

## MEMORANDUM

TO: Christina Robertson-Gardiner, City of Oregon City, Planning Division  
FROM: Kenneth Kent, Clackamas County, Land Use Review Coordinator  
DATE: November 1, 2017  
RE: TP 17-07 Lindsay Anne Estates Too  
3-2E-18 TL 1300

This office has the following comments pertaining to this proposal:

### **FACTS AND FINDINGS**

1. The proposed land use application includes annexation of the project site into the City of Oregon City, and a 28-lot subdivision. The property fronts S Leland Road, which is under the jurisdiction of Clackamas County. Following annexation, the roadway will remain a county road. These comments address frontage improvements and access along the S Leland Road project site frontage.
2. Generally, where the City standard exceeds the county's minimum standard, the County will defer to the City street section. However, certain standards relating to access and storm drainage may not allow construction of full City standard.
3. The proposed subdivision has approximately 215 feet of frontage on the southerly side of S Leland Road. Clackamas County has designated S Leland Road a minor arterial roadway. Clackamas County has adopted roadway standards that pertain to the structural section, right-of-way width, construction characteristics, and access standards for arterial roadways.
4. *Clackamas County's Roadway Standards* indicate that minor arterial roadways shall have a right-of-way width that ranges from 60 to 134 feet, depending on the planned road section. The standard urban minor arterial roadway section calls for 50-foot paved width, typically requiring 70-80 feet of right-of-way. The proposed 9-foot dedication is acceptable.
5. Minimum improvements on the S Leland Road frontage consistent with *Clackamas County's Roadway Standards* include, but are not limited to, up to a half-street improvement, pavement widening, curb, landscape strip and sidewalk. The proposed 26-foot wide, one half street improvement, including curb, 5-foot wide landscape strip and 7-foot wide sidewalk is acceptable.

6. Prior to commencement of site work, a Development Permit and a Utility Placement Permit are required and must be obtained from Clackamas County for all work performed in the S Leland Road right-of-way.
7. The proposed subdivision will create a new public road intersection with S Leland Road. Intersections on a county road are required to meet minimum intersection sight distance, per Section 240 of the Clackamas County Roadway Standards. S Leland Road has a posted speed of 35 miles per hour. The design speed for purposes of determining sight distance is based on the posted speed plus 5 miles per hour. For a speed of 40 miles per hour, a minimum of 445 feet of intersection sight distance is required. The traffic impact study for the proposed subdivision indicates that sight distance can meet minimum intersection sight distance. The applicant will be required to demonstrate site lines in compliance with minimum intersection sight distance as part of the Development Permit.
8. *Clackamas County Roadway Standards, Table 2-2* establishes the minimum access requirements by functional classification. Minor arterial roadways require that access points be separated a minimum of 250 feet. The proposed new street is separated from Lindsay Ann Lane by approximately 315 feet.
9. Clackamas County standards limit residential driveway access to minor arterial roadways. Driveway access is typically not permitted on an arterial when alternatives are available. Access is required from a road with a lower functional classification. The preliminary subdivision plan proposes an access drive serving Lots 1 and 2 from S Leland Road. All access for the proposed subdivision will be required from proposed Miller Road.
10. Clackamas County is currently the surface water management authority for the subject site. With annexation to the city, it appears surface water management will fall under the jurisdiction of WES Tri-City service district. However, Clackamas County will continue to be responsible for maintenance of storm drainage within in the right-of-way of S Leland Road. Storm drainage will be require to comply with Clackamas County Roadway Standards, Chapter 4. The proposed storm water management plan includes a stormwater planter within the right-of-way of S Leland Road. Although, the Clackamas County Roadway Standards address “green street” or Low Impact Development Approaches (LIDA) (Section 420), specific designs have not been adopted. LIDA designs are considered on a case by case basis. In addition, maintenance of water quality swales and planters within the public right-of-way is not currently part of the county’s maintenance program. Therefore, proposed swales or similar facilities will require provisions for maintenance. This can be accomplished through maintenance agreement with the homeowner’s association through the CC&Rs, or the city could provide maintenance through an agreement with the county.

## **CONCLUSION**

Although the County does not have land use jurisdiction over the proposed subdivision, the County does have jurisdiction over improvements along S Leland Road. However, the following recommended conditions reflect the County’s minimum standards. Where Oregon

City's standards are greater, and do not otherwise conflict with the County's storm drainage standards and maintenance practices.

If the City of Oregon City approves the request, the following conditions of approval are recommended. If the applicant is advised to or chooses to modify the proposal in terms of access location and/or design following the preparation of these comments this office requests an opportunity to review and comment on such changes prior to a decision being made.

1. All frontage improvements in, or adjacent to Clackamas County right-of-way, shall be in compliance with *Clackamas County Roadway Standards* if City of Oregon City Standards are not utilized.
2. The applicant shall dedicate an additional approximately 9 feet of right-of-way on S Leland Road and shall verify by survey that a 39-foot wide, one-half right-of-way width exists along the entire site frontage, or shall dedicate additional right-of-way as necessary to provide it.
3. The applicant shall design and construct improvements along the entire site frontage of S Leland Road in accordance with *Clackamas County Roadway Standards*, as modified to reflect the Oregon City street section.

These improvements shall consist of:

- a. Up to a half-street improvement. Structural section for S Leland Road improvements shall consist of 7.5 inches of asphalt concrete per Clackamas County Roadway Standards Standard Drawing C100.
- b. Standard curb, or curb and gutter if curblane slope is less than one percent, and pavement with the face of the new curb located 26 feet from the centerline of the existing 60 foot wide right-of-way. Centerline of the right-of-way shall be established by a registered survey.
- c. Drainage facilities in conformance WES Tri-City Service District regulations and Clackamas Roadway Standards, Chapter 4.
- d. A minimum 7-foot wide unobstructed setback sidewalk, with a 5-foot landscape strip, including street trees shall be constructed along the entire site frontage. The applicant shall relocate mailboxes, fire hydrants, utility poles, etc., when they are located within the limits of the sidewalk or construct an eyebrow so that the full width of the sidewalk is provided around the obstruction. Additional easement, as necessary, shall be granted to provide for any sidewalk eyebrows.
- e. If the sidewalk does not connect to sidewalk on adjacent property, the end of the sidewalk shall require the construction of a concrete ramp, adjacent to the end of the sidewalk, providing a transition from the new sidewalk to the edge of the pavement. The ramp shall meet ADA guidelines.

- f. Appropriate pavement tapers shall be provided, per Clackamas County Roadway Standards Section 250.6.4.
  - g. Any surface water runoff from the site to the S Leland Road right-of-way shall be detained outside of the right-of-way, except for approved water quality swales/planter (LIDAs), in conformance with *Clackamas Roadway Standards*. Any surface water runoff discharged to the S Leland Road right-of-way will only be allowed if it can be shown that the existing system has the capacity to accept the runoff and no adverse downstream impacts will be created.
  - h. Stormwater planters or water quality swales within the public right-of-way of S Leland Road require a maintenance agreement. The agreement shall be with the homeowner's association through the CC&Rs, or with the city. The agreement shall include a maintenance and operation plan, as approved by Clackamas County Engineering.
- 4. Proposed Miller Road shall intersect S Leland Road at as close to a 90 degree angle as possible. In addition, a tangent section shall be carried at least 100 feet from the intersection.
  - 5. Lots 1, 2 and 28 shall take access from Miller Road. No residential driveway access is permitted onto S Leland Road. A note shall be placed on the plat indicating no access to Miller along the frontage of Lots 1, 2 and 28.
  - 6. The applicant shall provide minimum intersection sight distance at the intersection of the new road, Lindsay Anne Lane with S Leland Road. In addition, no plantings at maturity, retaining walls, embankments, fences or any other objects shall be allowed to obstruct vehicular sight distance. Minimum sight distance is 445 feet in each direction. Sight distance shall be measured from a point 14.5 feet back from the edge of the travel lane at a driver's eye height in the driveway of 3.5 feet to a vehicle height of 3.5 feet in the oncoming travel lanes. The applicant shall demonstrate sight lines and compliance with minimum intersection sight distance as part of the Development Permit for the project.
  - 7. The applicant shall submit an Engineer's cost estimate to be approved by Clackamas County Engineering for the asphalt concrete, aggregates, and any other required public improvement in the S Leland Road right-of-way.
  - 8. Prior to commencement of site work and recording of the plat the applicant shall obtain a Development Permit from this office for design and construction of required improvements to S Leland Road. To obtain the Permit, the applicant shall submit plans prepared and stamped by an Engineer registered in the State of Oregon, provide a Performance Guarantee, and pay an Inspection Fee. The Performance Guarantee is 125% of the approved Engineer's cost estimate for the required improvements.
  - 9. Prior to commencement of utility work within the right-of-way, a Utility Placement Permit shall be obtained from this office.