



Corbett School District

Woodard Campus Renovations

*Community Service Conditional Use Permit
Variance to Yard Requirements
Design Review Permit
Significant Environmental Concern Permit*

Prepared by Lower Columbia Engineering
Submitted to Multnomah County
Planning Department
September 2021

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List of Exhibits

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Sheet A2.01	Main Building Floor Plan
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1. Proposal Summary Information

Internal File No:	20019
Applicant:	Corbett School District Dan Wold, Interim Superintendent 35800 E. Historic Columbia River Hwy Corbett, OR 97019 503-897-2321 dwold@corbett.k12.or.us
Applicants Representative:	Matt Alexander Lower Columbia Engineering 58640 McNulty Way St. Helens, OR 97051 503-366-0399 matt@lowercolumbiaengr.com
Request:	Community Service Conditional Use Permit Variance to Yard Requirements Site Design Review Significant Environmental Concern Permit
Location:	Woodard Campus 31520 E. Woodard Road Troutdale, OR 97060
Legal Description:	See Title Report (Exhibit B)
Tax Lot ID:	1S4E05AB-00200
Zoning Designation:	Rural Residential (RR)

2. Project Team

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3. Project Introduction

Project Description

The Corbett School District (“District”) is seeking approval from Multnomah County (“County”) to renovate and expand existing Reynolds School District buildings and construct site improvements in order to move Corbett Middle School and the District Offices to the subject property. The project is being funded by a bond measure passed by District voters in 2020.

The subject property is located at 31520 E Woodard Road, Troutdale, OR 97060. The site is zoned Rural Residential (RR) and is approximately 3.5 acres in size. The site is adjacent to the Historic Columbia River Highway and resides within the East of Sandy River Rural Area and Significant Environmental Concern General (SEC-G) overlay. Projected 2022-23 enrollment is 143 students with 11 staff plus an additional 7 staff at the District Office. However, a proposed maximum population of 150 students and 25 staff (175 total) is requested for the site which is less than prior approval for this property (Case T3-01-014) and aligns with the sanitarian’s Septic Review.

The project consists of the remodel of two existing one-story, wood framed buildings (7,100 sf total) that will be connected with a new hybrid Pre-Engineered Metal Building (PEMB) addition (8,100 sf). This building will house six classrooms, special education, administration, and a multi-purpose room. Additionally, minor tenant improvements are proposed for an existing 1-story building that will be used as the District offices. Two other existing 1-story buildings will remain on the site and be used for other support functions.

Site upgrades include improvements to and expansion of the existing on-site septic system, updates to pedestrian circulation and off-street parking facilities, new stormwater management facilities, and various landscaping improvements. The septic system design is currently based on projected 2022-23 enrollment and staff and – per the County sanitarian - no showers, gymnasiums or cafeterias are proposed. Any addition of plumbing fixtures or increase in student population beyond septic system capacity will be revisited at that juncture with appropriate County approval procedures.

Site Information

Historical Site Use

- 1960s: US Forest Service office and Ranger dwelling
- 1994: Converted to satellite high school environmental program for Reynolds High School
- Building Areas
 - Main Building (includes existing buildings 1 and 2): 7,100 sf existing, 8,100 sf addition.
 - Storage Building (building 3): 1,500 sf existing.

- District Office Building (building 4): 4,130 sf existing.
- Garage Building (building 5): 1,815 sf existing.
- Storage Building (building 6): 688 sf, existing to be razed.
- Shed: 215 sf, existing to be razed.
- Building Construction
 - Main Building, Existing and Wing Addition: 1-story, wood framed on concrete foundation.
 - Main Building, Addition: 1-story, Pre-Engineered Metal Building (PEMB) on concrete slab-on-grade.
 - Ancillary Buildings, Existing: 1-story, wood framed with concrete foundations.
- Exterior Finishes, Basis of Design
 - Roofs, Main Building: Standing seam, medium bronze color to match existing.
 - Roofs, Existing Ancillary Buildings: Standing seam, existing red color.
 - Siding, Main Building Wings: T1-11 to match existing, painted warm grey color.
 - Siding, Main Building Addition: Vertical metal siding, charcoal grey color.
 - Siding Accent at Addition North Elevation: Vertical metal siding, tile red color.
 - CMU Base, Main Building Addition: Ground face, natural grey color.
 - Siding, Ancillary Buildings: Existing T1-11, painted warm grey color.

Site Conditions

The 3.51-acre site is located on E. Woodard Road and E. Historic Columbia River Hwy, just north of the Sandy River and is adjacent to a mix of land uses and zoning, including Commercial Forest, Exclusive Farm, and Rural Center. Primary access to the property is off of E. Woodard Road and all three existing points of access are off of this thoroughfare. The site currently houses six buildings, a shed, and three distinct parking lots. A vicinity map is provided in Figure 1.

Figure 1. Woodard Campus Vicinity Map



The existing property total building area is 15,044 square feet. Table 1 presents the improvements proposed for the Woodard Campus and their areas.

Table 1. Existing Property Building Area

	Existing Campus	Renovated Campus
Building area	15,044 SF	22,592 SF
Demolition of existing building area	902 SF	
New building area		8,100 SF
Total renovated net building area		10,812 SF
New building net overall area increase		7,548 SF

Design Approach

The Woodward Campus project will create an updated, better-utilized, and more connected campus through the demolition of existing building space and the addition of new building space. The site will be transformed and organized by the north/south multi-purpose addition bisecting the campus into two separate play areas: a grass play field to the west and an asphalt play area/school bus loop to the east. New and renovated building exteriors will complement and integrate with the style of the existing building

exteriors. Much of the natural landscape will be preserved and enhanced with additional plantings and the amount of total landscaped area on the site will increase by 30,000 square feet. Improvements to the parking and vehicle/ bus circulation on the north and east sides of the campus will allow for safer and more efficient operations while the addition of grass and asphalt play areas will support physical education and sports opportunities at the school.

These improvements will deliver vastly improved education resources to the children within the District, along with benefits for the greater community.

Figure 2. Rendering of Woodard Campus Renovations and Addition



Requested Approvals

In order to receive the necessary land use permits to construct the new buildings and improvements, the District is requesting the following approvals:

- **Design Review.** As a modification or alteration of an existing development, the project is being reviewed under the Design Review process and approval standards. Design Review is a Type II review.
- **Community Service Conditional Use Permit.** Because a public school is being proposed on a property zoned Rural Residential, a Community Service Conditional Use permit will be required. The Community Service Conditional Use permit is a Type III review
- **Variance to Yard Requirement (Type III)**
- **Significant Environmental Concern Permit.** The proposed site falls within the SEC-General overlay and will require an SEC permit. The SEC permit is a Type II review.

The above applications are being submitted with this package and the District understands that they will be reviewed by the Planning Director with a review and hearing by a public hearings officer. This narrative contains written responses to all applicable standards, requirements, and approval criteria for each application. Applicable provisions were identified during the pre-application conference with County planning staff on June 03, 2021.

4. Conformance with the Multnomah County Zoning Code

This section of the narrative demonstrates the project’s conformance with all applicable provisions of Chapter 39 of the Zoning Code of Multnomah County, Oregon (“MCC”). It is organized by the MCC parts. All text in *italics* are direct quotes from the code, which are followed by applicant responses.

Part 3.A – Lot of Record – General Provisions

39.3005 – Lot of Record - Generally

(A) An area of land is a “Lot of Record” if it meets the standards in Subsection (B) of this Section and meets the standards set forth in this Part for the Zoning District in which the area of land is located.

(B) A Lot of Record is a parcel, lot, or a group thereof that, when created or reconfigured, either satisfied all applicable zoning laws and satisfied all applicable land division laws, or complies with the criteria for the creation of new lots or parcels described in MCC 39.9700. Those laws shall include all required zoning and land division review procedures, decisions, and conditions of approval.

(a) “Satisfied all applicable zoning laws” shall mean: the parcel, lot, or group thereof was created and, if applicable, reconfigured in full compliance with all zoning minimum lot size, dimensional standards, and access requirements.

(b) “Satisfied all applicable land division laws” shall mean the parcel or lot was created:

- 1. By a subdivision plat under the applicable subdivision requirements in effect at the time; or*
- 2. By a deed, or a sales contract dated and signed by the parties to the transaction, that was recorded with the Recording Section of the public office responsible for public records prior to October 19, 1978; or*
- 3. By a deed, or a sales contract dated and signed by the parties to the transaction, that was in recordable form prior to October 19, 1978; or*
- 4. By partitioning land under the applicable land partitioning requirements in effect on or after October 19, 1978; and*
- 5. “Satisfied all applicable land division laws” shall also mean that any subsequent boundary reconfiguration completed on or after December 28, 1993 was approved under the property line adjustment provisions of the land division code. (See Date of Creation and Existence for the effect of property line adjustments on qualifying a Lot of Record for the siting of a dwelling in the EFU and CFU districts.)*

Response: As found in previous Land Use Case #T3-01-014, the property is a Lot of Record. Please see attached Deed (Exhibit C) and Title Report (Exhibit B) for required information.

39.3090 – Lot of Record – Rural Residential (RR)

(A) In addition to the standards in MCC 39.3005, for the purposes of the RR district the significant dates and ordinances for verifying zoning compliance may include, but are not limited to, the following:

- (1) July 10, 1958, SR zone applied;*
- (2) July 10, 1958, F-2 zone applied;*
- (3) December 9, 1975, F-2 minimum lot size increased, Ord. 115 & 116;*
- (4) October 6, 1977, RR zone applied, Ord. 148 & 149;*
- (5) October 13, 1983, zone change from MUF-19 to RR for some properties, Ord. 395;*
- (6) October 4, 2000, Oregon Administrative Rules Chapter 660 Division 004, 20 acre minimum lot size for properties within one mile of Urban Growth Boundary;*
- (7) May 16, 2002, Lot of Record section amended, Ord. 982, reenacted by Ord. 997.*

(B) A Lot of Record which has less than the minimum lot size for new parcels or lots, less than the front lot line minimums required, or which does not meet the access requirement of MCC 39.4395, may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

(C) Except as otherwise provided by MCC 39.4380, 39.4385, and 39.5300 through 39.5350, no sale or conveyance of any portion of a lot other than for a public purpose shall leave a structure on the remainder of the lot with less than minimum lot or yard requirements or result in a lot with less than the area or width requirements of this district.

(D) The following shall not be deemed to be a lot of record:

- (1) An area of land described as a tax lot solely for assessment and taxation purposes;*
- (2) An area of land created by the foreclosure of a security interest.*
- (3) An area of land created by court decree.*

Response: As found in previous Land Use Case #T3-01-014, the property is a Lot of Record. Please see attached Deed (Exhibit C) and Title Report (Exhibit B) for required information.

Part 4.B.2 – Base Zones – Rural Residential (RR)

39.4350 – Purpose

The purposes of the Rural Residential base zone are to provide areas for residential use for those persons who desire rural living environments; to provide standards for rural land use and development consistent with desired rural character, the capability of the land and natural resources; to manage the extension of public services; to provide for public review of non-residential use proposals and to balance the public's interest in the management of community growth with the protection of individual property rights through review procedures and flexible standards.

Response: The applicant understands the purpose of this chapter and demonstrates conformance with its applicable provisions below.

39.4352 – Area Affected

MCC 39.4350 through 39.4395 shall apply to those lands designed RR on the Multnomah County Zoning Map.

Response: The proposed school is on land designated as RR and will be subject to the requirements set forth for this zone.

39.4355 – Uses

No building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this base zone except for the uses listed in MCC 39.4360 through 39.4370 when found to comply with MCC 39.4375 through 39.4395 provided such uses occur on a Lot of Record.

Response: The proposed school renovation and expansion will comply as a conditional use per the requirements of MCC 39.4370.

39.4360 – Allowed Uses

The following uses and their accessory uses are allowed, subject to all applicable supplementary regulations contained in MCC Chapter 39.

[...]

Response: The proposed school is not allowed outright per this section. See MCC 39.4370 – Conditional Uses.

39.4365 – Review Uses

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter:

[...]

Response: The proposed school is not included under review uses. See MCC 39.4370 – Conditional Uses.

39.4370 – Conditional Uses

The following uses may be permitted when found by the Hearings Officer to satisfy the applicable standards of this Chapter:

(A) Community Service Uses under the provisions of MCC 39.7500 through 39.7810;

[...]

Response: The proposed school is eligible to be approved by the planner per MCC 39.7520 if it meets the approval criteria and restrictions set forth in part 7.B – Community Services Uses (CS).

39.4375 – Dimensional Requirements and Developmental Standards

(A) Except as provided in MCC 39.3090, 39.4380, 39.4385 and 39.5300 through 39.5350, 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).

Response: The subject property is an existing Lot of Record and is 3.51 acres in size. This does not meet the minimum. However, the project is eligible to be approved by the planner per MCC 39.3090 (B) if it is in compliance with the other requirements of this district.

(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: 30 Side: 10 Street Side: 30 Rear: 30

Response: Per MCC 39.6020 (A), the minimum side yard will be 20 feet as this is a Community Service Conditional Use. See Civil Site Plan (Sheet C4.01, Exhibit A) for all yard dimensions.

The applicant is requesting a variance to reduce the front and street side yards abutting E. Historic Columbia River Hwy and E. Woodard Road to 5 feet in order to accommodate modifications to parking lots that currently exist within these yards. Please see narrative response to MCC sections 39.8200 through 39.8215.

Maximum Structure Height – 35 feet

Response: The proposed maximum building height is 19'-2". The existing maximum building height is 18'-10". Therefore, this standard is met.

Minimum Front Lot Line Length – 50 feet.

Response: The front lot line along E. Historic Columbia River Hwy is 470 feet in length. Therefore, this standard is met.

(1) Notwithstanding the Minimum Yard Dimensions, but subject to all other applicable Code provisions, a fence or retaining wall may be located in a Yard, provided that a fence or retaining wall over six feet in height shall be setback from all Lot Lines a distance at least equal to the height of such fence or retaining wall.

Response: All proposed fences will be a maximum of six feet in height, all existing fences to remain are a maximum of six feet in height, and no retaining walls are proposed in any yard. Therefore, this standard is met.

(2) An Accessory Structure may encroach up to 40 percent into any required Yard subject to the following:

(a) The Yard being modified is not contiguous to a road.

(b) The Accessory Structure does not exceed five feet in height or exceed a footprint of ten square feet, and

(c) The applicant demonstrates the proposal complies with the fire code as administered by the applicable fire service agency.

(3) A Variance is required for any Accessory Structure that encroaches more than 40 percent into any required Yard.

Response: There are four existing buildings that encroach on the front and side yards. One of these buildings will be removed and there will be minor tenant improvements on another. Because these structures are existing and will not be expanded or relocated, a variance is not required. Therefore, this standard is met.

(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 county Road Official shall determine the necessary right-of-way widths based upon the county "Design and Construction Manual" and the Planning Director shall determine any additional yard requirements in consultation with the Road Official.

Response: The applicant understands additional yard requirements may be imposed.

(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

Response: The lot has no existing or proposed structures of this type. Therefore, this standard is not applicable.

(F) On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source, shall be provided on the lot.

(1) Sewage and stormwater disposal systems for existing development may be off-site in easement areas reserved for that purpose.

Response: All septic and stormwater facilities will be located on-site. Public water serves the lot. Please see attached Grading and Stormwater Plan (Sheet C5.01, Exhibit A), Stormwater Certificate (Exhibit F), and Certification of Water Service (Exhibit I).

(2) Stormwater/drainage control systems are required for new impervious surfaces. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.

Response: The proposed stormwater facilities have been designed for a 10 year 24-hour storm event. Please see attached Stormwater Certificate (Exhibit F) and Grading and Stormwater Plan (Sheet C5.01, Exhibit A).

(G) New, replacement, or expansion of existing dwellings shall minimize impacts to existing farm uses on adjacent land (contiguous or across the street) by:

(1) Recording a covenant that implements the provisions of the Oregon Right to Farm Law in ORS 30.936 where the farm use is on land in the EFU base zone; or

(2) Where the farm use does not occur on land in the EFU base zone, the owner shall record a covenant that states they recognize and accept that farm activities including tilling, spraying, harvesting, and farm management activities during irregular times, occur on adjacent property and in the general area.

Response: There are no existing or proposed dwellings on the subject property. Therefore, this standard is met.

(H) All exterior lighting shall comply with MCC 39.6850.

Response: All proposed exterior lighting is new and will be shielded in accordance with the Dark Sky Lighting Standards. See narrative response to MCC 39.6850, Site Lighting Plan (Sheet E1.01, Exhibit A), and Lighting Cut Sheets (Exhibit D) for required information.

39.4385 – Lot Sizes for Conditional Uses

The minimum lot size for a conditional use permitted pursuant to MCC 39.4370, except (B) (8) thereof, shall be based upon:

(A) The site size needs of the proposed use;

(B) The nature of the proposed use in relation to the impacts on nearby properties; and

(C) Consideration of the purposes of this base zone; and

(D) A finding that the lot or parcel is at least two acres in area and in the West of Sandy River Rural Plan Area, if a lot or parcel is created to support a conditional use, a finding that the remainder parcel is not less than five acres.

Response: The subject property is a Lot of Record and is 3.51 acres in size. The site has previously been used successfully as a school by the Reynolds School District.

39.4390 – Off-Street Parking and Loading

Off-street parking and loading shall be provided as required by MCC 39.6500 through 39.6600.

Response: See narrative responses to MCC 39.6500 through 39.6600.

39.4395 – Access

All lots and parcels in this base zone shall abut a public street or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a Lot of Record described in MCC 39.3090(B).

Response: The pre-existing lot abuts E. Woodard Road and E. Historic Columbia River Hwy and is a Lot of Record per attached Deed (Exhibit C). Therefore, this standard is met.

Part 5.H.1 – Significant Environmental Concern Overlay (SEC)

39.5500 - Purposes

The purposes of the Significant Environmental Concern Overlays, MCC 39.5500 through MCC 39.5860 (collectively, the “SEC”) are to protect, conserve, enhance, restore, and maintain significant natural and human-made features which are of public value, including among other things, river corridors, streams, lakes and islands, domestic water supply watersheds, flood water storage areas, natural shorelines and unique vegetation, wetlands, wildlife and fish habitats, significant geological features, tourist attractions, archaeological features and sites, and scenic views and vistas, and to establish criteria, standards, and procedures for the development, change of use, or alteration of such features or of the lands adjacent thereto.

Response: The District understands the purpose of this chapter and addresses its provisions below.

39.5505 – Area Affected

(A) Except as otherwise provided in MCC 39.5510 or MCC 39.5515, the SEC shall apply to those lands designated SEC on the Multnomah County Zoning Map consisting of the following resource area designations:

Resource Area Designation

<i>SEC-sw:</i>	<i>Scenic Waterway Resource Area</i>
<i>SEC-v:</i>	<i>Scenic Views Resource Area</i>
<i>SEC-w:</i>	<i>Wetlands Resource Area</i>
<i>SEC-s:</i>	<i>Streams Resource Area</i>
<i>SEC-wr:</i>	<i>Water Resource Area</i>
<i>SEC-h:</i>	<i>Wildlife Habitat Resource Area</i>

[...]

Response: As shown on the Existing Conditions Site Plan and Civil Site Plan (Sheets C1.01 and C4.01, Exhibit A), a small area (2,400 square feet) in the northeast corner of the site falls within the SEC-s (streams) overlay. This area of the site is and will remain undeveloped and untouched. However, the entire site falls within the SEC-General overlay and that is the SEC permit designation the applicant is applying for and responding to.

39.5510 – Uses; SEC Permit Required

(A) All uses allowed in the base zone are allowed in the SEC when found to satisfy the applicable approval criteria given in such zone and, except as provided in MCC 39.5515, subject to approval of an SEC permit pursuant to this Subpart.

(B) Any excavation or any removal of materials of archaeological, historical, prehistorical or anthropological nature shall be conducted under the conditions of an SEC permit, regardless of the zoning designation of the site.

Response: The District understands these criteria.

39.5515 - Exceptions

(A) Except as provided in subsection (B) of this Section, an SEC permit shall not be required for the following:

[...]

Response: The proposed development does not qualify for any of the exceptions set forth in this section.

39.5520 – Application for SEC Permit

An application for an SEC permit for a use or for the change or alteration of an existing use on land designated SEC, shall address the applicable criteria for approval, under MCC 39.5540 through 39.5860.

(A) An application for an SEC permit shall include the following:

(1) A written description of the proposed development and how it complies with the applicable approval criteria of MCC 39.5540 through 39.5860.

Response: See project description and narrative response to MCC 39.5540 through 39.5860.

(2) A map of the property showing:

(a) Boundaries, dimensions, and size of the subject parcel;

(b) Location and size of existing and proposed structures;

(c) Contour lines and topographic features such as ravines or ridges;

(d) Proposed fill, grading, site contouring or other landform changes;

(e) Location and predominant species of existing vegetation on the parcel, areas where vegetation will be removed, and location and species of vegetation to be planted, including landscaped areas;

(f) Location and width of existing and proposed roads, driveways, and service corridors.

Response: See Architectural Site Plan, Existing Conditions Plan, Civil Site Plan, Grading and Stormwater Plan, and Landscape Plan (Sheets A1.01, C1.01, C4.01, C5.01, and L1.01, Appendix A) for required information.

39.5525 – Applicable Approval Criteria

(A) *The approval criteria that apply to uses in areas designated SEC-sw, SEC-v, SEC-w, SEC-s, SEC-wr, SEC-h on Multnomah County zoning maps shall be based on the type of protected resources on the property, as indicated by the subscript letter in the zoning designation, as follows:*

Zoning Designation	Approval Criteria (MCC#)
SEC-sw (scenic waterway)	39.5600
SEC-v (scenic views)	39.5650
SEC-w (wetlands)	39.5700
SEC-s (streams)	39.5750
SEC-wr (water resource)	39.5560 and 39.5800
SEC-h (wildlife habitat)	Type I Permit – 39.5850 Type II Permit – 39.5560 and 39.5860

(B) *An application for a use on a property containing more than one protected resource shall address the approval criteria for all of the designated resources on the property. In the case of conflicting criteria, approval shall be based on the ability of the proposed development to comply as nearly as possible with the criteria for all designated resources that would be affected.*

Response: As shown on the Existing Conditions Site Plan and Civil Site Plan (Sheets C1.01 and C4.01, Exhibit A), a small area (2,400 square feet) in the northeast corner of the site falls within the SEC-s (streams) overlay. This area of the site is and will remain undeveloped and untouched. The entirety of the site falls within the SEC-General overlay and that is the SEC designation the District is applying for and responding to.

(C) *For protected stream resources, the approval criteria shall be used to determine the most appropriate location, size and scope of the proposed development, in order to make the development compatible with the purposes of this Overlay, but shall not be used to prohibit a use or be used to require removal or relocation of existing physical improvements to the property. Any proposed development must comply with the approval criteria in order to be approved.*

Response: See narrative response to MCC 39.5525 (B) above.

39.5530 – SEC Permit – Required Findings

A decision on an application for an SEC permit shall be based upon findings of consistency with the purposes of the SEC and with the applicable criteria for approval specified in MCC 39.5540 through 39.5860.

Response: The District understands these criteria.

39.5535 – Scope of Conditions

(A) Conditions of approval of an SEC permit, if any, shall be designed to bring the application into conformance with the applicable criteria of MCC 39.5540 through 39.5860 and any other requirements specified in the Goal 5 protection program for the affected resource. Conditions may relate, but are not limited to relating, to the locations, design, and maintenance of existing and proposed improvements, including but not limited to buildings, structures and use areas, parking, pedestrian and vehicular circulation and access, natural vegetation and landscaped areas, fencing, screening and buffering, excavations, cuts and fills, signs, graphics, and lighting, timing of construction and related activities, and mitigation.

(B) Approval of an SEC permit shall be deemed to authorize associated public utilities, including energy and communication facilities.

(C) The approval criteria for an SEC permit shall be used to determine the most appropriate location, size and scope of the proposed development in order to ensure that it meets the purposes of this Overlay, but shall not be used to deny economically viable use or be used to require removal or relocation of existing physical improvements to the property.

Response: The District understands the purpose of this section and demonstrates conformance with its applicable provisions below.

39.5540 – Criteria for Approval of SEC Permit

The SEC designation shall apply to those significant natural resources, natural areas, wilderness areas, cultural areas, and wild and scenic waterways that are designated SEC on Multnomah County sectional zoning maps. Any proposed activity or use requiring an SEC permit shall be subject to the following:

(A) The maximum possible landscaped area, scenic and aesthetic enhancement, open space or vegetation shall be provided between any use and a river, stream, lake, or floodwater storage area.

Response: Subject property is not directly adjacent to a river, stream, lake, or floodwater storage area.

(B) Agricultural land and forest land shall be preserved and maintained for farm and forest use.

Response: As shown on the Existing Conditions Plan (Sheet C1.01, Exhibit A), there is no farmland present on the subject property, and while there are trees present on site, they do not constitute a forested area.

(C) A building, structure, or use shall be located on a lot in a manner which will balance functional considerations and costs with the need to preserve and protect areas of environmental significance.

Response: A more efficient version of the present parking lots will constitute a removal of impervious surfaces, restoring previous hydrologic function and allowing natural saturation of precipitation. The joining of two existing buildings with the proposed addition will also minimize wasted space and create a more efficient building layout, further limiting the total amount of land disturbed.

(D) Recreational needs shall be satisfied by public and private means in a manner consistent with the carrying capacity of the land and with minimum conflict with areas of environmental significance.

Response: As shown on the Civil Site Plan (Sheet C4.01, Exhibit A), the proposed asphalt play area will be supplanting an existing asphalt surface, not disrupting any previously undeveloped land and staying within the original impervious surface footprint. Furthermore, the grass play area will be replacing existing asphalt surface and will increase the amount of landscaped area and on the site.

(E) The protection of the public safety and of public and private property, especially from vandalism and trespass, shall be provided to the maximum extent practicable.

Response: As shown on the Site Demolition Plan and Civil Site Plan (Sheets C3.01 and C4.01, Exhibit A), portions of the existing 6-foot chain link fence will remain on the southern and western portions of the site, and new sections of fencing will be added to fully enclose the inner areas of the building complex and secure the campus. Access gates will remain locked after hours of normal operation and exterior security cameras will be used to further ensure a safe environment after hours of normal operation.

(F) Significant fish and wildlife habitats shall be protected.

Response: The project manager and staff biologist conducted a site visit to inspect for presence of significant fish and wildlife species as well as crucial habitat. It is of their professional opinion that neither are located on the property nor will there be any displacement of significant fish and wildlife species habitat. Please see the staff biologist's resume (Exhibit E).

(G) The natural vegetation along rivers, lakes, wetlands and streams shall be protected and enhanced to the maximum extent practicable to assure scenic quality and protection from erosion, and continuous riparian corridors.

Response: The subject property does not contain any vegetation that would affect erosion along rivers, lakes, wetlands, or streams. The subject property is also not found within a continuous riparian corridor, nor visible enough to affect the scenic quality of the nearby river.

(H) Archaeological areas shall be preserved for their historic, scientific, and cultural value and protected from vandalism or unauthorized entry.

Response: The subject property does not contain any archaeological areas.

(I) Areas of annual flooding, floodplains, water areas, and wetlands shall be retained in their natural state to the maximum possible extent to preserve water quality and protect water retention, overflow, and natural functions.

Response: There are no floodplains, water areas or wetlands on the subject property. As shown on the Existing Conditions Plan, Site Demolition Plan and Grading and Stormwater Plan (Sheets C1.01, C3.01, and C5.01, Exhibit A), water quality and overall natural function will be improved with the addition of multiple stormwater swales, as well as the removal of impervious surfaces, restoring natural hydraulic function to areas affected.

(J) Areas of erosion or potential erosion shall be protected from loss by appropriate means. Appropriate means shall be based on current Best Management Practices and may include restriction on timing of soil disturbing activities.

Response: Subject property is not at risk for any potential erosion. See Erosion and Sediment Control Plan (Sheet C2.01, Exhibit A).

(K) The quality of the air, water, and land resources and ambient noise levels in areas classified SEC shall be preserved in the development and use of such areas.

Response: The overall quality of air, water, and land resources should remain the same after development. Ambient noise levels would increase however, due to increased traffic and outside activities conducted by students. Though increasing, noise levels would not be unprecedented, as the subject property has seen use as a school in the recent past. Water quality will likely improve due to proposed stormwater facilities infiltrating previously uncaptured run-off on the site.

The proposed galvanized chain-link fencing will not adversely affect the air or soil quality and is 100% recyclable. It is a cradle-to-cradle material that provides decades of maintenance-free longevity and can be easily reused or recycled when it is finally removed.

(L) The design, bulk, construction materials, color and lighting of buildings, structures and signs shall be compatible with the character and visual quality of areas of significant environmental concern.

Response: The design, bulk, construction materials, color and lighting of buildings, structures and signs will not affect the visual quality of areas of significant environmental concern. As seen on the Exterior Elevations (Sheets A3.01 and A3.02, Exhibit A), the existing buildings and proposed building addition will be painted almost entirely in warm greys that should not affect the visual quality of the area. An accent color of burnt red will be used sparingly on standing seam metal siding. This color and material is similar to the existing standing seam metal roofs of existing buildings 3, 4 and 5 and evokes barns and shops in rural Multnomah County.

The District proposes to remove a large amount (720 linear feet) of galvanized chain-link fence along the northern and eastern property lines fronting E. Woodard Road and E. Historic Columbia River Highway. A reduced amount (200 linear feet) of the same material is proposed on-site - away from the property lines - to secure the campus. Existing galvanized chain-link fencing can be found on adjacent properties falling within the SEC-s and SEC-General overlays up and down E. Woodard Road and E. Columbia River Highway and is therefore compatible with the character of the area. It has been present on the subject site for over 30 years. The new fencing being proposed is set back from the property lines and, per the Landscape Plan (Sheet L1.01, Exhibit A), will be screened from both streets with new plantings.

Per the narrative response to MCC 39.6850, the Site Lighting Plan (Sheet E1.01, Exhibit A), and Lighting Cut Sheets (Exhibit D), the exterior lighting will meet the Dark Sky Lighting Standards.

(M) An area generally recognized as fragile or endangered plant habitat or which is valued for specific vegetative features, or which has an identified need for protection of the natural vegetation, shall be retained in a natural state to the maximum extent possible.

Response: The project manager and staff biologist conducted a site visit and confirmed that the subject property does not contain any fragile or endangered plant habitat in need of protection.

(N) The applicable policies of the Comprehensive Plan shall be satisfied.

Response: Please see narrative response to the applicable policies of the Comprehensive Plan.

Part 6.A – Common Development Standards

39.6000 – Applicability and Scope

All development shall comply with all provisions in this Part 6, as well as all provisions of law regulating sewage disposal.

Part 6.C.1 – Parking, Loading, Circulation and Access

39.6500 - Purpose

The purposes of these off-street parking and loading regulations are to reduce traffic congestion associated with residential, commercial, manufacturing, and other land uses; to protect the character of neighborhoods; to protect the public's investment in streets and arterials and to provide standards for the development and maintenance of off-street parking and loading areas.

Response: The District understands the purpose of this chapter and demonstrates conformance with its applicable provisions below.

39.6505 – General Provisions

In the event of the erection of a new building or an addition to an existing building, or any change in the use of an existing building, structure or land which results in an intensified use by customers, occupants, employees or other persons, off-street parking, loading and traffic circulation and access (whether pedestrian, vehicular or otherwise) shall be provided according to the requirements of this Section Subpart. For nonconforming uses, the objectives of this Subpart shall be evaluated under the criteria for the Alteration, Modification, and Expansion of Nonconforming Uses.

Response: As this development will include an addition to an existing building and will result in intensified use, this section is applicable.

39.6510 – Continuing Obligation

The provision for and maintenance of off-street parking and loading facilities without charge to users shall be a continuing obligation of the property owner. No building or any other required permit for a structure or use under this or any other applicable rule, ordinance or regulation shall be issued until satisfactory evidence in the form of a site development plan, plans of existing parking and loading improvements, a deed, lease, contract or similar document is presented demonstrating that the property is and will remain available for the designated use as a parking or loading facility.

39.6515 – Plan Required

A plot plan showing the dimensions, 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.

Response: The required information can be found on the Civil Site Plan, Grading and Stormwater Plan, and Landscape Plan (Sheets C4.01, C5.01, and L1.01, Exhibit A).

39.6520 – 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 base zones, loading areas shall not be used for any purpose other than loading or unloading.

(E) In any base zone, 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.

Response: These standards are understood and will be upheld by the District.

39.6525 – Location of Parking and Loading Spaces

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

Response: All proposed parking spaces will be located on the subject property as shown on the Civil Site Plan (Sheet C4.01, Exhibit A). Therefore, this standard is met.

[...]

(C) Loading spaces and vehicle maneuvering area shall be located only on or abutting the property served.

Response: The proposed loading space and vehicle maneuvering area will be located on the subject property as shown on the Civil Site Plan (Sheet C4.01, Exhibit A). Therefore, this standard is met.

39.6530 – 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 29.014, or a Performance Bond in favor of Multnomah County equivalent to the cost of completing such improvements shall be filed with the Planning Director.

(B) Any such bond shall include the condition that if the improvement has not been completed within one year after issuance of the Certificate of Occupancy, the bond shall be forfeited.

Any bond filed hereunder shall be subject to the approval of the Planning Director and the County Attorney.

Response: The District understands the requirements of this section.

39.6535 – Change of Use

(A) Any alteration of the use of any land or structure under which an increase in the number of parking or loading spaces is required by this Subpart shall be unlawful unless the additional spaces are provided.

(B) In case of enlargement or change of use, the number of parking or loading spaces required shall be based on the total area involved in the enlargement or change in use.

Response: The number of required parking and loading spaces for the proposed development has decreased per MCC 39.6590 (B) (9) based on its use as a public school. Please see narrative response to this section for required parking totals.

39.6545 – Existing Spaces

Off-street parking or loading spaces existing prior to July 26, 1979 may be included in calculating the number of spaces necessary to meet these requirements in the event of subsequent enlargement of the structure or change of use to which such spaces are accessory. Such spaces shall meet the design and improvement standards of this Section Subpart.

Response: No existing parking or loading spaces will be included. Therefore, this standard is not applicable.

39.6560 – Access

(A) Where a parking or loading area does not abut directly on a public street or private street approved under Part 9 of this Chapter, there shall be provided an unobstructed driveway 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.

Response: An unobstructed 24-foot-wide access drive for two-way traffic has been proposed off of E. Woodard Road to provide access to the non-loading parking area. An unobstructed 18-foot-wide access drive for one-way traffic has been proposed off of E. Woodard Road to provide access to the loading and student drop-off areas. The access drives, parking/loading areas, dimensions, and directional traffic striping are shown on the Civil Site Plan (Sheet C4.01, Exhibit A).

(B) The Approval Authority may permit and authorize a deviation from the dimensional standard in paragraph (A) of this section upon finding that all the following standards in subparagraphs (1) through (4) are met:

(1) The authorized provider of structural fire service protection services verifies that the proposed deviation complies with such provider's fire apparatus access standards, or, if there is no such service provider, the building official verifies that the proposed deviation complies with the Oregon Fire Code;

(2) The County Engineer verifies that the proposed deviation complies with the County Road Rules and the County Design and Construction Manual Standards;

(3) Application of the dimensional standard would present a practical difficulty or would subject the property owner to unnecessary hardship; and

(4) Authorization of the proposed deviation would not:

(a) be materially detrimental to the public welfare;

*(b) be injurious to property in the vicinity or in the base zone in which the property is located;
or*

(c) adversely affect the appropriate development of adjoining properties.

Response: The fire chief for Corbett Fire District #14, has completed a Fire Service Agency Review for this project and has verified that the proposed development - including the one-way, 18-foot-wide access drive - will meet the Corbett Fire District's fire apparatus access standards. See attached Fire Service Agency Review (Exhibit G).

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

Response: There are no parking or loading spaces located in a public or private street. Therefore, this standard is not applicable.

39.6565 – 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.

(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.

(C) Loading spaces shall meet the following requirements:

(l)	Base zone	Minimum Width	Minimum Depth
	All	12 Feet	25 Feet

(2) *Minimum vertical clearance shall be 13 feet.*

Response: As shown on the Civil Site Plan (Sheet C4.01, Exhibit A), all proposed parking and loading spaces meet the minimum size and clearance criteria set forth in this section. An exception is requested to the 25-foot wide aisle width for 90 degree parking. The District is proposing a 24-foot wide aisle is for the 90 degree parking lot. This dimension exceeds the City of Portland minimum 90 degree parking aisle width of 20 feet (Title 33 section 33.266, Table 266-4) and is consistent with the minimum aisle width for the City of Beaverton (Development Code section 60.30.15). As this property is in the SEC General Overlay, the amount of impervious surface area reduced as a result of this exception would be valuable.

39.6570 - Improvements

(A) Surfacing

(l) *Except as otherwise provided in this section, all areas used for parking, loading or maneuvering of vehicles, including the driveway, shall be surfaced with at least two inches of blacktop on a four inch crushed rock base or at least six inches of Portland cement, unless a design providing additional load capacity is required by the fire service provider.*

Response: Proposed parking, loading and maneuvering areas will be surfaced with a minimum of 3" of asphalt on a 6" crushed rock base. Proposed areas to be used by fire apparatus or septic pump trucks will be surfaced with 4" of asphalt on a 12" crushed rock base. Therefore, this standard is met.

(B) Curbs and Bumper Rails

(l) *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 except as provided in (3) below.*

(3) *Except for development within the RC, BRC, SRC, PH-RC, OR, OCI and all CFU zones, the outer boundary of a parking or loading area with fewer than four required parking spaces may use a five foot wide landscape strip or yard planted with a near-continuous number of shrubs and/or trees. If the outer boundary of the parking area is within 50 feet of a dwelling on an adjacent parcel, the plant materials shall create a continuous screen of at least four feet in height except at vision clearance areas where it shall be maintained at three feet in height.*

(C) *Marking - All areas for the parking and maneuvering of vehicles shall be marked in accordance with the approved plan required under MCC 39.6515, and such marking shall be continually maintained. Except for development within the RC, BRC, SRC, PH-RC, OR, or OCI zones, a graveled parking area with fewer than four required parking spaces is exempt from this requirement.*

(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.

(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 provided. Such structures shall meet the setback, height and other requirements of the base zone which apply.

Response: The Landscape Plan, Civil Site Plan, and Grading and Stormwater Plan (Sheets L1.01, C4.01 and C5.01, Exhibit A) provide the information identified above.

39.6575 – Signs

Signs, pursuant to the provisions of this subpart shall also meet MCC 39.6780.

Response: See narrative response to MCC 39.6780.

39.6580 – 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 perpendicularly.

Response: As shown in the Existing Conditions Plan and Civil Site Plan (Sheets C1.01 and C4.01, Exhibit A), the applicant proposes to modify and improve existing parking lots that sit within the front and side yard setbacks abutting E. Historic Columbia River Hwy and E. Woodard Road. The applicant is requesting a variance for these parking areas. Please see narrative responses to MCC 39.8200 through 39.8215.

[...]

(C) 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.

Response: As shown on the Existing Conditions Plan and Civil Site Plan (Sheets C1.01 and C4.01, Appendix A), there are three existing driveways serving the site off E. Woodard Road. The District is proposing to demolish and relocate the center and east driveways and maintain a portion of the west driveway for use as a fire lane. Except for a short, paved apron, the west driveway will be replaced with a 120' gravel drive for emergency apparatus access only. The existing center and west driveways will be demolished and repaved near their existing locations. These driveways have operated safely to date and the proposed development will substantially reduce the amount of traffic on one of them.

The distance between the proposed east fire lane and proposed center driveway is 177 feet. The distance between the proposed center driveway and the proposed west driveway is 275 feet.

[...]

39.6585 – Landscape and Screening Requirements

(A) *The landscaped areas requirements of MCC 39.8045 (C) (3) to (7) shall apply to all parking, loading or maneuvering areas which are within the scope of design standards stated in MCC 39.6555 (A).*

Response: See narrative response to MCC 39.8045 as well as the Landscape Plan (Sheet L1.01, Exhibit A) for required landscape areas.

39.6590 – Minimum Required Off-Street Parking Spaces

[...]

(B) *The following Public and Semi-Public Buildings and Uses shall have at least the number of off-street parking spaces indicated:*

[...]

(9) *Primary, Elementary, or Junior High and Equivalent Private or Parochial School - One space for 84 square feet of floor area in the auditorium, or one space for each 12 seats or 24 feet of bench length, whichever is greater.*

[...]

Response: The area of the multi-purpose room/auditorium (3,195 square feet) divided by 84 square feet equals 38.04. Rounding up, a total of 39 parking spaces are required. As shown on the Civil Site Plan (Sheet C4.01, Exhibit A), the required number of parking spaces have been provided. Therefore, this standard is met.

39.6595 – Minimum Required Off-Street Loading

(A) *Commercial, Office or Bank, or Commercial Amusement Uses shall have at least the number of loading spaces indicated in the following table:*

Square foot of Floor or Land Area	Minimum Loading Spaces Required
<i>Under 5,000</i>	<i>0</i>
<i>5,000 - 24,999</i>	<i>1</i>
<i>25,000 - 59,999</i>	<i>2</i>
<i>60,000 - 99,999</i>	<i>3</i>

[...]

(B) *Motel Uses shall have at least the number of loading spaces indicated in the following table:*

Square foot of Floor or Land Area	Minimum Loading Spaces Required
<i>Under 30,000</i>	<i>1</i>
<i>30,000 - 69,999</i>	<i>2</i>
<i>70,000 - 129,999</i>	<i>3</i>

[...]

(C) Manufacturing, Wholesale, Storage, Hospital Uses shall have at least the number of loading spaces indicated in the following table:

Square foot of Floor or Land Area	Minimum Loading Spaces Required
<i>Under 5,000</i>	<i>0</i>
<i>5,000 - 39,999</i>	<i>1</i>
<i>40,000 - 99,999</i>	<i>2</i>
<i>100,000 - 159,999</i>	<i>3</i>

[...]

(D) Apartment Uses shall have at least: One loading space for each 50 dwelling units.

(E) Motion Picture Theater Uses shall have at least: One loading space.

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

(G) Unspecified Uses. Any use not specifically listed above shall have the loading space requirements of the listed use or uses deemed most nearly equivalent by the Planning Director.

Response: The total area of all structures on site is 22,150 square feet. Public and semi-public uses are not defined, instead being denoted as “mixed-use”. However, based on square footage, usage tables A, B, and C all require a minimum of 1 loading space. As seen on the Civil Site Plan (Sheet C4.01, Exhibit A), one 12-foot x 25-foot loading space has been provided along the north loading zone. Therefore, this standard is met.

39.6600 – Exceptions from Required Off-Street Parking or Loading Spaces

(A) The Planning Director may grant an exception with or without conditions for up to 30% of the required number of off- street parking or loading spaces, upon a finding by the Director that there is substantial evidence that the number of spaces required is inappropriate or unneeded for the particular use, based upon:

[...]

Response: No exceptions to the required number of parking or loading spaces are being requested.

Part 6.C.2 - Signs

39.6700 - Purpose

(A) This Subpart regulates signs which are visible from the right-of-way and from beyond the property where erected. These regulations balance the need to protect the public safety and welfare, the need for a well maintained and attractive community, and the need for identification, communication and advertising for all land uses. The regulations for signs have the following specific objectives:

(1) To ensure that signs are designed, constructed, installed and maintained so that public safety and traffic safety are not compromised;

(2) To allow and promote positive conditions for meeting sign users' needs while at the same time avoiding nuisances to nearby properties;

(3) To reflect and support the desired character and development patterns of the various zones; and,

(4) To ensure that the constitutionally guaranteed right of free speech is protected.

(B) The regulations allow for a variety in number and type of signs for a site. The provisions do not necessarily assure or provide for a property owner's desired level of visibility for the signs.

Response: The District understands the purpose of this chapter and demonstrates conformance with its applicable provisions below.

39.6705 – Applicability and Scope

This Subpart regulates the number, size, placement and physical characteristics of signs. These regulations are not intended to, and do not restrict, limit or control the content or message of signs. This Subpart applies to all zones. The regulations of this Subpart are in addition to all other regulations in the Multnomah County Zoning Code and State Building Code applicable to signs.

39.6710 – Conformance

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

39.6720 – Exempt Signs

The following signs are exempt from the provisions of this Subpart, but may be subject to other portions of the County Zoning Code:

(A) Signs not oriented or intended to be legible from a right-of-way, private road or other private property;

(B) Signs inside a building, except for strobe lights visible from a right-of-way, private road or other private property;

(C) Signs legally erected in the right-of-way in accordance with MCC 29.500 through 29.583, the Multnomah County Road Rules and Design and Construction Manual adopted thereunder, and Administrative Rules and Regulations pursuant to MCC 15.225 through 15.236;

(D) Building numbers required by the applicable street naming and property numbering provisions in Multnomah County Code;

(E) Signs carved into or part of materials which are an integral part of the building;

(F) Flags on permanent flag poles which are designed to allow raising and lowering of the flags;

(G) Banners on permanent poles which are designed and intended as a decorative or ornamental feature;

(H) Painted wall decorations and painted wall highlights;

(I) Bench advertising signs which have been lawfully erected.

Response: As shown on the Existing Conditions Plan and Civil Site Plan (Sheets C1.01 and C4.01, Exhibit A), there is a permanent flag pole proposed on the north side of the building addition. This is an existing flagpole that the District is proposing to relocate and it will display the American flag.

39.6725 – Prohibited Signs

The following signs are prohibited and shall be removed:

(A) Strobe lights and signs containing strobe lights which are visible beyond the property lines;

(B) Signs placed on or painted on a motor vehicle or trailer and parked with the primary purpose of providing a sign not otherwise allowed for by this Subpart;

(C) Abandoned signs;

(D) Balloon signs; and

(E) Signs in the right-of-way in whole or in part, except signs legally erected for informational purposes by or on behalf of a government agency.

Response: There are no prohibited signs being proposed. Therefore, this is not applicable.

39.6730 – Determination of Frontages

(A) Primary Building Frontages

Primary building frontages are derived from each ground floor occupant's qualifying exterior walls (See MCC 39.6820 Figure 1).

(B) Corner Signs

Corner signs facing more than one street shall be assigned to a frontage by the applicant. The sign must meet all provisions for the frontage it is assigned to.

Response: Per the standards of this section, the primary building frontages will be towards the property lines abutting E. Woodard Road and E. Historic Columbia River Hwy.

39.6735 – Variances

Under the provisions of MCC 39.8200 through 39.8215, variances may be requested for all sign regulations except as provided herein, and except for prohibited signs.

Response: See narrative response to MCC 39.6745 (C).

39.6740 – Base Zone Sign Regulations

Signs are allowed in unincorporated Multnomah County depending on the base zone in which a property is situated as described in MCC 39.6745 through 39.6765. Signs are allowed on properties that are zoned PD or have CS designations to the extent that signs are allowed in the base zone, except as provided in this Subpart.

39.6745 – Signs Generally

For all uses and sites in all zones except the LM, C-3 and MR-4 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 39.6780 through MCC 39.6820.

(A) The following standards apply to 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.

Response: As shown on the Architectural Site Plan (Sheet A1.01, Exhibit A), the face of the freestanding sign along E. Woodard Road will have an area of 40 square feet. Therefore, this standard is met.

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

Response: As shown on the Architectural Site Plan (Sheet A1.01, Exhibit A), there is only one free standing sign proposed. Therefore, this standard is met.

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

Response: The proposed free-standing sign is approximately 8 feet in height. Therefore, this standard is met.

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

Response: As shown on the Architectural Site Plan (Sheet A1.01, Exhibit A), the proposed free-standing sign is on the subject property and does not extend into the right-of-way. Therefore, this standard is met.

(B) The following standards apply to Signs Attached to Buildings:

(1) Total Allowable Area - The total allowable area for all permanent signs attached to the building is determined as follows: Eighteen square feet maximum sign face area is allowed, or .25 square feet of sign face area per linear foot of the occupant's primary building frontage, whichever is more.

Response: The primary building frontage is 269 linear feet. Based on .25 square feet per linear foot of primary building frontage, 67.25 square feet of sign face is allowed. The proposed building signage has an area of less than 67.25 square feet. Therefore, this standard is met.

(2) Individual Sign Face Area - The maximum size of an individual sign within the total allowable area limit is 50 square feet.

Response: The largest proposed individual sign is approximately 40 square feet. Therefore, this standard is met.

(3) Types of Signs - Fascia, marquee, awning and painted wall signs are allowed. Projecting roof top and flush pitched roof signs are not allowed.

Response: All proposed signs – excepting the free-standing sign - will be fascia mounted. Therefore, this standard is met.

(4) Number of Signs - There is no limit on the number of signs if within the total allowable area limit.

(5) Extension into the Right-Of-Way - Signs attached to buildings may not extend into the right-of-way.

Response: No proposed signs attached to the building will extend into the right-of-way. Therefore, this standard is met.

(C) Sign Features. Permanent signs may have the following features:

(1) Signs may be indirectly illuminated downward onto the sign face.

(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.

Response: The District is asking for an exception to install an electronic sign at the entrance to the proposed campus. As shown on the Architectural Site Plan & Details (Sheet A1.01, Exhibit A), an LED reader board is proposed along the north property line to provide information about upcoming events and other school related details. The District feels that this sign is a necessary tool for disseminating information to parents and the rest of the community in English, Spanish, Russian and other languages. An equity/inclusion committee has recommended that the District install this type of sign so that announcements can be automatically translated into other languages for students and parents that speak English as a second language. This feature would not be possible with a traditional sign. The existing sign monument location will not be easily accessible and a non-electric sign requiring manual updates in multiple languages is impractical.

The LED sign will not require outside illumination and the applicant feels this is a superior alternative to a fully lit sign. The proposed sign will only operate between the hours of 7am and 9pm and will therefore have minimal impact on the Dark Sky Lighting standards. The proposed sign will display simple, red lettering on a black background as red light has a proven use in Dark Sky Lighting Zones in other municipalities such as Prineville and Sun River. Reynolds School District had a larger sign mounted on an existing stone monument. The applicant proposes to use the same monument on which the former sign was installed but will mount a smaller sign at a significantly lower height.

(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 base zones for all usages:

(1) Directional signs pursuant to MCC 39.6805.

(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.

Response: No additional signs are proposed. Therefore, this standard is not applicable.

39.6770 – Billboard Regulations

(A) Billboards are allowed in unincorporated Multnomah County as described in MCC 39.6700 through MCC 39.6820.

[...]

Response: No billboards are proposed as part of this project. Therefore, this standard is not applicable.

39.6780 – 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.

Response: As shown on the Architectural Site Plan (Sheet A1.01, Exhibit A), all signs and sign structures will be located on the property. Therefore, this standard is met.

(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.

Response: The District understands this standard.

(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.

Response: As shown on the Civil Site Plan (Sheet C4.01, Exhibit A), no signs or support structures are proposed in the vision clearance areas. Therefore, this standard is met.

(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 39.6820 Figure 2). The height of the vision clearance area is from three feet above grade to ten feet above grade.

Response: Vision clearance areas are shown at all proposed intersections on the Civil Site Plan (Sheet C4.01, Exhibit A).

(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.

Response: As shown on the Civil Site Plan (Sheet C4.01, Exhibit A), no signs are proposed to extend into/over vehicle travel or parking areas. Therefore, this standard is met.

(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.

Response: As shown on the Civil Site Plan (Sheet C4.01, Exhibit A), no signs are proposed to extend into/over pedestrian areas. Therefore, this standard is met.

(F) Required Yards and Setbacks. Signs may be erected in required yards and setbacks.

Response: The District understands this standard and is proposing one sign in the side yard setback.

(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 base zone, 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.

Response: As shown on the Civil Site Plan (Sheet C4.01, Exhibit A), no signs are proposed in parking areas. Therefore, this standard is met.

39.6785 – Fascia Signs

(A) Height. Fascia signs may not extend more than six inches above the roof line.

(B) Extensions. No point on the face of a fascia sign may extend more than 18 inches from the wall to which it is attached, except for electronic message signs which may be up to 24 inches in thickness. Fascia signs may not extend beyond the corner of buildings.

Response: The proposed fascia signage extends less than 18" from the wall and does not extend beyond the corners of the building. Therefore, this standard is met.

39.6795 – Flush Pitched Roof Signs

(A) Height. The face of flush pitched roof signs may not extend more than six inches above the roof line.

(B) Placement. Flush pitched roof signs shall be parallel to the building face. They may not extend beyond the building wall.

(C) Visual Backing. When viewed straight on, flush pitched roof signs shall have a visual backing formed by the roof.

(D) Support Structures. Support structures shall be designed so that there is no visible support structure above the sign.

Response: No flushed pitch roof signs are proposed. Therefore, this standard is not applicable.

39.6800 – Marquees and Awnings

Signs may be placed on or incorporated into marquees and awnings provided they do not extend above the upper surfaces of the structure. Signs may be hung below marquees and awnings if the sign clears the sidewalk by at least 8-1/2 feet.

Response: No signage is proposed on marquees or awnings. Therefore, this standard is not applicable.

39.6805 – Directional Signs

Directional signs shall comply with the following provisions:

<i>Maximum Sign Face Area:</i>	<i>Six Square Feet</i>
<i>Types of Signs Allowed:</i>	<i>Free Standing, Fascia, Projecting, Painted Wall</i>
<i>Maximum Height:</i>	<i>Free Standing - 42 Inches; Fascia and Projecting - 8 Feet</i>
<i>Extensions into R/W:</i>	<i>Not Allowed</i>
<i>Lighting:</i>	<i>Indirectly illuminated downward onto the sign face</i>
<i>Flashing Lights:</i>	<i>Not Allowed</i>
<i>Electronic Message Centers:</i>	<i>Not Allowed</i>
<i>Moving or Rotating Parts:</i>	<i>Not Allowed</i>

Response: The District understands these standards.

39.6810 – Temporary Signs

(A) Time Limit. Temporary signs and support structures, if any, must be removed within six months of the date of erection.

(B) Attachment. Temporary signs may not be permanently attached to the ground, buildings, or other structures.

(C) Lawn Signs. Lawn signs may not be greater than three square feet in area and may not be over 42 inches in height.

(D) Banners. One banner is allowed per primary building frontage and may not exceed 60 square feet. Additional temporary flags and pennants are allowed, but may not extend into the right-of-way.

(E) Temporary Rigid Signs. The following standards apply to temporary, rigid signs:

(1) Type - Rigid signs may be free-standing or placed on building sides.

(2) Size - The maximum size of a rigid sign is 32 square feet.

(3) Number - One rigid sign is allowed per site frontage.

(4) Height - Rigid signs on buildings may not be placed above roof lines. The maximum height free standing is eight feet.

(5) Extensions into the Right-of-Way - Rigid signs may not extend into the right-of-way.

(6) Lighting and Movement - Rigid signs may not be illuminated or have moving or rotating parts.

Response: The District understands these standards.

39.6815 – Applicability in the Event of Conflicts

The provisions of MCC 39.6700 through 39.6820 supersede all conflicting provisions of this Chapter.

Part 6.C.3 – Exterior Lighting

39.6850 – Dark Sky Lighting Standards

(A) The purpose of the Dark Sky Lighting Standards in this Section is to protect and promote public health, safety and welfare by preserving the use of exterior lighting for security and the nighttime use and enjoyment of property while minimizing the obtrusive aspects of exterior lighting uses that degrade the nighttime visual environment and negatively impact wildlife and human health.

(B) The following exterior lighting is exempt from the requirements of paragraph (C) of this section:

(1) Lighting lawfully installed prior to October 22, 2016, provided that the building enlargement threshold in paragraph (C) of this section is not exceeded.

(2) Lighting used for safe pedestrian passage, installed at ground level (such as along walkways and stairs), provided that individual lights produce no more than 30 lumens.

(3) Lighting that shines for not more than 90 nights in any calendar year provided that individual lights produce no more than 70 lumens.

(4) Lighting which shines for not more than 60 nights in any calendar year associated with discrete farming practices as defined in ORS 30.930 and agricultural use as defined in OAR 603-095-0010, except that permanent lighting on buildings, structures or poles associated with farm practices and agricultural use is subject to the requirements of this section. For purposes of this exemption, “discrete farming practices” does not include farm stand or agri-tourism events or activities.

(5) Lighting which shines for not more than 60 nights in any calendar year associated with discrete forest practices as defined by ORS chapter 527 (The Oregon Forest Practices Act), except that permanent lighting on buildings, structures or poles associated with forest practices is subject to the requirements of this section.

(6) Lighting which shines for not more than 60 nights in any calendar year associated with theatrical, television, and performance activities. For purposes of this exemption, theatrical, television, and performance activities do not include farm stand or agri-tourism events or activities.

(7) Lighting in support of work necessary to protect, repair, maintain, or replace existing structures, utility facilities, service connections, roadways, driveways, accessory uses and exterior improvements in response to emergencies pursuant to the provisions of MCC 35.0535, provided that after the emergency has passed, all lighting to remain is subject to the requirements of this section.

(8) *Lighting used by a public agency in service of a temporary public need, when such lighting cannot both serve the public need and comply with the standards in paragraph (C) of this section.*

(9) *Lighting required by a federal, state, or local law or rule, when such lighting cannot comply with both the law or rule and the standards in paragraph (C) of this section.*

(10) *Lighting used in support of public agency search and rescue and recovery operations.*

(11) *Traffic control devices in compliance with the Manual on Uniform Traffic Control Devices, when such lighting cannot both serve the public need and comply with the standards in paragraph (C) of this section.*

(12) *Lighting necessary to meet federal, state or local historic preservation standards when such lighting cannot both meet historic preservation standards and comply with the standards in paragraph (C) of this section.*

(13) *Underwater lighting.*

(14) *Lighting of national, state, and local recognized jurisdiction flags pursuant to the United States Flag Code or laws regulating the proper display of jurisdiction flags.*

(C) *The following standards apply to all new exterior lighting supporting a new, modified, altered, expanded, or replaced use approved through a development permit and to all existing exterior lighting on property that is the subject of a development permit approval for enlargement of a building by more than 400 square feet of ground coverage.*

(1) *The light source (bulbs, lamps, etc.) must be fully shielded with opaque materials and directed downwards. "Fully shielded" means no light is emitted above the horizontal plane located at the lowest point of the fixture's shielding. Shielding must be permanently attached.*

Response: As shown on the Site Lighting Plan (Sheet E1.01, Exhibit A) and in the Lighting Cut Sheets (Exhibit D), all proposed exterior lighting meets this standard. All exterior lighting will be new and all existing exterior lighting will be removed/replaced. Therefore, this standard is met.

(2) *The lighting must be contained within the boundaries of the Lot of Record on which it is located. To satisfy this standard, shielding in addition to the shielding required in paragraph (C)(1) of this section may be required.*

Response: As shown in the Site Lighting Plan (Sheet E1.01, Exhibit A), all proposed exterior lighting is located within the boundaries of the lot. Therefore, this standard is met.

Part 7.A – Conditional Uses (CU) and Community Service Uses

39.7000 - Purposes

Conditional uses as specified in a base zone or described herein, because of their public convenience, necessity, unique nature, or their effect on the Comprehensive Plan, may be permitted as specified in the base zone or described herein, provided that any such conditional use would not be detrimental to the adjoining properties or to the purpose and intent of the Comprehensive Plan.

Response: The District understands the purpose of this chapter and demonstrates conformance with its applicable provisions below.

39.7005 – General Provisions

(A) Application for approval of a Conditional Use shall be subject to the provisions for Type III decisions in MCC 39.1105 through 39.1240.

(B) A Conditional Use permit shall be issued only for the specific use or uses, together with the limitations or conditions as determined by the Approval Authority.

(C) The findings and conclusions made by the approval authority and the conditions, modifications or restrictions of approval, if any, shall specifically address the relationships between the proposal and the approval criteria listed in MCC 39.7015 and in the base zone or use provisions.

Response: The District understands the purpose of this section.

39.7010 – Conditions and Restrictions

The approval authority may attach conditions and restrictions to any conditional use approved. Conditions and restrictions may include a definite time limit, a specific limitation of use, landscaping requirements, parking, loading, circulation, access, performance standards, performance bonds, and any other reasonable conditions, restrictions or safeguards that would uphold the purpose and intent of this Chapter and mitigate any adverse effect upon the adjoining properties which may result by reason of the conditional use allowed.

Response: The District understands that conditions and/or restrictions may be attached by the approval authority.

39.7015 – Conditional Use Approval Criteria

(A) A Conditional Use shall be governed by the approval criteria listed in the base zone under which the conditional use is allowed. If no such criteria are provided, the approval criteria listed in this section shall apply. In approving a Conditional Use listed in this section, the approval authority shall find that the proposal:

(1) Is consistent with the character of the area;

Response: As shown in the Architectural Site Plan, Main Building Exterior Elevations, Buildings 3-5 Exterior Elevations, and Landscape Plan (Sheets A1.01, A3.01, A3.02, and L1.01, Exhibit A), the proposed project is consistent with the character of the area as well as the character of the existing conditions on the subject property. The existing buildings were constructed over 30 years ago by the US Forest Service and five of these original structures will remain. A modest building addition of matching character is proposed to connect two of these existing buildings. Exterior cladding on the existing structures will be T1-11 to match existing while the proposed building addition will have vertical, pre-finished metal siding with a CMU base. Both proposed and existing buildings will have a quiet, inconspicuous color scheme consisting of neutral warm greys for the majority of the siding, bronze standing seam for the roofs, and a minimal surface area of burnt red siding to invoke the color of painted barns in rural areas. Both proposed and existing buildings will be one-story with gable roofs and have a

maximum building height of 19-feet 2-inches. The single story design and gable roofs match many of the surrounding buildings in the area.

(2) Will not adversely affect natural resources;

Response: As shown on the Existing Conditions Plan, Erosion and Sediment Control Plan, Civil Site Plan, Grading & Stormwater Plan and Landscape Plan (C1.01, C2.01, C4.01, C5.01 and L1.01, Exhibit A), the proposed development will not adversely affect natural resources. The proposed building addition and parking lots have been designed to replace or modify existing paved (impervious) areas and will reduce the total amount of impervious area on site by 32% (29,460 square feet). This will result in 58% of the proposed site being landscaped, a vast improvement to the existing ratio of 38% that is currently landscaped. Care was taken to remove as few trees and plants as possible and protect the remaining vegetation during construction. All removed trees will be replaced and the total number of trees on-site will remain the same. The amount of other vegetation will increase dramatically with native and low-water planting proposed throughout the site. These native plants will provide habitat for surrounding wildlife and help to enhance the buffer between the project and nearby stream corridor as well as E. Woodard Road and E. Historic Columbia River Highway.

Additionally, on-site stormwater management will be greatly improved. Much of the run-off coming off existing impervious surfaces is not captured and drains off the site untreated. The proposed system captures all stormwater coming off roofs, parking lots and circulation surfaces and treats it in vegetated stormwater swales. These swales will be planted per the Portland Stormwater Management Manual and will infiltrate on-site stormwater while providing additional native landscaping and wildlife habitat.

(3) The use will not:

(a) Force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; nor

(b) Significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

Response: The proposed use will not change or increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use. Therefore, this standard is not applicable.

(4) Will not require public services other than those existing or programmed for the area;

Response: The proposed development will not require new public services. The site will utilize existing public power, water and communications services. Septic and stormwater facilities will be on-site and will not require a public system. Therefore, this standard is met.

(5) Will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable;

Response: The proposed development is not in a big game winter habitat area. Therefore, this standard is met.

(6) Will not create hazardous conditions; and

Response: The proposed development will not create hazardous conditions. Therefore, this standard is met.

(7) Will satisfy the applicable policies of the Comprehensive Plan.

Response: The proposed development satisfies the applicable policies of the Comprehensive Plan. Please see narrative responses to Comprehensive Plan chapters 2, 5, 6 and 11.

(8) The use is limited in type and scale to primarily serve the needs of the rural area.

(B) Except for off-site stockpiling, Subsection (A) of this Section shall not apply to applications for mineral extraction and processing activities. Proposals for mineral extraction and processing shall satisfy the criteria of MCC 39.7315.

Response: The proposed development will not involve mineral extraction. Therefore, this standard is not applicable.

39.7020 – Additional Approval Criteria for Certain Transportation Uses in the EFU Zone

[...]

Response: The proposed project is not within an exclusive farm use zone. Therefore, this standard is not applicable.

39.7025 – Design Review

Uses authorized under MCC 39.7000 through 39.7035 shall be subject to design review approval under MCC 39.8000 through 39.8050.

Response: The proposed project is subject to design review approval. See narrative responses to MCC 39.800 through 39.8050 and attached Design Review plans (Exhibit A).

39.7030 – Design Review Exemption

Exempted from the Design Review criteria of MCC 39.8000 through 39.8050 include:

(A) Single family residences.

(B) Type B Home Occupations that require the addition of less than 400 square feet of ground coverage to the structure.

(C) Commercial photovoltaic solar power generation facility.

Response: This proposed project does not qualify for an exemption from design review.

39.7035 – Conditional Use Permit

A conditional use permit shall be obtained for each conditional use approved, before development of the use. The permit shall specify any conditions and restrictions imposed by the approval authority or Board of County Commissioners, in addition to those specifically set forth in this Chapter.

Response: The District understands that conditions and restrictions may be imposed by the approval authority or Board of County Commissioners.

Part 7.B – Community Service Uses (CS)

39.7500 - Purpose

This subpart of MCC Chapter 39 provides for the review and approval of the location and development of special uses which, by reason of their public convenience, necessity, unusual character or effect on the neighborhood, may be appropriate as specified in each base zone.

Response: The District understands the purpose of this chapter and demonstrates conformance with its applicable provisions below.

39.7505 – General Provisions

(A) Community Service approval shall be for the specific use or uses approved together with the limitations or conditions as determined by the approval authority.

Response: Please see narrative response to MCC 39.7015.

(B) Uses authorized pursuant to this section shall be subject to Design Review approval under MCC 39.8000 through 39.8050.

Response: The District understands this project is subject to Design Review approval. Please see narrative responses to MCC 39.8000 through 39.8050 and all attached Design Review plans (Exhibit A).

(C) A Community Service approval shall not be construed as an amendment of the Zoning Map, although the same may be depicted thereon by appropriate color designation, symbol or short title identification.

Response: The District understands approval should not be construed as an amendment to the Zoning Map.

39.7510 – Conditions and Restrictions

The approval authority may attach conditions and restrictions to any community service use approved. Conditions and restrictions may include a definite time limit, a specific limitation of use, landscaping requirements, parking, loading, circulation, access, performance standards, performance bonds, and any other reasonable conditions, restrictions or safeguards that would uphold the purpose and intent of this Chapter and mitigate any adverse effect upon the adjoining properties which may result by reason of the conditional use allowed.

Response: The District understands that conditions and restrictions may be imposed.

39.7515 – Approval Criteria

In approving a Community Service use, the approval authority shall find that the proposal meets the following approval criteria, except for transmission towers, which shall meet the approval criteria of MCC 39.7550 through 39.7575, wireless communications facilities, subject to the provisions of MCC 39.7705, and except for regional sanitary landfills, which shall comply with MCC 39.7600 through 39.7625.

(A) Is consistent with the character of the area;

Response: Please see narrative response to MCC 39.7015 (1).

(B) Will not adversely affect natural resources;

Response: Please see narrative response to MCC 39.7015 (2).

(C) The use will not:

(1) Force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; nor

(2) Significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

Response: Please see narrative response to MCC 39.7015 (3).

(D) Will not require public services other than those existing or programmed for the area;

Response: Please see narrative response to MCC 39.7015 (4).

(E) Will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable;

Response: Please see narrative response to MCC 39.7015 (5).

(F) Will not create hazardous conditions;

Response: Please see narrative response to MCC 39.7015 (6).

(G) Will satisfy the applicable policies of the Comprehensive Plan;

Response: Please see narrative response to MCC 39.7015 (7).

(H) Will satisfy such other applicable approval criteria as are stated in this Section.

Response: Please see narrative response to MCC 39.7015 (8).

(I) In the West of Sandy River Rural Planning Area, the use is limited in type and scale to primarily serve the needs of the rural area.

Response: The proposed project is not located in the West of Sandy River Rural Planning Area. Therefore, this standard is not applicable.

39.7520 - Uses

(A) Except as otherwise limited in the EFU, all CFU and OR base zones, the following Community Service Uses and those of a similar nature, may be permitted in any base zone when approved at a public hearing by the approval authority.

Allowed Community Service Uses in the EFU, CFU and OR base zones are limited to those uses listed in each respective base zone.

(11) School, private, parochial or public; educational institution.

(19) Accessory uses to the above.

(C) Approval of a Community Service Use shall be deemed to authorize associated public utilities to serve the site, including energy and communication facilities.

Response: The proposed development meets the criteria of a Community Service use as a public middle school with an accessory use for the District Offices.

39.7525 - Restrictions

A building or use approved under MCC 39.7520 through 39.7650 shall meet the following requirements:

(A) Minimum yards in EFU, CFU, MUA-20, RR, BRC, OCI, OR and PH-RC, UF-20, LR-10, Base zones:

(1) Front yards shall be 30 feet.

(2) Side yards for one-story buildings shall be 20 feet; for two-story buildings, 25 feet.

(3) Rear yards shall be as required in the base zone.

Response: The District is requesting a variance to reduce the front and street side yards abutting E. Historic Columbia River Hwy and E. Woodard Road to 5 feet in order to accommodate modifications to parking lots that currently exist within these yards. Please see narrative response to MCC sections 39.4375 and 39.8200 through 39.8215.

(C) Minimum Site Size:

(1) A day nursery or kindergarten shall provide not less than 100 square feet per child, of outdoor play area located other than in a required front yard.

(2) Primary (kindergarten through fourth grade), private and parochial schools shall be on sites of one acre for each 90 pupils or one acre for each three classrooms, whichever is greater.

(3) Elementary public schools shall be on sites of one acre for each 75 pupils or one acre for each two and one-half classrooms, whichever is greater.

Response: The District is requesting a maximum student population of 150 students for the proposed development which is consistent with prior approval for this property (Case T3-01-014). This would require a minimum property size of 2.0 acres. The subject property is 3.51 acres and therefore meets this standard.

(4) Churches shall be on sites of 15,000 square feet.

(D) Off-street parking and loading shall be provided as required in MCC 39.6500 through 39.6600.

Response: Please see narrative responses to MCC sections 39.6500 through 39.6600.

(E) Signs for Community Service Uses pursuant to the provisions of MCC 39.6700 through 39.6820.

Response: Please see narrative responses to MCC sections 39.6700 through 39.6820.

(F) In the MUA-20, RR, and BRC, SRC and RC base zones, the length of stay by a person or vehicle in a camp, campground, campsite or recreational vehicle park shall not exceed a total of 90 days during any

consecutive 12 month period by an individual, group or family. (G) Other restrictions or limitations of use or development not required under this subsection shall be provided in the base zone.

Response: The proposed project is not a camp, campground, campsite or recreational vehicle park and will not be used as such. Therefore, this standard is not applicable.

Part 8.A – Design Review

39.8000 - Purposes

MCC 39.8000 through 39.8050 (Design Review) provides for the review and administrative approval of the design of certain developments and improvements in order to promote functional, safe, innovative and attractive site development compatible with the natural and human-made environment.

Response: The District and design team understand the purpose Design Review and have designed the site layout, buildings, and landscaping to contribute towards these purposes and goals.

39.8005 – Elements of Design Review Plan

The elements of a Design Review Plan are: The layout and design of all existing and proposed improvements, including but not limited to, buildings, structures, parking and circulation areas, outdoor storage areas, landscape areas, service and delivery areas, outdoor recreation areas, retaining walls, signs and graphics, cut and fill actions, accessways, pedestrian walkways, buffering and screening measures.

Response: The required elements of the Design Review Plan can be found on the Architectural Site Plan, Main Building Floor Plan, Main Building Exterior Elevations, Buildings 3, 4 and 5 Exterior Elevations, Existing Conditions Plan, Civil Site Plan, Grading and Stormwater Plan, and Landscape Plan (Sheets A1.01-A3.03, C1.01, C4.01, C5.01 and L1.01, Exhibit A).

39.8010 – 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 Code.

Response: The District understands the requirements of this section.

39.8015 - Exceptions

The provisions of MCC 39.8000 through 39.8050 shall not be applied to the following:

(A) Single family residences.

(B) Type C Home Occupations unless located in the RC, BRC, OR, PH-RC or SRC base zones.

(C) Type C Home Occupations located in the RC, BRC, OR, PH-RC, or SRC base zones that require the addition of less than 400 square feet of ground coverage.

(D) Commercial photovoltaic solar power generation facility.)

Response: The proposed development is not exempt.

39.8020 – Application of Regulations

(A) Except those exempted by MCC 39.8015, the provisions of MCC 39.8000 through 39.8050 shall apply to all conditional and community service uses, and to specified uses, in any base zone.

(B) Uses subject to Design Review that require the creation of fewer than four new parking spaces pursuant to MCC 39.6590 shall only be subject to the following Design Review approval criteria: MCC 36.8040(A)(1)(a) and (1)(c), (4) and (7), except when located in the RC, BRC, OR, OCI, PH-RC or SRC zone base zones.

(C) All other uses are subject to all of the Design Review Approval Criteria listed in MCC 39.8040 and 39.8045.

(D) Alteration or modification of the physical development previously reviewed through the Design Review process shall be subject to the Design Review Approval Criteria listed in MCC 39.8040 and 39.8045.

(E) A multiplex, garden apartment or apartment dwelling or structure.

(F) A boarding, lodging or rooming house.

(G) A hotel or motel.

(H) A business or professional office or clinic.

(I) A use listed in any commercial base zone.

(J) A use listed in any manufacturing base zone.

39.8025 – Design Review Plan Contents

(A) The design review application shall be filed on forms provided by the Planning Director and shall be accompanied by a site plan, floor plan, architectural elevations and landscape plan, as appropriate, showing the proposed development.

(B) Plans shall include the following, drawn to scale:

(1) Access to site from adjacent rights-of-way, streets, and arterials;

(2) Parking and circulation areas;

(3) Location, design, materials and colors of buildings and signs;

(4) Orientation of windows and doors;

(5) Entrances and exits;

(6) Existing topography and natural drainage;

(7) Pedestrian circulation;

(8) Boundaries of areas designated Significant Environmental Concern, Geologic Hazards and Areas of Special Flood Hazards;

(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 location and design;

(12) Special provisions for handicapped persons;

(13) Surface and storm water drainage and on-site waste disposal systems;

(14) The size, species, and approximate locations of plant materials to be retained or placed on the site; and

(15) Proposed ground-disturbance, grading, filling and site contouring.

Response: The required information can be found on the Architectural Site Plan, Main Building Floor Plan, Main Building Exterior Elevations, Buildings 3, 4 and 5 Exterior Elevations, Existing Conditions Plan, Civil Site Plan, Grading and Stormwater Plan, and Landscape Plan (Sheets A1.01-A3.02, C1.01, C4.01, C5.01 and L1.01, Exhibit A).

39.8030 – Final Design Review Plan

Prior to land use approval for building permit review or commencement of physical development where no additional permits are necessary, the applicant shall revise the plans to show compliance with the land use approvals granted, all conditions of approval and required modifications. Final design review plan shall contain the following, drawn to scale:

(A) Site Development and Landscape Plans drawn to scale, indicating the locations and specifications of the items described in MCC 39.8025, as appropriate;

(B) Architectural drawings, indicating floor plans, sections, and elevations; and

(C) Approved minor exceptions from yard, parking, and sign requirements.

Response: The District and design team understand the requirements of the final Design Review drawings.

39.8035 – Delay in the Construction of a Required Feature

When the Planning Director determines that immediate execution of any feature of an approved final design review plan is impractical due to climatic conditions, unavailability of materials or other temporary condition, the Director shall, as a precondition to the issuance of a required permit under MCC 39.8010 and 39.8020, require the posting of a performance bond, cash deposit, or other surety, to secure execution of the feature at a time certain.

39.8040 – Design Review Criteria

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

(l) *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.*

Response: As shown on the Existing Conditions Plan, Architectural Site Plan and Landscape Plan (Sheets C1.01, A1.01, and L1.01, Exhibit A), the District proposes only one new building on site. This addition will connect two existing buildings and help to organize the site. The north-south multi-purpose room (addition) will bisect the lot into two separate play areas with a grass play field to the west and an asphalt play area/school bus loop to the east. The proposed addition will not be replacing any natural landscape as its footprint falls within the bounds of an existing paved parking lot. The proposed plan will minimize the amount of impervious area on the site and maximize the amount of landscaped area. Therefore, this standard is met.

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

Response: Photovoltaics are proposed on the roof of the building addition to help offset onsite energy use consistent with the State's Green Energy Technology program. New windows in the proposed building addition will have Low-E glazing. As shown on the Architectural Site Plan (Sheet A1.01, Exhibit A), the outdoor activity areas on either side of the building addition will be protected from the noise and air pollution of E. Woodard Road and E. Historic Columbia River Hwy as both spaces will be shielded by existing buildings and vegetation. These areas as well as the pedestrian circulation areas will also be screened from the main parking lot with trees and shrubs. Therefore, this standard is met.

(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.*

Response: As shown on the Architectural Site Plan, Main Building Floor Plan, Buildings 3-5 Exterior Elevations, Main Building Exterior Elevations, and Buildings 3- 5 Exterior Elevations, (Sheets A1.01, A2.01, A2.02, A3.01, and A3.02, Exhibit A), the elements of the design review plan meet these requirements.

(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.*

Response: As shown on the Architectural Site Plan and Landscape Plan (Sheets A1.01 and L1.01, Exhibit A), shrubs that will eventually grow to 6' high are proposed between the parking lot and east property line for screening purposes. Evergreen shrubs will be planted along the new fence - east of Building 1 – in order to provide screening for the school from the public areas without compromising safety. Evergreen shrubs and trees will also be planted to shade and screen the new asphalt areas from the road and on-site drive aisle. Therefore, this standard is met.

(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.*

Response: As shown on the Existing Conditions Plan and Civil Site Plan (Sheets C1.01 and C4.01, Exhibit A), ADA parking has been provided as close to the main entrance as possible. Existing ADA ramps have been retained and new ADA ramps have been provided for ADA parking and around the proposed building addition. Therefore, this standard is met.

(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.

Response: As shown on the Architectural Site Plan, Erosion and Sediment Control Plan, Site Demolition Plan and Landscape Plan (Sheets A1.01, C2.01, C3.01, and L1.01, Exhibit A), thirty-six existing trees will be removed and forty-one will be preserved and protected. Minimal grading has been proposed in order to minimize the volume of cut/fill and preserved trees and shrubs will be protected during construction.

(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.

Response: As shown on the Existing Conditions Plan and Architectural Site Plan (Sheets C1.01 and A1.01, Exhibit A), the applicant is proposing two driveways and one fire lane off of E. Woodard Road. Vehicular circulation on the site has been organized by splitting primary access into separate one-way and two-way drives. The one-way entrance provides a convenient, less congested route to the parent drop-off and loading/unloading areas while the two-way entrance provides direct access to the main parking lot. A third driveway apron will provide access to a gravel fire lane and will be used for emergency vehicle access only.

The main parking lot has been modified and updated to meet the standards of MCC 39.6500 through 39.6600. Much of the proposed parking/circulation has been designed to replace existing parking areas and avoid disrupting natural landscape by reducing the amount of new impervious area. Walkways have been proposed to connect existing and proposed buildings and provide access to play areas on either side of the proposed building addition.

(6) Drainage - Surface drainage and stormwater systems shall be designed so as not to adversely affect neighboring properties or streets. Systems that insure that surface runoff volume after development is no greater than before development shall be provided on the lot.

Response: As shown on the Existing Conditions Plan and Grading and Stormwater Plan (Sheets C1.01 and C5.01, Exhibit A) as well as the Stormwater Certificate (Exhibit F), surface runoff volume on the proposed site will be significantly less than existing. Most of the existing parking lot and roof runoff is not captured because on-site stormwater facilities are insufficient or non-existent. The proposed swales, catch basins and stormwater infrastructure have been designed to infiltrate run-off from all proposed impervious surfaces and should be a vast improvement to the existing conditions.

(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.

Response: As shown on the Architectural Site Plan and Landscape Plan (Sheets A1.01 and L1.01, Exhibit A), the parking areas will be screened with evergreen plant material that does not exceed 3' in height at maturity. New trees will help to soften the new structure and mitigate the adverse impacts to neighboring properties. Proposed mechanical equipment will be placed on the south side of the school, blocking it from public view.

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

Response: Above ground mechanical units will be installed on the south side of the building addition, blocking them from public view. Therefore, this standard is met.

(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.

Response: As shown on the Existing Conditions Plan and Architectural Site Plan (Sheets C1.01 and A1.01, Exhibit A), the proposed signage along E. Woodard Road will utilize the existing sign monument that was installed by the US Forest Service and used by Reynolds School District to mount their sign. See narrative response to MCC sections 39.8200 through 39.8215 for variance request regarding electronic signage.

As shown on the Main Building Exterior Elevations and Buildings 3-5 Exterior Elevations (Sheets A3.01 and A3.02, Exhibit A), the building signage color and material will be compatible with the proposed design and exterior building materials.

(B) Guidelines designed to assist applicants in developing design review plans may be adopted by the Planning Commission.

39.8045 – Required Minimum Standards

(A) Private and Shared Outdoor Recreation Areas in Residential Developments:

(1) Private Areas - Each ground level living unit in a residential development subject to design review plan approval shall have an accessible outdoor private space of not less than 48 square feet in area. The area shall be enclosed, screened or otherwise designed to provide privacy for unit residents and their guests.

(2) Shared Areas - Usable outdoor recreation space shall be provided for the shared use of residents and their guests in any apartment residential development, as follows:

(a) One or two-bedroom units: 200 square feet per unit.

(b) Three or more bed-room units: 300 square feet per unit.

Response: The proposed development is not residential. Therefore, this standard is not applicable.

(B) Storage

Residential Developments - Convenient areas shall be provided in residential developments for the storage of articles such as bicycles, barbecues, luggage, outdoor furniture, etc. These areas shall be entirely enclosed.

Response: The proposed development is not residential. Therefore, this standard is not applicable.

(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 development area shall be landscaped; provided, however, that computation of this minimum may include areas landscaped under subpart 3 of this subsection.

Response: The total site area is 152,669 square feet, which requires a minimum of 22,900 square feet of landscape area to meet the 15% minimum. The proposed site plan provides 87,779 square feet of landscape area which represents 57% of the total site. The impervious area of the site will be reduced by 30% with the replacement of existing pavement with landscaped area.

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

Response: As shown on the Landscape Plan (Sheet L1.01, Exhibit A), we are proposing to leave the existing vegetation in place for all undisturbed areas. All new and disturbed landscape areas will be landscaped with new trees, shrubs and groundcover.

(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.

Response: There are a total of 39 parking spaces proposed, which requires 975 square feet of defined landscape area. As shown on the Landscape Plan (Sheet L1.01, Exhibit A), the proposed development provides 1,9632 square feet of defined interior landscape area around the parking lot.

(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.

Response: As shown on the Landscape Plan (Sheet L1.01, Exhibit A), the proposed main parking area is set 33 feet back from the north lot line adjacent to E. Woodard Road and 58 feet back from the roadway with landscaping in between. The proposed main parking lot is set 7.5 feet back from the eastern property line adjacent E. Historic Columbia River Hwy and 80 feet from the roadway with landscaping in between. The three ADA parking spaces north of the school are set back 5' from the north lot line adjacent E. Woodard Road and 29.5 feet from the roadway with landscaping in between. The loading/unloading and student drop-off areas are 54 feet back from the north property line adjacent to E. Woodard Road with vegetated swales and trees in between.

(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;

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

3. Vegetative ground cover.

Response: As shown on the Landscape Plan (Sheet L1.01, Exhibit A), trees spaced at 42 feet on center are proposed in the landscape area between the parking areas and the drive-thru lane at the front of the school and between the parking areas and lot lines adjacent to E. Woodard Road and E. Historic Columbia River Hwy. The parking areas will be screened with evergreen plant material that does not exceed 3' in height at maturity.

The District is requesting an exception to screening between the loading/unloading and drop-off areas and E. Woodard Road.

(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.

Response: As shown on the Landscape Plan (Sheet L1.01, Exhibit A), landscape islands are proposed throughout the parking areas and between the ADA parking spaces and E. Woodard Road.

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

Response: As shown on the Landscape Plan and the Civil Site Plan (Sheets L1.01 and C4.01, Exhibit A), landscape islands are a minimum of 7 feet wide.

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

Response: See General Note #3 on the Landscape Plan (Sheet L1.01, Exhibit A) for irrigation information.

(5) Required landscaping shall be continuously maintained.

Response: See General Note #6 on the Landscape Plan (Sheet L1.01, Exhibit A) where this requirement has been stated.

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

Response: Trees have been chosen to avoid overhead lines. The proposed street trees (Flowering Crabapple) were selected from the City of Portland street tree list and are approved for use under overhead lines.

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

Response: The District understands this definition.

39.8050 – 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:

(l) Dimensional standards for yards as required in the primary base zone;

Response: The District is requesting a variance to reduce the front and street side yards abutting E. Historic Columbia River Hwy and E. Woodard Road to 5 feet in order to accommodate modifications to parking lots that currently exist within these yards. Please see narrative response to MCC sections 39.8200 through 39.8215.

(2) Dimensional standards for off-street parking as required under MCC 39.6560 and 39.6565;

Response: The District is requesting an exception to the 25-foot wide aisle width requirement for 90 degree parking. A 24-foot wide aisle width is proposed for the 90 degree parking lot. This dimension exceeds the City of Portland minimum 90 degree parking aisle width of 20 feet (Title 33 section 33.266, Table 266-4) and is consistent with the minimum aisle width for the City of Beaverton (Development Code section 60.30.15). As this property is in the SEC General Overlay, we feel that the reduction in the amount of impervious surface area would be valuable.

(3) Standards for minimum number of off-street parking spaces as required in the primary base zone; and

(4) Dimensional standards for signs as required in the primary base zone;

(5) In the case of a proposed alteration, standards for landscaped areas under MCC 39.8045 (C).

Response: The District is requesting a variance to the requirement to screen loading/unloading parking areas. As shown on the Landscape Plan (Sheet L1.01, Exhibit A), there is no screening proposed between the student drop-off area and E. Woodard Road. For safety purposes, the District would like a clear line of site from the road to the drop-off area.

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

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

(1) In the case of a minor yard exception, the Planning Director shall find that approval will result in:

- (a) More efficient use of the site;*
- (b) Preservation of natural features, where appropriate;*
- (c) Adequate provision of light, air, and privacy to adjoining properties; and*
- (d) Adequate emergency accesses.*

(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.

(3) In the case of a minor exception to the dimensional standards for signs, the Planning Director shall find that approval is necessary for adequate identification of the use on the property and will be compatible with the elements of the design review plan and with the character of the surrounding area.

(4) In the case of a minor exception to the standards for landscaped areas, the Planning Director shall find that approval is consistent with MCC 39.8000, considering the extent and type of proposed alteration and the degree of its impact on the site and surrounding areas.

Response: Please see responses to sections 39.8050 (1), (2) and (5).

Part 8.B – Adjustments and Variances

39.8200 – Adjustments and Variances; Generally

(A) MCC 39.8200 through MCC 39.8215 (Adjustments and Variances) are designed to implement the Policies of the Comprehensive Plan. However, it is also recognized that because of the diversity of lands and properties found in the county there should be a zoning provision that permits justifiable departures from certain Zoning Code dimensional standards where literal application of the regulation would result in excessive difficulties or unnecessary hardship on the property owner.

(B) To address those situations, modification of the dimensional standards given in MCC 39.8205 may be permitted if the approval authority finds that the applicant has satisfactorily addressed and met the respective approval criteria in MCC 39.8210, Adjustments, or 39.8215, Variances. If an Adjustment or Variance request is approved, the approval authority may attach conditions to the decision to mitigate adverse impacts which might result from the approval.

(C) The Adjustment review process provides a mechanism by which certain dimensional standards may be modified no more than 40 percent if the proposed development continues to meet the intended purpose of the regulations. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the regulation.

(D) The Variance review process differs from the Adjustment review by providing a mechanism by which a greater variation from the standard than 40 percent may be approved for certain zoning dimensional requirements. The Variance approval criteria are based upon the traditional variance concepts that are directed towards consideration of circumstances or conditions on a subject property that do not apply generally to other properties in the same vicinity.

(E) All proposed modification of the dimensional standards given in MCC 39.8205(A)(2) shall be reviewed under the Variance review process regardless of the proposed percentage modification.

Response: The District understands the general tenets of the adjustment and variance processes.

39.8205 – Scope

(A) Dimensional standards that may be modified under an Adjustment review (modified no more than 40 percent) are yards, setbacks, forest practices setbacks, buffers, minimum front lot line length, flag lot pole width, cul-de-sac length, cul-de-sac turnaround radius, and dimensions of a private street, except the following:

- (1) Reduction of resource protection setback requirements within the Significant Environmental Concern (SEC) and Willamette River Greenway (WRG) Overlays are prohibited. Additionally, reductions to the fire safety zones in the Commercial Forest Use base zones are not allowed under the Adjustment process; and*
- (2) Reduction of yards and setback requirements within the Geologic Hazards Overlay (GH) shall only be reviewed as a Variance; and*
- (3) Reduction of yards/setback/buffer/re-source protection setback requirements within the Large Fills, Mineral Extraction, and Radio and Television Transmission Towers Code Sections and any increase to the maximum building height shall only be reviewed as Variances; and*
- (4) Minor modification of yards and setbacks in the off-street parking and design review standards are allowed only through the “exception” provisions in each respective Code section.*

(B) Dimensional standards that may be modified under a Variance review are yards, setbacks, forest practices setbacks, buffers, minimum front lot line length, building height, sign height, flag lot pole width, cul-de-sac length, cul-de-sac turnaround radius, and dimensions of a private street, except the following:

- (1) Reduction of resource protection setback requirements within the Significant Environmental Concern (SEC) and Willamette River Greenway (WRG) Overlays; and*
- (2) Modification of fire safety zone standards given in Commercial Forest Use base zones; and*
- (3) Increase to any billboard height or any other dimensional sign standard.*

(C) The dimensional standards listed in (A) and (B) above are the only standards eligible for Adjustment or Variance under these provisions. Adjustments and Variances are not allowed for any other standard including, but not limited to, minimum lot area, modification of a threshold of review (e.g. cubic yards for a Large Fill), modification of a definition (e.g. 30 inches of unobstructed open space in the definition of yard), modification of an allowed density in a Planned Development or houseboat moorage, or to allow a land use that is not allowed by the Base zone.

39.8210 – Adjustment Approval Criteria

The Approval Authority may permit and authorize a modification of no more than 40 percent of the dimensional standards given in MCC 39.8205 upon finding that all the following standards in (A) through (F) are met:

[...]

Response: No adjustments are being requested.

39.8215 – Variance Approval Criteria

The Approval Authority may permit and authorize a variance from the dimensional standards given in MCC 39.8205 upon finding that all the following standards in (A) through (G) are met:

Response: The applicant is requesting a variance to the dimensional standards in MCC 39.4375 for the front yard and street-side yards along E. Historic Columbia River Hwy and E. Woodard Road to be reduced to 5-feet. The applicant is only requesting these reductions for the modified, existing parking lots in the setback and not for buildings or any other structure.

(A) A circumstance or condition applies to the property or to the intended use that does not apply generally to other property in the same vicinity or base zone. The circumstance or condition may relate to:

- (1) The size, shape, natural features and topography of the property, or*
- (2) The location or size of existing physical improvements on the site, or*

Response: As shown on the Existing Conditions Plan and Civil Site Plan (Sheets C1.01 and C4.01, Exhibit A), the applicant proposes to improve and modify existing parking lots that already sit within the front and side yard setbacks abutting E. Historic Columbia River Hwy and E. Woodard Road. These parking lots have been on the site for over 30 years and the site has recently been utilized as a school use serving Reynolds School District.

- (3) The nature of the use compared to surrounding uses, or*

Response: The proposed development is a Community Service Conditional Use and will be used as a middle school and offices for Corbett School District. This is a unique use for the area as the property is zoned Rural Residential (RR) and is surrounded by CFU and EFU uses. The lot has been used as a school in the recent past when Reynolds School District operated their Environmental High School on the subject property.

Because the proposed development will be a school, grass and asphalt play areas are a necessity. However, play areas need to be located away from E. Woodard Road and E. Historic Columbia River Hwy for safety purposes and there is minimal open area on the site a comfortable distance from these roads. This is why the existing lots abutting these roads were chosen by the design team to be improved and reused and the existing paved areas towards the center of the property were designed to be play areas.

- (4) The zoning requirement would substantially restrict the use of the subject property to a greater degree than it restricts other properties in the vicinity or base zone, or*
- (5) A circumstance or condition that was not anticipated at the time the Code requirement was adopted.*
- (6) The list of examples in (1) through (5) above shall not limit the consideration of other circumstances or conditions in the application of these approval criteria.*

(B) The circumstance or condition in (A) above that is found to satisfy the approval criteria is not of the applicant's or present property owner's making and does not result solely from personal circumstances of the applicant or property owner. Personal circumstances include, but are not limited to, financial circumstances.

Response: The parking lots the applicant proposes to modify/improve are existing therefore the circumstance is not of the property owner or applicant's making and does not result from personal circumstances.

(C) There is practical difficulty or unnecessary hardship to the property owner in the application of the dimensional standard.

Response: As these parking areas already exist within the yards, the standard would require the owner to demolish, relocate, and redesign parking on the property. Relocating the existing parking lots would also severely limit the amount of available space for grass/asphalt play areas, which are a necessity for a school use. The proposed play areas have been located away from E. Woodard Road and E. Historic Columbia River Hwy for safety purposes as the District does not want children playing near a busy thoroughfare.

For the ADA parking proposed in the side yard along E. Woodard Road: per the building code (OSSC section 1106), accessible parking spaces shall be located on the shortest practical accessible route of travel from adjacent parking to an accessible building entrance. The proposed ADA parking area is less than half the distance to the accessible entrance as the next nearest feasible location.

(D) The authorization of the variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or base zone in which the property is located, or adversely affects the appropriate development of adjoining properties.

Response: As these parking areas have existed within the yards for over 30 years, authorization of the variance will not be materially detrimental to the public welfare or injurious to properties in the vicinity or base zone. The proposed development may add value to the surrounding properties as new trees, screening shrubs and groundcover will be planted between parking areas and adjacent properties and thoroughfares.

(E) The Variance requested is the minimum necessary variation from the Code requirement which would alleviate the difficulty.

Response: The request to reduce the front and side yards to 5 feet is the minimum necessary variation from the yard requirements of MCC 39.4375.

(F) Any impacts resulting from the variance are mitigated to the extent practical. That mitigation may include, but is not limited to, such considerations as provision for adequate light and privacy to adjoining properties, adequate access, and a design that addresses the site topography, significant vegetation, and drainage.

Response: As shown on the Architectural Site Plan, Landscape Plan, Civil Site Plan, and Grading and Stormwater Plan (Sheets A1.01, L1.01, C4.01 and C5.01, Exhibit A), trees, screening shrubs, and groundcover are proposed in and around the proposed parking lot and ADA parking area. The evergreen screening shrubs will not exceed three feet in height at maturity and should not affect the amount and quality of light on the site. Bioretention swales are proposed to collect and infiltrate stormwater run-off from the parking areas and roofs. There are two proposed access points (driveways) matching the number and relative locations of existing site access. Proposed access points have been organized into one-way and two-way driveways with separate functions. The one-way entrance provides a convenient, less congested route to the ADA parking, parent drop-off, and loading/unloading areas while the two-way entrance provides an exit point and direct access to the main parking lot. Grading of the site will be minimal and has been designed to allow for on-site drainage to the bioretention swales.

(G) The variance must be in support of a lawfully established use or in support of the lawful establishment of a use.

Response: The proposed development of a school is a lawful use as a Community Service Conditional Use per MCC 39.7520.

Comprehensive Plan Policies

Chapter 2 – Land Use: Rural Residential Areas

2.6 *Protect farmland and forest land from encroachment by residential and other non-farm or non-forest uses that locate in the RR zone.*

Response: As shown on the Existing Conditions Plan (Sheet C1.01, Exhibit A), there is no farmland present on the subject property, and while there are trees present on site, they do not constitute a forested area. The proposed development will not encroach on adjacent farm or forest lands. The proposed use has a precedent as Reynolds High School has operated a school on the subject property.

2.7 *Ensure that new, replacement, or expanding uses in the RR zone minimize impacts to farm and forest land by requiring recordation of a covenant that recognizes the rights of adjacent farm and forestry practices.*

Response: The District recognizes a covenant is or will be required.

Chapter 5 – Natural Resources: Water Quality and Erosion Control

5.14 *Stormwater drainage for new development and redevelopment shall prioritize water quality and natural stream hydrology in order to manage stormwater runoff in accordance with the following:*

1. The run-off from the site shall not adversely affect the water quality in adjacent streams, ponds, or lakes, or alter the drainage on adjoining lands, or cause damage to adjacent property or wildlife habitat.

Response: As shown on the Existing Conditions Plan, Erosion and Sediment Control Plan and Grading and Stormwater Plan (Sheets C1.01, C2.01, and C5.01, Exhibit A), the proposed development will not adversely affect water quality, alter drainage on adjoining lands, or cause damage to adjacent property or wildlife habitat during and after construction.

2. Stormwater infiltration and discharge standards shall be designed to protect watershed health by requiring onsite detention and/or infiltration in order to mimic pre-development hydraulic conditions so that post-development runoff rates and volumes do not exceed pre-development conditions.

Response: As shown on the Grading and Stormwater Plan (Sheet C5.01, Exhibit A), proposed drainage largely follows existing flow paths and will minimize run-off to adjacent properties. Proposed improvements include the installation of bioretention swales for on-site stormwater infiltration.

Chapter 5 – Natural Resources: Air Quality, Noise, and Lighting Impacts

5.43 *Require outdoor lighting to be low intensity and designed in a manner that minimizes the amount of light pollution.*

Response: As shown on the Site Lighting Plan (Sheet E1.01, Exhibit A) and on the Lighting Cut Sheets (Exhibit D), all proposed exterior lighting meets the Dark Sky Lighting standards of MCC 39.6850.

Chapter 6 – Historic and Cultural Resources: Cultural and Archeological Resources

6.4 *Require reporting of the discovery of Native American artifacts and other cultural resources to SHPO and the Native American tribes.*

Response: The subject property does not contain any known archaeological areas but the District will report any discovery of Native American artifacts.

Chapter 11 – Public Facilities: Water Supply and Wastewater Treatment Systems

11.12 *A water supply system for new development shall be by either of the following methods:*

1. Connection to a public water system having adequate capacity to serve the development and all other system customers.

Response: As shown on the Fire Service Agency Review (Exhibit G) and the Certification of Water Service (Exhibit I), the subject property is connected to a public water system which has adequate capacity for the proposed development.

2. A private water system that produces safe drinking water with sufficient volume and pressure to meet applicable Building Code and Fire Protection Code.

Response: See response to 11.12 (1) above. The subject property has an existing well that will be used for irrigation only.

11.13 *Wastewater disposal for new development shall be by any of the following methods:*

1. Connection to a public sewer system having adequate capacity to serve the development and all other system customers

2. A private system that meets Oregon Department of Environmental Quality regulations

Response: Per the attached Septic Review Certification, all wastewater will be treated by an on-site septic system that meets Oregon Department of Environmental Quality regulations.

Chapter 11 – Public Facilities: Police, Fire and Emergency Response Facilities

11.17 *As appropriate, include school districts, police and fire protection, and emergency response service providers in the land use process by requiring review of land use applications from these agencies regarding the agency's ability to provide the acceptable level of service with respect to the land use proposal.*

Response: Per the attached Fire Service Agency Review (Exhibit G) and the Police/Sheriff Services Review (Exhibit H), the subject property is adequately served by police and fire/emergency services. The proposed development includes a middle school and will therefore be adequately served by the Corbett School District.