## City of Sandy

## Agenda

Planning Commission Meeting Meeting

## Meeting Location: City Hall- Council Chambers, 39250

Pioneer Blvd., Sandy, Oregon 97055
Meeting Date: Monday, July 30, 2018
Meeting Time: 6:30 PM

## 1. ROLL CALL WORK SESSION

2. WORK SESSION
2.1. Sandy Community Campus (SCC) and Sandy Branding Overview

## 3. ADJOURN WORK SESSION

4. ROLL CALL REGULAR MEETING

## 5. APPROVAL OF MINUTES

5.1. May 29, 2018

PC Minutes -5-29-18 - Draft Minutes

| 5.2. June 14, 2018 | $7-9$ |
| :--- | :--- |
| PC Minutes -6-14-18-Draft Minutes |  |

## 6. REQUESTS FROM THE FLOOR - CITIZEN COMMUNICATION ON NONAGENDA ITEMS

## 7. NEW BUSINESS

7.1. Public Hearing; Tractor Supply Store (18-018 DR/CUP/VAR)
Exhibit H - Arborist Report
Exhibit I - Drainage Report Stormwater Report
Exhibit J - Phase I Enviro Report
Exhibit K - Geo ReportExhibit L-Lighting Cut Sheets
Exhibit M - Signage Details
Exhibit N - Hassan - City EngineerExhibit O - Transportation EngExhibit P - PGE Comments
Exhibit Q - ODOT Comments
Exhibit R - Mikes Comments
Exhibit S - Elie Kassab Comments
Exhibit T - Existing Conditions Report for Lot 8 Pioneer Corporate Business
Park
7.2. Public Hearing: Code Interpretation on Windows (18-027 INT) ..... 615-66518-027 INT Highway 26 Storage Code Interpretation Staff Report
Exhibit A- Land Use AppExhibit B - NarrativeExhibit C - Plan SetExhibit D - Highway 26 Storage Pre-app 2014 analysisExhibit E - Pre App notes August 17th 2017
Exhibit F - Highway 26 Storage Pre-app May 2018
Exhibit G - Elie Kassab Comments
8. ITEMS FROM COMMISSION AND STAFF
9. ADJOURN

# Sandy Planning Commission Regular Meeting <br> Monday, May 29, 2018 

After some technical difficulties, Chairman Jerry Crosby called the meeting to order at 7:13 p.m.

## 1. ROLL CALL

Commissioner Carlton - Present
Commissioner Lesowski - Present
Commissioner MacLean Wenzel - Excused
Commissioner Logan - Present
Commissioner Mobley - Present
Commissioner Abrams - Present
Chairman Crosby - Present

Others present: Planning \& Building Director Kelly O'Neill Jr., Associate Planner Emily Meharg, Associate Planner James Cramer, City Attorney Chris Crean (via phone), Downtown Planner Emma Porricolo, Planning Assistant Rebecca Casey
2. APPROVAL OF MINUTES - April 23, 2018

Motion: To approve minutes for April 23, 2018
Moved By: Commissioner Logan
Seconded By: Commissioner Lesowski
Yes votes: Commissioners Carlton, Lesowski, Logan, Mobley and Chairman Crosby
No votes: None
Abstentions: Commissioner Abrams since he was excused from this meeting.
The motion passed.

## 3. REQUESTS FROM THE FLOOR - CITIZEN COMMUNICATION ON NON-AGENDA ITEMS

 Fritz Vanghent, 39105 Scenic St, Sandy, OR 97055Mr. Vanghent explained to the Commission his frustration over the Sandlandia Food Cart Pod. He handed out a picture he took showing one of the food cart pod employees who parks their car on Pioneer Blvd. all day which is located right in front of Taco Time. He said this situation violates the parking rules the City set and would like it addressed.

## Cathy Stachluk, PO Box 51, Sandy, OR 97055

Ms. Stachluk stated that she is the President of Clackamas County Bank and has been a long time supporter of the Sandy Community financially and through volunteer efforts. She explained that they did not feel included on the Pleasant Street Master Plan. She believes this Master Plan will have a major negative impact on the banks employees as well as customers due to the lack of proposed parking spaces. Stachluk said they look forward to working with the City to resolve this matter.

## NEW BUSINESS

4. PUBLIC HEARING - Sandy Bluff Annex 6 Subdivision (18-002 SUB/VAR) Chairman Crosby opened the public hearing on File No. 18-002 SUB/VAR (Sandy Bluff Annex 6) at 7:20 p.m. Crosby noted that this is a quasi-judicial public hearing. He called for any abstentions, conflicts of interest, ex-parte contact, challenges to the jurisdiction of the Planning Commission, or any challenges to any individual member of the Planning Commission. With no declarations noted, Crosby went over the public hearing procedures for a quasi-judicial public hearing and called for the staff report.

Commissioner Mobley recused himself from this application as he owns Lancaster Engineering
that worked on the Traffic Analysis Study for Sandy Bluff Annex 6.

## Staff Report:

Associate Planner James Cramer summarized the staff report and addressed the background, factual information, public comments staff received, applicable criteria, and went through a slide show. Cramer finished with the summary and conclusion along with staff's recommendation.

In regards to Ally's Commissioner Carlton asked Cramer if private driveways were considered public access and who owns the private drive. Cramer explained that a private drive can be accessed by others and is not owned by the property owners, but must be maintained by them.

## Applicant Presentation:

## Tom Sisul, 375 Portland Ave, Gladstone, OR 97027

Mr. Sisul on behalf of his client said they would like condition number 6 struck from staff's recommendations in the staff report that relates to alley access for lots $17-20$. Sisul then asked to remove the word "retention" from recommendation number 13 in the staff report when discussing trees. He would also like under number 13 that it mentions staff, applicant and arborist as the determining body instead of it only saying "staff". Sisul explained that the applicant would like the tree selection/retention process to be more collaborative instead of staff having the only say in the process. He referred to code Section 17.92.10C and said he would like this section noted in recommendation number 13. Sisul finished by asking staff for clarification on what they meant by "future trees" referred to in recommendation number 40.

## Testimony:

None

## Staff Recap:

Associate Planner James Cramer addressed the applicant's concern over recommendation number 6 regarding the access from the alley. He said this was just a recommendation and there is nothing in the code to require this. Cramer also clarified staff's position on recommendation number 13 and number 40 which covers the removal and retention of trees.

## Applicant Rebuttal:

Sisul briefly discussed recommendation number 4 about the redesign of Lots 21-26.

## Discussion:

The hearing was left open to give the Commission the ability to ask the applicant questions. The Commission and staff discussed the tree retention recommendations in further detail. O'Neill said that staff typically requires a tree covenant that is recorded and is part of the deed if they approve retention trees as well as mitigation trees. O'Neill also expressed a few concerns he had over this due to future sale of the applicant's property and the enforceability of retaining those trees. City Attorney Chris Crean said the best way to ensure there is tree preservation is to make it a tract on the recorded plat.

Commissioner Lesowski, Carlton and Chairman Crosby all expressed a need for clarification on the number of trees as well as the size of the trees staff is asking to have retained. Staff explained that the large Doug Firs become exposed on the small $7,500 \mathrm{sq}$. ft . lots and end up being damaged and then removed. They would like to see groups of younger trees in order for the best retention long term. Pat Sisul representing the applicant said that staff is requiring the applicant to retain 117 trees that are 11 inches or greater in diameter. He explained that he agrees with staff that there is a lot of value in preserving the 6 to 8 -inch trees, but the applicant doesn't get any credit for preserving them. The applicant would like to see the larger trees preserved. Sisul then asked staff to clarify the tree preservation tract and also if there is a separate document that will address the rest of the trees outside of that tract. O'Neill said staff will need to have the City's attorney advise on how the covenant would be written.

Commissioner Carlton clarified that on staff's recommendation number 13 on page 52 of the staff report, the word "retention" should be removed, "for staff" should remain as written and insert "in compliance to code Section 17.92.10 (C)" after the words "which additional trees". The Commission also agreed to add after the words "for staff" to also say: 'with arborist and applicant to determine'.

The Commission and staff finished with discussing recommendation number five and six in the staff report that address alley access for Lots 17-20.

Motion: To Close Public Hearing at 8:46 p.m.
Moved by: Commissioner Carlton
Seconded by: Commissioner Lesowski
Yes votes: All Ayes
No votes: None
Abstentions: None
The motion passed.
Motion: Move to approve File No. 18-002 SUB/VAR (Sandy Bluff Annex 6 Subdivision/Variance) based on the conditions of approval 1-41 in the staff report as amended and discussed with staff and the applicant.
Moved by: Commissioner Carlton
Seconded by: Commissioner Abrams
Yes votes: Commissioners Carlton, Lesowski, Logan, Abrams and Chairman Crosby
No votes: None
Abstentions: None
Commissioner Mobley returned to the dais to rejoin the meeting.

## 5. Work Session - Pleasant Street Master Plan Overview

Chairman Crosby opened the work session for the Pleasant Street Master Plan at 8:56 p.m. and explained that Downtown Planner Emma Porricolo will give a presentation and will allow for public comment throughout.

Planning \& Building Director Kelly O'Neill explained that this work session is not an evidentiary hearing and there is nothing formal and no decisions or recommendations, but is primarily meant to be informational. O'Neill explained that DLCD will be noticed of the hearing in July before City Council and the hearing will be the actual time where everyone will be able to give their official input. This meeting before City Council is scheduled to take place on July 16, 2018.

Downtown Planner Emma Porricolo presented her work session report. The Commission and staff discussed concerns over the bus parking on Pleasant Street and the possible option to move this bus parking to Strauss Avenue.

Commissioner Lesowski asked about the possible development of the new Community Center and O'Neill explained this topic is separate from the Pleasant Street Master Plan and will be discussed at the City Council in the near future. O'Neill also stated that the project on Pleasant Street is more focused on the right-of-way and everything south of Pleasant Street whereas the Community Center project is more focused on the building north of Pleasant Street in the previous location for the Cedar Ridge Middle School. O'Neill said that staff was tasked by Council with the re-development of Pleasant Street and the realignment and safety issues on Proctor Blvd. He also explained that when Emma was hired she was not tasked with doing any work on the Community Center Campus.

Staff also explained to the Commission and to the audience that this Pleasant Street Master Plan is all conceptual at this time.

## 6. ITEMS FROM COMMISSION AND STAFF

Planning \& Building Director Kelly O'Neill Jr. told the Commission how staff will need to "revamp" the Transportation System Plan (TSP) currently in place due to all the new annexations and development. He also told the Commission that staff is looking to get a Transportation System Grant through TGM and asked the Commission for letters of support as part of the City's application. The Commission agreed to this request.

O'Neill reminded the Commission that there will be two Planning Commission meetings in June. These meetings will take place on June $14^{\text {th }}$ and June $25^{\text {th }}$.

The Commission agreed to change July's meeting date to July $30^{\text {th }}$ instead of July $23^{\text {rd }}$ since there would not be a quorum on the $23^{\text {rd }}$.

## 7. ADJOURNMENT

Motion: To adjourn
Moved By: Commissioner Carlton
Seconded By: Commissioner Logan
Yes votes: All Ayes
No votes: None
Abstentions: None
The motion passed.
Chair Crosby adjourned the meeting at 9:37 p.m.

Chairman Jerry Crosby

Attest:


Date signed: $\qquad$
Kelly O'Neill Jr., Planning \& Building Director

# Sandy Planning Commission <br> Regular Meeting 

Thursday, June 14, 2018
Chairman Jerry Crosby called the meeting to order at 7:01 p.m.

## 1. ROLL CALL

Commissioner Carlton - Present
Commissioner Lesowski - Present
Commissioner MacLean Wenzel - Absent
Commissioner Logan - Present
Commissioner Mobley - Present
Commissioner Abrams - Present
Chairman Crosby - Present
Others present: Planning \& Building Director Kelly O'Neill Jr., Associate Planner Emily Meharg, Associate Planner James Cramer, Planning Assistant Rebecca Casey

## 2. APPROVAL OF MINUTES - None

## 3. REQUESTS FROM THE FLOOR - CITIZEN COMMUNICATION ON NON-AGENDA ITEMS None

## NEW BUSINESS

4. PUBLIC HEARING - USMW \#1 STA Bus Parking Buildings (18-005 DR/VAR) Chairman Crosby opened the public hearing on File No. 18-005 DR/VAR (USMW \#1 STA Bus Parking Buildings) at 7:02 p.m. Crosby noted that this is a quasi-judicial public hearing. He called for any abstentions, conflicts of interest, ex-parte contact, challenges to the jurisdiction of the Planning Commission, or any challenges to any individual member of the Planning Commission. With no declarations noted, Crosby went over the public hearing procedures for a quasi-judicial public hearing and called for the staff report.

Commissioner Mobley recused himself as he owns Lancaster Engineering that worked on the Traffic Analysis Study for this application.

## Staff Report:

Associate Planner James Cramer summarized the staff report and addressed the background, factual information, applicable criteria, and went through a slide show. Cramer finished with the summary and conclusion along with staff's recommendation.

Planning \& Building Director Kelly O'Neill Jr. followed up and explained to the Commission that in June of 2014 the applicant filed an appeal to City Council to allow the use of "galvalume" roofing material. This was ultimately approved since the code addresses building colors (i.e. walls) being earth tones, but does not mention roof color. O'Neill told the Commission they could revisit the code at a later time pertaining to the color palette if they feel anything in the code should be changed.

## Applicant Presentation:

Ray Moore, All County Surveyors and Planners, PO Box 955, Sandy, OR 97055
Mr. Moore thanked staff for a good job with the staff report and mentioned that he believes there was a small typo on page 21 when staff mentions "pervious material". Moore believes it should state "impervious" instead. Moore also pointed out that in "Exhibit L" the Public Works Director, Mike Walker had stated in the third paragraph that the average infiltration rate is less than 5 inches / minute when it should be 5 inches / hour.

## Testimony:

Advisor Daisy Meade suggested extending the awning from the door to over the window so it gives more of a prominent and aesthetically pleasing entrance to Building A.

## Staff Recap:

O'Neill said he agrees with Ms. Meade and extending the awning would make Building A look more robust. O'Neill also addressed all of Moore's points and said staff would make those slight changes he mentioned to the wording once the Final Order is issued.

O'Neill said staff will also address the parking and change the condition from "implement the parking all at once" to just requiring the applicant to describe on the plan set how it will be phased in with the buildings.

## Applicant Rebuttal:

Moore said the applicant is ok with extending that awning over the window on Building A as suggested by Advisor Daisy Meade.

## Discussion:

The hearing was left open to give the Commission the ability to ask the applicant questions. Commissioner Carlton asked staff about "Exhibit P" (Final Order 17-071 DR) for the Bus Parking Configuration application. O'Neill explained that this Land Use Application was done first so the applicant could continue to progress with this project and not be held up by the decision before the Commission tonight.

Motion: To Close Public Hearing at 7:26 p.m.
Moved by: Commissioner Carlton
Seconded by: Commissioner Logan
Yes votes: All Ayes
No votes: None
Abstentions: None
The motion passed.
Motion: Move to accept File No. 18-005 DR/VAR (USMW \#1 STA Bus Parking Buildings) based on the findings of fact and conditions of approval in the staff report and the modifications pointed out by Mr. Moore and also the additional architectural detail noted by Advisor Daisy Meade.
Moved by: Commissioner Carlton
Seconded by: Commissioner Lesowski
Yes votes: Commissioners Carlton, Lesowski, Logan, Abrams and Chairman Crosby
No votes: None
Abstentions: None
Commissioner Mobley returned to the dais to rejoin the meeting.

## 5. ITEMS FROM COMMISSION AND STAFF

Planning \& Building Director Kelly O'Neill Jr. thanked everyone for attending this extra meeting for the month and to remind everyone the next meeting will be on Monday June $25^{\text {th. }}$ That meeting will include a work session on the Walkability Plan and also a public hearing on the Jewelberry Ridge Subdivision.

O'Neill reminded the Commission that July's meeting was moved to the $5^{\text {th }}$ Monday (July $30^{\text {th }}$ ) and will include the Tractor Supply Store application that has between seven to nine deviations/variances and is very complex.

O'Neill also brought up having a workshop to go over some of the possible changes to the code
and encouraged the Commission to review the code and note anything they think needs to be addressed.

O'Neill told the Commission about the Longest Day Parkway event starting at the Bornstedt Village Park next Monday night (June 18, 2018) and encouraged everyone to attend. He also updated the Commission on the Pleasant Street Master Plan and how the City Council has requested that the Planning Division go back to the drawing board and look at a few other plans that will allow Clackamas County Bank to keep more parking.

The Commission and staff discussed the idea of having the Planning Commission Advisor position fill in for Commissioners during an absence regardless of having a quorum or not.

## 6. ADJOURNMENT

Motion: To adjourn
Moved By: Commissioner Carlton
Seconded By: Commissioner Mobley
Yes votes: All Ayes
No votes: None
Abstentions: None
The motion passed.
Chair Crosby adjourned the meeting at 7:44 p.m.

Attest:
Chairman Jerry Crosby

Kelly O'Neill Jr., Planning \& Building Director

Date signed: $\qquad$


## PLANNING DIVISION

39250 PIONEER BOULEVARD • SANDY, OR 97055
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STAFF REPORT
TYPE III LAND USE PROPOSAL

REPORT DATE: July 24, 2018
SUBJECT: File No. 18-018 DR/CUP/VAR Tractor Supply Company
AGENDA DATE: July 30, 2018

Application Submitted: April 30, 2018 Application Complete: June 13, 2018
120-Day Deadline: October 11, 2018

STAFF CONTACT: Emily Meharg, Associate Planner

## EXHIBITS:

## Applicant's Submittals:

A. Land Use Application
B. Supplemental Application
C. Project Narrative
D. Plan Set

- Sheet C1 - Existing Conditions
- Sheet C2 - Demolition Plan
- Sheet C3 - Overall Site Plan
- Sheet C4 - Site Plan
- Sheet C4b - Site Plan Alternate
- Sheet C5 - Geometric \& Utility Plan
- Sheet C6 - Sanitary Network Profile
- Sheet C7 - Grading Plan
- Sheet C8 - Drainage Plan
- Sheet C9 - Civil Construction Notes
- Sheets C10-21 - Civil Construction Details
- Sheet ESC1 - Erosion Control Cover
- Sheets ESC2-3 - Erosion Control Plan
- Sheets ESC4-5 - Erosion Control Details
- Sheet LP200 - Landscape Planting Plan
- Sheet LP500 - Landscape Details
E. Parking Lot Lighting Layout
F. Building Elevations
G. Transportation Impact Study
H. Arborist Report
I. Drainage Report
J. Phase I Environmental Site Assessment Report
K. Report of Geotechnical Investigation \& Infiltration Testing Services
L. Lighting Cut-sheets
M. Signage Details

Agency Comments:
N. City Engineer (June 28, 2018)
O. Transportation Engineer (June 29, 2018)
P. PGE (July 9, 2018)
Q. ODOT (July 10, 2018)
R. Public Works Director (July 10, 2018)

## Public Comments:

S. Elie Kassab (July 6, 2018)

## Additional Documents Submitted by Staff

T. Existing Conditions Survey for Sandy Development Lot 8 - Pioneer Corporate Business Park

## I. BACKGROUND

## A. PROCEEDING

Type III Design Review and Conditional Use Permit with Variances and Tree Removal
The applicant originally requested 6 variances. During the completeness check, staff identified a seventh variance. During the detailed staff review, staff identified an additional two variances and also determined two of the originally requested variances were adjustments.

## B. FACTUAL INFORMATION

1. APPLICANT: Hix Snedeker Development, LLC
2. OWNER: Sandy Automotive, LLC
3. PROJECT NAME: Tractor Supply Company
4. SITUS ADDRESSES: No situs
5. LEGAL DESCRIPTION: T2S R4E Section 15A Tax Lot 209
6. PROPERTY LOCATION: South of Highway 26, west of Champion Way, north of Industrial Way
7. PROPERTY SIZE: 2.63 acres (Tractor Supply parcel); 8.07 acres (total acreage of tax lot 209)
8. COMPREHENSIVE PLAN DESIGNATION: Light Industrial
9. ZONING DISTRICT DESIGNATION: Industrial Park, I-1
10. SERVICE CONSIDERATIONS: With the exception of lateral connections for domestic water, fire protection, and sanitary sewer service, limited public utility extensions are proposed or required for development of the site, unless otherwise noted during construction plan review.
11. RESPONSE FROM GOVERNMENTAL AGENCIES, UTILITY PROVIDERS, CITY DEPARTMENTS AND THE GENERAL PUBLIC
a. City Engineer - (Exhibit N)
b. Transportation Engineer (Exhibit O)
c. PGE (Exhibit P)
d. ODOT - (Exhibit Q)
e. Public Works Director - (Exhibit R)

## C. PUBLIC COMMENTS

One public comment was received prior to publishing this staff report. Elie Kassab (Exhibit S) owns the Sandy Cinema and is concerned that the height, size, and spacing of the proposed Tractor Supply building will block the visibility of the cinema from Highway 26.
D. APPLICABLE CRITERIA: Sandy Development Code Chapters: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.48 Industrial Park (I-1); 17.66 Adjustments and Variances; 17.68 Conditional Uses; 17.80 Additional Setbacks on Collector and Arterial Streets; 17.84 Improvements Required with Development; 17.90 Design Standards; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access; 17.102 Urban Forestry; and, 15.30 Dark Sky.

## E. EXPLANATION OF PROPOSED IMPROVEMENTS

Hix Snedeker, LLC submitted an application to build a Tractor Supply Company (TSC) store on Parcel 3 ( 2.63 acres) of the existing 8.07 acre parcel that has been tentatively approved as a two lot partition (File No. 18-019 MP). The proposed retail store is 19,097 square feet with 22,130 square feet of outdoor storage and product display area. The applicant is applying for a minor conditional use permit to allow more than 15 percent of outdoor storage and product display area. The applicant is also requesting seven (7) variances and two (2) adjustments as follows:

- Adjustment to Section 17.90.120(C.8.b.1) to allow an additional 8 feet of parapet without a 24 inch step.
- Adjustment to Section 17.90.120(D.1) to allow less than 50 percent of the street frontage as building.
- Variance to Section 17.90 .120 (D.3) to allow the building to not face a public street.
- Variance to Section 17.90.120(D.7) to waive the requirements of an "activated" frontage on the north elevation.
- Variance to Section 17.90 .120 (E.2) to allow less than the required 25 percent window coverage on the activated elevation.
- Variance to Sections 17.90 .120 (E.2.a and E.4) to allow non-transparent faux windows.
- Variance to Section 17.74 .40 (B.3) to allow a retaining wall in the front yard greater than 6 feet tall.
- Variance to Section 17.74 .40 (B.4) to allow a retaining wall in the side and rear yards greater than 8 feet tall.
- Variance to Section $17.102 .50(\mathrm{~A})$ to plant mitigation trees in lieu of meeting the tree retention requirements for the site.


## F. PROPERTY BACKGROUND

The subject parcel was originally created as portions of Lot 8 (4.54 acres) and Lot 9 (6.07 acres) of the Pioneer Corporate Park subdivision platted in 1996 (Plat Book 109, Page 13) with the line dividing the lots oriented generally north-south. Since 2000 here are the primary land use approvals:

- In 2000, the owner of the property at the time was approved for a property line adjustment (File No. 2000-044, Survey No. PS-29073) shifting the common line between these parcels to an east-west orientation. This resulted in reconfigured parcels, Lot 8 (9.14 acres) and Lot 9 (1.47).
- In 2010 (File No. 10-035 MP), the current owner (Mark Benson) partitioned Lot 8 into two lots: Parcel 1 to contain 8.05 acres and Parcel 2 to contain 1.05 acres.
- In 2011 (File No. 11-008 CUP/DR/VAR), Champion 26 LLC received approval to construct the 'ampm' convenience store and ARCO fueling station.
- In 2018 (File No. 18-019 MP), Sandy Automotive LLC (Mark Benson) and Hix Snedeker LLC received approval to partition Parcel 1 from File No. 10-035 MP into two parcels at 5.44 and 2.63 acres.


## G. PROCEDURAL CONSIDERATIONS

Staff has determined the proposed application to construct a Tractor Supply Company store with an outdoor product display/storage area that exceeds 15 percent of the site area requires approval of a minor conditional use permit. In addition, the applicant is requesting seven (7) variances and two (2) adjustments. Review of the variances requires a public hearing before the Sandy Planning Commission. Notification of this proposal was mailed to property owners within 300 feet of the subject property and to affected agencies on June 25, 2018. A legal notice was published in the Sandy Post on July 11, 2018.

## II. ANALYSIS OF CODE COMPLIANCE

## CHAPTER 17.48 - INDUSTRIAL PARK (I-1)

The site is zoned as Industrial Park (I-1) and is being reviewed under the Industrial Park (I-1) zoning district standards. Per Section 17.48.20, outdoor product display or storage of merchandise covering greater than 15 percent of the total lot area is allowed as a minor conditional use.

### 17.48.20 MINOR CONDITIONAL USES AND CONDITIONAL USES

RESPONSE: The subject property is 114,716 square feet and the proposed development includes 22,130 square feet of outdoor storage and product display area, approximately 19.3 percent of the site. Section 17.48.20(A.1) permits outdoor product display or storage of merchandise covering greater than 15 percent of the total lot area as a minor conditional use.

### 17.48.30 DEVELOPMENT REQUIREMENTS

| Lot Area | No minimum |
| :--- | :--- |
| Lot Dimension | No minimum |
| Setbacks |  |
| Front | 10 ft minimum; 50 ft. maximum |
| Side | None unless abutting a more restrictive district; if <br> abutting, the minimum setback is 30 ft. <br> Rear <br> Corner |
| None |  |
| Lot Coverage | 15 ft. |
| Landscaping Requirement | $80 \%$ maximum |
| Structure Height | $20 \%$ minimum (includes required civic space per |
| Off-Street Parking | Section 17.90.120) |
| Design Review Standards | See Chapter 17.98 |

RESPONSE: For the purposes of this review, Highway 26 is considered the front yard. The proposed Tractor Supply Company store is located 25 feet from the property line along Highway 26. Staff notes the proposal also includes a retaining wall along a portion of the Highway 26 frontage of the site that will be located about seven (7) feet from the property line at its closest point. Setbacks as defined in the Code are measured from the property line to the nearest vertical wall of a building or structure. In contrast, front yard is defined as the minimum horizontal distance between the front property line and a line parallel thereto at the nearest point of the main building. Staff believes a conflict exists between these two definitions and the location where the setback is measured to. The front yard definition shall be controlling in this case, where the setback is measured from the property line to the building rather than to the proposed walls. There are additional proposed retaining walls that are set back 1 foot from the east property line, 4 feet from the west property line, and 10 feet from the south property line, at their closest points. The applicant's submittal indicates the building lot coverage totals 16.6 percent and landscaping represents 22.5 percent of the site in compliance with these standards. The maximum height of the building is 30 feet 8 inches, which is less than the 45 feet allowed by this section.

## CHAPTER 17.74 - ACCESSORY DEVELOPMENT

### 17.74.40 FENCES AND WINDSCREENS

B. Fences - Commercial/Industrial

1. Fences on corner lots. Any fence or retaining wall, constructed upon or adjacent to any property line that abuts two or more intersecting streets, shall not exceed 3 ft . in height within the clear vision area.
2. Fences in a front yard (Commercial). The height of a fence or retaining wall in a front yard shall not exceed 4 ft .
3. Fences in a front yard (Industrial). The height of a fence or retaining wall in a front yard shall not exceed 6 ft .
4. Fences - Side and Rear Yards. The height of a fence or retaining wall adjacent to a side or rear yard or a side or rear property line shall not exceed 8 ft .
5. Sight Obscuring Hedges. Trees or shrubs that form a sight-obscuring hedge shall comply with the same height requirement as a fence within the clear vision area. Deciduous trees separated by at least 15 ft . may grow to any height.

RESPONSE: The subject property is zoned Industrial Park (I-1). The applicant is proposing four (4) retaining walls, including three (3) gravity walls along the north and northeast edges of the site and one (1) MSE wall along the south and southeast edges of the site. The applicant requested a variance to retaining wall height, which staff determined is actually two separate variance requests: one to exceed the maximum retaining wall height of 6 feet in the front yard, and a second to exceed the maximum retaining wall height of 8 feet in the rear and side yards. The variances to retaining wall height are discussed further in Chapter 17.66 of this document.

## CHAPTER 17.80 - ADDITIONAL SETBACKS ON COLLECTOR AND ARTERIAL STREETS

### 17.80.10 APPLICABILITY

Major Arterial: Highway 26
RESPONSE: The subject property has frontage on Highway 26, which is a major arterial. All structures on the subject property shall be constructed to comply with the standards of Section 17.80.20.

### 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.

RESPONSE: All structures shall maintain a minimum 20-foot setback from the Highway 26 public right-of-way. The Overall Site Plan (Exhibit D, Sheet C3) depicts the proposed building at 25 feet from the Highway 26 right-of-way.

## CHAPTER 17.84 - IMPROVEMENTS REQUIRED WITH DEVELOPMENT

This chapter provides general information regarding improvements required in association with development, and it clarifies the timing, extent, and standards for public and private improvements.

### 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.

## RESPONSE: All required improvements shall be installed or financially guaranteed prior to final occupancy of the Tractor Supply Company building.

### 17.84.30 PEDESTRIAN AND BICYCLIST IMPROVEMENTS

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.

RESPONSE: There are existing 5 foot wide sidewalks on the Highway 26 frontage of the site. Highway 26 is a major arterial; therefore, 6 foot wide sidewalks are required. The applicant's narrative (Exhibit C) cites preliminary comments from ODOT that require the 5 foot wide sidewalk to be removed and replaced with a 6 foot wide sidewalk that matches ODOT's current design standards. The Site Plan (Exhibit D, Sheet C4) indicates the applicant will install 6 foot wide sidewalks along the Highway 26 frontage of the site that will taper on the east and west
> property lines to connect to the existing 5 foot wide sidewalks on the adjoining properties to the east and west. ODOT (Exhibit Q) states that the applicant shall bring the sidewalk up to current ODOT and City standards. The applicant shall contact the ODOT District Contact (Loretta Kieffer, 503-667-7441) to determine permit requirements and obtain application information. Per the Public Works Director (Exhibit R), if a design exception is required for street trees the applicant shall adjust the location of the sidewalk (which the applicant proposes to demolish and replace) to allow street trees that meet ODOT's minimum clear zone criteria and/or apply for a design exception. There appears to be sufficient right-of-way to meet ODOT's clear zone criteria. Any costs for a design exception shall be paid by the applicant.
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.

RESPONSE: The applicant proposes to replace the existing five foot wide sidewalk along the Highway 26 frontage of the site with a six foot wide sidewalk as required by ODOT. The proposal also includes a pedestrian ramp and walkway connecting the sidewalk on Highway 26 to the front entrance of the proposed Tractor Supply building. The pedestrian ramp is at an 8.33 percent slope.

### 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 pullouts 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.

RESPONSE: The Transit Director did not submit any comments.

### 17.84.50 STREET REQUIREMENTS

A. Traffic evaluations may be required of all development proposals in accordance with the following:

1. A proposal establishing the scope of the traffic evaluation shall be submitted for review to the City Engineer. The evaluation requirements shall reflect the magnitude of the project in accordance with accepted traffic engineering practices. Large projects should assess all nearby key intersections. Once the scope of the traffic evaluation has been approved, the applicant shall present the results with and an overall site development proposal. If required by the City Engineer, such evaluations shall be signed by a Licensed Professional Civil Engineer or Licensed Professional Traffic Engineer licensed in the State of Oregon.
2. If the traffic evaluation identifies level-of-service conditions less than the minimum standard established in the Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal.

RESPONSE: The applicant submitted a Transportation Impact Study (TIS) prepared by Lancaster Engineering, dated April 12, 2018 (Exhibit G). The analysis predicts 27 morning peak hour trips and 27 evening peak hour trips. The TIS was reviewed by the City's Transportation Engineer (Exhibit O) and Public Works Director (Exhibit R). Review comments were also received from the Oregon Department of Transportation (Exhibit Q).

The primary conclusions from the TIS include the following:

- Based on a detailed operational analysis, the intersections of Highway 26 at Champion Way, Champion Way at the site access, and SE 362nd Drive at Industrial Way are projected to operate acceptably through the year 2020, regardless of the addition of site trips related to the proposed development.
- The intersection of Highway 26 at SE 362nd Drive is projected to operate with a v/c ratio greater than the allowable maximum in the year 2020 prior to the addition of site trips related to the proposed development.
- A detailed examination of the crash history at the study intersections shows no significant safety hazards or design deficiencies.
- Improvements to the intersection of Highway 26 at SE 362nd Drive planned (no timeline for improvement) by the City of Sandy and ODOT are expected to improve both the operation and the safety of the intersection.
- Traffic signal warrants were not projected to be met for the intersection of Champion Way at the site access under any of the analysis scenarios.
- At the intersection of SE 362nd Drive at Industrial Way, traffic signal warrants are met under existing traffic conditions. This intersection, however, has been identified as a candidate for construction of a roundabout in the City's transportation system plan. Because very few trips are added to the intersection as a result of the proposed farm store, no mitigation is recommended in conjunction with the proposed development.
- Left-turn lane warrants for the northbound approaches of the intersections of Champion Way at the site access and SE 362nd Drive at Industrial Way are not projected to be met under any of the analysis scenarios.

The City Transportation Engineer (Exhibit O) concurs with the TIS conclusions and finds that the TIS meets City requirements. The City Transportation Engineer states: "The TIS demonstrates that the development causes only slight degradation in performance of any intersection and that it does not warrant mitigation for traffic or safety issues."

ODOT (Exhibit Q) recommends that the City collect a proportional share based on the development's impacts towards the following City of Sandy Transportation System Plan projects: Project ID\#M4, US 26/Industrial Way; Project ID\#M12: Industrial Way extension to Jarl Road/US 26; and Project ID\#M15: Extend 362nd Drive to Kelso Road. The City currently has a mechanism to collect SDCs for transportation projects, but does not have a mechanism to collect proportional funds for specific projects related to ODOT facilities. The applicant shall pay appropriate SDCs.
D. 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.

RESPONSE: Per the Public Works Director (Exhibit R), the applicant shall install street improvements along the site (proposed Parcel 3 of the partition from File No. 18-019 MP) frontage of Highway 26, including but not limited to: curbs, sidewalks, storm drainage, street lighting and street trees per Section 17.84.50(D.1) of the Sandy Municipal Code (SMC).

### 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.

RESPONSE: With the exception of lateral connections for domestic water, fire protection, and sanitary sewer service, limited public utility extensions are proposed or required for development of the site. The utility plans show private fire protection, sanitary sewer and stormwater connections located within and outside of the proposed access easement.

The proposed utility plan depicts a domestic water service branched off the proposed private fire service line on private property. Per the Public Works Director (Exhibit R), domestic water service laterals shall not be branched off fire service lines and shall be connected to public water mains. Domestic water service laterals and meters shall be located within the public right-of-way. An additional easement for the domestic water service to the site shall be required once the water service is relocated to comply with these requirements.

The applicant shall secure and record utility easements for private utility lines located on proposed Parcel 2 (of the partition from File No. 18-019 MP). If the proposed access easement does not include provisions for private utility lines it shall be amended prior to filing the partition plat approved with File No. 18-019 MP to include utility access, or separate utility easements shall be secured and recorded.

Utility and frontage improvement plans are submitted solely to comply with the submission requirements of Section 17.90 .100 of the Sandy Municipal Code. Land use approval does not
connote approval of utility or street frontage improvement plans, which are subject to a separate submittal and review process.

ODOT (Exhibit Q) submitted the following comments regarding hydrology:

1. The storm water report, dated April 27, 2018, deals only with the on-site drainage for Tractor Supply which does not impact ODOT drainage.
2. The proposed sidewalk extension and pipe extension (plan sheet $C$-R6) requires the following:
a. The engineer should document that this does not trigger FAHP concerns (gutter is already present so likely exempt).
b. The proposed HDPE pipe added onto the existing CMP which ends just west of the ARCO development requires a complete drainage report/hydraulic study. The report must meet all the requirements of the ODOT hydraulics manual for stormwater conveyance. It must show that the size of pipe proposed will carry the stormwater meeting the conveyance guidelines, checking velocities and volumes in accordance with the hydraulics manual. HDPE is permitted but must be analyzed.
c. The outfall to the existing ODOT ditch must be checked for ditch capacity and erosion, and if energy dissipation is needed.
d. Better documentation of the existing CMP should be provided, and verification that all pipe requirements are met for the CMP and HDPE proposed (pipe cover, etc.). Contact ODOT maintenance for additional information (ARCO development).

Per ODOT's comments:

- The applicant shall submit a complete drainage report/hydraulic study that meets all the requirements of the ODOT hydraulics manual for stormwater conveyance.
- The outfall of the existing ODOT ditch shall be checked for ditch capacity and erosion, and if energy dissipation is needed.
- The applicant shall provide better documentation of the existing CMP and verification that all pipe requirements are met for the CMP and HDPE proposed.

The applicant submitted a concurrent application (File No. 18-019 MP) to partition tax lot 209 into two parcels: Parcel 3 contains the proposed Tractor Supply Company store and Parcel 2 is the remaining portion of tax lot 209. As a condition of approval in Final Order 18-019 MP, the applicant is required to grant an easement for the existing public storm drain lines and storm drainage facilities on proposed Parcel 2 per Sections $17.84 .90(A)$ and $(C)$ of the Sandy Municipal Code. The total area required is approximately 3,000 square feet out of the total 8.07 acre site. The approximate location of these lines is shown on the Existing Conditions Survey for Sandy Development Lot 8 - Pioneer Corporate Business Park (Exhibit T).

### 17.84.70 PUBLIC IMPROVEMENT PROCEDURES

It is in the best interests of the community to ensure public improvements installed in conjunction with development are constructed in accordance with all applicable City policies, standards, procedures, and ordinances. Therefore, prior to commencement of installation of public water, sanitary sewer, storm drainage, broadband (fiber), street, bicycle, or pedestrian improvements for any development site, developers shall contact the City Engineer to receive information regarding adopted procedures governing plan submittal, plan review and approval, permit requirements, inspection and testing requirements, progress of the work, and provision of easements, dedications,
and as-built drawings for installation of public improvements. All work shall proceed in accordance with those adopted procedures, and all applicable City policies, standards, and ordinances.

Whenever any work is being done contrary to the provisions of this Code, the Director may order the work stopped by notice in writing served on the persons engaged in performing the work or causing the work to be performed. The work shall stop until authorized by the Director to proceed with the work or with corrective action to remedy substandard work already completed.

## RESPONSE: The applicant shall confer with Sandy Fire District to determine the number and location of on-site fire hydrants necessary to comply with the requirements of the Sandy Fire District Fire Marshall.

### 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:
4. 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;
5. 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:
6. 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.
7. The developer shall make arrangements with the serving electric utility for trenching prior to installation of underground conduit for street lighting.

RESPONSE: Municipal Code 15.20.030(B) states the following regarding undergrounding of utilities: "No building permit shall be issued for remodeling, alteration or addition to any building or structure when the estimated cost of the remodeling, alteration or addition exceeds twenty percent of the value of the building or structure before such remodeling, alteration or addition is commenced on any lot which is not served by underground utilities, unless the applicant agrees to construct equipment and related facilities to accept and receive all underground utility lines which shall serve the building or structure, including but not limited to those required for all electric, communication and cable TV services in conjunction with the construction activity related to the building permit." The applicant shall place all onsite overhead electrical and communications wires underground in conformance with Section 15.20.

### 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").

RESPONSE: Private utility services will be submitted for review and approval by service providers and City staff in association with construction plans, and all utility lines will be extended to the perimeter of the site. All franchise utilities shall be installed underground and in conformance with City standards. PGE submitted a comment (Exhibit P) stating they did not find any conflicts related to the project.

### 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.
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.
C. Where a development site is traversed by a drainageway or water course, a drainage way dedication shall be provided to the City.
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.
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.
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.
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:
3. 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.

RESPONSE: The applicant does not propose any public tracts. Per the Public Works Director (Exhibit R), the applicant shall secure and record utility easements for private utility lines located on proposed Parcel 2 (of the partition in File No. 18-019 MP). If the proposed access easement does not include provisions for private utility lines it shall be amended prior to filing the partition plat approved with File No. 18-019 MP to include utility access, or separate utility easements shall be secured and recorded.

Domestic water service laterals may not be branched off fire service lines and must be connected to public water mains; domestic water service laterals and meters must be located within the public right-of-way. An additional easement for the domestic water service to the site will be required once the water service is relocated to comply with these requirements.

As a condition of approval in Final Order 18-019 MP, the applicant is required to grant an easement for the existing public storm drain lines and storm drainage facilities on proposed Parcel 2 per Sections $17.84 .90(A)$ and (C) of the Sandy Municipal Code. The total area required is approximately 3,000 square feet out of the total 8.07 acre site. The approximate

## location of these lines is shown on the Existing Conditions Survey for Sandy Development Lot 8 - Pioneer Corporate Business Park (Exhibit T).

ODOT (Exhibit Q) recommends that the applicant provide necessary cross-over access easements from the Tractor Supply site through the tentative partitioned property to the south, connecting to Industrial Way. The plat shall detail the necessary cross-over access easements from the Tractor Supply site through the tentative partitioned property to the south connecting to Industrial Way, per a condition of approval in File No. 18-019 MP.

### 17.84.100 MAIL DELIVERY FACILITIES

RESPONSE: The applicant's narrative (Exhibit C) states that the proposed mailbox location will be near the entrance to the site off Champion Way, but that the final location will be coordinated with the City Engineer and the Post Office. Mail delivery facilities shall be provided by the applicant in conformance with 17.84 .100 and the standards of the USPS. The applicant shall submit a mail delivery plan to the City and USPS for review and approval prior to installation of the mail delivery facility.

## CHAPTER 17.90 - DESIGN STANDARDS <br> 17.90.120 GENERAL COMMERCIAL AND INDUSTRIAL (C-2 and I-1) AND NONRESIDENTIAL USES IN RESIDENTIAL ZONES DESIGN STANDARDS

Development in the C-2 and I-1 districts and non-residential uses in a residential zone shall conform to all of the following standards, as applicable. Where a conflict exists between the requirements of this Chapter and any other code provision, this Chapter shall prevail.

RESPONSE: The subject property is in the I-1 zoning district. The Elevations (Exhibit F.) are not scalable and there are no cardinal directions on the plans. The applicant shall revise the elevations with scalable distances and cardinal directions for the four elevations.

## A. Site Layout and Vehicle Access.

Intent: To provide for compact, walkable development, and to design and manage vehicle access and circulation in a manner that supports pedestrian safety, comfort and convenience. (Figures $17.90 .120-\mathrm{A}$ and $17.90 .120-\mathrm{B}$ )

1. All lots shall abut or have cross access to a dedicated public street. RESPONSE: The subject property abuts Highway 26 and has access to both Champion Way and Industrial Way through access easements on the adjacent parcel to the east and the parcel to the south that is tentatively approved to be partitioned from the subject property.
2. Off-street parking shall be located to the rear or side of buildings with no portion of the parking lot located within required setbacks or within 10-feet of the public right-of-way, as shown in Figure 17.90.120-A. When access must be provided directly from a public right-of-way, driveways for ingress or egress shall be limited to one per 150 ft . For lots with frontage of less than 150 ft . or less, shared access may be required. RESPONSE: The proposed parking area is located on the east side of the proposed building and outside of the 20 foot required setback from Highway 26. Access to the parking area will be from the existing 30 foot common access easement that connects the subject property to Champion

Way.
5. Urban design details, such as raised or painted pedestrian crossings and similar devices incorporating changes in paving materials, textures or color, shall be used to calm traffic and protect pedestrians in parking areas. RESPONSE: The Site Plan (Exhibit D, Sheet C4) details an existing five foot wide walkway along the south side of the 30 foot common access easement connecting the Champion Way sidewalk to the parking area on the subject property. However, the site plan does not detail pavement markings on asphalt areas where pedestrians are proposed to cross parking aisles. The applicant shall update the plan set to detail pavement markings that connect the existing five foot walkway in the common access easement to the proposed Tractor Supply Company building. The pavement markings shall be painted periodically as lines become faded.
7. Walkways from the public street sidewalk to the building entrance(s) are required. Crosswalks through parking lots and drive aisles shall be constructed of a material contrasting with the road surface or painted (e.g., colored concrete inlay in asphalt). RESPONSE: The proposal includes an existing five foot wide walkway along the south side of the 30 foot common access easement connecting the Champion Way sidewalk to the parking area on the subject property as well as a new walkway and 8.33 percent ramp from the Highway 26 sidewalk to the building entrancelexit. A full evaluation of on-site walkways is contained in Section 17.84.30 of this staff report.
11. Free-standing buildings shall be connected to one another with a seamless pedestrian network that provides access to building entrances and adjacent civic spaces. RESPONSE: The proposed Tractor Supply Company building is the only building on the subject property. There are at least four existing buildings on adjacent properties including the Arco gas station site to the east of the proposed parking area, which includes the convenience store, fuel pump canopy, and drive-thru coffee shop. There is a fourth building for vehicle repair at the corner of Champion Way and Industrial Way. The existing five foot sidewalk will connect the proposed parking area to the Champion Way sidewalk, which connects to the Arco building. There are no existing or proposed connections to the vehicle repair shop building on Champion Way and Industrial Way, but there's an existing wetland and drainage area that separates that building from the remainder of the site.

## B. Building Facades, Materials, and Colors

Intent: To provide building façades, materials and colors consistent with the Sandy Style. For purposes of interpreting the Sandy Style, representative illustrations and photos are provided. (Figures 17.90.120-C, 17.90.120-D, 17.90.120-E, 17.90.120-F, 17.90.120-G, 17.90.120-H, and 17.90.120-I; and the Color Palette and representative photos provided in the Appendix E.)

1. Articulation. The Sandy Style includes asymmetrical building forms, which by definition require buildings to be articulated, varied, and provide visual interest. This standard is met by dividing elevations visible from an abutting public street or pedestrian way into smaller areas or planes to minimize the appearance of bulk as follows:
a. All elevations visible from an abutting public street or pedestrian way shall be divided into distinct planes of no more than 40 lineal feet long to include the following:
1) Wall planes meeting this standard shall include a feature or variation in the wall plane that are those that are entirely separated from other wall planes by a recessed or projecting section of the structure that projects or recedes at least six (6) inches from the
adjacent plane, for a length of at least four (4) feet. Changes in plane may include but are not limited to recessed entries, bays, secondary roof forms (e.g., gables, lower roof sheds, dormers and towers), building bases, canopies, awnings, projections, recesses, alcoves, pergolas, porticos, roof overhangs, or other features consistent with the Sandy Style.
2) Wall planes shall incorporate at least one visually contrasting and complementary change in materials or changes in texture or patterns, including trim, moldings, or other ornamental devices.
3) The lower and upper floors of multi-storied buildings shall be delineated by using pedestrian shelters, changes in siding materials, heavy timbers, or natural wood accents (e.g. brackets, paneling, or other detailing).

RESPONSE: The subject property abuts Highway 26 and the north, west, and east elevations of the proposed building for the Tractor Supply Company will be visible from Highway 26. Per the submitted narrative (Exhibit C), the proposed building articulations include heavy timber supported trellis designs and shed roof elements covering both operable and fixed entrance designs and faux window elements. The submitted land use application (Exhibit A) and supplemental land use application (Exhibit B) indicate the applicant is requesting a design deviation to Section 17.90.120(B); however, the narrative (Exhibit C) does not address any design deviations in the Section 17.90.120(B) discussion. In a phone conversation with the applicant on June 20, 2018, staff was told the design deviation request was in relation to building articulation on the north elevation along Highway 26. However, the north and east elevations do not have any wall planes that are greater than 40 lineal feet. Staff is not sure what the requested design deviation is for. Design deviations need to be reviewed by Planning Commission. If you are requesting a design deviation, please submit additional information regarding the requested design deviation to Section 17.90.120(B).

The west elevation appears to be a single planar wall approximately 125 feet in length with practically no articulation. Typically the planar wall changes would occur where the parapet height changes occur. Based on preliminary conversations with the applicant at the pre-application meeting, staff believe the applicant's intent is to install a vegetative screen along the west side of the building such that the west façade will not be visible from Highway 26. The original submission did not show extensive landscaping along the west side of the property so staff asked for clarification on the applicant's proposal in the incompleteness letter. More specifically, staff requested that the applicant either update the landscaping plan to show a landscaping buffer/screen along the west elevation, update the west elevation of the building to include additional design elements, including articulation, or apply for a variance to Section 17.90.120(B.1) (and possibly others) for the west elevation of the proposed building. With submittal of additional design details corresponding to the incompleteness letter the applicant did not submit an updated west elevation or request a variance. However, the applicant did submit an updated landscaping plan, but the updated landscaping plan does not include extensive vegetation along the west façade that would provide an effective buffer/screen from Highway 26. The applicant shall update the plan set to detail an updated west elevation that meets the design standards of Section 17.90.120, or submit an updated landscaping plan that details vegetation that is sufficient to screen the west façade of the building from Highway 26.
2. Pedestrian Shelters. Buildings must incorporate pedestrian shelters, as follows:
a. Pedestrian shelters shall be provided over the building's primary entrance(s) and all pedestrian areas (i.e., sidewalks, and civic spaces) abutting the subject building, where pedestrians are likely to use these facilities.
b. Features such as canopies, arcades, awnings, roofs overhangs, covered porches, alcoves, and/or porticoes are required to protect pedestrians from the rain and sun.
c. Pedestrian shelters must extend at least five (5) feet over the pedestrian area.
d. Shelters designed with gables (e.g., over building entrances) are preferred over flat shelters, and must comply with the roof pitch standards in Section 17.90.120(C). Dome or bubble shaped awnings are not permitted.

RESPONSE: The primary entrance for the proposed Tractor Supply building is located on the east elevation and has a covered entry way. The south elevation details the primary entrance with an 8 foot covered entryway, while the north elevation details the primary entrance with a 5 foot covered entryway. The applicant shall update the plan set to show a covered shelter at the primary entrance at a consistent depth and extending at least five feet over the pedestrian area. The plan set details an additional 5 foot deep pedestrian shelter over the faux entryway along Highway 26 as well as a 5 foot deep pedestrian shelter over the doors connecting the proposed building to the outdoor display area to the south.
3. Building Materials. Exterior building materials shall convey an impression of strength and durability consistent with the Sandy Style, as follows:
a. Buildings on the same site shall be architecturally unified. Architectural unity means buildings are related in architectural style and share some common elements, such as color scheme, materials, roof forms, and/or detailing. Unity does not mean repetition or mirroring of building elevations. RESPONSE: There is one building proposed for the subject property and it will contain "Sandy Style" elements such as heavy timber framing and a stone base.
b. Strong base materials such as natural stone (e.g., basalt, granite, river stone), split-faced rusticated concrete block, brick, or concrete form liner replicating these materials are required. Cultured stone may be allowed if it has a stone texture and is similar in appearance and durability to natural stone. A building's base must extend at least 36 inches but not more than 60 inches above the adjacent finished grade and be included on those sides of the building visible from an abutting public street. If the site contains a grade differential making construction of a minimum 36-inch base impracticable, the reviewing body may allow portions of the base to be less than 36-inches. RESPONSE: The proposed building has a 48-inch stone base on the north and east elevations, which are visible from Highway 26. The west elevation is also visible from Highway 26; however, the applicant has not proposed a stone base along the west elevation. As discussed in Section 17.90.120(B.1.a) of this document, staff is unclear what the applicant's proposal is regarding the west elevation. The applicant shall update the plan set to detail an updated west elevation that meets the design standards of Section 17.90.120 including a stone base, or submit an updated landscaping plan that details vegetation that is sufficient to screen the west façade of the building from Highway 26. The proposed stone base is Polermo Country Rubble by Eldorado Stone, which is a
cultured fieldstone similar to stone used on other approved Sandy Style buildings.
d. Siding shall consist of wood, composite-wood (e.g., concrete fiberboard, panels or shingles), stone, brick, split-faced or rusticated concrete block, concrete form liner or a combination of these materials. Stucco, synthetic stucco, or metal are only permitted as specified below. Vinyl, plastic or similar siding is not permitted. RESPONSE: The proposed siding for the building is 8 -inch split-faced concrete block and hardieplank lap siding for the entryway on the east elevation. Both of these siding materials are acceptable siding materials.
3) Where masonry siding is used, it shall consist of brick, stone, or rusticated concrete block, and must incorporate decorative patterns over not less than 15 percent of every elevation where it is used. Examples of decorative patterns include multi-toned masonry units, such as brick, stone, or cast stone, in layered or geometric patterns or split-faced concrete block to simulate rusticated stone-type construction. Changes in pattern should be used to accentuate breaks in building stories, corners, windows, structural bays, and building tops (e.g., parapets where flat roofs are allowed). RESPONSE: The proposed siding for the building is 8 -inch split-faced concrete block and hardieplank lap siding. CMU block is an acceptable masonry siding. The façade design includes two different colored CMU bands that accentuate the awnings and windows.
e. Building elevations facing a public street shall incorporate at least three (3) of the following features: Using these features may also address other code requirements, such as those related to building articulation, change in relief, pedestrian shelters, storefront elements.

1) Exposed, heavy timbers;
2) Exposed natural wood color beams, posts, brackets and/or trim (e.g., eaves or trim around windows);
3) Natural wood color shingles (e.g., used as siding or to accent gable ends);
4) Metal canopies;
5) Heavy metal brackets (e.g., cast iron or similar appearance), which may be structural brackets or applied as cosmetic detailing, and/or;
6) Similar features, consistent with the Sandy Style.

RESPONSE: The north elevation of the proposed building faces Highway 26 and, per the applicant's narrative (Exhibit C), incorporates exposed heavy timber framing and trellises with heavy metal brackets and metal canopies. The applicant has requested a variance to allow the front entry to face east towards Champion Way, rather than north towards Highway 26. The east entry includes heavy timber framing and trusses. The applicant shall update the elevations to include heavy timber framing and heavy metal brackets on both the north and east elevations.
f. Materials required on elevations visible from an abutting public street must turn the building corner and incorporate appropriate transitions onto elevations not requiring these materials for a distance of not less than four (4) feet. RESPONSE: A stone base is proposed along the entirety of the north and east elevations and wraps around the corners to the west and south elevations approximately 3 feet. The applicant shall
update the elevations to detail the stone base wrapping around the corners on the west and south elevations for a distance of at least 4 feet. The west elevation is visible from Highway 26. As discussed in Section 17.90.120(B.1.a) of this document, staff is unclear what the applicant's proposal is regarding the west elevation. The applicant shall update the plan set to detail an updated west elevation that meets the design standards of Section 17.90.120, or submit an updated landscaping plan that details vegetation that is sufficient to screen the west façade of the building from Highway 26.
4. Colors. Building exteriors shall comply with the following standards:
a. Permitted colors include warm earth tones (tans, browns, reds, grays and greens) conforming to Color Palette in Appendix C. RESPONSE: The submitted building elevations (Exhibit F) detail the primary wall color as "Palmetto Bluff" with an accent band of "Shaker Red" and a second accent band of "Saffron Tint." The two elevations that are not proposed to include a stone base (the south and west elevations) include a split-faced CMU base in "Whipcord." Palmetto Bluff, Saffron Tint, and Whipcord are not on the approved Sandy color palette.
Staff contacted the applicant on June 20, 2018 and was informed that Palmetto Bluff will be replaced with Flaxen Field, Whipcord will be replaced with Britches, and Saffron Tint will be replaced with Jewett White, all in conformance with the Color Palette in Appendix C. Shaker Red as detailed on the elevations is in conformance with the Color Palette in Appendix C.

## C. Roof Pitch, Materials, and Parapets

Intent: To provide roof forms and detailing consistent with the Sandy Style. For purposes of interpreting the Sandy Style, representative illustrations and photos are provided. (Figures $17.90 .120-\mathrm{D}, 17.90 .120-\mathrm{E}, 17.90 .120-\mathrm{F}, 17.90 .120-\mathrm{G}, 17.90 .120-\mathrm{H}$, and $17.90 .120-\mathrm{I}$ and representative photos in Appendix E)

1. Except as provided in subsections $17.90 .120(\mathrm{C})(8)$, below, pitched (gabled or hipped) roofs are required on all new buildings with a span of 50 -feet or less. Gable and hipped roof forms must achieve a pitch not less than the following:

| Zoning District | Primary Roof Forms <br> (minimum) | Secondary Roof <br> Forms (minimum) |
| :---: | :---: | :---: |
| C-2 and I-1 | $6: 12$ | $4: 12$ |

RESPONSE: The proposed building span is greater than 50 feet so the building is not required to be constructed with a pitched roof. The proposal does include a pitched roof over the primary entrance.
2. As provided above, "Primary Roof Forms" are those that individually comprise 20 percent or more of the total surface area of a roof elevation. Secondary roof forms (e.g., dormers, towers, cupolas, etc.) are those that comprise less than 20 percent of the roof elevation. See also, Section 17.74.20 Vertical Projections.
3. When practicable, buildings shall be oriented so the gable end of the roof faces the abutting street.

RESPONSE: The faux entry on the north elevation faces an abutting public street (Highway 26) and should incorporate a gabled roof instead of the proposed shed roof. The applicant shall update the elevations to include a gabled roof feature above the faux entryway on the north elevation of the building. This gabled roof feature shall use heavy timbers and brackets consistent with the entryway on the east elevation of the building.
4. Pitched roofs visible from an abutting public street shall provide a secondary roof form (e.g. dormer) in the quantity specified below. Secondary roof forms may be located anywhere on the roof, although grouping these features is preferred.

| Roof Length | Number of Secondary Roof Forms |
| :--- | :--- |
| $30-40$ feet | 1 |
| $41-80$ feet | 2 |
| 81 feet and greater | 4 |

5. Visible roof materials must be wood shingle or architectural grade composition shingle, slate, or concrete tile. Metal with standing or batten seam may also be used conforming to the Color Palette in Appendix D. RESPONSE: The proposed roof is flat and not visible. The applicant is proposing several covered awnings and/or entry areas that will have standing seam metal roofs in "Colonial Red." Colonial Red is on the City of Sandy approved metal roofing color palette.
6. All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, shall be screened from view from all adjacent public rights-of-way and civic spaces by parapets, walls or by other approved means. Roof plans and elevations must show proposed equipment locations, approximate dimensions, and line of sight from public rights-of-way and civic spaces. The reviewing body may require additional equipment setbacks, screen walls, or other mitigation to ensure compliance.
RESPONSE: The west elevation details a rooftop mechanical unit that is screened by a parapet. The applicant's narrative (Exhibit C) states: "Due to the significant difference in finish grades between the rights-of-way and the building, all roof top equipment will be adequately screened by the building's parapets."
7. A-frame buildings and Mansard-style roofs are not permitted. RESPONSE: The proposal does not include an A-frame or Mansard-style roof.
8. Exception to Pitched Roof: When a building requires a roof span greater than 50 -feet, or the internal function of the building or a portion of the building makes construction of a pitched roof impractical, the reviewing body may allow an alternative roof form. An alternative roof form includes an "applied pitched roof" or flat roof constructed over the building or portion of the building as specified below. An example when a pitched roof is considered impractical would be the need to have large rooftop stove vents over the kitchen portion of a restaurant. Roof forms constructed under this exception shall comply with the standards below.
a. Applied Pitched Roof: An "applied pitched roof" is the preferred alternative roof form and shall be considered first. An "applied pitched roof" is a roof form with the general appearance of a pitched roof in terms of materials, pitch, and overhang, but
does not extend all the way from the eave of the building to the ridge of the roof as a typical pitched roof. An "applied pitched roof" shall be constructed according to the following:
i. For buildings with a span of less than 50 feet, the "applied pitched roof" shall extend at least 50 percent of the distance from the eave to the ridge as if had been constructed as a pitched roof;
ii. For buildings with a span of 50 feet or greater, the applied pitched roof shall extend at least 12 feet from eave.
iii. The reviewing body may require buildings with a span of 50 feet or greater to include an "applied pitched roof" in lieu of a flat roof along street facing elevations.

RESPONSE: The proposed building span is greater than 50 feet. The applicant's narrative states that the applied pitched roof requirement is not practical due to the building's overall footprint and to the high number of roof mounted equipment.
b. Flat Roof: Flat roofs shall comply with the following standards:

1) Sandy Style stepped parapets and detailed coursing shall be provided on those elevations visible from an abutting public street. Parapets shall be varied so that the length of a parapet does not exceed 40 feet without a change in the parapet height of at least 2 feet or as necessary to hide rooftop equipment.
2) Average parapet height shall not exceed 15 percent of the supporting wall height, and the maximum parapet height shall not at any point exceed one-third $(1 / 3)$ of the height of the supporting wall;
3) A cornice projecting at least six (6) inches from the building face shall be provided at the roofline of all elevations visible from abutting public rights-of-ways and pedestrian ways;
4) Parapet corners shall be stepped and the parapet be designed to emphasize the center or primary entrance(s), unless the primary entrance is at the corner of the building;

RESPONSE: The proposed building incorporates a flat roof design with parapets. The parapets are spaced so as not to exceed 40 feet without a change in the parapet height of at least 2 feet with the exception of the east elevation. The applicant has requested a variance to the parapet spacing standard of Section 17.90.120(C.8.b.1) to exceed the 40 foot spacing maximum for a change in parapet height by 8 additional feet on the east elevation. Based on a detailed review of the submittal, staff determined the request can be processed as an adjustment. The parapet variance/adjustment request will be discussed in Chapter 17.66 of this document. The maximum parapet height based on the 23.67 foot wall is 7.89 feet. Per the applicant's narrative (Exhibit C), the parapets do not exceed the 7.89 foot maximum. Each parapet is proposed to be topped with a three step applied synthetic stucco cornice that projects 6 inches from the building face.

## D. Building Orientation and Entrances

Intent: To maintain and enhance General Commercial and Industrial streetscapes as public spaces, emphasizing pedestrian-scale and character in new development, consistent with the

Sandy Style. (Figures 17.90.120-A, 17.90.120-B, 17.90.120-D, 17.90.120-E, 17.90.120-F, 17.90.120-G, and 17.90.120-H) and representative photos in Appendix E.

1. Buildings shall be oriented to a public street or civic space. This standard is met when at least 50 percent of the subject site's street frontage is comprised of building(s) placed within 20 feet of a sidewalk, walkway or civic space and not more than 20 percent of the off-street parking on a parcel as required by SDC 17.98, tract or area of land is located between a building's front façade and the adjacent street(s). RESPONSE: The proposed building contains frontage on Highway 26. The building is proposed at 150 feet in length and the Highway 26 frontage of the subject property is approximately 332 feet. Thus, the building comprises less than 50 percent of the site's frontage. The applicant has requested a variance to Section 17.90.120(D.1) to allow less than 50 percent building frontage on a public street. The applicant's narrative states that the Tractor Supply Company store's prototypical footprint is 150 feet so using the prototypical building design the 50 percent building frontage standard can't be met. Based on a detailed review of the submittal, staff determined the request can be processed as an adjustment. The requested building frontage variance/adjustment will be discussed further in Chapter 17.66 of this document.
2. Where parking is placed between a front façade and a street, a landscaped berm and/or architectural features, such as a knee wall, colonnade, arbor, trellis and/or similar device, shall be placed behind the sidewalk to partially screen the parking area from the sidewalk. The partial screen shall be designed to achieve at least 50 percent opacity at the time of installation, with openings for walkways connecting to the building's primary entrance. RESPONSE: The proposal does not include parking between the building and the Highway 26 frontage.
3. Ground floor spaces shall face a public street or civic space and shall be connected to it by a direct pedestrian route (i.e., avoid out-of-direction travel). RESPONSE: The applicant has requested a variance to allow the building's primary entrance to be on the east elevation, facing the parking area, rather than the north elevation that fronts on Highway 26. The variance is discussed further in Chapter 17.66 of this document. The proposal includes a pedestrian walkway connecting the Highway 26 sidewalk to the proposed entry on the east elevation of the building.
4. Buildings located at the intersection of two streets shall use a corner building entrance; where a corner entrance is not practical due to the internal functioning of the building space or due to physical constraints of the site (e.g., topography, accessibility, or similar circumstances), a building entrance must be provided within forty feet of the corner. The building corner must use detailing that emphasizes the corner location and is consistent with the Sandy Style. Examples of acceptable detailing include a rounded or chamfered (beveled) corner, weather protecting canopy, plaza, sculpture, and/or similar pedestrian-oriented features. RESPONSE: The proposed building is not located at the intersection of two streets so this design standard does not apply.
5. For structures greater than 40,000 gross square feet, there shall be at least two (2) clearly articulated public entrances on the structure; at least one such entrance shall be visible from a public street and connected to that street by a pedestrian sidewalk or walkway. RESPONSE: The proposed building is less than 40,000 square feet and the proposal includes a pedestrian walkway connecting the Highway 26 sidewalk to the proposed entry on the east elevation. Staff visited the Tractor Supply Company store in Kelso, WA on July 17, 2018. After conducting the site visit and talking with staff with the City of Kelso it was apparent that the building is undersized for the number of items for sale. It appears that the prototypical TSC design is
based on an undersized building with extensive amounts of outdoor storage area, rather than a larger building that could contain all, or most, of the items being sold. The applicant's Sandy TSC proposal includes a 19,097 square foot building and 22,130 square feet of outdoor storage, for a total of 41,227 square feet of retail. Staff recommends
limiting the amount of allowed outdoor storage area to 15 percent of the site $(17,207$ square feet), which is a permitted accessory use in the I-1 zone.
6. Retail buildings shall provide at least one customer entrance for every 200 lineal feet of anchor store space along at least one of the building's street-facing elevation(s). Such entrances may be oriented to a public street or designated civic space. Where ancillary stores or offices are provided, entrances to those spaces must be placed not more than 40 feet apart on average. For example, a 300 foot long building with one anchor store and four ancillary stores would provide no fewer than two anchor space entrances spaced not more than 200 feet apart and four ancillary entrances placed not more than 40 feet apart on average. RESPONSE: The proposed building is approximately 150 feet by 125 feet; none of the elevations exceed 200 lineal feet so this design standard does not apply.
7. Buildings shall provide at least one (1) elevation where the pedestrian environment is "activated." An elevation is "activated" when it meets the window transparency requirements in subsection 17.90.120(E), below, and contains a public entrance with a pedestrian shelter extending at least five (5) feet over an adjacent sidewalk, walkway or civic space.
RESPONSE: The "activated" frontage is the north elevation along Highway 26. The proposed design for the north elevation includes faux windows and a faux entry door with a 5 foot faux covered entry. The applicant has requested a variance requesting that the requirements for an "activated" elevation along Highway 26 be waived. The variance request is discussed further in Chapter 17.66 of this document.
8. Primary entrances must be architecturally emphasized and visible from the public right-ofway and shall be sheltered with a canopy, overhang, or portico with a depth of at least five (5) feet. Architectural emphasis should be provided by a gabled shelter where practical, consistent with the Sandy Style. Detailing around the base of the building, such as stonework, benches or art, should also be used to emphasize an entrance. RESPONSE: The proposed primary entrance is on the east elevation and will include a two-story gable roofed entry featuring heavy timbers and posts with stone bases as well as a second 5 foot deep gable canopy at a lower pedestrian scale than the main two-story entry feature. The doublegabled entryway mass will be visible from Highway 26 and will be connected to the Highway 26 sidewalk by a walkway.

## E. Windows

Intent: To promote business vitality, public safety and aesthetics through effective window placement and design, consistent with the Sandy Style. (Figures 17.90.120-A, 17.90.120-B, $17.90 .120-\mathrm{D}, 17.90 .120-\mathrm{E}, 17.90 .120-\mathrm{F}, 17.90 .120-\mathrm{G}$, and $17.90 .120-\mathrm{H}$ )

1. Unified Design. Building plans must provide for unity in window placement and design so that all sides of a building relate to one another and multiple buildings on a development site relate to one another.
2. Ground Floor Windows. The ground floor elevation of all new buildings shall contain ground floor display areas, windows, and doorways on the "activated" frontage. as follows:

| Building Size | Percentage Windows Required |
| :--- | :--- |
| $0-10,000$ sq. ft. | 30 percent of elevation |
| 10,000 sq. ft. $-30,000$ sq. ft. | 25 percent of elevation |
| Greater than 30,000 sq. ft. | 20 percent of elevation |

a. Windows shall contain clear glass to allow views to interior activity or display areas. The bottom edge of windows shall be no less than three (3) feet above the adjacent finished grade. Where the internal functions of a building preclude windows at this height, the reviewing body may allow windows above or below this height. Display boxes affixed to a building's exterior are not counted in meeting the above standard.
b. Windows shall be square or vertically oriented and may consist of vertically stacked or horizontally banked window units. Windows located over a door or transom windows may be horizontally oriented.
c. Windows with any dimension exceeding six (6) feet shall be divided to contain two or more smaller panes with real divided panes, vinyl inserts, or applied dividers.
d. Windows shall have trim or moldings at least three (3) inches in width around them, or have reveals of at least three (3) inches in depth. Casings shall consist of a drip cap, head casing, side casings, and/or sills.

## 4. Prohibited Windows.

a. Darkly tinted windows, mirrored windows, and similar windows are prohibited adjacent to street sidewalks, civic spaces and walkways.
b. Glass curtain windows are not permitted facing public right-of-ways, except where the reviewing body finds that such windows are consistent with the Sandy Style.

RESPONSE: The north and east elevations contain faux window treatments. The north elevation fronts on Highway 26 and is the "activated" frontage; however, the applicant has requested a variance to allow the east elevation to serve as the primary entrance and activated frontage. The applicant's narrative (Exhibit C) states that in order for the north elevation to meet the 25 percent window requirement, it would need to have 825 square feet of window coverage, which "would be challenging for [Tractor Supply Company] to achieve given the significant amount of interior wall display required along the interior face of all the exterior walls and the increased security risks associated with the introduction of windows." The applicant proposes an alternate design that includes the use of a non-transparent window design and faux entry glazing of approximately 255 square feet ( 8 percent of the elevation). The applicant has requested a variance to the window coverage requirement for the north elevation. The applicant did not request a variance to allow the use of faux windows rather than clear glass windows, as required by Section 17.90.120(E.2.a); however, staff believes that the applicant is requesting a variance to window material and is processing the request as such. The variance requests are discussed further in Chapter 17.66 of this document.

## F. Landscaping and Streetscape Design

Intent: To promote business vitality, public safety and aesthetics through effective landscaping and streetscape design, consistent with the Sandy Style, and to provide for a continuous pedestrian
network that promotes pedestrian safety, comfort and convenience, and provides materials and detailing consistent with the Sandy Style. (See Figures 17.90.120-J and 17.90.120-K and Appendix G)

1. The provisions of Chapter 17.92 Landscaping and Screening General Standards shall apply.
2. Parcels abutting Highway 26 shall provide a landscape buffer comprising not less than 30 percent of the highway frontage, to a depth of not less than 20 feet. Within the buffer, existing trees shall be preserved to the extent practicable. New trees, shrubs, and groundcover shall be planted to create a landscape buffer and partial visual screen along the highway as specified below or as approved by the reviewing authority. If approved in writing by the Oregon Department of Transportation, this buffer may be located within the public right-of-way. Any new or modified access must fall outside the designated buffer. Landscape plans shall indicate proposed landscaping, signage and other proposed development.
3. Landscape buffer plantings shall contain a mixture of both deciduous and evergreen species selected from the list below and shall be of a sufficient quantity to provide a partial buffer within two years from the date they are planted:

- Trees - Deciduous (minimum 1 1/2-inch caliper) -Autumn Blaze Maple, Red Sunset Maple, Scarlet Oak. Evergreen (minimum 8-10 feet) - Hogan Cedar, Incense Cedar, Western Red Cedar, Douglas fir.
- Small Trees/Shrubs - Vine Maple, Serviceberry, Chinese Kousa Dogwood, Red flowering Currant, Ceanothus 'Blue Blossom', Rhododendron, Pacific Wax Myrtle.
- Groundcover - Kinnickinick, Salal, Low Oregon Grape, Coastal Strawberry, Rock Rose.

4. All service and storage areas must be screened from view from all adjacent rights-of-way. (See Figure 17.90.120-K below.)

RESPONSE: The subject property abuts Highway 26 and, therefore, is required to provide a landscape buffer comprising not less than 30 percent of the highway frontage to a depth of not less than 20 feet. There are no existing trees within the 20 foot buffer to Highway 26. The proposed Landscape Plan (Exhibit D, Sheet LP200) details the following vegetation along Highway 26:

- A mix of trees and groundcover along approximately 85 feet of the Highway 26 frontage on the west end.
- A mix of shrubs, grasses, groundcover, and trees along approximately 125 feet of the Highway 26 frontage in the middle.
- A mix of shrubs, grasses, and groundcover along approximately 120 feet of the Highway 26 frontage on the east end.
The approximately 125 foot long section of landscaping that includes a mix of trees, shrubs, and groundcover is approximately 38 percent of the site's Highway 26 frontage, and thus meets the 30 percent minimum landscape buffer requirement. The depth of the buffer ranges from approximately 16 feet to 40 feet (though the 40 foot deep area includes the proposed pedestrian

> ramp so this section does not actually contain 40 feet deep of vegetation). A majority of the proposed species are shrubs that will grow to approximately 2 to 3 feet in height. Per Section $17.90 .120(F .2)$, the required landscape buffer along Highway 26 should create a partial visual screen along the highway. Per Section 17.90.12F.3), landscape buffer plantings shall contain a mixture of both deciduous and evergreen species selected from the list in Section 17.90.120(F.3) and shall be of a sufficient quantity to provide a partial buffer within two (2) years from the date they are planted. The required landscape buffer plantings along Highway 26 shall be at least 20 feet deep and shall contain a mixture of deciduous and evergreen species of a sufficient quantity to provide a partial buffer within two (2) years from the date they are planted. None of the proposed species are from the list in Section 17.90.120(F.3). The list of species in Section $17.90 .120(F .3) ~ i s ~ m o s t l y ~ n a t i v e ~ s p e c i e s ~ w i t h ~ a ~ f e w ~ n o n-n a t i v e ~ s p e c i e s ~ t h a t ~ a d d ~ v i s u a l ~ i n t e r e s t . ~$
> The applicant shall update the landscape plan to include at least four (4) species from the list in Section 17.90.120(F.3), or propose alternative native species for staff review and approval. Staff recommends including either vine maple or serviceberry, and a few additional shrubs and/or groundcover species from the following: red flowering currant, ceanothus 'Blue Blossom,' salal, rock rose, or low growing Oregon grape.

## G. Civic Space

Intent: To connect buildings to the public realm and create comfortable and attractive gathering places and outdoor seating areas for customers and the public, consistent with Sandy's Downtown Streetscape Design. (See Figures 17.90.120-L and 17.90.120-M)
RESPONSE: The proposed building is 19,097 square feet, therefore, the required civic space is 573 square feet. The submitted Overall Site Plan (Exhibit D, Sheet C3) indicates that the applicant is proposing that the walkway, ramp, and bicycle parking area be counted as the civic space. The intent of the civic space requirement is to connect buildings to the public realm and create comfortable and attractive gathering places and outdoor seating areas for customers and the public. The code allows walkways that accommodate outdoor seating to count towards the civic space requirement; however, staff does not believe the intent of the code is to allow all of the required civic space to be walkways. The applicant shall update the plan set to detail at least $\mathbf{5 7 3}$ square feet of civic space. Based on the large size of the building the applicant shall include at least two public benches adjacent to the walkway, building entrance, or bike parking area where the public can sit and gather, and one public art element or similar pedestrian amenity reviewed and approved by staff.

## H. Lighting

Intent: To promote business vitality, public safety and aesthetics through effective outdoor lighting, consistent with the Sandy Style. (Figures 17.90.120-G, 17.90.120-H, and 17.90.120-M)

1. Streetscape lighting shall conform to Chapter 15.30 Dark Sky Ordinance.
2. Exterior lighting must be an integral part of the architectural design and must complement any ornamental street lighting and remain in context with the overall architectural character of the district. On-site light fixtures conforming to the Sandy Style are encouraged.
3. Lighting must be adequate for safety purposes. Walkways and parking lots should be illuminated at $1.5-2.0$ foot candles.

RESPONSE: Section 17.90.120(H.3) specifies that walkways and parking lots should be
illuminated at $1.5-2.0$ foot candles. The submitted Lighting Layout (Exhibit E) details parking lot illumination at 0.5 to 5.7 foot candles and walkway illumination at 0.2 to 2.4 foot candles. The applicant is proposing two (2) quad head Lithonia lights and one (1) double head bullhorn Lithonia light in the parking area, and seven (7) hi-lite gooseneck lights along the front (east) façade. The applicant shall update the proposed parking area lights with lights that have a smaller distribution and emit less intense light. The applicant is not proposing any pedestrian scaled lighting along the walkways. The applicant shall update the proposed Lighting Layout to include additional pedestrian scale lighting along the walkways. Lighting is discussed further in Chapter 15.30 (Dark Sky) of this document.

## I. Safety and Security

Intent: To promote natural surveillance of public spaces for safety and security.

1. Locate windows in a manner that enables tenants, employees and police to watch over pedestrian, parking and loading areas. RESPONSE: The proposed parking is located adjacent to the east elevation, which contains faux windows. The applicant's narrative (Exhibit C) cites the significant interior wall displays and security risks associated with windows as reasons they are not proposing functional (i.e. real) windows. Due to the use of faux windows, the building will have limited surveillance of the parking area.
2. In commercial, public and semipublic development, including civic spaces, locate windows in a manner that enables surveillance of interior activity from the public right-of-way. RESPONSE: The proposed windows along the north façade adjacent to the Highway 26 right-of-way are faux windows. The applicant is requesting a variance to Section 17.90.120(E) to allow a reduction in the required window coverage and an alternate design that includes the use of a non-transparent window design and faux entry glazing. The variance request is discussed further in Chapter 17.66 of this document.
3. Provide street address numbers measuring a minimum of six (6) inches high, which clearly locates buildings and their entries for patrons and emergency services. RESPONSE: The applicant shall provide street address numbers measuring a minimum of six (6) inches high, which clearly locates buildings and their entries for patrons and emergency services. The applicant shall verify the location(s) of the address with the Building Official and emergency service providers.
4. Locate, orient and select on-site lighting to facilitate surveillance of on-site activities from the public right-of-way and other public areas. (See also, subsection H Lighting.)
RESPONSE: On-site lighting is evaluated in Chapter 15.30 of this staff report. Lighting has been designed to illuminate parking areas and building entrances. Additional lighting is needed to illuminate on-site walkways.

## J. External Storage

Intent: To promote land use compatibility and aesthetics, particularly where development abuts public spaces. (Figure $17.90 .120-\mathrm{K}$ )

1. Exterior storage of merchandise and/or materials, except as specifically authorized as a permitted accessory use, is prohibited. RESPONSE: Outdoor product display or storage of merchandise covering no more than 15 percent of the total lot area is an accessory use permitted outright in the I-1 zoning district. The applicant is proposing outdoor storage and display areas in excess of 15 percent of the lot area and, therefore, applied for a minor
conditional use permit. The conditional use request is discussed further in Chapter 17.68 of this document. The applicant also proposes a dumpster area, which will be screened.
2. Where such storage is allowed, it must be screened from view from public rights of way and civic spaces at least eight (8) feet and not more than 10 feet unless the screen is a continuation of the building wall. RESPONSE: There are multiple proposed outdoor storage and product display areas, including a large fenced outdoor display area south of the proposed building, a paved area south of the proposed parking lot, and multiple smaller areas along the east elevation of the proposed building and fenced outdoor display area. The northernmost proposed outdoor storage area along the east elevation of the proposed building is located approximately 26 feet from the Highway 26 right-of-way. It is also located directly across from the parking lot planter bay that is proposed to contain the required bicycle parking stalls. Staff recommends the applicant locate the required 573 square feet of civic space at the northeast corner of the proposed building, adjacent to the pedestrian ramp, walkway, and required 20 foot landscaping buffer between the site and Highway 26, and across from the proposed bicycle parking. This would reduce the square footage of the northern outdoor storage area and locate it further away from Highway 26. The storage areas shall be designed to have minimal visibility from the civic space. The applicant shall submit additional details on the storage areas being screened from Highway 26 and the civic space on the subject site.
3. Mechanical, electrical, communications equipment including meters and transformers, and service and delivery entrances and garbage storage areas shall be screened from view from public rights-of-way and civic spaces. RESPONSE: Garbage storage areas are addressed in staff's response to Section 17.90.120(J.4), below. The submitted building elevations (Exhibit $F$ ) detail the proposed locations of rooftop mechanical equipment. As discussed in Section 17.90.120(C.6), the applicant's narrative (Exhibit C) states "Due to the significant difference in finish grades between the rights-of-way and the building, all roof top equipment will be adequately screened by the building's parapets." The site slopes down, away from Highway 26, thus, staff believes rooftop equipment could potentially be more visible because the buildings base elevation will be below the highway. The applicant did not submit line of sight analysis for the rooftop equipment. The applicant shall submit line of sight analysis for the rooftop equipment prior to submitting building permits.
4. Trash collection and recycling storage areas must be located within the structure or otherwise screened from view in an enclosed facility. Such facilities must be screened from view from public rights-of-way and civic spaces behind a screening wall constructed to match the materials used on the primary building(s) on the subject site. RESPONSE: The applicant proposes a dumpster area along the west elevation, which will be screened. The submitted civil construction details (Exhibit D, Sheet C10) details an 8-inch CMU enclosure. The detail does not specify what color or how tall the CMU enclosure will be. However, the supplemental land use application (Exhibit B) states that the trash and recycling enclosure will be 8 feet tall and made of split face CMU with wood gates. The application also states that the color will match the main building. The applicant shall submit construction details on the garbage/recycling enclosure to Planning Division staff for review and approval. The enclosure shall mimic the building with like CMU and paint colors.
5. Exceptions to the above provisions may be allowed through Design Review where no other practical alternative exists and such equipment is made to be visually subordinate to the
proposed building and landscape, for example, through the use of common materials for screening walls or landscape berms. The reviewing body may require additional setbacks, screening walls or other mitigation, for aesthetic reasons and to minimize odors or noise impacts on adjoining properties, public rights-of-way or civic spaces. RESPONSE: No exceptions to the external storage requirements are being requested, with the exception of exceeding the outdoor storage area allowed on the site.

## CHAPTER 17.92 - LANDSCAPING AND SCREENING

### 17.92.00 INTENT

The City of Sandy recognizes the aesthetic and economic value of landscaping and encourages its use to establish a pleasant community character, unify developments, and buffer or screen unsightly features; to soften and buffer large scale structures and parking lots; and to aid in energy conservation by providing shade from the sun and shelter from the wind. The community desires and intends all properties to be landscaped and maintained.

This chapter prescribes standards for landscaping, buffering, and screening. While this chapter provides standards for frequently encountered development situations, detailed planting plans and irrigation system designs, when required, shall be reviewed by the City with this purposes clause as the guiding principle.

### 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 $4-1 / 2 \mathrm{ft}$. 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 $5-\mathrm{ft}$. 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. Planter and boundary areas used for required plantings shall have a minimum diameter of $5-\mathrm{ft}$. ( $2-1 / 2 \mathrm{ft}$. radius, inside dimensions). Where the curb or the edge of these areas are used as a tire stop for parking, the planter or boundary plantings shall be a minimum width of $7-1 / 2 \mathrm{ft}$.
E. In no case shall shrubs, conifer trees, or other screening be permitted within vision clearance areas of street, alley, or driveway intersections, or where the City Engineer otherwise deems such plantings would endanger pedestrians and vehicles.
F. Landscaped planters and other landscaping features shall be used to define, soften or screen the appearance of off-street parking areas and other activity from the public street. Up to 35 percent of the total required landscaped area may be developed into pedestrian amenities, including, but not limited to sidewalk cafes, seating, water features, and plazas, as approved by the Director or Planning Commission.
G. Required landscaping/open space shall be designed and arranged to offer the maximum benefits to the occupants of the development as well as provide visual appeal and building separation.
H. Balconies required for entrances and exits shall not be considered as open space except where such exits and entrances are for the sole use of the unit.
I. Roofed structures shall not be included as open space except for open unenclosed public patios, balconies, gazebos, or other similar structures or spaces.
J. Driveways and parking areas shall not be included as open space.
K. All areas not occupied by paved roadways, walkways, patios, or buildings shall be landscaped.
L. All landscaping shall be continually maintained, including necessary watering, weeding, pruning and replacing.

RESPONSE: Per Section 17.92.10 (C), trees over 25-inches circumference measured at a height of 4-1/2 feet above grade are considered significant and should be preserved to the greatest extent practicable and integrated into the design of a development for residential, commercial, and industrial uses. A 25-inch circumference tree measured at $4-1 / 2$ feet above grade has roughly an eight-inch diameter at breast height $(D B H)$. The subject site only has two existing trees, both of which are proposed for removal. The applicant is requesting a variance to the tree retention standards of Section 17.102.50(A), which will be discussed in more detail in Chapter 17.102 of this document.

Staff visited the Tractor Supply Company store in Kelso, WA on July 17, 2018 and observed that most of the landscaping is not being adequately maintained. The sod is brown, the plants in the two stormwater facilities appear to be dead, and the trees on the site, which include Globehead European Ash and a pear variety, are all in a state of decline. Per Section 17.92.10(L), all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing.

### 17.92.20 MINIMUM IMPROVEMENTS - LANDSCAPING AND SCREENING

The minimum landscaping area of a site to be retained in landscaping shall be as follows:

## ZONING DISTRICT OR USE $\quad$ PERCENTAGE

| I-1 Industrial Park | $20 \%$ |
| :--- | :--- |

RESPONSE: The subject property is zoned Industrial Park, I-1. Section 17.92.20 requires that the Industrial Park (I-1) zoning district requires a minimum of 20 percent of the site be landscaped. The submitted Landscape Plan (Exhibit D, Sheet LP200) details 25,850 square feet of proposed landscaped area, which is 22.5 percent of the total site area, which exceeds the landscaping requirement for the site.

### 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 |
| :--- | :--- | :--- |
| Street Tree | Medium | $30 \mathrm{ft}$. on center |
| Street Tree | Large | $50 \mathrm{ft}$. on center |

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.

RESPONSE: Section 17.92.30 requires trees to be planted along public street frontages. The submitted Landscape Plan (Exhibit D, Sheet LP200) does not detail street trees along the Highway 26 frontage of the site. The Highway 26 frontage is 332 feet, which requires seven (7) large street trees or 11 medium street trees. The applicant shall update the Landscape Plan to detail seven (7) large street trees or 11 medium street trees along the Highway 26 frontage of the site. The applicant shall submit details on the proposed street tree species and locations for staff review and approval. The applicant will be required to obtain a permit from ODOT to place trees within the highway right-of-way. All street trees shall be a minimum of 1.5-
inches in caliper measured 6 inches above the ground and shall be planted per the City of Sandy standard planting detail. Trees and planter strip shall be installed per the approved landscape plan. Tree ties shall be removed after one growing season (or a maximum of 1 year).

### 17.92.40 IRRIGATION

Landscaping shall be irrigated, either with a manual or automatic system, to sustain viable plant life. RESPONSE: The submitted plans do not indicate an irrigation system but the narrative (Exhibit C) states that all landscape material is to be irrigated with an automatic irrigation system. Based on staff's site visit to the Tractor Supply Company store in Kelso, WA, staff has concerns regarding adequate irrigation of the landscaping, particularly the sod. Staff does not support manual irrigation for this development. The applicant shall be required to use an automatic irrigation system, as stated in the applicant's narrative. The applicant shall adequately water any proposed sod areas such that the sod remains alive and healthy, or shall propose alternative vegetation that does not require as much irrigation during the dry summer months.

### 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 $11 / 2$ 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.

RESPONSE: The Landscape Plan (Exhibit D, Sheet LP200) identifies the following deciduous trees at 1.5-inch caliper:

- 3 Acer freemanii 'Autumn Blaze'
- 3 Gleditsia triacanthos 'Shademaster'
- 1 Quercus bicolor
- 8 Malus x 'Prairifire'

Due to concerns with Asian Longhorn Beetle and Emerald Ash Borer, staff do not recommend planting new maples or ashes at this time. The applicant shall update the proposed tree list to include an alternate species for the three (3) proposed maples.

The Landscape Plan also identifies five (5) evergreen Cedrus atlantica 'Glauca' at 6 feet in height. The Landscape Plan identifies all shrubs at least one gallon in size or 24-inches in height.

The proposed landscaping includes 'sod,' which is specified on the Landscape Plan (Exhibit D, Sheet LP500) to be Festuca arundinacea (tall fescue sod). Tall fescue is also known as Schedonorus arundinaceus and is listed as a Rank D nuisance species on the Portland Plant List. Although Rank $D$ nuisance species pose less of a threat than species ranked A through C, staff doesn't recommend approval of any plants identified as nuisance plants. The applicant shall replace the proposed tall fescue sod with a native fescue, such as Festuca occidentalis, Festuca californica, Festuca roemeri, Festuca subulata, or Festuca subuliflora, or propose an alternative native species for staff review and approval.

Section 17.92.50(B) encourages the use of native plant materials or plants acclimatized to the Pacific Northwest where possible. None of the plants included in the proposed landscape plan are native to this region. As discussed in Section 17.90.120(F), developments along Highway 26 are required to provide a landscape buffer comprised of species from the list in Section 17.90.120(F.3). The applicant shall update the landscape plan to include at least four (4) species from the list in Section 17.90.120(F.3), or propose alternative native species for staff review and approval. Staff recommends including either vine maple or serviceberry, and a few additional shrubs and/or groundcover species from the following: red flowering currant, ceanothus 'Blue Blossom, salal, rock rose, or low growing Oregon grape. Staff recommends the applicant incorporate native plants and Pacific Northwest acclimatized plants throughout the site, and not just in the landscape buffer along Highway 26. On the July 17, 2018 site visit, staff observed that many of the plants at the TSC in Kelso, WA were not thriving. However, the two parking lot planter bays in front of the building contained what appeared to be a mix of native plants, including Oregon grape, that seemed to be doing better than the rest of the vegetation.

### 17.92.60 REVEGETATION IN UNLANDSCAPED OR NATURAL AREAS

A. Areas where natural vegetation has been removed or damaged through grading or construction activity in areas not affected by the landscaping requirements and that are not to be occupied by structures or other improvements shall be replanted.
B. Plant material shall be watered at intervals sufficient to assure survival and growth.
C. The use of native plant materials or plants acclimatized to the Pacific Northwest is encouraged to reduce irrigation and maintenance demands.


#### Abstract

RESPONSE: The applicant did not submit any plans for re-vegetation of areas damaged through grading/construction. The applicant shall maintain all unlandscaped and/or revegetated areas for a period of two years following the date of recording of the final plat associated with those improvements. While the code states that revegetated areas have to be maintained for at least two years, the code also states that the site shall have a minimum of 20 percent of the site landscaped, so in actuality the revegetated areas have to be maintained in perpetuity.


### 17.92.90 SCREENING (HEDGES, FENCES, WALLS, BERMS)

Screening is uses where unsightly views or visual conflicts must be obscured or blocked and where privacy and security are desired. Fences and walls used for screening may be constructed of wood, concrete, stone, brick, and wrought iron, or other commonly used fencing/wall materials.
Acoustically designed fences and walls are also used where noise pollution requires mitigation.
A. Height and Opacity. Where landscaping is used for required screening, it shall be at least 6 ft . in height and at least 80 percent opaque, as seen from a perpendicular line of sight, within 2 years following establishment of the primary use of the site.

RESPONSE: As discussed in Section 17.90.120(B.1) of this document, staff believe the applicant's intent is to install a vegetative screen along the west side of the building such that the west façade will not be visible from Highway 26. The submitted Landscape Plan (Exhibit D, Sheet LP200) details a row of Rhododendron $x$ 'Roseum Pink' along the west façade specified at 36-inches in height spaced 72 inches on center at time of planting. The Landscape Plan also details two Cedrus atlantica 'Glauca' and two Malus x 'Prairifire' along the western façade, with an additional Malus $x$ 'Prairifire' located at the northwest corner of the proposed building. Staff does not believe the proposed vegetation along the west façade would provide an effective buffer/screen from the Highway within two (2) years. The applicant shall update the plan set to detail either an updated west elevation that meets the design standards of Section 17.90.120, or an updated landscaping plan that details vegetation that is sufficient to screen the west façade of the building from Highway 26. Proposed screening vegetation shall meet the requirements of Section 17.92.90(A) and shall be at least 6 feet in height and at least 80 percent opaque within two (2) years of establishment of the primary use of the site.

### 17.92.130 PERFORMNCE BOND

If weather conditions or other circumstances beyond the control of the developer or owner make completion of the landscaping impossible prior to desired occupancy, an extension of up to 6 months may be applied for by posting "security" equal to $120 \%$ of the cost of the landscaping, assuring installation within 6 months. "Security" may consist of a performance bond payable to the city, cash, certified check, time certificates of deposit, assignment of a saving account, letter of credit, or other such assurance of access to funds necessary for completion as shall meet the approval of the City Attorney. Upon acceptance of the security, the developer or owner may be allowed occupancy for a period of up to 180 days. If the installation of the landscaping improvement is not completed within 180 days, the City shall have access to the security to
complete the installation and/or revoke occupancy. Upon completion of the installation by the city, any portion of the remaining security minus administrative charges of $30 \%$ shall be returned to the owner. Costs in excess of the posted security shall be assessed against the property and the City shall thereupon have a valid lien against the property, which will come due, and payable.

RESPONSE: The applicant has the option to defer the installation of street trees and/or landscaping for weather-related reasons. Staff recommends the applicant utilize this option rather than install trees and landscaping during the dry summer months. If the applicant chooses to postpone street tree and/or landscaping installation, the applicant shall post a performance bond equal to 120 percent of the cost of the landscaping, assuring installation within 6 months. The cost of street trees shall be based on the street tree plan and at least $\$ 500$ per tree fee. The cost of landscaping shall be based on the average of three estimates from three landscaping contractors; the estimates shall include as separate items all materials, labor, and other costs of the required action, including a three-year maintenance and warranty period.

## CHAPTER 17.98 - PARKING, LOADING, AND ACCESS REQUIREMENTS

### 17.98.20 OFF-STREET PARKING REQUIREMENTS

9. 

| Industrial Uses | Number of Parking Spaces | Number of Bicycle <br> Spaces |
| :--- | :--- | :--- |
| Sales of Agricultural and Light Equipment | 1 per 400 sq. ft., plus 1 per 2 <br> employees | $5 \%$ or 2 whichever is <br> greater |

RESPONSE: The proposed use most closely resembles the 'Sales of Agricultural and Light Equipment' in the off-street parking requirement table. The proposed building is 19,097 square feet, which would require 48 parking spaces (19,097 divided by 400), plus 1 parking space per 2 employees. The submitted Site Plan (Exhibit D, Sheet C4) and narrative (Exhibit C) indicate that the Tractor Supply Company store will have 12 employees for the largest shift. Thus, the parking requirement is 54 parking spaces (48 customer parking spaces plus 6 employee parking spaces). The applicant is proposing 70 parking spaces, which is 16 more parking spaces than is required. Per Section 17.98.10(Q), the maximum parking allowed for industrial zoned properties shall not be permitted to exceed the minimum off-street vehicle parking required by Section 17.98 .20 by more than 30 percent. Thus, the maximum parking spaces allowed is 70 parking spaces ( $54 \times 1.3$ ). On the July 17, 2018 site visit to the TSC in Kelso, WA, staff observed that approximately 15 of the site's parking spaces were being used to store trailers that were for sale or rent. Staff does not believe the intent of the maximum parking calculation is to allow extra parking spaces to be used as additional outdoor storage space. The proposed parking spaces shall not be used for additional outdoor storage. The submitted plan set (Exhibit D) details a 3,640 square foot outdoor display area south of the nine (9) southernmost parking spaces. Staff recommends that the applicant update the plan set to convert the nine (9) southernmost parking spaces into an outdoor display area and allow trailers to be stored in that area and convert the 3,640 square foot outdoor display area labeled on the site plan into a landscaping area. Staff recommends an additional parking space be converted to a landscape planter bay, as discussed in Section 17.98.120(D) of this document. Thus, staff recommends a maximum of 60 parking spaces be allowed, which is six (6) more than the required 54 spaces.

Based on the required 54 parking spaces, three (3) bicycle parking spaces are required (54x .05). The submitted Site Plan (Exhibit D, Sheet C4) details 5 bicycle parking spaces.

### 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 parking may be located in front of a garage.
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.

RESPONSE: The proposed parking area is located to the east of the proposed building. The proposed parking spaces are set back greater than 20 feet from the Highway 26 right-of-way in adherence with the code requirement.

### 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.

RESPONSE: The parking lot is designed to be constructed with 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.

RESPONSE: The plan set (Exhibit D) identifies 70 parking space. Sixty-three (63) of the parking spaces are standard parking spaces at 10 feet by 20 feet, including 4 parking spaces reserved for veterans. The plan also includes four (4) ADA parking spaces with passenger side aisles and three (3) long bus/trailer parking spaces. All proposed parking spaces comply with these dimensional standards. Signage associated with the ADA and veterans parking spaces shall meet the head clearance distance requirement in the Building Code.
C. Aisle Width.

| Parking <br> Aisle | Single Sided <br> One-Way | Single Sided <br> Two-Way | Double Sided <br> One-Way | Double Sided <br> 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 |

RESPONSE: All parking aisles are proposed to meet or exceed the minimum aisle width standards for one-way and two-way parking aisles. Parking aisles are detailed between 26 feet and 28 feet wide.

### 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 onsite 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.

RESPONSE: Primary access to the site is proposed via the existing 30 foot common access easement connecting to Champion Way. An additional secondary access way is proposed for delivery trucks from Industrial Way via a proposed 36 foot access easement on the adjacent property (Parcel 2) to the south of the subject property.

### 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.

RESPONSE: The proposed development will gain access from the existing driveway on Champion Way associated with the 30 foot common access easement. The proposal also includes a new driveway on Industrial Way for the proposed 36 foot access easement. Per the applicant's narrative (Exhibit C), the new driveway cut is approximately 330 feet to the west of the nearest existing curb cut on Industrial Way. The new driveway approach and sidewalk shall conform to the US Access Board PROWAAC requirements for cross slope and running grade. Per the City Engineer (Exhibit N), a commercial driveway approach shall be constructed at the access point with Industrial Way. The width of the driveway shall accommodate the truck turning movement. The Overall Site Plan (Exhibit D, Sheet C3) includes a truck turning template for a large truck with a 65 foot wheel base (WB-65). The truck turning template shows that a WB-65 truck heading east or west on Highway 26 has sufficient room to turn south onto Champion Way, west onto Industrial Way, and north into the site via the proposed access easement on Industrial Way.

### 17.98.120 LANDSCAPING AND SCREENING

A. Screening of all parking areas containing 4 or more spaces and all parking areas in conjunction with an off-street loading facility shall be required in accordance with zoning district requirements and Chapter 17.98. Where not otherwise specified by district requirement, screening along a public right-of-way shall include a minimum $5-\mathrm{ft}$. depth of buffer plantings adjacent to the right-of-way.
RESPONSE: The proposed parking spaces are located east of the building and adjacent to Highway 26. A landscaped buffer is proposed between the Highway 26 right-of-way and the retaining wall north of the parking area, although in some places the buffer is only one plant wide with additional sod. As discussed in Section 17.90.120(F), development along Highway 26 is required to provide a landscape buffer comprising not less than 30 percent of the highway frontage to a depth of not less than 20 feet. The applicant shall update the Landscape Plan to detail additional native tree and shrub species within the 20 foot minimum buffer between the parking area and the Highway 26 right-of-way.
B. When parking in a commercial or industrial district adjoins a residential zoning district, a sightobscuring screen that is at least $80 \%$ opaque when viewed horizontally from between 2 and 8 feet above the average ground level shall be required. The screening shall be composed of materials that are an adequate size so as to achieve the required degree of screening within 3 years after installation.

RESPONSE: The subject property is not adjacent to a residential zoning district so this code section does not apply.
C. Except for a residential development which has landscaped yards, parking facilities shall include landscaping to cover not less than $10 \%$ of the area devoted to parking facilities. The landscaping shall be uniformly distributed throughout the parking area and may consist of trees, shrubs, and ground covers.
RESPONSE: The proposal features a landscaped buffer with sod along the majority of the perimeter of the parking area. Instead of sod along the north and northeast edges of the parking area, the applicant is proposing tan cobble rock at 2 to 6 -inches in diameter. The proposal also includes several landscape planter bays. The applicant did not submit a landscaping analysis for the parking area. The applicant shall submit additional information regarding landscaping in the parking area to ensure that the 10 percent minimum landscaping is met.
D. Parking areas shall be divided into bays of not more than 20 spaces in parking areas with 20 or more spaces. Between, and at the end of each parking bay, there shall be planters that have a minimum width of 5 feet and a minimum length of 17 feet for a single depth bay and 34 feet for a double bay. Each planter shall contain one major structural tree and ground cover. Truck parking and loading areas are exempt from this requirement.
RESPONSE: The proposal contains planter bays at the ends of most parking rows at least five feet in width. Planter bays are absent from the southwest, southeast, and northeast corners of the parking lot. The applicant shall update the Landscape Plan to detail a minimum 5 foot by 17 foot landscape planter at both ends of every parking bay. The landscape planters shall contain at least one structural tree and groundcover; however, staff recommends all landscaping buffers contain a mix of trees, shrubs, and groundcover. The western row of parking adjacent to the west façade of the proposed building contains 16 parking spaces; however, 4 of them are ADA spaces with additional loading aisles. In addition, there are two double-wide loading areas. The standards in Section 17.98.120(D) specify that parking bays not exceed 20 spaces. Based on a standard parking space, 20 spaces would equate to 180 linear feet of continuous parking spaces. Because the applicant is proposing 10 foot wide parking spaces and including multiple loading zones within the western bay, the total continuous length of asphalt is roughly 220 feet. The applicant shall update the plan set to detail one additional landscape planter ( 5 feet by 17 feet minimum) to break up the western row of parking. Staff recommends the additional landscape planter be located in lieu of one parking space north of the southern loading area that connects to the outdoor storage area.
E. Parking area setbacks shall be landscaped with major trees, shrubs, and ground cover as specified in Chapter 17.92.
RESPONSE: The proposal features a landscaped buffer along the majority of the perimeter of the parking area, with tan cobble rock along the north and northeast edges of the parking area. The landscaped buffer is proposed to be sod, with a few connected landscape planters that include a tree and, in two instances, additional shrubs. Section 17.92 .80 requires a mix of plant materials be planted to buffer parking lots from adjacent properties and the public right-of-way and states: "A balance of low-lying ground cover and shrubs, and vertical shrubs and trees shall be used." The proposed buffers along the north and northeast edges of the parking area are only 2 feet wide, which does not provide much planting space. The applicant is proposing cobble rock in these locations, with additional landscaping adjacent to Highway 26 on the north side of the retaining wall. Due to the narrow landscaping areas, staff supports the use of cobble
rock rather than a mix of vegetation in these two areas. The applicant shall update the landscaping plan to detail a mix of trees, shrubs, and groundcover in all parking area setbacks, with the exception of the 2 foot buffer strip along the north and northeast edges of the parking area.
F. Wheel stops, bumper guards, or other method to protect landscaped areas shall be provided. No vehicle may project over a property line or a public right-of-way. Parking may project over an internal sidewalk, but a minimum clearance of 5 feet for safe pedestrian circulation is required. RESPONSE: The submitted plan set details curb for all parking spaces adjacent to landscaped areas as required. The plan set only details wheel stops in the north and northeast parking rows. Staff recommends converting the south parking row (9 parking spaces) to an outdoor display and storage area for trailers. The west parking row is separated from the adjacent walkway by a curb and landscaping buffer; however, staff recommends that the applicant detail wheel stops in the west parking row to reduce conflicts between vehicles and pedestrians.

### 17.98.140 DRAINAGE

Parking areas, aisles and turnarounds shall have adequate provisions made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way and abutting private property.

RESPONSE: The applicant shall comply with the requirements of Section 13.18 of the Sandy Municipal Code and the City of Portland Stormwater Management Manual, as discussed in Chapter 17.84 above.

### 17.98.150 LIGHTING

Artificial lighting shall be provided in all required off-street parking areas. Lighting shall be directed into the site and shall be arranged to not produce direct glare on adjacent properties. Light elements shall be shielded and shall not be visible from abutting residential properties. Lighting shall be provided in all bicycle parking areas so that all facilities are thoroughly illuminated and visible from adjacent sidewalks or vehicle parking lots during all hours of use.

RESPONSE: The applicant submitted a lighting fixture schedule for new site lighting, and a photometric plan. These submittals are reviewed in Chapter 15.30 below.

### 17.98.160 BICYCLE PARKING FACILITIES.

Multi-family developments, industrial, commercial and community service uses, transit transfer stations, and park and ride lots shall meet the following standards for bicycle parking facilities.

RESPONSE: The submitted Site Plan (Exhibit D, Sheet C4) details 5 bicycle parking spaces located on a 6 foot by 6 foot light duty concrete pad with a broom finish. Section 17.98.160(B.1) requires each bicycle parking space to be at least 2.5 feet by 6 feet; therefore, 5 bicycle parking spaces at 2.5 feet by 6 feet would not fit properly on a 6 foot by 6 foot pad. Per Section 17.98.20, three (3) bicycle parking spaces are required based on the proposed use and parking spaces provided. Three bicycle parking spaces would require an area that is at least 7.5 feet by 6 feet. The
applicant shall update the site plan to detail a minimum of three (3) bicycle parking spaces on a minimum 7.5 foot by 6 foot concrete pad.

### 17.98.190 OFF-STREET LOADING FACILITIES

A. The minimum area required for commercial and industrial loading spaces is as follows:

1. 250 square feet for buildings of 5,000 to 19,999 square feet of gross floor area.
2. 500 square feet for buildings of 20,000 to 49,999 square feet of gross floor area
3. 750 square feet for buildings in excess of 50,000 square feet of gross floor area.
B. The required loading berth shall be not less than 10 feet in width by 35 feet in length and shall have an unobstructed height clearance of 14 feet.
C. Loading areas shall be screened from public view from public streets and adjacent properties except in industrial districts and shall require the same screening as parking lots.
D. Sufficient space for turning and maneuvering of vehicles shall be provided on the site in accordance with the standard specifications established by the City Engineer.
E. Entrances and exits shall be provided at locations approved in accordance with applicable ordinances and statutes.
F. No off-street loading facilities shall be required where buildings abut a public alley in such a manner that loading operations can be conducted from said alley in accordance with applicable traffic and parking ordinances.

RESPONSE: The proposed building is 19,097 square feet, which requires a minimum loading space of 250 square feet. The proposed loading area is approximately 24 feet by 100 feet for a total of approximately 2,400 square feet. Per the applicant's narrative (Exhibit C), the access allows a WB-65 (large delivery truck) to turn around.

## 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.
3. Tree removal as required by the city or public utility for the installation or maintenance or repair of roads, utilities, or other structures.
4. 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.

RESPONSE: The subject property contains 2.63 acres and therefor compliance with this Chapter is required. Chapter 17.102 requires retention of $8(2.63 \times 3)$ trees 11 -inches or greater $(D B H)$ and in good condition. However, per the Existing Conditions Plan (Exhibit D, Sheet C1) the site only contains two (2) existing trees, both of which are proposed for removal. The applicant has requested a variance to the tree retention standards of Section 17.102.50.

### 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.

RESPONSE: The subject property is 2.63 acres and, therefore, requires retention of at least eight (8) trees 11-inches or great DBH and in good health. However, per the Existing Conditions Plan (Exhibit D, Sheet C1) the site only contains two (2) existing trees, both of which are proposed for removal. The applicant has requested a variance to the tree retention standards of Section 17.102.50.

### 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.


#### Abstract

RESPONSE: The applicant is proposing to remove both existing trees on the site and is requesting a variance to the tree retention standards. The Arborist Report (Exhibit H) indicates that the two existing trees are a 14-inch Pinus sylvestris (Scots pine) in good health and fair structural condition, and a 17-inch Pseudotsuga menziesii (Doug fir) in good health and good structural condition. The two trees are located close together in the middle of the site near the parking lot entrance to the outdoor display area south of the proposed building. The Arborist Report states" the trees should be considered to be young trees approximately one-quarter to one-third of their eventual mature size. These two trees [sic] crowns are currently touching each other. As the trees will get much larger in size, they will compete heavily with each other for growing space causing the demise and slow decline of the trees." In addition, the existing elevation of the trees is approximately 3 to 5 feet lower than the proposed elevation. Due to the close proximity of the trees to each other, their central location on the site, and the difference between the existing and proposed elevation, staff recommends the Planning Commission approve the requested variance to the tree retention standards of Section 17.102.50. Per Section 17.102.70, the removed retention trees must be replaced with native trees at a ratio of at least two to one. The submitted Landscape Plan (Exhibit D, Sheet LP200) does not detail any mitigation trees, although the included table in the upper right-hand corner of the plan indicates four (4) replacement trees are provided. The submitted narrative (Exhibit C) states "the proposed landscape plan proposes to replace these two trees at a 3:1 ratio that exceeds the required 2:1." The applicant shall update the Landscape Plan to detail six (6) mitigation trees per the mitigation ratio proposed in the applicant's narrative. The mitigation trees shall be large, native evergreen species and 6 to 8 feet tall at the time of planting. To ensure protection of the required mitigation trees, the applicant shall record a tree protection covenant specifying protection of these trees and limiting removal without submittal of an Arborist's Report and City approval. This document shall include a sketch identifying the mitigation trees.


## CHAPTER 15.30 - DARK SKY ORDINANCE

All exterior lighting is required to conform to the requirements of this Chapter.
RESPONSE: The applicant submitted a Lighting Layout plan (Exhibit E) detailing the location of proposed lighting and projected foot candles. Section 15.30.60(D) requires all lighting systems to be designed so that the area 10 feet beyond the property line receives no more than 0.25 (one quarter) of a foot-candle of light. The submitted Lighting Layout plan indicates that light trespass 10 feet beyond the subject property lines exceeds the 0.25 foot-candle limit in multiple places. The applicant shall update the Lighting Layout plan such that illumination 10 feet beyond the property lines in all directions does not exceed 0.25 foot candles.

Section 17.90.120(H.3) specifies that walkways and parking lots should be illuminated at 1.5 to 2.0 foot candles. The submitted Lighting Layout (Exhibit E) details parking lot illumination at 0.5 to 5.7 foot candles. A majority of the parking area well exceeds the 1.5 to 2.0 foot candle range. The applicant is proposing two (2) quad head Lithonia lights and one (1) double head bullhorn Lithonia light in the parking area, and seven (7) hi-lite gooseneck lights along the front (east) façade of the building. The applicant shall update the proposed parking area lights with lights that have a smaller distribution and emit less intense light. The applicant is not proposing any pedestrian scaled lighting along the walkways. The applicant shall update the proposed Lighting Layout to
include additional pedestrian scale lighting along the walkways at approximately 1.5 to 2.0 foot candles.

The Dark Sky ordinance requires that all new lighting be full-cutoff and downward facing. The submitted cut-sheets indicate that the lights are 5,000 Kelvins. Based on recommendations from the Audubon Society of Portland and the International Dark-Sky Association, staff recommends all proposed lighting be full-cutoff and not exceed 3,000 Kelvins. The applicant shall submit updated lighting fixture cut-sheets for all proposed exterior lighting that detail the lighting fixtures as full-cutoff and not exceeding 3,000 Kelvins to minimize negative impact on wildlife and human health.

## CHAPTER 17.66 - ADJUSTMENTS AND VARIANCES

### 17.66.60 VARIANCES

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

RESPONSE: The applicant submitted concurrent applications to partition and develop the site. The applicant originally requested the following six (6) Type III variances:

- Variance to Section 17.90.120(C.8.b.1) to allow an additional 8 feet of parapet without a 24 inch step.
- Variance to Section 17.90.120(D.1) to allow less than 50 percent of the street frontage as building.
- Variance to Section 17.90.120(D.3) to allow the building to not face a public street.
- Variance to Section 17.90.120(D.7) to waive the requirements of an "activated" frontage on the north elevation.
- Variance to Section 17.90.120(E.2) to allow less than the required 25 percent window coverage on the activated elevation.
- Variance to Section $17.74 .40(B .3)$ to allow a retaining wall greater than 6 feet tall in the front yard.

During the completeness check, staff identified a seventh variance:

- Variance to Section 17.102.50(A) to plant mitigation trees in lieu of meeting the tree retention requirements for the site.

During staff's detailed review of the applicant's submittal, staff identified two (2) additional variances:

- Variance to Section 17.90.120(E.2.a and 4) to use non-transparent faux windows rather than clear glass windows.
- Variance to Section 17.74.40(B.4) to allow a retaining wall greater than 8 feet tall in the side and rear yards.
Staff also determined that the applicant's requested variances to Sections 17.90.120(C.8.b.1) and 17.90.120(D.1) could be processed as adjustments.


### 17.66.70 TYPE II AND TYPE III VARIANCE CRITERIA

The authority to grant a variance does not include authority to approve a development that is designed, arranged or intended for a use not otherwise approvable in the location. The criteria are as follows:
A. The circumstances necessitating the variance are not of the applicant's making.
B. The hardship does not arise from a violation of this Code, and approval will not allow otherwise prohibited uses in the district in which the property is located.
C. Granting of the variance will not adversely affect 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.

## PARAPET VARIANCE

The requirement for flat roofs is to provide Sandy Style stepped parapets and detailed coursing on elevations visible from a public street. Parapets shall be varied so that the length of a parapet does not exceed 40 feet without a change in the parapet height of at least 2 feet or as necessary to hide rooftop equipment.
Request: The applicant requests a Type III Variance to Chapter 17.90.120(C.8.b.1) to allow 48 feet before a change in parapet height on the east façade facing the parking area.

Criteria A. of Section 17.66 .70 states "The circumstances necessitating the variance are not of the applicant's making." RESPONSE: The applicant could meet the standard and provide a change in parapet height every 40 feet instead of every 48 feet on the east elevation. However, the east elevation contains the prominent main entryway, which includes two pitched roofs with heavy timber framing. Per the applicant's narrative (Exhibit C), the distance to the left and right of the front gable mass exceeds the 40 foot maximum length without a change in parapet height by 8 feet. Rather than place the parapets 40 feet away as required, the applicant is proposing to have two approximately 3-foot parapets at the north and south ends of the east elevation that wrap around to mark the corners of the building. Staff agrees that placing the parapets at the corners of the building will create a more appealing design. In theory, the applicant could use wider parapets that extend from the corner of the building to 40 feet away from the gable mass; however, this would look off balance due to the location of the metal roofs on heavy timber support structures that cover
the faux window treatments on the ground floor. Thus, staff supports the applicant's proposed design to place the parapets at the corners of the building. The requirement is to provide a change in parapet height every 40 feet. The applicant is proposing to provide a change in parapet height on the east façade every 48 feet, which exceeds the maximum requirement by 8 feet, or 20 percent. Thus, staff believe the parapet variance request should be processed as a Type II Adjustment, rather than a variance. Type I and II Adjustment Criteria in Section 17.66.40 include the following:
A. The proposed development will not be contrary to the purposes of this chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City;
B. The proposed development will not substantially reduce the amount of privacy enjoyed by users of nearby structures when compared to the same development located as specified by this Code;
C. The proposed development will not adversely affect existing physical systems and natural systems, such as traffic, drainage, dramatic land forms, or parks; and
D. Architectural features of the proposed development will be compatible to the design character of existing structures on adjoining properties and on the proposed development site.

Staff believes that a parapet interval of 48 feet rather than 40 feet for the east elevation is not contrary to the Comprehensive Plan or other City policies, does not reduce the amount of privacy enjoyed by users of nearby structures, will not adversely affect existing systems, and will be compatible to the design character of existing structures on adjoining properties. In addition, staff believes that allowing the parapets on the east façade to exceed the 40 foot requirement by 8 feet will create a more cohesive and visually appealing design. Thus, staff recommends the Planning Commission approve a Type II Adjustment to allow the parapet interval to be 48 feet on the east elevation and exceed the 40 foot maximum interval by 20 percent.

Recommendation: Staff recommends the Planning Commission approve the variance to allow 48 feet without a change in parapet height for the east façade of the proposed building.

## BUILDING FRONTAGE VARIANCE

Section 17.90.120(D.1) requires buildings to be oriented to a public street or civic space such that at least 50 percent of the site's street frontage is comprised of building(s) placed within 20 feet of a sidewalk, walkway or civic space and not more than 20 percent of the off-street parking is located between a building's front façade and the adjacent street.

Request: The applicant requests a Type III variance to Section 17.90.120(D.1) to not meet the 50 percent building frontage requirement. The proposed building frontage along Highway 26 is 45 percent of the lot frontage. The proposal does not include parking between the building and Highway 26.

Criteria A. of Section 17.66.70 states "The circumstances necessitating the variance are not of the applicant's making." RESPONSE: The Highway 26 frontage of the site is 332 feet and the proposed building is 150 feet, which is 45 percent of the frontage. The applicant's narrative states "Providing the full $50 \%$ of street frontage as building was not attainable due to TSC's prototypical
footprint of 150 ' and site design restraints, bldg. setbacks, required parking layouts, site grading, \& pedestrian walkways." Staff believes that the applicant could propose a design that meets the 50 percent building frontage and still meet the parking and landscaping requirements of the site; thus, staff does not agree with the applicant's reasoning. To meet the 50 percent frontage requirement, the building would have to be 166 feet long on the Highway 26 side (332 feet $x .5$ ). When building in Sandy the development code does not allow for variances to the code simply because the prototypical store design for a national business chain is different than what the code would require. The proposed building is 150 feet, which is 16 feet, or 10 percent, less than the 166 feet needed to meet the 50 percent frontage requirement. Thus, staff believe this variance request should actually be processed as a Type I Adjustment. Type I and II Adjustment Criteria in Section 17.66.40 include the following:
A. The proposed development will not be contrary to the purposes of this chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City;
B. The proposed development will not substantially reduce the amount of privacy enjoyed by users of nearby structures when compared to the same development located as specified by this Code;
C. The proposed development will not adversely affect existing physical systems and natural systems, such as traffic, drainage, dramatic land forms, or parks; and
D. Architectural features of the proposed development will be compatible to the design character of existing structures on adjoining properties and on the proposed development site.

Staff believes that a building footprint that comprises 45 percent of the site's street frontage is not contrary to the Comprehensive Plan or other City policies, does not reduce the amount of privacy enjoyed by users of nearby structures, will not adversely affect existing systems, and will be compatible to the design character of existing structures on adjoining properties. Staff recommends the Planning Commission approve a Type I Adjustment to allow the proposed building to occupy 45 percent of the Highway 26 frontage instead of the required 50 percent. If Planning Commission does permit this special variance staff would encourage Planning Commission to support the necessity for a more prominent faux entrance on the north elevation, more prominent vegetation along the Highway 26 frontage, and additional windows along the north elevation of the building. The faux entry on the north elevation faces an abutting public street (Highway 26) and should incorporate a gabled roof instead of the proposed shed roof. The applicant shall update the elevations to include a gabled roof feature above the faux entryway on the north elevation of the building. This gabled roof feature shall use heavy timbers and brackets consistent with the entryway on the east elevation of the building. As discussed in the window variance request below, the applicant shall update the north elevation to detail a minimum 25 percent window coverage.

Recommendation: Staff recommends the Planning Commission approve a Type I Adjustment to allow the proposed building to occupy 45 percent of the Highway 26 frontage instead of the required 50 percent. Staff also recommends the Planning Commission require a more prominent faux entrance on the north elevation, more prominent vegetation along the Highway 26 frontage, and additional windows along the north elevation of the building.

## BUILDING FACING PUBLIC STREET VARIANCE

Section 17.90.120(D.3). "Ground floor spaces shall face a public street or civic space and shall be connected to it by a direct pedestrian route (i.e. avoid out-of-direction travel)."

Request: The applicant requests approval to allow the front entrance of the proposed building to face east towards the proposed parking lot rather than north towards Highway 26.

Criteria A. of Section 17.66 .70 states "The circumstances necessitating the variance are not of the applicant's making." RESPONSE: The subject property only has frontage on one public street, Highway 26. Highway 26 is a major arterial and the development will not be allowed to gain access from the Highway. Because of the nature of the proposed Tractor Supply store (buying farming and agricultural supplies and equipment), it is anticipated that a vast majority of visitors to the site will arrive by personal vehicle, rather than transit, walking, or biking. Thus, it is more logical to locate the front entrance adjacent to the parking lot rather than along Highway 26. It would also be possible to include two building entrances, one adjacent to Highway 26 and a second adjacent to the parking lot. The applicant's narrative (Exhibit C) states "TSC's prototype design/footprint allows for only one entry due to the functionally [sic] demand for the store interior." Thus, the applicant is proposing to locate a single, prominent, functional entrance on the east side of the building, with a faux entrance on the north side. The primary entrance will be visible from and connected to Highway 26 by a proposed walkway and ramp. The choice to provide one entrance and to locate that entrance on the east elevation is of the applicant's making; therefore, staff does not believe the applicant's request for a variance to Section 17.90.120(D.3) meets the criteria for a variance. Instead, staff recommends processing the request as a Type III special variance. To be granted a Type III Special Variance, the applicant must meet one of the flowing criteria in Section 17.66.80:
A. The unique nature of the proposed development is such that:

1. The intent and purpose of the regulations and of the provisions to be waived will not be violated; and
2. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.
B. The variance approved is the minimum variance needed to permit practical compliance with a requirement of another law or regulation.
C. When restoration or replacement of a nonconforming development is necessary due to damage by fire, flood, or other casual or natural disaster, the restoration or replacement will decrease the degree of the previous noncompliance to the greatest extent possible.

Staff believes the requested variance to Section 17.90.120(D.3) to allow the proposed building entrance to face east towards the parking area rather than north towards Highway 26 meets Criterion A. Allowing the primary entrance to face the parking area, but maintain visibility from and connection to Highway 26 meets the intent and purpose of Section 17.90.120(D.3). In addition, having the entrance face east is not materially detrimental to the public welfare or injurious to other property in the area. If Planning Commission does permit this special variance staff would encourage Planning Commission to support the necessity for a more prominent faux entrance on the north elevation, more prominent vegetation along the Highway 26 frontage, and additional
windows along the north elevation of the building. The faux entry on the north elevation faces an abutting public street (Highway 26) and should incorporate a gabled roof instead of the proposed shed roof. The applicant shall update the elevations to include a gabled roof feature above the faux entryway on the north elevation of the building. This gabled roof feature shall use heavy timbers and brackets consistent with the entryway on the east elevation of the building. As discussed in the window variance request below, the applicant shall update the elevations to detail a minimum 25 percent window coverage on the north elevation.

Recommendation: Staff recommends the Planning Commission approve the applicant's request to allow the building's primary entrance to be on the east side, adjacent to the parking lot, with a faux entrance on the north side that provides visual interest to the north facade. Staff also recommends the Planning Commission require a more prominent faux entrance on the north elevation, more prominent vegetation along the Highway 26 frontage, and additional windows along the north elevation of the building.

## ACTIVATED ELEVATION VARIANCE

17.90.120(D.7). "Buildings shall provide at least one (1) elevation where the pedestrian environment is 'activated.' An elevation is 'activated' when it meets the window transparency requirements in Subsection 17.90.120(E), below, and contains a public entrance with a pedestrian shelter extending at least five (5) feet over an adjacent sidewalk, walkway or civic space."

Request: The applicant requests approval to waive the requirement for an activated elevation on the north elevation, which fronts Highway 26.

Criteria A. states "The circumstances necessitating the variance are not of the applicant's making." RESPONSE: The subject property only has frontage on one public street, Highway 26. Highway 26 is a major arterial and the development will not be allowed to gain access from the Highway. Because of the nature of the proposed Tractor Supply store (buying farming and agricultural supplies and equipment), it is anticipated that a vast majority of visitors to the site will arrive by personal vehicle, rather than transit, walking, or biking. Thus, it is more logical to locate the front entrance adjacent to the parking lot rather than along Highway 26. It would also be possible to include two building entrances, one adjacent to Highway 26 and a second adjacent to the parking lot. The applicant's narrative (Exhibit C) states "TSC's prototype design/footprint allows for only one entry due to the functionally [sic] demand for the store interior." Thus, the applicant is proposing to locate a single, prominent, functional entrance on the east side of the building, with a faux entrance on the north side. The primary entrance will be visible from and connected to Highway 26 by a proposed walkway and ramp. In addition, the applicant is proposing a faux entry on the north side, which will provide additional visual interest on the building's north elevation. The choice to provide one entrance and to locate that entrance on the east elevation is of the applicant's making; therefore, staff does not believe the applicant's request for a variance to Section 17.90.120(D.7) meets the criteria for a variance. Instead, staff recommends processing the request as a Type III special variance. To be granted a Type III Special Variance, the applicant must meet one of the flowing criteria in Section 17.66.80:
A. The unique nature of the proposed development is such that:

1. The intent and purpose of the regulations and of the provisions to be waived will not be violated; and
2. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.
B. The variance approved is the minimum variance needed to permit practical compliance with a requirement of another law or regulation.
C. When restoration or replacement of a nonconforming development is necessary due to damage by fire, flood, or other casual or natural disaster, the restoration or replacement will decrease the degree of the previous noncompliance to the greatest extent possible.

Staff believes the requested variance to Section 17.90.120(D.7) to waive the activated elevation requirement for the north elevation and to allow the primary entrance to be on the east elevation meets Criterion A. Allowing the primary entrance to face the parking area but maintain visibility from and connection to Highway 26 meets the intent and purpose of Section 17.90.120(D.7). In addition, having the entrance face east is not materially detrimental to the public welfare or injurious to other property in the area especially since the entrance will be visible to motorists traveling west. However, although staff sees sufficient reason to support allowing the building's primary entrance to be on the east elevation, rather than the north elevation, staff does not understand why the applicant cannot meet the window requirements of Section 17.90.120(E) on the north elevation. Window requirements will be discussed further in the variance request to Section 17.90.120(E.2), below.

Recommendation: Staff recommends the Planning Commission approve the applicant's request to locate the primary building entrance on the east elevation. If the Planning Commission grants the special variance to allow the primary entrance to be located on the east elevation, staff recommends that all other activated frontage requirements are not waived for either the north or east elevations. This includes requiring a more prominent faux entrance on the north elevation, more prominent vegetation along the Highway 26 frontage, and additional windows to meet the minimum window coverage requirement of 25 percent for both the north and east elevations of the building. Staff's recommendation related to window coverage on the north elevation will be addressed below.

## WINDOW COVERAGE VARIANCE

17.90.120(E.2). The ground floor elevation of all new buildings shall contain ground floor display areas, windows, and doorways on the 'activated' frontage as follows:

| Building Size | Percentage Windows Required |
| :--- | :--- |
| $0-10,000$ sq. ft. | 30 percent of elevation |
| 10,000 sq. ft. $-30,000$ sq. ft. | 25 percent of elevation |
| Greater than 30,000 sq. ft. | 20 percent of elevation |

Request: The proposed building is 19,097 square feet so the building requires 25 percent window coverage on activated frontages. The applicant requests approval to provide less than the required 25 percent window coverage on the activated elevation. The applicant also requests approval to waive the requirement for an activated frontage on the north elevation, discussed above.

Criteria A. states "The circumstances necessitating the variance are not of the applicant's making." RESPONSE: The applicant's narrative (Exhibit C) states "To meet the above $25 \%$ of window requirement for the buildings [sic] footprint would equate to $825 S F$ of window area along the articulated frontage. This would be challenging for TSC to achieve given the significant amount of interior wall display required along the interior face of all the exterior walls and the increased security risks associated with the introduction of windows. The proposed alternative design includes use of a non-transparent window design and faux entry glazing of approximately 255 SF (8\%)." Staff is unclear as to why the applicant wouldn't be able to satisfy the 25 percent window coverage requirement using non-transparent faux windows, as proposed. The choice to not meet the window coverage requirement is of the applicant's making and, therefore, staff does not believe the requested variance to Section 17.90.120(E.2) can be processed as a variance. Instead, staff recommends processing the request as a Type III special variance. To be granted a Type III Special Variance, the applicant must meet one of the flowing criteria in Section 17.66.80:
A. The unique nature of the proposed development is such that:

1. The intent and purpose of the regulations and of the provisions to be waived will not be violated; and
2. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.
B. The variance approved is the minimum variance needed to permit practical compliance with a requirement of another law or regulation.
C. When restoration or replacement of a nonconforming development is necessary due to damage by fire, flood, or other casual or natural disaster, the restoration or replacement will decrease the degree of the previous noncompliance to the greatest extent possible.

Staff does not believe the requested variance to Section 17.90.120(E.2) meets any of the Special Variance criteria. Staff believes the applicant could satisfy the 25 percent window coverage requirement using non-transparent or faux windows, which would still meet the design intent of the standard while limiting visibility into the building and allowing interior storage against the walls. The applicant also requested a variance to allow the primary entrance to face east, rather than north. Even if Planning Commission permits the primary entrance of the building to be located on the east façade of the building facing the parking lot, staff does not recommend allowing a variance to the window coverage requirement on either the north or east elevations of the proposed building.

Recommendation: Staff recommends the Planning Commission deny the applicant's request for a variance to the window coverage requirement for the activated frontage of the proposed building. Staff recommends the applicant be required to meet the 25 percent minimum window coverage requirement for both the north and east facades. Staff recommends the Planning Commission allow non-transparent or faux windows to count towards the 25 percent window coverage requirement, as discussed below.

## WINDOW MATERIAL VARIANCE

17.90.120(E.2.a) "Windows shall contain clear glass to allow view to interior activity or display areas. The bottom edge of windows shall be no less than three (3) feet above the adjacent finished grade. Where the internal functions of a building preclude windows at this height, the reviewing
body may allow windows above or below this height. Display boxes affixed to a building's exterior are not counted in meeting the above standard."
17.90.120(E.4) "Prohibited Windows.
a. Darkly tinted windows, mirrored windows, and similar windows are prohibited adjacent to street sidewalks, civic spaces and walkways.
b. Glass curtain windows are not permitted facing public right-of-ways, except where the reviewing body finds that such windows are consistent with the Sandy Style."

Request: The applicant did not request a variance to Sections 17.90.120(E.2.a or E.4); however, the elevations (Exhibit $F$ ) and narrative (Exhibit $C$ ) indicate the applicant is proposing non-transparent faux windows. Thus, staff believes the applicant is also requesting approval to use non-transparent faux windows rather than clear glass that allows views to interior activity or display areas per Section 17.92.120(E.2.a).

Criteria A. states "The circumstances necessitating the variance are not of the applicant's making." RESPONSE: The applicant's narrative (Exhibit C) cites significant amounts of interior wall display along the interior face of the exterior walls and increased security risks associated with windows as reasons to not meet the window coverage requirement. Staff believes the applicant is also using these reasons to justify the use of non-transparent faux windows. The choice to not use clear glass windows is of the applicant's making and, therefore, staff does not believe the requested variance to Sections 17.90.120(E.2.a and E.4) can be processed as a variance. Instead, staff recommends processing the request as a Type III special variance. To be granted a Type III Special Variance, the applicant must meet one of the flowing criteria in Section 17.66.80:
A. The unique nature of the proposed development is such that:

1. The intent and purpose of the regulations and of the provisions to be waived will not be violated; and
2. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.
B. The variance approved is the minimum variance needed to permit practical compliance with a requirement of another law or regulation.
C. When restoration or replacement of a nonconforming development is necessary due to damage by fire, flood, or other casual or natural disaster, the restoration or replacement will decrease the degree of the previous noncompliance to the greatest extent possible.

Staff recognizes that large retail stores, such as Tractor Supply Company, typically include significant amounts of interior wall displays. Section 17.90.120(E.2.a) contains provisions that address potential conflicts between windows and internal functions of the building and allows windows to be placed above or below the required 3 foot height minimum. Staff believes the applicant could potentially use clear glass windows and strategically place the windows and interior wall displays such that they minimally interfere with each other. However, staff acknowledges that this could result in an odd window arrangement as seen from the public right-ofway and civic space. Although non-transparent windows would not provide visibility into and out of the proposed store, staff finds that the use of non-transparent faux windows would still meet the
design intent of the standard from the outside of the building while still allowing interior storage against the walls. In addition, there have been a few recent buildings in Sandy that have used faux windows effectively, including Fresenius Medical Center, Goodwill/Wendy's, and Timberline Meats. Thus, staff believes that allowing the use of non-transparent faux windows meets Special Variance Criterion A.

Recommendation: Staff recommends the Planning Commission allow non-transparent faux windows to count towards the 25 percent window coverage requirement.

## FRONT YARD RETAINING WALL HEIGHT VARIANCE

17.74.40(B.3) "Fences in a front yard (Industrial). The height of a fence or retaining wall in a front yard shall not exceed 6 ft ."

Request: The applicant requests approval to allow a retaining wall along Highway 26 that will vary between 2 to 8 feet tall with a 4 foot fence at the top of the wall for pedestrian safety.

Criteria A. states "The circumstances necessitating the variance are not of the applicant's making." RESPONSE: The site has existing topography that slopes away from Highway 26. The submitted Grading Plan (Exhibit D, Sheet C7) shows the location of the proposed retaining walls as well as proposed re-grading of the site. There are three (3) gravity retaining walls proposed along the Highway 26 frontage. The applicant could re-grade the site differently such that retaining walls are not required; thus, staff believes the need for a retaining wall in the front yard in excess of 6 feet tall is of the applicant's making and, therefore, staff does not believe the requested variance to Section 17.74.40(B.3) can be processed as a variance. Staff recommends processing the request as a Type III special variance. To be granted a Type III Special Variance, the applicant must meet one of the flowing criteria in Section 17.66.80:
A. The unique nature of the proposed development is such that:

1. The intent and purpose of the regulations and of the provisions to be waived will not be violated; and
2. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.
B. The variance approved is the minimum variance needed to permit practical compliance with a requirement of another law or regulation.
C. When restoration or replacement of a nonconforming development is necessary due to damage by fire, flood, or other casual or natural disaster, the restoration or replacement will decrease the degree of the previous noncompliance to the greatest extent possible.

The applicant's narrative (Exhibit C) states that the retaining walls along Highway 26 will vary from 2 to 8 feet, with a 4 foot fence on top. Therefore, the maximum proposed retaining wall with fence height will be 12 feet. The submitted retaining wall details (Exhibit D, Sheet C20) include wall height, but it is unclear how much of the wall will actually be exposed. Because the site slopes down, away from the Highway, the height of wall visible from the Highway 26 side will be less than the height of wall visible from the interior of the site. Based on the grading plan, it appears that there will only be a maximum of approximately 1 to 2 feet of wall exposure on the Highway 26 side.

Per the Building Code, drop offs adjacent to a pedestrian walkway in excess of 6 inches require a 34-38 inch handrail and drop offs in excess of 30 inches require a 42-inch guardrail with a 34-inch handrail. Staff believes the applicant can design and construct the retaining wall such that the total height of the wall plus the handrail or guardrail will not exceed 6 feet as visible from the Highway 26 right-of-way; thus, staff believes the requested variance meets Special Variance Criterion $A$. However, the wall may still exceed 6 feet as visible from the interior of the site. Staff recommends the Planning Commission approve a variance to allow the retaining wall and fence in the front to exceed 6 feet, but that the wall reveal and fence height be limited to a maximum of 6 feet as seen from the Highway 26 right-of-way. Staff recommends a maximum wall exposure of 2 feet 6 inches (30 inches) as visible from the Highway 26 side with a maximum 42-inch decorative guardrail or fence. The applicant may pile soil (and plant with landscaping) to reduce the wall exposure in places where it is greater than 2 feet 6 inches. The applicant shall install a 34-38 inch handrail on top of retaining walls adjacent to pedestrian walkways, as required. The applicant shall submit proposed architectural treatment for all exposed sections of the retaining wall visible from either side of the wall and proposed decorative fence or guardrail for staff review and approval.

Recommendation: Staff recommends the Planning Commission approve a variance to allow the retaining wall and fence in the front to exceed 6 feet, but that the wall reveal, and fence height be limited to a maximum of 6 feet as seen from the Highway 26 right-of-way. The applicant shall install a 34-38 inch handrail on top of the retaining walls adjacent to pedestrian walkways, as required. The applicant shall submit proposed architectural treatment for all exposed sections of the retaining wall visible from either side of the wall and proposed decorative fence or guardrail for staff review and approval.

## REAR/SIDE YARD RETAINING WALL HEIGHT VARIANCE

17.74.40(B.4) "Fences - Side and Rear Yards. The height of a fence or retaining wall adjacent to a side or rear yard or a side or rear property line shall not exceed 8 feet."

Request: The applicant only requested a single variance to retaining wall height; however, the height requirements for retaining walls in front yards are different from the height requirements of retaining walls in rear and side yards. Based on the submitted narrative (Exhibit C), staff believes the applicant also requests approval to exceed the maximum retaining wall height along the side and rear property lines of the site. Per the applicant's narrative (Exhibit C), the proposed side and rear retaining walls will vary from 3.5 feet to 20 feet tall with a 4 foot fence at the top of the wall for pedestrian safety.

Criteria A. states "The circumstances necessitating the variance are not of the applicant's making." RESPONSE: The site has existing topography that slopes away from Highway 26. The submitted Grading Plan (Exhibit D, Sheet C7) shows the location of the proposed retaining walls as well as proposed re-grading of the site. There is one (1) gravity retaining wall that starts in the front (Highway 26 side) of the site and wraps around to the east side. In addition, there is one (1) MSE retaining wall proposed along the east and south property lines. The applicant could re-grade the site differently and/or propose a different building and site layout such that retaining walls are not required; thus, staff believes the need for a retaining wall in the rear and side yards in excess of 8 feet tall is of the applicant's making. Therefore, staff does not believe the requested variance to Section 17.74.40(B.4) can be processed as a variance. Staff recommends processing the request as a Type III Special Variance. To be granted a Type III Special Variance, the applicant must meet one of the flowing criteria in Section 17.66.80:
A. The unique nature of the proposed development is such that:

1. The intent and purpose of the regulations and of the provisions to be waived will not be violated; and
2. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.
B. The variance approved is the minimum variance needed to permit practical compliance with a requirement of another law or regulation.
C. When restoration or replacement of a nonconforming development is necessary due to damage by fire, flood, or other casual or natural disaster, the restoration or replacement will decrease the degree of the previous noncompliance to the greatest extent possible.

The applicant's narrative (Exhibit C) states that the retaining walls along the side and rear of the site will vary from 3.5 to 20 feet, with a foot fence on top. The submitted retaining wall details (Exhibit D, Sheet C20) include wall height, but it is unclear how much of the wall will actually be exposed. The subject property does not abut a public right-of-way on its rear or side yards. The rear and side yard retaining walls will be located at the interior of the larger site (the subject property and adjoining properties) such that the retaining walls will likely not be highly visible from Champion Way or Industrial Way once the adjacent property to the south and east of the subject property develops. Prior to the adjoining property developing the retaining wall will most likely be highly visible. The adjacent property to the south and east of the subject property is also zoned Industrial Park (I-1) and, therefore, would develop with similar industrial park uses. Construction of a retaining wall allows for a more level site not only on the subject property, but also on the adjoining property to the south and east. Thus, staff does not believe that approval of an increase in the allowed height of the retaining wall in the rear and side yards of the subject property would be materially detrimental to the public welfare or injurious to other property in the area and, therefore, staff believes the requested variance meets Special Variance Criterion A.
Recommendation: Staff recommends the Planning Commission approve the applicant's request for a variance to the retaining wall height for the rear and side yards of the site. Staff recommends the maximum wall reveal height for the retaining wall in the side and rear yards be 20 feet with a maximum 4 foot decorative fence on top. The applicant shall submit details on the proposed decorative fence for staff review and approval.

## TREE RETENTION VARIANCE

RESPONSE: The applicant's request for a variance to the tree retention standards of Section 17.102.50 is discussed in Chapter 17.102 of this document.

## VARIANCE FEE TRACKING

The applicant requested six (6) variances with their original application, which was submitted April 30, 2018. The City of Sandy's Planning Fees were increased on May 8, 2018. However, because the applicant's submittal was received prior to that, the review falls under the planning fees that were in effect prior to May 8, 2018. The applicant paid \$1,000 for each of the six original requested variances and $\$ 50$ for a Type II Tree review. During completeness review, staff identified a seventh
variance to the tree retention standards. The tree retention variance is processed as a Type III Tree review, which was $\$ 400$ prior to May 8,2018 . Thus, staff collected an additional $\$ 350$ for the Type III tree review ( $\$ 400$ fee - $\$ 50$ already paid). After reviewing the submittal in detail, staff determined two of the applicant's requested variances are actually adjustments: the requested parapet variance is a Type II Adjustment, and the requested building frontage variance is a Type I Adjustment. At the time the application was submitted (April 30, 2018), the fee for a Type I Adjustment was $\$ 300$ and the fee for a Type II Adjustment was $\$ 400$. The applicant paid $\$ 1,000$ for each of these requests, thus, the refund amount would be $\$ 1,300$ ( $\$ 400 \mathrm{fee}+\$ 300 \mathrm{fee}-(\$ 1,000 \times 2$ already paid)). During review, staff determined the applicant is requesting an additional two (2) variances: a variance to allow the use of non-transparent faux windows, and a second variance to retaining wall height in the side/rear yard. Each of these variances would have been $\$ 1,000$ at the time of the original submittal. The difference between the refund for the adjustments and the extra charges for the two additional variances is $\$ 700$ (( $\$ 1,000$ fee $x 2$ ) - $\$ 1,300$ refund). The applicant shall pay an additional $\$ 700$ to process the two additional variance requests prior to submittal of building permits.

## CHAPTER 17.68-CONDITIONAL USES

### 17.68.00 INTENT

Certain uses listed in each zoning district require a public hearing to determine what their effects may be to the surrounding properties, neighborhood, and community as a whole. The Conditional Use Permit process provides an opportunity to allow a use when potential adverse effects can be mitigated or deny a use if concerns cannot be resolved to the satisfaction of the Planning Commission.

It is the intent of this chapter to permit conditional uses where it is consistent with the Comprehensive Plan, subject to procedures and criteria intended to mitigate potentially negative impacts.

Procedures and review criteria for conditional development are established for the following purpose:
A. Permit certain types of public and private development that provide a community service in locations related to their service areas.
B. Permit commercial development in locations related to its service area.
C. Ensure that a conditional use is compatible with its immediate area and the affected part of the community.

RESPONSE: The subject property is 114,716 square feet and the proposed development includes 22,130 square feet of outdoor storage and product display area, approximately 19.3 percent of the site. The proposed outdoor storage and product display area exceeds 15 percent of the total lot area and, therefore, is a minor conditional use. A minor conditional use is typically processed as a Type II director review. However, because the applicant also applied for multiple Type III Variance reviews, the Director has elevated the review to a Type III Planning Commission decision per Section 17.18.00.

### 17.68.20 REVIEW CRITERIA

The Planning Commission may approve an application, approve with modifications, approve with conditions, or deny an application for a conditional use permit after a public hearing. The following criteria and compatibility factors shall be considered:
A. The use is listed as a conditional use in the underlying zoning district or has been interpreted to be similar in use to other listed conditional uses.

RESPONSE: The subject property is zoned Industrial Park (I-1). Per Chapter 17.48 of the City of Sandy Development Code, outdoor product display or storage of merchandise covering greater than 15 percent of the total lot area is processed as a minor conditional use. Criterion A is satisfied.
B. The characteristics of the site are suitable for the proposed use considering the size, shape, location, topography, and natural features.
RESPONSE: The proposed site is suitable regarding the size, shape, location, topography, and natural features of the site. The subject site ( 2.63 acres) is relatively flat with no wetlands or areas within the FSH overlay. All on-site grading shall be performed in accordance with the most current Oregon Structural Specialty Code and shall be observed and documented under the supervision of a geotechnical Engineer or his/her
representative. With the conditions recommended in this report, the site can accommodate parking requirements, landscaping requirements, stormwater detention, and other site demands typical of an industrial park development. Criterion B is satisfied.
C. The proposed use is timely considering the adequacy of the transportation systems, public facilities and services existing or planned for the area affected by the use.

RESPONSE: Water and sanitary sewer are available to serve the site. Proposed sidewalk improvements along Highway 26 and the walkway connecting to the proposed building will improve walkability for pedestrians. Most utilities are already existing and adequately serving the site. All utilities will be underground. Criterion C is satisfied.
D. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, precludes, or impairs the use of surrounding properties for the primary uses listed in the underlying zoning district.
RESPONSE: All abutting parcels to the subject site are zoned industrial or commercial. The properties to the south and east are zoned industrial and are already developed with industrial uses, including a gas station to the east. The property to the west is currently a nursery and is zoned commercial. The properties across the highway to the north are currently vacant with the exception of a few houses, but are zoned for commercial development. The proposed use of the subject site as a Tractor Supply Company retail store would not substantially limit, preclude, or impair the use of surrounding properties. With the site improvements proposed by the applicant and conditions as recommended in this report, impacts caused by the proposal can be mitigated. Criterion D is satisfied.
E. The proposed use will not result in the use of land for any purpose which may create or cause to be created any public nuisance including, but not limited to, air, land, or water
degradation, noise, glare, heat, vibration, or other considerations which may be injurious to the public health, safety, and welfare.

RESPONSE: Once construction is complete, the proposed Tractor Supply Company store site should not produce noise that is noticeable to neighboring properties. New lighting on the subject site will be required to comply with the City's Dark Sky Ordinance to prevent offsite glare by including shielding to direct light beams downwards. The applicant shall update the Lighting Layout plan (typically called a photometric plan) such that illumination 10 feet beyond the property lines in all directions does not exceed 0.25 foot candles. The applicant shall update the proposed parking area lights with lights that have a smaller distribution and emit less intense light. The applicant shall submit updated lighting fixture cut-sheets for all proposed exterior lighting that details the lighting fixtures as full-cutoff and not exceeding 3,000 Kelvins to minimize glare. There will be no activities, operations, or processes occurring at the site that will produce odors. On the July 17, 2018 site visit to the TSC in Kelso, WA, staff observed a lot of TSC-generated litter throughout the site and on the adjacent property to the north. The site shall be maintained and kept free of litter. All litter shall be collected and transported for offsite disposal as part of weekly service trips. Landscaping will be maintained or otherwise enforced by Code Enforcement. Recent development at both Zion Meadows subdivision and the remodel of the Pioneer Building (former Sandy High School) have sparked unintended rodent issues in the surrounding neighborhoods. Prior to development of the site, the applicant shall have a licensed pest control agent evaluate the site to determine if pest eradication is needed. Criterion E can be satisfied with adherence to recommended conditions and the Sandy Municipal Code.
F. The proposed use will be reasonably compatible with existing or planned neighboring uses based on review of the following:

1. Basic site design (organization of uses on the site)

RESPONSE: The proposal is for a 19,097 square foot Tractor Supply store with 22,130 square feet of outdoor product display and associated parking. Based on staff's site visit to the Kelso, WA Tractor Supply Company store, staff believes the building is undersized and that excess product is being stored outdoors. The plan set (Exhibit D), details multiple designated outdoor storage areas that, together, exceed 15 percent of the total site area. Staff does not believe the intent of granting a minor conditional use to allow outdoor storage to exceed 15 percent of the site area is to allow a building to be undersized and to place excess items outdoors. Staff does not see why items such as soil, wheelbarrows, wooden stakes, and other portable items cannot be moved indoors. Therefore, staff does not support the applicant's request for a minor conditional use to allow outdoor storage areas to exceed 15 percent of the site area. Staff supports inclusion of the 15,000 square foot fenced storage area to the south of the building. The proposed large storage area will be fenced in with 8 foot tall black aluminum tube fencing with mesh screening, which will be more attractive than chain link fence. The applicant shall install a black aluminum tubing fence around the 15,000 square foot storage area, as proposed, or shall propose an alternative decorative fence for staff review and approval. To improve organization of the site and deter haphazard storage of items outside, staff recommends the applicant extend the black aluminum tubing fence to enclose the proposed outdoor storage areas to the east of the proposed fence.

The 15,000 square foot enclosed storage area includes a drive aisle that is approximately 150 feet long by 14 feet wide for a total of 2,100 square feet. Staff does not want items stored in the drive aisle. The applicant shall not store any items in the drive aisle within the $\mathbf{1 5 , 0 0 0}$ square foot outdoor storage area. Removal of the drive aisle from the 15,000 square foot outdoor storage area reduces the total outdoor storage area by 2,100 square feet.

Staff also supports inclusion of most of the proposed display areas along the front (east elevation) of the building, with the exception of the northernmost display area closest to Highway 26. Staff recommends the applicant locate the required 573 square feet of civic space at the northeast corner of the proposed building, adjacent to the pedestrian ramp, walkway, and required 20 foot landscaping buffer between the site and Highway 26, and across from the proposed bicycle parking. This would reduce the 985 square foot outdoor storage area to a maximum of 412 square feet and would reduce the total outdoor storage area by 573 square feet (minimum).

At the TSC in Kelso, WA, staff observed that items were being displayed in the entire area between the store's front façade and the parking area and that there was not a clearly defined walkway. In addition, multiple cords were being used to tie the outdoor display items to each other, which resulted in many cords lying on the ground where people would have to walk from their vehicles to the store entry. The cords were placed such that a customer parking in one of the ADA spaces and using the provided ADA aisles would have to cross one or more cords in order to get to the store's entrance. The applicant's proposal for the Sandy store details the product display areas located directly adjacent to the front (east elevation) of the proposed building, with a clearly marked 5 foot walkway and a 5 foot wide landscape planter located between the product display areas and the parking lot. No storage items shall be located outside of the designated outdoor storage areas. The applicant shall maintain a clear, five foot wide walkway that connects to the pedestrian ramp to Highway 26 and the ADA access aisles to the primary entrance. No cords shall be allowed to cross the five foot wide walkway or landscaping areas.

Staff observed multiple outdoor storage areas at the Kelso, WA store, similar to what's proposed at the Sandy store, but also observed that approximately 15 of the parking spaces were being used as additional storage for trailers for sale or for rent. The applicant is proposing to exceed the parking requirement by the maximum allowable amount. The applicant shall not use designated parking spaces for additional outdoor storage. Staff recommends that the applicant update the plan set to convert the nine (9) southernmost parking spaces into an outdoor display area and allow trailers to be stored there and convert the 3,640 square foot outdoor display area into a landscaping area to meet the code requirement of landscaping at the edge of parking areas. The nine (9) southern parking spaces occupy 1,800 square feet. Thus, the change in the outdoor storage area would be a reduction of 1,840 square feet (3,640 sq. ft. $-1,800$ sq. ft.).

The total outdoor storage area as proposed by the applicant is 22,130 square feet, which is approximately 19.3 percent of the 114,716 square foot site. With staff's recommendations, the total outdoor storage area would be reduced to 17,617 square
feet, which is approximately 15.35 percent of the total site area. The applicant would have to reduce the outdoor storage area to 17,207 square feet to meet the 15 percent threshold and therefore not require a minor conditional use permit. Staff does not recommend granting a minor conditional use permit to allow the outdoor storage area to exceed 15 percent of the total site area. Staff recommends the applicant submit a revised site plan with outdoor storage area not exceeding 17,207 square feet.

As discussed in Section 17.90.120(B.1.a) of this document, staff is unclear what the applicant's proposal is regarding the west elevation of the proposed building, which will be highly visible from Highway 26 and is currently not proposed to meet the City's design standards. Based on preliminary discussions with the applicant, staff believes the applicant's intent is to use a vegetative buffer to screen the west façade of the building from Highway 26; however, this is not reflected in the Landscape Plan. The applicant shall update the plan set to detail either an updated west building elevation that meets the design standards of Section 17.90.120, or an updated landscaping plan that details vegetation that is sufficient to screen the west façade of the building from Highway 26 at 80 percent opacity within two (2) years of planting. On staff's July 17, 2018 site visit to the Kelso, WA TSC, staff observed additional outdoor storage along the back of the store. The applicant's submittal for Sandy did not detail outdoor storage along the back of the store (the west side of the building); however, staff suspects merchandise and garbage may pile up behind the building. The applicant shall not store any items along the west side of the building.
2. Visual elements (scale, structural design and form, materials, and so forth) RESPONSE: The exterior facades of the proposed building include split-faced CMU blocks, horizontal lap siding, heavy timber framing, faux windows, and standing seam metal canopies. The east elevation, which has the proposed main entry, includes the most Sandy Style details with a Sandy Style covered entryway. The north elevation adjacent to Highway 26 includes faux windows with heavy timber framing and a faux door with heavy timber framing, a metal roof, and a Tractor Supply Company logo. As discussed in Section 17.90.120(C.3) of this document, the applicant shall update the north elevation of the building to include a gabled roof feature above the faux entryway. This gabled roof feature shall use heavy timbers and brackets consistent with the entryway on the east elevation of the building. The west elevation, which will be visible from Highway 26 as people enter Sandy city limits from the west does not include any elements that provide visual interest. As previously stated, the applicant shall update the plan set to detail either an updated west elevation that meets the design standards of Section 17.90.120, or an updated landscaping plan that details vegetation that is sufficient to screen the west façade of the building from Highway 26 at 80 percent opacity within two (2) years of planting.
3. Noise

RESPONSE: Once construction is complete, the site will produce minimal noticeable noise. The use should be reasonably compatible with the existing uses in regard to noise.
4. Noxious odors RESPONSE: The site will be compatible with existing and planned uses regarding noxious odors. There are no activities at the site that should produce noxious odors.
5. Lighting

RESPONSE: The proposal includes two (2) quad head Lithonia lights and one (1) double head bullhorn Lithonia light in the parking area, seven (7) hi-lite gooseneck lights along the front (east) façade, one (1) double head bullhorn Lithonia light and three (3) Lithonia wall mount lights in the outdoor display area south of the building, (3) Lithonia wall mount lights on the west façade, and two (2) hi-lite gooseneck lights above the faux doors on the north façade. All new lighting shall be in compliance with Chapter 15.30, Dark Sky Ordinance which will minimize light trespass on neighboring residential properties. The applicant shall update the Lighting Layout plan such that illumination 10 feet beyond the property lines in all directions does not exceed 0.25 foot candles. The applicant shall update the proposed parking area lights with lights that have a smaller distribution and emit less intense light. To be fully compatible with existing and proposed uses the applicant shall submit updated lighting fixture cutsheets for all proposed exterior lighting that detail the lighting fixtures as full-cutoff and not exceeding 3,000 Kelvins to minimize glare and affects to wildlife.
6. Signage

RESPONSE: The applicant will be required to obtain a permit for any proposed signage. The applicant proposes channel logo and letter sets on the east and north facades and a 30 foot tall pylon sign at the northeast corner of the parking area. The proposed pylon sign is located in a required landscape planter at the east end of the north parking row, which will be required to contain at least one structural tree. The applicant shall update the plan set to detail the pylon sign in a location where it will not compete with a required tree. Staff recommends relocating the pylon sign to the northeast side of the retaining wall.
7. Landscaping for buffering and screening

RESPONSE: The applicant submitted landscape plans that detail plantings on the subject site. Planning staff has evaluated the landscape plans and made recommended modifications as detailed in Chapters 17.92 and 17.98 of this staff report. Native vegetation along the north portion of the site will be necessary to comply with Section 17.90.120 (F) of the Development Code. The proposed landscaping modifications to the site will be an improvement over the existing site landscaping.
8. Traffic

RESPONSE: The applicant submitted a Transportation Impact Study that was evaluated by the City of Sandy Transportation Engineer, Replinger and Associates LLC, and the Oregon Department of Transportation (ODOT). The City Transportation Engineer (Exhibit O) concurs with the TIS conclusions and finds that the TIS meets City requirements. The City Transportation Engineer states "The TIS demonstrates that the development causes only slight degradation in performance of any intersection and that it does not warrant mitigation for traffic or safety issues."
9. Effects on off-street parking RESPONSE: The proposal should not adversely affect off-street parking. The applicant is proposing the maximum allowable number of parking spaces for the site (70 spaces). Staff will not allow parking spaces to be used for additional outdoor storage, as seen at
the Kelso, WA TSC; thus, as discussed in Section 17.98.20 of this document, staff is recommending a maximum of 60 parking spaces. The site is only required to install 54 parking spaces so 60 spaces is still in excess of the requirement.
10. Effects on air quality and water quality

RESPONSE: The proposed improvements will not adversely affect air and water quality. The project will comply with all applicable state and federal environmental standards. The applicant is proposing a self-service pet washing station at the site with a mesh screen to collect hairffur. Staff assumes the pet washing station will utilize warm water, soaps or other washing products, and the animals being washed will produce large amounts of hair/fur. The City of Sandy will not want animal hairffur or soaps/grease to enter the sanitary sewer or stormwater system. In addition, the City of Sandy will not want warm water to enter the stormwater system and eventually the Tickle Creek watershed. The applicant shall submit a proposal to include a hair/fur and byproduct (i.e. soaps and other cleaning supply) interceptor prior to the water entering the sanitary sewer system.

Recommendation: Staff recommends the Planning Commission deny the applicant's request for a minor conditional use permit to allow more than 15 percent of the site to be used as outdoor storage and product display areas. Staff recommends the applicant submit a revised site plan with outdoor storage area not exceeding 17,207 square feet.

## III.SUMMARY AND CONCLUSION

Hix Snedeker, LLC submitted an application to build a Tractor Supply Company store on Parcel 3 ( 2.63 acres) of the existing 8.07 acre parcel that has been tentatively approved as a two lot partition (File No. 18-019 MP). The proposed retail store is 19,097 square feet with 22,130 square feet of outdoor storage and product display area. The applicant is applying for a minor conditional use permit to allow more than 15 percent of outdoor storage and product display area. The applicant is also requesting seven (7) variances and two (2) adjustments as follows:

- Adjustment to Section 17.90 .120 (C.8.b.1) to allow an additional 8 feet of parapet without a 24 inch step.
- Adjustment to Section 17.90.120(D.1) to allow less than 50 percent of the street frontage as building.
- Variance to Section 17.90 .120 (D.3) to allow the building to not face a public street.
- Variance to Section 17.90.120(D.7) to waive the requirements of an "activated" frontage on the north elevation.
- Variance to Section 17.90.120(E.2) to allow less than the required 25 percent window coverage on the activated elevation.
- Variance to Sections 17.90 .120 (E.2.a and E.4) to allow non-transparent faux windows.
- Variance to Section 17.74 .40 (B.3) to allow a retaining wall in the front yard greater than 6 feet tall.
- Variance to Section 17.74 .40 (B.4) to allow a retaining wall in the side and rear yards greater than 8 feet tall.
- Variance to Section 17.102.50(A) to plant mitigation trees in lieu of meeting the tree retention requirements for the site.

This request is before the Planning Commission primarily to determine if the seven (7) variance requests should be approved, approved with conditions, or denied. Staff is also requesting a decision on the two adjustment requests as well as the request for a minor conditional use.

After review of the Tractor Supply Company store application and a site visit to the Kelso, WA Tractor Supply Company store on July 17, 2018, here is a list of the biggest challenges and modifications that are needed for staff to recommend approval of File No. 18-018
DR/CUP/VAR/TREE:
Site issues:

1. Civic Space with at least two benches at the NE corner of the building
2. Removal of some outdoor storage at NE corner of building and south of parking area
3. Removal of some parking spaces and no storage allowed in parking spaces

Building issues:

1. Additional windows on the north and possibly east façades to meet 25 percent window coverage
2. Gabled entry feature above faux entry on north elevation
3. Additional horizonal lap siding at north faux entry to make the building more consistent
4. Stone base wrapping corners at least 4 feet
5. Additional analysis for rooftop equipment
6. Building design for additional hay building (if proposed)
7. Staff review and approval needed for garbage/recycle enclosure
8. Lack of design on west elevation and no screening proposed
9. Clarification on design deviation request (if proposed)

Landscaping issues:

1. Native plantings needed
2. Vegetative screen on west elevation of at least 80 percent opacity within two years of plantings
3. More trees in landscape areas
4. Additional planter bays in parking area
5. Identifying location of six mitigation trees and creating a tree preservation covenant
6. Expectations for keeping landscaping alive in perpetuity

Lighting issues:

1. Need updated photometric plan with all areas more than 10 feet from the property lines not exceeding .25 foot candles
2. Lighting with full cut-off and maximum 3,000 Kelvins
3. Lighting fixtures along internal walkways with 1.5 to 2.0 foot candles

Utility and right-of-way issues:

1. Additional easement for the domestic water service to the site
2. Street improvements along the site (proposed parcel 3) frontage of Hwy 26 (obtain a permit from ODOT to place trees within the highway right-of-way)
3. Proposed access easement to include utility access or separate utility easements shall be secured and recorded

Other issues:

1. Decorative fence at the top of the retaining walls
2. No security cables in walking areas
3. Pet washing facility interceptor needed before fluid enters sanitary sewer

## IV. RECOMMENDATION

Staff recommends the Planning Commission hold a public hearing to take public testimony regarding the proposal. Staff recommends the Planning Commission approve the application with modifications as recommended in this report.

Staff recommends the Planning Commission approve the following variances and adjustments:

- Type II Adjustment to Section 17.90.120(C.8.b.1) to allow an additional 8 feet of parapet without a 24 inch step.
- Type I Adjustment to Section 17.90.120(D.1) to allow less than 50 percent of the street frontage as building.
- Special Variance to Section 17.90 .120 (D.3) to allow the building to not face a public street.
- Variance to Section 17.90 .120 (D.7) to waive the requirements of an "activated" frontage on the north elevation. Approve entry facing east as a special variance; window coverage variance reviewed separately.
- Special Variance to Sections 17.90.120(E.2.a and E.4) to allow non-transparent faux windows.
- Special Variance to Section 17.74.40(B.3) to allow a retaining wall in the front yard greater than 6 feet tall. Approve special variance but limit wall reveal and fence height to a maximum of 6 feet as seen from the Highway 26 right-of-way.
- Special Variance to Section 17.74.40(B.4) to allow a retaining wall in the side and rear yards greater than 8 feet tall. Approve special variance and condition maximum 20 foot wall reveal with maximum 4 foot fence.
- Variance to Section $17.102 .50(\mathrm{~A})$ to plant mitigation trees in lieu of meeting the tree retention requirements for the site.

Staff recommends the Planning Commission deny the applicant's request for the following variance:

- Special Variance to Section 17.90.120(E.2) to allow less than the required 25 percent window coverage on the activated elevation. Deny special variance to reduce the required window coverage but allow faux or non-transparent windows to count towards window coverage requirement.



## LAND USE APPLICATION FORM

(Piense priml or type the information below)
Planning Department
39250 Pioneer Blvd. Sandy OR 97055
503-668-4886

Name of Project Hix Snedeker Development, LLC
Location or Address Mounthood Hwy (Hwy 26) and Champlon Way

Map \& Tax Lot Number T 25, R4E, Section 10 ; Tax Lot(s) 24E15A 00209

Request:
Plan Designation $1-1$
Zoning Designation Industrial
Acres 2.63

1. Design Review Type III - $\$ 7000.00$ (for projects over $\$ 1$ million)
2. Conditional Use Type II - $\$ 1500.00$ (this is for the outdoor storage)

3) 17.90.120.D.3-Ground Floor Spaces, 4) 17.90.120.D.7-Articulated Frontage, 5) 17.90.120.E.2-Windows,
4) 17.74.40.B - Fences/retaining wall - $\$ 6000.00$
4. Deviation: 1)17.90.120.B - Bldg Facades, Materials \& Colors; - no charge
*Third Party Transportation Review Fee - $\$ 1500.00$
*Tree Review Type II - \$50.00
TOTAL FEES: $\$ 16,050.00$

I an the (check one) $\bar{\square}$ owner $\square$ lessee of the property listed above and the statements and information contained herein are in all respects true, complete and correct to the best of my knowledge and belief.

| Applicant Hix Snedeker Development, LLC (Undsay Gadd) | Owner Sandy Automotlve, LLC (Mark Benson) |
| :---: | :---: |
| Address 805 Trlone Ave | Address 655 Moaniala St |
| City/State/Zip Daphne, AL 36526 | City/State/Zip Honolulu, HI 96821 |
| Phone 251-243-0708 | Phone |
| Email lindsw@1xsmedeker.com | Email mlbenson911@aol.com |
| Signature |  |

If signed by Agent, owner's written authorization must be attached.


## EXHIBIT B

# SUPPLEMENTAL APPLICATION DESIGN REVIEW / CONDITIONAL USE PERMIT <br> (Please print or type the information below) 

## Planning Department 39250 Pioneer Blvd. Sandy OR 97055 503-668-4886

Name of Project Hix Snedeker Development, LLC
Location or Address Mounthood Hwy (Hwy 26) and Champion Way
Type of Business Single Commercial Retail
Products Manufactured Farming products

Hours of Operation Monday-Saturday: 8am-9pm, Sunday: 9am-7pm
No. of Employees per Shift

```
4-6
```

Total Site Size 2.63 acres Total Bldg. Square Footage 19,097 sf

## Project Summary

This application is in support of a new Tractor Supply Store to be located at the intersection of Mounthood Highway and Champion Way within the city limits of Sandy, Oregon. The proposed site is a 2.63 parcel which is being subdivided from the larger parcel of lot Pioneer Corporate Park. The proposed retail store will be a 19,097 square foot building with a 15,000 square foot fenced outdoor display area. We are seeking 3 variances from the Design Standard and 2 deviations on Building Design:

Variance Type III: 1) 17.90.120.Cb1-Parapet Steps, 2) 17.90.120.D.1-Street Frontage, 3) 17:90.120.D.3-Ground Floor Spaces, 4) 17.90.120.D.7-Articulated Frontage, 5)
17.90.120.E.2-Windows, 6) 17.74.40.B - Fences/retaining wall

Deviation: 1)17.90.120.B - Bldg Facades

## USES WITHIN BUILDING (SQUARE FOOTAGE)

Offices: 90 SF Shop: NA Storage: 2,391 SF

Kitchen: NA
Laundry: NA
Rest Rooms: 163 SF
Other: Retail Sales - 15,252 SF, Employee Lounge-196 SF, Pet Wash-137 SF, Corridors/Entry- 868 SF

## OCCUPANCY \& CONSTRUCTION TYPE

(List all occupancies by square footage)
UBC Occupancy Rating: Merchantile
UBC Type of Construction: IIB
Will fire sprinklers be installed in the building? $\quad \square]$ Yes $\square$ No

| SLTE ANALYSIS DATA |  |  |
| :--- | :---: | :---: |
| Type | Lot Coverage <br> (Square Feet) | Lot Coverage <br> (Percent of Site) |
| Buildings | 19097 sf | $16.6 \%$ |
| Parking Lots and Driveways | 41711 sf | $36.4 \$$ |
| Private Walks \& Pedestrian Ways | 28058 sf | $24.5 \%$ |
| Landscaping - Improved Area | 25850 sf | $22.5 \%$ |
| Landscaping - Natural areas | NA. underground detentit |  |
|  <br> Bioswale Areas |  | $0 \%$ |
| Other (describe) |  |  |
| Other (describe) |  |  |



## TYPE OF IRRIGATION SYSTEM

Describe type and brand of irrigation system to be installed. Formal irrigation plans must be submitted with construction plans.

Permanent underground Rainbird or Hunter Irrigation system will be provided.

## PROPOSED SOIL AMENDMENTS

Describe soil conditions and proposed plans for soil treatment \& amendments:
ALL LANDSCAPE AREAS WILL HAVE ORGANIC SOIL AMENDMENTS INCORPORATED AT NO RATE LESS THAN 4 CUBIC YARDS/ 1000 S.F. THE NEED FOR FERTILIZER, ITS TYPE AND AMOUNT SHALL BE DETERMINED BY A SOIL ANALYSIS.
$\square$

ADDITIONAL LANDSCAPING INFORMATION
REFER TO GENERAL NOTES ON SHEET LP500 OF PLANS FOR ADDITIONAL LANDSCAPING INFORMATION.

## LANDSCAPE MATERIALS



## Application For:

## Site Design Review

For

## Tractor Supply Company

Sandy, Oregon 97055

April 27, 2018
Applicant:
Hix Snedeker Development, LLC
P.O. Box 130

Daphne, AL 36526
PHONE: (251) 751-4311

Prepared by:


Post Office Box 1929
Fairhope, AL 36533
PHONE: (251) 928-3443

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### 15.30 DARK SKY ORDINANCE (Ord. 02, 2011)

### 15.30.000 Purpose

The purpose of the Sandy Dark Sky Ordinance is to regulate outdoor lighting in order to reduce or prevent light pollution. This means to the extent reasonably possible the reduction or prevention of glare and light trespass, the conservation of energy, and promotion of safety and security. (Ord. 2002-11)

### 15.30.010 Definitions

The "IES" (Illuminating Engineering Society of North America) Lighting Handbook, most recent edition, the City of Sandy Development Code, and Building Code, shall be used for the definition of terms used in this ordinance but not defined herein. In the case where a definition of a term of this ordinance is found to be in conflict with a definition of a term of any other ordinance, "IES" handbook or regulation, the more restrictive definition will apply. (Refer to 15.10 .010 for list of definitions)

### 15.30.020 Scope \& Applicability

New Lighting. All exterior outdoor lighting installed after the effective date of this Chapter in any and all zones in the City shall conform with the requirements established by this Chapter and other applicable ordinances unless otherwise exempted. This ordinance does not apply to indoor lighting.

## Response: Will Comply. See accompanying Site Photometric Plan.

Existing Lighting. All existing lighting located on a subject property that is part of an land use application or building permit, dependent on the value of the project, shall be brought into conformance with this Ordinance. The value of the project will determined in accordance with Chapter 15.20 .040 and 15.20.050. If the value exceeds the threshold in Chapter 15.20 .020 and 15.20 .030 , all lighting on the property must be brought into full compliance before reoccupation or reuse.

## Response: Not Applicable.

Nonconforming Uses or Structures. If a nonconforming use or structure has been abandoned for more than twelve months all lighting on the property must be brought into full compliance before reoccupation or reuse.

Conformity shall occur prior to issuance of Cerificate of Occupancy, Final Inspection, or Final Plat Recordation, when applicable. For other permits, the applicant shall have a maximum of thirty days from date of permit issuance to bring the lighting into conformance.

Preferred Source - Low-pressure Sodium (LPS) lamps are the preferred illumination source throughout the city and their use is encouraged.

When an existing fixture is replaced, the replacement fixture shall meet the requirements of this chapter.


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Architectural design, site planning, landscaping and lighting may be further restricted elsewhere in the Sandy Municipal Code.

All governmental agencies, federal, state or county, which operate within the city limits of Sandy - should experience no difficulty meeting the requirements of this ordinance and are encouraged by the city to comply with its provisions.

In the event of a conflict with any other chapter of the Sandy Municipal Code, the more stringent requirement shall apply.

## Response: Noted

### 15.30.030 Exemptions \& Exceptions

A. Residential fixtures consisting of lamp types of 2050 lumens and below (the acceptability of a particular light is decided by its lumen output, not wattage. Check manufacturer's speciiications). Examples include:

- 100 Watt Standard Incandescent and less
- 100 Watt Midbreak Tungsten-Halogen (quartz) and less
- 25 Watt T-12 Cool White Fluorescent and less
- 18 Watt Low Pressure Sodium and less


## Response: N/A. Project is Non-Residential

B. Federally funded and state funded roadway construction projects, are exempted from the requirements of this division only to the extent it is necessary to comply with federal and state requirements.

## Response: Acknowledged

C. Fossil Fuel Light. Fossil fuel light produced directly or indirectly by the combustion of natural gas or other utility-type fossil fuels is exempt from the provisions of this article.
Response: N/A. There is no fossil fuel light proposed for the project.
D. Full cutoff street lighting, which is part of a federal, state, or municipal installation.

Response: In compliance. See accompanying Site Photometric Plan and lighting spec information.
E. Holiday lighting.

Response: Acknowledged.
F. Lighting of sports facilities or stadiums prior to 11:00 p.m. Illumination after 11:00 p.m. is also permitted if it is necessary in order to conclude a recreational, sporting or other scheduled activity, which is in progress prior to that time.
Response: N/A.
G. Specialized lighting necessary for saeety, such as navigated or runway lighting of airports, or temporary lighting associated with emergency operations, road hazard warnings, etc.

## Response: N/A.



## H. Traffic control signals and devices.

## Response: N/A.

### 15.30.040 Approved Materials and Methods of Installation

The provisions of this chapter are not intended to prevent the use of any design, material or method of installation or operation not specifically prohibited by this chapter, provided such alternative design, material or method conforms with the intent of this division and has been approved by the building official.

The Building Official administrator may approve an alternative design provided he finds that:
A. It complies with the applicable specific requirements of this division; or
B. It has been designed or approved by a registered professional engineer and complies with the purpose of this division.

## Response: Acknowledged

### 15.30.050 Submittals

All applications for building permits or land use planning review which include installation of outdoor lighting fixtures shall include lighting plans conforming to the provisions of this Ordinance. The Planning Director and/or Building Official shall have the authority to request additional information in order to achieve the purposes of this Ordinance.
A. The submittal shall contain the following information and submitted as part of the site plan to the Planning and Building departments for approval.

1. Plans indicating the location, type, intensity, and height of luminaries including both building and ground-mounted fixtures;
2. A description of the luminaries, including lamps, poles or other supports and shielding devices, which may be provided as catalogue illustrations from the manufacturer;
3. Photometric data, such as that furnished by the manufacturer, showing the angle of light emission and the foot-candles on the ground; and
4. Additional information as may be required by the city in order to determine compliance with this Ordinance.

## Response: Acknowledged

B. Applications for single/multi-family residential or other projects where any single outdoor light fixture exceeds (2050 lumens output) shall be required to comply with paragraph $A$ above.

## Response: N/A. Project is Non-Residential

4/27/2018

### 15.30.060 General Standards

The following general standards shall apply to all outdoor lighting installed after the effective date of this ordinance, which is not exempted above:
A. Area Lights: All area lights, including street lights and parking area lighting, shall be full cut-off fixtures and are encouraged to be eighty-five (85) degree full cut-off type fixtures. Street lights shall be high-pressure sodium, low-pressure sodium, or metal halide, unless otherwise determined by the city that another type is more efficient. Street lights along residential streets shall be limited to a 70 -watt high-pressure sodium (hps) light. Street lights along nonresidential streets or at intersections shall be limited to 100 watts hps, except that lights at major intersections on state highways shall be limited to 200 watts hps. If the city permits a light type other than high-pressure sodium, then the equivalent output shall be the limit for the other light type.

## Response: Acknowledged. See accompanying Site Photometric Plan and lighting spec information.

B. Canopy Lights: All lighting shall be recessed sufficiently so as to ensure that no light source is visible from or causes glare on public rights-of-way or adjacent property.

## Response: N/A. There are no canopy lights proposed for the project

C. Illumination Levels: Illumination levels and uniformity shall be in accordance with current recommended practices of the Illuminating Engineering Society. Recommended standards of the illuminating engineering society shall not be exceeded.

## Response: Acknowledged. See accompanying Site Photometric Plan and lighting spec information.

D. All outdoor lighting systems shall be designed and operated so that the area 10 feet beyond the property line of the premises receives no more than .25 (one quarter) of a foot-candle of light from the premises lighting system.

## Response: Acknowledged. See accompanying Site Photometric Plan and lighting spec information.

E. Temporary Lighting: Temporary lighting that conforms to the requirements of this Ordinance shall be allowed. Nonconforming temporary exterior lighting may be permitted by the Building Official only after considering 1) the public and/or private benefits which will result from the temporary lighting; 2) any annoyance or safety problems that may result from the use of the temporary lighting; and, 3 ) the duration of the temporary nonconforming lighting. The applicant shall submit a detailed description of the proposed temporary nonconforming lighting to the Building Official.

## Response: Acknowledged.

F. Towers: All radio, communication, and navigation towers that require lights shall have dual lighting capabilities. For daytime, the white strobe light may be used, and for nighttime, only red lights shall be used.

Response: N/A. There are no radio, communication and navigation towers proposed for the project.

### 15.30.070 Non -Permitted Lighting.

A. Newly installed fixtures, which are not full-cutoff fixtures.
B. Lighting which presents a clear hazard to motorists, cyclists, or pedestrians.
C. Laser Source Light. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment is prohibited.

## Response: Acknowledged

### 15.30.080 Appeals

If an application is denied, an individual shall have the right of appeal to the City Council. The fee for an appeal shall be the same as a Type III review (Section 2-Master Fee Resolution).

### 15.30.090 Violations

This section may be enforced on the basis of a formal complaint filed in writing with the city.

### 15.30.100 Penalties

## See Section 1.16 .010 of the Sandy Municipal Code.

### 15.30.110 Severability

The provisions of this ordinance are severable and if any paragraph, section, subsection, or part of this ordinance is held to be invalid, unenforceable, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair the remainder of this ordinance.
CODE REQUIREMENTS TABLES FOR SHIELDING

| Lamp Type | 25 | 30 | 35 | 40 | 50 | 60 | 75 | 100 | $\begin{aligned} & 110 \text { or } \\ & \text { Mare } \end{aligned}$ |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Low Pressure Sodium | Unshielded | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed |
| High Pressure Sodium | Unshielded | Unshielded | Directed Shield | Shield | Shield | Shield | Shield | Directed Shield | Directed Shield |
| Metal Halide | Unshielded | Unshielded | Directed Shield | Directed Shield | Shield | Shield | Directed Shield | Shield | Directed Shield |
| Fluorescent | Unshielded | Unshielded | Unshielded | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield |
| Quartz | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded | Directed Shield | Directed Shield | Directed Shield | Directed Shield |
| Tungsten Halogen | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded | Directed Shield | Directed Shield | Directed Shield | Directed Shield |



| Mercury Vapor | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded |  |  |  |  |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| Incandescent | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded |

1. For the purpose of this section wattage ratings for lamp types will be for either a single lamp. source or multiple lamp sources when installed in a cluster.
2. Lamp types not listed in the table may be approved for use by the building official providing installation of these lamps conforms to the lumen limits established in this section.
3. Glass tubes filled with argon, neon or krypton do not require shielding

TYPICAL LUMEN VALUES FOR VARIOUS LAMP WATTAGE

| Wattage | Low pressure <br> Sodium | High Pressure <br> Sodium | Metal <br> Halide | Fluorescent | Quartz | Mercury <br> Vapor | Incandescent |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 9 |  |  |  | 600 |  |  |  |
| 18 | 1,800 |  |  |  |  |  |  |
| 35 | 4,725 | 2,250 |  |  |  |  |  |
| 40 |  | 4,000 |  | 2,250 |  |  | 480 |
| 50 | 7,925 |  |  |  |  |  |  |
| 60 |  |  |  |  |  |  | 870 |
| 70 |  | 5,800 | 5,500 |  |  |  |  |
| 75 |  |  |  |  |  | 2,800 | 1,190 |
| 90 | 14,400 |  |  |  |  |  |  |
| 100 |  | 9,500 | 8,00 |  | 6,600 |  |  |
| 110 |  |  |  |  |  |  | 1,750 |
| 150 |  | 16,000 |  | 14,000 |  |  | 8,600 |
| 175 |  |  | 22,000 |  |  |  |  |
| 200 |  | 27,500 | 20,500 |  |  | 4,010 |  |
| 250 |  |  |  |  |  |  |  |
| 300 |  | 50,000 | 36,000 |  |  | 2,100 |  |
| 400 |  |  |  |  |  |  | 6,360 |
| 500 |  |  |  |  |  |  | 10,850 |

Taken from data supplied by Portland General Electric - Energy Resource Center

### 17.48-INDUSTRIAL PARK (I-1)

### 17.48.00 INTENT

It is the intent of this district to allow desirable and beneficial mixing of light industrial and warehousing businesses and commercial uses totally enclosed within buildings on large, landscaped sites, which will blend harmoniously with their surroundings, and adjacent land uses.

This district is intended primarily for light manufacturing, select warehousing and wholesaling, storage and office uses, with limited provisions for limited commercial uses which, due to their activity and space requirements, are compatible in industrial areas without causing use or other activity conflicts with the primary uses. Commercial uses located in this district are those whose activities are compatible with industrial uses, those which supplement and support surrounding industrial activity and the needs of the employees of nearby firms and those which have extensive space and land area requirements.

### 17.48.10 PERMITTED USES

Response: The proposed development will be for a Tractor Supply Company single tenant retail facility. The proposed 19097 SF is less than maximum allowed 60,000 square ft . of gross floor area. The proposed retail business closely matches permitted uses listed as A.3.b. A.8, A.9. A. 15, A. 16

### 17.48.20 MINOR CONDITIONAL USES AND CONDITIONAL USES

## A. Minor Conditional Uses:

1. Outdoor product display or storage of merchandise covering greater than $15 \%$ of the total lot area; 2. Other uses similar in nature.

## Response: NA

## B. Conditional Uses:

Response: A Minor Conditional Use will be requested. The proposed development will be for a Tractor Supply Company single tenant retail facility with outdoor product display areas. There is a 15,000 -sf fenced out door display area, 3510 sf of sidewalk display area and 3640 sf of trailer and equipment display area. The total of these areas is approximately 22150 sf . This would represent $19.3 \%$ of the 2.63 -acre lot the store is located on. This slightly exceeds the $15 \%$ coverage area.


### 17.48.30 Development Requirements

| Lot Area - Park | No minimum |
| :---: | :---: |
| Lot Area - Individual Lot | No minimum |
| Lot Dimension | No minimum |
| Setbacks |  |
| Front ............................. | 10 ft minimum: 50 ft maximum |
| Side ............................. | None - Unless aburting a more restrictive district: if abuting the min setback is 30 ft |
| Rear .................................. | None |
| Corner . . . . . . . ..................... | 15 ft . |
| Lot Coverage | 80\% maximum |
| Landscaping Requirement | 20\% minimum (includes required civic space per Section 17.90.120) |
| Structure Height | 45 ft maximum |
| Off-Street Parking | See Chapter 17.98 |
| Design Review Standards | See Section 17.90.120 |

The proposed project is located on a 2.63 acre proposed lot near the SW Corner of the intersection of Hwy US. 26 and Champion Way. The proposed building will be 25 feet from the front setback of Hwy 26. This will be within the limits of the $10-50$ allowable bracket.

The 2.63 -acre lot has a maximum coverage of $91,650 \mathrm{SF}$. The proposed Lot coverage is $88,866 \mathrm{SF}$.
The 2.63 -acre lot has a minimum landscape coverage of $22,912 \mathrm{SF}$. The proposed landscape coverage is 25,850 SF.

The maximum allowable building height is 45 feet. The proposed building height will be $30^{\prime} 8$ " feet.

### 17.66 - ADJUSTMENTS \& VARIANCES

### 17.66.00 INTENT

Adjustments and variances are procedures to vary development standards normally applied to a particular district.

### 17.66.10 ADJUSTMENTS

Adjustments are a Type I or Type II procedure that provide a means to vary the development standards normally applied in a particular district. This option exists for those circumstances where uniform; unvarying rules would prevent a more efficient use of a lot. A typical example is permitting a structure to be located closer to a property boundary than normally allowed by the zoning district regulations.

Adjustments apply only to individual lots and therefore cannot be used by applicants seeking to vary development standards for lots to be created through a subdivision process. Modifications to land divisions standards should be sought through the Type II or Type III Variance process or where appropriate, the Planned Development process. An adjustment is intended to:

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A. Allow more efficient use of land.
B. Provide flexibility and innovation in site planning and architectural design on individual lots.
C. Permit building location and/or construction techniques that conserve energy.
D. Minimize procedural delays and ensure due process in the review of unique development situations.
E. Provide relief from the strict adherence of land division development standards where site- specitic physical or functional land development conditions warrant a variance.

## Response: N/A

### 17.66.20 TYPE I ADJUSTMENTS

In issuing a permit the Director may grant or deny an adjustment under the Type I procedure if the request involves only the expansion or reduction by not more than $10 \%$ of one or more quantifiable provisions of this code.

## Response: N/A

### 17.66.30 TYPE II ADJUSTMENTS

Except in the case of a nonconforming development or use, the Director may grant or deny an adjustment under the Type II procedure if the request involves only the expansion or reduction by not more than $20 \%$ of one or more quantifiable provisions of this code.

## Response: N/A

### 17.66.40 TYPE I AND || ADJUSTMENT CRITERIA

A. The proposed development will not be contrary to the purposes of this chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City;
B. The proposed development will not substantially reduce the amount of privacy enjoyed by users of nearby structures when compared to the same development located as specified by this Code;
C. The proposed development will not adversely affect existing physical systems and natural systems, such as traffic, drainage, dramatic land forms, or parks; and
D. Architectural features of the proposed development will be compatible to the design character of existing structures on adjoining properties and on the proposed development site.

## Response: N/A



### 17.66.50 ADJUSTMENT LIMITATIONS

Adjustments may not be utilized to:
A. Reduce width of accessways required for flag lots created through the land partition or minor replat process
B. Reduce the area reserved for private outdoor space and/or usable open space by more than $10 \%$
C. Reduce project site amenities such as screening and/or landscaping provisions by more than $10 \%$
D. Increase fence height inside clear-vision areas

Response: The requested retaining wall height variance request does not have an impact on clear vision areas.

### 17.66.60 VARIANCES

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

Response: The project makes the following request for a Type III variance application.

### 17.66.70 TYPE II AND TYPE Il VARIANCE CRITERIA

The authority to grant a variance does not include authority to approve a development that is designed, arranged or intended for a use not otherwise approvable in the location. The criteria are as follows:
A. The circumstances necessitating the variance are not of the applicant's making.
B. The hardship does not arise from a violation of this Code, and approval will not allow otherwise prohibited uses in the district in which the property is located.
C. Granting of the variance will not adversely affect 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.


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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.

## Response: Requested Variances:

1. 17.90.120.Cb1-Parapet Steps

A variance application has been included with this Design Review Submittal that the additional 8 ' of parapet without a $24^{\prime \prime}$ step be deemed acceptable.
2. 17.90.120.D.1-Street Frontage

A variance application has been included with this Design Review Submittal requesting that the provided $41 \%$ of the subject buildings street frontage be deemed acceptable. Providing the full $50 \%$ of street frontage as building was not attainable due to TSC's prototypical footprint of $150^{\prime}$ and site design restraints, bldg. setbacks, required parking layouts, site grading, \& pedestrian walkways
3. 17.90.120.D.3-Ground Fioor Spaces

A variance application has been included with this Design Review Submittal requesting that the proposed building orientation to the streets right be deemed acceptable based on prototype building's design restraints, bldg. setbacks, required parking layouts, site grading, \& pedestrian walkways
4. 17.90.120.D.7-Articulated Frontage

A variance application has been included with this Design Review Submittal requesting that the requirements for an the 'activated' elevation pertaining to a public entrance, pedestrian shelter walkway or civic space be waived and that the proposed applied design elements illustrated on the color Elevations and 3D rendering be acceptable based on the building's prototypical design \& interior functionally restraints, bldg. setbacks, required parking layouts, site grading, \& pedestrian walkways .
5. 17.90.120.E.2-Windows

A variance application has been included with this Design Review Submittal requesting that the requirements for windows on the 'activated' elevation be waived based on the hardships to the building's user given the significant amount of interior wall display required along the interior face of all the exterior walls and the increased security risks associated with the introduction of windows The request for the proposed applied design elements illusirated on the color elevations and 3D renderings (reference herein) be acceptable based on the building's prototypical design \& interior functionality restraints as mentioned herein.
6. $17.74 .40 . \mathrm{B}-$ Fences/retaining wall

This Industrial zoned parcel requires a retaining wall along Hwy 26 that will vary between 28 feet tall. It will also include a 4 ' fence at the top of the wall for pedestrian safety the rear and side of the development will have retaining walls that vary from 3.5 ' 020 feet tall. These retaining walls allow the site to step down from the Hwy 26 right of way. This will not create a visual obstruction of the facility from the right of way.

### 17.66.80 TYPE III SPECIAL VARIANCES

The Planning Commission may grant a special variance waiving a specified provision for under the Type III procedure if it finds that the provision is unreasonable and unwarranted due to the specific nature of the proposed development. In submitting an application for a Type III Special Variance, the proposed development explanation shall provide facts and evidence sufficient to enable the Planning Commission to make findings in compliance with the criteria set forth in this section while avoiding conflict with the Comprehensive Plan.
One of the following sets of criteria shall be applied as appropriate.
A. The unique nature of the proposed development is such that:

1. The intent and purpose of the regulations and of the provisions to be waived will not be violated; and
2. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.
B. The variance approved is the minimum variance needed to permit practical compliance with a requirement of another law or regulation.
C. When restoration or replacement of a nonconforming development is necessary due to damage by fire, flood, or other casual or natural disaster, the restoration or replacement will decrease the degree of the previous noncompliance to the greatest extent possible.

## Response: Requested Variances:

1. 17.90.120.Cb1-Parapet Steps

A variance application has been included with this Design Review Submittal that the additional 8 ' of parapet without a 24 " step be deemed acceptable.
2. 17.90 .120. D.1-Street Frontage

A variance application has been included with this Design Review Submittal requesting that the provided $41 \%$ of the subject buildings street frontage be deemed acceptable. Providing the full $50 \%$ of street frontage as building was not attainable due to TSC's prototypical footprint of 150 ' and site design restraints, bldg. setbacks, required parking layouts, site grading, \& pedestrian wallkways
3. 17.90.120.D.3-Ground Floor Spaces

A variance application has been included with this Design Review Submittal requesting that the proposed building orientation to the streets right be deemed acceptable based on prototype building's design restraints, bldg. setbacks, required parking layouts, site grading, \& pedestrian walkways
4. 17.90.120.D.7-Articulated Frontage

A variance application has been included with this Design Review Submittal requesting that the requirements for an the 'activated' elevation pertaining to a public entrance, pedestrian shelter walkway or civic space be waived and that the proposed applied design elements illustrated on the color Elevations and 3D rendering be acceptable based on the building's

prototypical design \& interior functionally restraints, bldg. setbacks, required parking layouts, site grading, \& pedestrian walkways .
5. 17.90.120.E.2-Windows

A variance application has been included with this Design Review Submittal requesting that the requirements for windows on the 'activated' elevation be waived based on the hardships to the building's user given the significant amount of interior wall display required along the interior face of all the exterior walls and the increased security risks associated with the introduction of windows The request for the proposed applied design elements illustrated on the color elevations and 3D renderings (reference herein) be acceptable based on the building's prototypical design \& interior functionality restraints as mentioned herein.
6. $17.74 .40 . \mathrm{B}-$ Fences/retaining wall

This Industrial zoned parcel requires a retaining wall along Hwy 26 that will vary between 28 feet tall. It will also include a 4 ' fence at the top of the wall for pedestrian safety the rear and side of the development will have retaining walls that vary from 3.5 ' to 20 feet tall. These retaining walls allow the site to step down from the Hwy 26 right of way. This will not create a visual obstruction of the facility from the right of way.

### 17.66.90 APPLICATION

An application for an adjustment or variance shall be made on forms provided by the Director and include the following, where applicable:
A. Description of the land (address, lot, block, tract, or similar description) on which the proposed development is to take place.

Response: This information is included on the application and supplemental support data.
B. Narrative addressing how the application meets the specified review criteria.

## Response: Enclosed.

C. Site plan no larger than 11 in. by 17 in. (include a reduced copy if drawn larger) suitable for photocopy reproduction. The site plan shall be drawn to scale and show:

1. Relationship of the site to adjoining properties, streets, alleys, structures, public utilities, and drainageways;
2. Lot line dimensions;
3. Existing and proposed structures;
4. Structures on adjacent property(ies) affected by the request;
5. Vehicle and pedestrian access points and accessways;
6. Drainageways and any other prominent features;
7. Location of trees and shrubs over 3 ft . in height;
8. Fences and walls;
9. Off-street parking facilities;
10. Any other information relevant to the proposal.

The Director may modify the submission requirements as necessary.

## Response: Understood.

### 17.66.100 ELEVATION OF APPLICATION TYPE

Prior to the decision date, the review of a Type I or II adjustment or variance, and any comments received, may cause the Director to elevate the request to a Type III Variance. In this case the Director shall notify the Applicant and any parties in writing, giving the reason(s) that the application is found to qualify as a Type III Variance, requesting any additional information required by this Chapter, and requesting any additional fees applicable under the redefined application type. Upon receipt of new application materials and payment of the revised application fee, the Director shall schedule a public hearing and serve public notice as required in this Chapter.

Response: Understood

### 17.66.190 EFFECTIVE PERIOD OF APPROVAL

Approval of an adjustment or variance shall be effective for a 2-year period from the date of approval, unless substantial construction has taken place. The Director (Type I and Type II) or Planning Commission (Type III) may grant a 1 -year extension if the applicant requests such an extension prior to expiration of the initial time limit.

Response: Understood

## $17.68 \cdot$ CONDITIONAL USES

### 17.68.00 INTENT

Certain uses listed in each zoning district require special review to determine what their effects may be to the surrounding properties, neighborhood, and community as a whole. The Minor Conditional Use Permit (Type II) and Conditional Use Permit (Type III) processes provide an opportunity to allow a use when potential adverse effects can be mitigated or deny a use if concerns cannot be resolved.

It is the intent of this chapter to permit minor conditional uses or conditional uses that are consistent with the Comprehensive Plan, subject to procedures and criteria intended to mitigate potentially negative impacts. Procedures and review criteria for conditional development are established for the following purpose:
A. Permit certain types of public and private development that provides a community service in locations related to their service areas.
B. Permit commercial development in locations related to its service area.
C. Ensure that a conditional use is compatible with its immediate area and the affected part of the community

Response: In accordance with section 1.14.20, a Type III Minor Conditional Use permit will be requested. The proposed development will be for a Tractor Supply Company single tenant retail facility with outdoor product display areas. There is a 15,000 -sf fenced out door display area, 3510 sf of sidewalk display area and 3640 sf of trailer and equipment display area. The total of these areas is approximately 22150 sf . This would represent $19.3 \%$ of the 2.63 -acre lot the store is located on. This slightly exceeds the $15 \%$ coverage area.

### 17.68.10 PROCEDURES

An application filed for a Minor Conditional Use Permit and/or a Conditional Use Permit shall be on forms provided by the Director and include application materials listed in 17.18 .30 and the following, unless waived by the Director pursuant to subsection (M):
A. Site plan drawn to scale and showing existing and proposed:

1. Relationship of the site to adjoining properties, streets, alleys, structures, public utilities, and drainage way with sufficient information on land areas within at least 300 ft . of the subject property specifically addressing land uses, lot lines, circulation systems (including potential for connectivity of streets and pedestrian ways), public facilities, and unique natural features of the landscape.
2. Boundary of the proposed conditional use and any interior boundaries related to proposed development phases.
3. Lot line dimensions
4. Location of structures
5. Vehicle and pedestrian access points and access-ways
6. General location of vegetated areas
7. Fences and walls
8. Parking, maneuvering and loading areas
9. Trash and recycling areas
10. Direction of traffic flow on the property
11. Existing site conditions including contours at 10 -foot intervals, watercourses, flood plains and natural features.
12. Proposed modifications to existing grades

> Response: The complete site plan set that has been submitted with the permit application reflects this information.
B. Exterior lighting plan indicating location, size, height, typical design, material, color, and method of illumination.

## Response: Photometric lighting plan has been included within this submittal

C. Architectural elevations of all buildings and structures including heights, entrances and exits, and floor plans, in sufficient detail to permit computation of other requirements.

Response: Architectural elevation with listed info is enclosed with this submittal.
D. Landscape plan drawn to scale showing:

1. Location of existing trees and vegetation proposed to be removed or retained on the site.
2. Location and design of landscape areas
3. Proposed varieties, quantities, and sizes of trees and plant materials
4. Other pertinent landscape features and details of irrigation system required to maintain plant materials.

Response: Landscape plan has been enclosed with this submittal.
E. Narrative relating to applicable Comprehensive Land Use Plan policies

## Response: Understood

F. Narrative relating to applicable Sandy Development Code standards

## Response: Understood

G. Flood, Slope and Hazard Analysis, if portions of the site have slopes in excess of $15 \%$, floodplains, floodways, wetlands, etc.

## Response: N/A

H. Sign Details

Response: Enclosed is a sign detail.

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| :--- | :--- | :--- |

I. Traffic Impact Report

Response: A Traffic Impact Study prepared by Lancaster Engineering has been enclosed with this submittal.

## J. Utility Plan

Response: The complete site plan set that has been submitted with the permit application reflects this information.
K. Additional data sheet indicating:

1. Square footage of site and structure
2. Building coverage
3. Amount of site to be landscaped
4. Number of parking spaces to be provided
5. Building materials to be used
6. Specifications as to type, color, and texture of exterior surfaces of proposed structures.

Response: The site plan sheet within the plan set includes a site data table that indicates this information.
L. Any additional information that may be required by the Director to properly evaluate the proposed site plan. Such additional information shall only be required where its need can be justified on the basis of special and/or unforeseen circumstances.

## Response: Understood

M. The Director may waive any of the requirements above where determined that the information required is unnecessary to properly evaluate the proposal.

## Response: Understood

### 17.68.20 REVIEW CRITERIA

The Planning Director (Minor Conditional Use Permit) through a Type II process or the Planning Commission (Conditional Use Permit) through a Type Ill process may approve an application, approve with modifications, approve with conditions, or deny an application for a conditional use permit after a public hearing. The applicant must submit evidence substantiating that all requirements of this code relative to the proposed use are satisfied and consistent with the purposes of this chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council.
The following criteria and compatibility factors shall be considered:
A. The use is listed as either a minor conditional use or conditional use in the underlying zoning district or has been interpreted to be similar in use to other listed conditional uses.

B. The characteristics of the site are suitable for the proposed use considering the size, shape, location, topography, and natural features.
C. The proposed use is timely considering the adequacy of the transportation systems, public facilities and services existing or planned for the area affected by the use
D. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, precludes, or impairs the use of surrounding properties for the primary uses listed in the underlying zoning district.
E. The proposed use will not result in the use of land for any purpose which may create or cause to be created any public nuisance including, but not limited to, air, land, or water degradation, noise, glare, heat, vibration, or other considerations which may be injurious to the public health, safety, and welfare.
F. The proposed use will be reasonably compatible with existing or planned neighboring uses based on review of the following:

1. Basic site design (organization of uses on the site)
2. Visual elements (scale, structural design and form, materials, and so forth)
3. Noise
4. Noxious odors
5. Lighting
6. Signage
7. Landscaping for buffering and screening
8. Traffic
9. Effects on off-street parking
10. Effects on air quality and water quality

Response: The provided information should indicate that our Type II minor conditional use is reasonably compatible with the neighboring properties.

### 17.68.30 MODIFICATION TO AN APPROVED CONDITIONAL USE

A. Major Modification. A major modification to an approved Minor Conditional Use Permit or Conditional Use Permit must be processed as a new application. Major Modifications include:

1. Changes in proposed land use
2. Substantial change in building elevation, color or materials
3. Changes in type and location of access ways and parking areas where off-site traffic would be affected
4. Increase in the floor area proposed for nonresidential use by more than 10 percent from what was previously specified
5. Increase in the total ground area proposed to be covered by structures by more than 10 percent from what was previously specified
6. Reduction of project amenities provided, such as recreational facilities, screening, and/or landscaping provisions by more than 10 percent from what was previously specified
7. Any other modification to specific requirements established at the time of conditional use permit approval

## Response: Understood

B. Minor Modification. Minor Modifications may include any of the changes listed above provided that the change is quantified below the thresholds for a Major Modification.

Uses customarily subordinate to a principal use permitted outright may be approved by the Director, as determined through Chapter 17.14 Request for Interpretation, as minor modifications. Minor modifications are processed as a Type II decision.

## Response: Understood

### 17.68.40 REASONABLE CONDITIONS

Reasonable conditions, restrictions, or safeguards that would uphold the purpose and intent of this section and mitigate any adverse impact upon adjoining properties which may result by reason of the approved conditional use may be attached. A list of conditions may include, but is not limited to, the following:
A. Controlling the location and number of vehicular ingress and egress points;
B. Improving public facilities such as:

1. Sanitary sewer
2. Sidewalks, curbs, and other street improvements
3. Storm drainage
4. Water supply;
C. Increasing street width;
D. Increasing the number of off-street parking or loading spaces or areas;
E. Increasing the required lot size or yard dimensions;
F. Limiting lot coverage or height of buildings because of obstruction of view and reduction of light and air to adjacent property;
G. Limiting the number, size and location of signs;
H. Requiring additional landscaping, berming, screening or fencing where necessary to reduce noise and glare and maintain the property in a character in keeping with the surrounding area;
I. Requiring additional public safety and crime prevention measures;
J. Requiring land dedication or money in lieu of dedication for public purposes;

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K. Submission of bonds or other suitable security to ensure that requirements are met;
L. Submittal of final detailed plan indicating conformance with conditions; and
M. Undergrounding of utilities.

## Response: Understood

### 17.68.50 EXPIRATION OF PERMIT

Approval of a Minor Conditional Use Permit or Conditional Use Permit shall be void after 2 years, or such lesser time as speciitied in the approval, unless substantial construction has taken place or building occupancy obtained. The Planning Director may grant a 1 -year extension if the applicant requests such an extension prior to expiration of the initial time limit.

## Response: Understood

### 17.68.60 BUILDING PERMIT ISSUANCE

A building permit for all or any portion of a Minor Conditional Use Permit or Conditional Use Permit shall be issued only on the basis of the plan as approved. Any major modification shall be submitted as a new application.

## Response: Understood

### 17.68.70 REVOCATION

A. A Minor Conditional Use Permit or Conditional Use Permit shall be subject to revocation if the application is found to include false information or if the conditions of approval have not been complied with or are not being maintained.
B. The Planning Commission shall hold a public hearing to allow the applicant an opportunity to show cause why the permit should not be revoked.
C. If the Planning Commission finds that the conditions of approval have not been complied with or are not being maintained, a reasonable time shall be given for making corrections. If corrections are not made within the time specified, revocation of the conditional use permit shall be effective 10 days atter the time specified.
D. Reapplication for a conditional use, which has been denied or revoked, cannot be made within 1 year after the date of the Planning Commission's action, except that the Director may schedule a new hearing if there is new evidence or a change in circumstances.

## Response: Understood



### 17.74 - ACCESSORY DEVELOPMENT ADDITIONAL PROVISIONS AND PROCEDURES

### 17.74.40 FENCES AND WINDSCREENS

A. Fences - Residential.

## Response: Not Applicable.

B. Fences - Commercial/Industrial.

1. Fences on corner lots. Any fence or retaining wall, constructed upon or adjacent to any property line that abuts two or more intersecting streets, shall not exceed 3 ft . in height within the clear vision area.
2. Fences in a front yard (Commercial). The height of a fence or retaining wall in a front yard shall not exceed 4 ft .
3. Fences in a front yard (Industrial). The height of a fence or retaining wall in a front yard shall not exceed 6 ft .
4. Fences - Side and Rear Yards. The height of a fence or retaining wall adjacent to a side or rear yard or a side or rear property line shall not exceed 8 ft .
5. Sight Obscuring Hedges. Trees or shrubs that form a sight-obscuring hedge shall comply with the same height requirement as a fence within the clear vision area. Deciduous trees separated by at least 15 ft . may grow to any height.

Response: This Industrial zoned parcel requires a retaining wall along Hwy 26 that will vary between 2-8 feet tall. It will also include a 4 ' fence at the top of the wall for pedestrian safety the rear and side of the development will have retaining walls that vary from $3.5^{\prime}$ to 20 feet tall. These retaining walls allow the site to step down from the Hwy 26 right of way. This will not create a visual obstruction of the facility from the right of way. A type III variance application includes this request.

## C. Fence Requlations for Recreation Areas.

## Response: Not Applicable.

D. Fence Regulations for Swimming Pool/Hot Tub Areas.

## Response: Not Applicable.

## E. Wire Fences.

1. Barbed wire fencing may be permitted for agricultural, community service, commercial or industrial uses when the wire is employed on the top of any other type of fencing, and when the barbed wire is a minimum of 6 ft . above the finished ground surface, and does not extend over a public way. The maximum height shall not exceed 8 ft .
2. No electrically charged or sharp pointed fencing such as razor wire (other than barbed wire fencing) shall be constructed or maintained within the city limits.

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## Response: N/A

## F. Fences in excess of 6 ft. in height require a building permit.

Response: The Fenced Outdoor Display area proposes to use an $8^{\prime}$ tall decorative fence. This fence will be part of the building permit plan set.

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### 17.80 - ADDITIONAL SETBACKS ON COLLECTOR \& ARTERIAL STREETS

### 17.80.00 INTENT

The requirement of additional special setbacks for development on arterial or collector is intended to provide better light, air and vision on more heavily traveled streets. The additional setback, on substandard streets, will protect arterial streets and permit the eventual widening of streets.

### 17.80.10 APPLICABILITY

These regulations apply to all property abulting the following streets:
A. Minor Arterials.

- SE 362nd Avenue (Duncan Road)
- Bluff Road
- Kelso Road
- Ten Eyck Road
- Langensand Road
- Bornstedt Road
- Bell Street
B. Collector Streets.
- Industrial Way
- Sandy Heights (Wewer Road) Street
- Tupper Road
- Meinig Road (south of Proctor)
- Meinig Road (First Avenue)
- McCormick
- Van Fleet Street
- Gary Street
- Pleasant Street
- Sunset Street
C. Residential Minor Arterial.
- Dubarko Road

Response: The site will have an access off of Industrial way. A 20' setback has been indicated on our plan set.

### 17.80.20 SPECIFIC SETBACKS

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| :--- | :--- | ---: |

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.

Response: The site will have an access off of Industrial way. A $20^{\prime}$ setback has been indicated on our plan set.

### 17.84 - IMPROVEMENTS REQUIRED WITH DEVELOPMENT

### 17.84.00 INTENT

This chapter provides general information regarding improvements required with residential, commercial, and industrial development. It is intended to clarify timing, extent, and standards for improvements required in conjunction with development. In addition to the standards in this chapter, additional standards for specific situations are contained in other chapters.

### 17.84.10 EXCEPTIONS

Single family residential development on existing lots are exempt from this chapter, with the exception of 17.84.30 Pedestrian Requirements.

## Response: Not Applicable

### 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.

Response: The enclosed construction document plan set indicates that all improvements will be constructed concurrently.
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

## Response: N/A

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 tt . 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 moditication 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.

Response: Hwy 26 has an existing 5' sidewalk. ODOT has issued preliminary comments to us regarding the project. ODOT is requiring that this sidewalk be removed and replaced with a 6 ' sidewalk that matches their current design standards.
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. Pedestrians 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.

Response: The enclosed construction document plan set indicates that a pedestrian walkway will be connected from the main entrance of the store to the new 6 ' sidewalk along Hwy 26. The project also includes bike racks.

### 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.

## Response: N/A

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 .

Response: The enclosed construction document plan set indicates that a pedestrian walkway will be connected from the main entrance of the store to the new 6' sidewalk along Hwy 26. The building is located $25^{\prime}$ from the right of way of Hwy 26. This is within the required bracket of 20-50 feet.


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### 17.84.50 STREET REQUIREMENTS

A. Traffic evaluations may be required of all development proposals in accordance with the following:

1. A proposal establishing the scope of the traffic evaluation shall be submitted for review to the City Engineer. The evaluation requirements shall reflect the magnitude of the project in accordance with accepted traffic engineering practices. Large projects should assess all nearby key intersections. Once the scope of the traffic evaluation has been approved, the applicant shall present the results with and an overall site development proposal. If required by the City Engineer, such evaluations shall be signed by a Licensed Professional Civil Engineer or Licensed Professional Traffic Engineer licensed in the State of Oregon.
2. If the traffic evaluation identifies level-of-service conditions less than the minimum standard established in the Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal.

Response: A Traffic Impact Study prepared by Lancaster Engineering has been enclosed with this submittal.
B. 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.

## Response: N/A- No streets are proposed.

C. 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-desacs 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.

Response: N/A- No Streets are proposed.

D. 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-quarterstreet or full-street improvements shall be required where traffic volumes generated by the development are such that a hall-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 $3 / 4$ street improvements (i.e., curb face to curb face) may be requested by the developer per Chapter 12 of the SMC.
5. A $1 / 2$ street improvement includes curb and pavement 2 feet beyond the center line of the right-ofway. $A^{3 / 4}$ street improvement includes curbs on both sides of the side and full pavement between curb faces.

Response: Site has access to both Champion Way and Industrial Way. No improvements are anticipated to either City street.
J. 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 continuation of the existing street network or for future service to 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 instailed in connection with a land division, paving standards consistent with City standards for public streets shall be utilized to protect the interests of future homeowners.

## Response: N/A- No Streets are proposed

### 17.84.60 PUBLIC FACILITY EXTENSIONS

A. All development sites shall be provided with public water, sanitary sewer, broadband (fiber), and storm drainage.

Response: The proposed development site has access to all of these existing facilities.
B. Where necessary to serve property as specified in " $A$ " above, required public facility installations shall be constructed concurrent with development.

Response: All facilities will be installed at the time of development


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C. Off-site public facility extensions necessary to fully serve a development site and adjacent properties shall be constructed concurrent with development.

## Response: Any required facilities will be installed at the time of 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).

## Response: All facilities will be installed at the time of development

E. All public facility installations required with development shall conform to the City's facilities master plans.

Response: Any required facilities will be installed at the time of development in accordance with all of the City's standards and requirements.
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.

## Response: The onsite sanitary sewer will connect to the existing sewer main at Industrial Way.

### 17.84.70 PUBLIC IMPROVEMENT PROCEDURES

It is in the best interests of the community to ensure public improvements installed in conjunction with development are constructed in accordance with all applicable City policies, standards, procedures, and ordinances. Therefore, prior to commencement of installation of public water, sanitary sewer, storm drainage, broadband (fiber), street, bicycle, or pedestrian improvements for any development site, developers shall contact the City Engineer to receive information regarding adopted procedures governing plan submittal, plan review and approval, permit requirements, inspection and testing requirements, progress of the work, and provision of easements, dedications, and as-built drawings for installation of public improvements. All work shall proceed in accordance with those adopted procedures, and all applicable City policies, standards, and ordinances.

Whenever any work is being done contrary to the provisions of this Code, the Director may order the work stopped by notice in writing served on the persons engaged in performing the work or causing the work to be performed. The work shall stop until authorized by the Director to proceed with the work or with corrective action to remedy substandard work already completed.


Response: The developer and contractor will follow all required procedures prior to commencement of facilities instaliation.

### 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 "Iranchise 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.

## Response: Will be provided as required.

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.

## Response: Not anticipated

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.

## Response: Not anticipated

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.

## Response: Will be provided as required.

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.

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## Response: Will be provided underground as required

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.

## Response: Will be provided as required

### 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.

Response: Utility easements will be provided from the uililities on Industrial Way to the development lot.
B. Public utility easements with a minimum width of 5 feet shall be provided adjacent to all street rights-ofway for franchise utility installations.

## Response: Hwy 26 has an existing $20^{\prime}$ utility easement. Industrial way has an existing 5 ' utility easement.

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

Response: There is an existing $20^{\prime}$ storm drainage easement along the south side of the parent parcel. This is outside of the Tractor Supply Company Site.
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.

## Response: Any required easements will be recorded with the proposed 2 lot split.

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.

## Response: An environmental assessment will be provided as required.

### 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.

Response: At this time the project is proposing to locate a mail delivery facility near the entrance to the site off of Champion Way. The Final location will be coordinated with the City Engineer and the Post Office.
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.

Response: The proposed location of the mail delivery facility will not impact any sidewalk.
C. Mail delivery facilities and the associated sidewalk transition (if necessary) around these facilities shall conform to the City's standard construction specifications. Actual mailbox units shall conform with the Post Office standards for mail delivery facilities.

Response: The mail delivery facility will be in accordance with City and Post Office standards.
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.

Response: The mail delivery facility will be installed with the proposed development.

### 17.90 - DESIGN STANDARDS

### 17.90.00 INTENT

Chapter 17.90 is intended to implement the following design standards. In addition to these standards, several appendices are included to aid in the implementation of these standards. Applicable appendices are referenced in this chapter and kept on file by the Planning Director at City Hall. In implementing these standards, the reviewing body shall refer to the following objectives in evaluating Design Review requests:
A. Protect and enhance the city's quality of life and community image.
B. Encourage functional, saie, and aesthetically pleasing development, while maintaining compatibility with the surrounding built and natural environment.
C. Implement the Sandy Style, as described by this chapter. The Sandy Style is based on the following guiding principles:

1. Celebrate Sandy as the Gateway to Mount Hood through contextually appropriate landscaping and building designs.
2. Protect and enhance Sandy's tree canopy, particularly along the Highway 26 Landscape Management Corridor.
3. Emphasize a "village" scale and character in new development. Village scale means development is compact and walkable, building entrances are oriented to the street sidewalk or a plaza, and large building masses are broken down through a combination of design elements such as articulation, combinations of complementary building materials and detailing.
4. Express elements of or reflect Cascadian architecture by adapting appropriate elements of English Arts and Crafts Style (1900-1920) and Oregon Rustic Style (1915-1940), and/or similar elements, into new buildings and exterior remodels, except in locations where this code allows or requires a different architectural style (e.g., C-1 Historic Roadside Commercial District).
5. Encourage green building practices in new construction, such as the use of renewable energy (e.g., solar and wind), use of recycled materials, integration of water quality facilities in landscapes, capture of rainwater for irrigation, and similar practices.
D. The city considers the following elements to be incompatible with the Sandy Style. The reviewing body may deny, or require modifications to, a project with any of the following:
6. Excessive tree removal and/or grading that may harm existing vegetation within a designated landscape conservation area.
7. Commercial development where buildings are setback from the street behind surface parking lots.
8. Excessive surface parking lot paving and redundant driveways.
9. Drive-up facilities adjacent to a street that interrupt pedestrian circulation patterns or create potential safety hazards.
10. Disjointed parking areas, confusing or unsafe circulation patterns.
11. Box-like structures with large, blank, unarticulated wall surfaces.
12. Building materials or colors that do not conform to this code.
13. Highly reflective surfaces or heavily tinted glass storefronts.
14. Strongly thematic architectural styles, forms, colors, materials, and/or detailing, that do not conform to the Sandy Style, including some forms of franchise architectural styles associated with some chain commercial establishments.
15. Inadequate landscape buffers adjacent to parking lots, walkways and streets.
16. Visible outdoor storage, loading, and equipment areas.


### 17.90.10 APPLICABILITY

The provisions of this chapter apply to all zones and uses as follows except as specified in Sections 17.90.10(B), (C), (D), (E), and (F) below:
A. All construction within a Commercial or Industrial Zoning District or a non-residential use in a Residential Zoning District including the following:

1. New construction;
2. Replacement of a building that is destroyed as specified in Section 17.08.30;
3. Addition to an existing building;
4. Exterior alterations other than general maintenance on an existing building;
5. Site improvements including changes to landscaping, parking, civic spaces, etc.

Response: The proposed project is for the construction of new commercial building within Industrial Zone I1; therefore the Design Standards apply to the project
B. General Maintenance Exception: General maintenance activities including but not limited to the replacement of awnings, entryway covers, doors, windows, siding and roofing materials with like materials, and repainting with the same colors are exempt from these standards.

## Response: N/A

## C. Residential Dwelling Exception:

## Response: Not applicable.

## D. Specific Building Exception:

## Response: Not applicable.

## F. Downtown Area Exceptions:

## Response: Not applicable.

### 17.90.30 POWERS AND DUTIES

Staff shall review plans for compliance with the Development Code and other applicable regulations. The Planning Director may tailor the extent of the review by deleting or combining steps when not warranted by the scale of the development.

### 17.90.40 TYPE OF REVIEW

## A. Type I-Administrative



## Response: Not applicable.

B. Type II - Director's Review. Type II review includes floor area expansions greater than the thresholds for a Type I review and all other multi-family, commercial, industrial development and non-residential development on residentially zoned land that is in compliance with code standards, except where a Type III procedure is requested or required.

## Response: N/A

C. Type III - Quasi-Judicial. Type III review includes development where the applicant has requested Type III Design Review or the Director has determined the review will involve more than a nominal amount of discretion in applying this chapter's standards to the application. The more a request seeks to deviate from a standard, the greater the burden on the applicant to demonstrate the request complies with the standard's intent.

Response: The proposed project design requires a more than normal amount of discretion in applying this Chapter's standards specifically.

### 17.90.70 EXPIRATION OF APPROVAL

Design Review approval shall be void after two (2) years from the date of the Final Order, or lesser time as the Planning Commission may specify, unless the applicant has submitted plans for building permit approval or demolition approval, as applicable, within this timeframe. The Director may grant one extension through a Type I procedure, not to exceed one (1) year, upon a written request from the applicant prior to the expiration date of the approval and a finding that the applicant has made a good faith effort to implement the approved plan.

## Response: Acknowledged.

### 17.90.80 MODIFYING APPROVALS

A. Major Modification. A major modification to a Design Review approval shall be processed as a new application. Major Modifications include but are not limited to:

1. Changes in proposed land use;
2. Substantial change in building elevation and materials;
3. Changes in type and location of access ways and parking areas where off-site traffic would be affected;
4. Increase in the floor area proposed for nonresidential use by more than 10 percent from what was previously specified;
5. Increase in the total ground area proposed to be covered by structures or parking by more than 10 percent from what was previously specified;
6. Reduction of project amenities provided, such as civic space, recreational facilities, screening, and/or landscaping provisions by more than 10 percent from what was previously specified, and;
7. Any other modification to a requirement established at the time of Design Review approval.

## Response: Acknowledged

B. Minor Modification. Minor Modifications may include any of the changes listed above provided the change is below the quantitiable thresholds for a Major Modification, per Section 17.90.80(A). Minor modifications shall be processed as a Type I or Type II decision at the Director's discretion; a Type II procedure shall be used where the modification requires interpretation of a discretionary standard.

## Response: Acknowledged

### 17.90.90 SUBMISSION REQUIREMENTS - TYPE I

## Response: Not applicable.

### 17.90.100 SUBMISSION REQUIREMENTS - TYPE II AND TYPE III

A. Number of Copies: Type II -8 copies, Type III - 15 copies

Response: Per Mr. O'Neill we are submitting one (1) set of plans and after review fifteen (15) copies will be submitted at a later date.
B. Digital Version: A compact disc containing a digital version of the required narrative in Microsoft Word format and a plan set in PDF format.

## Response: Acknowledged. As Submitted.

C. Proiect Narrative documenting compliance with applicable code criteria. If the application involves any deviations from the Code standards (i.e., Type III Design Review), the narrative shall describe how the proposal meets or exceeds the intent of the standard(s) for which a deviation is requested.

Response: Acknowledged. See pertinent sections below where narratives are provided regarding requested deviations.
D. Site Analysis Map. An analysis of the site showing the relationship between the site and adjacent properties to contain the following:

1. Property boundaries, dimensions, and gross area;
2. Topographic contour lines at two-foot intervals for slopes $0-10$ percent and five foot intervals for slopes greater than 10 percent;
3. Location of approved Flood and Slope Hazard Overlay District boundaries and restricted development areas per Chapter 17.60;
4. Site features including existing structures, pavement, large surface features such as earth mounds and large rock outcroppings;
5. Contour lines at the following intervals:
a. 2' intervals for slopes 0-14.9\%
b. $5^{\prime}$ or $10^{\prime}$ intervals for slopes between $15 \%-25 \%$
c. Identification of areas exceeding $25 \%$;
6. Location and width of public and private streets, drives, sidewalks, rights-of-ways, and easements;
7. Location, size, and species of trees 11 -inches and greater DBH (6-inches or greater DBH in FSH Overlay District);
8. North arrow, scale, names and addresses of all persons listed as owners of the subject property on the most recently recorded deed;
9. Name and address of project designer, engineer, surveyor, and/or planner, if applicable;
10. Other information as required by the Director such as soils, geology, hydrologic study, etc.

## Response: Enclosed

E. Proposed Site Plan. The site plan shall contain the following information:

1. The proposed development site, including boundaries, dimensions, and gross area;
2. Features identified on the existing site analysis maps that are proposed to remain on the site;
3. Features identified on the existing site map, if any, which are proposed to be removed or modified by the development;
4. The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;
5. The location and dimensions of all existing and proposed structures, utilities, pavement and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan;
6. The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access;
7. The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops);
8. Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails;
9. Loading and service areas for waste disposal, loading and delivery;
10. Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements;
11. Location, type, and height of outdoor lighting;
12. Location of mail boxes, if known;
13. Name and address of project designer, if applicable;
14. Locations of bus stops and other public or private transportation facilities;
15. Locations, sizes, and types of signs;
16. Location of retaining walls.

## Response: Enclosed

F. Preliminary Utility Plan. (Including the location of all electrical transformers and utility meters)

## Response: Enclosed

G. Traffic Impact Study or Traffic Letter (as determined by the Planning Director) in compliance with City standards.

## Response: Enclosed

H. Photometric Analvsis and cut sheets of proposed lighting demonstrating compliance with Chapter 15.30, Dark Sky Ordinance.

## Response: A Site Photometric is provided as part of this submittal.

I. Preliminary Grading Plan. A preliminary grading plan indicating where and to what extent grading will take place, including general contour lines, slope ratios, slope stabilization proposals, and natural resource protection proposals consistent with the provisions of this code.

## Response: Enclosed

J. Architectural Drawings. Architectural drawings shall contain the following:

1. Building elevations;
2. Building materials: colors and type (including color board);
3. Retaining walls including type and height;
4. Other drawings or studies (e.g., line-of-sight analysis, perspective, model, visual simulation, etc.) as deemed necessary for evaluating the application as determined necessary by the Planning Director.

Response: Acknowledged. The Submittal includes 2D Color Building Elevations, 3D Renderings (various views) and Building Color and Materials Board.
K. Landscape Plan. Landscape plans shall contain the following:

1. Property and lot boundaries and rights-of-way;
2. Structures and impervious surfaces including parking lots;
3. General landscape development plan, including plant specifications keyed to plan map and including botanical names, common names, sizes, numbers, and methods of planting and maintenance, location of existing plants and groups of plants proposed;
4. Description of soil conditions and plans for soil treatment such as stockpiling of topsoil, addition of soil amendments, and plant selection requirements, relating to soil conditions;
5. Details of irrigation method;
6. Landscape-related structures such as fences, decks, terraces, patios, shelters, play areas, etc.
7. Boundaries of open space, recreation or reserved areas;
8. Location of pedestrian or bicycle circulation.

## Response: Enclosed

L. Signs. Proposed sign details and dimensions in conformance with Chapter 15.32.

Response: A signage package which includes sign elevations, sizes, locations and details is included with the submitted materials

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M. Other Information or studies determined to be necessary by the Director prepared by qualified professionals to address specific site features or project impacts (e.g. arborist report, natural hazards, Geotechnical, etc.).

## Response: Acknowledged.

### 17.90.110 DOWNTOWN AND VILLAGE COMMERCIAL (C-1 AND C-3) DESIGN STANDARDS

Development in the $\mathrm{C}-1$ and $\mathrm{C}-3$ districts shall conform to all of the following standards, as applicable. Where a conflict exists between the requirements of this Chapter and any other code provision, this Chapter shall prevail.

## Response: N/A

### 17.90.120 GENERAL COMMERCIAL AND INDUSTRIAL (C-2 and I-1) AND NON-RESIDENTIAL USES IN RESIDENTIAL ZONES DESIGN STANDARDS

Development in the $\mathrm{C}-2$ and $\mathrm{I}-1$ districts and non-residential uses in a residential zone shall conform to all of the following standards, as applicable. Where a conflict exists between the requirements of this Chapter and any other code provision, this Chapter shall prevail.
A. Site Layout and Access. Intent: To provide for compact, walkable development, and to design and manage vehicle access and circulation in a manner that supports pedestrian safety, comfort and convenience. (Figures 17.90.120-A and 17.90.120-B)

1. All lots shall abut or have cross access to a dedicated public street.
2. All lots that have access to a public alley shall provide for an additional vehicle access from that alley.
3. Off-street parking shall be located to the rear or side of buildings with no portion of the parking lot located within required setbacks or within 10 -feet of the public right-of-way, as shown in Figure 17.90.120-A. When access must be provided directly from a public right-of-way, driveways for ingress or egress shall be limited to one per 150 ft . For lots with frontage of less than 150 ft . or less, shared access may be required.
4. Adjacent parking lots shall be connected to one another when the City determines it is practicable to do so. Developments shall avoid creating barriers to inter-parcel circulation.
5. Urban design details, such as raised or painted pedestrian crossings and similar devices incorporating changes in paving materials, textures or color, shall be used to calm traffic and protect pedestrians in parking areas.
6. Parking lots may include public alley accessed garages at the rear property line, except where a setback is required for vision clearance or to conform to other city standards.
7. Walkways from the public street sidewalk to the building entrance(s) are required. Crosswalks through parking lots and drive aisles shall be constructed of a material contrasting with the road surface or painted (e.g., colored concrete inlay in asphalt).
8. Connection to Adjacent Properties: The location of any real improvements to the property must provide for a future street and pedestrian connection to adjacent properies where the City determines this is practicable and necessary. Where openings occur between buildings adjacent
to Highway 26, pedestrian ways should connect the street sidewalk to any internal parking areas and building entrances. Development should avoid creating barriers to pedestrian circulation.
9. Joint use of access points and interconnections and cross-over easements between parcels shall be required, where the City determines it is practicable and necessary. A development approval may be conditioned to require a joint use access easement and interconnecting driveways or alleys to comply with access spacing and other applicable code requirements.
10. Through lots may be permitted with two access points, one onto each abutting street, where necessary to serve a centralized, shared parking facility. Such access points must conform to the above access spacing requirements and parking must be internalized to the property.
11. Free-standing buildings shall be connected to one another with a seamless pedestrian network that provides access to building entrances and adjacent civic spaces.
12. Minimum parking requirements are contained in Chapter 17.98. For developments containing more than 150 parking spaces, at least 20 percent of all parking spaces shall be constructed of permeable materials such as permeable asphalt, permeable concrete, pavers, and/or similar materials as approved by the City.

Response: The proposed development will meet these requirements. The enclosed development plans indicate that the proposed 70 space parking lot will comply with above design standards.
B. Building Facades, Materials, and Colors. Intent: To provide building façades, materials and colors consistent with the Sandy Style. For purposes of interpreting the Sandy Style, representative illustrations and photos are provided. (Figures 17.90.120-C, 17.90.120-D, 17.90.120-E, 17.90.120-F, 17.90.120-G, 17.90.120-H, and 17.90.120-1; and the Color Palette and representative photos provided in the Appendix E.)

1. Articulation. The Sandy Style includes asymmetrical building forms, which by definition require buildings to be articulated, varied, and provide visual interest. This standard is met by dividing elevations visible from an abutting public street or pedestrian way into smaller areas or planes to minimize the appearance of bulk as follows:
a. All elevations visible from an abutting public street or pedestrian way shall be divided into distinct planes of no more than 40 lineal feet long to include the following:
1) Wall planes meeting this standard shall include a feature or variation in the wall plane that are those that are entirely separated from other wall planes by a recessed or projecting section of the structure that projects or recedes at least six (6) inches from the adjacent plane, for a length of at least four (4) feet. Changes in plane may include but are not limited to recessed entries, bays, secondary roof forms (e.g., gables, lower roof sheds, dormers. and towers), building bases, canopies, awnings, projections, recesses, alcoves, pergolas, porticos, roof overhangs, or other features consistent with the Sandy Style.

Response: The elevations of the TSC building visible from an abutting street are articulated through the use of applied design elements such heavy timber supported trellis designs and applied shed roof elements covering both operable and fixed entrance designs and faux window elements.
2) Wall planes shall incorporate at least one visually contrasting and complementary change in materials or changes in texture or patterns, including trim, moldings, or other ornamental devices.


Response: All walls include a change in material, pattern and color between the base and the main wall material. Additionally, accent striping in contrasting color, in keeping with the TSC brand, is incorporated @ all walls. The base of the walls in view of abuting streets incorporates heavily textured stone veneer in earth tone colors complimentary of the buildings overall color palate.
3) The lower and upper floors of multi-storied buildings shall be delineated by using pedestrian shelters, changes in siding materials, heavy timbers, or natural wood accents (e.g. brackets, paneling, or other detailing).

## Response: N/A. Building design is single story.

2. Pedestrian Shelters. Buildings must incorporate pedestrian shelters, as follows:
a. Pedestrian shelters shall be provided over the building's primary entrance(s) and all pedestrian areas (i.e., sidewalks, and civic spaces) abutting the subject building, where pedestrians are likely to use these facilities.
b. Features such as canopies, arcades, awnings, roofs overhangs, covered porches, alcoves, and/or porticoes are required to protect pedestrians from the rain and sun.
c. Pedestrian shelters must extend at least five (5) feet over the pedestrian area.
d. Shelters designed with gables (e.g., over building entrances) are preferred over flat shelters, and must comply with the roof pitch standards in Section 17.90.120(C). Dome or bubble shaped awnings are not permitted.

Response: The buildings east elevation serves as its main entrance and incorporates a pedestrian shelter. The buildings north elevation sets parallel to Mounthood HWY. The pedestrian walkway along Mounthood HWY is connected to the project's pedestrian walkways via new ramps and leads to the pedestrian shelter at the building's main entrance. Two larger canopies supported by heavy timer beams and columns flank the main entry mass. The south elevation incorporates a 2nd pedestrian shelier at the exit into the fence outdoor display area. All pedestrian shelters extend out a minimum distance of 5 '
3. Building Materials. Exterior building materials shall convey an impression of strength and durability consistent with the Sandy Style, as follows:
a. Buildings on the same site shall be architecturally unified. Architectural unity means buildings are related in architectural style and share some common elements, such as color scheme, materials, roof forms, and/or detailing. Unity does not mean repetition or mirroring of building elevations.
b. Strong base materials such as natural stone (e.g., basalt, granite, river stone), split-faced rusticated concrete block, brick, or concrete form liner replicating these materials are required. Cultured stone may be allowed if it has a stone texture and is similar in appearance and durability to natural stone. A building's base must extend at least 36 inches but not more than 60 inches above the adjacent finished grade and be included on those sides of the building visible from an abutting public street. If the site contains a grade differential making construction of a minimum 36-inch base impracticable, the reviewing body may allow portions of the base to be less than 36 - inches.
Response: All walls incorporate either 4' high split-face CMU or manufactured stone veneer

c. Foundations shall be designed to match the scale of the building being supported. Sheathing the foundation structure with base materials and wall siding are examples of methods which accomplish this purpose.
d. Siding shall consist of wood, composite-wood (e.g., concrete fiberboard, panels or shingles), stone, brick, split-faced or rusticated concrete block, concrete form liner or a combination of these materials. Stucco, synthetic stucco, or metal are only permitted as specified below. Vinyl, plastic or similar siding is not permitted.

1) Where wood siding is used, it shall consist of horizontal (e.g., lap, v-groove, or tongue-andgroove) siding, vertical (board and batten) siding, shingles, or combinations thereof. Vertical grooved (i.e., T1-11) sheet siding and similar materials are prohibited.
Response: Horizontal composite wood lap siding is incorporated @ the entry gable end and sides
2) Where board-and-batten siding is used, battens shall be a minimum of 2 -inches wide $\times 1$ inch deep and spaced 24 inches apart or closer; rough-sawn boards (specialty panel) are preferred over panels having a resin overlay.
3) Where masonry siding is used, it shall consist of brick, stone, of rusticated concrete block, and must incorporate decorative patterns over not less than 15 percent of every elevation where it is used. Examples of decorative patterns include multicolored masonry units, such as brick, stone, or cast stone, in layered or geometric patterns or split-faced concrete block to simulate a rusticated stone-type construction. Changes in pattern should be used to accentuate breaks in building stories, corners, windows, and building tops (e.g., parapets where flat roois are allowed).
4) Where metal siding is used, it shall be used as an accent only, comprising not more than 30 percent of the surface area of the building elevation (e.g., wainscoting or other accent paneling). Metal must be architectural grade and have a non-reflective (burnished or painted) finish conforming to the Color Palette in Appendix C. Metal may also be used for flashing, gutters, downspouts, brackets, lighting, and signage and similar functional elements.
Response: No metal siding is used.
5) Where stucco or synthetic stucco is used, it shall only be used as an accent comprising not more than 30 percent of the surface of the building elevation.
Response: Synthetic stucco (EFIS) is incorporated as part of the decorative cornice @ all walls
6) Where concrete form liner is used, it shall be limited to patterns replicating horizontal wood siding, stone, or brick as shown in Appendix H and shall not include ribbed, fluted, or similar patterns.
Response: No concrete form liner is used.
e. Building elevations facing a public street shall incorporate at least three (3) of the following features: Using these features may also address other code requirements, such as those related to building articulation, change in relief, pedestrian shelters, storefront elements.
7) Exposed, heavy timbers;
8) Exposed natural wood color beams, posts, brackets and/or trim (e.g., eaves or trim around windows);
9) Natural wood color shingles (e.g., used as siding or to accent gable ends);
10) Metal canopies;
11) Heavy metal brackets (e.g., cast iron or similar appearance), which may be structural brackets or applied as cosmetic detailing, and/or;


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6) Similar features, consistent with the Sandy Style.

Response: The buildings north elevation faces Mt Hood Hwy. The design elements incorporated here include exposed heavy timber framing and trellis with heavy metal bracketing, standing seam metal roofing all similar to the Sandy style.
f. Materials required on elevations visible from an abutting public street must turn the building corner and incorporate appropriate transitions onto elevations not requiring these materials for a distance of not less than four (4) feet.
Response: The primary bldg. material is split-faced concrete masonry units (CMU) with stone veneer accent at selected wall bases and vertical pilasters and corner accents. Cast stone cap of contrasting color separates the stone veneer base from the split-face CMU. Two accent strips further delineate the wall plane, one at $10^{\prime}$ AFF and the 2nd © the top of the canopies. The walls all capped with a 3 stepped EFIS cornice. The 2 story entry mass utilizes exposed heavy timber truss framing and heavy metal brackets/connectors and a composite wood lap siding in the gable end. All materials turn the corner and the treatment of said materials are consistent with the adjacent façade. All gable and shed roots utilize standing seam metal rooting of contrasting maroon color.
4. Colors. Building exteriors shall comply with the following standards:
a. Permitted colors include warm earth tones (tans, browns, reds, grays and greens) conforming to Color Palette in Appendix C.

Response: All proposed exterior building colors are warm earth tones and will be selected from the color palette found in Appendix C.
b. High-intensity primary colors, metallic colors and black, may be utilized as trim and detail colors only, not to exceed one percent ( $1 \%$ ) of the surface area of any elevation. Such color shall not be used as primary wall colors.

Response: No high intensity primary colors are proposed.
c. Day-glow colors, highly reflective colors, and similar colors are not permitted.

## Response: None are proposed.

C. Roof Pitch, Materials, and Parapets. Intent: To provide roof forms and detailing consistent with the Sandy Style. For purposes of interpreting the Sandy Style, representative illustrations and photos are provided. (Figures 17.90.120-D, 17.90.120-E, 17.90.120-F, 17.90.120-G, 17.90.120-H, and $17.90 .120-\mathrm{I}$ and representative photos in Appendix E).

1. Except as provided in subsections 17.90 .120 (C)(8), below, pitched (gabled or hipped) roofs are required on all new buildings with a span of 50 -feet or less. Gable and hipped roof forms must achieve a pitch not less than the following:

| Zoning District | Primary Roof Forms (minimum) | Secondary Roof Forms (minimum) |
| :--- | :---: | :---: |
| C-2 and l-1 | $6: 12$ | $4: 12$ |

2. As provided above, "Primary Roof Forms" are those that individually comprise 20 percent or more of the total surface area of a roof elevation. Secondary roof forms (e.g., dormers, towers,

cupolas, etc.) are those that comprise less than 20 percent of the roof elevation. See also, Section 17.74.20 Vertical Projections.

Response: The building footprint is greater than 50'. The design does incorporate gable roof forms at the main entry mass and pedestrian shelters.
3. When practicable, buildings shall be oriented so the gable end of the roof faces the abutting street.

## Response: N/A

4. Pitched roots visible from an abutting public street shall provide a secondary roof form (e.g. dormer) in the quantity specified below. Secondary roof forms may be located anywhere on the roof, although grouping these features is preferred.

| Roof Length | Number of Secondary Roof Forms |
| :--- | :---: |
| $30-40$ feet | 1 |
| $41-80$ feet | 2 |
| 81 feet and greater | 4 |

Response: N/A
5. Visible roof materials must be wood shingle or architectural grade composition shingle, slate, or concrete tile. Metal with standing or batten seam may also be used conforming to the Color Palette in Appendix D.
Response: Standing seam metal roofing is proposed on all gabled roofs. Illustrated color is UnaClad 'Colonial Red'
6. All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, shall be screened from view from all adjacent public rights-of-way and civic spaces by parapets, walls or by other approved means. Roof plans and elevations must show proposed equipment locations, approximate dimensions, and line of sight from public rights-of-way and civic spaces. The reviewing body may require additional equipment setbacks, screen walls, or other mitigation to ensure compliance.

Response: The roof mounted mechanical equipment for the TSC design has been graphically illustrated on the 2D Color Elevations. Due to the significant difference in finish grades between the rights-of-way and the building all roof top equipment will be adequately screened by the buildings parapets.
7. A-frame buildings and Mansard-style roofs are not permitted.

## Response: N/A

8. Exception to Pitched Roof: When a building requires a roof span greater than 50 -feet, or the internal function of the building or a portion of the building make construction of a pitched roof impractical, the reviewing body may allow an alternative roof form. An alternative roof form includes an "applied pitched roof" or flat roof constructed over the building or portion of the building as specified below. An example when a pitched roof is considered impractical would be
the need to have large rooftop stove vents over the kitchen portion of a restaurant. Roof forms constructed under this exception shall comply with the standards below.
a. Applied Pitched Roof: An "applied pitched roof" is the preferred alternative roof form and shall be considered first. An "applied pitched roof" is a roof form with the general appearance of a pitched roof in terms of materials, pitch, and overhang, but does not extend all the way from the eave of the building to the ridge of the roof as a typical pitched roof. An "applied pitched roof" shall be constructed according to the following:
1) For buildings with a span of less than 50 feet, the "applied pitched roof" shall extend at least 50 percent of the distance from the eave to the ridge as if had been constructed as a pitched roof;
Response: N/A. The proposed building is greater than 50'.
2) For buildings with a span of 50 feet or greater, the applied pitched roof shall extend at least 12 feet from eave.
Response: The proposed building is greater than 50' in length and width. The 'applied pitched roof' requirement is not practical due to the building overall footprint and the number of roof mounted equipment and location.
3) The reviewing body may require buildings with a span of 50 feet or greater to include an "applied pitched roof" in lieu of a flat roof along street facing elevations.
b. Flat Roof: Flat roofs shall comply with the following standards:
4) Sandy Style stepped parapets and detailed coursing shall be provided on those elevations visible from a public street. Parapets shall be varied so that the lengthof a parapet does not exceed 40 feet without a change in the parapet height of at least 2 feet or as necessary to hide rooftop equipment.
Response: The TSC building incorporates the 'flat roof' design option. Most all the exterior elevations have been modified to ensure that all parapets meet the intent of the standard as referenced above. The exception would the east (main entry) elevation. The distance to the left and right of the front gable mass exceeds the $\max 40^{\prime}$ by $8^{\prime}$. A variance application has been included with this Design Review Submittal that the additional 8 ' of parapet without a $24^{\prime \prime}$ step be deemed acceptable.
5) Average parapet height shall not exceed 15 percent of the supporting wall height, and the maximum parapet height shall not at any point exceed one-third $(1 / 3)$ of the height of the supporting wall;
Response: The maximum parapet height is $23.67^{\prime}$ allowing a maximum parapet of $7.89^{\prime}$ tall. All parapets proposed for the building are less than $7.89^{\prime}$ for the roof plane.
6) A cornice projecting at least six (6) inches from the building face shall be provided at the roofline of all elevations visible from public rights-of-way;
Response: Each parapet is topped with a 3 step synthetic stucco cornice extending past the buildings face $6^{\prime \prime}$ at the top step
7) Parapet corners shall be stepped and the parapet be designed to emphasize the center or primary entrance(s), unless the primary entrance is at the corner of the building;

Response: The parapet corners are stepped further emphasized by a $4^{" 1}$ offset from the wall plane.
D. Building Orientation and Entrances. Intent: To maintain and enhance General Commercial and Industrial streetscapes as public spaces, emphasizing pedestrian-scale and character in new development, consistent with the Sandy Style. (Figures $17.90 .120-\mathrm{A}, 17.90 .120-\mathrm{B}, 17.90 .120-\mathrm{D}, 17.90 .120-\mathrm{E}, 17.90 .120-\mathrm{F}$, 17.90.120-G, and 17.90.120-H) and representative photos in Appendix E.

1. Buildings shall be oriented to a public street or civic space. This standard is met when at least 50 percent of the subject site's street frontage is comprised of building(s) placed within 20 feet of a sidewalk, walkway or civic space and not more than 20 percent of the off-street parking on a parcel as required by SDC 17.98, tract or area of land is located between a building's front façade and the adjacent street(s).
Response: The LF of the primary street frontage along HWY 26 is 364 feet. This would require a minimum of 182 LF of building along this frontage. The proposed bldg. LF is $150^{\circ}$ or $41 \%$ of the street frontage. A variance application has been included with this Design Review Submittal requesting that the provided 41\% of the subject buildings street frontage be deemed acceptable. Providing the full $50 \%$ of street frontage as building was not attainable due to TSC's prototypical footprint of 150 ' and site design restraints, bldg. setbacks, required parking layouts, site grading, \& pedestrian walkways
2. Where parking is placed between a front façade and a street, a landscaped $\quad \mathrm{m}$ and/or architectural features, such as a knee wall, colonnade, arbor, trellis and/or similar shall be placed behind the sidewalk to partially screen the parking area from the sidewalk partial screen shall be designed to achieve at least 50 percent opacity at the time of inste un, with openings for walkways connecting to the building's primary entrance.
Response: N/A. The project does propose parking between the front building facades and a street.
3. Ground floor spaces shall face a public street or civic space and shall be connected to it by a direct pedestrian route (i.e., avoid out-of-direction travel).
Response: TSC's prototype design/fiootprint allows for only one entry due to the functionally demand for the store interior. The site's configuration/size does not allow for the entry to face a public street or the development of a civic space. A direct pedestrian walkway is connected from to the entry from the right away along HWY 26. A variance application has been included with this Design Review Submittal requesting that the proposed building orientation to the streets right be deemed acceptable based on prototype building's design restraints, building. setbacks, required parking layouts, site grading, \& pedestrian walkways
4. Buildings located at the intersection of two streets shall use a corner building entrance; where a corner entrance is not practical due to the internal functioning of the building space or due tophysical constraints of the site (e.g., topography, accessibility, or similar circumstances), a building entrance must be provided within forty feet of the corner. The building comer must use detailing that emphasizes the corner location and is consistent with the Sandy Style. Examples of acceptable detailing include a rounded or chamfered (beveled) corner, weather protecting canopy, plaza, sculpture, and/or similar pedestrian-oriented features.
Response: N/A. Building is not located © intersection of two streets

5. For structures greater than 40,000 gross square feet, there shall be at least two (2) clearly articulated public entrances on the structure; at least one such entrance shall be visible from a public street and connected to that street by a pedestrian sidewalk or walkway.
Response: N/A. The building is not greater than $40,000 \mathrm{GSF}$.
6. Retail buildings shall provide at least one customer entrance for every 200 lineal feet of anchor store space along at least one of the building's street-facing elevation(s). Such entrances may be oriented to a public street or designated civic space. Where ancillary stores or offices are provided, entrances to those spaces must be placed not more than 40 feet apart on average. For example, a 300 foot long building with one anchor store and four ancillary stores would provide no fewer than two anchor space entrances spaced not more than 200 feet apart and four ancillary entrances placed not more than 40 feet apart on average.

## Response: N/A. None of the building's facades exceed 200 LF

7. Buildings shall provide at least one (1) elevation where the pedestrian environment is "activated". An elevation is "activated when it meets the window transparency requirements in subsection 17.90.120(E), below, and contains a public entrance with a pedestrian shelter extending at least five (5) feet over an adjacent sidewalk, walkway or civic space.
Response: The north façade of the building has been determined by the Planning Staff as the 'activated' elevation. Based on reasons provided in Subsection 17.90.120(D3) above, meeting the window transparency requirements, as referenced above and below, a public entrance with a pedestrian shelter, walkway or civic space along the façade poses a significant hardship for TSC. A variance application has been included with this Design Review Submittal requesting that the requirements for an the 'activated' elevation pertaining to a public entrance, pedestrian shelter walkway or civic space be waived and that the proposed applied design elements illustrated on the color Elevations and 3D rendering be acceptable based on the building's prototypical design \& interior functionally restraints, bldg. setbacks, required parking layouts, site grading, \& pedestrian walkways.
8. Primary entrances must be architecturally emphasized and visible from the public right-of-way and shall be sheltered with a canopy, overhang, or portico with a depth of at least five (5) feet. Architectural emphasis should be provided by a gabled shelter where practical, consistent with the Sandy Style. Detailing around the base of the building, such as stonework, benches or art, should also be used to emphasize an entrance.

Response: The building's main entry (east façade) is emphasized by 2 story gable roofed entry mass with storefront glazing. The entry mass is clearly visible from the public right away along Mounthood Hwy. The entry includes a five ( $5^{\prime \prime}$ ) deep gable canopy at a lower pedestrian scale than the main entry mass to assure weather protection for the building's users is maximized. The main entry mass \& pedestrian shelter features heavy timber structural components to include posts, beams and trusses. The post base at the main entry features manufactured stone veneer.
E. Windows. Intent: To promote business vitality, public safety and aesthetics through effective window placement and design, consistent with the Sandy Style. (Figures 17.90.120-A, 17.90.120-B, 17.90.120-D, 17.90.120-E, 17.90.120-F, 17.90.120-G, and 17.90.120-H)


1. Unified Design. Building plans must provide for unity in window placement and design so that all sides of a building relate to one another and multiple buildings on a development site relate to one another.
Response: Windows are not proposed were facades are not visible from public right-of-ways. All sides relate to one another in mass and scale by use of applied design elements, articulation and materials
2. Ground Floor Windows. The ground floor elevation of all new buildings shall contain ground floor display areas, windows, and doorways on the "activated" frontage as follows:

| Building Size | Percentage Windows Required |
| :--- | :---: |
| $0-10,000 \mathrm{sq} . \mathrm{ft}$. | 30 percent of elevation |
| $10,000 \mathrm{sq} . \mathrm{ft} .30,000 \mathrm{sq} . \mathrm{ft}$. | 25 percent of elevation |
| Greater than $30,000 \mathrm{sq} . \mathrm{ft}$. | 20 percent of elevation |

a. Windows shall contain clear glass to allow views to interior activity or display areas. The bottom edge of windows shall be no less than three (3) feet above the adjacent finished grade. Where the internal functions of a building preclude windows at this height, the reviewing body may allow windows above or below this height. Display boxes affixed to a building's exterior are not counted in meeting the above standard.
b. Windows shall be square or vertically oriented and may consist of vertically stacked or horizontally banked window units. Windows located over a door or transom windows may be horizontally oriented.
c. Windows with any dimension exceeding six (6) feet shall be divided to contain two or more smaller panes with real divided panes, vinyl inserts, or applied dividers.
d. Windows shall have trim or moldings at least three (3) inches in width around them, or have reveals of at least three (3) inches in depth. Casings shall consist of a drip cap, head casing, side casings, and/or sills.


#### Abstract

Response: N/A. The Planning staff declared the North façade as the 'articulated' frontage. To meet the above $25 \%$ of window requirement for the buildings footprint would equate to 825SF of window area along the articulated frontage. This would be challenging for TSC to achieve given the signiticant amount of interior wall display required along the interior face of all the exterior walls and the increased security risks associated with the introduction of windows. The proposed alternate design includes use of a non-transparent window design and faux entry glazing of approximately $255 \mathrm{SF}(8 \%)$. A variance application has been included with this Design Review Submittal requesting that the requirements for windows on the 'activated' elevation be waived based on the hardships to the building's user given the significant amount of interior wall display required along the interior face of all the exterior walls and the increased security risks associated with the introduction of windows The request for the proposed applied design elements illustrated on the color elevations and 3D renderings (reference herein) be acceptable based on the building's prototypical design \& interior functionality restraints as mentioned herein.


3. Upper Floor Window Standards.
a. The reviewing authority may require buildings exceeding 20 feet in height to provide upperstory windows along the "activated" frontage. Such windows may be required for attic space, or applied to roof forms where no second story exists, to meet the articulation requirements under Section 17.90.120(B)(1).

b. Windows shall be square or vertically oriented. Individual window units shall not exceed five (5) feet by seven (7) feet. Any portion of a window unit with a dimension exceeding four (4) feet shall be divided into smaller panes.
c. At least half of all the window area in upper floors shall be made up of glass panes with dimensions no greater than two (2) feet by three (3) feet, unless approved by variance or adjustment. Upper story windows that have one (1) foot by one (1) foot grid inside double pane glass are appropriate and are encouraged.
d. Window trim and moldings shall be compatible with those used on the ground floor.

Response: The building height exceed 20 ' by 3.67 ' due to meeting the required parapet requirements herein.
4. Prohibited Windows.
a. Darkly tinted windows, mirrored windows, and similar windows are prohibited adjacent to street sidewalks, civic spaces and walkways.
b. Glass curtain windows are not permitted facing public right-of-ways, except where the reviewing body finds that such windows are consistent with the Sandy Style.

Response: N/A. No darkly tinted windows, mirrored windows and similar windows are proposed for the building. No glass curtain walls are proposed for the building.
F. Landscaping and Streetscape Design. Intent: To promote business vitality, public safety and aesthetics through effective landscaping and streetscape design, consistent with the Sandy Style, and to provide for a continuous pedestrian network that promotes pedestrian safety, comfort and convenience, and provides materials and detailing consistent with the Sandy Style. (See Figures 17.90.120-J and $17.90 .120-\mathrm{K}$ and Appendix G)

1. The provisions of Chapter 17.92 Landscaping and Screening General Standards shall apply.
2. Parcels abutting Highway 26 shall provide a landscape buffer comprising not less than 30 percent of the highway frontage, to a depth of not less than 20 feet. Within the buffer, existing trees shall be preserved to the extent practicable. New trees, shrubs, and groundcover shall be planted to create a landscape buffer and partial visual screen along the highway as specified below or as approved by the reviewing authority. If approved in writing by the Oregon Department of Transportation, this buffer may be located within the public right-of-way. Any new or modified access must fall outside the designated buffer. Landscape plans shall indicate proposed landscaping, signage and other proposed development.
3. Landscape buffer plantings shall contain a mixture of both deciduous and evergreen species selected from the list below and shall be of a sufficient quantity to provide a partial buffer within two years from the date they are planted:

- Trees - Deciduous (minimum 1 1/2-inch caliper) -Autumn Blaze Maple, Red Sunset Maple, Scarlet Oak. Evergreen (minimum 8-10 feet) - Hogan Cedar, Incense Cedar, Western Red Cedar, Douglas fir.
- Small Trees/Shrubs - Vine Maple, Serviceberry, Chinese Kousa Dogwood, Red flowering Currant, Ceanothus 'Blue Blossom', Rhododendron, Pacific Wax Myrtle.
- Groundcover - Kinnickinick, Salal, Low Oregon Grape, Coastal Strawberry, Rock Rose.

4. All service and storage areas must be screened from view from all adjacent rights-of-way. (See Figure 17.90.120-K below.)

Response: Understood.

G. Civic Space. Intent: To connect buildings to the public realm and create comfortable and attractive gathering places and outdoor seating areas for customers and the public, consistent with Sandy's Downtown Streetscape Design. (See Figures 17.90.120-L and 17.90.120-M)

1. Not less than three (3) percent of the building area of every development shall be improved as civic space.
2. All civic spaces shall have dimensions of not less than eight (8) feet across and have a surface area of not less than 64 square feet. No civic space is required if the size of this space results in an area of less than 64 square feet.
3. Civic space improvements may include plazas, private extensions of sidewalks and walkways (i.e., to accommodate outdoor seating), public art, pedestrian-scale lighting, bus waiting areas, tourist amenities (e.g., way finding signs as approved by the city) or similar pedestrian amenities as approved through Design Review.
4. The highest priority locations for civic space are those areas with the highest pedestrian activity (e.g., street corners and mid-block pedestrian access ways) that have a western or southem exposure.
5. Civic spaces should abut a public right-of-way or otherwise be connected to and visible from a public right-of-way by a sidewalk or approved pedestrian access way; access ways shall be identifiable with a change in paving materials (e.g., pavers inlaid in concrete or a change in pavement scoring patterns and/or texture) or painted. Where a right-of-way connection is not possible, the owner must provide a public access way easement to the civic space. Civic spaces shall not be gated or closed to public access, unless otherwise required by the city.
6. The reviewing authority may consider the voluntary provision of civic space or pedestrian amenities in quantities exceeding the minimum standards of this code in approving an adjustment or variance.
7. Exceptions:
a. Building additions and remodels subject to Type I Design Review are not required to set aside or improve civic space, though they are encouraged to do so.

## Response: Understood

H. Lighting. Intent: To promote business vitality, public saety and aesthetics through effective outdoor lighting, consistent with the Sandy Style. (Figures 17.90.120-G, 17.90.120-H, and 17.90.120-M)

1. Streetscape lighting shall conform to Chapter 15.30 Dark Sky Ordinance.
2. Exterior lighting must be an integral part of the architectural design and must complement any ornamental street lighting and remain in context with the overall architectural character of the district. On-site light fixtures conforming to the Sandy Style are encouraged.
3. Lighting must be adequate for safety purposes. Walkways and parking lots should be illuminated at $1.5-2.0$ foot candles.

## Response: Understood

I. Safety and Security. Intent: To promote natural surveillance of public spaces for safety and security.

1. Locate windows in a manner that enables tenants, employees and police to watch over pedestrian, parking and loading areas.

2. In commercial, public and semipublic development, including civic spaces, locate windows in a manner that enables surveillance of interior activity from the public right-of-way.
3. Provide street address numbers measuring a minimum of six (6) inches high, which clearly locates buildings and their entries for patrons and emergency services.
4. Locate, orient and select on-site lighting to facilitate surveillance of on-site activities from the public right-of-way and other public areas.

## Response: Understood

J. External Storage. Intent: To promote land use compatibility and aesthetics, particularly where development abuts public spaces. (Figure 17.90.120-K)

1. The exterior storage of merchandise and/or materials, except as specifically authorized as a permitted accessory use, is prohibited.
2. Where such storage is allowed, it must be screened from view from public rights of way and civic spaces at least eight (8) feet and not more than 10 feet unless the screen is a continuation of the building wall.
3. Mechanical, electrical, and communications equipment including meters and transformers, service and delivery entrances, and garbage storage areas shall be screened from view from all public rights-of-way and civic spaces.
4. Trash collection and recycling storage areas must be located within the structure or otherwise screened from view in an enclosed facility. Such facilities must be screened from view from all public rights of way and civic spaces behind a screening wall constructed to match the materials used on the primary building(s) on the subject site.
5. Exceptions to the above provisions may be allowed through Design Review where no other practical alternative exists and such equipment is made to be visually subordinate to the proposed building and landscape, for example, through the use of common materials for screening walls or landscape berms. The reviewing body may require additional setbacks, screening walls or other mitigation, for aesthetic reasons and to minimize odors or noise impacts on adjoining properties, public rights-of-way or civic spaces.

## Response: Understood

### 17.92 - LANDSCAPING \& SCREENING GENERAL STANDARDS - ALL ZONES

### 17.92.00 INTENT

The City of Sandy recognizes the aesthetic and economic value of landscaping and encourages its use to establish a pleasant community character, unify developments, and buffer or screen unsightly features; to soften and buffer large scale structures and parking lots; and to aid in energy conservation by providing shade from the sun and shelter from the wind. The community desires and intends all properties to be landscaped and maintained.

This chapter prescribes standards for landscaping, buffering, and screening. While this chapter provides standards for frequently encountered development situations, detailed planting plans and irrigation system designs, when required, shall be reviewed by the City with this purposes clause as the guiding principle.

### 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.

Response: Landscape Plans are included.
B. Appropriate care and maintenance of landscaping on-site and landscaping in the adjacent public right-ofway 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.

## Response: Noted

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 $4-1 / 2$ 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.

Response: 2 Trees are to be removed. 4 Replacement trees are being provided per replacement requirements.
D. Planter and boundary areas used for required plantings shall have a minimum diameter of $5-\mathrm{ft}$. ( $2-1 / 2 \mathrm{ft}$. radius, inside dimensions). Where the curb or the edge of these areas are used as a tire stop for parking, the planter or boundary plantings shall be a minimum width of $7-1 / 2 \mathrm{ft}$.


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## Response: Noted

E. In no case shall shrubs, conifer trees, or other screening be permitted within vision clearance areas of street, alley, or driveway intersections, or where the City Engineer otherwise deems such plantings would endanger pedestrians and vehicles.

Response: All plants were placed to avoid vision obstruction.
F. Landscaped planters and other landscaping features shall be used to define, sotten or screen the appearance of off-street parking areas and other activity from the public street. Up to 35 percent of the total required landscaped area may be developed into pedestrian amenities, including, but not limited to sidewalk cafes, seating, water features, and plazas, as approved by the Director or Planning Commission.

Response: A swath of planting beds were designed on along the front property along Hwy. 26 to soften the rigidity of parking areas and enhance the site aesthetically and reduce water runoff.
G. Required landscaping/open space shall be designed and arranged to offer the maximum benefits to the occupants of the development as well as provide visual appeal and building separation.

Response: The open space was designed in a way to break up the space and provide a variety of colors, textures, and smells throughout the different seasons of the year.
H. Balconies required for entrances and exits shall not be considered as open space except where such exits and entrances are for the sole use of the unit.

## Response: Noted

I. Roofed structures shall not be included as open space except for open unenclosed public patios, balconies, gazebos, or other similar structures or spaces.
J. Driveways and parking areas shall not be included as open space.

## Response: Noted

K. All areas not occupied by paved roadways, walkways, patios, or buildings shall be landscaped.

## Response: All open space has been designed with landscape material.

L. All landscaping shall be continually maintained, including necessary watering, weeding, pruning and replacing.

## Response: Noted

### 17.92.20 MINIMUM IMPROVEMENTS - LANDSCAPING AND SCREENING

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| :--- | :--- | :--- |

The minimum landscaping area of a site to be retained in landscaping shall be as follows:

| ZONING DISTRICT OR USE | PERCENTAGE |
| :--- | :---: |
| A-3 | $25 \%$ |
| Manufactured Home Park | $20 \%$ |
| C-1 Central Business District | $10 \%$ |
| C -2 General Commercial | $20 \%$ |
| C-3 Village Commercial | $10 \%$ |
| I-1 Industrial Park | $20 \%$ |
| I-2 Light Industrial | $15 \%$ |
| I-3 Heavy Industrial | $10 \%$ |

### 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 |
| :--- | :---: | :---: |
| Street Tree | Medium | 30 ft. on center |
| Street Tree | Large | 50 f. 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.


## Response: All street and parking trees were spaced in a manner to avoid utilities.

### 17.92.40 IRRIGATION



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

## Response: All landscape material is to be irrigated with an automatic irrigation system.

### 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 $1 \frac{1}{2}$ 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 atter planting.
H. Vines for screening purposes shall be a minimum of 1 gallon in size or 30 inches in height immediate atter 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. Arrificial plants are prohibited in any required landscape area.

## Response: All plant material abides by everything stated above.



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### 17.92.60 REVEGETATION IN UNLANDSCAPED OR NATURAL LANDSCAPED AREAS

A. Areas where natural vegetation has been removed or damaged through grading or construction activity in areas not affected by the landscaping requirements and that are not to be occupied by structures or other improvements shall be replanted.
B. Plant material shall be watered at intervals sufficient to assure survival and growth.
C. The use of native plant materials or plants acclimatized to the Pacific Northwest is encouraged to reduce irrigation and maintenance demands.

## Response: Noted

### 17.92.70 LANDSCAPING BETWEEN PUBLIC RIGHT-OF-WAY AND PROPERTY LINES

Except for portions allowed for parking, loading, or traffic maneuvering, a required setback area abutting a public street and open area between the property line and the roadway in the public street shall be landscaped. That portion of the landscaping within the street right-of-way shall not count as part of the lot area percentage to be landscaped.

Response: R.O.W. area is landscaped to reduce runoff and provide an aesthetically pleasing view.

### 17.92.80 BUFFER PLANTING - PARKING, LOADING AND MANEUVERING AREAS

Buffer plantings are used to reduce building scale, provide transition between contrasting architectural styles, and generally mitigate incompatible or undesirable views. They are used to soften rather than block viewing. Where required, a mix of plant materials shall be used to achieve the desired buffering effect.

Buffering is required in conjunction with issuance of construction permits for parking areas containing 4 or more spaces, loading areas, and vehicle maneuvering areas. Boundary plantings shall be used to buffer these uses from adjacent properties and the public right-of-way. On-site plantings shall be used between parking bays, as well as between parking bays and vehicle maneuvering areas. A balance of low-lying ground cover and shrubs, and vertical shrubs and trees shall be used to buffer the view of these facilities. Decorative walls and fences may be used in conjunction with plantings, but may not be used by themselves to comply with buffering requirements. Exception: truck parking lots are exempt from parking bay buffer planting requirements.

## Response: All areas are buffered accordingly.

### 17.92.90 SCREENING (HEDGES, FENCES, WALLS, BERMS)

Screening is uses where unsightly views or visual conflicts must be obscured or blocked and where privacy and security are desired. Fences and walls used for screening may be constructed of wood, concrete, stone,

brick, and wrought iron, or other commonly used fencing/wall materials. Acoustically designed fences and walls are also used where noise pollution requires mitigation.
A. Height and Opacity. Where landscaping is used for required screening, it shall be at least 6 ft . in height and at least 80 percent opaque, as seen from a perpendicular line of sight, within 2 years following establishment of the primary use of the site.

## Response: Noted.

B. Chain Link Fencing. A chain link fence with slats shall qualify for screening only if a landscape buffer is also provided in compliance with Section 17.92 .00 above.

## Response: Noted.

C. Height Measurement. The height of hedges, fences, walls, and berm shall be measured from the lowest adjoining finished grade, except where used to comply with screening requirements for parking, loading, storage, and similar areas. In these cases, height shall be measured from the finished grade of such improvements. Screening is not permitted within vision clearance areas.

## Response: Noted.

D. Berms. Earthen berms up to 6 ft . in height may be used to comply with screening requirements. Slope of berms may not exceed 2:1 and both faces of the slope shall be planted with ground cover, shrubs, and trees.

## Response: Noted.

E. Long expanses of fences and walls shall be designed to prevent visual monotony through use of offsets, changes of materials and textures, or landscaping.

## Response: Noted.

### 17.92.100 SCREENING OF SERVICE FACILITIES

Site-obscuring shrubbery or a berm, wall or fence shall be placed along a property line between residential and commercial and industrial zones and around unsightly areas such as trash and recycling areas, gas meters, ground level air conditioning units, disc antennas exceeding 36 inches in diameter and equipment storage or an industrial or commercial use with outside storage of equipment or materials.

## Response: Noted.

### 17.92.110 OUTDOOR STORAGE

All outdoor storage areas for commercial, industrial, public and semi-public uses are to be entirely screened by a sight obscuring fence, vegetative materials, or other alternative deemed appropriate by the Director.


Exceptions to the preceding requirements include: new or used cars, cycles and trucks (but not including car parts or damaged vehicles); new or used boat sales; recreational vehicle sales; new or used large equipment sales or rentals; manufactured home sales; florists and plants nurseries.

## Response: Noted.

### 17.92.130 PERFORMANCE BOND

If weather conditions or other circumstances beyond the control of the developer or owner make completion of the landscaping impossible prior to desired occupancy, an extension of up to 6 months may be applied for by posting "security" equal to $120 \%$ of the cost of the landscaping, assuring installation within 6 months. "Security" may consist of a periormance bond payable to the city, cash, certified check, time certificates of deposit, assignment of a saving account, letter of credit, or other such assurance of access to funds necessary for completion as shall meet the approval of the City Attorney. Upon acceptance of the security, the developer or owner may be allowed occupancy for a period of up to 180 days. If the installation of the landscaping improvement is not completed within 180 days, the City shall have access to the security to complete the installation and/or revoke occupancy. Upon completion of the installation by the city, any portion of the remaining security minus administrative charges of $30 \%$ shall be returned to the owner. Costs in excess of the posted security shall be assessed against the property and the City shall thereupon have a valid lien against the property, which will come due, and payable.

## Response: Noted.

### 17.92.140 GUARANTEE

All landscape materials and workmanship shall be guaranteed by the installer and/or developer for a period of time not to exceed two years. This guarantee shall insure that all plant materials survive in good condition and shall guarantee replacement of dead or dying plant materials.

Response: Noted.


### 17.98 - PARKING, LOADING, \& ACCESS REQUIREMENTS

### 17.98.00 INTENT

The intent of these regulations are to provide adequate capacity and appropriate location and design of onsite parking and loading areas as well as adequate access to such areas. The parking requirements are intended to provide sufficient parking in close proximity for residents, guests, customers, and/or employees of various land uses. These regulations apply to both motorized vehicles (hereinafter referred to as vehicles) and bicycles.

### 17.98.10 GENERAL PROVISIONS

A. Provision and Maintenance. The provision of required off-street parking for motor vehicles and bicycles, and loading facilities for motor vehicles is a continuing obligation of the property owners. Building permits or other permits will only be issued after review and approval of site plans showing location of permanent access, parking and loading facilities.

Response: All required permits will be applied for and issued prior to commencing construction work. These facilities will be privately maintained by the land owner.
B. Unspecified Requirements. Vehicle and bicycle parking requirements for uses not specified in this chapter shall be determined by the Director based upon the requirements of similar specified uses.

## Response: all uses have been specified.

C. New Structure or Use. When a structure is constructed or a new use of land is commenced, on-site vehicle and bicycle parking and loading spaces shall be provided in accordance with Section 17.98.20 below or as otherwise modified through a planned development or specific area plan.

Response: The proposed development plans reflect the required and provided vehicle and bicycle parking.
G. Time of Completion. Required parking spaces and loading areas shall be improved and available for use prior to issuance of a temporary occupancy and/or final building inspection.

Response: All required parking will be installed with the proposed project as indicated in the construction documents.
L. Availability of Parking Spaces. Required vehicle and bicycle parking spaces shall be unobstructed, available for parking of vehicles and bicycles of residents, customers, patrons, and employees only, and shall not be used for storage of vehicles or materials or for parking of vehicles and bicycles used in conducting the business or use and shall not be used for sale, repair, or sevvicing of any vehicle or bicycle.

Response: All required parking will be unobstructed and remain available for the development and not for storage.


## N. Location of Required Parking.

1. Off-street vehicle parking required for residential uses, except for residential uses in the Central Business District, shall be provided on the development site of the primary structure. Except where permitted by 17.98 .40 below, required parking for all other uses in other districts shall be provided on the same site as the use or upon abutting property.
2. May be utilized in the $\mathrm{C}-1$ Zoning District to meet the minimum parking requirements as speciied in Section 17.98 .30 (B).
3. Bicycle parking required for all uses in all districts shall be provided on the development site in accordance with Section 17.98.160 below.

Response: All required parking will be within the limits of the projects property.
P. Fractions. When the sum of the required vehicle and bicycle parking spaces is a fraction of a space ( 0.5 or more of a space) a full space shall be required.

## Response: This criteria will be meet.

Q. Maximum Parking Allowed. Commercial or Industrial zoned properties shall not be permitted to exceed the minimum off-street vehicle parking required by Section 17.98 .20 by more than 30 percent.

Response: This project requires 1 space per 400 SF plus 1 space per Employee. 48 plus $6=54$ spaces required. $30 \%$ increase allows for 70 parking spaces. 70 parking spaces are provided.

### 17.98.20 OFF-STREET PARKING REQUIREMENTS

A. Off Street Parking Requirements. Off street parking shall conform to the following standards:

1. All square footage measurements are gross square feet of total floor area.
2. 18 lineal inches of bench shall be considered 1 seat.
3. 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 A6-A9 below.
4. Where less than 5 parking spaces are required, then only one bicycle space shall be required except as otherwise modified in Sections 5-9 below.
5. In addition to requirements for residential off street parking, new dwellings shall meet the on-street parking requirements in Section 17.98.200.
6. Residential Uses (NA)
7. Community Service, Institutional and Semi-Public Uses (NA)
8. Commercial Uses

| Industrial Uses | $\#$ of Parking Spaces | $\#$ of Bicycle Spaces |
| :--- | :--- | :--- |
| Sales of: Agricultural and light equipment, | 1 per 400 sq. ft., plus 1 per 2 <br> employees | $5 \%$ or 2 whichever is <br> greater |

Response: This project requires 1 space per 400 SF plus 1 space per Employee. 48 plus $6=54$ spaces required. $30 \%$ increase allows for 70 parking spaces. 70 parking spaces are provided.

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### 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.
Response: Parking does not abut any residential zoning
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.

Response: Parking is not located within any setback areas
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.

Response: The project proposes for its respective parking to be a minimum 25 ' from the right of way of any public street.

### 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.

Response: the proposed vehicle access area will have an asphalt service.
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.

Response: The proposed parking spaces will be $10 \times 20$ ' minimum. The ADA spaces will exceed the minimum per State of Oregon law ORS 447.233- Van accessible space- $9^{\prime}$ wide with $8^{\prime}$ access isle; Std. accessible space-9' wide with $5^{\prime}$ wide access isle
C. Aisle Width.

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| :---: | :---: | :---: |


| Parking Aisle | Single Sided <br> One-Way | Single Sided <br> Two-Way | Double Sided <br> One-Way | Double Sided Two- <br> 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 |

Response: The two way access isle of 90 degree and angled parking spaces will be 28 feet wide. This exceeds the above requirement.

### 17.98.70 ON-SITE CIRCULATION

A. Groups of more than three (3) parking spaces shall be permanently striped.

## Response: All parking spaces will have a permanently painted striped.

B. Backing and Maneuvering. Except for a single family dwelling or two family dwelling, groups of more than 3 parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles enter the right-of-way (except for alleys) in a forward manner. Parking spaces shall not have backing or maneuvering movements for any of the parking spaces occurring across public sidewalks or within any public street, except as approved by the City Engineer. Evaluations of requests for exceptions shall consider constraints due to lot patterns and impacts to the safety and capacity of the adjacent public street, bicycle and pedestrian facilities.

Response: All parking stalls will be off of an internal access isle. No parking spaces will require backing up onto or across a public sidewalk/ street.

### 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.

Response: The proposed development will have 2 points of access. One will be off an existing curb cut on Champion Way and a new curb cut on Industrial way. The industrial curb cut is approximately 330 feet to the west of the nearest existing curb cut.
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.


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4/27/2018

Response: The proposed project is proposing only one access to Champion Way and one access to Industrial Way.

### 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.

## Response: The proposed driveway widths are minimum $28^{\prime}$ wide

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.

## Response: This is not limit on vertical clearances.

## E. No driveway shall traverse a slope in excess of 15 percent at any point along the driveway length.

## Response: The maximum driveway slope being proposed is $10 \%$.

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.

## Response: All access points will maintain vision clearance

### 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.

## Response: Clear vision areas as required in section 17.74.30 have been provided

B. Traffic control devices, streetlights, and utility installations meeting approval by the City Engineer are permitted within vision clearance areas.

Response: There are no proposed traffic control devices proposed with the project.

### 17.98.120 LANDSCAPING AND SCREENING


A. Screening of all parking areas containing 4 or more spaces and all parking areas in conjunction with an off-street loading facility shall be required in accordance with zoning district requirements and Chapter 17.98. Where not otherwise specified by district requirement, screening along a public right-of-way shall include a minimum 5 -ft. depth of buffer plantings adjacent to the right-of-way.

Response: A mix of landscape plant materials has been used in these plans between the parking area and R.O.W.
B. When parking in a commercial or industrial district adjoins a residential zoning district, a sight-obscuring screen that is at least $80 \%$ opaque when viewed horizontally from between 2 and 8 feet above the average ground level shall be required. The screening shall be composed of materials that are an adequate size so as to achieve the required degree of screening within 3 years after installation.

Response: This site does not adjoin residential zoned property.
C. Except for a residential development which has landscaped yards, parking facilities shall include landscaping to cover not less than $10 \%$ of the area devoted to parking facilities. The landscaping shall be uniformly distributed throughout the parking area and may consist of trees, shrubs, and ground covers.

Response: The parking facility and its adjacent areas have been landscaped to break up the expanse of impervious areas aesthetically while also functionally reducing water runoff.
D. Parking areas shall be divided into bays of not more than 20 spaces in parking areas with 20 or more spaces. Between, and at the end of each parking bay, there shall be planters that have a minimum width of 5 feet and a minimum length of 17 feet for a single depth bay and 34 feet for a double bay. Each planter shall contain one major structural tree and ground cover. Truck parking and loading areas are exempt from this requirement.

Response: The provided construction plans indicate planters at end of parking bays.
E. Parking area setbacks shall be landscaped with major trees, shrubs, and ground cover as specified in Chapter 17.92.

Response: Areas adjacent to parking have been landscaped with a mix of plant materials to soften the rigidity of impervious materials.
F. Wheel stops, bumper guards, or other methods to protect landscaped areas shall be provided. No vehicle may project over a property line or a public right-of-way. Parking may project over an internal sidewalk, but a minimum clearance of 5 feet for safe pedestrian circulation is required.

Response: The project proposes to use curb and gutter for landscape area protection.

### 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.

Response: All proposed parking and vehicle maneuvering areas will be either paved with asphalt or concrete.

### 17.98.140 DRAINAGE

Parking areas, aisles and furnarounds shall have adequate provisions made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way and abutting private property.

Response: The project proposes a storm drainage system with will collect the onsite storm water runoff and distribute to downstream drainage facilities.

### 17.98.150 LIGHTING

Artificial lighting shall be provided in all required off-street parking areas. Lighting shall be directed into the site and shall be arranged to not produce direct glare on adjacent properties. Light elements shall be shielded and shall not be visible from abutting residential properties. Lighting shall be provided in all bicycle parking areas so that all facilities are thoroughly illuminated and visible from adjacent sidewalks or vehicle parking lots during all hours of use.

Response: The project construction documents include photometric documents that illustrate the lighting of all parking areas.

### 17.98.160 BICYCLE PARKING FACILITIES

Multi-family developments, industrial, commercial and community service uses, transit transfer stations, and park and ride lots shall meet the following standards for bicycle parking facilities. The intent of this section is to provide secure bicycle parking that is visible from a building's primary entrance and convenient to bicyclists.

## A. Location.

1. Bicycle parking shall be located on-site, convenient to primary building entrances, and have direct access to both the public right-of-way and to the main entrance of the principal structure.
2. Bicycle parking areas shall be visible from building interiors where possible.
3. For facilities with multiple buildings or parking lots, bicycle parking shall be located in areas of greatest use and convenience to bicyclists.
4. If the bicycle parking area is located within the vehicle parking area, the bicycle facilities shall be separated from vehicular maneuvering areas by curbing or other barrier to prevent damage to parked bicycles.
5. Curb cuts shall be installed to provide safe, convenient access to bicycle parking areas.

Response: Bicycle parking is provided outside of the vehicle area on the right side of the building near the main entrance. Please see site plan for location.

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| :--- | :--- |

## B. Bicycle Parking Space Dimensions.

1. Each required bicycle parking space shall be at least $21 / 2$ feet by 6 feet. If covered, vertical clearance of 7 feet must be provided.
2. An access aisle of at least 5 feet wide shall be provided and maintained beside or between each row of bicycle parking. Vertical or upright bicycle storage structures are exempted from the parking space length.

Response: Two bicycle parking spaces are provided as required
C. Security.

1. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary object (i.e., a "rack") upon which the bicycle can be located.
2. Racks requiring user-supplied locks shall accommodate both cable and U-shaped locks. Racks shall be designed and installed to permit the frame and both wheels to be secured, with removal of the front wheel, or the frame and one wheel to be secured, if both wheels remain on the bicycle.
3. Bicycle racks shall be securely anchored to the ground or a structure and shall be designed to hold bicycles securely by means of the bicycle frame.
4. All outdoor bicycle parking facilities shall provide adequate sheller from precipitation where possible.

Response: The proposed rack will allow for bicycles to be secured to it.
D. Signing. Where bicycle facilities are not directly visible and obvious from the public right-of-way, entry or directional signs shall be provided to direct bicyclists from the public right-of-way to the bicycle parking facility.

Response: The proposed bicycle rack is located at the front door. Signage should not be necessary.

### 17.98.170 CARPOOL AND VANPOOL PARKING

New industrial, commercial, and community service uses with more than 50 employees shall meet the following minimum requirements for carpool and vanpool parking.
A. Number and Marking. At least $10 \%$ but not less than 1 of the employee parking spaces shall be marked and signed for use as a carpoolvanpool space. The carpoolvanpool spaces shall be clearly marked "Reserved - CarpoolVanpool Only".

Response: The proposed Tractor supply Company building will have approximately 12 employees. This criteria should not be required.

### 17.98.190 OFF-STREET LOADING FACILITIES

A. The minimum area required for commercial and industrial loading spaces is as follows:

1. 250 square feet for buildings of 5,000 to 19,999 square feet of gross floor area.

2. 500 square feet for buildings of 20,000 to 49,999 square feet of gross floor area
3. 750 square feet for buildings in excess of 50,000 square feet of gross floor area.

Response: The project included a loading dock with approximately 2000 sf of parking area.
B. The required loading berth shall be not less than 10 feet in width by 35 feet in length and shall have an unobstructed height clearance of 14 feet.

Response: The proposed parking area for the loading dock is $20^{\prime} \times 100^{\circ}$
C. Loading areas shall be screened from public view from public streets and adjacent properties except in industrial districts and shall require the same screening as parking lots.

Response: Although this project is in an industrial zone. Landscape screening is proposed.
D. Sufficient space for turning and maneuvering of vehicles shall be provided on the site in accordance with the standard specifications established by the City Engineer.

Response: The sites access includes a delivery route that allows for a WB-65 to turnaround.

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| :---: | :---: | :---: |

### 17.102 - URBAN FORESTRY

### 17.102.00 INTENT

A. This chapter is intended to conserve and replenish the ecological, aesthetic and economic benefits of urban forests, by regulating tree removal on properties greater than one acre within the Sandy Urban Growth Boundary.

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## PROJECTNOTES

SITE NOTES







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## STRIPING NOTES



TRAFFIC CONTROL NOTES






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INDEX To SHEETS
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ATTENTION EXCAVATORS:



SEDIMENT CONTROL AND STORMWATER MANAGEMENT NOTES















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[^1]

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## Executive Summary

1. A 2.65 -acre property in Sandy, Oregon, has been proposed for the development of a 19,097 squarefoot farm store.
2. The proposed farm store is projected to generate 27 trips during the morning peak hour and 27 trips during the evening peak hour.
3. Based on the detailed analysis, the intersections of US Highway 26 at Champion Way, Champion Way at the site access, and SE $362^{\text {nd }}$ Drive at Industrial Way are projected to operate acceptably through the year 2020, with or without the proposed development.
4. The intersection of US Highway 26 at $362^{\text {nd }}$ Drive is projected to operate with a $\mathrm{v} / \mathrm{c}$ ratio greater than the allowable maximum in the year 2020, prior to the addition of site trips related to the proposed development. The Oregon Department of Transportation and the City of Sandy have identified planned improvements for this intersection that are expected to improve its capacity.
5. A detailed examination of the crash history at the study intersection shows no significant safety hazards and no trends that are indicative of design deficiencies.
6. Traffic signal warrants are not projected to be met for the intersection of Champion Way at the site access under any of the analysis scenarios.
7. Traffic signal warrants are met for the intersection of SE 362nd Drive at Industrial Way under existing conditions. The City of Sandy has identified planned improvements to this intersection that include a roundabout. No mitigation is recommended in conjunction with the proposed development.
8. Left-turn lane warrants for the northbound approaches of the intersections of Champion Way at the site access and SE 362nd Drive at Industrial Way are not projected to be met under any of the analysis scenarios.
[^2]
## Introduction

The property located immediately west of 16355 Champion Way in Sandy, Oregon, has been proposed for the development of a 19,097 square-foot farm store. The 2.65 -acre project site consists of a portion of tax lot 01786197 , all of which is currently undeveloped.

This report examines the traffic impacts of the proposed development on the transportation system in the vicinity of the project site. The purpose of this report is to ensure safe and efficient performance of the transportation facilities that will be impacted by the proposed development.

All supporting data and calculations are included in the appendix to this report.

## Location Description

The project sitc is located south of US Highway 26 and west of Champion Way in Sandy, Oregon. The lot is bordered to the north by US Highway 26, the south by the remainder of the undeveloped tax lot, the east by a developed lot containing a gas station and convenience store, and the west by farm land. The project site is currently undeveloped.

Based on the location of the subject property and the surrounding transportation network, as well as input from the City of Sandy the following intersections were identified for analysis:

- US Highway 26 at Champion Way,
- US Highway 26 at SE 362nd Drive,
- SE 362nd Drive at Industrial Way, and
- Champion Way at the site access.


## Vicinity Streets

US Highway 26, otherwise known at Mt. Hood Highway, is under the jurisdiction of the Oregon Department of Transportation (ODOT). It is classified as a Statewide Highway by ODOT ${ }^{1}$ and a Major Arterial by the City of Sandy.: It carries two lanes in each direction and has dedicated turn lanes at major intersections. The posted speed limit is 50 mph west of Champion Way, decreasing to 45 mph between Champion Way and SE $362^{\text {nd }}$ Drive. There are marked bike lanes in both directions and a sidewalk on the south side of the roadway.

[^3]Sandy Farm Store - Transportation Impact Sudy 2

SE $362^{\text {nd }}$ Avenue is under the jurisdiction of the City of Sandy and is classified as a Minor $A$ rterial. It carrics one lane in each direction and has a center two-way left-turn lane (IWLTL) between US Highway 26 and Industrial Way. The posted speed limit is 35 mph . Marked bike lanes and sidewalks are provided.

Industrial Way is under the jurisdiction of the City of Sandy and is classified as a Collector. It carrics one lane in each direction, but the lanes are not demareated. The posted speed limit is 25 mph . Bike lanes are not marked, and sidewalks are provided intermittently. Parking is not permitted.

Champion Way is under the jurisdiction of the City of Sandy and is classified as a Collector. It carries one lane in each direction, but the lanes are not demarcated. The posted speed limit is 25 mph . Bike lanes are not marked, and sidewalks are provided intermittently.

## Study Intersections

The intersection of US Highway 26 at Champion Way is a three-legged intersection with stop control on the northbound approach of Champion Way. The eastbound approach has two through lanes and a channelized right-turn lane. The northbound approach has a right-turn lane. No left turns are permitted, and no turning movements are possible from the westbound approach. The east- and westbound lanes of US Highway 26 are separated by a landscaped median. Crosswalks are marked across the south leg.

The intersection of US Highway 26 at SE 362nd Drive is a three-legged signalized intersection. The eastbound approach has two through lanes and a right-turn lane separated from the through lanes by a bike lane. The westbound approach has two through lanes and a left-turn lane that is served by Flashing-Yellow-Arrow phasing. The northbound approach has two left-turn lanes and a right-turn lane. Crosswalks are marked across the southern and eastern legs.

The intersection of Champion Way at the site access is a threc-legged intersection with stop control on the westbound approach. Each approach has one lane for all movements. No crosswalks are marked.

The intersection of SE $362^{\text {nd }}$ Avenue at Industrial Way is a three-legged intersection with stop control on all legs. Each approach has a single lane for all turning movements. A crosswalk is marked across the north leg.

A vicinity map showing the project site, vicinity streets, and intersection configurations is shown in Figure 1 on page 5.

## Traffic Counts

Traffic counts were collected at the intersections of US Highway 26 at SE 362nd Drive, Champion Way at the site access, and SE 362 nd Drive at Industrial Way on Tucsday, April 3ri, 2018, from 4:00 p.m. to 6:00 p.m. and Wednesday, April $4^{4 h}, 2018$ from 7:00 a.m. to 9:00 a.m. Volumes at the intersection of US Highway 26 at Champion Way were derived using corresponding movements from the adjacent intersections of US Highway 26 at SE $362^{\text {nd }}$ Drive and Champion Way at the site access. Turning movement volumes corresponding to a system-wide peak hour were used for analysis.

Sandy Farm Store - Transportation Impact Study 3

Figure 2 on page 6 shows existing traffic volumes at each of the stady intersections during the morning and evening peak hours. Detailed traffic count data is provided in the appendix.


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## Trip Generation and Distribution

## Trip Generation

To estimate the number of trips that could be generated by the proposed development of the 19,097 squarefoot farm store, trip rates for land-use code 810, Traitor Supply Sfore, were used. Since no morning peak hour data is provided for land-use code 810 in the Trip Generation Manual, it was assumed that the trip rate provided for the evening peak hour would apply to the morning peak hour as well. The portion of traffic entering and exiting the site during the evening peak hour were reversed for the morning peak hour. Data for weekday trips was not provided.

The trip generation calculations show that the proposed development of a 19,097 square-foot farm store is projected to generate a total of 27 trips during the moming peak hour, with 14 trips entering the site and 13 exiting. During the evening peak hour, 27 trips are projected to be gencrated, with 13 entering the site and 14 exiting

Trip generation estimates are summatized in Table 1. Detailed trip generation calculations are included in the appendix to this report.

Table 1 - Trip Generation Summary

| Land Use Code | Size | Morning Peak Hour |  |  |  | Evening Peak Hour |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | In | Out | Total | In | Out | Total |  |  |
| 810 - Tractor Supply |  |  |  |  |  |  |  |  |
| Store | 19.1 ksf | 14 | 13 | 27 | 13 | 14 | 27 |  |

## Trip Distribution

The directional distribution of site trips to and from the proposed development was estimated based on locations of likely trip destinations, locations of major transportation facilites in the site vicinity, and existing travel patterns at the study area intersections.

The following trip distribution was estimated and used for analysis:

- Approximately 50 percent of trips will travel to/from the east along US Highway 26;
- Approximately 30 percent of trips will travel to/from the west along US Highway 26; and
- Approximately 20 percent of trips will travel to/from the south along 362nd Drive.

The trip distribution and assignment for the proposed development are shown in Figure 3 on Page 7.


## Future Traffic Volumes

To provide analysis of the impact of the proposed development, an estimate of future traffic volumes is required. In order to calculate future traffic volumes, a growth rate must be applied to the collected traffic volumes.

Since US Highway 26 is under the jurisdiction of ODOT, traffic volumes were seasonally adjusted to reflect the $30^{\text {th }}$ highest hour of traffic, as per procedures described in ODOT's Analysis Procedures Manual. Using a map of seasonal trends at nearby Automatic Traffic Recorders, the portion of US Highway 26 in the project vicinity was determined to show a commuter seasonal trend. ${ }^{3}$ Using ODOT's Seasonal Trend Table, an adjustment factor of 0.967 was calculated and applied to through volumes on US Highway 26.

The growth rate for through traffic volumes on US Highway 26 was derived using ODOT's 2036 Future Volume Table, in accordance with ODOT's Analysis Procedures Manual. Using data corresponding to milepost 22.72 of ODOT highway number 026, a linear growth factor of 1.29 was calculated for US Highway 26.

Future traffic volumes on the other study roadways were estimated by applying a standard two percent annual compounded growth rate over a period of two years.

The growth factors were applied to existing traffic volumes to determine year 2020 background traffic volumes. Figure 4 on page 10 shows projected year 2020 background traffic volumes. Figure 5 on page 11 shows projected year 2020 background traffic volumes plus site trips generated by development of the proposed farm store, as described in the Trip Generation and Distribution section.

[^4]


## Operational Analysis

To determine the performance of the study intersections, a capacity analysis was conducted for the morning and evening peak hours. The analysis was conducted according to the intersection analysis methodology given in the Highway Capacity Manual (HCM). ${ }^{4}$

Intersections are generally evaluated based on the average delay experienced by vehicles and are assigned a grade according to their operation. The intersection's level of service (LOS) can range from LOS $\Lambda$, wheh indicates very little or no delay, to LOS F, which indicates a high degrec of congestion and delay.

Since the intersections of US Highway 26 at Champion W/ay and US Highway 26 at SE $362^{\text {nd }}$ Drive are under the jurisdiction of the Oregon Department of Transportation, the applicable minimum operational standards for these facilites are established under the Oregon Highway Plan and are based on the volume-to-capacity (v/c) ratio of the intersection. The $v / \mathrm{c}$ ratio compares the actual traffic demand to the potential capacity of the intersection to determine the proportion that is utilized by traffic. Since US Highway 26 is a Freight Route on a Statewide Highway located in the City's Urban Growth Boundary with speed limits of at least 45 mph , the Oregon Highway Plan requires the highway intersections have a maximum allowable $\mathrm{v} / \mathrm{c}$ ratio of $0.80 .{ }^{5}$

The intersections of Champion Way at the site access and SE 362nd Drive at Industrial Way are under the jurisdiction of the City of Sandy, which requires that all intersections operate at LOS D or better, based on the most recent edition of the Highway Capaaity Manual.

Results of the analysis are shown in Table 2. Detailed reports are provided in the appendix.

[^5]Sandy Farm Store - Transportation Impact Study 12

Table 2 - Capacity Analysis Summary

|  | Morning Peak Hour |  |  | Evening Peak Hour |  |  |
| :--- | :---: | :---: | :---: | :---: | :---: | :---: |
|  | LOS | Delay (8) | v/c | LOS | Delay (s) | v/c |
| US Highway 26 at Champion Way |  |  |  |  |  |  |
| 2018 Existing Conditions | B | 12 | 0.12 | C | 21 | 0.28 |
| 2020 Background Conditions | B | 13 | 0.14 | C | 30 | 0.39 |
| 2020 Background Plus Site Trips | B | 14 | 0.15 | D | 32 | 0.43 |
| US Highway 26 at SE 362nd Drive |  |  |  |  |  |  |
| 2018 Existing Conditions | B | 18 | 0.56 | C | 26 | 0.76 |
| 2020 Background Conditions | B | 18 | 0.67 | C | 30 | 0.89 |
| 2020 Background Plus Site Trips | B | 18 | 0.67 | C | 30 | 0.89 |
| Champion Way at Site Access |  |  |  |  |  |  |
| 2018 Existing Conditions | A | 10 | 0.12 | B | 12 | 0.14 |
| 2020 Background Conditions | B | 10 | 0.12 | B | 12 | 0.15 |
| 2020 Background Plus Site Trips | B | 10 | 0.15 | B | 12 | 0.18 |
| SE 362nd Drive at Industrial Way |  |  |  |  |  |  |
| 2018 Existing Conditions | B | 10 | 0.40 | C | 22 | 0.74 |
| 2020 Background Conditions | B | 11 | 0.42 | D | 25 | 0.78 |
| 2020 Background Plus Site Trips | B | 11 | 0.43 | D | 27 | 0.80 |

As seen in Table 2, all of the study intersections except US Highway 26 at SE $362^{\text {ad }}$ Drive are expected to operate acceptably through the year 2020, with or without the addition of trips related to the proposed development.

The intersection of US Highway 26 at SE $362^{\text {nd }}$ Drive is projected to exceed the maximum allowable $\mathrm{v} / \mathrm{c}$ ratio of 0.80 in the year 2020, prior to the addition of site trips from the proposed development. As shown in Table 2 , the addition of 18 site trips to the intersection does not degrade the $\mathrm{v} / \mathrm{c}$ ratio beyond its projected level under 2020 background conditions. The City of Sandy and ODOT have identified this intersection as one needing improvements and is planned to have a second westbound left-turn lane and a northern leg in the future. ${ }^{6}$
Since the proposed development has negligible impact to the intersection of US Highway 25 at SE 362 ${ }^{\text {nd }}$ Drive, no mitgations are recommended in association with the development of a 19,097 square-foot farm store.

[^6]
## Safety Analysis

## Crash Data Analysis

Using data obtained from ODOT's Crash Analysis and Reporting Unit, a review was performed of the most recent five years of available crash data (January 2011 through December 2015). Crash rates were calculated under the common assumption that traffic counted during the evening peak hour represents ten percent of annual average daily traffic (ADDT) at each intersection. Crash rates for cach intersection were reported as erashes per million entering velicles (CMEV) and were compared against the average and $90^{\text {th }}$ percentile crash rates for intersections with similar approach configurations and traffic control types in order to determine whether further investigation is needed or if possible safety mitigation is necessary or appropriate. Detailed crash data is provided in the appendix.

The intersection of US Highway 26 at Champion Way had three reported crashes during the analysis period. They consisted of two rear-end collisions and one collision with a fived object, and resulted in one nonincapacitating injury and one possible injury. The crash rate for the intersection was calculated to be 0.05 CMEV. The average crash rate for urban threc-legged intersections operating under stop control in Oregon was 0.131 CMEV, and the $90^{\text {th }}$ percentile crash rate was 0.293 CMEV.

The intersection of US Highway 26 at SE $362^{\text {nd }}$ Drive had 38 reported crashes during the analysis period. They consisted of 18 rear-end collisions, 16 turning movement collisions, 2 improper backing collisions, 1 angle-type collisions, and 1 collision involving a pedestrian. Of the reported crashes, 1 crash resulted in an incapacitating injury, 8 resulted in non-incapacitating injuries, 21 resulted in possible injuries or complaints of pain, and 8 resulted in property damage only. The crash rate for the intersection was calculated to be 0.50 CMEV. The average crash rate for signalized urban three-legged intersections in Oregon was 0.275 CMEV, and the $90^{\text {th }}$ percentile crash rate was 0.509 CMEV.

The crash involving a pedestrian occurred when an eastbound driver disregarded the signal and failed to yield right-of-way to a southbound pedestrian in the crosswalk. The driver was using a cell phone when the crash occurred. The pedestrian suffered a possible injury.

The crash that resulted in an incapacitating injury occurred when a driver turning left from westbound US Highway 26 onto southbound SE 362nd Drive turned left in front of oncoming traffic without yielding the right-of-way. A passenger in the left-turning vehicle suffered the incapacitating injury and the driver suffered a non-incapacitating injury. Ten other crashes at the intersection occurred in a similar manner.

As described above, the City of Sandy and ODOT have identified the intersection of US Highway 26 at SE 362nd Drive as one in need of significant improvements in the City's TSP. The improvements to the intersection are anticipated improve the safety of the intersection.

The intersection of Champion Way at the site access had no reported crashes during the analysis period.
The intersection of SE 362nd Drive at Industrial Way had two reported crashes during the analysis period. One was a rear-end collision and one was a turning-movement collision. Both resulted in property damage

[^7]only. The crash rate for the intersection was calculated to be 0.10 CMEV . The average crash rate for urban threc-legged intersections operating under stop control in Oregon was 0.131 CMEV, and the $90^{\text {th }}$ percentile crash rate was 0.293 CMEV.

Based on the detailed review of the crash data, no significant patterns and no contributing design concerns were identified at the study intersections. No other safety improvements are recommended in conjunction with the proposed development.

## Warrant Analysis

Traffic signal warrants were examined for the intersections of Champion Way at the site access and SE 362 nd Drive at Industrial Way. Using 70 percent of standard traffic signal warrants due to the location of the intersection in a community with a population less than 10,000, and after reducing right-turn volumes on the minor-street approach by 25 percent, traffic signal warrants were not projected to be met for the intersection of Champion Way at the site access under any of the analysis scenarios.

Traffic signal warrants were projected to be met at the intersection of SE 362nd Drive at Industrial Way under 2018 existing conditions. The City of Sandy has identified this intersection as one in need of improvements in its 2011 transportation system plan, with planned realignment of the eastern leg of Industrial Way to connect to the western leg of Industrial Way at $362^{\text {mu }}$ Drive, and construction of a single-lane roundabout at the resulung intersection. ${ }^{7}$ Since the number of trips added to this intersection by the proposed development is small, no mitigation is recommended in conjunction with development of the proposed farm store.

Left turn lanes were examined for northbound traffic at the intersections of Champion Way at the site access and SE 362nd Drive at Industrial Way. A left-turn refuge is primarily a safety consideration for the major street, removing left-turning vehicles from the through traffie stream. The warrants used were developed from the National Cooperative Highway Research Project's (NCHIRP) Report 457. These warrants are evaluated based on the number of left-turning vehicles, the number of advancing and opposing velicles, the number of lanes, and the roadway travel speed.

Left-turn lane warrants for the northbound approaches of the intersections of Champion W'ay at the site access and SE $362^{\text {nd }}$ Drive at Industrial are not projected to be met under any of the analysis scenarios.

[^8]Sandy Farm Store - Transportation Impact Study 15

## Conclusions

Based on a detailed operational analysis, the intersections of US Highway 26 at Champion Way, Champion Way at the site access, and SE $362^{\text {nd }}$ Drive at Industrial Way are projected to operate acceptably through the year 2020, regardless of the addition of site trips related to the proposed development.

The intersection of US Highway 26 at SE $362^{\text {nd }}$ Drive is projected to operate with a $\mathrm{v} / \mathrm{c}$ ratio greater than the allowable maximum in the year 2020 prior to the addition of site trips related to the proposed development.

A detailed examination of the crash history at the study intersections shows no significant safey hazards or design deficiencies.

Improvements to the intersection of US Highway 26 at 3 SE 62 ${ }^{\text {nd }}$ Drive planned by the City of Sandy and ODOT are expected to improve both the operation and the safety of the intersection.

Traffic signal warrants were not projected to be met for the intersection of Champion Way at the site access under any of the analysis scenarios.

At the intersection of SE $362^{\text {nd }}$ Drive at Industrial Way, traffic sigual warrants are met under existing traffic conditions. This intersection, however, has been identified as a candidate for construction of a roundabout in the City's transportation system plan. Because very few trips are added to the intersection as a result of the proposed farm store, no mitigation is recommended in conjunction with the proposed development.

Left-turn lane warrants for the northbound approaches of the intersections of Champion Way at the site aceess and SE $362^{\text {nd }}$ Drive at Industrial Way are not projected to be met under any of the analysis seenarios.


Appendix

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## Exhibit H

June 4, 2018
Amy Thomas
Jade Consulting, LLC
208 Greeno Road North, Suite C, 36532
P.O. Box 1929

Fairhope, AL 36533

## Summary

There are two trees on the site that will be impacted by the development of this site into a retail store. Given that the trees are approximately in the center of the property, it would be impossible to design the site to meet the need without taking out these two trees.

Assignment
The purpose of this report is to document the evaluation of two trees on the site to determine the species, location, size and condition of two trees on the property off Mt. Hood Hwy (US 26) in Sandy, Oregon. Tax id of the property is 01786197 . The property is northwest of an existing Arco fuel and convenience store.

Assumptions and Limiting Conditions
Please see Appendix \#2 for a detailed list of Assumptions and Limiting conditions.
Background
The property is approximately 2.65 acres and is to be developed for a retail space.
Observations
The two trees on the property are located approximately in the center of the lot. They are two trees next to each other whose crowns are just starting to touch.

The trees species, size, health condition, structural condition are as follows:

| Species Name <br> Common | Scientific | Diameter <br> Size | Health Condition | Structural <br> Condition |
| :---: | :---: | :--- | :---: | :---: |
| West Tree - <br> Scots pine | Pinus sylvestris | 14 inches | Good | Fair - tree splits <br> into three co- <br> dominant leaders <br> at about 7 feet. |
| East Tree - <br> Douglas-fir | Pseudotsuga <br> menziesii | 17 inches | Good | Good |

## Discussion

The trees should be considered to be young trees approximately $1 / 4$ to $1 / 3$ their eventual mature size. These two trees crowns are currently touching each other. As the trees will get much larger in size, they will compete heavily with each other for growing space causing the demise and slow decline of the trees.

Both trees are to be removed as they are situated in a location where the entrance from the parking lot will enter an outdoor display area.

Conclusion
Given the planned development, these two trees are to be removed even though they currently are in good health condition and at the very least, fair structural condition. The future growth of the trees will impact them both as they have been planted too close to each other even without any development.

Please call if you have any questions or concerns regarding this report.
Sincerely,


Terrence P. Flanagan
ISA Board Certified Master Arborist, \#PN-0120 BMTL
ISA Tree Risk Assessment Qualified
Member, American Society of Consulting Arborists
Enclosures
Appendix 1: Certification of Performance
Appendix 2: Assumptions and Limitations Conditions
Appendix 3: Photograph of the Two Subject Trees

## Appendix 1

## Certification of Performance

I, Terrence P. Flanagan, Certify:

- That a representative of Teragan \& Associates, Inc., has inspected the tree(s) and/or the property referred to in this report. The extent of the evaluation is stated in the attached report.
- That Teragan \& Associates, Inc. has no current or prospective interest in the vegetation of the property that is the subject of this report, and Teragan \& Associates, Inc. has no personal interest or bias with respect to the parties involved.
- That Teragan \& Associates, Inc.'s compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party, or upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events.
- That the analysis, opinions, and conclusions that were developed as part of this report have been prepared according to commonly accepted arboricultural practices.
- That a Board-Certified Master Arborist has overseen the gathering of data.

Appendix 2
Assumptions and Limiting Conditions

1. Any legal description provided to the consultant is assumed to be correct. Teragan and Associates, Inc. checked the species identification and tree diameters in the field.
2. It is assumed that this property is not in violation of any codes, statutes, ordinances, or other governmental regulations.
3. The consultant is not responsible for information gathered from others involved in various activities pertaining to this project. Care has been taken to obtain information from reliable sources.
4. Loss or alteration of any part of this delivered report invalidates the entire report.
5. Drawings and information contained in this report may not be to scale and are intended to be used as display points of reference only.
6. The consultants' role is only to make recommendations. Inaction on the part of those receiving the report is not the responsibility of the consultant.
7. This report is to certify the trees that are on site, their size and condition. This report is written to meet a request of the City of Sandy, Oregon.

Appendix \# 3
Photograph of Subject Trees


14 inch diameter Scotch pine on left, 17 inch diameter Douglas fir on right


[^0]:    Response: The proposed project does not have any regulated trees on the property. It is currently a grass field. This chapter should not be applicable.

[^1]:    Sandy Farm Storc - Transportation Impact Study ii

[^2]:    Sandy Farm Store - Transportation Impact Study 1

[^3]:    ${ }^{1}$ Oregon Deparment of Transportation, 1999 Onegan Highway Plan, Including amendments November 1999 throtgh May 2015, 1999.
    2 City of Sandy Transportation System Plan, 2011.
    https://erogov.s3.amazonaws.cnm/media/88/media/22057.pdf.

[^4]:    ${ }^{3}$ http://gco.maps.arcgis.com/home/webmap/viewer.html?webmap $=4609 \mathrm{ba} 4912 \mathrm{c} 44 \mathrm{~b} 118 \mathrm{fc} 8353 \mathrm{a} 798 \mathrm{c} 86 \mathrm{bb}$

    Sandy Farm Store - Transportation Impact Study 9

[^5]:    ${ }^{+}$Transportation Research Board, Highway Capaaity Mamual, Gh Edition. 2016.
    ${ }^{5}$ Oregon Department of Transportation, 1999 Onegon Highway Plan, Including amendments November 1999 tbrought May 2015, 1999.

[^6]:    ${ }^{6}$ City of Sandy Transportation System Plan, Chapter 4: Plan Implementation, 2011.

[^7]:    Sandy Farm Store - Transportation Impact Study 1 f

[^8]:    ${ }^{7}$ Ciby of Sandy Transportation System Plan, Chapter 4: Plan Implementation, 2011.

