

PROJECT NARRATIVE

Sandy Woods – Phase II

Date: June 4, 2021

Submitted to: City of Sandy Planning Division

Applicant: Rosemont Development
10117 SE Sunnyside Rd, Suite F1178
Clackamas, OR 97015

Prepared By: Margo Clinton

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Clackamas County Assessor's Map: 24E11 – 02202; 24E11 – 02203; 24E11 – 02204;

Site Size: 17.67 Acres

Zoning District: Single Family Residential (SFR)

PROJECT OVERVIEW:

This project is proposing a residential subdivision of 43 lots. This development consists of Tracts F, G, and H of Plat No. 4575 as recorded with Clackamas County. The site is currently vacant and it has a dirt road that connects to Kelso Rd that runs to the southern property line. The total site area is 769,973 square feet (17.67 acres). The net site area of the project proposal is 369,790sqft (8.49 acres). The total Right-of-Way dedication is 98,445sqft (2.26 acres), 95,180sqft is being dedicated to City of Sandy and 3,265sqft is being dedicated to Clackamas County. The proposed tracts total for 301,738sqft (6.93 acres). The project proposal includes a new right-of-way connection into SW Kelso Rd. There will be two new streets located within the subdivision and an expansive pedestrian path network within the tracts. All future lots have at least the minimum required frontage onto the future local streets and will have all necessary utilities brought to the subject site. Any onsite well or septic system will be decommissioned through the required DEQ process prior to site development commencing. The project is proposing the dedication of all the tracts created within the subdivision. Please refer to a breakdown of the tracts and their purpose below:

Tract	Size (square feet)	Use
J	137,121	Open Space, Wetland & Buffer, Stormwater Easement
L	34,622	Public Storm Drain Facility
M	79,544	Open Space, Perennial Stream, Wetland & Buffer
N	5,306	Public Walkway and Sanitary Sewer Tract/Easement
O	20,205	Perennial Stream & Buffer
K	24,940	Open Space, Perennial Stream, Wetland, and Buffers

TITLE 17 DEVELOPMENT CODE

CHAPTER 17.30 - ZONING DISTRICTS

17.30.00 ZONING DISTRICT DESIGNATIONS

For the purposes of this title, the city is divided into districts designated as follows:

DISTRICT	SYMBOL
Parks and Open Space	POS
Residential	
Single Family Residential	SFR
Low Density Residential	R-1
Medium Density Residential	R-2
High Density Residential	R-3
Commercial	
Central Business District	C-1
General Commercial	C-2
Village Commercial	C-3
Industrial	
Industrial Park	I-1
Light Industrial	I-2
General Industrial	I-3
Overlay Districts	
Planned Development	PD
Cultural & Historic Resource	CHR

Flood Slope Hazard	FSH
Specific Area Plan Overlay	SAP

17.30.20 RESIDENTIAL DENSITY CALCULATION PROCEDURE

The number of dwelling units permitted on a parcel of land is calculated after the determination of the net site area and the acreage of any restricted development areas (as defined by Chapter 17.60). Limited density transfers are permitted from restricted development areas to unrestricted areas consistent with the provisions of the Flood and Slope Hazard Area Overlay District, Chapter 17.60.

Calculation of Net Site Area (NSA): Net site area should be calculated in acres based upon a survey of the property boundaries excluding areas dedicated for public use.

- A. Minimum and Maximum Dwelling Units for Sites with No Restricted Areas: The allowable range of housing units on a piece of property is calculated by multiplying the net site area (NSA) in acres by the minimum and maximum number of dwelling units allowed in that zone.

For example: A site (NSA) containing 10 acres in the Single Family Residential Zoning District requires a minimum of 30 units and allows a maximum of 58 units. (NSA x 3 units/acre = 30 units minimum) (NSA x 5.8 units/acre = 58 units maximum)

- B. Minimum and Maximum Dwelling Units for Sites with Restricted Areas

1. Unrestricted Site Area: To calculate unrestricted site area (USA): subtract all restricted development areas (RDA) as defined by Section 17.60.20(A) from the net site area (NSA), if applicable.
NSA - RDA = USA
2. Minimum Required Dwelling Units: The minimum number of dwelling units required for the site is calculated using the following formula:

$$\text{USA (in acres)} \times \text{Minimum Density (Units per Acre) of Zoning District} = \text{Minimum Number of Dwelling Units Required.}$$

3. Maximum Allowed Dwelling Units: The maximum number of dwelling units allowed on a site is the lesser of the results of these two formulas:
 - a. NSA (in acres) x Maximum Density of Zoning District (units/acre)
 - b. USA (in acres) x Maximum Density of Zoning District (units/acre) x 1.5 (maximum allowable density transfer based on Chapter 17.60)

For example: suppose a site in a zone with a maximum density of eight (8) units per acre has 6 acres of unrestricted site area (USA= 6) and two acres of restricted development area (RDA=2), for a total net site area of 8 acres (NSA= 8). Then NSA (8) x 8 units/acre = 64 and USA (6) x 8 units/acre x 1.5 = 72, so the maximum permitted number of dwelling units is 64 (the lesser of the two results).

- C. Lot Sizes: Lot sizes shall comply with any minimum lot size standards of the underlying zoning district.
- D. Rounding: A dwelling unit figure is rounded down to the nearest whole number for all total maximum or minimum figures less than four dwelling units. For dwelling unit figures greater than four dwellings units, a partial figure of one-half or greater is rounded up to the next whole number.

For example: A calculation of 3.7 units is rounded down to 3 units. A calculation of 4.2 units is rounded down to 4 units and a calculation of 4.5 units is rounded up to 5 units.

APPLICANT RESPONSE: The subject properties are zoned Single Family Residential (SFR). Which allows the minimum of 3 units per acre and maximum of 5.8. The total site area for redevelopment is 769,973sqft. The net site area is 369,790 sqft (8.49 acres). The max density based off the NSA is 49 lots (5.8*8.49acres = 49.24 rounded down to 49). The minimum density is 25 lots (3*8.49acres = 25.47 rounded down to 25). The FSH overlay does not apply to this site (as discussed further in this narrative) and therefore, there is no restricted site development area. All lot sizes comply with the dimensional requirements of the Sandy

CHAPTER 17.34 - SINGLE-FAMILY RESIDENTIAL (SFR)

17.34.00 INTENT

The district is intended to implement the Low Density Residential Comprehensive Plan designation by providing for low-density residential development in specific areas of the city. The purpose of this district is to allow limited development of property while not precluding more dense future development, as urban services become available. Density shall not be less than 3 or more than 5.8 units per net acre.

17.34.10 PERMITTED USES

- A. Primary Uses Permitted Outright:
 1. Single detached dwelling subject to design standards in Chapter 17.90;
 2. Single detached manufactured dwelling subject to design standards in Chapter 17.90;
- B. Accessory Uses Permitted Outright:
 1. Accessory dwelling unit subject to the provisions in Chapter 17.74;
 2. Accessory structure, detached or attached subject to the provisions in Chapter 17.74;
 3. Family day care, as defined in Chapter 17.10 subject to any conditions imposed on the residential dwellings in the zone;
 4. Home business subject to the provisions in Chapter 17.74;
 5. Livestock and small animals, excluding carnivorous exotic animals: The keeping, but not the propagating, for solely domestic purposes on a lot having a minimum area of one acre. The structures for the housing of such livestock shall be located within the rear yard and at a minimum distance of 100 feet from an adjoining lot in any residential zoning district;
 6. Minor utility facility;
 7. Other development customarily incidental to the primary use.

APPLICANT RESPONSE: The project is proposing single family detached homes. Therefore, this criterion is met.

17.34.30 DEVELOPMENT STANDARDS

Type	Standard
A. Minimum Lot Area - Single detached dwelling - Other permitted uses	7,500 square ft. No minimum
B. Minimum Average Lot Width - Single detached dwelling	60 ft.
C. Minimum Lot Frontage	20 ft. except as allowed by Section 17.100.160
D. Minimum Average Lot Depth	No minimum
E. Setbacks (Main Building) Front yard Rear yard Side yard (interior) Corner Lot	10 ft. minimum 20 ft. minimum 7.5 ft. minimum 10 ft. minimum on side abutting the street ¹
F. Setbacks (Garage/Carport)	22 ft. minimum for front vehicle access 15 ft. minimum if entrance is perpendicular to street (subject to Section 17.90.220) 5 ft. minimum for alley or rear access
G. Projections into Required Setbacks	See Chapter 17.74

H. Accessory Structures in Required Setbacks	See Chapter 17.74
I. Structure Height	35 ft. maximum
J. Building Site Coverage	No minimum
K. Off-Street Parking	See Chapter 17.98

¹ Must comply with clear vision requirements of Chapter 17.74.

APPLICANT RESPONSE: Below is a table that shows the proposed lot size, street frontage, and width for each lot within the proposed subdivision. All lots proposed within this subdivision meet the dimensional requirements for the residential zone. Building construction is not included with this proposal and setbacks will be addressed at the time of building permits. However, it should be noted that all lots have been designed to have a buildable footprint within the required setbacks.

Lot Breakdown			
Lot No.	Size (ft ²)	Frontage (ft)	Width (ft)
44	8120	65	65
45	7720	62	62
46	7720	62	62
47	7740	62	62
48	7740	62	62
49	7740	62	62
50	8120	65	65
51	8620	69	69
52	8620	69	69
53	9210	193	74.1
54	7850	96.5	80.4
55	7770	74	74
56	7590	69	69
57	7590	69	69
58	7880	52.5	72.5
59	11320	40.1	62.9 ₃
60	9310	40.2	65.9 ₃
61	7940	53	78.3 ₃
62	7760	81.4	81.4
63	7760	81.3	81.3
64	7510	66.4	66.4
65	11410	166	82 ₃
66	11600	40.6	65.2 ₃
67	10320	40	61.6 ₃
68	9990	55	70.2 ₃
69	8950	54	60 ₃
70	7760	53.9	60 ₃
71	7530	60	60
72	7530	60	60
73	7530	82.8	60 ₃
74	7500	86.5	63.3 ₃
75	7500	178'	85 ₃
76	7500	75.3	75.3
77 ₁	11810/10390 ₄	15 ₁	80.7 ₃
78	8030	89.3	87.6
79	7500	128.9	62.5 ₄

80	8160	126.8	66.5 ₄
81	11600	40	88 ₃
82	7650	40.2	65.6 ₃
83	7550	62.5	62.5
84	7590	62.8	62
85	12450	40.9	94.6
86	10700	72.4	85.6

1 – Flag Lot

2 – Average Lot Width

3 – Mid Point Lot Width

4 – Square footage with pole removed

17.34.40 MINIMUM REQUIREMENTS

- A. Must connect to municipal water.
- B. Must connect to municipal sewer if service is currently within 200 feet of the site. Sites more than 200 feet from municipal sewer, may be approved to connect to an alternative disposal system provided all of the following are satisfied:
 - 1. A county septic permit is secured and a copy is provided to the city;
 - 2. The property owner executes a waiver of remonstrance to a local improvement district and/or signs a deed restriction agreeing to complete improvements, including but not limited, to curbs, sidewalks, sanitary sewer, water, storm sewer or other improvements which directly benefit the property;
 - 3. The minimum size of the property is one acre or is a pre-existing buildable lot, as determined by the city;
 - 4. Site consists of a buildable parcel(s) created through dividing property in the city, which is less than five acres in size.
- C. The location of any real improvements to the property must provide for a future street network to be developed.
- D. Must have frontage or approved access to public streets.

APPLICANT RESPONSE: All the lots created within the subdivision are proposed to be connected to municipal water and sewer. The subdivision is creating buildable lots that meet the dimensional standards of this code section. The street design in this subdivision provides for a future street connection if the neighboring site to the west is to be developed. Due to the location of the BPA easement to the south and east, there is no proposed connection to the abutting southern property. The site is proposing a new ROW connection to Kelso Rd. Therefore, the applicable criteria are met.

17.34.50 ADDITIONAL REQUIREMENTS

- A. Design review as specified in Chapter 17.90 is required for all uses.
- B. Lots with 40 feet or less of street frontage shall be accessed by a rear alley or a shared private driveway.
- C. Lots with alley access may be up to 10 percent smaller than the minimum lot size of the zone.

APPLICANT RESPONSE: All lots meet the minimum width and street frontage requirements. Therefore, these criteria do not apply.

CHAPTER 17.56 - HILLSIDE DEVELOPMENT

17.56.10 APPLICABILITY

These regulations shall apply to any parcel with slopes greater than twenty-five percent (25%) as shown on the Hillside Development Overlay District Map or with slope hazards mapped by the Department of Geology and Mineral Industries (DOGAMI). This chapter shall apply only to activities and uses that require

a building, grading, tree removal and/or land use permit.

- A. General. No person shall develop property in areas designated by SDC 17.56.10, without first demonstrating compliance with this chapter.
 - 1. As a condition of permit issuance or land use approval, the applicant shall agree to implement the recommendations of approved studies and to allow all inspections to be conducted.
 - 2. Where a bond, letter of credit or other guarantee is required, the permit shall not be issued until the bond or guarantee has been obtained and approved.
- B. Exemptions:
 - 1. An activity or use that avoids slopes of 25% or greater, DOGAMI slope hazard areas, natural drainageways and potentially hazardous analysis areas as defined in Section 17.56.30.A.
 - 2. The following activities, regardless of location:
 - a. An excavation that is less than three feet in depth, or which involves less than fifty cubic yards of volume;
 - b. A fill that does not exceed three feet in depth or 50 cubic yards of volume;
 - c. New construction or expansion of a structure resulting in a net increase in ground floor area of less than 1,000 square feet that does not involve grading;
 - d. Emergency actions required to prevent an imminent threat to public health or safety, or prevent imminent danger to public or private property, as determined by the Director; or
 - e. Any land use or activity that does not require a building, grading permit, or land use approval.

APPLICANT RESPONSE: There are no slopes on this site greater than 25%. Therefore, this code section is not applicable.

CHAPTER 17.60 - FLOOD & SLOPE HAZARD (FSH) OVERLAY DISTRICT

17.60.00 INTENT

This chapter is intended to promote the public health, safety and general welfare by minimizing public and private adverse impacts from flooding, erosion, landslides or degradation of water quality consistent with Statewide Planning Goals 6 (Air, Land and Water Resources Quality) and 7 (Areas Subject to Natural Disasters and Hazards) and the Sandy Comprehensive Plan (SCP).

This chapter is also intended to minimize public and private losses due to flooding in flood hazard areas by provisions designed to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in flood hazard areas;
- F. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas so as to minimize blight areas caused by flooding;
- G. Notify potential buyers that the property is in a Special Flood Hazard Area;
- H. Notify those who occupy flood hazard areas that they assume responsibility for their actions; and
- I. Participate in and maintain eligibility for flood insurance and disaster relief.

17.60.10 INTERPRETATION AND MAPPING

The Director has the ultimate responsibility for maintaining the FSH Overlay District on the City of Sandy Zoning Map, determining on-site measuring methods, and otherwise interpreting the provisions of this chapter. Technical terms used in this chapter are defined in Chapter 17.10, Definitions. This chapter does not regulate development on lots or parcels entirely outside the FSH Overlay District.

- A. FSH Overlay District. The only areas subject to the restrictions and prohibitions of the FSH overlay

district are those indicated on the City of Sandy Zoning Map on file in the Planning Department and areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled, "Flood Insurance Study (FIS) for Clackamas County, Oregon and Incorporated Areas," dated January 18, 2019, with accompanying Flood Insurance Rate Maps (FIRMs). This chapter does not regulate lots or parcels entirely outside the FSH Overlay District.

1. The FIS and FIRMs are hereby adopted by reference and declared to be a part of Section 17.60 and are on file at the City of Sandy.
- B. Development Approval Required. No development shall occur within the FSH overlay district without first obtaining City approval under the provisions of this chapter. The Director shall notify the Oregon Division of State Lands whenever any inventoried wetland is proposed for development, in accordance with ORS 227.350. In riverine situations, the Director shall notify adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notification to the administrator.
- C. Interpretation. All provisions of the FSH overlay code shall be:
 1. Considered as minimum requirements;
 2. Liberally construed in favor of the governing body; and
 3. Deemed neither to limit nor repeal any other powers granted under state statutes.
- D. Applicant Responsibilities. The applicant for alteration or development within the FSH overlay district shall be responsible for preparing a survey of the entire site, based on site-specific field surveys or Corps of Engineers data that precisely maps and delineates the following areas:
 1. The name, location and dimensions of affected streams or rivers, and the tops of their respective banks.
 2. Area of Special Flood Hazard boundaries and elevations as determined by the January 18, 2019 FIS for Clackamas County and Incorporated Areas.
 3. The City of Sandy FSH overlay district boundary as depicted on the City of Sandy FSH Map.
 4. The water quality and slope setback area(s) as defined in Section 17.60.30.
 5. The size and location of locally significant wetlands shall be determined based on the City of Sandy Locally Significant Wetland Inventory (2002) unless modified by a wetland delineation approved by the Oregon Division of State Lands and submitted to the City. Wetland delineations that have formal concurrence from the Division of State Lands shall be valid for the period specified in that agency's administrative rules.
 6. Steep slope areas where the slope of the land is 25% or greater within the FSH overlay district boundary.
 7. The area enclosed by a continuous line, measured 25 feet horizontally, parallel to and upland from the top of a steep slope area, where the top of the steep slope is within the FSH overlay district boundary.
 8. Existing public rights-of-way, structures, roads and utilities.
 9. Natural vegetation, including trees or tree clusters and understory within the FSH Overlay District boundary.
 10. Existing and proposed contours at 2-foot intervals.

APPLICANT RESPONSE: The FSH overlay cannot be applied to this project site because it was not required at the time of annexation of this site. Therefore, Code Section 17.60 Flood & Slope Hazard (FSH) Overlay District does not apply to this project. However, the applicant will respond to sections of this code to show the project meets the intent of this chapter and the general principles of the FSH Overlay District. The wetlands on site are not deemed significant, therefore a 25' setback is required per City of Sandy Municipal Code. However, the plans show 50' setback from the wetlands, these setbacks ensure they will be protected. A 50' setback is required from top of bank of the perennial stream located on site. Both setbacks meet the City of Sandy Municipal Code (17.60.30.A), Clackamas County Code (CCSD #1, Table 4.1), and Oregon State's requirements. On the plan set included with this application, the delineated wetlands, perennial stream, the top of bank, and all required setbacks are mapped per the applicant's responsibilities of this code section. There is no significant slope on this site greater than 25% and therefore this does not apply. The project proposal meets the intent of this code section.

17.60.20 PERMITTED USES AND ACTIVITIES

This chapter lists permitted uses, or uses allowed under prescribed conditions, within the FSH overlay district. Where there are conflicts, this chapter supersedes the use provisions of the underlying district.

- A. Restricted Development Areas. Restricted development areas within the FSH overlay district as shown on the City of Sandy Zoning Map include:
1. Slopes of 25% or greater that (a) encompass at least 1,000 square feet and (b) have an elevation differential of at least 10 feet.
 2. Protected water features, including locally significant wetlands, wetland mitigation areas approved by the Division of State Lands, and perennial streams.
 3. Required setback areas as defined in Section 17.60.30.

APPLICANT RESPONSE: Section 17.60.20 does not apply to this project per the Applicant Responses stated above. However, the applicant will respond to this section to show it meets the intent of the FSH Overlay District. If the FSH were to apply, the project site includes areas that would be considered “protected water features” as described under 17.60.20.A.2. There are three areas of delineated wetlands and there is a perennial stream located on site. Please refer to the Environmental Technology Consultant’s reports and DSL decisions included with this application submittal.

- B. Permitted Uses. Permitted uses within restricted development areas are limited to the following:
1. Open space and trails provided they are constructed consistent with standards on file in the Planning Department.
 2. Removal of refuse and permitted fill.
 3. Planting of native vegetation species included on a list maintained by the Director.
 4. Removal of non-native / invasive vegetation, dead or dying trees or vegetation that is hazardous to the public.
 5. Removal of up to two trees of 6 inches or greater dbh in a calendar year, provided that each tree removed is replaced with two native trees, each of which must be 1.5 inches or greater caliper and placed within the restricted development area of the site.
 6. Construction or expansion of public facilities or private roads necessary to support permitted development.
 7. Construction or expansion of a single-family residence on a lot-of-record, under the following prescribed conditions:
 - a. The applicant must demonstrate that the lot has received planning approval from either Clackamas County or the City of Sandy and that there is insufficient buildable land on the same lot to allow the proposed construction or expansion.
 - b. The site review, engineering, erosion control, water quality and re-vegetation standards of this chapter have been fully satisfied.
 - c. The residence or addition has been sited so as to minimize excavation and disturbance to native vegetation on restricted development areas.
 - d. The maximum impervious surface coverage resulting from development on restricted development areas shall be 2,500 square feet. Exception: This standard may be exceeded to allow a superior private driveway design and location that reduces adverse impacts to protected areas. To exceed the standard, the applicant must demonstrate that a longer driveway will avoid required setbacks from protected water features, and that driveway construction will either: (a) more closely follow hillside contours and thereby reduce overall cut and fill area by at least 20%; or (b) avoid tree clusters and thereby reduce the number of 6-inch or greater dbh trees that must be removed by at least 20%.
 - e. The option of an adjustment under Section 17.60.100 has been considered as a means of avoiding or minimizing impacts on restricted development areas.
 - f. Development shall not result in cuts or fills in excess of 3 feet except for basement

construction unless specifically approved by the Director.

8. Replacement of a single-family dwelling constructed over substantially the same footprint as the original dwelling.
 9. Repair or stabilization of unstable slopes.
 10. Stream bank restoration, subject to a stream bank restoration plan. This plan must:
 - a. Be prepared by a team of specialists in the fields of stream morphology, water quality and riparian vegetation approved by the Planning Director.
 - b. Remove invasive vegetation and replace it with multi-layered native vegetation that provides for stream shading within the entire stream bank.
 - c. Reduce the steepness of the bank along reaches that have been highly eroded.
 - d. Reduce the velocity of water carried by the stream.
 - e. Include guarantees and funding to assure at least a 90% survival rate of native plants over a 3-year period.
 11. Maintenance of existing landscaping on existing lots of record is permitted and is exempt from the requirements of the FSH Overlay District.
 12. Appurtenant structures as permitted under Section 17.60.70(J).
- C. Platting of New Lots. No new lot shall be platted or approved for development that is exclusively in restricted development areas as defined in subsection 17.60.20.A.

APPLICANT RESPONSE: Section 17.60.20 does not apply to this project per the Applicant Responses stated above. However, the applicant will respond to this section to show compliance. As mentioned in the 17.60.20.A response, there are three delineated wetlands on site and one perennial stream. The applicant has designed the site development to place all these sensitive areas located on site within tracts to maximize their protection. All wetlands will remain undisturbed, with the exception of one small section located in the Kelso Rd improvements. This area will be addressed with the County application, as this section will be located within their ROW and part of their improvements. Public Facility Improvements are deemed a permitted use per this code section and Clackamas County's code section.

The perennial stream runs east to west the full width of the subject site. No future residential lots are platted within the required setbacks off the wetlands or stream. All the required setbacks fall within the proposed tracts or in the future right of way. All proposed improvements associate with this project and the required setbacks are allowable permitted disturbances per the City of Sandy and Clackamas County Code. This project is proposing three areas of 'disturbance' to the perennial stream and its required setback. All of these disturbances are permitted uses per the City of Sandy Municipal Code (17.60.20.B) and Clackamas County Code(CCSO #1, Table 4.1).

The first 'disturbance' will be a public road (Street A) and utility crossing. The future public road crossing over the stream will allow the development to occur on the southern portion of the property. The applicant is only proposing a single road crossing in order to reduce impact to the stream and retain trees.

The second 'disturbance' is a public sewer crossing under the stream. It is the intention of the developer to bore the sewer under the perennial stream. This will limit the level of disturbance not only to the perennial stream but also minimize damage to any tree root systems. It should be noted that the sewer crossing is proposed to be located underneath/within an existing dirt road (*See Photo A Below*) that crosses the perennial stream. The applicant has chosen this route because it will help reduce construction impact from the sewer main extension, it is already partially improved, and it provides a pedestrian connection from the cul-de-sac to Street B. The public sewer crossing will be restored to a 10' pedestrian pathway within Tract N. This sewer main extension will lie within a public utility and pedestrian path easement. This will allow a feasible path for sewer crossing while providing a pedestrian pathway that will connect the cul-de-sac to Street B.

The final 'disturbance' this project is proposing is a pedestrian pathway that meanders along the

perennial stream. This pathway will allow residents the opportunity to admire the green space and perennial stream. The pathway provides a connection from the eastern property line all the way to the western property line. This will allow for future path construction on adjacent properties. All three disturbances within the required setbacks along the stream are permitted uses listed under code section 17.60.20.B and therefore these improvements are in compliance and meet the intent of this chapter.

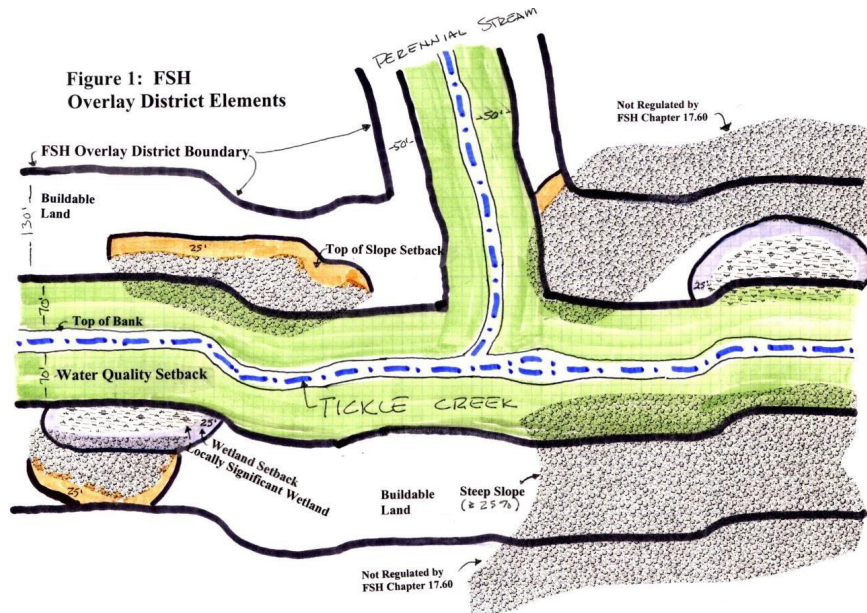
Photo A



17.60.30 REQUIRED SETBACK AREAS

Setback areas shall be required to protect water quality and maintain slope stability near stream corridors and locally significant wetlands. Setbacks are measured horizontally from, parallel to and upland from the protected feature.

- A. Required Setbacks. The required special setback(s) shall be:
1. 80 feet from the top of bank of Tickle Creek;
 2. 50 feet from top of bank along other perennial streams, except for "No Name Creek" east of Towle Drive, as provided in Section 17.60.30.C.2 below.
 3. 25 feet around the edge of any mapped locally significant wetland; and
 4. 25 feet from the top of any 25% slope break where the slope break occurs within the FSH overlay district as mapped by the city.



- B. Minimize Impacts. Natural vegetation shall be preserved and enhanced and excavation minimized within required water quality setback areas.
- C. Exceptions, Intent. Exception 1 below recognizes that existing hillside, stormwater detention and erosion control measures are sufficient to maintain water quality and quantity in areas of steep slopes separated from streams and wetlands by improved public streets in existing rights-of-way. Exception 2 recognizes that “No Name Creek” east of Towle Drive has been severely impacted by culverting, erosion and invasive plants, and has only a few remaining infill sites adjacent to its banks. This exception is intended to encourage appropriate development of these infill sites and the opening and restoration of this stream reach over time.
 1. Land lying within the FSH overlay district, but upland from an existing public right-of-way with an improved public street, shall not be subject to the steep slope restrictions of this chapter. Such land shall remain subject to applicable Section 17.56 Hillside Regulations and shall comply with required setbacks set forth in subsection 17.60.30.A.3 above.
 - a. Applications for development that include only areas that meet this exception and have existing improved public streets and have no locally significant mapped wetlands are not subject to the provisions of this chapter.
 2. The required setback for “No Name Creek” east of the Towle Drive crossing may be reduced to 25 feet, subject to approval of a “stream bank restoration plan” that meets the standards of Section 17.60.20.B.10.

APPLICANT RESPONSE: Section 17.60.30 does not apply to this project per the Applicant Responses stated above. However, the applicant will respond to this section to show compliance. The plan submitted shows a 50’ setback along the perennial stream and a 50’ setback along the wetlands. This meets the required setbacks listed in code section 17.60.30.A. The applicant will minimize the impact of permitted construction when working within the required setbacks of the perennial stream. Excavation will be minimized to the maximum extent possible. Please refer to the erosion control plan submitted with this application that show additional protection measures. Therefore, this project proposal meets the intent of this code section.

CHAPTER 17.66 - ADJUSTMENTS & VARIANCES

17.66.60 VARIANCES

Variations are a means of requesting a complete waiver or major adjustment to certain development standards. They may be requested for a specific lot or as part of a land division application. The Type II

variance proves is generally reserved for major adjustments on individual lots, while variances to development standards proposed as part of a land division are process as a Type III application (requiring public hearing).

APPLICANT RESPONSE: This project is proposing three variance requests. Variance request #1 is to Sandy Development Code 17.100.110.F. This is request is for the length of a cul-de-sac. The code section reads as follows: *“Cul-de-sacs and dead-end streets are discouraged, If deemed necessary, cul-de-sacs shall be as short as possible and shall not exceed 400 feet in length.”* The cul-de-sac proposed with this project exceeds 400’ and the applicant is requesting a variance to this code section to allow for an exceeding length due to existing natural features on site (perennial stream, trees, and wetlands).

The second and third variance requests are to Sandy Development Code 17.100.120.B. These variance requests are for extended block lengths. The code section reads as follows: *“Residential Blocks. Blocks fronting local streets shall not exceed 400 feet in length, unless topographic, natural resource, or other similar physical conditions justify longer blocks. Blocks may exceed 400 feet if approved as part of a Planned Development, Specific Area Plan, adjustment or variance.”* The block lengths created within this subdivision exceed 400’, therefore the applicant is requesting a variance for Street A and B to allow for longer block lengths due to existing natural features on site (perennial stream, trees, and wetlands).

17.66.70 TYPE II and TYPE III VARIANCE CRITERIA

- A. The circumstances necessitating the variance are not of the applicant’s making.
- B. The hardship does not arise out of violation of this code, and approval will not allow otherwise prohibited uses in the district in which the property is located.
- C. Granting the variance will not adversely affect the implementation of the Comprehensive Plan.
- D. The Variance authorized will not be materially detrimental to the public welfare or materially injurious to other property in the vicinity.
- E. The development will be the same as development permitted under this code and City standards to the greatest extent that is reasonably possible while permitting some economic use of the land.
- F. Special circumstances or conditions apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape (legally existing prior to the effective date of this Code), topography, or other circumstances over which the applicant has no control.

APPLICANT RESPONSE:

VARIANCE #1 to 17.100.110.F

- A. The circumstances necessitating the variance are not of the applicant’s making.

The subject site has many existing natural features that create circumstances necessitating a variance. These include three wetlands, one in the NW corner, along the eastern property line and one in the SW corner. Additionally, there is a perennial stream that runs the full width of the property. Additionally, development is not to occur on to two adjacent sites. The southern tract of the property (Tract E) and the neighboring eastern site have BPA easements overlaying them. Additionally, The city has stated in the Pre-App notes from 1/12/2021 that they do not want two road crossings over the perennial stream and therefore favor a cul-de-sac in this location. Due to the perennial stream, its setbacks, and the preferable option of the cul-de-sac, the road to the cul-de-sac extends for more than 400’.

- B. The hardship does not arise out of violation of this code, and approval will not allow otherwise prohibited uses in the district in which the property is located.

The existing features on and offsite do not arise out of violation of this code. As stated, they are existing neighboring site restrictions (BPA easement) and natural features (wetlands, trees, and

perennial stream) that the applicant and City of Sandy would like to see minimal disturbance to. By minimizing the permitted disturbance to these natural areas, it has created longer road lengths. Approval of this variance will not allow otherwise prohibited uses in the district this property is located.

- C. Granting the variance will not adversely affect the implementation of the Comprehensive Plan.

The granting of this variance will not adversely affect the implementation of the comprehensive plan. As this narrative demonstrates, this project meets the City of Sandy's applicable code standards with the exception of these three variance requests, which are requested due to the desire to minimize impact to natural features.

- D. The Variance authorized will not be materially detrimental to the public welfare or materially injurious to other property in the vicinity.

The variance requests are not materially detrimental to the public welfare or materially injurious to property in the vicinity. The project has been designed to only have minimal permitted disturbance to the natural features on site. The extended road length to the cul-de-sac and the creation of the tracts help support the longevity of these natural features by minimizing potential disturbance. The road and cul-de-sac extend farther south creating longer road length to allow the perennial stream setback to sit entirely within a tract and outside of future/potential lots. This will ensure the stream's protection in the present and future.

- E. The development will be the same as development permitted under this code and City standards to the greatest extent that is reasonably possible while permitting some economic use of the land.

The development will be the same as development permitted under this code and City standards to the greatest extent possible while permitting some economic use of the land. This project narrative addresses the applicable sections from the City of Sandy Code. The narrative shows that this project meets all the applicable code sections and design standards with the exception for these three variance requests.

- F. Special circumstances or conditions apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape (legally existing prior to the effective date of this Code), topography, or other circumstances over which the applicant has no control.

This property has several natural features in multiple areas on this site that create special circumstances for the subject site and proposed project. There are three wetlands located within the subject site and a perennial stream that runs the full width of the property, the city has requested only one road crossing over the perennial stream, and the BPA easements over the tract to the south and adjacent property to the east prohibit development on these sites and therefore, no road extensions or connections to these sites are feasible. The pre-existing neighboring conditions, natural and pre-existing features have prompted the applicant to come up with creative solutions and longer road lengths to create a feasible site design to reduce impact to these existing natural features. The applicant had no control of the neighboring site restrictions and existing natural site features.

VARIANCE #2 & #3 to 17.100.120.B

- A. The circumstances necessitating the variance are not of the applicant's making.

As stated above and throughout this project narrative, the subject site has many existing natural features that create circumstances necessitating a variance. These include three wetlands, one in the NW corner, along the eastern property line and one in the SW corner. Additionally, there is a perennial stream that runs the full width of the property. Additionally, development is not to occur

on two of the adjacent sites. The southern tract of the property (Tract E) and the neighboring eastern site have BPA easements overlaying them. Additionally, the city has stated in the Pre-App notes from 1/12/2021 that they do not want two road crossings over the perennial stream and therefore favor a cul-de-sac, prohibiting block creation. The location of the perennial stream, wetlands, and the desire to only have one road crossing prohibit the creation of standard blocks within this project and would create multiple permanent dead-end roads. Instead, the project is proposing one cul-de-sac and a road extension to the west where future development is feasible. This reduces and limits the disturbance to the natural areas and helps retain a surplus of trees on the subject site.

- B. The hardship does not arise out of violation of this code, and approval will not allow otherwise prohibited uses in the district in which the property is located.

The existing features do not arise out of violation of this code. As stated, the hardships are existing adjacent site restrictions and natural features that the applicant and City of Sandy would like to see minimal disturbance to. By minimizing the permitted disturbance to these natural areas, it has created longer road lengths. Approval of this variance will not allow otherwise prohibited uses in the district this property is located.

- C. Granting the variance will not adversely affect the implementation of the Comprehensive Plan.

The granting of this variance will not adversely affect the implementation of the comprehensive plan. As this narrative demonstrates, this project meets the City of Sandy's applicable code standards with the exception of these three variance requests, which are requested due to the desire to minimize impact to natural features.

- D. The Variance authorized will not be materially detrimental to the public welfare or materially injurious to other property in the vicinity.

The variance requests are not materially detrimental to the public welfare or materially injurious to property in the vicinity. The project has been designed to only have minimal permitted disturbance to the natural features on site. The extended road lengths help support the longevity of these natural features by minimizing potential disturbance. The road and cul-de-sac extend farther south and the forbidding of crossing the perennial stream twice in order to connect Street A back to Street B creates longer road lengths and lack of standard blocks. However, this allows the perennial stream setback to sit entirely within a tract and outside of a future lots. This will ensure the natural area and stream's protection.

- E. The development will be the same as development permitted under this code and City standards to the greatest extent that is reasonably possible while permitting some economic use of the land.

The development will be the same as development permitted under this code and City standards to the greatest extent possible while permitting some economic use of the land. This project narrative addresses the applicable sections from the City of Sandy Code. The narrative shows that this project meet all the applicable code sections and design standards except for these three variance requests.

- F. Special circumstances or conditions apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape (legally existing prior to the effective date of this Code), topography, or other circumstances over which the applicant has no control.

This property has several natural features in multiple areas on this site that create special circumstances for the subject site and proposed project. There are three wetlands located within

the subject site and a perennial stream that runs the full width of the property, the city has requested only one road crossing over the perennial stream. The BPA easements over Tract E to the south and the eastern adjacent property prohibit development on these adjacent sites and therefore, no road extensions or connections to these sites are feasible. The pre-existing neighboring conditions, natural and pre-existing features have prompted the applicant to come up with creative solutions and longer road lengths to create a feasible site design to reduce impact to these existing natural features. The applicant had no control of the neighboring site restrictions and existing natural site features.

APPLICANT RESPONSE CONT'D: The subject site and adjacent properties have multiple existing features that do not promote shorter road lengths and creation of standard blocks. Throughout the subject site there are wetlands (NW corner, SW corner, and eastern property line). In addition, there is a perennial stream that runs the full width of the site (east-west). The adjacent site to the east and Tract E have an existing BPA easements that do not allow for development of these sites. Therefore, road connections to the east and south were not supported and focus was on promoting development to the west. The wetland in the NW corner also prohibits a second western connection into SW Kelso Rd.

The City has specifically requested only one crossing over the perennial stream to minimize impact and reduce tree removal. These existing conditions and natural feature protection restrict the project from creating the 'traditional' and 'grid' like blocks and therefore require blocks that exceed 400' and roads that exceed 600'. To mitigate for the longer road and block lengths, the project is proposing a network of pedestrian paths throughout the site. These pathways provide pedestrian connection through the sensitive areas where vehicular roads cannot travel. Additionally, these pedestrian paths are permitted uses within the environmentally sensitive areas and their setbacks. Where the blocks exceed 600', the project has proposed pedestrian pathways and amenities.

Along Street A, located in Tract K, there is a pedestrian pathway that connects Street A to the eastern property line. Additionally, in Tract K, the project is proposing a dedicated improved area outside of the buffers for a park bench to overlook the wetland, perennial stream, and tree/forested area. To the west, across Street A, the pedestrian path continues and runs west through Tract O. This pedestrian path connects Street A to Tract N (another pedestrian path) creating a pedestrian path grid like design.

Street B's block length exceeds the 600'. To mitigate this, the project includes a pedestrian path over a sewer main extension within Tract N, this provides direct pedestrian connection from the western end of Street B to Street A's cul-de-sac. This location was selected due to an existing dirt roadway. While it does not cross the middle of the block, utilizing the existing dirt road reduces impact to the natural areas on site because it is currently improved and used for vehicular access. The pedestrian pathway located in Tract O connects Tract N to a northern location on Street A.

Additionally, to help mitigate for the length of Street A, the applicant has proposed a paved access road from the south end of the cul-de-sac. This paved access road located in Tract L will be utilized for emergency access and pedestrian foot traffic. The paved access way will split just south of Tract L. The portion running east will be reserved for pedestrians and provide connection to an easement located on the eastern adjacent property that is dedicated for future trails. The portion running west will be for emergency vehicles. This will provide direct connection to an existing emergency access road in Phase I of Sandy Woods.

An additional mitigation measure for the road crossing and extended road lengths is the amount of trees the applicant is proposing for retention. Per a previous land use decision, this project was subject to saving 117 trees between this Phase I and Phase II. Phase II is proposing the retention of 152 trees within Phase II, far exceeding the minimum requirement of 117 trees. The extra tree retention helps preserve and protect the natural amenities of the site.

While an additional road could not be included to create a block, remove a cul-de-sac, and create shorter road lengths, this pedestrian pathway network helps provide direct connection and circulation for pedestrians. It will be utilized as a scenic pathway network while preserving natural spaces throughout the subject site. This is a very enticing amenity for the future subdivision and it's residents as well as the surrounding communities.

CHAPTER 17.80 - ADDITIONAL SETBACKS ON COLLECTOR & ARTERIAL STREETS

17.80.20 SPECIFIC SETBACKS

Any structure located on streets listed above or identified in the Transportation System Plan as arterials or collectors shall have a minimum setback of 20 feet measured from the property line. This applies to applicable front, rear and side yards.

APPLICANT RESPONSE: Lot 53 is the only lot with frontage on an arterial. Lot 53 is proposing to meet the 20' setback requirement on an arterial. Therefore, this criterion does not apply.

CHAPTER 17.82 - SPECIAL SETBACKS ON TRANSIT STREETS

17.82.20 BUILDING ORIENTATION

- A. All residential dwellings shall have their primary entrances oriented toward a transit street rather than a parking area, or if not adjacent to a transit street, toward a public right-of-way or private walkway which leads to a transit street.
- B. Dwellings shall have a primary entrance connecting directly between the street and building interior. A clearly marked, convenient, safe and lighted pedestrian route shall be provided to the entrance, from the transit street. The pedestrian route shall consist of materials such as concrete, asphalt, stone, brick, permeable pavers, or other materials as approved by the Director. The pedestrian path shall be permanently affixed to the ground with gravel subsurface or a comparable subsurface as approved by the Director.
- C. Primary dwelling entrances shall be architecturally emphasized and visible from the street and shall include a covered porch at least 5 feet in depth.
- D. If the site has frontage on more than one transit street, the dwelling shall provide one main entrance oriented to a transit street or to a corner where two transit streets intersect.

APPLICANT RESPONSE: Primary entrances for the lot fronting Kelso Rd will be oriented towards Kelso Rd. The vehicular/garage entrance for this lot will not be via Kelso Rd but make its connection to Street A. The architectural design will be assessed at the time of building permits. Therefore, these criteria are met.

CHAPTER 17.84 - IMPROVEMENTS REQUIRED WITH DEVELOPMENT

17.84.20 TIMING OF IMPROVEMENTS

- A. All improvements required by the standards in this chapter shall be installed concurrently with development, as follows:
 - 1. Where a land division is proposed, each proposed lot shall have required public and franchise utility improvements installed or financially guaranteed in accordance with the provisions of Chapter 17 prior to approval of the final plat.
 - 2. Where a land division is not proposed, the site shall have required public and franchise utility improvements installed or financially guaranteed in accordance with the provisions of Chapter 17 prior to temporary or final occupancy of structures.
- B. Where specific approval for a phasing plan has been granted for a planned development and/or subdivision, improvements may similarly be phased in accordance with that plan.

APPLICANT RESPONSE: Each lot within the proposed subdivision will have the required public and

franchise utility improvements installed or financially guaranteed in accordance with the provisions of Chapter 17 prior to the approval of the final plat.

17.84.30 PEDESTRIAN AND BICYCLIST REQUIREMENTS

- A. Sidewalks shall be required along both sides of all arterial, collector, and local streets, as follows:
1. Sidewalks shall be a minimum of 5 ft. wide on local streets. The sidewalks shall be separated from curbs by a tree planting area that provides separation between sidewalk and curb, unless modified in accordance with Subsection 3 below.
 2. Sidewalks along arterial and collector streets shall be separated from curbs with a planting area, except as necessary to continue an existing curb-tight sidewalk. The planting area shall be landscaped with trees and plant materials approved by the City. The sidewalks shall be a minimum of 6 ft. wide.
 3. Sidewalk improvements shall be made according to city standards, unless the city determines that the public benefit in the particular case does not warrant imposing a severe adverse impact to a natural or other significant feature such as requiring removal of a mature tree, requiring undue grading, or requiring modification to an existing building. Any exceptions to the standards shall generally be in the following order.
 - a) Narrow landscape strips
 - b) Narrow sidewalk or portion of sidewalk to no less than 4 feet in width
 - c) Eliminate landscape strips
 - d) Narrow on-street improvements by eliminating on-street parking
 - e) Eliminate sidewalks
 4. The timing of the installation of sidewalks shall be as follows:
 - a) Sidewalks and planted areas along arterial and collector streets shall be installed with street improvements, or with development of the site if street improvements are deferred.
 - b) Sidewalks along local streets shall be installed in conjunction with development of the site, generally with building permits, except as noted in (c) below.
 - c) Where sidewalks on local streets abut common areas, drainageways, or other publicly owned or semi-publicly owned areas, the sidewalks and planted areas shall be installed with street improvements.

APPLICANT RESPONSE: Frontage improvements along Kelso Rd (collector) include a 6' property tight sidewalk and a 5' curb tight planter strip. Frontage improvements for the newly constructed public roads through the subdivision will include a 5' property tight sidewalks and 5' curb tight planter strips. The timing of sidewalk installation will be to install the sidewalks fronting Kelso Rd and those sidewalks fronting all tracts at the time of the site development. The sidewalks along the local streets fronting future residential lots will be installed at the time of building construction.

- B. Safe and convenient pedestrian and bicyclist facilities that strive to minimize travel distance to the extent practicable shall be provided in conjunction with new development within and between new subdivisions, planned developments, commercial developments, industrial areas, residential areas, public transit stops, school transit stops, and neighborhood activity centers such as schools and parks, as follows:
1. For the purposes of this section, "safe and convenient" means pedestrian and bicyclist facilities that: are reasonably free from hazards which would interfere with or discourage travel for short trips; provide a direct route of travel between destinations; and meet the travel needs of pedestrians and bicyclists considering destination and length of trip.
 2. To meet the intent of "B" above, right-of-ways connecting cul-de-sacs or passing through unusually long or oddly shaped blocks shall be a minimum of 15 ft. wide with 8 feet of pavement.
 3. 12 feet wide pathways shall be provided in areas with high bicycle volumes or multiple use by bicyclists, pedestrians, and joggers.
 4. Pathways and sidewalks shall be encouraged in new developments by clustering buildings or constructing convenient pedestrian ways. Pedestrian walkways shall be provided in accordance

with the following standards:

- a) The pedestrian circulation system shall be at least five feet in width and shall connect the sidewalk on each abutting street to the main entrance of the primary structure on the site to minimize out of direction pedestrian travel.
- b) Walkways at least five feet in width shall be provided to connect the pedestrian circulation system with existing or planned pedestrian facilities which abut the site but are not adjacent to the streets abutting the site.
- c) Walkways shall be as direct as possible and avoid unnecessary meandering.
- d) Walkway/driveway crossings shall be minimized. Internal parking lot design shall maintain ease of access for pedestrians from abutting streets, pedestrian facilities, and transit stops.
- e) With the exception of walkway/driveway crossings, walkways shall be separated from vehicle parking or vehicle maneuvering areas by grade, different paving material, painted crosshatching or landscaping. They shall be constructed in accordance with the sidewalk standards adopted by the City. (This provision does not require a separated walkway system to collect drivers and passengers from cars that have parked on site unless an unusual parking lot hazard exists).
- f) Pedestrian amenities such as covered walk-ways, awnings, visual corridors and benches will be encouraged. For every two benches provided, the minimum parking requirements will be reduced by one, up to a maximum of four benches per site. Benches shall have direct access to the circulation system.

APPLICANT RESPONSE: Five-foot sidewalks are proposed on all the local streets and six-foot sidewalks are proposed along the property's frontage along Kelso Rd. Therefore, these criteria will be met.

- C. Where a development site is traversed by or adjacent to a future trail linkage identified within the Transportation System Plan, improvement of the trail linkage shall occur concurrent with development. Dedication of the trail to the City shall be provided in accordance with 17.84.80.

APPLICANT RESPONSE: The subject site is not traversed by a future trail linkage identified within the Transportation System Plan but it is adjacent. The application is proposing a connection to this trail system from the southern end of the cul-de-sac to the edge of the property near the SE corner. This will create direct connection into the future trail system to the east when said trail is developed on the adjacent property. Therefore, this project is in compliance with this code section. Additionally, it should be noted the project is proposing multiple trails throughout the site. An additional trail is proposed within Tract K that provides direct pedestrian connection from 'Street A' to the eastern property line. Another trail is proposed to connect Street B to Street A's cul-de-sac (Tract N) and an additional trail from Street A running west to intersect Tract N, providing additional pedestrian access outside of the sidewalk system from the western end of Street B to the eastern property line.

- D. To provide for orderly development of an effective pedestrian network, pedestrian facilities installed concurrent with development of a site shall be extended through the site to the edge of adjacent property(ies).

APPLICANT RESPONSE: The sidewalks along Kelso Rd and all tracts will be installed with the land development and sidewalks proposed along local streets fronting residential lots within the subject site will be installed at the time of building construction. The sidewalks, where applicable, are designed to the property's edge allowing for connection when adjacent properties develop. Therefore, this criterion will be met.

- E. To ensure improved access between a development site and an existing developed facility such as a commercial center, school, park, or trail system, the Planning Commission or Director may require off-site pedestrian facility improvements concurrent with development.

APPLICANT RESPONSE: There is no existing developed facility access with the subject site. Therefore, this criterion does not apply.

17.84.40 TRANSIT AND SCHOOL BUS TRANSIT REQUIREMENTS

- A. Development sites located along existing or planned transit routes shall, where appropriate, incorporate bus pull-outs and/or shelters into the site design. These improvements shall be installed in accordance with the guidelines and standards of the transit agency. School bus pull-outs and/or shelters may also be required, where appropriate, as a condition of approval for a residential development of greater than 50 dwelling units where a school bus pick-up point is anticipated to serve a large number of children.
- B. New developments at or near existing or planned transit or school bus transit stops shall design development sites to provide safe, convenient access to the transit system, as follows:
 - 1. Commercial and civic use developments shall provide a prominent entrance oriented towards arterial and collector streets, with front setbacks reduced as much as possible to provide access for pedestrians, bicycles, and transit.
 - 2. All developments shall provide safe, convenient pedestrian walkways between the buildings and the transit stop, in accordance with the provisions of 17.84.30 B.

APPLICANT RESPONSE: The proposed site location does not front an existing or planned transit route and does not exceed 50 dwelling units. Therefore, this criterion does not apply.

17.84.50 STREET REQUIREMENTS

- A. Transportation Impact Study (No Dwellings). For development applications that do not propose any dwelling units, the City may require a transportation impact study that evaluates the impact of the proposed development on the transportation system. Unless the City does not require a transportation impact study, the applicant shall prepare the study in accordance with the following:
 - 1. A proposal establishing the scope of the study shall be submitted for review to the City Traffic Engineer. The scope shall reflect the magnitude of the project in accordance with accepted transportation planning and engineering practices. Large projects shall assess intersections and street segments where the development causes increases of more than 20 vehicles in either the AM or PM peak hours. Once the City Traffic Engineer has approved the scope of the study, the applicant shall submit the results of the study as part of its development application. Failure to submit a required study will result in an incomplete application. A traffic impact study shall bear the seal of a Professional Engineer licensed in the State of Oregon and qualified in traffic or civil engineering.
 - 2. If the study identifies level-of-service conditions less than the minimum standard established in the development code or the Sandy Transportation System Plan, or fails to demonstrate that average daily traffic on existing or proposed streets will meet the ADT 17.84 - 4 Revised by Ordinance 2020-24 effective 9/21/2020 standards established in the development code, the applicant shall propose improvements and funding strategies for mitigating identified problems or deficiencies that will be implemented concurrent with the proposed development
- B. Transportation Impact Study (Dwellings). For development applications that propose dwelling units, an applicant must submit a transportation impact study unless the application is exempt from this requirement pursuant to subsection (B)(6), below. Failure to submit the study will result in an incomplete application. A traffic impact study shall bear the seal of a Professional Engineer licensed in the State of Oregon and qualified in traffic or civil engineering. The applicant shall prepare the study in accordance with the following:
 - 1. The study area must include all existing and proposed site accesses and all existing and proposed streets and intersections where the development adds more than 20 vehicles during any peak hour as determined by using the most recent edition of the Institute of Transportation Engineers Trip Generation Manual. The determination of peak hour vehicle addition shall include the cumulative impact of the proposed development and development on abutting properties that

- received a certificate of occupancy or recorded a plat within the past 5 years.
2. The study must analyze existing conditions and projected conditions upon completion of the proposed development.
 3. The study must be performed for the weekday a.m. peak hour (one hour between 7 a.m. and 9 a.m.) and p.m. peak hour (one hour between 4 p.m. and 6 p.m.). Analysis of other time periods may be required for uses that generate their highest traffic volumes at other times of the day or on weekends.
 4. The study must demonstrate that the transportation impacts from the proposed development will comply with the City's level-of-service and average daily traffic standards and the Oregon Department of Transportation's mobility standard.
 5. If the study identifies level-of-service conditions less than the minimum standard established in the development code or the Sandy Transportation System Plan, or fails to demonstrate that average daily traffic on existing or proposed streets will meet the ADT standards established in the development code or fails to meet the Oregon Department of Transportation's mobility standard, the applicant shall propose improvements and funding strategies for mitigating identified problems or deficiencies that will be implemented concurrent with the proposed development.
 6. A transportation impact study is not required under this section if:
 - a) The cumulative impact of the proposed development and development on abutting properties that received a certificate of occupancy or recorded a plat within the past 5 years will generate no more than 20 vehicle trips in any weekday a.m. or p.m. peak hour as determined by using the most recent edition of the Institute of Transportation Engineers Trip Generation Manual; or
 - b) The proposed development completed a transportation impact study at the time of annexation within the past 5 years and that study assessed the impact of the same or more dwelling units than proposed under the new land use action; or
 - c) The application only proposes to convert an existing detached single family dwelling to a duplex.
- C. Transportation Impact Study (Dwellings) – Discretionary Track. As an alternative to the process outlined in Section 17.84.50(B), an applicant may choose to follow the process in Section 17.84.50(A).

APPLICANT RESPONSE: A traffic impact study was completed and included with this application packet. The study found no mitigation measures were necessary.

- D. Location of new arterial streets shall conform to the Transportation System Plan in accordance with the following:
1. Arterial streets should generally be spaced in one-mile intervals.
 2. Traffic signals should generally not be spaced closer than 1500 ft. for reasonable traffic progression.

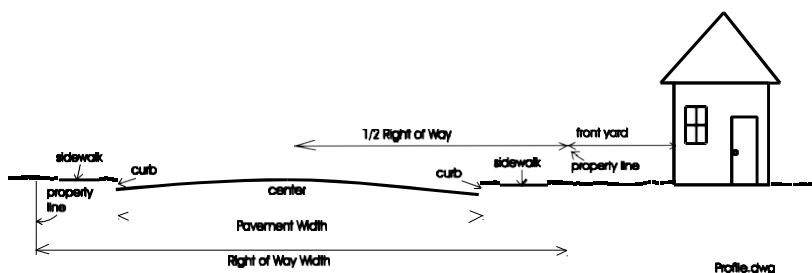
APPLICANT RESPONSE: This project does not include the creation of arterial streets. Therefore, this criterion does not apply.

- E. Local streets shall be designed to discourage through traffic. NOTE: for the purposes of this section, "through traffic" means the traffic traveling through an area that does not have a local origination or destination. To discourage through traffic and excessive vehicle speeds the following street design characteristics shall be considered, as well as other designs intended to discourage traffic:
1. Straight segments of local streets should be kept to less than a quarter mile in length. As practical, local streets should include traffic calming features, and design features such as curves and "T" intersections while maintaining pedestrian connectivity.
 2. Local streets should typically intersect in "T" configurations rather than 4-way intersections to minimize conflicts and discourage through traffic. Adjacent "T" intersections shall maintain a minimum of 150 ft. between the nearest edges of the 2 rights-of-way.

3. Cul-de-sacs should generally not exceed 400 ft. in length nor serve more than 20 dwelling units, except in cases where existing topography, wetlands, or drainage systems or other existing features necessitate a longer cul-de-sac in order to provide adequate access to an area. Cul-de-sacs longer than 400 feet or developments with only one access point may be required to provide an alternative access for emergency vehicle use only, install fire prevention sprinklers, or provide other mitigating measures, determined by the City.

APPLICANT RESPONSE: The project proposal does not include any long straight street segments. This will promote traffic to move slower through the development and avoids “through” traffic. The distance between all “T” intersections meets 150’ spacing requirement. The project is proposing one cul-de-sac. This cul-de-sac will exceed 400’ in length but will serve less than 20 homes and there is a secondary access for emergency use at the southern end of the cul-de-sac. The streets created within this subdivision do not connect to another street system, “through” traffic is not anticipated within this subdivision. Therefore, these criteria are met.

- F. Development sites shall be provided with access from a public street improved to City standards in accordance with the following:
 1. Where a development site abuts an existing public street not improved to City standards, the abutting street shall be improved to City standards along the full frontage of the property concurrent with development.
 2. Half-street improvements are considered the minimum required improvement. Three- quarter-street or full-street improvements shall be required where traffic volumes generated by the development are such that a half-street improvement would cause safety and/or capacity problems. Such a determination shall be made by the City Engineer.
 3. To ensure improved access to a development site consistent with policies on orderly urbanization and extension of public facilities the Planning Commission or Director may require off-site improvements concurrent with development. Off-site improvement requirements upon the site developer shall be reasonably related to the anticipated impacts of the development.
 4. Reimbursement agreements for $\frac{3}{4}$ street improvements (i.e., curb face to curb face) may be requested by the developer per Chapter 12 of the SMC.
 5. A $\frac{1}{2}$ street improvement includes curb and pavement 2 feet beyond the center line of the right-of-way. A $\frac{3}{4}$ street improvement includes curbs on both sides of the side and full pavement between curb faces.



APPLICANT RESPONSE: The project site abuts an existing public street (Kelso Rd). The application is proposing half street improvements along Kelso Rd to meet county requirements and these will be reviewed and permitted by the county and completed at the time of the site development. The new streets proposed within this subdivision include full street Improvements. Please refer to the plans for visual representation of this. Therefore, these criteria can be met.

- G. As necessary to provide for orderly development of adjacent properties, public streets installed concurrent with development of a site shall be extended through the site to the edge of the adjacent property(ies) in accordance with the following:

1. Temporary dead-ends created by this requirement to extend street improvements to the edge of adjacent properties may be installed without turnarounds, subject to the approval of the Fire Marshal.
2. In order to assure the eventual continuation or completion of the street, reserve strips may be required.

APPLICANT RESPONSE: A permanent dead-end street is proposed within this subdivision. However, there is a secondary emergency access off the cul-de-sac. There is one temporary dead-end street proposed with the project (Street B). When the western property develops, it is proposed that this street will be extended into the future development. Please refer to the plan set for visual representation of the future extensions.

- H. Where required by the Planning Commission or Director, public street improvements may be required through a development site to provide for the logical extension of an existing street network or to connect a site with a nearby neighborhood activity center, such as a school or park. Where this creates a land division incidental to the development, a land partition shall be completed concurrent with the development.

APPLICANT RESPONSE: This proposal includes public street improvements and provides street network that supports circulation within the subject site and will support future extension of the proposed street network to the west.

- I. Except for extensions of existing streets, no street names shall be used that will duplicate or be confused with names of existing streets. Street names and numbers shall conform to the established pattern in the surrounding area and be subject to approval of the Director.

APPLICANT RESPONSE: Street names have not yet been assigned to the new proposed ROW streets. It is our intention to work with the City of Sandy and Fire Department on the naming of streets prior to final plat. Therefore, this criterion can be met.

- J. Location, grades, alignment, and widths for all public streets shall be considered in relation to existing and planned streets, topographical conditions, public convenience and safety, and proposed land use. Where topographical conditions present special circumstances, exceptions to these standards may be granted by the City Engineer provided the safety and capacity of the street network is not adversely affected. The following standards shall apply:
1. Location of streets in a development shall not preclude development of adjacent properties. Streets shall conform to planned street extensions identified in the Transportation Plan and/or provide for continuation of the existing street network in the surrounding area.
 2. Grades shall not exceed 6 percent on arterial streets, 10 percent on collector streets, and 15 percent on local streets.
 3. As far as practical, arterial streets and collector streets shall be extended in alignment with existing streets by continuation of the street centerline. When staggered street alignments resulting in "T" intersections are unavoidable, they shall leave a minimum of 150 ft. between the nearest edges of the two rights-of-way.
 4. Centerline radii of curves shall not be less than 500 ft. on arterial streets, 300 ft. on collector streets, and 100 ft. on local streets.
 5. Streets shall be designed to intersect at angles as near as practicable to right angles and shall comply with the following:
 - a) The intersection of an arterial or collector street with another arterial or collector street shall have a minimum of 100 ft. of straight (tangent) alignment perpendicular to the intersection.
 - b) The intersection of a local street with another street shall have a minimum of 50 ft. of straight (tangent) alignment perpendicular to the intersection.
 - c) Where right angle intersections are not possible, exceptions can be granted by the City

Engineer provided that intersections not at right angles have a minimum corner radius of 20 ft. along the right-of-way lines of the acute angle.

- d) Intersections with arterial streets shall have a minimum curb corner radius of 20 ft. All other intersections shall have a minimum curb corner radius of 10 ft.
6. Right-of-way and improvement widths shall be as specified by the Transportation System Plan. Exceptions to those specifications may be approved by the City Engineer to deal with specific unique physical constraints of the site.

APPLICANT RESPONSE: The location of streets within the proposed development do not preclude future development of adjacent properties but rather support any future neighboring development to the west. Development to the South and East are not likely or feasible to happen due to existing site conditions and the BPA easement. Please refer to sheet 11 for a visual representation of this. Grades of the future local streets within this development are all under 10%. We are not extending any arterial or collector streets. Centerline radii curves for this project are all on local streets and are all 100 or greater. All streets are proposed within this project intersect at right angles. All intersections meet their respective curb corner radius. The proposed ROW width for all local streets within the subdivision are 50' in width. Therefore, all the above criteria can be met.

- K. Private streets may be considered within a development site provided all the following conditions are met:
 1. Extension of a public street through the development site is not needed for the continuation of existing street network or for future adjacent properties;
 2. The development site remains in one ownership, or adequate mechanisms are established (such as a homeowner's association invested with the authority to enforce payment) to ensure that a private street installed with a land division will be adequately maintained; and
 3. Where a private street is installed in connection with a land division, paving standards consistent with City standards for public streets shall be utilized to protect the interest of future homeowners.

APPLICANT RESPONSE: This project is not proposing the use of private streets. Therefore, these criteria do not apply.

17.84.60 PUBLIC FACILITY EXTENSIONS

- A. All development sites shall be provided with public water, sanitary sewer, broadband (fiber), and storm drainage.
- B. Where necessary to serve property as specified in "A" above, required public facility installations shall be constructed concurrent with development.
- C. Off-site public facility extensions necessary to fully serve a development site and adjacent properties shall be constructed concurrent with development.
- D. As necessary to provide for orderly development of adjacent properties, public facilities installed concurrent with development of a site shall be extended through the site to the edge of adjacent property(ies).
- E. All public facility installations required with development shall conform to the City's facilities master plans.
- F. Private on-site sanitary sewer and storm drainage facilities may be considered provided all the following conditions exist:
 1. Extension of a public facility through the site is not necessary for the future orderly development of adjacent properties;
 2. The development site remains in one ownership and land division does not occur (with the exception of land divisions that may occur under the provisions of 17.84.50 F above);
 3. The facilities are designed and constructed in accordance with the Uniform Plumbing Code and other applicable codes, and permits and/or authorization to proceed with construction is issued prior to commencement of work.

APPLICANT RESPONSE: This project will be providing public water, sanitary sewer, storm drainage and broadband (fiber) to and through the subdivision and it will be available to all proposed lots. It is the intention to work with Sandynet on a fiber design. The fiber design will be incorporated into the detailed construction drawing plans submitted to Public Works. Preliminary utility plans have been included with this submittal. Please refer to the prelim utility plan.

17.84.80 FRANCHISE UTILITY INSTALLATIONS

These standards are intended to supplement, not replace or supersede, requirements contained within individual franchise agreements the City has with providers of electrical power, telephone, cable television, and natural gas services (hereinafter referred to as “franchise utilities”).

- A. Where a land division is proposed, the developer shall provide franchise utilities to the development site. Each lot created within a subdivision shall have an individual service available or financially guaranteed prior to approval of the final plat.
- B. Where necessary, in the judgment of the Director, to provide for orderly development of adjacent properties, franchise utilities shall be extended through the site to the edge of adjacent property(ies), whether or not the development involves a land division.
- C. The developer shall have the option of choosing whether or not to provide natural gas or cable television service to the development site, providing all of the following conditions exist:
 1. Extension of franchise utilities through the site is not necessary for the future orderly development of adjacent property(ies);
 2. The development site remains in one ownership and land division does not occur (with the exception of land divisions that may occur under the provisions of 17.84.50 F above); and
 3. The development is non-residential.
- D. Where a land division is not proposed, the site shall have franchise utilities required by this section provided in accordance with the provisions of 17.84.70 prior to occupancy of structures.
- E. All franchise utility distribution facilities installed to serve new development shall be placed underground except as provided below. The following facilities may be installed above- ground:
 1. Poles for street lights and traffic signals, pedestals for police and fire system communications and alarms, pad mounted transformers, pedestals, pedestal mounted terminal boxes and meter cabinets, concealed ducts, substations, or facilities used to carry voltage higher than 35,000 volts;
 2. Overhead utility distribution lines may be permitted upon approval of the City Engineer when unusual terrain, soil, or other conditions make underground installation impracticable. Location of such overhead utilities shall follow rear or side lot lines wherever feasible.
- F. The developer shall be responsible for making necessary arrangements with franchise utility providers for provision of plans, timing of installation, and payment for services installed. Plans for franchise utility installations shall be submitted concurrent with plan submittal for public improvements to facilitate review by the City Engineer.
- G. The developer shall be responsible for installation of underground conduit for street lighting along all public streets improved in conjunction with the development in accordance with the following:
 1. The developer shall coordinate with the City Engineer to determine the location of future street light poles. The street light plan shall be designed to provide illumination meeting standards set by the City Engineer.
 2. The developer shall make arrangements with the serving electric utility for trenching prior to installation of underground conduit for street lighting.

APPLICANT RESPONSE: It is the intention of this project to provide power, natural gas and cable tv underground to all the lots within the subdivision prior to occupancy. The applicant will work directly with each franchise on plan designs. The franchise utility conduit and pipes will be installed with the site development. Therefore, the above criteria can be met.

17.84.90 LAND FOR PUBLIC PURPOSES

- A. Easements for public sanitary sewer, water, storm drain, pedestrian and bicycle facilities shall be provided whenever these facilities are located outside a public right-of-way in accordance with the following:
1. When located between adjacent lots, easements shall be provided on one side of a lot line.
 2. The minimum easement width for a single utility is 15 ft. The minimum easement width for two adjacent utilities is 20 ft. The easement width shall be centered on the utility to the greatest extent practicable. Wider easements may be required for unusually deep facilities.

APPLICANT RESPONSE: This application includes two separate 15' public sanitary sewer easements. The first easement is to be centered on the shared lot line between lots 44 and 45. The second one is to be centered on the shared lot line of 69 and 70. Both sewer easements are to be located within a 15' easement or tract dedicated to the City of Sandy. Therefore, these criteria will be met.

- B. Public utility easements with a minimum width of 5 feet shall be provided adjacent to all street rights-of-way for franchise utility installations.

APPLICANT RESPONSE: All franchise utilities will be located within a P.U.E located adjacent to the ROW. Therefore, this criterion will be met.

- C. Where a development site is traversed by a drainageway or water course, a drainage way dedication shall be provided to the City.

APPLICANT RESPONSE: The subject site has a perennial stream located on it. The stream will be located all within tracts that are proposed to be deeded to the City of Sandy or within future public right of way. Therefore, this criterion will be met.

- D. Where a development is traversed by, or adjacent to, a future trail linkage identified within the Transportation System Plan, dedications of suitable width to accommodate the trail linkage shall be provided. This width shall be determined by the City Engineer, considering the type of trail facility involved.

APPLICANT RESPONSE: There is an easement for trails adjacent to Tract E of Plat No. 4575 as recorded with Clackamas County of subject property. Tract E area is not included within the proposed development, but the applicant has designed a secondary Fire Access and pedestrian pathway within Tract E. The project is proposing the pedestrian pathway to be within an easement to connect the proposed cul-de-sac to the existing trail easement.

- E. Where existing rights-of-way and/or easements within or adjacent to development sites are nonexistent or of insufficient width, dedications may be required. The need for and widths of those dedications shall be determined by the City Engineer.

APPLICANT RESPONSE: The project is proposing additional dedication along Kelso Rd in order to meet the County's design standards and all the future local streets proposed within the development will be of adequate width. The applicant will work with the County on the dedication requirements. All future streets and easements proposed within the subject property will meet the required widths. Therefore, this criterion will be met.

- F. Where easement or dedications are required in conjunction with land divisions, they shall be recorded on the plat. Where a development does not include a land division, easements and/or dedications shall be recorded on standard document forms provided by the City Engineer.

APPLICANT RESPONSE: The applicant will dedicate all tracts and easements with the final plat. Therefore, this criterion will be met.

- G. If the City has an interest in acquiring any portion of a proposed subdivision or planned development site for a public purpose, other than for those purposes listed above, or if the City has been advised of such interest by a school district or other public agency, and there is a reasonable assurance that steps will be taken to acquire the land, the Planning Commission may require those portions of the land be reserved for public acquisition for a period not to exceed 1 year.
- H. Environmental assessments for all lands to be dedicated to the public or City may be required to be provided by the developer. An environmental assessment shall include information necessary for the City to evaluate potential liability for environmental hazards, contamination, or required waste cleanups related to the dedicated land. An environmental assessment shall be completed prior to the acceptance of dedicated lands in accordance with the following:
 - 1. The initial environmental assessment shall detail the history of ownership and general use of the land by past owners. Upon review of the information provided by the grantor, as well as any site investigation by the City, the Director will determine if the risks of potential contamination warrant further investigation. When further site investigation is warranted, a Level I Environmental Assessment shall be provided by the grantor.

APPLICANT RESPONSE: It is the intention of the applicant to work with the City on the dedication of tracts of land and any initial environmental assessment they may require for said tracts proposed for dedication. Therefore, the applicable criteria can be met.

17.84.100 MAIL DELIVERY FACILITIES

- A. In establishing placement of mail delivery facilities, locations of sidewalks, bikeways, intersections, existing or future driveways, existing or future utilities, right-of-way and street width, and vehicle, bicycle and pedestrian movements shall be considered. The final location of these facilities shall meet the approval of the City Engineer and the Post Office. Where mail delivery facilities are being installed in conjunction with a land division, placement shall be indicated on the plat and meet the approval of the City Engineer and the Post Office prior to final plat approval.
- B. Where mail delivery facilities are proposed to be installed in areas with an existing or future curb-tight sidewalk, a sidewalk transition shall be provided that maintains the required design width of the sidewalk around the mail delivery facility. If the right-of-way width will not accommodate the sidewalk transition, a sidewalk easement shall be provided adjacent to the right-of-way.
- C. Mail delivery facilities and the associated sidewalk transition (if necessary) around these facilities shall conform with the City's standard construction specifications. Actual mailbox units shall conform with the Post Office standards for mail delivery facilities.
- D. Installation of mail delivery facilities is the obligation of the developer. These facilities shall be installed concurrently with the public improvements. Where development of a site does not require public improvements, mail delivery facilities shall be installed concurrently with private site improvements.

APPLICANT RESPONSE: It is the intention of the applicant to work with the designated USPS representative for this area and City Engineer on the desired location(s) for the future mailboxes during the construction engineering design. The mailboxes will be installed with the site development. Therefore, these criteria can be met.

CHAPTER 17.86 - PARKLAND & OPEN SPACE

17.86.10 MINIMUM PARKLAND DEDICATION REQUIREMENTS

Parkland Dedication: New residential subdivisions, planned developments, multi-family or manufactured home park developments shall be required to provide parkland to serve existing and future residents of those developments. Multi-family developments which provide some "congregate" services and/or facilities, such as group transportation, dining halls, emergency monitoring systems, etc., but which have

individual dwelling units rather than sleeping quarters only, are considered to be multi-family developments for the purpose of parkland dedication.

Licensed adult congregate living facilities, nursing homes, and all other similar facilities which provide their clients with individual beds and sleeping quarters, but in which all other care and services are communal and provided by facility employees, are specifically exempt from parkland dedication and system development fee requirements.

1. The required parkland shall be dedicated as a condition of approval for the following:
 - a. Tentative plat for a subdivision or partition;
 - b. Planned Development conceptual or detailed development plan;
 - c. Design review for a multi-family development or manufactured home park; and
 - d. Replat or amendment of any site plan for multi-family development or manufactured home park where dedication has not previously been made or where the density of the development involved will be increased.
2. Calculation of Required Dedication: The required parkland acreage to be dedicated is based on a calculation of the following formula rounded to the nearest 1/100 (0.00) of an acre:

Required parkland dedication (acres) = (proposed units) x (persons/unit) x 0.0043 (per person park land dedication factor)

- a. Population Formula: The following table shall be used to determine the number of persons per unit to be used in calculating required parkland dedication:
- b.

Type of Unit	Total Persons Per Unit
Single family residential	3.0
Standard multi-family unit	2.0
Manufactured dwelling park	2.0
Congregate multi-family unit	1.5

Persons per unit, age distribution, and local conditions change with time. The specific formula for the dedication of land will, therefore, be subject to periodic review and amendment.

- c. Per Person Parkland Dedication Factor: The total parkland dedication requirement shall be 0.0043 of an acre per person based on the adopted standard of 4.3 acres of land per one thousand of ultimate population per the Parks Master Plan¹. This standard represents the citywide land-to-population ratio for city parks, and may be adjusted periodically through amendments to the Parks Master Plan.

¹ Parks Master Plan, Implementation Plan section, Pages 4 and 5 indicate a required park acreage total of 64.5 acres. This number, divided by population (2015) of 15,000 equates to 4.3 acres per 1000 population or 0.0043 per person.

APPLICANT RESPONSE: Per the calculation above, this project would require 0.57-acre park dedication. (43 x 3.0 x 0.0043 = 0.5547 = 0.55).

17.86.40 CASH IN LIEU OF DEDICATION

At the city's discretion only, the city may accept payment of a fee in lieu of land dedication. The city may require payment in lieu of land when the park land to be dedicated is less than 3 acres. A payment in lieu of land dedication is separate from Park Systems Development Charges, and is not eligible for a credit of Park Systems Development Charges. The amount of the fee in lieu of land dedication (in dollars per acre) shall be set by City Council Resolution, and it shall be based on the typical market value of developed property (finished lots) in Sandy net of related development costs.

1. The following factors shall be used in the choice of whether to accept land or cash in lieu:
 - a. The topography, geology, access to, parcel size, and location of land in the development available for dedication;
 - b. Potential adverse/beneficial effects on environmentally sensitive areas;

- c. Compatibility with the Parks Master Plan, Public Facilities element of the Comprehensive Plan, and the City of Sandy Capital Improvements Program in effect at the time of dedication;
 - d. Availability of previously acquired property; and
 - e. The feasibility of dedication.
2. Cash in lieu of parkland dedication shall be paid prior to approval of the final plat or as specified below:
- a. 50 percent of the payment shall be paid prior to final plat approval, and
 - b. The remaining 50 percent of the payment pro-rated equally among the lots, plus an administrative surcharge as determined by the City Council through a resolution, will constitute a lien against the property payable at the time of sale.

APPLICANT RESPONSE: Based on the notes from the preapp application, the parks department preferred the fee-in-lieu of park space. The fee would be based off the \$241,000 per acre calculation (provided in the preapp conference notes), coming to a total of \$133,682.70 if paid prior to final plat approval. It is the intention of the applicant to pay the cash in lieu fee.

17.86.50 MINIMUM STANDARDS FOR OPEN SPACE DEDICATION

The applicant through a subdivision or design review process may propose the designation and protection of open space areas as part of that process. This open space will not, however, be counted toward the parkland dedication requirement of Sections 17.86.10 through 17.86.40.

1. The types of open space that may be provided are as follows:
 - a. Natural Areas: areas of undisturbed vegetation, steep slopes, stream corridors, wetlands, wildlife habitat areas or areas replanted with native vegetation after construction.
 - b. Greenways: linear green belts linking residential areas with other open space areas. These greenways may contain bicycle paths or footpaths. Connecting greenways between residences and recreational areas are encouraged.
2. A subdivision or design review application proposing designation of open space shall include the following information as part of this application:
 - a. Designate the boundaries of all open space areas; and
 - b. Specify the manner in which the open space shall be perpetuated, maintained, and administered; and
 - c. Provide for public access to trails included in the Park Master Plan, including but not limited to the Tickle Creek Path.
3. Dedication of open space may occur concurrently with development of the project. At the discretion of the city, for development that will be phased, the open space may be set aside in totality and/or dedicated in conjunction with the first phase of the development or incrementally set aside and dedicated in proportion to the development occurring in each phase.
4. Open space areas shall be maintained so that the use and enjoyment thereof is not diminished or destroyed. Open space areas may be owned, preserved, and maintained by any of the following mechanisms or combinations thereof:
 - a. Dedication to the City of Sandy or an appropriate public agency approved by the City, if there is a public agency willing to accept the dedication. Prior to acceptance of proposed open space, the City may require the developer to submit a Phase I Environmental Site Assessment completed by a qualified professional according to American Society of Testing and Materials (ASTM) standards (ASTM E 1527). The results of this study shall indicate a clean environmental record.
 - b. Common ownership by a homeowner's association that assumes full responsibility for its maintenance;
 - c. Dedication of development rights to an appropriate public agency with ownership remaining with the developer or homeowner's association. Maintenance responsibility will remain with the property owner; and/or
 - d. Deed-restricted private ownership preventing development and/or subsequent subdivision

and providing for maintenance responsibilities.

5. In the event that any private owner of open space fails to maintain it according to the standards of this Code, the City of Sandy, following reasonable notice, may demand that the deficiency of maintenance be corrected, and may enter the open space for maintenance purposes. All costs thereby incurred by the City shall be charged to those persons having the primary responsibility for maintenance of the open space.

APPLICANT RESPONSE: This project is proposing the dedication of open space to the City of Sandy. The applicant is proposing the dedication of all tracts within this subdivision. The project proposes to dedicate the land concurrently with the site development. The applicant will work with the City of Sandy on the dedication process and their requirements. The tracts proposed for dedication are as follows: J, K, L, M, N, and O.

CHAPTER 17.92 - LANDSCAPING & SCREENING GENERAL STANDARDS - ALL ZONES

17.92.10 GENERAL PROVISIONS

- A. Where landscaping is required by this Code, detailed planting plans shall be submitted for review with development applications. No development may commence until the Director or Planning Commission has determined the plans comply with the purposes clause and specific standards in this chapter. All required landscaping and related improvements shall be completed or financially guaranteed prior to the issuance of a Certificate of Occupancy.
- B. Appropriate care and maintenance of landscaping on-site and landscaping in the adjacent public right-of-way is the right and responsibility of the property owner, unless City ordinances specify otherwise for general public and safety reasons. If street trees or other plant materials do not survive or are removed, materials shall be replaced in kind within 6 months.
- C. Significant plant and tree specimens should be preserved to the greatest extent practicable and integrated into the design of a development. Trees of 25-inches or greater circumference measured at a height of 4-½ ft. above grade are considered significant. Plants to be saved and methods of protection shall be indicated on the detailed planting plan submitted for approval. Existing trees may be considered preserved if no cutting, filling, or compaction of the soil takes place between the trunk of the tree and the area 5-ft. outside the tree's drip line. Trees to be retained shall be protected from damage during construction by a construction fence located 5 ft. outside the dripline.
- D. All landscaping shall be continually maintained, including necessary watering, weeding, pruning and replacing.

APPLICANT RESPONSE: Subsection 17.92.10(C) does not apply to subdivisions. Therefore, that criterion does not apply. It is the intention that street trees will be planted as sidewalks are built out with home construction and that irrigation sleeves will be added underneath the sidewalk to allow for necessary watering to the planter strips from the residential lots. Landscape will be continually maintained by the property owner who fronts the planter strip.

17.92.30 REQUIRED TREE PLANTINGS

Planting of trees is required for all parking lots with 4 or more parking spaces, public street frontages, and along private drives more than 150 feet long. Trees shall be planted outside the street right-of-way except where there is a designated planting strip or City adopted street tree plan.

The City maintains a list of appropriate trees for street tree and parking lot planting situations. Selection of species should be made from the city-approved list. Alternate selections may be approved by the Director following written request. The type of tree used shall determine frequency of trees in planting areas. Trees in parking areas shall be dispersed throughout the lot to provide a canopy for shade and visual relief.

Area/Type of Planting	Canopy	Spacing
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Street Tree	Medium	30 ft. on center
Street Tree	Large	50 ft. on center
Parking Lot Tree	Medium	1 per 8 cars
Parking Lot Tree	Large	1 per 12 cars

Trees may not be planted:

- Within 5 ft. of permanent hard surface paving or walkways, unless specific species, special planting techniques and specifications approved by the Director are used.
- Unless approved otherwise by the City Engineer:
 - * Within 10 ft. of fire hydrants and utility poles
 - * Within 20 ft. of street light standards
 - * Within 5 ft. from an existing curb face
 - * Within 10 ft. of a public sanitary sewer, storm drainage or water line
- Where the Director determines the trees may be a hazard to the public interest or general welfare.
- Trees shall be pruned to provide a minimum clearance of 8 ft. above sidewalks and 12 ft. above street and roadway surfaces.

APPLICANT RESPONSE: Preliminary street trees have been shown on plan sheet 10. The street trees shall be selected from City of Sandy’s approved street tree list. Final tree locations and species to be determined during final engineering design of the subdivision improvements. The preliminary street tree locations have been placed 30’ on center to meet the above spacing requirements. Therefore, these criteria can be met.

17.92.40 IRRIGATION

Landscaping shall be irrigated, either with a manual or automatic system, to sustain viable plant life.

APPLICANT RESPONSE: The proposed landscape strips within the public ROW will have irrigation sleeves coming from the property that abuts the adjacent strip. The property owner will be responsible for maintaining the irrigation of the planter strip once the trees are planted. Therefore, this criterion can be met.

17.92.50 TYPES AND SIZES OF PLANT MATERIALS

- A. At least 75% of the required landscaping area shall be planted with a suitable combination of trees, shrubs, or evergreen ground cover except as otherwise authorized by Chapter 17.92.10 F.
- B. Plant Materials. Use of native plant materials or plants acclimatized to the Pacific Northwest is encouraged where possible.
- C. Trees shall be species having an average mature spread of crown greater than 15 feet and having trunks which can be maintained in a clear condition with over 5 feet of clear wood (without branches). Trees having a mature spread of crown less than 15 feet may be substituted by grouping the same so as to create the equivalent of a 15-foot crown spread.
- D. Deciduous trees shall be balled and burlapped, be a minimum of 7 feet in overall height or 1½ inches in caliper measured 6 inches above the ground, immediately after planting. Bare root trees will be acceptable to plant during their dormant season.
- E. Coniferous trees shall be a minimum five feet in height above ground at time of planting.
- F. Shrubs shall be a minimum of 1 gallon in size or 2 feet in height when measured immediately after planting.
- G. Hedges, where required to screen and buffer off-street parking from adjoining properties shall be planted with an evergreen species maintained so as to form a continuous, solid visual screen within 2 years after planting.
- H. Vines for screening purposes shall be a minimum of 1 gallon in size or 30 inches in height immediate after planting and may be used in conjunction with fences, screens, or walls to meet physical barrier

requirements as specified.

- I. Groundcovers shall be fully rooted and shall be well branched or leafed. If used in lieu of turf in whole or in part, ground covers shall be planted in such a manner as to provide complete coverage in one year.
- J. Turf areas shall be planted in species normally grown as permanent lawns in western Oregon. Either sod or seed are acceptable. Acceptable varieties include improved perennial ryes and fescues used within the local landscape industry.
- K. Landscaped areas may include architectural features or artificial ground covers such as sculptures, benches, masonry or stone walls, fences, rock groupings, bark dust, decorative hard paving and gravel areas, interspersed with planted areas. The exposed area developed with such features shall not exceed 25% of the required landscaped area. Artificial plants are prohibited in any required landscape area.

APPLICANT RESPONSE: Preliminary street trees have been shown on plan sheet 10. The street trees shall be selected from City of Sandy’s approved street tree list. Final tree locations and species to be determined during final engineering design of the subdivision improvements. The preliminary street tree locations have been placed 30’ on center to meet the above spacing requirements. The street trees selected for planting will have a caliper of 1.5. Therefore, the applicable criteria can be met.

CHAPTER 17.98 - PARKING, LOADING, & ACCESS REQUIREMENTS

17.98.10 GENERAL PROVISIONS

- M. Residential Parking Analysis Plan. A Residential Parking Analysis Plan shall be required for all new residential planned developments, subdivisions, and partitions to include a site plan depicting all of the following:
 - a. Location and dimension of required parking spaces as specified in Section 17.98.200.
 - b. Location of areas where parking is not permitted as specified in Sections 17.98.200(A)(3) and (5).
 - c. Location and design of parking courts (if applicable).

APPLICANT RESPONSE: Please refer to sheet 10 for a residential parking analysis for street parking.

17.98.20 OFF-STREET PARKING REQUIREMENTS UPDATE BASED ON CODE UPDATES

- A. **Off Street Parking Requirements.** Off street parking shall conform to the following standards:
 - 1. Commercial uses in the Central Business District (C-1) are exempt from off street parking requirements. Residential uses in the Central Business District (C-1) have to provide off street parking per this section but may get a reduction per Section 17.98.30 (B.).
 - 2. All square footage measurements are gross square feet of total floor area.
 - 3. 24 lineal inches of bench shall be considered 1 seat.
 - 4. Except as otherwise specified, parking for employees shall be provided based on 1 space per 2 employees for the largest shift in addition to required parking specified in Sections 8 – 11 below.
 - 5. Where less than 5 parking spaces are required, then only one bicycle space shall be required except as otherwise modified in Sections 8 – 11 below.
 - 6. In addition to requirements for residential off-street parking, new dwellings shall meet the on-street parking requirements in Section 17.98.200.
 - 7. Uses that rely on square footage for determining parking requirements may reduce the overall square footage of the use by deducting bathrooms, mechanical rooms, and other auxiliary rooms as approved by the Director.
 - 8.

Residential Uses	Number of Parking Spaces	Number of Bicycle Spaces
Single Family Detached/Attached	2 per dwelling	Exempt

APPLICANT RESPONSE: Each lot proposed within the subdivision will have at least 2 garage parking spots via the garage and driveway. Therefore, the applicable criterion can be met.

17.98.50 SETBACKS

- A. Parking areas, which abut a residential zoning district, shall meet the setback of the most restrictive adjoining residential zoning district.
- B. Required parking shall not be located in a required front or side yard setback area abutting a public street except in industrial districts. For single family and two-family dwellings, required off-street parking may be located in a driveway.
- C. Parking areas shall be setback from a lot line adjoining a street the same distance as the required building setbacks. Regardless of other provisions, a minimum setback of 5 feet shall be provided along the property fronting on a public street. The setback area shall be landscaped as provided in this code.

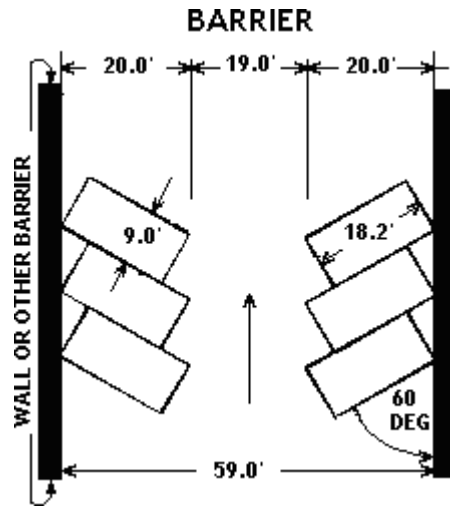
APPLICANT RESPONSE: The required off street parking for this project is 2 per lot. These will be located in the garage and driveway. Therefore, the applicable criteria can be met.

17.98.60 DESIGN, SIZE AND ACCESS

All off-street parking facilities, vehicular maneuvering areas, driveways, loading facilities, accessways, and private streets shall conform to the standards set forth in this section.

- A. Parking Lot Design. All areas for required parking and maneuvering of vehicles shall have a durable hard surface such as concrete or asphalt.
- B. Size of Space.
 - 1. A standard parking space shall be 9 feet by 18 feet.
 - 2. A compact parking space shall be 8 feet by 16 feet.
 - 3. Handicapped parking spaces shall be 13 feet by 18 feet. Accessible parking shall be provided for all uses in compliance with the requirements of the State of Oregon (ORS 447.233) and the Americans with Disabilities Act.
 - 4. Parallel parking spaces shall be a length of 22 feet.
 - 5. No more than 35 percent of the parking stalls shall be compact spaces.
- C. Aisle Width.

Parking Aisle	Single Sided One-Way	Single Sided Two-Way	Double Sided One-Way	Double Sided Two-Way
90 degree	20 feet	22 feet	25 feet	25 feet
60 degree	20 feet	20 feet	20 feet	20 feet
45 degree	20 feet	20 feet	20 feet	20 feet
Parallel	12 feet	12 feet	16 feet	16 feet



APPLICANT RESPONSE: The proposed offsite parking will accommodate at least two cars on each lot. It is the intention of the builder to have driveway garage spaces that will accommodate the off-street parking. Therefore, the applicable criteria can be met.

17.98.80 ACCESS TO ARTERIAL AND COLLECTOR STREETS

- A. Location and design of all accesses to and/or from arterials and collectors (as designated in the Transportation System Plan) are subject to review and approval by the City Engineer. Where practical, access from a lower functional order street may be required. Accesses to arterials or collectors shall be located a minimum of 150 ft. from any other access or street intersection. Exceptions may be granted by the City Engineer. Evaluations of exceptions shall consider posted speed of the street on which access is proposed, constraints due to lot patterns, and effects on safety and capacity of the adjacent public street, bicycle and pedestrian facilities.
- B. No development site shall be allowed more than one access point to any arterial or collector street (as designated in the Transportation System Plan) except as approved by the City Engineer. Evaluations of exceptions shall consider posted speed of street on which access is proposed, constraints due to lot patterns, and effects on safety and capacity of the adjacent public street, bicycle and pedestrian facilities.
- C. When developed property is to be expanded or altered in a manner that significantly affects on-site parking or circulation, both existing and proposed accesses shall be reviewed under the standards in A and B above. As a part of an expansion or alteration approval, the City may require relocation and/or reconstruction of existing accesses not meeting those standards.

APPLICANT RESPONSE: This project proposes one access onto a collector which is spaced 150' from the next connection onto Kelso Rd. All homes with frontage along Kelso Rd will be accessing their homes from a local street. Therefore, the criteria can be met.

17.98.100 DRIVEWAYS

- A. A driveway to an off-street parking area shall be improved from the public roadway to the parking area a minimum width of 20 feet for a two-way drive or 12 feet for a one-way drive but in either case not less than the full width of the standard approach for the first 20 feet of the driveway.
- B. A driveway for a single-family dwelling shall have a minimum width of 10 feet.
- C. A driveway for a two-family dwelling shall have a minimum width of 20 feet. A driveway approach must be constructed in accordance with applicable city standards and the entire driveway must be paved with asphalt or concrete.
- D. Driveways, aisles, turnaround areas and ramps shall have a minimum vertical clearance of twelve feet for their entire length and width but such clearance may be reduced in parking structures.

- E. No driveway shall traverse a slope in excess of 15 percent at any point along the driveway length.
- F. The location and design of the driveway shall provide for unobstructed sight per the vision clearance requirements. Requests for exceptions to these requirements will be evaluated by the City Engineer considering the physical limitations of the lot and safety impacts to vehicular, bicycle, and pedestrian traffic.
- G. The Sum of the width of all driveway approaches within the bulb of a cul-de-sac as measured in the Section B above shall not exceed fifty percent of the circumference of the cul-de-sac bulb. The cul-de-sac bulb circumference shall be measured at the curb line and shall not include the width of the stem street. The nearest edge of the driveway approaches in cul-de-sacs shall not be located within 15 feet of the point of curvature of the curb return on the stem street.
 - Acronyms on the next page:
 - PT: point of tangency
 - PC: point of curvature
 - PRC: point of reverse curvature
- H. The location and design of any driveway approach shall provide for unobstructed sight per the vision clearance requirements in section 17.34.30. Requests for exceptions to these requirements will be evaluated by the City Engineer considering the physical limitations of the lot and safety impacts to vehicular, bicycle, and pedestrian traffic.
- I. Driveways shall taper to match the driveway approach width to prevent stormwater sheet flow from traversing sidewalks.

APPLICANT RESPONSE: This project is proposing all single-family dwellings with their own driveway. This project does not propose any two-family dwellings (duplexes). All driveways proposed are at least 10ft in width, will not exceed 15% slope, meet vision clearance requirements of 17.34.30, and taper to match the driveway approach width. The sum of driveways in the cul-de-sac bulb is 31% of the circumference. Therefore, the applicable criteria can be met.

17.98.110 VISION CLEARANCE

- A. Except within the Central Business District, vision clearance areas shall be provided at intersections of all streets and at intersections of driveways and alleys with streets to promote pedestrian, bicycle, and vehicular safety. The extent of vision clearance to be provided shall be determined from standards in Chapter 17.74 and taking into account functional classification of the streets involved, type of traffic control present at the intersection, and designated speed for the streets.
- B. Traffic control devices, streetlights, and utility installations meeting approval by the City Engineer are permitted within vision clearance areas.

APPLICANT RESPONSE: Vision clearances will be provided for each intersection. These will be maintained to insure there are no obstructions. Traffic control devices, streetlights and utility installations will be in approvable locations by the City Engineer. These will be represented on the construction drawings submitted to Public Works. Therefore, the applicable criteria can be met.

17.98.130 PAVING

- A. Parking areas, driveways, aisles and turnarounds shall be paved with concrete, asphalt or comparable surfacing, constructed to city standards for off-street vehicle areas.
- B. Gravel surfacing shall be permitted only for areas designated for non-motorized trailer or equipment storage, propane or electrically powered vehicles, or storage of tracked vehicles.

APPLICANT RESPONSE: All parking, driveway and maneuvering areas are proposed to be concrete, asphalt, or approved comparable surfacing. Therefore, the above criterion can be met.

17.98.200 RESIDENTIAL ON-STREET PARKING REQUIREMENTS

- A. Residential On-Street Parking Requirements. Residential on-street parking shall conform to the

following standards:

1. In addition to required off-street parking, all new residential planned developments, subdivisions and partitions shall provide one (1) on-street parking space within 300 feet of each dwelling except as provided in Section 17.98.200(A)(6) below. The 300 feet shall be measured from the primary entrance of the dwelling
2. The location of residential on-street parking shall be reviewed for compliance with this section through submittal of a Residential Parking Analysis Plan as required in Section 17.98.10(M).
3. Residential on-street parking shall not obstruct required clear vision areas and shall not violate any local or state laws.
4. Parallel residential on-street parking spaces shall be 22 feet minimum in length.
5. Residential on-street parking shall be measured along the curb from the outside edge of a driveway wing or curb cut. Parking spaces must be set back a minimum of 15 feet from an intersection and may not be located within 10 feet of a fire hydrant.
6. Portions of residential on-street parking required by this section may be provided in parking courts that are interspersed throughout a development when the following standards are met:
 - a. No more than ten (10) parking spaces shall be provided in a parking court, except parking courts that utilize backing movements into the right-of-way in which case the parking court shall be limited to two (2) parking spaces;
 - b. Parking spaces within a parking court shall be nine (9) feet wide and 18 feet in depth. In no instance shall a vehicle or any appurtenances parked in a parking court protrude into the public right-of-way;
 - c. Notwithstanding Section 17.98.70, vehicles parked in a parking court on a local street as defined in the Transportation System Plan are permitted to back onto the public right-of-way from the parking court so long as the parking court is limited to two (2) parking spaces;
 - d. A parking court shall be located within 300 feet of the dwellings requiring parking in accordance with the requirements of Section 17.98.10(M);
 - e. No more than two (2) parking courts shall be provided within a block, with only one (1) parking court provided along a block face;
 - f. A parking court shall be paved in compliance with the standards of this chapter and the latest adopted grading and drainage standards;
 - g. A parking court adjacent to a public right-of-way, shall be privately owned and maintained.
 - h. If a parking court is adjacent to a private drive, it shall be privately owned and maintained. For each parking court there shall be a legal recorded document which includes:
 - (1) A legal description of the parking court;
 - (2) Ownership of the parking court;
 - (3) Use rights; and
 - (4) A maintenance agreement and the allocation and/or method of determining liability for maintenance of the parking court;
 - i. A parking court shall be used solely for the parking of operable passenger vehicles.

APPLICANT RESPONSE: Please refer to sheet 10 of the plan set included with this application. There is at least one on street parking spaces provided for each lot proposed within this subdivision. All the lots on the plan have access to on street parking within 300 feet of the primary entrance of the dwelling. However, it should be noted that the proposed development exceeds the minimum requirement of 43 on street parking spaces. Therefore, the above criteria can and/or will be met.

CHAPTER 17.100 - LAND DIVISION

17.100.20 LAND DIVISION CLASSIFICATION - TYPE I, II OR III PROCEDURES

- E. Type III Land Division (Major Partition or Subdivision). A major partition or subdivision shall be a Type III procedure if unsatisfactory street conditions exist or the resulting parcels/lots do not comply with the standards of the zoning district and this chapter. The Director shall determine if unsatisfactory street conditions exist based on one of the following criteria:

1. The land division does not link streets that are stubbed to the boundaries of the property.
2. An existing street or a new proposed street will be extended beyond the boundaries of the land division to complete a street system or provide access to adjacent property.
3. The proposed street layout is inconsistent with a street pattern adopted as part of the Comprehensive Plan or officially adopted City street plan.

APPLICANT RESPONSE: According to the Preapp Notes, this subdivision qualifies as a Type III subdivision.

17.100.60 SUBDIVISIONS

Approval of a subdivision is required for a land division of 4 or more parcels in a calendar year. A two-step procedure is required for subdivision approval: (1) tentative plat review and approval; and (2) final plat review and approval.

- A. Preapplication Conference. The applicant for a subdivision shall participate in a preapplication conference with city staff to discuss procedures for approval, applicable state and local requirements, objectives and policies of the Sandy Comprehensive Plan, and the availability of services. The preapplication conference provides the opportunity to discuss the conceptual development of the property in advance of formal submission of the tentative plan in order to save the applicant unnecessary delay and cost.

APPLICANT RESPONSE: Two preapplication conferences were held for this subdivision. Therefore, this criterion is met.

- E. Approval Criteria. The Director or Planning Commission shall review the tentative plat for the subdivision based on the classification procedure (Type II or III) set forth in Section 17.12 and the following approval criteria:
1. The proposed subdivision is consistent with the density, setback and dimensional standards of the base zoning district, unless modified by a Planned Development approval.

APPLICANT RESPONSE: The proposed subdivision is consistent with the density, setback, and dimensional standards of base zoning district.

2. The proposed subdivision is consistent with the design standards set forth in this chapter.

APPLICANT RESPONSE: With the exception of the three variances requested under Sandy Development Code 17.100.110.F and 17.100.120.B, this proposed project complies with the design standards set forth in this chapter.

3. The proposed street pattern is connected and consistent with the Comprehensive Plan or official street plan for the City of Sandy.

APPLICANT RESPONSE: The proposed street pattern is connected and consistent with the Comprehensive Plan and City's Transportation Plan. Please refer to the plan set for a visual representation of this and to see how the plan design supports future growth of the neighboring site.

4. Adequate public facilities are available or can be provided to serve the proposed subdivision.

APPLICANT RESPONSE: Adequate public facilities are available and will be extended throughout the subdivision for each lot developed to connect into it. The public utilities are being extended to and through the proposed subdivision.

5. All proposed improvements meet City standards.

APPLICANT RESPONSE: With the exception of the three variances requested under Sandy Development Code 17.100.110.F and 17.100.120.B, this proposed project complies with the design standards set forth in this chapter.

6. The phasing plan, if requested, can be carried out in a manner that meets the objectives of the above criteria and provides necessary public improvements for each phase as it develops.

APPLICANT RESPONSE: It is the intention to develop this project in one phase.

17.100.70 LAND DIVISION DESIGN STANDARDS

All land divisions shall be in conformance with the requirements of the applicable base zoning district and this chapter, as well as with other applicable provisions of this Code. Modifications to these requirements may be accomplished through a Planned Development. The design standards in this section shall be used in conjunction with street design standards included in the City of Sandy Transportation System Plan and standards and construction specifications for public improvements as set forth in adopted Public Facilities Plans and the Sandy Municipal Code.

APPLICANT RESPONSE: With the exception of the three variances requested under Sandy Development Code 17.100.110.F and 17.100.120.B, this proposed project complies with the design standards set forth in this chapter.

17.100.100 STREETS GENERALLY

No subdivision or partition shall be approved unless the development has frontage or approved access to an existing public street. In addition, all streets shall be graded and improved in conformance with the City's construction standards, approved by the City Engineer, in accordance with the construction plans.

- A. Street Connectivity Principle. The pattern of streets established through land divisions should be connected to: (a) provide safe and convenient options for cars, bikes and pedestrians; (b) create a logical, recognizable pattern of circulation; and (c) spread traffic over many streets so that key streets (particularly U.S. 26) are not overburdened.

APPLICANT RESPONSE: The pattern of streets proposed in this subdivision are a grid like pattern to the extent practicable. Neighboring sites to the east and south have restrictions and natural features that do not promote future connection. The project proposes a temporary dead end to the west, this will allow for connection to the adjacent western property when/if it develops. The street design allows for safe and convenient circulation for cars, bikes and pedestrians and promote development of the site to the west. Therefore, the applicable criteria can be met.

- B. Transportation Impact Studies. Transportation impact studies may be required by the city engineer to assist the city to evaluate the impact of development proposals, determine reasonable and prudent transportation facility improvements and justify modifications to the design standards. Such studies will be prepared in accordance with the following:
 1. A proposal established with the scope of the transportation impact study shall be coordinated with, and agreed to, by the city engineer. The study requirements shall reflect the magnitude of the project in accordance with accepted transportation planning and engineering practices. A professional civil or traffic engineer registered in the State of Oregon shall prepare such studies.
 2. If the study identifies level-of-service conditions less than the minimum standards established in the Sandy Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered as part of the land use decision for the proposal.

APPLICANT RESPONSE: A traffic impact analysis was prepared in compliance with the city standards and has been included with the application packet. The analysis did not identify any issues requiring

mitigation by the applicant.

- C. Topography and Arrangement. All streets shall be properly related to special traffic generators such as industries, business districts, schools, and shopping centers and to the pattern of existing and proposed land uses.

APPLICANT RESPONSE: There are no specific traffic generators located near the subject site. The arrangement of streets and their pattern promote circulation for vehicles, bicycles and pedestrians and support future development of neighboring site to the west. Neighboring sites to the east and south have restrictions and natural features do not promote future connection.

- D. Street Spacing. Street layout shall generally use a rectangular grid pattern with modifications as appropriate to adapt to topography or natural conditions.

APPLICANT RESPONSE: The proposed street layout attempts a rectangular grid to the extent practicable. Due to existing features (perennial stream and wetlands), the site is limited to street locations. The project has selected street locations that allow future lots and roads to be outside natural protected features to the maximum extent possible.

- E. Future Street Plan. Future street plans are conceptual plans, street extensions and connections on acreage adjacent to land divisions. They assure access for future development and promote a logical, connected pattern of streets. It is in the interest of the city to promote a logical, connected pattern of streets. All applications for land divisions shall provide a future street plan that shows the pattern of existing and proposed future streets within the boundaries of the proposed land divisions, proposed connections to abutting properties, and extension of streets to adjacent parcels within a 400 foot radius of the study area where development may practically occur.

APPLICANT RESPONSE: Future conceptual street plans were included on sheet 11 of the application package. This plan shows that our proposed layout promotes and supports efficient street layouts for future development of the neighboring parcels.

- F. Connections. Except as permitted under Exemptions, all streets, alleys and pedestrian walkways shall connect to other streets within the development and to existing and planned streets outside the development and to undeveloped properties which have no future street plan. Streets shall terminate at other streets or at parks, schools or other public land within a neighborhood.
1. Where practicable, local roads shall align and connect with other roads when crossing collectors and arterials.
 2. Proposed streets or street extensions shall be located to provide direct access to existing or planned transit stops, and existing or planned neighborhood activity centers, such as schools, shopping areas and parks.

APPLICANT RESPONSE: The local roads within the subdivision connect to the Kelso Rd (minor arterial). There are no neighboring roads for the project to align with to the east, south or west. The proposed Street B extends to the western edge of the site to allow the adjacent future development of the neighboring site a connection.

17.100.110 STREET STANDARDS AND CLASSIFICATION

Street standards are illustrated in the figures included at the end of this chapter. Functional definitions of each street type are described in the Transportation System Plan as summarized below.

- A. Major arterials are designed to carry high volumes of through traffic, mixed with some unavoidable local traffic, through or around the city. Major arterials should generally be spaced at 1-mile intervals.
- B. Minor arterials are designed to collect and distribute traffic from major and minor arterials to

neighborhood collectors and local streets, or directly to traffic destinations. Minor arterials should generally be spaced at 1-mile intervals.

- C. Residential minor arterials are a hybrid between minor arterial and collector type streets that allow for moderate to high traffic volumes on streets where over 90% of the fronting lots are residential.
- D. Collector streets are designed to collect and distribute traffic from higher type arterial streets to local streets or directly to traffic destinations. Collector streets should generally be spaced at 1/2-mile intervals.
- E. Local streets provide direct access to abutting property and connect to collector streets. Local streets shall be spaced no less than 8 and no more than 10 streets per mile, except as the city may otherwise approve through an adjustment or variance pursuant to Chapter 17.66. Local streets shall not exceed ADT standards set forth in Chapter 17.10, except the ADT standard for local streets shall not apply to outright permitted development within the C-1 zone.
- F. Cul-de-sacs and dead-end streets are discouraged. If deemed necessary, cul-de-sacs shall be as short as possible and shall not exceed 400 feet in length.
- G. Public access lanes are designed to provide primary access to a limited number of dwellings when the construction of a local street is unnecessary.
- H. Alleys are designed to provide access to multiple dwellings in areas where lot frontages are narrow and driveway spacing requirements cannot be met.

APPLICANT RESPONSE: This project proposal includes frontage along Kelso Rd (minor arterial). All roads proposed within the development are local streets that will provide direct access onto the minor arterial and the abutting property to west. Neighboring sites to the east and south have restrictions and natural features do not promote future connection. As mentioned and discussed in the 01/12/2021 Pre-App notes for this project, the City stated they would not support two crossings over the tract and perennial stream and that a cul-de-sac would be favorable in this situation. The project proposes the extension and crossing of Street A over the perennial stream once and the Street A terminates with a cul-de-sac. This cul-de-sac exceeds 400 feet. The applicant is requesting a variance to this length. This variance is discussed in length under code section 17.66. Please refer to the applicant responses in this section for the variance request. Therefore, the project meets all the criteria of this section with the exception of 17.100.110.F, where the applicant is requesting a variance.

17.100.120 BLOCKS AND ACCESSWAYS

- A. Blocks. Blocks shall have sufficient width to provide for two tiers of lots at appropriate depths. However, exceptions to the block width shall be allowed for blocks that are adjacent to arterial streets or natural features.
- B. Residential Blocks. Blocks fronting local streets shall not exceed 400 feet in length, unless topographic, natural resource, or other similar physical conditions justify longer blocks. Blocks may exceed 400 feet if approved as part of a Planned Development, Specific Area Plan, adjustment or variance.
- D. Pedestrian and Bicycle Access Way Requirements. In any block in a residential or commercial district over 600 feet in length, a pedestrian and bicycle accessway with a minimum improved surface of 10 feet within a 15-foot right-of-way or tract shall be provided through the middle of the block. To enhance public convenience and mobility, such accessways may be required to connect to cul-de-sacs, or between streets and other public or semipublic lands or through greenway systems.

APPLICANT RESPONSE: The proposed project includes two tiers of lots at appropriate depths throughout the project. There are no single tier lots proposed. Both streets proposed within this project create blocks that exceed 400ft. The project is requesting two variances for the block lengths created in this subdivision due to existing natural features on site and existing conditions and easements on neighboring sites to the east and south. Please refer to code section 17.66 for the variance requests to this code section. Where the blocks and street segments exceed the length requirements, the project has proposed an extensive pedestrian path network through the sensitive areas where vehicular roads cannot travel. Additionally, these pedestrian paths are permitted uses

within the sensitive areas and their setbacks.

Along Street A, located in Tract K, there is a pedestrian pathway that connects Street A to the eastern property line. The applicant is showing a 5' pathway width in order to reduce impacts to the root protection areas of the retained trees. Additionally, in Tract K, the project is proposing a dedicated improved area outside of the buffers for a park bench to overlook the wetland, perennial stream and tree/forest area. Across Street A, the pedestrian path continues and runs west through Tract O. This pedestrian path connects Street A to Tract N (another pedestrian path).

Street B's block length exceeds the 600'. To mitigate this, the project includes a 10' pedestrian path over a sewer main extension within Tract N, this provides direct pedestrian connection from the end of Street B to Street A's cul-de-sac. This location was selected due to an existing dirt roadway. While it does not cross the middle of the block, utilizing the existing dirt road reduces impact to the natural areas on site because it is currently improved and used for vehicular access. The pedestrian pathway located in Tract O connects Tract N to a more northern location on Street A. The project shows a 5' pathway in this location as well. This is to reduce impact to the surrounding retained trees RPZs.

Additionally, to help mitigate for the length of Street A, the applicant has proposed a paved access of varying width (at least 10') that connects from the south end of the cul-de-sac. This paved access road located in Tract L will be utilized for emergency access and pedestrian foot traffic. It will split just south of Tract L. The portion running east will be reserved for pedestrians and provide connection to an easement located on an adjacent property that is dedicated for future trails. The portion running west will be for emergency vehicles. This will provide direct connection to an existing emergency access road in Phase I of Sandy Woods.

While an additional road could not be included to create a block, remove a cul-de-sac, and create shorter road lengths, this pedestrian pathway network helps provide direct connection and circulation for pedestrians. It will be utilized as a scenic pathway network while preserving natural spaces throughout the subject site and serve as a very enticing amenity to the future subdivision and residents of not only the subject site but surrounding communities. Therefore, this project meets this code section through these two variance requests.

17.100.130 EASEMENTS

A minimum eight (8) foot public utility easement shall be required along property lines abutting a right-of-way for all lots within a partition or subdivision. Where a partition or subdivision is traversed by a watercourse, drainage way, channel or stream, the land division shall provide a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width as determined needed for water quality and quantity protection.

APPLICANT RESPONSE: Please refer to the plan set included with this application. The proposed 8' PUE is included on the plans.

17.100.140 PUBLIC ALLEYS

- A. Public alleys shall have a minimum width of 20 feet. Structural section and surfacing shall conform to standards set by the City Engineer.
- B. Existing alleys may remain unimproved until redevelopment occurs. When development occurs, each abutting lot shall be responsible for completion of improvements to that portion of the alley abutting the property.
- C. Parking within the alley right-of-way is prohibited except as provided in Section 17.100.140(D) below.
- D. An alley with a minimum width of 28 feet may permit parallel parking on one side of the alley only.

APPLICANT RESPONSE: This project is not proposing a public alley, therefore these criteria do not apply.

17.100.150 RESIDENTIAL SHARED PRIVATE DRIVES

A shared private drive is intended to provide access to a maximum of two (2) dwelling units.

A. Criteria for Approval

Shared private drives may be approved by the Director when one or more of the following conditions exist:

1. Direct access to a local street is not possible due to physical aspects of the site including size, shape, or natural features.
2. The construction of a local street is determined to be unnecessary.

B. Design

1. A shared private drive constructed to city standards shall not serve more than two (2) dwelling units.
2. A shared access easement and maintenance agreement shall be established between the two units served by a shared private drive. The language of the easement and maintenance agreement shall be subject to approval by the Director.
3. Public utility easements shall be provided where necessary in accordance with Section 17.100.130.
4. Shared private drives shall be fully improved with an all weather surface (e.g. concrete, asphalt, permeable pavers) in conformance with city standards. The pavement width shall be 20 feet.
5. Parking shall not be permitted along shared private drives at any time and shall be signed and identified accordingly.

APPLICANT RESPONSE: This project proposal does not propose residential shared drives and therefore, these criteria do not apply.

17.100.160 PUBLIC ACCESS LANES

Public access lanes are designed to provide primary access to a limited number of dwellings where the construction of a local street is not necessary. Public access lanes are intended to serve a maximum of six (6) dwelling units.

APPLICANT RESPONSE: This project proposal does not propose public access lanes and therefore, this criterion does not apply.

17.100.170 FLAG LOTS

Flag lots can be created where it can be shown that no other street access is possible to achieve the requested land division. The flag lot shall have a minimum street frontage of 15 feet for its accessway. The following dimensional requirements shall apply to flag lots:

- A. Setbacks applicable to the underlying zoning district shall apply to the flag lot.
- B. The access strip (pole) may not be counted toward the lot size requirements.
- C. The accessway shall have a minimum paved width of 10 feet.

APPLICANT RESPONSE: This project proposal includes one flag lot. The setbacks of the SFR zone will apply, the access pole is not counted toward the square footage, the lot has 15' of frontage, and it will have a minimum of 10' wide paved access. Therefore, these criteria will be met.

17.100.180 INTERSECTIONS

- A. Intersections. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two new streets at an angle of less than 75 degrees shall not be acceptable. No more than two streets shall intersect at any one point unless specifically approved by the City Engineer. The city engineer may require left turn lanes, signals, special crosswalks, curb extensions and other intersection design elements justified by a traffic study or necessary to comply with the

Development Code.

- B. Curve Radius. All local and neighborhood collector streets shall have a minimum curve radius (at intersections of rights-of-way) of 20 feet, unless otherwise approved by the City Engineer. When a local or neighborhood collector enters on to a collector or arterial street, the curve radius shall be a minimum of 30 feet, unless otherwise approved by the City Engineer.

APPLICANT RESPONSE: All proposed intersections intersect at right angles and meet the curve radius requirement. Therefore, the above criteria will be met.

17.100.190 STREET AND TRAFFIC CONTROL SIGNS

The City Engineer shall specify the type and location of traffic control signs, street signs and/or traffic safety devices.

APPLICANT RESPONSE: It is the intention of the applicant to work with the City Engineer on the street and traffic control signs.

17.100.200 STREET SURFACING

Public streets, including alleys, within the development shall be improved in accordance with the requirements of the City or the Oregon Standard Specifications. All streets shall be paved with asphaltic concrete or Portland cement concrete surfacing. Where required, speed humps shall be constructed in conformance with the City's standards and specifications.

APPLICANT RESPONSE: Public Street surfaces will be designed and improved in accordance with the requirements of the City. Therefore, this criterion can be met.

17.100.210 STREET LIGHTING

A complete lighting system (including, but not limited to: conduits, wiring, bases, poles, arms, and fixtures) shall be the financial responsibility of the subdivider on all cul-de-sacs, local streets, and neighborhood collector streets. The subdivider will be responsible for providing the arterial street lighting system in those cases where the subdivider is required to improve or fronts on an arterial street. Standards and specifications for street lighting shall conform to IESNA roadway illumination standards and the City's streetlighting guidelines.

APPLICANT RESPONSE: The applicant will work with the City on determining streetlight locations and include those locations on the detailed construction plans that are submitted to public works for review. Therefore, this criterion can be met.

17.100.220 LOT DESIGN

- A. The lot arrangement shall be such that there will be no foreseeable difficulties, for reason of topography or other conditions, in securing building permits to build on all lots in compliance with the Development Code.
- B. The lot dimensions shall comply with the minimum standards of the Development Code. When lots are more than double the minimum lot size required for the zoning district, the subdivider may be required to arrange such lots to allow further subdivision and the opening of future streets to serve such potential lots.
- C. The lot or parcel width at the front building line shall meet the requirements of the Development Code and shall abut a public street other than an alley for a width of at least 20 feet. A street frontage of not less than 15 feet is acceptable in the case of a flag lot division resulting from the division of an unusually deep land parcel which is of a size to warrant division into not more than two parcels.
- D. Double frontage lots shall be avoided except where necessary to provide separation of residential developments from arterial streets or to overcome specific disadvantages of topography or orientation.

- E. Lots shall not take access from major arterials, minor arterials or collector streets if access to a local street exists. When driveway access from major or minor arterials may be necessary for several adjoining lots, the Director or the Planning Commission may require that such lots be served by a common access drive in order to limit traffic conflicts on such streets. Where possible, driveways shall be designed and arranged to avoid requiring vehicles to back into traffic on minor or major arterials.

APPLICANT RESPONSE: The proposed lot arrangement was determined to ensure each lot has a buildable footprint. The lot size and dimensions being requested meet the dimensional and size requirements for the SFR zone. There are no double frontage lots proposed. One lot has frontage along Kelso Rd. This lot is proposing access onto a local street. Therefore, the applicable criteria are met.

17.100.230 WATER FACILITIES

Water lines and fire hydrants serving the subdivision or partition, and connecting the development to City mains, shall be installed to provide adequate water pressure to serve present and future consumer demand. The materials, sizes, and locations of water mains, valves, service laterals, meter boxes and other required appurtenances shall be in accordance with the standards of the Fire District, the City, and the State.

If the city requires the subdivider to install water lines in excess of eight inches, the city may participate in the oversizing costs. Any oversizing agreements shall be approved by the city manager based upon council policy and dependent on budget constraints. If required water mains will directly serve property outside the subdivision, the city may enter into an agreement with the subdivider setting forth methods for reimbursement for the proportionate share of the cost.

APPLICANT RESPONSE: It is the intention to provide the entire project with public water through a main extension. Detailed construction plans will be designed and reviewed by the city to ensure there is adequate pressure for the future subdivision and hydrants. The system will be designed to go to and through the subdivision to allow for any connections of future neighboring development. Therefore, these criteria can be met.

17.100.240 SANITARY SEWERS

Sanitary sewers shall be installed to serve the subdivision and to connect the subdivision to existing mains. Design of sanitary sewers shall take into account the capacity and grade to allow for desirable extension beyond the subdivision.

If required sewer facilities will directly serve property outside the subdivision, the city may enter into an agreement with the subdivider setting forth methods for reimbursement by nonparticipating landowners for the proportionate share of the cost of construction.

APPLICANT RESPONSE: It is the intention to provide the entire project with public sewer through a main extension. Detailed construction plans will be designed and reviewed by the city to ensure the design is adequate for the future subdivision. The system will be designed to go to and through the subdivision to allow for any connections of future neighboring development. Therefore, these criteria can be met.

17.100.250 SURFACE DRAINAGE AND STORM SEWER SYSTEM

- A. Drainage facilities shall be provided within the subdivision and to connect with off-site drainage ways or storm sewers. Capacity, grade and materials shall be by a design approved by the city engineer. Design of drainage within the subdivision shall take into account the location, capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such areas.

APPLICANT RESPONSE: The site is located south of SE Kelso Road and north of the Bonneville Power Administration easement. Two natural drainages are located onsite within this area and they come

together on Tax Lot 24E1102300 west of this site. The northern drainage is located adjacent to and south of Kelso Road and it receives runoff from Kelso Road, several properties north of Kelso Road as far east Bluff Road and Shalimar Drive, and from a small portion of Tax Lot 24E11AB00600 on the south side of Kelso Road. Drainage from north of Kelso Road crosses underneath the roadway through two existing culverts and discharges into a wetland located in the right-of-way and on the subject property. The offsite basin contributing to the flow through the two culverts is approximately 65 acres of agricultural, rural residential, and low-density residential land.

The southern drainageway enters the property along the eastern property line between proposed Lots 44 and 86 and leaves the property along the western property line near the SW corner of proposed Tract M. The southern drainage receives run-on drainage flow from properties south of Kelso Road as far east as Bluff Road. The contributing basin is approximately 50 acres of mostly rural and low-density residential properties.

Clackamas County will require the applicant will improve the southern half of Kelso Road, which will impact the drainage system along that half of the roadway. The applicant intends to extend the two existing culverts underneath Kelso Road to the southern side of the new right-of-way improvements, but otherwise leave the two culverts to discharge in the same location. Drainage along the southern side of Kelso Road along the project frontage will be collected in a pipe and storm drainage inlet system to be approved through a Clackamas County Engineering permit process. Kelso Road runoff will primarily be discharged to Tract J. Storm drainage improvements for the southern portion of Kelso Road will include roadside stormwater planters and a stormwater facility within the upland area of Tract J. The stormwater facilities will be used to provide detention, water quality treatment, and infiltration for the Kelso Road improvements.

The southern drainageway will remain mostly in its current state. One existing culvert pipe is currently located on the southern drainageway within this site where an old access road crossed the drainageway for access between the northern and southern portions of the property. That culvert is proposed to remain in place within Tract N and will be used to facilitate a new pedestrian walkway between Street B and the Street A cul-de-sac. One new culvert is proposed on the southern drainageway, where Street A will cross the drainageway in the vicinity of Lots 44, 78, 79 & 86.

Proposed drainage improvements within the subdivision include several private rear yard stormwater facilities that will either discharge to the wetland in Tract J or the southern drainageway in Tract M. Public storm drainage management facilities include several public stormwater planters along Streets A and B and a stormwater management facility in Tract L in addition to the previously mentioned facilities along SE Kelso Road. The stormwater facility in Tract L will discharge to the southern drainageway through a new discharge pipe.

All drainage facilities will be designed as required by approving agencies, including the City of Sandy City Engineer.

- B. In addition to normal drainage design and construction, provisions shall be taken to handle any drainage from preexisting subsurface drain tile. It shall be the design engineer's duty to investigate the location of drain tile and its relation to public improvements and building construction.

APPLICANT RESPONSE: The applicant is not aware of any preexisting subsurface drain tiles on this site. If they are discovered, they will be addressed in a manner approved by the City Engineer and Public Works Director.

- C. The roof and site drainage from each lot shall be discharged to either curb face outlets (if minor quantity), to a public storm drain or to a natural acceptable drainage way if adjacent to the lot.

APPLICANT RESPONSE: Roof and site drainage will be collected and directed to curb face outlets, catch basins, a public storm drain, or to one of the two natural drainages on the site.

17.100.260 UNDERGROUND UTILITIES

All subdivisions or major partitions shall be required to install underground utilities (including, but not limited to, electrical and telephone wiring). The utilities shall be installed pursuant to the requirements of the utility company.

APPLICANT RESPONSE: All utilities will be installed underground and meet the utility company requirements.

17.100.270 SIDEWALKS

Sidewalks shall be installed on both sides of a public street and in any special pedestrian way within the subdivision.

APPLICANT RESPONSE: The project proposes sidewalks to be installed along all street frontages within the proposed subdivision and to be installed at the time of home construction. The sidewalks fronting Kelso Rd will be installed at the time of site development. Please refer to the plan set included with the application for a visual representation of the proposed sidewalk locations.

17.100.290 STREET TREES

Where planting strips are provided in the public right-of-way, a master street tree plan shall be submitted and approved by the Director. The street tree plan shall provide street trees approximately every 30' on center for all lots.

APPLICANT RESPONSE: Prelim street tree locations are shown in the plan set submitted with this application. Please refer to the plan set for a visual representation of those locations. Final locations and species will be determined during the final engineering design of the subdivision improvements. Please refer to section 17.92.30 for additional applicant responses on street trees.

17.100.300 EROSION CONTROL

Grass seed planting shall take place prior to September 30th on all lots upon which a dwelling has not been started but the ground cover has been disturbed. The seeds shall be of an annual rye grass variety and shall be sown at not less than four pounds to each 1000 square feet of land area.

APPLICANT RESPONSE: To address erosion control on the subject site, the applicant will include an erosion control plan with the construction drawings submitted to public works. This will include erosion control measures for areas disturbed during construction. In addition, It is the intention to reach out to DEQ to determine if a 1200-C permit will be required. If required, the applicant will apply for said permit with DEQ.

17.100.310 REQUIRED IMPROVEMENTS

The following improvements shall be installed at no expense to the city, consistent with the design standards of Chapter 17.84, except as otherwise provided in relation to oversizing.

- A. Lot, street and perimeter monumentation
- B. Mailbox delivery units
- C. Sanitary sewers
- D. Stormwater drainage facilities
- E. Sidewalks
- F. Street lights

- G. Street name signs
- H. Street trees
- I. Streets
- J. Traffic control devices and signs
- K. Underground communication lines, including broadband (fiber), telephone, and cable. Franchise agreements will dictate whether telephone and cable lines are required.
- L. Underground power lines
- M. Water distribution lines and fire hydrants
- N. Fiber (broadband)

APPLICANT RESPONSE: All of the improvements specified in this section will be installed by the developer at no expense to the City of Sandy consistent with the design standards of Chapter 17.84 and applicable standards.

17.100.320 IMPROVEMENT PROCEDURES

Improvements installed by a land divider either as a requirement of these regulations or at their own option shall conform to the standards of Chapter 17.84 and improvement standards and 17.100 - 20 Revised by Ordinance No. 2020-24 (effective 09/21/2020) specifications adopted by the City.

Improvements shall be installed in accordance with the following general procedure:

- A. Improvement work shall not start until plans have been checked for adequacy and approved by the City Engineer. To the extent necessary for evaluation of the proposal, improvement plans may be required before approval of the tentative plan of a partition or subdivision.
- B. Improvement work shall not start until after the City is notified. If work is discontinued for any reason it shall not resume until the City is notified.
- C. Improvements shall be constructed under the inspection and to the satisfaction of the City Engineer.
- D. All improvements installed by the subdivider shall be guaranteed for a period of one (1) year following acceptance by the City Engineer. Such guarantee shall be secured by cash deposit in the amount of the value of the improvements as set by the City Engineer. Subdividers may elect to provide a subdivision maintenance bond equal to ten (10) percent of the value of the public improvements for a period of two (2) years following acceptance by the City.
- E. As-constructed plans in both digital and hard copy formats shall be filed with the City Engineer upon completion of the improvements.

APPLICANT RESPONSE: It is in the intention of the applicant and development to follow the improvement procedures provided in Sandy Development Code 17.100.320 Improvement Procedures. Therefore, these criteria can be met.

17.100.330 OPTIONS FOR IMPROVEMENTS Before the signature of the City Engineer is obtained on the final partition or subdivision plat, the applicant shall install the required improvements, agree to install required improvements, or have gained approval to form an improvement district for installation of the improvements required with the tentative plat approval. These procedures are more fully described as follows:

- A. Install Improvements. The applicant may install the required improvements for the subdivision prior to recording the final subdivision plat. If this procedure is to be used, the subdivision plat shall contain all the required certifications except the County Surveyor. The City shall keep the subdivision plat until the improvements have been completed and approved by the City Engineer. Upon City Engineer's approval, the City shall forward the final subdivision plat for certification by the County Surveyor and then to the County Clerk for recording; or
- B. Agree to Install Improvement. The applicant may execute and file with the City an agreement specifying the period within which required improvements shall be completed. The agreement shall state that if the work is not completed within the period specified, the City may complete the work and recover the full cost and expense from the applicant. A performance bond equal to 110 percent

of the value of the guaranteed improvements shall be required. Performance bonds shall be issued by a surety registered to do business in Oregon. The value of the guaranteed improvements may include engineering, construction management, legal and other related expenses necessary to complete the work. The agreement may provide for the construction of the improvements in increments and for an extension of time under specified conditions; or 17.100 - 21 Revised by Ordinance No. 2020-24 (effective 09/21/2020)

- C. Form Improvement District. The applicant may have all or part of the public improvements constructed under an improvement district procedure. Under this procedure the applicant shall enter into an agreement with the City proposing establishment of the district for improvements to be constructed, setting forth a schedule for installing improvements, and specifying the extent of the plat to be improved. The City reserves the right under the improvement district procedure to limit the extent of improvements in a subdivision during a construction year and may limit the area of the final subdivision plat to the area to be improved. The performance bond described in section B above shall be required under the improvement district procedure. The formation of a Local Improvement District (LID) is entirely within the discretion of the City.

APPLICANT RESPONSE: The applicant understands the procedures set forth in Sandy Development Code 17.100.330 and will select one of the options provided when it comes time to obtain the City Engineer's signature on the subdivision plat. Therefore, this criterion can be met.

17.100.340 PERFORMANCE GUARANTEE

If the applicant chooses to utilize the opportunities provided under "A" or "B" above, the applicant shall provide a performance guarantee equal to 110 percent of the cost of the improvements to assure full and faithful performance thereof, in one of the following forms:

- A. A surety bond executed by a surety company authorized to transact business in the State of Oregon in a form approved by the City Attorney.
- B. In lieu of the surety bond, the applicant may:
 - 1. Deposit with the City cash money to be released only upon authorization of the City Engineer;
 - 2. Supply certification by a bank or other reputable lending institution that an irrevocable letter of credit in compliance with the International Chamber of Commerce Uniform Customs and Practice for Documentary Credits, UCP 600 or most current revision. has been established to cover the cost of required improvements, to be released only upon authorization of the City Engineer. The amount of the letter of credit shall equal 110% of the value of the improvements to be guaranteed; or
 - 3. Provide bonds in a form approved by the City Attorney.
- C. Such assurance of full and faithful performance shall be for a sum determined by the City Engineer as sufficient to cover the cost of required improvements, including related engineering and incidental expenses.
- D. If the applicant fails to carry out provisions of the agreement and the City has expenses resulting from such failure, the City shall call on the performance guarantee for reimbursement. If the amount of the performance guarantee exceeds the expense incurred, the remainder shall be released. If the amount of the performance guarantee is less than the expense incurred, the applicant shall be liable to the City for the difference.

APPLICANT RESPONSE: It is the intention of the applicant to adhere and follow the procedures of the Performance Guarantee listed in section 17.100.340. They will work with the Public Works Director during the construction engineering review stage to prepare, acquire, and implement the performance guarantee.

CHAPTER 17.102 - URBAN FORESTRY

17.102.20 APPLICABILITY

This chapter applies only to properties within the Sandy Urban Growth Boundary that are greater than one acre including contiguous parcels under the same ownership.

- A. General: No person shall cut, harvest, or remove trees 11 inches DBH or greater without first obtaining a permit and demonstrating compliance with this chapter.
 - 1. As a condition of permit issuance, the applicant shall agree to implement required provisions of this chapter and to allow all inspections to be conducted.
 - 2. Tree removal is subject to the provisions of Chapter 15.44, Erosion Control, Chapter 17.56, Hillside Development, and Chapter 17.60 Flood and Slope Hazard.
- B. Exceptions: The following tree removals are exempt from the requirements of this chapter.
 - 1. Tree removal as required by the city or public utility for the installation or maintenance or repair of roads, utilities, or other structures.
 - 2. Tree removal to prevent an imminent threat to public health or safety, or prevent imminent threat to public or private property, or prevent an imminent threat of serious environmental degradation. In these circumstances, a Type I tree removal permit shall be applied for within seven days following the date of tree removal.

APPLICANT RESPONSE: The proposed project site contained 38.95 acres. As part of the phased development, it was decided the tree retention would be addressed across all phases and the required 117 retained trees had to be spread across Tracts F – H. The applicant must remove trees as necessary within the subdivision in order to create buildable lots at the allowed density, to complete public improvements consistent with design standards for ROW design and improvements, utility installation and improvements. The tree removal and protection plan have been included with this application and in conformance with chapters 15.44, 17.56, and 17.60 as applicable.

17.102.50 TREE RETENTION AND PROTECTION REQUIREMENTS

- A. Tree Retention: The landowner is responsible for retention and protection of trees required to be retained as specified below:
 - 1. At least three trees 11 inches DBH or greater are to be retained for every one-acre of contiguous ownership.
 - 2. Retained trees can be located anywhere on the site at the landowner's discretion before the harvest begins. Clusters of trees are encouraged.
 - 3. Trees proposed for retention shall be healthy and likely to grow to maturity, and be located to minimize the potential for blow-down following the harvest.
 - 4. If possible, at least two of the required trees per acre must be of conifer species.
 - 5. Trees within the required protected setback areas may be counted towards the tree retention standard if they meet these requirements.

APPLICANT RESPONSE: A tree inventory was conducted on site by a certified arborist and a report was generated. The arborist inventoried all trees 6 DBH" and greater throughout the proposed developed area. Please refer to the arborist report submitted with this application. The original site contained 38.95 acres. The first phase has already been developed. As part of the phased development, it was decided the tree retention would be addressed for all phases and it would be required to retain 117 retained trees spread across Tracts F – H. The proposed Phase II development is within Tracts F - H. Our project proposes the retention of 152 trees at 11" DBH or greater. In addition to all these trees, there are additional 91 trees at 6" – 11" DBH proposed for retention. This project proposal exceeds the retention requirement. Please refer to the Tree Plans included in the plan set to see what trees are proposed for retention. Out of the required 117 trees for retention 86 are coniferous, roughly 73.5%. Therefore, this tree retention plan exceeds the original proposal of 117 trees and exceeds the coniferous requirement and all applicable requirements are met.

- B. **Tree Protection Area:** Except as otherwise determined by the Planning Director, all tree protection measures set forth in this section shall be instituted prior to any development activities and removed only after completion of all construction activity. Tree protection measures are required for land

disturbing activities including but not limited to tree removal, clearing, grading, excavation, or demolition work.

1. Trees identified for retention shall be marked with yellow flagging tape and protected by protective barrier fencing placed no less than 10 horizontal feet from the outside edge of the trunk.
2. Required fencing shall be a minimum of six feet tall supported with metal posts placed no farther than ten feet apart installed flush with the initial undisturbed grade.
3. No construction activity shall occur within the tree protection zone, including, but not limited to dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles.

APPLICANT RESPONSE: It is the intention of the builder to install all necessary tree protection measures required by the arborist prior to any site development. They will remain for the duration of construction and be removed upon completion of construction. Therefore, the above criteria can be met.

17.102.60 TREE REPLANTING REQUIREMENTS

1. All areas with exposed soils resulting from tree removal shall be replanted with a ground cover of native species within 30 days of harvest during the active growing season, or by June 1st of the following spring.
2. All areas with exposed soils resulting from tree removal occurring between October 1 and March 31 shall also be covered with straw to minimize erosion.
3. Removal of hazard trees as defined shall be replanted with two native trees of quality nursery stock for every tree removed.
4. Tree Removal allowed within the FSH Overlay District shall be replanted with two native trees of quality nursery stock for every tree removed.
5. Tree Removal not associated with a development plan must be replanted following the provisions of OAR Chapter 629, Division 610, Section 020-060

APPLICANT RESPONSE: No trees are proposed to be replanted at this time. Therefore, the criteria above do not apply.

17.102.70 VARIANCES

Under a Type III review process, the Planning Commission may allow newly-planted trees to substitute for retained trees if:

1. The substitution is at a ratio of at least two-to-one (i.e., at least two native quality nursery grown trees will be planted for every protected tree that is removed); and
2. The substitution more nearly meets the intent of this ordinance due to:
 - a. The location of the existing and proposed new trees, or
 - b. The physical condition of the existing trees or their compatibility with the existing soil and climate conditions; or
 - c. An undue hardship is caused by the requirement for retention of existing trees.
 - d. Tree removal is necessary to protect a scenic view corridor.

APPLICANT RESPONSE: No variances are being applied for regarding trees. Therefore, the above criteria do not apply.

Clackamas County Code

CLACKAMAS COUNTY - CCSD#1 STORMWATER STANDARDS

Section 4 Natural Resources and Vegetated Buffers

Table 4.1 – Undisturbed Buffers

Sensitive Area	Upstream Drainage Area	Slope Adjacent to Sensitive Area	Width of Undisturbed Buffer
Intermittent Creeks, Rivers, Streams	Less than 50 acres	Any slope	25 feet
Intermittent Creeks, Rivers, Streams	50 to 100 acres	<25%	25 feet
Intermittent Creeks, Rivers, Streams	50 to 100 acres	≥25%	50 feet
Intermittent Creeks, Rivers, Streams	Greater than 100 acres	<25%	50 feet
Intermittent Creeks, Rivers, Streams	Greater than 100 acres	≥25%	100 to 200 feet
Perennial Creeks, Rivers, Streams	Any upstream area	<25%	50 feet
Perennial Creeks, Rivers, Streams	Any upstream area	≥25%	100 to 200 feet
Wetlands, lakes (natural), and springs.	Any drainage	<25%	50 feet
Wetlands lakes (natural), and springs.	Any drainage	≥25%	100 to 200 feet

APPLICANT RESPONSE: This section of the CCSD#1 outlines the County’s requirements for setback standards. Since this project is not proposing the FSH Overlay, the City has requested this project adhere to the setback standards of Clackamas County. Table 4.1 outlines the setback standards of the wetlands and streams on site. Per Environment Technology Consultants (ETC) report, it can be noted that the stream on site is classified as a perennial stream and there is less than a 25% slope surrounding the stream, therefore the require buffer is 50’ from top of bank on each side. This setback is shown on all plans. The wetlands all have less than 25% slope and therefore require a 50’ setback, This is represented on the plans. Therefore, this project meets the County and City Requirements for setbacks.

CONCLUSION:

As presented throughout this Project Narrative, this project is in compliance with the applicable code of the City of Sandy Development Code with the exception of three variance requests for extended road lengths. As demonstrated throughout the narrative and in the plan design. These three variance requests are being requested in order to preserve the existing natural features on site. The variances allow for minimal permitted disturbance to said areas. All the natural features on site will lie within tracts to be dedicated to the City of Sandy and outside of any future residential lots. This will ensure no construction or residential structures to be built within or near the natural features and their setbacks. The design includes a pedestrian path network adjacent to these natural features for future residents and Sandy community members to enjoy. By having these pedestrian pathways within dedicated tracts and meandering along the stream and wetlands, it allows the residents and public to enjoy the natural environment features. Additionally, the design has

created an extension of the pedestrian path to an existing easement on adjacent property. This path has created a path that will have direct connection to a mass City of Sandy Trail system. Additionally, the site design includes tree retention that exceeds the requirements. The project was required to retain a minimum of 117 trees of 11" DBH and greater. The project proposes the retention of 152 trees of 11" DBH or greater and 91 trees of 6-11" DBH. This tree retention plan not only preserves valuable trees but also adds to the overall project design but the future residents and community's enjoyment by retaining existing mature landscaping. This project design goes above and beyond the standard subdivision design by including an extensive public pathway network that is separate from the sidewalks along streets, a path that connects into a mass City trail plan, a tree retention plan that exceeds the requirements, and the preservation of the natural features on site.