30 feet, as in: Ash, Douglas Fire, Cedar, and Alder. The East sides of the property where most of the trees are located have heavy undergrowth of blackberry bushes, which need to be removed. After the removal of blackberries a sun/shade grass mixture at a 5-pound per 1000 square feet will be used to establish a lawn between the trees.

Staff: The applicant has indicated that 3 trees were lost to wind or disease. In addition, 2 trees were cut down approximately 2 summers ago. The hearings officer placed a condition on CS 0-4 & SEC 0-27 which specifies "...the existing trees shall not be removed, unless diseased or dying. If removed due to disease, or death, the trees shall be replaced immediately with 2 inch caliper or similar-sized trees." These 5 trees need to be replaced. A condition of approval has been included requiring that the applicant modify the landscape plan to show 5 additional trees. The following condition has been added to this decision:

Prior to land use sign-off for the building permits, the applicant or his representative shall modify the landscape plan to add 5 two inch caliper trees of a similar species to those lost.

The condition contained in the Community Service approval will remain valid after this decision and will require that all trees be preserved.

The existing site is flat and there will not be significant terrain change to construct the parking

lot for the fire station.

As conditioned, this criterion has been met.

- 4.13 **(5) Pedestrian and Vehicular circulation and Parking – The location and number of points of access to the site, the interior circulation patterns, the separations between pedestrians and moving and parked vehicles, and the arrangement of parking areas in relation to buildings and structures, shall be designed to maximize safety and convenience and shall be harmonious with proposed and neighboring buildings and structures.**

Applicant: The parking lot and aisle will provide for interior circulation pattern with an access area for firefighters or visitors leaving their vehicles to gain access to fire station.

Staff: The site plan shows 2 driveway access points on to Cleetwood Avenue. The first driveway is for the fire trucks to access the fire station garage. It is 24 feet wide and 36 feet long and is a straight access drive to the fire station. The second driveway leads to the parking lot and is 16 feet wide and 30 feet long and is a straight access drive to the parking area. Pedestrian access from Cleetwood Avenue is informal as the pedestrians can access over the lawn along the front and north and side property lines. The parking area is immediately adjacent to the parking lot and a concrete sidewalk provided from the handicap space to the building entrance. The proposed development is limited in scale and is harmonious with the neighboring buildings and structures.

- 4.14 **(6) Drainage – Surface drainage systems shall be designed so as not to adversely affect neighboring properties or streets.**

Applicant: Surface drainage of all blacktop area will be collected in a detention pond on site so that neighboring properties will not be affected. Grass areas currently in existence and not effected by the parking lot will not create any new drainage problems.

Staff: The water from impervious surfaces will be directed to a detention pond adjacent to the northeast corner of the parking lot (Exhibit A.1). The location of the detention pond is approximately 15 feet from the northern side property line. No properties are adjacent to this location except for the public right of way. A condition of approval has been included requiring that the applicant demonstrate that the detention pond is of a suitable size to handle the water from the impervious surface. The following condition has been included to ensure compliance with this criterion:

Prior to land use sign-off for the building permits, the applicant or his representative shall provide documentation stamped by a licensed engineer that the proposed stormwater drainage and detention system is adequate to handle the disposal of all water generated from impervious surfaces on the lot.

As conditioned, this criterion has been met.

- 4.15 **(7) Buffering and Screening – Areas, structures and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking, and similar accessory areas and structures shall be designed, located, buffered or screened to minimize adverse impacts on the site and neighboring properties.**

Applicant: The East and South sides of the property is nicely screened from the neighbors. The West side of the property is open but has three large trees which creates a partial screen. The North side is opened to the neighbor's view. The north side of the new parking lot will be landscape to provide screening.

Staff: All mail for the station is received at the Scappoose Station and no mailbox is at this location. The breaker box for the electrical is on the east side of the building in the middle. The trash container and pressure tank will be placed and stored inside the building. No trash service will be provided to this property (Exhibit A.9). The location of the breaker box for the electrical is not screened from the parking lot or the adjacent property to the east. In order to ensure compliance with this criterion, the following condition of approval has been included as part of this decision:

Prior to land use sign off of the building permit, the applicant or his representative shall either move the location of the breaker box so that it can be screened by vegetation or it shall be painted the same color as the building.

As conditioned, this criterion has been met.

- 4.16 **(8) Utilities – All utility installations above ground shall be located so as to minimize adverse impacts on the site and neighboring properties.**

Applicant: All utilities are located underground.

Staff: No utilities are proposed above ground. *This criterion is not applicable at this time.*

- 4.17 **(9) Signs and Graphics – The location, texture, lighting, movement, and materials of all exterior signs, graphics or other informational or directional features shall be compatible with the other elements of the design review plan and surrounding properties.**

Applicant: A hand carved wood sign with painted highlights will be installed between two 4X4 wood posts in the 10 'street landscape area. The sign will not be installed within the right-of-way. The sign will be less than 10 square feet in size. No lighting will be used for sign.

Staff: The above information has been provided on the site plan, elevations and narrative statements (Exhibit A.1, A.2. & A.8). The applicant is proposing a non-illuminated wooden sign and is located between some shrubs and a new tree. It appears to be compatible with the other elements of the design review plan and the surrounding properties. *This criterion has been met.*

- 4.20 **MCC 33.7055 Required Minimum Standards**

(C) Required Landscape Areas

The following landscape requirements are established for developments subject to design review plan approval:

- (1) A minimum of 15% of the lot area shall be landscaped; provided, however, that computation of this minimum may include areas landscaped under subpart 3 of this subsection.**

Applicant: 70 percent of the lot area will be landscaped. The fire station, parking lot access way and pad in front of the fire station occupy less than 30 percent of the lot.

Staff: The area of the lot approved for the fire station under the CS approval is 0.6 (26,170 sq. ft) acres in size. The area of impervious surfaces is 5,128 square feet. The remainder of the 21,042 square feet of area is landscaped with lawn, trees and shrubs. The landscaped area is equal to 81% of the lot (Exhibit A.1). *This criterion has been met.*

- 4.21 **(2) All areas subject to the final design review plan and not otherwise improved shall be landscaped.**

Applicant: The Fire District will landscape all areas not occupied by improvements. A 10 foot strip containing new trees and shrubs will be planted along NW Cleetwood, the North side of the property line. The East side along the street a 10 foot strip will be landscaped with only adding shrubs as there are many trees larger than 6 inch and spaced less than 50 feet.

Staff: All areas not covered by impervious surfaces will be landscaped as shown on the site plan (Exhibit A.1). *This criterion has been met.*

- 4.22 **(3) The following landscape requirements shall apply to parking and loading areas:**

(a) A parking or loading area providing ten or more spaces shall be improved with defined landscaped areas totaling no less than 25 square feet per parking space.

Applicant: Not Applicable

Staff: The number of spaces required and shown in the parking lot area is 6 spaces (Exhibit A.1). *The above criterion is not applicable at this time.*

- 4.23 **(b) A parking or loading area shall be separated from any lot line adjacent to a street by a landscaped strip at least 10 feet in width, and any other lot line by a landscaped strip at least 5 feet in width.**

Applicant: The North and East side of the parking lot will be provided with a 10 feet in width landscaped strip along the street.

Staff: The parking lot is separated from the northern property line by 30 feet of landscaping. It is also separated from the southern property line by a minimum 30 feet of landscaping. The landscaping between the front property line and the parking lot is 52 feet wide. *This criterion has been met.*

- 4.24 **(c) A landscaped strip separating a parking or loading area from a street shall contain:**

1. Street trees spaces as appropriate to the species, not to exceed 50 feet apart, on the average;

Applicant: The total length of the street side parking lot is less than 45 feet and will consist of at least 50 feet apart either Western Red Cedar or Incense Cedar. All landscaping will consist of trees and shrubs, which will provide little seasonal accumulation of dead vegetation, open loose branching habit, high moisture contents in leaves and slow growth requires less frequent

pruning. The design will offer the Fire District and the community with a fire safe landscape protection.

Staff: The site plan shows that 5 new trees will be installed along the north property line adjacent to Cleetwood Avenue. The front property line along Cleetwood Avenue has existing trees that range between 15 to 25 feet apart. *This criterion has been met.*

- 4.25 **2. Low shrubs, not to reach a height greater than 3'0", spaced no more than 5 feet apart, on the average; and**

Applicant: Low shrubs will be planted for an average of 5 feet apart. We will group shrubs to allow for easy maintenance and care. A mixture of Symphoricarpos albus, Philadelphus, Gaultheria shallon, Rhododendron and azaleas will be used to provide for a fire safe protection in the landscape design.

Staff: The site plan shows clusters of 4 or 5 shrub along the northern and eastern property lines along Cleetwood Avenue. The northern and eastern property line is a total of 352 feet in length. The total number of shrubs shown is 59. If the shrubs were spread out equally along these property lines they would have a spacing of 5.9 feet between the shrubs. It appears that an additional 11 shrubs need to be added to the landscaping to bring down the average to 5 feet of frontage per shrub. The following condition of approval has been included to ensure compliance with this criterion:

Prior to land use sign-off for the building permits, the applicant or his representative shall modify the site plan/landscape plan (Exhibit A.1) to add 11 shrubs (a variety of Symphoricarpos albus, Philadelphus, Gaultheria shallon, Rhododendron and azaleas) within the front yard setback adjacent to Cleetwood Avenue to bring down the average frontage spacing of 5 feet per shrub.

As conditioned, this criterion will be met.

- 4.26 **3. Vegetative ground cover.**

Applicant: The landscape strip ground cover will consist of lawn and landscape rock, which will provide for fire safe landscape. The East side of the lot, will consist of the current large trees with planting of new sun/shade grass seed mixture applied at 5 pounds per 1000 square feet.

Staff: The applicant's site plan (Exhibit A.1) shows that lawn will be installed in all areas not improved with the parking lot or fire station structure. *This criterion has been met.*

- 4.27 **(d) Landscaping in a parking or loading area shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area.**

(e) A parking landscape area shall have a width of not less than 5 feet.

Applicant: The parking area is too small for landscaping in side.

Staff: The parking lot only has 6 parking spaces and as such does not require landscape areas within its confines per MCC 33.7055(C)(3)(a). *These criteria are not applicable at this time.*

- 4.28 **(4) Provision shall be made for watering planting areas where such care is required.**

Applicant: Trees and shrubs requiring water will have a drip irrigation system installed with a timing device so that weeds can be reduced and to conserve water.

Staff: The applicant has indicated that a drip irrigation system will be installed for trees and shrubs. It is not clear which plants will be watered. A condition of approval has been included and is as follows:

All newly planted trees and shrubs shall be watered on a weekly basis until established and no longer needing water to survive. All trees, shrubs and ground cover shall be continuously maintained. If the above vegetation is removed due to disease or death, it shall be immediately replaced. Any tree that dies shall be replaced with 2-inch caliper or similar sized trees of a similar species.

As conditioned, this criterion has been met.

4.29 **(5) Required landscaping shall be continuously maintained.**

Applicant: The Fire District will be responsible for continuous maintenance of landscape areas as we do at the fire station in Scappoose. A contracted landscaper normally does the maintenance.

Staff: The following condition of approval has been included with this decision to remind the applicant of this requirement:

All newly planted trees and shrubs shall be watered on a weekly basis until established and no longer needing water to survive. All trees, shrubs and ground cover shall be continuously maintained. If the above vegetation is removed due to disease or death, it shall be immediately replaced. Any tree that dies shall be replaced with 2-inch caliper or similar sized trees of a similar species.

This criterion will be met through the above condition of approval.

4.30 **(6) Maximum height of tree species shall be considered when planting under overhead utility lines.**

Applicant: Not applicable as there are no overhead utility lines.

Staff: Staff concurs. *This criterion is not applicable at this time.*

4.31 **(7) Landscaped means the improvement of land by means such as contouring, planting, and the location of outdoor structures, furniture, walkways and similar features.**

Staff: The applicant has proposed to landscape the site by installing trees, shrubs and groundcover. *This criterion has been met.*

4.32 **MCC 33.7060 Minor Exceptions: Yard, Parking, Sign, and Landscape Requirements**

(A) In conjunction with final design review plan approval, the Planning Director may grant minor exceptions from the following requirements:

- (1) Dimensional standards for yards as required in the primary district;**
- (2) Dimensional standards for off-street parking as required under MCC 33.4170 to 33.4175;**
- (3) Standards for minimum number of off-street parking spaces as required in the primary district; and**
- (4) Dimensional standards for signs as required in the primary district;**
- (5) In the case of a proposed alteration, standards for landscaped areas under MCC 33.7055 (C).**

(B) Except under subsection (A) (5) above, no minor exception shall be greater than 25% of the requirement from which the exception is granted.

Staff: The applicant has requested a minor exception to the required width for the access drive leading from the parking lot to Cleetwood Avenue. The applicant is proposing to construct a 16 feet wide access drive instead of the required 20 feet wide access drive as required in MCC 33.4170. The proposed 20% reduction is less than the maximum 25 percent allowed by (B) above.

4.33 **(C) Approval of a minor exception shall be based on written findings, as required in this subpart.**

(2) In the case of a minor exception to the dimensional standards for off-street parking spaces or the minimum required number of off-street parking spaces, the Planning Director shall find that approval will provide adequate off-street parking in relation to user demands. The following factors may be considered in granting such an exception:

- (a) Special characteristics of users which indicate low demand for off-street parking (e.g., low income, elderly);**
- (b) Opportunities for joint use of nearby off-street parking facilities;**
- (c) Availability of public transit;**
- (d) Natural features of the site (topography, vegetation, and drainage) which would be adversely affected by application of required parking standards.**

Applicant: The Fire District will provide a 20 foot wide access way from the public street to the parking lot if required by Multnomah County. The Fire District feels that a 16 foot wide access way from the public street to the parking lot is adequate for access due to the parking lot being only 30 feet from the public street. When emergency responders are using the access way it is at the same time or near the same time going in one direction because they will be responding to the same emergency. Normally when they leave the fire station they again are leaving at the same time or at a different time. Traffic for this access is normally in the same direction of travel.

Staff: The proposed reduction is to the access drive leading to the parking lot for the firefighters and any public coming to the site. According to the applicant in CS 0-4, the fire station is used for housing emergency response apparatus and equipment. Emergency apparatus respond to structure, wildland, and other types of fires, medical emergencies, motor vehicle accidents, and etcetera. Personnel come to the fire station to respond to emergency incidents, training and other functions at the station. The subject site is located on a rural roadway known as Cleetwood Avenue. The site is flat. In the location of the proposed access drive no existing trees or shrubs will need to be removed to widen the access drive. No watercourses exist in the area. No public transit is available to the area. The site has the required number of parking space. The only issue that may be valid is the special characteristics of users which indicate low demand for off-street parking (e.g., low income, elderly). Typically, the firefighters would be responding to an emergency event and coming to a site at approximately the same time and leaving the parking lot after the event. Training sessions may have people arriving and leaving at various times.

A typical drive lane is 10 feet in width. The proposed standard is 20 feet for 2 way traffic. The reduction to 16 feet would reduce each drive lane to 8 feet in width. The 16 feet wide access drive will have curbing along both sides which will prevent vehicles from driving into the lawn area for 2 way traffic. While the use has some special characteristics, the provision of two-way traffic from the parking lot is required. A reduction of 2 feet would allow 9 feet drives for traffic and take in consideration for the special characteristics of the use and reduce the amount of impervious surface on the site. Based upon the various factors, staff finds that a reduction of 2 feet in width for the required access drive leading to and from the parking lot meets the above criteria. A condition of approval has been included that the driveway width leading from the parking lot be redesigned to 18 feet in width.

As conditioned, these criteria have been met.

5.00 **Signs**

5.01 **MCC 33.7410 Conformance**

No sign may be erected unless it conforms with the regulations of this Chapter. Sign permits must be approved prior to erection of the sign.

Staff: The applicant has submitted materials for review of the proposed freestanding sign.

5.02 **MCC 33.7450 Signs Generally in the EFU, CFU-1, CFU-2, CFU-5, MUA-20, RR, and RC Zones**

For all uses and sites in the above listed zones, the following types, numbers, sizes and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 33.7460 through 33.7500.

(A) Free Standing Signs:

(1) Allowable Area – Free standing signs are allowed .25 square feet of sign face area per linear foot of site frontage, up to a maximum of 40 square feet.

(2) Number – One free standing sign is allowed per site frontage.

(3) Height – The maximum height of a free standing sign is 16 feet.

(4) Extension into the Right-Of-Way – Free standing signs may not extend into the right-of-way.

Applicant: A hand carved wood sign with painted highlights will be installed between two 4x4 wood posts in the 10 'street landscape area. The sign will not be installed within the right-of-way. The sign will be less than 10 square feet in size. No lighting will be used for sign.

Staff: The proposed freestanding sign will be located in the landscape planter between the 2 driveways adjacent to the northern property line and Cleetwood Avenue. The north property line is 242 feet long (242 feet x 0.25 sq. ft = 60.5 square feet). The maximum size of the freestanding sign allowed is 40 square feet. The sign face will be 18 inches wide by 77 inches (6.41 feet) long for approximately 10 square feet. The height of the sign will be 5 feet and the overall width is 7 feet (Exhibit A.11). The sign is 5 feet away from the northern property line and does not extend within the public right of way. *As designed, the sign meets the above criteria.*

5.03 **(C) Sign Features**

Permanent signs may have the following features:

(1) Signs may be indirectly or internally illuminated.

(2) Electronic message centers are not allowed.

(3) Flashing signs are not allowed.

(4) Rotating signs are not allowed.

(5) Moving parts are not allowed.

Staff: The applicant has indicated under the Design Review Criteria (MCC 33.7050(A)(9)) for signage that no lighting will be used for the sign. No electronic message centers, flashing signs, rotating sign or any moving parts are proposed. *This criterion has been met.*

5.04 **(D) Additional Signs Allowed – In addition to the sign amounts allowed based on the site and building frontages, the following signs are allowed in all zoning districts for all usages:**

(1) Directional signs pursuant to MCC 33.7490.

(2) Temporary lawn, banner and rigid signs.

(3) Subdivisions may have a free standing sign at each entrance, up to a total of four, each of which may be up to ten feet in height and 50 square feet in area.

Staff: No additional signs are proposed at this time.

5.05 **MCC 33.7465 Sign Placement**

(A) Placement

All signs and sign structures shall be erected and attached totally within the site except when allowed to extend into the right-of-way.

Staff: The sign is 5 feet away from the northern property line and does not extend within the public right of way (Exhibit A.1). *This criterion has been met.*

5.06 **(B) Frontages**

Signs allowed based on the length of one site frontage may not be placed on another site frontage. Signs allowed based on a primary building frontage may be placed on a secondary building frontage.

Staff: The size of the sign is based on the 242 square feet frontage from the northern property line. *This criterion has been met.*

5.07 **(C) Vision Clearance Areas**

(1) No sign may be located within a vision clearance area as defined in subsection (C) (2) below. No support structure(s) for a sign may be located in a vision clearance area unless the combined total width is 12 inches or less and the combined total depth is 12 inches or less.

(2) Location of vision clearance Areas – Vision clearance areas are triangular shaped areas located at the intersection of any combination of rights-of-way, private roads, alleys or driveways. The sides of the triangle extend 45 feet from the intersection of the vehicle travel area (See MCC 33.7505 Figure 2). The height of the vision clearance area is from three feet above grade to ten feet above grade.

Staff: The sign in its present location is within the Vision Clearance Area. There is space within this landscape planter to relocate the sign to be outside the clearance area. In order to bring the plan into compliance with these criteria, the following condition of approval has been included as part of this decision to ensure compliance with these criteria:

Prior to land use sign off of the building permit, the applicant or his representative shall modify the site plan to show the proposed freestanding sign outside of the Vision Clearance Areas. In order to establish the Vision Clearance Area, the sides of a triangle which extend 45 feet from the intersection of the access drives and Cleetwood Avenue.

As conditioned, these criteria have been met.

5.08 **(D) Vehicle Area Clearances**

When a sign extends over a private area where vehicles travel or are parked, the bottom of the sign structure shall be at least 14 feet above the ground. Vehicle areas include driveways, alleys, parking lots, and loading and maneuvering areas.

Staff: The sign is located within a proposed landscape planter. *This criterion is not applicable at this time.*

5.09 **(E) Pedestrian Area Clearances**

When a sign extends over private sidewalks, walkways or other spaces accessible to pedestrians, the bottom of the sign structure shall be at least 8-1/2 feet above the ground.

Staff: The sign is located within a proposed landscape planter. *This criterion is not applicable at this time.*

5.10 **(F) Required Yards and Setbacks**

Signs may be erected in required yards and setbacks.

Staff: The sign is located within a proposed landscape planter. For the first 30 feet of this landscape planter is the street side setback. *This criterion has been met..*

5.11 **(G) Parking Areas**

(1) Unless otherwise provided by law, accessory signs shall be permitted on parking areas in accordance with the provisions specified in each district, and signs designating entrances, exits or conditions of use may be maintained on a parking or loading area.

(2) Any such sign shall not exceed four square feet in area, one side. There shall not be more than one such sign for each entrance or exit to a parking or loading area.

Staff: A sign will be placed in the parking lot area to identify the ADA parking space. No specific information has been provided as to the sign's location or size. The following conditions of approval has been included with this decision to ensure compliance with these standards:

Prior to land use sign off of the building permit for the development, the applicant and/or his representative shall show on the site plan the location for the ADA sign and its size and detail.

As conditioned, this criterion has been met.

6.00 **Conclusion**

Based on the findings and other information provided above, the applicant has carried the burden necessary for the issuance of the Design Review permit. This approval is subject to the conditions of approval established in this report.

7.00 **Exhibits**

‘A’ Applicant’s Exhibits

‘B’ Staff Exhibits

‘C’ Procedural Exhibits

Exhibit #	# of Pages	Description of Exhibit	Date Received/ Submitted
A.1	1	Site Plan	12/31/2003
A.2	1	Elevations of Fire Department Building and Sign	12/31/2003
A.3	1	Floor Plan	12/31/2003
A.4	1	Copy of Application and Permit to Construct Road Approach Private Crossing and Other Facilities Upon Right of Way	12/31/2003
A.5	1	Exhibit B	12/31/2003
A.6	1	Legal Description of TL 2500, 2N2W12DB	12/31/2003
A.7	1	General Application Form	12/31/2003
A.8	19	Narrative Statements	12/31/2003
A.9	2	Email from Mike Greisen With Clarifications for Design Review	4/20/04
A.10	1	Color Sample	
A.11	1	Email from Mike Greisen Regarding Sign Dimensions	4/23/04

‘B’		Staff Exhibits	Date of Document
B.1	1	A&T Property Records for Tax Lot 2500, 2N2W12DB	12/31/2003
B.2	1	Public Comment Received during Opportunity to Comment.	2/23/04

‘C’		Administration & Procedures	Date
C.1	1	Complete Letter – Day 1	1/30/2004
C.2	4	Opportunity to Comment	2/9/2004
C.3	30	Administrative Decision	4/23/04