

**FINDINGS OF FACT and FINAL ORDER
TYPE I TEMPORARY STRUCTURE PERMIT**

DATE: August 11, 2021

FILE NO.: 21-052 TEMP ~ Sandy Health Clinic Temporary Construction Trailer

APPLICANT: Banlin Construction

OWNER: Clackamas County (*Contact: Steve Kelly*)

LOCATION: 39740 Pleasant Street

LEGAL DESCRIPTION: 24E13AD01001

EXHIBITS:

Applicant's Submission

- A. Land Use Application
- B. Site Plan

FINDINGS OF FACT

1. Banlin Construction is building the Sandy Health Clinic, a 9,381 sq. ft building between Pleasant Street and Hwy 26. The applicant requests a temporary structure permit to locate one portable construction office trailer at 39740 Pleasant Street.
2. The applicant's portable office trailer will house two employees with contractors coming and going throughout the workday. Both employees and contractors are using Pleasant Street for parking.
3. This temporary use permit was applied for on August 10, 2021, after the office trailer was already installed on June 25, 2021. The anticipated removal date is February 30, 2022.
4. The applicant proposes to use a temporary onsite portable restroom facility for their employees and contractors working onsite.
5. The application did not indicate what the portable office trailer will look like or if skirting will be installed. **The applicant shall install skirting around the base of the portable office trailer to make the trailer more attractive and screen utility service lines from the public view.**
6. The applicant is currently using a portable generator to power the temporary construction trailer until PGE supplies power. They expect PGE to install power service by August 27, 2021. **The temporary portable office trailer shall comply with Section 8.20 of the Municipal Code**

regarding noise.

7. According to Section 17.74.60(B), temporary structures in connection with construction of industrial or commercial facilities may be permitted, for a period not to exceed 1 year. Renewal of a temporary permit shall be processed under the Type II procedure and may require a public hearing. **The applicant shall remove the storage container by June 26, 2022.**
8. The property is zoned Central Business District (C-1) and Section 17.42.30 identifies setback requirements associated with the C-1 zoning district. The submitted site plan does not identify proposed setbacks but since the trailer is temporary there are no concerns with its location so long as it does not impede traffic on Pleasant Street or for the Sandy Police Department.
9. Signage shall not be allowed without first obtaining a sign permit. **The applicant is responsible for complying with Chapter 15.32 for all signage.**

SUMMARY

For the reasons described above, the request by Banlin Construction to locate one portable office trailer at 39740 Pleasant Street, retroactively beginning on June 25, 2021, through June 25, 2022 is hereby **approved** as modified by the conditions listed below.

CONDITIONS OF APPROVAL

1. The applicant is permitted to locate one portable office trailer per the submitted site plan at 39740 Pleasant Street starting June 25, 2021, through June 25, 2022.
2. The portable office **trailer shall be removed by the applicant no later than Sunday June 26, 2022**, unless an application extending this timeline has been applied for and approved prior to this date.
3. Install skirting around the base of the trailer to make the trailer more attractive and screen utility lines from the public right-of-way.
4. The temporary trailer shall comply with Section 8.20 of the Municipal Code regarding noise.
5. The applicant shall install reflective devices on the container at locations capable of being struck by vehicles no later than August 30, 2021. The trailer shall not impede traffic on Pleasant Street or for the Sandy Police Department.
6. An extension of the temporary structure permit shall require a Type II process as specified by Section 17.74.60 (B) of the Sandy Development Code.
7. This Temporary Structure Permit may be revoked by the City if conditions of approval are not met. Approval of this Temporary Structure does not grant authority for the unrestricted use of the site.
8. Any other conditions or regulations required by Clackamas County, Fire District No. 72, the Oregon Department of Transportation, or County, State or Federal agencies are hereby made a part of this permit and any violation of the conditions of this approval will result in the review of this permit and/or revocation.

Rebecca Casey
Rebecca Casey
Administrative Assistant

8.11.21
Date

(Signed on behalf of Kelly O'Neill Jr., Development Services Director)

RIGHT OF APPEAL

A decision on a land use proposal or permit may be appealed to the Planning Commission by an affected party by filing an appeal with the Director within twelve (12) days of notice of the decision. The notice of appeal shall indicate the nature of the interpretation that is being appealed and the matter at issue will be a determination of the appropriateness of the interpretation of the requirements of the Code.

An application for an appeal shall contain:

1. An identification of the decision sought to be reviewed, including the date of the decision;
2. A statement of the interest of the person seeking review and that he/she was a party to the initial proceedings;
3. The specific grounds relied upon for review;
4. If de novo review or review by additional testimony and other evidence is requested, a statement relating the request to the factors listed in Chapter 17.28.50; and
5. Payment of required filing fees.