



City of Sandy

Agenda

Planning Commission Meeting

Meeting Location: City Hall- Council Chambers, 39250 Pioneer Blvd., Sandy, Oregon 97055

Meeting Date: Monday, February 24, 2020

Meeting Time: 7:00 PM

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|---|-----------|
| 1. ROLL CALL | |
| 2. APPROVAL OF MINUTES | |
| 2.1. Draft Planning Commission Minutes February 11, 2020 Planning Commission - 11 Feb 2020 - Minutes - Pdf | 2 - 9 |
| 3. REQUESTS FROM THE FLOOR - CITIZEN COMMUNICATION ON NON- AGENDA ITEMS | |
| 4. NEW BUSINESS | |
| 4.1. 19-047 EXT Mairin's Viewpoint Mairin's Viewpoint Plat Extension (19-047 EXT) - Pdf | 10 - 15 |
| 4.2. 19-037 CPA/ZC McCormick Drive Zone Change 19-037 CPA/ZC McCormick Drive Zone Change - Pdf | 16 - 101 |
| 4.3. 19-043 DCA Chapter 17.98 Code Changes Chapter 17.98 Code Changes - Pdf | 102 - 145 |
| 5. ITEMS FROM COMMISSION AND STAFF | |
| 6. ADJOURN | |



MINUTES
Planning Commission Meeting
Tuesday, February 11, 2020 City Hall- Council
Chambers, 39250 Pioneer Blvd., Sandy,
Oregon 97055 7:00 PM

COMMISSIONERS PRESENT: Don Carlton, Commissioner, Ron Lesowski, Commissioner, Hollis MacLean-Wenzel, Commissioner, Jerry Crosby, Commissioner, John Logan, Commissioner, Chris Mayton, Commissioner, and Todd Mobley, Commissioner

COMMISSIONERS ABSENT: None

STAFF PRESENT: Kelly O'Neill, Development Services Director and Emily Meharg, Associate Planner, David Doughman, City Attorney

MEDIA PRESENT: Sandy Post

1. Roll Call

2. Approval of Minutes

2.1. January 23, 2020 Draft Minutes

Motion: To approve minutes for January 23, 2020

Moved By: Commissioner Lesowski

Seconded By: Commissioner MacLean-Wenzel

Yes votes: All Ayes

No votes: None

Abstentions: Commissioner Mobley

The motion passed.

3. Requests From the Floor - Citizen Communication on Non- Agenda Items

Richard Sheldon

Mr. Sheldon stated it was unprofessional that Commissioner Mobley recused himself and then sat next to the developer. It did not give the impression that he is impartial.

Kathleen Walker

Mrs. Walker reiterated Richard Sheldon's testimony. She stated that Commissioner Mobley has had to recuse himself because of conflict of interest since he is working

on proposals on behalf of developers, which takes away the position from someone else. It would be nice to have a Commission member who can participate full time.

4. OLD BUSINESS

4.1. Bailey Meadows Subdivision (19-023 SUB/VAR/TREE):

Chairman Crosby opened the public hearing on File No. 19-023 SUB/VAR/TREE at 7:06 p.m. Crosby 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. No challenges were made, and no declarations were made by the Planning Commissioners.

Commissioner Mobley recused himself as the applicant's transportation engineer.

Staff Report:

Since the last hearing, there were two open record periods. Development Services Director Kelly O'Neill Jr. stated there are some modified conditions and summarized additional written testimony from the public, the Public Works Director, and the City Attorney.

City Attorney Doughman addressed the needed housing statute (ORS 197.307) and clarified that needed housing includes housing that has been determined to meet the needs of a City over a 20-year period, including, but not limited to, low-income/affordable housing. Doughman also addressed the clear and objective requirement associated with housing applications. Essentially all housing applications are required to be reviewed under clear and objective criteria.

Discussion:

Commissioner Mayton asked about maximum intersection counts. Commissioner Carlton said there is no maximum in the code. O'Neill stated that staff has interpreted that 1,000 ADT is the maximum and no other applicants have challenged that in the last 9-10 years. A consulting firm told the City to remove certain provisions from the code during the last TSP update. Doughman explained the Silverton case law. Commissioner Carlton stated the traffic counts were less than the worst-case scenario.

Commissioner Carlton stated he wants to see Gunderson Road be constructed and suggested the Commissioners listen to legal counsel. Doughman stated that denying the subdivision is a more difficult route.

Commissioner Lesowski asked about deliberation process. Commissioner Crosby asked for clarification on what happens if Gunderson Road does or doesn't go through. O'Neill stated that the Planning Commission is not bound to any of staff's recommendations or conditions in the report. Commissioner Logan brought up conditioning the UGB expansion as part of this application but acknowledged that could be overturned. Commissioner Mayton asked if there was an impasse with timing of the UGB decision and the decision on the subdivision. Doughman stated the 120-day deadline is April 14, which needs to allow for an appeal to City Council, and that the applicant needs a decision by the end of March. The UGB expansion decision still needs to go through City and County processes. Commissioner Carlton asked if there would be a basis for denying the UGB expansion. Doughman stated he thinks we would know at this point if there was opposition from groups like 1,000 Friends, whose mission is to preserve agricultural land.

Commissioner Lesowski is concerned about livability through the process for the existing residents with all the construction trucks. Commissioner Carlton agrees that Gunderson Road needs to be constructed as soon as possible so construction trucks can enter that way. Commissioner Crosby asked if they could include a condition regarding Gunderson Road. Doughman stated the Planning Commission could condition a different threshold of when Gunderson Road would need to be completed relative to the number of certificates of occupancy issued. Commissioner MacLean-Wenzel encouraged Sandy residents to testify for the Gunderson Road UGB expansion. Commissioner Crosby asked what happens to Condition E. if Gunderson Road is not approved. Doughman explained there would be an easement granted for the Gunderson Road right-of-way and a fee paid for the park if the UGB expansion is not approved and 100 homes are built. Commissioner Carlton asked if they could condition that no more than 30 homes be built before Gunderson is built (replace "certificate of occupancy" with "building permit"). O'Neill stated that most developers won't build many vacant homes because that lowers the value of new home sales. Doughman reiterated that the proposed subdivision is planned in phases. Commissioner Carlton asked if construction traffic could use Ponder Lane. O'Neill stated it could, but it would probably be better to grade and gravel Gunderson Road. Commissioner Lesowski stated that ideally Gunderson would be built at the beginning but noted that's probably not practical.

Commissioner Carlton asked about the City's share for the cost of Gunderson Road. Doughman said the details are still being worked out.

Commissioner Carlton brought up the condition the applicant wants to add. Commissioner Lesowski asked about removing the "if" in the Gunderson Road condition. Doughman stated the applicant would argue the Planning Commission does not have the legal authority and that the applicant doesn't feel they are obligated to do anything.

Commissioner Lesowski brought up the front doors facing Gunderson Road on Lots 55-59. Doughman stated the applicant does not want to apply for a variance. Commissioner Lesowski asked about condition G.22 and wants "Planning Commission" to be changed to "Development Code" since the code requires the trees to be retained. O'Neill explained the applicant is required to retain all the trees that are in healthy condition in order to meet the code without going through a tree variance. Tree removal down the line would need to be done as a separate tree variance request. The Commissioners requested the "As required by the Planning Commission" clause be removed from condition G.22.

Motion: Motion to approve 19-023 SUB/VAR/TREE with the edit to condition G.22

Moved By: Commissioner Carlton

Seconded By: Commissioner Logan

Yes votes: Carlton, Lesowski, MacLean-Wenzel, Crosby, Logan, and Mayton

No votes: None

Abstentions: None

The motion passed at 8:42 p.m.

The Commission entered a recess.

5. NEW BUSINESS

5.1. UGB Expansion for Gunderson Road (20-002 UGB):

Chairman Crosby opened the public hearing on File No. 20-002 UGB at 8:53 p.m. Crosby 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. No challenges were made, and no declarations were made by the Planning Commissioners.

Commissioner Mobley previously recused himself from this hearing item during the recusal period for 19-023 SUB/VAR/TREE.

Staff Report:

Development Services Director Kelly O'Neill Jr. summarized the staff report and addressed the public hearing dates, background, factual information, and presented a brief slide show. O'Neill explained the updated UGB area that includes additional area of Highway 211 related to the jurisdictional transfer from ODOT to the City. The updated UGB expansion area is approximately 6.02 acres.

Applicant Testimony:

Chris Goodell
AKS Engineering and Forestry
12965 SW Herman Road, Suite 100
Tualatin, OR 97062
Chris Goodell presented a brief slideshow.

Proponent Testimony:

Erin Findlay
37616 Rachael Drive
Sandy, OR 97055
Best practice is safety.

Paul Owen
37189 Rachael Drive
Sandy, OR 97055
This is all about safety. Gunderson Road is necessary. UGB expansion should be expedited.

Carol Cohen
37537 Rachael Drive
Sandy, OR 97055
Concerned about the status of the development agreement. Who is paying for the road? Developer should be responsible. Does the City have money for the construction? Planning Commission should insist development agreement for Gunderson Road be completed prior to the UGB expansion. Feels deflated and disappointed in development.

Kathleen Walker
15920 Bluff Road
Sandy, OR 97055
Agrees with Carol Cohen. Who's paying for the road to be built? The fact we don't know that and are approving subdivisions and talking about UGB expansions seems upside-down. Is the developer proposing to pay anything

for Gunderson Road for their 100 homes? Are they making a profit on building the road if the City pays? Wants answers before the City Council meeting. Planning Commission should ask City Attorney what language we need in our code to fix this loophole. What happens if the City can't afford to pay for Gunderson Road? Concerned this may set a precedent.

Marie Debatty
37176 Rachael Drive
Sandy, OR 97055

For Gunderson Road, but there will still be traffic on Melissa Avenue. Doesn't understand who's in charge of making Melissa Avenue right. Would like to see speed bumps and roundabouts to slow traffic on Melissa Avenue. Would like to see construction traffic not come up Melissa Avenue.

Opponent Testimony:

None

Neutral Testimony

None

Staff Recap:

O'Neill stated the decision of who pays for the road is a City Council decision through a Development Agreement. O'Neill does not know when that document will become public knowledge. Staff does not have information on the proposed payment. Doughman reiterated City Council is still having discussion about how much they will pay for construction. Doughman stated clear and objective standard tied to ADT standards will be researched. O'Neill stated DLCD had no comment on UGB expansion proposal.

Applicant Rebuttal:

Goodell thanked staff for a positive report and recommendation.

Discussion:

Motion: Motion to close the public hearing at 9:23 p.m.

Moved By: Commissioner Logan

Seconded By: Commissioner MacLean-Wenzel

Yes votes: Carlton, Lesowski, Maclean-Wenzel, Crosby, Logan, and Mayton

No votes: None

Abstentions: None

The motion passed at 9:23 p.m.

The commission discussed the UGB expansion proposal.

Motion: Motion to recommend the City Council to approve File No. 20-002

Moved By: Commissioner Mayton

Seconded By: Commissioner Lesowski

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed at 9:29 p.m.

6. Items from Commission and Staff

Next PC hearing is February 24. Commissioner Carlton stated that any Planning Commissioner can lead the meeting. Commissioner MacLean-Wenzel is thinking about succession planning in terms of Planning Commission leadership. Commissioner Lesowski asked about upcoming code changes.

7. Adjourn

Motion: To adjourn

Moved By: Commissioner Carlton

Seconded By: Commissioner Mayton

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

Chairman Crosby adjourned the meeting at 9:34 p.m.



Chair, Jerry Crosby



Planning Director, Kelly O'Neill Jr

Draft



Staff Report

Meeting Date: February 24, 2020
From Kelly O'Neill, Development Services Director
SUBJECT: Mairin's Viewpoint Plat Extension (19-047 EXT)

Background:

On December 8, 2017 the Development Services Director approved the Mairin's Viewpoint Subdivision which is a 6-lot subdivision at the intersection of Bluff Road and Olson Road. The tentative subdivision plat approval was valid for one (1) year. On April 30, 2019 the Director granted an extension to the approval that extended the tentative plat approval for one (1) additional year to December 8, 2019.

The Development Code does not grant the Director authority to grant additional extensions. The applicant was advised by the Director to ask the Planning Commission to grant a tentative plat extension for one additional year to December 8, 2020 or another date as approved by the Planning Commission.

The typical reason that development codes contain expiration dates is because development codes are periodically modified. Modifications to development codes oftentimes lead to alternative findings or conditions of approval than were originally conditioned. In the case of Mairin's Viewpoint no applicable development code modifications have occurred that would lead to a different outcome or list of conditions than what was applied to Mairin's Viewpoint. Since no applicable development code modifications have occurred the exercise of making the applicant for Mairin's Viewpoint seek re-approval for the subdivision would be immaterial.

The legal notice regarding this request was published in the Sandy Post on February 12, 2020.

EXHIBITS:

- A. Land Use Application
- B. Narrative
- C. Preliminary Plat (updated February 3, 2020)
- D. Director Extension Letter

Recommendation:

Staff recommends the Planning Commission hear the extension request from the applicant and then make a decision on granting an extension. If Planning Commission grants an extension it shall be to December 8, 2020 or another date as approved by the Planning Commission.

Exhibit A



LAND USE APPLICATION FORM

(Please print or type the information below)

Planning Department
39250 Pioneer Blvd.
Sandy OR 97055
503-489-2160

Name of Project Mairin's Viewpoint

Location or Address 15545 SE Bluff Rd.

Map & Tax Lot Number T 2S, R 4E, Section 11; Tax Lot(s) 400

Request: An additional extension to the preliminary plat approval for the Mairin's Viewpoint Subdivision

I am the (check one) [X] owner [] 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.

Table with 2 columns: Applicant (if different than owner) and Owner. Rows include Address, City/State/Zip, Phone, Email, and Signature.

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

Table with 4 columns: File No., Date, Rec. No., Fee \$. Below it, a row for Type of Review (circle one): Type I, Type II, Type III, Type IV.

W:\City Hall\Planning\Planning Forms\Forms Updated 2018\General Land Use Application - updated 2019.doc



All County Surveyors & Planners, Inc.

Exhibit B

PO Box 955 • Sandy, Oregon 97055 • Phone: 503-668-3151 • Fax: 503-668-4730

October 24, 2019

Mairin's Viewpoint Plat Approval Extension Narrative

This subdivision has an existing preliminary plat approval with the City of Sandy under file number 17-053 SUB. The applicant is seeking an additional extension to the preliminary plat approval due to difficulty securing the consent from the lender on the property. The current preliminary plat approval expires in December of 2019, and one extension has already been granted by the City of Sandy Planning Director.

The plat is currently in review at the county and city, and it is expected that the subdivision will be constructed in the spring of 2020 if an extension is granted to the applicant.

The project site lies entirely within tax lot 400. Tax lot 400 is approximately 60,679 ft² and is gently sloping to the west, away from Bluff Road. The buildable portion of the site is bordered by Bluff Road on the east, Olsen Street on the north and the future SE Dreamcatcher Avenue on the west.

This site is currently occupied by a single house with attached garage, and is zoned SFR (Single Family Residential). The proposed development will consist of five new lots, six in total.

The development will improve Olsen Road from back of curb, and will be responsible for full frontage improvements along the SE Dreamcatcher Avenue frontage. New curb, sidewalk, planter strip and street trees will be constructed on the west side of Bluff Road.

Existing sanitary sewer, storm sewer and water lines will be utilized to serve the site. Additional stormwater detention, and flow control will be provided with this development.

Affiliated: Professional Land Surveys of Oregon • American Congress of Surveying and Mapping

Exhibit C

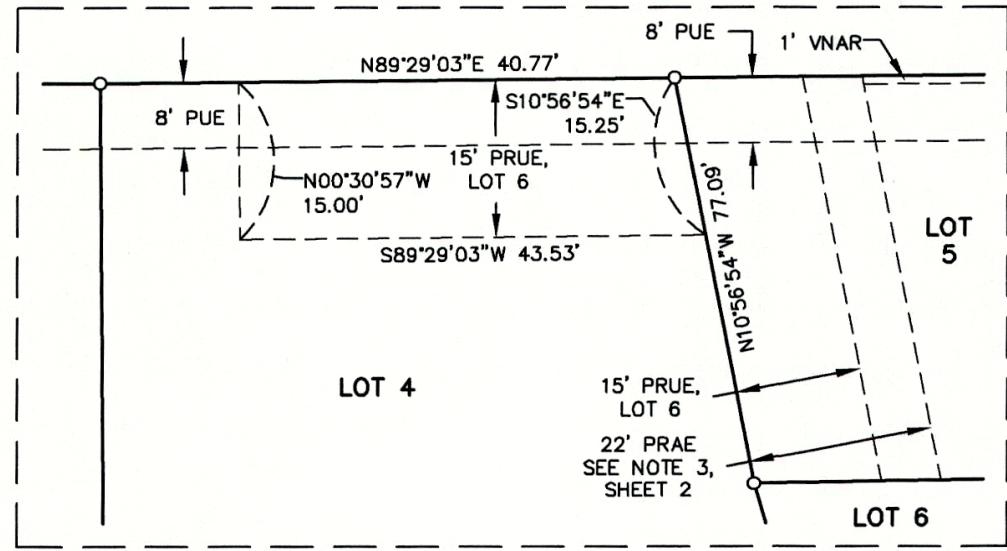
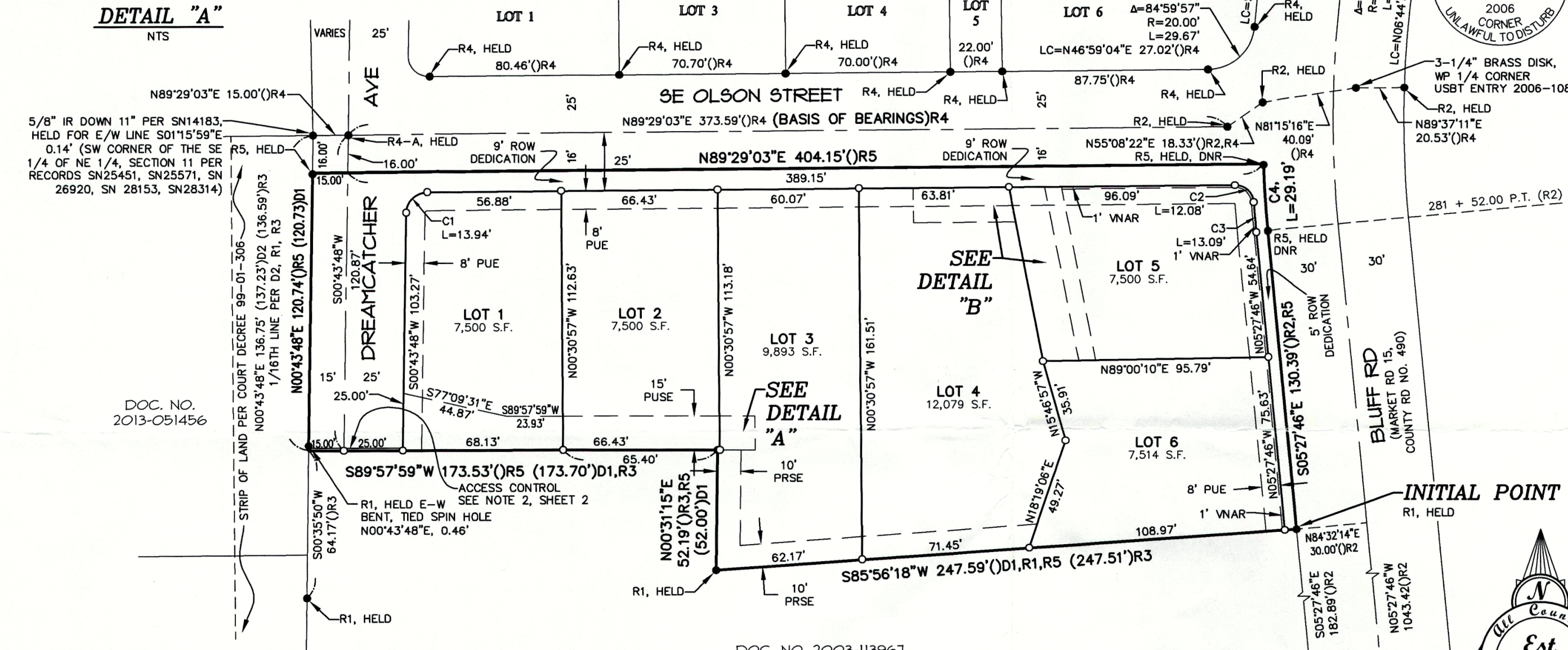
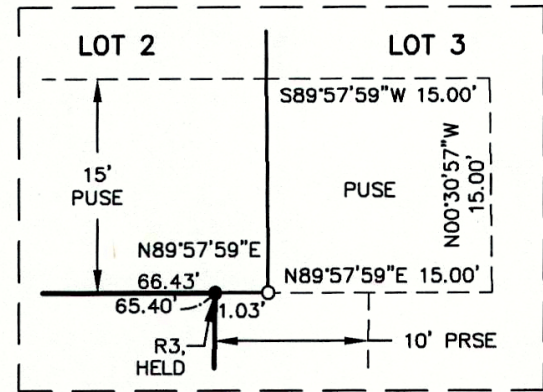
MAIRIN'S VIEWPOINT

BOOK _____ PAGE _____

LOCATED IN THE NE 1/4 OF THE SE 1/4 SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, W.M.,
CITY OF SANDY, CLACKAMAS COUNTY, OREGON

NOVEMBER 28, 2018 SCALE: 1" = 40'
FILE NO. 17-053 SUB

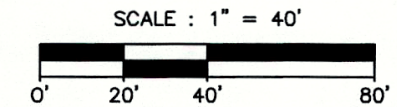
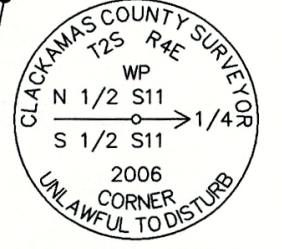
RECEIVED
FEB 03 2020
CITY OF SANDY
2nd Submittal



CURVE TABLE

| CURVE | LENGTH | RADIUS | DELTA | CHORD |
|-------|------------|-------------|--------------|------------------------|
| C1 | 13.94' | 9.00' | 88°45'15" | S45°06'26"W 12.59' |
| C2 | 12.08' | 8.00' | 86°31'03" | N47°15'25"W 10.96' |
| C3 | 13.09' | 512.27' | 1°27'52" | S04°43'50"E 13.09' |
| C4 | 29.19'(R)5 | 507.27'(R)5 | 3°17'50"(R)5 | S03°48'51"E 29.19'(R)5 |

- LEGEND**
- FOUND MONUMENT AS NOTED HEREON
 - SET 5/8" BY 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ACS&P 503-668-3151", ON _____
 - W/YPC INDICATES WITH YELLOW PLASTIC CAP
 - IR INDICATES IRON ROD
 - IP INDICATES IRON PIPE, INSIDE DIAMETER
 - OU INDICATES ORIGIN UNKNOWN
 - A INDICATES MONUMENT IS A 1-1/2" ALUMINUM CAP, INSCRIBED PER RECORD
 - (R1) INDICATES RECORD MONUMENTS AND/OR CALCULATED DATA PER PS-2423, CLACKAMAS COUNTY SURVEY RECORDS. MONUMENT IS A 3/4" IP, UNLESS OTHERWISE NOTED
 - (R2) INDICATES RECORD MONUMENTS AND/OR CALCULATED DATA PER SN2009-169, CLACKAMAS COUNTY SURVEY RECORDS. MONUMENT IS A 5/8" IR W/YPC INSCRIBED "ACS&P 503-668-3151" UNLESS OTHERWISE NOTED
 - (R3) INDICATES RECORD MONUMENTS AND/OR CALCULATED DATA PER SN2004-044, CLACKAMAS COUNTY SURVEY RECORDS. MONUMENT IS A 5/8" IR W/YPC INSCRIBED "MARX ASSOCS" UNLESS OTHERWISE NOTED
 - (R4) INDICATES RECORD MONUMENTS AND/OR CALCULATED DATA PER PLAT OF "VIEW POINT" (PLAT NO. 4495), BOOK 147, PAGE 027, CLACKAMAS COUNTY PLAT RECORDS. MONUMENT IS A 5/8" IR W/YPC INSCRIBED "ACS&P 503-668-3151" UNLESS OTHERWISE NOTED
 - (R5) INDICATES RECORD MONUMENTS AND/OR CALCULATED DATA PER SN 2019-017, CLACKAMAS COUNTY SURVEY RECORDS. MONUMENT IS A 5/8" IR W/YPC INSCRIBED "ACS&P 503-668-3151" UNLESS OTHERWISE NOTED
 - (D1) INDICATES DATA PER SUBJECT DEED DOCUMENT NO. 2005-044670, CLACKAMAS COUNTY DEED RECORDS
 - (D2) INDICATES DATA PER DOCUMENT NO. 2003-113967, CLACKAMAS COUNTY DEED RECORDS
 - DNR INDICATES DESTROYED BY CONSTRUCTION AND NOT RESET
 - PUE PUBLIC UTILITY EASEMENT
 - PRUE PRIVATE UTILITIES EASEMENT, BENEFITING LOTS AS NOTED HEREON
 - PUSE PUBLIC STORM DRAIN EASEMENT TO BENEFIT LOTS 1-3
 - VNAR VEHICULAR NON-ACCESS RESTRICTION, GRANTED TO CITY OF SANDY JURISDICTION
 - PRAE PRIVATE ACCESS EASEMENT
 - ROW RIGHT OF WAY
 - PRSE PRIVATE STORM EASEMENT



REGISTERED PROFESSIONAL LAND SURVEYOR
DALE L. HULT
JANUARY 23, 1990
2427
RENEWS 07/01/21

CLIENT: JOHN MAHAFFY
All County Surveyors & Planners, Inc.
Surveying, Planning and Civil Engineering
P.O. Box 955 Sandy, OR 97055
Phone: (503) 668-3151
Fax: (503) 668-4730
Subject to General Conditions 2006 ©

SHEET 1 OF 2

DRAWN: DRR CHECKED: MSR APPROVED: DLH

DWG NUMBER: 17-020-Plat.dwg
DATE OF PLOT: 01-23-20

MAIRIN'S VIEWPOINT

BOOK _____ PAGE _____

LOCATED IN THE NE 1/4 OF THE SE 1/4 SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, W.M.,
CITY OF SANDY, CLACKAMAS COUNTY, OREGON
NOVEMBER 28, 2018 FILE NO. 17-053 SUB

NARRATIVE

THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE THE SUBJECT TRACT AS DESCRIBED IN DEED DOC. NO 2005-044670, CLACKAMAS COUNTY DEED RECORDS. THE BOUNDARY RESOLUTION IS PER SN 2019-017, CLACKAMAS COUNTY SURVEY RECORDS. THE BASIS OF BEARING IS ALONG THE CENTERLINE OF SE OLSON STREET AS SHOWN.

SURVEYOR'S CERTIFICATE

I, DALE L. HULT, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ATTACHED PLAT, BEING SITUATED IN THE NE 1/4 OF THE SE 1/4 SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 EAST, W.M., CITY OF SANDY, CLACKAMAS COUNTY, OREGON, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE PLAT OF "DREAMCATCHER'S ESTATES", SAID POINT ALSO BEING ON THE WESTERLY RIGHT OF WAY LINE OF SE BLUFF ROAD; THENCE N05°27'48"W ALONG SAID WESTERLY RIGHT OF WAY A DISTANCE OF 182.89' TO A POINT AT THE SOUTHEAST CORNER OF SUBJECT TRACT OF LAND DESCRIBED IN DOCUMENT NO. 2005-044670, CLACKAMAS COUNTY DEED RECORDS (D1), SAID POINT ALSO BEING ON THE SAID WESTERLY RIGHT OF WAY, SAID POINT BEING MARKED WITH A 3/4" IRON PIPE; SAID POINT BEING THE INITIAL POINT; THENCE ALONG THE SOUTHERLY BOUNDARY LINES OF SAID TRACT THE FOLLOWING COURSES AND DISTANCES TO THE EAST LINE OF THE ADJOINING TRACT DESCRIBED IN DOCUMENT NO. 2013-051456: S85°58'18"W 247.59 FEET, N00°31'15"E 52.19, S89°57'59"W 173.53 FEET; THENCE N00°43'48"E ALONG THE EAST LINE OF SAID ADJOINING TRACT A DISTANCE OF 120.74 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SE OLSON STREET; THENCE N89°29'03"E ALONG SAID SOUTHERLY RIGHT OF WAY A DISTANCE OF 404.15 FEET TO SAID WESTERLY RIGHT OF WAY OF SAID SE BLUFF ROAD; THENCE 29.19 FEET ALONG SAID WESTERLY RIGHT OF WAY, ALONG A NON-TANGENT 507.27 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 317°50" (LONG CHORD BEARS S03°48'51"E, 29.19') TO A POINT OF TANGENCY; THENCE S05°27'48"E CONTINUING ALONG SAID WESTERLY RIGHT OF WAY A DISTANCE OF 130.39 FEET TO THE INITIAL POINT; CONTAINING AN AREA OF 60,682 SQUARE FEET, MORE OR LESS.

PLAT NOTES

- THIS PLAT IS SUBJECT TO CONDITIONS OF APPROVAL AS STATED IN THE CITY OF SANDY PLANNING FILE NO. 17-053 SUB
- ACCESS FROM ADJACENT PROPERTIES SHALL BE CONTROLLED BY THE CITY OF SANDY BY THE RECORDING OF THIS PLAT. THIS ACCESS CONTROL WILL BE AUTOMATICALLY TERMINATED UPON THE ACCEPTANCE OF PUBLIC RIGHT-OF-WAY DEDICATION OR THE RECORDING OF A PLAT EXTENDING THE RIGHT-OF-WAY ONTO ADJACENT PROPERTY.
- THIS PLAT IS SUBJECT TO A PRIVATE ROAD MAINTENANCE AGREEMENT UNDER FEE NO. _____, CLACKAMAS COUNTY DEED RECORDS.
- EIGHT (8) FOOT WIDE PUBLIC UTILITY EASEMENTS SHALL EXIST ALONG PUBLIC STREET FRONTAGE AS SHOWN.
- THIS PLAT IS SUBJECT TO DOCUMENT NO. 2015-065081, CLACKAMAS COUNTY DEED RECORDS AND DOCUMENT NO. 2015-065082, CLACKAMAS COUNTY DEED RECORDS FOR UTILITY EASEMENTS AND FALLS WITHIN THE DEDICATION THEREFORE NOT SHOWN.
- THIS PLAT IS SUBJECT TO A SLOPE EASEMENT PER DOCUMENT NO. 86-025700, CLACKAMAS COUNTY DEED RECORDS.

DECLARATION

KNOW ALL MEN BY THESE PRESENTS, THAT JOHN MAHAFFY IS THE OWNER OF THE LAND DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND HAS CAUSED THE SUBDIVISION TO BE PREPARED AND THE PROPERTY DIVIDED IN ACCORDANCE WITH O.R.S. CHAPTER 92, AS SHOWN ON THE ANNEXED MAP AND DOES HEREBY DEDICATE TO THE CITY OF SANDY FOREVER ALL STREETS DEPICTED AND HEREBY GRANTING ACCESS CONTROL RESTRICTION AND PUBLIC AND PRIVATE EASEMENTS WHERE NOTED AND DOES NOT CLAIM OWNERSHIP BEYOND THE PLAT BOUNDARIES. THE PROPERTY IS SUBJECT TO ANY EXISTING EASEMENTS AND RESTRICTIONS SHOWN AND TO OTHER MATTERS CREATED OR EXISTING AS NOTED IN THE PLAT NOTES HEREON.

JOHN MAHAFFY

ACKNOWLEDGMENT

COUNTY OF CLACKAMAS SS
STATE OF OREGON

KNOW ALL MEN BY THESE PRESENTS THAT ON _____ AND 2017 BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED JOHN MAHAFFY, WHO BEING FIRST DULY SWORN DID SAY THAT HE IS THE IDENTICAL PERSON NAMED IN THE FOREGOING INSTRUMENT, AND THAT SAID INSTRUMENT WAS EXECUTED FREELY AND VOLUNTARILY.

NOTARY SIGNATURE

NOTARY PUBLIC- OREGON
COMMISSION NO. _____
MY COMMISSION EXPIRES: _____

FENCE NOTE

FENCES ARE EITHER ON THE PROPERTY LINE OR NON-EXISTENT AT THE TIME OF THIS PLAT

CONSENT AFFIDAVITS

- A PARTITION PLAT CONSENT AFFIDAVIT BY HSBC BANK USA, NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE OF THE FBR SECURITIZATION TRUST 2005-2, CALLABLE MORTGAGE-BACKED NOTES, SERIES 2005-2, BENEFICIARY UNDER DEED OF TRUST RECORDED IN INSTRUMENT NO. 2008-080297 AND RE-RECORDED PER 2011-014626, HAS BEEN EXECUTED AND RECORDED IN INSTRUMENT NO. _____, CLACKAMAS COUNTY DEED RECORDS.
- A PARTITION PLAT CONSENT AFFIDAVIT BY LYLE AND DORI RORICK, BENEFICIARY UNDER DEED OF TRUST RECORDED IN INSTRUMENT NO. 2007-022900, HAS BEEN EXECUTED AND RECORDED IN INSTRUMENT NO. _____, CLACKAMAS COUNTY DEED RECORDS.

APPROVALS

CITY OF SANDY FILE NO. 17-053 SUB

APPROVED THIS _____ DAY OF _____ 20____

BY: _____
CITY OF SANDY PLANNING DIRECTOR

APPROVED THIS _____ DAY OF _____ 20____

BY: _____
BY: CITY OF SANDY ENGINEER,
CURRAN MCLEOD, INC.

APPROVED THIS _____ DAY OF _____ 20____

BY: _____
CLACKAMAS COUNTY SURVEYOR;
AND CLACKAMAS COUNTY BOARD OF COMMISSIONERS
DELEGATE PER COUNTY CODE 11.02

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY O.R.S. 92.095 HAVE BEEN PAID THROUGH

_____, 20____
APPROVED THIS _____ DAY OF _____ 20____

CLACKAMAS COUNTY ASSESSOR & TAX COLLECTOR

BY: _____
DEPUTY

STATE OF OREGON S.S
COUNTY OF CLACKAMAS

I DO HEREBY CERTIFY THAT THE ATTACHED SUBDIVISION WAS RECEIVED FOR RECORD AND RECORDED ON THE

_____, DAY OF _____, 20____

AT _____ O'CLOCK ____M

AS PLAT NUMBER _____

DOCUMENT NO. _____

SHERRY HALL, CLACKAMAS COUNTY CLERK

BY: _____
DEPUTY

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 23, 1990
DALE L. HULT
2427

RENEWS 07/01/21

CLIENT: JOHN MAHAFFY



SHEET 2 OF 2

DRAWN: DRR CHECKED: MSR APPROVED: DLH

DWG NUMBER: 17-020-Plat.dwg
DATE OF PLOT: 01-23-20

April 30, 2019

Home Port Inc.
ATTN: John Mahaffy
1000 NE 122nd Avenue
Portland, OR 97230

Dear Mr. Mahaffy,

This letter regards my email to you on April 10, 2019 and the letter request you submitted also dated April 10, 2019 to extend the tentative subdivision approval for the Mairin's Viewpoint subdivision approved with File No. 17-053 SUB. The original expiration date as set forth in the findings of fact and final order was December 8, 2018. The extension I am permitting with this letter allows for a modified expiration date of **December 8, 2019**.

If you have any questions about this letter, you are welcome to call the City of Sandy Development Services Department at (503) 668-0880 for additional information.

Thank you,

Kelly O'Neill Jr.
Planning & Building Director
koneill@cityofsandy.com
direct line: (503) 489-2163



Staff Report

Meeting Date: February 24, 2020

From Emily Meharg, Associate Planner

SUBJECT: 19-037 CPA/ZC McCormick Drive Zone Change

Background:

The applicant, Karl Sonnenberg on behalf of Portland Community Church, requests a Type IV Zone Map Amendment for one parcel totaling approximately 2.47 acres. The current zone classification of the subject property is General Commercial (C-2) and is proposed to be amended to Medium Density Residential (R-2). The subject property is designated as Retail/Commercial on the Sandy Comprehensive Plan Map so the requested zone change will also require a Comprehensive Map change to Medium Density Residential.

Recommendation:

1. Staff recommends the Planning Commission forward a recommendation of approval, approval with conditions, or denial of the comprehensive plan and zone change request to City Council. In determining a recommendation, staff recommends the Planning Commission consider whether reducing the City's commercial land surplus to 1 acre is in compliance with the following:
 - a. Statewide Planning Goals,
 - b. The zoning district amendments chapter of the Development Code, and
 - c. The Comprehensive Plan.

2. If the Planning Commission forwards a recommendation of approval of the comprehensive plan and zone change requests, staff recommends the Planning Commission also forward a recommendation that the applicant be required to maintain the landscape buffer at a minimum depth of 20 feet for a minimum of 30 percent of the Highway 26 frontage in compliance with Section 17.90.120(F).

Code Analysis:

See attached

Budgetary Impact:

None

**PLANNING COMMISSION
STAFF REPORT
TYPE IV LAND USE PROPOSAL**

SUBJECT: File No. 19-037 CPA/ZC McCormick Drive Zone Change

AGENDA DATE: February 24, 2020

DEPARTMENT: Planning Division

STAFF CONTACT: Emily Meharg, Senior Planner

EXHIBITS:

Applicant's Submittals

- A. Land Use Application
- B. Supplemental Land Use Application
- C. Narrative
- D. Transportation Planning Rule Analysis

Agency Comments:

- E. City Transportation Engineer (February 10, 2020)
- F. ODOT (February 10, 2020)

Public Comments:

- G. Peggy Bromley (February 3, 2020)

Additional Documents Submitted by Staff:

- H. Survey SN28251
- I. Comprehensive Plan

I. BACKGROUND

A. PROCEEDING

Type IV Comprehensive Plan Map Amendment and Zone Change

B. FACTUAL INFORMATION

- 1. APPLICANT: Karl Sonnenberg
- 2. OWNER: Portland Community Church
- 3. PROJECT NAME: McCormick Drive Rezone
- 4. LEGAL DESCRIPTION: T2S R4E Section 13DA Tax Lot 462

5. **PROPERTY LOCATION:** south of Highway 26, north of McCormick Drive, east of Wolf Drive, west of Langensand Road
6. **PROPOSED AREA TO BE CHANGED:** 2.47 acres
7. **PROPOSAL:** The applicant, Karl Sonnenberg on behalf of Portland Community Church, requests a Type IV Zone Map Amendment for one parcel totaling approximately 2.47 acres. The current zone classification of the subject property is General Commercial (C-2) and is proposed to be amended to Medium Density Residential (R-2). The subject property is designated as Retail/Commercial on the Sandy Comprehensive Plan Map so the requested zone change will also require a Comprehensive Map change to Medium Density Residential.
8. **CURRENT COMPREHENSIVE PLAN DESIGNATION:** Commercial
9. **PROPOSED COMPREHENSIVE PLAN DESIGNATION:** Medium Density Residential
10. **CURRENT ZONING DISTRICT DESIGNATION:** C-2, General Commercial
11. **PROPOSED ZONING DISTRICT DESIGNATION:** R-2, Medium Density Residential
12. **RESPONSE FROM GOVERNMENTAL AGENCIES, UTILITY PROVIDERS, CITY DEPARTMENTS AND THE GENERAL PUBLIC.** Agency comments were received from the City Transportation Engineer (Exhibit E) and ODOT (Exhibit F). One public comment was received from Peggy Bromley (Exhibit G) who states it would be a shame to develop the property and cut down all the mature trees.

C. APPLICABLE CRITERIA: Sandy Development Code 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.24 Comprehensive Plan Amendment Procedures; 17.26 Zoning District Amendments; 17.38 Medium Density Residential; 17.44 General Commercial; City of Sandy Comprehensive Plan; Oregon Statewide Planning Goals

D. BACKGROUND INFORMATION

The City of Sandy adopted the *Urban Growth Boundary Expansion Analysis* in January 2017. The analysis identifies a 3.5-acre surplus of commercial land and a 9.2-acre surplus of medium density residential land for the 20-year planning horizon.

E. PROCEDURAL CONSIDERATIONS

This request is being processed under a Type IV quasi-judicial review. Notification of the proposal was mailed to property owners within 500 feet of the subject property and to affected agencies on January 27, 2020. Notification of the proposal was sent to the Department of Land Conservation and Development (DLCD) on December 18, 2019 and a legal notice was published in the Sandy Post on February 5, 2020. The Planning Commission will review the request at a public hearing on February 24, 2020 and forward a recommendation to the City Council for final decision on this request. The request could then be approved by Ordinance.

II. ANALYSIS OF CODE COMPLIANCE

17.24 – COMPREHENSIVE PLAN AMENMENT PROCEDURES

17.24.70 REVIEW CRITERIA

Comprehensive Plan amendments shall be reviewed to assure consistency with the purposes of this chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council. Amendments shall be approved only when the following findings are made:

- A. The change being proposed is the best means of meeting the identified public need; and

RESPONSE: *Per the applicant's narrative (Exhibit C), "The property has been on the market by current owner since January 2017 (32 months with two separate brokers). The prior owner, who donated site to current owner, also had the property for sale previously. In this time there has been limited interest by commercial developers. Potential buyers are concerned by the limited visibility of the site from Highway 26 due to the slopes, the restricted access from 26 and the challenging topography for commercial development. The only commercial use interest was a mini-storage facility while three multifamily residential developers have expressed interest if zoning was appropriate." The January 2017 Urban Growth Boundary Expansion Analysis identifies a 3.5-acre surplus of commercial land and a 9.2-acre surplus of medium density residential land for the 20-year planning horizon. Rezoning the 2.5-acre subject property from commercial to medium density residential would reduce the commercial surplus to 1 acre and increase the medium density residential surplus to 11.7 acres.*

- B. The change conforms to all applicable Statewide Planning Goals.

RESPONSE: *Applicable Statewide Planning Goals 1, 2, 9, 10, 11, and 12 are reviewed below.*

Goal 1: Citizen Involvement

The application is being reviewed through a Type IV process that requires two public hearings. Notice of the proposal was sent to all property owners within 500 feet of the subject property and to the Department of Land Conservation and Development (DLCD). The Planning Commission will review the application at a public hearing on February 24, 2020 and make a recommendation to City Council. City Council will hold a public hearing on March 16, 2020 to make a decision on the proposal. Because the public will have the opportunity to review and comment on the application at several meetings as well as provide written comments, staff finds the proposal meets the intent of Goal 1.

Goal 2: Land Use Planning

The City's Comprehensive Plan Map guides land uses within the City's Urban Growth Boundary. Staff has reviewed the application for conformance with the Comprehensive Plan in review of Chapter 17.24, and the Zoning Ordinance in review of Chapter 17.26. The land is currently zoned for commercial use. On November 20, 2019 the C-2 zoning district was

modified to permit housing above ground floor commercial. By changing the comprehensive plan designation and zoning designation for the property the subject site would be limited to the uses in the R-2 zoning district. The primary uses permitted outright are residential. The R-2 zone does permit some commercial uses through the conditional use permit process.

Goal 9: Economic Development

The purpose of Goal 9 is to make sure cities and counties have enough land available to realize economic growth and development opportunities. The amount of land planned for economic development should be adequate for a 20-year supply. The January 2017 Urban Growth Boundary Expansion Analysis identifies a 3.5-acre surplus of commercial land and a 9.2-acre surplus of medium density residential land for the 20-year planning horizon. Rezoning the 2.5-acre subject property from commercial to medium density residential would reduce the commercial surplus to 1 acre and increase the medium density residential surplus to 11.7 acres.

Goal 10: Housing

Goal 10 directs cities to inventory their “buildable lands” including land inside an urban growth boundary that is suitable and available for residential use. The January 2017 Urban Growth Boundary Expansion Analysis identifies a 9.2-acre surplus of medium density residential land for the 20-year planning horizon. Rezoning the 2.5-acre subject property from commercial to medium density residential would reduce the commercial surplus to 1 acre and increase the medium density residential surplus to 11.7 acres. The proposed zone change would allow additional residential development in Sandy. As explained in the analysis of Goal 2 the C-2 zoning district was recently modified to permit housing above ground floor commercial.

Goal 11: Public Facilities and Services

The proposed comprehensive plan change, and zone change will not negatively impact public facilities or create service capacity shortfalls. The proposed future construction of residential dwelling units will have a negligible impact on public facilities and will require the payment of System Development Charges.

Goal 12: Transportation

Goal 12 requires cities, counties, and the state to create a transportation system plan (TSP) that takes into account all relevant modes of transportation. The Transportation Planning Rules (TPR) implements Goal 12 by specifying what must be included in local planning efforts for transportation, and what must be addressed and included in a TSP. The applicant submitted a Transportation Planning Rule Analysis (Exhibit D) prepared by Kittleson & Associates that concludes “the proposed Comprehensive Amendment and Zone Change from Commercial to Residential represents a ‘downzoning’ and a resultant decrease in the number of daily, weekday AM and weekday PM peak hour trips that could be generated by the property if developed in the future. As such, no transportation impacts are anticipated by the rezone and we conclude there are no significant effects, as defined by the Transportation Planning Rule.” The City Transportation Engineer (Exhibit E) concurs with the TPR Analysis’ conclusion that the proposed rezoning will result in less transportation impact for the system. The City Transportation Engineer also concurs that no changes to the city’s street classification designation or standards are warranted by the rezoning and that mitigation is not necessary. ODOT (Exhibit F) reviewed the proposal and determined that

there will be no significant impacts to state highway facilities and no additional state review is required.

Staff recommends the Planning Commission determine if reducing the City's commercial land surplus to 1 acre is in compliance with Statewide Planning Goals.

17.26 – ZONING DISTRICT AMENDMENT

17.26.40 QUASI-JUDICIAL AMENDMENT PROCEDURES

B. Review Criteria. Quasi-judicial zoning district changes shall be reviewed to:

1. Determine the effects on City facilities and services;

RESPONSE: *Development on the site with residential dwellings will require sanitary sewer and water service and the provision of stormwater treatment and detention on-site. Sanitary sewer and water service are available to serve development in the McCormick Drive right-of-way; water is also available in the Highway 26 right-of-way. The proposed comprehensive plan map change and zone change will not impact City facilities and services. The proposed future construction of the residential development will provide additional housing options within this area of the city. Issues related to on-street parking and access will be evaluated during review of a land use application. Because the proposal will not create a significant impact to City facilities and services, the application meets this criterion.*

2. To assure consistency with the purposes of this chapter;

RESPONSE: *The intent of the Zoning District Amendments chapter is to: A) Maintain sound, stable, and desirable development within the City; B) Permit changes in zoning district boundaries where appropriate; C) Ensure zoning changes are consistent with the community's land use policies and goals; and D) Lessen the influence of private economic interests in the land use decision-making process. The application is being reviewed through a Type IV Quasi-Judicial Amendment to the Comprehensive Plan Map and Zoning Map as required by Chapter 17.26. The subject site is bordered by C-2 General Commercial and R-2 Medium Density Residential property to the north (across Highway 26), C-2 General Commercial property to the east and west, and SFR Single Family Residential to the south. Future development of the property with additional dwellings will provide a logical extension of housing options but will reduce the amount of land available for commercial development. **Staff recommends the Planning Commission determine if the requested comprehensive plan map and zone change is in compliance with the intent of the zoning district amendments chapter.***

3. To assure consistency with the policies of the Comprehensive Plan;

RESPONSE: *Comprehensive Plan Goals 1, 2, 9, 10, 11, and 12 are reviewed below.*

Goal 1, Policy 2 – This proposed Comprehensive Plan Map change includes citizen participation as the approval process includes two public hearings and the opportunity to provide written testimony.

*Goal 2, Policy 2 – Goal 2, Policy 2 states “Changes to the Comprehensive Plan Map shall be consistent with the policies of the Comprehensive Plan, state law, and intergovernmental agreements.” **Staff recommends the Planning Commission determine if the proposal is consistent with the policies of the Comprehensive Plan, state law, and intergovernmental agreements.***

*Goal 5, Policies 7, 16, 17 - The proposed Comprehensive Plan change and zone change would change the zoning on the property from C-2 General Commercial to R-2 Medium Density Residential. Although the minimum tree retention standards in Chapter 17.102 wouldn't change based on zone, the property is currently subject to the General Commercial design standards, which include a requirement for a landscape buffer that is at least 20 feet in depth for at least 30 percent of the Highway 26 frontage. The residential design standards do not require a landscape buffer; thus, the zone change would result in the potential loss of trees within the landscape buffer. **Staff recommends that if the Planning Commission recommends approval of the comprehensive plan and zone change requests that the applicant be required to maintain the landscape buffer at a minimum depth of 20 feet for a minimum of 30 percent of the Highway 26 frontage in compliance with Section 17.90.120(F).***

Goal 9, Policy 2 – The proposed Comprehensive Plan change and zone change is requested to facilitate future development of residential housing on the subject property. The proposed residential development can be accommodated by existing utilities and will create more housing opportunities within this area of the city, thus carrying out the community goal of increasing housing options.

Goal 9, Policies 7, and 8 – Goal 9, Policies 7, and 8 clarify the intent of the commercial area east of downtown, which is to capitalize on proximity to Mt Hood and the Sandy River and to provide a unique opportunity for commercial development that supports tourism in Sandy. Rezoning the subject property from C-2 to R-2 would remove 2.47 acres from the commercial area east of downtown and south of Highway 26.

Goal 10 Policy 1 – This policy strives to assure an adequate supply of developable land for low, medium, and high density housing to meet the 20-year population projections. The January 2017 Urban Growth Boundary Expansion Analysis identifies a 3.5-acre surplus of commercial land and a 9.2-acre surplus of medium density residential land for the 20-year planning horizon. Rezoning the 2.5-acre subject property from commercial to medium density residential would reduce the commercial surplus to 1 acre and increase the medium density residential surplus to 11.7 acres.

Goal 10, Policy 6 – Goal 10, Policy 6 is to provide for a balance between growth in job opportunities and the growth in housing opportunities. Rezoning the property from C-2 to R-2 would likely impact the jobs to housing ratio.

4. To assure consistency with the Statewide Planning Goals as may be necessary, and any other applicable policies and standards adopted by the City Council.

RESPONSE: *In order to comply with the requirements of this section the proposal must also meet the intent of the applicable Statewide Planning Goals. Based on the proposal and the location of the subject property the following Statewide Planning Goals apply to the proposal: 1, 2, 9, 10, 11 and 12. An analysis of each goal is included in a review of Section 17.24.70 above. In addition to Statewide Planning Goals, the City of Sandy has adopted design standards. Currently, the site is zoned C-2 General Commercial and would be subject to the General Commercial design standards. Section 17.90.120(F) contains requirements for a landscape buffer that is at least 20 feet in depth for at least 30 percent of the Highway 26 frontage. The multi-family design standards (Section 17.90.160) do not require a landscape buffer; thus, the zone change would result in the potential loss of trees within the landscape buffer, which is grounds for denial of a design review per Section 17.90.00(D.1). Protecting and enhancing the required landscape buffer along Highway 26 (Landscape Management Corridor) is a guiding principle of Sandy Style. **Staff recommends that if the Planning Commission recommends approval of the comprehensive plan and zone change requests that the applicant be required to maintain the landscape buffer at a minimum depth of 20 feet for a minimum of 30 percent of the Highway 26 frontage in compliance with Section 17.90.120(F).***

TRANSPORTATION PLANNING RULE (TPR)

The TPR requires local governments to place measures assuring that allowed land uses are consistent with the identified function, capacity, and performance standards of a facility if a change to the comprehensive plan “significantly affects” a transportation facility. As it relates to this application, the TPR defines “significantly affects” as measured at the end of the planning period identified in the adopted transportation system plan:

- Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
- Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
- Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

RESPONSE: *As noted above, the applicant submitted a Transportation Planning Rule Analysis (Exhibit D) evaluating potential traffic impacts with the requested Comprehensive Plan amendment and zone change. The conclusion of this analysis is that the proposal would have no significant impact to the transportation system including local streets and Highway 26. The City Transportation Engineer reviewed this study and submitted written comments (Exhibit E) concurring with this conclusion. ODOT (Exhibit F) reviewed the proposal and determined there*

will be no significant impacts to state highway facilities and no additional state review is required.

III. SUMMARY AND CONCLUSION

The applicant requests a Comprehensive Plan Map and Zone Map amendment to change the designation for a 2.47-acre parcel from General Commercial (C-2) to Medium Density Residential (R-2). Rezoning the 2.5-acre subject property from commercial to medium density residential would reduce the commercial surplus to 1 acre and increase the medium density residential surplus to 11.7 acres.

IV. RECOMMENDATIONS

1. Staff recommends the Planning Commission forward a recommendation of approval, approval with conditions, or denial of the comprehensive plan and zone change request to City Council. In determining a recommendation, staff recommends the Planning Commission consider whether reducing the City's commercial land surplus to 1 acre is in compliance with the following:
 - a. Statewide Planning Goals,
 - b. The zoning district amendments chapter of the Development Code, and
 - c. The Comprehensive Plan.

2. If the Planning Commission forwards a recommendation of approval of the comprehensive plan and zone change requests, staff recommends the Planning Commission also forward a recommendation that the applicant be required to maintain the landscape buffer at a minimum depth of 20 feet for a minimum of 30 percent of the Highway 26 frontage in compliance with Section 17.90.120(F).



LAND USE APPLICATION FORM

(Please print or type the information below)

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

Name of Project McCormick Drive Rezoning

Location or Address McCormick Drive at Van Fleet Avenue

Map & Tax Lot Number T 2, R 4, Section 13; Tax Lot(s) 24E13DA00462

Plan Designation C-2 Zoning Designation Commercial Acres 2.47

Request:

Rezoning of property from C-2 to Medium Density Residential R-2. With limited curb cuts/access from US 26 the property has limited commercial value while R-2 use could be accessible from McCormick Drive on property's south edge.

I am the (check one) owner 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 Karl Sonnenberg | Owner Portland Community Church |
| Address 15140 SW Gibraltar Court | Address 7100 SW Scholls Ferry Road |
| City/State/Zip Beaverton OR 97007 | City/State/Zip Beaverton OR 97008 |
| Phone 503.799.3048 | Phone 503.329.9076 |
| Email krsoregon@gmail.com | Email ronkincaid@live.com |
| Signature | Signature |

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

| | | | |
|---|---------------------|----------|------------------------|
| File No. <u>19-0372C</u> | Date <u>9/19/19</u> | Rec. No. | Fee \$ <u>6,950.00</u> |
| Type of Review (circle one): Type I Type II Type III <u>Type IV</u> | | | |

** Need \$1,471.01*



**SUPPLEMENTAL
LAND USE APPLICATION FORM (No. 1)**

(Please print or type the information below)

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

ANNEXATION ZONE CHANGE COMPREHENSIVE PLAN AMENDMENT

| Property Identification | | | |
|-------------------------|----------|-------|---------|
| Tax Lot Number | Township | Range | Section |
| 24E13DA00462 | 2 | 4 | 13 |
| | | | |
| | | | |

| Existing and Proposed Land Use Designations | | | | |
|---|--------------------|-------------------------|------------|----------|
| Tax Lot Number(s) | Comprehensive Plan | | Zoning Map | |
| | Existing | Proposed | Existing | Proposed |
| 24E13DA00462 | Retail/Comm | Med Dens R ₁ | C-2 | R-2 |
| | | | | |
| | | | | |

IMPORTANT: Each section on this application must be fully completed or your application could be deemed incomplete.

| Tax Lot Number | Clackamas County Recording Number | Assessed Land Value | Size in Acres or Sq. Ft. |
|----------------|-----------------------------------|---------------------|--------------------------|
| 24E13DA00462 | | | 2.47 acres |
| | | | |
| | | | |

LEGAL DESCRIPTION: Attach a separate page with the written metes and bounds legal description. Accuracy of the legal description(s) must be certified by a registered land surveyor for all annexation applications.

DESCRIBE EXISTING USES

Existing site is undeveloped

DESCRIBE EXISTING BUILDINGS

How many buildings are located on the property? No buildings are on the site

Number of Total Dwelling Units :

zero

DESCRIBE EXISTING TOPOGRAPHY

| | |
|---|------------|
| Approximate acreage with slopes less than 14.9% | 80% |
| Approximate acreage with slopes 15% to 24.9% | 20% VERIFY |
| Approximately acreage with slope in excess of 25% | 0% |
| Any creeks, water sources, drainageways or wetlands within the property? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| Any steep slopes, ravines, draws or bluffs within or abutting the property? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |

DESCRIBE EXISTING ACCESS

Does the subject property abut a public right-of-way? Yes No

Name of public right-of-way: U.S. 26 to the north and McCormick Drive to the south

Does the property abut a private road? Yes No

Name of abutting private road(s): there is a fire lane easement serving Avamere at NW corner

Describe any unusual difficulties in accessing the property:

Access or curb cut off U.S. 26 is thought to be unlikely and would have grading issues.

DESCRIBE SURROUNDING USES ON ADJACENT PROPERTIES

Across U.S. 26 to the north is C-2 (undeveloped) and R-2 (with single family house) lots.

Adjacent to the east is Avamere at Sandy Assisted Living zoned C-2

Across McCormick Drive to the south are single family homes on R-1 zoning.

Adjacent to the west is an undeveloped C-2 lot.



DESCRIBE PROPOSED USE OF THE PROPERTY OR LAND DIVISIONS

Include number of lots, densities, etc.

The applicant desires to sell the land and based on input from potential buyers, the land is more suitable for multi-family residential use than commercial. It would be anticipated the property would stay as one lot. Chapter 17.38 R-2 of the Sandy Development Code requires 8 to 14 units per acre which would be 20 to 34 units for this lot.



I. SUMMARY

Applicant: Ron Kincaid
Pastor
Portland Community Church
7100 SW Scholls Ferry Rd, Beaverton, OR 97008
Telephone: 503.935.9923
Email: ronkincaid@live.com

Representative: Karl Sonnenberg, AIA
Board Member
Telephone: 503.799.3048
Email: krsoregon@gmail.com

Request: Type IV Comprehensive Map and Zoning Map Amendments

Location: No address, at McCormick Drive and Van Fleet Avenue

Legal Description: Tax Lot 24E13DA00462, (Map Number T 2, R 4, Section 13)

Site Size: 2.47 Acres (107,600 square feet)

Current Zoning: C-2 Retail/Commercial

Summary:

This request is to change the Comprehensive Plan designation of the property from General Commercial (C-2) to Medium Density Residential (R-2). The 2.47 acre site is currently vacant and the residential zoning will help facilitate future development of the property with a multifamily residential use that will be compatible with surrounding development and better supported by the transportation system and infrastructure available in the vicinity. At this point no specific development plans for the site are proposed, and it is anticipated that any future development will be subject to Design Review by the City of Sandy.

II. EXISTING CONDITIONS

Existing Site Conditions

Vicinity:

The vacant site is on the south side of Highway 26 midway between Wolf Drive and Langensand Road. Immediately to the west of the site is another vacant lot of approximately one acre which adjoins a church parking lot and buildings and is zoned General Commercial (C-2). To the south across McCormick Drive are single family residences zoned Low Density Residential (R-1). To the east is "Avamere at Sandy" which is an assisted living facility in two to three story apartment-like buildings zoned General Commercial (C-2). There is a paved fire lane (approximately 140 feet long) serving Avamere off of Highway 26 along the east property line of the site. To the north across Highway 26 there are two zones. Toward the west half

is an undeveloped 120 feet deep parcel zoned General Commercial (C-2). Toward the east the area is zoned Medium Density Residential (R-2) as is developed with single family residences scattered in trees for a half mile down to the east where the Sandy Vista Apartments are located.

Despite the General Commercial (C-2) zoning, the commercial uses in the vicinity of the site are generally small-scale business or under developed properties. The closest retail/commercial use to the site is across Highway 26 and to the west is, where there are two small dental offices in residential structures. Further toward the west is the Sandy Police Department and at the intersection of SE Ten Eyck Road (aligned with Wolf Drive) there is a vacant commercial building. On the south side of the highway west of the church there is a restaurant at the intersection of Wolf Drive and Highway 26 and the USPS Office at Wolf Drive and McCormick Drive. All of these buildings are similar to much of the commercial zone on the west end of Sandy in that they are residential-like structures or small commercial buildings. See Attachments 1-3 for Site Plan, Zoning Map and Location Map.

Site Characteristics.

The undeveloped site is a sloped grassy field with several trees both on the property and in the Highway 26 right-of-way. The site slopes approximately forty feet from the north along Highway 26 to the south along McCormick Drive with slopes ranging up to 15% plus/minus.

The site's uphill or north side is on the inside of a gentle curve on Highway 26 while the downhill or south side is on the outside of a gentle curve on McCormick Drive. See Attachment 4, Site Photographs.

Several factors limit the site's viability for retail/commercial use:

- The site is located significantly downhill from Highway 26, which is a key obstacle to retail/commercial use. The downhill slope and location on the inside of a curve severely limits the visibility of the property from the highway. Because visibility is so important for retail uses and commercial offices in order to attract potential customers this would be a major impediment to any commercial business succeeding in this location.
- Clear vehicular access is also important for retail and small commercial uses. ODOT will not allow direct vehicular access from Highway 26 and when there is another option. Without direct access from 26, motorists would need to take a circuitous route to the property by either driving west past two properties to Wolf Drive or driving east to Langensand Road past Avamere then south to McCormick and then to Van Fleet. Both routes result in drives of 4/10ths of a mile and two turns including travel on a designated Collector street. Additionally, neither route would be clearly evident to motorists since the subject site would not be visible for most of the detour. As such, it is unlikely that potential customers would bother trying to find a retail/commercial establishment located on the site.
- The slope of the site would be inefficient for retail and commercial development which requires larger building footprints and large parking areas convenient to the building entry. The slope of the site would require significant grading and retaining walls to create a viable commercial development. Conversely, residential development like apartments can feature smaller building footprints of and small, scattered parking areas could more easily step and terrace down the hill toward McCormick Drive.

The site is not identified on any natural hazard maps. Across Highway 26 and 300 feet to the north there is FSH Overlay for slope setbacks and the nearest FSH flood overlay is 1,200 feet to the west. The flood zone coincides with the nearest open space, Meinig Memorial Park. Development on this site would not impact the park nor other natural, wetland or open spaces. The city published new "Historic Sandy Downtown Tour" brochure was reviewed and the closest point of interest (other than the Historical

Society a building) and 1963 Meinig Park, is the "Doc Williams Office and Home" 1,500 feet to the west. It was noted that the original Meinig Park is where the USPS Office and the adjacent church are located, there are no visible remnants. Therefore, there is no impact to historic sites.

Previous Land Use History.

This property does not have any recent land use history.

Existing Infrastructure

Public Utilities. Per a conversation with Mike Walker, Director of Public Works, the site is adequately served by utilities including on McCormick Drive.

Fire/Police Protection. Fire services are provided to the site from Sandy Fire District # 72 Main Station at 12460 Bruns Avenue a distance of 0.6 miles. The site is provided with police services from the Sandy Police Department across U.S. Highway 26 and just east of the site at 39850 Pleasant Street.

School Facilities. The site is served by the Oregon Trail School District and the following schools:

- Sandy Grade School, 38955 Pleasant Street, Sandy Oregon, 97055, 0.6 miles to the east.
- Cedar Ridge Middle School, 17100 Bluff Road, Sandy Oregon, 97055, 1.1 miles to the east.
- Sandy High School, 37400 Bell St, Sandy, OR 97055, 2.4 miles to the east and north.

Developing the property with Medium Density Residential with 20 to 34 units will slightly increase the demand on these schools, depending on the make-up of residents.

Transportation Facilities. The site abuts two streets:

- U.S. Highway 26 is to the north and is four lane paved road with painted median and paved shoulders. There is no sidewalk on this section nor is there to the west. To the east, the Avamere site has a sidewalk. U.S. Highway 26 is classified as a Major Arterial by the City of Sandy.
- McCormick Drive to the south is a two lane paved curbed Collector Street with street parking on both sides. There is no sidewalk on this section nor is there to the west. To the east, the Avamere site has a sidewalk. There is also a sidewalk on the south side of McCormick Drive.

Additional streets not adjacent to the site include:

- VanFleet Street "T's" into McCormick Drive from the south at the middle third of the site. It is two lane paved, curbed Collector Street with street parking and sidewalks on both sides.
- Wolf Drive is approximately one thousand feet to the west and is a Collector Street between McCormick Drive and U.S. Highway 26. To the south of McCormick Drive it is a Local Street.
- Langensand Road is approximately six hundred to the east and is a Minor Arterial to the north of McCormick Drive and a Residential Minor Arterial to the south.

Transit Availability. Sandy Area Metro (SAM) directly serves the site with two routes on McCormick Drive:

- *Shopping Shuttle Route B:* a route that loops through the downtown and the south side of Sandy. There are five weekday runs between 12:45 and 7:10 p.m.
- *Sandy & Estacada SAM:* travels from downtown Sandy to Estacada and back with a transfer to TriMet Route 30. There are 5 weekday runs in each direction from approximately 7:00 a.m to 7:00 p.m.
- The Sandy Transit Center is a 4/10th of a mile walk to the east of the site, where the Sandy Local & Gresham Express provides weekday local service on the half hour and express service hourly to

Gresham where there is transfer to seven TriMet lines and MAX Light Rail. The local and express routes also provide hourly service on weekends.

Traffic Analysis.

Attachment 5 "Transportation Planning Rule Analysis" Memorandum prepared by Kittelson & Associates concludes "the proposed Comprehensive Amendment and Zone Change from Commercial to Residential represents a 'downzoning' and a resultant decrease in the number of daily, weekday AM and weekday PM peak hour trips that could be generated by the property if developed in the future. As such, no transportation impacts are anticipated by the rezone and we conclude there are no significant effects, as defined by the Transportation Planning Rule."

III. APPROVAL CRITERIA

Comprehensive Plan Amendment Review Criteria

The approval criteria for a Comprehensive Plan Amendment are found in Chapter 17.24.70 and are addressed below.

Comprehensive Plan amendments shall be reviewed to assure consistency with the purposes of this chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council. Amendments shall be approved only when the following findings are made:

A. The change being proposed is the best means of meeting the identified public need;

Finding:

Zone changes should be considered in light of the City's current balance of land uses. In February 2017 the City of Sandy adopted the *Urban Growth Boundary Expansion Analysis* in which the city detailed how it will meet the identified land need. The adopted Expansion Alternative described on page 49 in "Table 3.10 Area of Land Surplus (deficit) of the Preferred UGB Expansion Alternative" noted all land use types had surpluses including Commercial. For Commercial land uses the current surplus is 3.6 acres, so even with this 2.47 acre proposed to be removed from commercial zoning there will be still be a surplus (1.13 acres) of commercial zoned land remaining to serve the public need.

The property has been on the market by current owner since January 2017 (32 months with two separate brokers). The prior owner, who donated site to current owner, also had the property for sale previously. In this time there has been limited interest by commercial developers. Potential buyers are concerned by the limited visibility of the site from Highway 26 due to the slopes, the restricted access from 26 and the challenging topography for commercial development. The only commercial use interest was a mini-storage facility while three multifamily residential developers have expressed interest if zoning was appropriate.

The majority of the viable commercial/retail development in Sandy has occurred on the west side of town toward Gresham and Portland, the larger cities further west. This is typical of smaller cities where growth tends to happen towards the larger nearby communities, and the major shopping areas and light industrial uses are primarily oriented that direction. The commercial properties on east side are less successful as shown by the vacant commercial buildings northeast of Wolf Drive/SE Ten Eyck Road and Highway 26 as

well as the property across Highway 26 from the site. The combination of poor site configuration and underperforming commercial properties nearby doubles the challenge of commercially developing this site.

Currently there is a strong demand for affordable apartments in Sandy and providing some on this site will better serve the public need than an under-utilized commercial development. Multi-family housing is under-represented in Sandy, as evidenced by the low vacancy rates and high rents. Additionally, providing multi-family housing offers a more affordable housing option for new families, single people, the elderly, who don't need a full-sized, single-family detached house. Therefore, allowing this site to be developed with multi-family apartments will benefit the public by providing access to more housing opportunities.

City staff noted desire of city to activate property along this section of Highway 26. Assuming a sidewalk will be extended parallel to the highway; activation of the street is possible with building orientation and facing the entries of some of the residential units toward the highway. Additionally, the prerequisite "Sandy Style" can work well with apartment buildings, as shown by Sandy Vista Apartments to the east and across Highway 26. There can also be pedestrian walkways from the highway to access buildings on the lower half of the site. Note that due to the sloped site, ODOT does have a guardrail in this section of highway that will ultimately limit the visibility and access potential of buildings from Highway 26.

In summary, as shown above the subject property is not a good candidate for retail/commercial development due to its physical constraint. However, it is well-suited for multifamily development in that it is near downtown, has good access to transit and located on appropriate streets. Therefore, the proposal will help meet the identified public needs outlined in the Comprehensive Plan by providing multifamily housing opportunities in an area where there is a deficiency of this type of housing and the proposal complies with this criterion.

B. The change conforms to all applicable Statewide Planning Goals.

Finding: The proposal complies with all applicable Statewide Planning Goals as described below.

Goal 1: Citizen Involvement. *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Finding: The application will be reviewed through a Type IV process that requires two public hearings with both the Planning Commission and City Council. A public notice will be sent to property owners within 500', a legal notice will be published in the Sandy Post, and a notice of the proposal will be sent to the Department of Land Conservation and Development. Because the public will have ample opportunity to review and comment on the application, the proposal meets the intent of Goal 1

Goal 2: Land Use Planning. *To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Finding: The proposed zone change is within the City's Urban Growth Boundary and stays within recommended allotment of land uses in the City of Sandy Urban Growth Boundary Expansion Analysis of February 2017. The proposed review will also follow the prescribed processes in Chapter 17.24 for Comprehensive Plan Amendments and Chapter 17.26. for Zoning District Amendments. The applicant will work with City Planning Division staff to assure a thorough review. By following the procedures

outlined by the City, the proposal will follow the established land use planning process and this goal is met.

Goal 3 & 4: Agricultural Lands & Forest Lands. *As noted in the Sandy Comprehensive Land Use Plan, there are no Agricultural Lands or Forest Lands within in the City. Therefore, these goals are not applicable.*

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources. *To establish a process for each resource to be inventoried and evaluated.*

Finding: There are no nearby designated open spaces, scenic areas or natural resources therefore no impact is anticipated. This goal does not apply.

Goal 6: Air, Water, and Land Resources Quality. *To establish measures consistent with state and federal regulations.*

Finding: The proposed zone change from General Commercial (C-2) to Medium Density Residential (R-2) will not have any impact on these resources and no specific natural resources are mapped on the property. However, it should be noted that total vehicle daily trips to and from site could be reduced over 50% by this zone change to multifamily when compared to a potential commercial development, (see Kittelson & Associates Memorandum Appendix 5, page 3 Table 1). Vehicle trip reduction will help improve air quality within the neighborhood. Additionally, it is possible that a multifamily development may be able to preserve more of the existing trees on site than a retail/commercial development due to smaller, scattered parking areas and smaller and more flexible building footprints. Any tree removal would follow guidelines of Chapter.102 Urban Forestry of the Zoning Code. As shown, converting the property to multifamily zoning will have potential benefits to the quality of natural resources in the area and this goal is met.

Goal 7: Areas subject to Natural Disasters and Hazards. *Requires "appropriate safeguards" when planning for development.*

Finding: The site is not located in or proximate to any natural hazard zones and therefore this goal does not apply. The nearest slope hazard area is 300' to the north and the nearest flood hazard is 1,200 feet to the west.

Goal 8: Recreation. *To establish plans for meeting projected demand for recreation.*

Finding: The development of this site will have no impact on recreation opportunities in the area. The site is 1,200 feet from the nearest recreation area or park (Meinig Memorial Park) therefore which will be available to serve the development, but in no way impacted by it. This goal is met.

Goal 9: Economic Development. *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Finding: Goal 9 requires cities to provide an adequate supply of buildable lands for a variety of commercial and industrial activities, and requires plans to be based on an analysis of the comparative advantages of a planning region. The proposal will reduce the land supply for commercial land by 2.47 acres with a corresponding increase in medium density residential land. The change in zoning to high

density will provide additional housing options in this area of the city. As noted previously in "Comprehensive Plan Amendment Review Criteria" Item A, the commercial potential of this site is limited by access, configuration and topography plus the general location. The parcel is suitable for medium density residential with and there is a need for multifamily residential in the Sandy area including for low-income which this site is well located with transit and downtown nearby.

Goal 10: Housing. *To provide for the housing needs of citizens of the state.*

Finding: Goal 10 calls for cities to provide a land inventory, future needs and planning and zoning to meet the identified needs. As shown in the buildable lands inventory, following the proposed change, a surplus of high-density residential land of over 19 acres will remain. As described above, in Goal 9, changing the site to R-2 will create the opportunity for new multifamily housing options in an area of Sandy where it is needed. Additionally, the site is located between Highway 26 and a neighborhood of single-family residential homes facing onto McCormick Drive, so it will provide a good transition between the highway and lower-density development. Residents of the site will have good access to transportation (streets and transit) and services which will help support a multifamily development. Because the proposal does not substantially deplete the supply of land designated for commercial development and will provide new housing opportunities the intent of Goal 10 is met.

Goal 11: Public Facilities and Services. *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

Finding: The proposed comprehensive plan and zone change will not negatively impact public facilities or create service capacity shortfalls. The site is well-served by public utilities such as water and sewer and services such as police and fire protection. The proposed future construction of residential dwelling units will have a negligible impact on these public facilities and any impacts will be mitigated through the payment of System Development Charges when appropriate. Goal 11 is met.

Goal 12: Transportation. *To provide and encourage a safe, convenient and economic transportation system.*

Finding: The site is well served by the current transportation infrastructure and the classification of the surrounding streets supports multifamily development. The subject site would gain access from McCormick Drive which is classified as a Collector Street. The City's Transportation System Plan does not identify the need for a future public street on the subject site. Attachment 5, the "Transportation Planning Rule Analysis" Memorandum prepared by Kittelson & Associates concludes that "the proposed Comprehensive Amendment and Zone Change from Commercial to Residential represents a 'downzoning' and a resultant decrease in the number of daily, weekday AM and weekday PM peak hour trips...". Additionally, the ODOT response dated March 8, 2019 determined there will be no significant impacts to state highway facilities from the proposal. As such, no transportation issues surrounding safety or convenience or are anticipated by the proposal since the future use will result in less impact to the surrounding transportation system and the proposal complies with the requirements of Goal 12 and the Transportation Planning Rule.

Goal 13: Energy. *To maximize the conservation of all forms of energy.*

Finding: This site is situated on a south facing slope which is optimal for energy efficient buildings including residential. The site's future residents will be served by two SAM transit routes

immediately adjacent to the site and is within a 4/10ths mile walk of the Sandy Transit Center which will potentially reduce energy use by encouraging the use of transit. This goal is met.

Goals 14: Urbanization. *To establish an "Urban Growth Boundary"*

Finding: The site is within the established UGB therefore this goal is met.

Goal 15-18: Willamette Greenway, Estuarine Resources, Coastal Shorelands and Beaches & Dunes.

Finding: These goals are not applicable to Sandy or this site.

Summary Finding: As shown above, the proposed Comprehensive Plan Amendment complies with all of the applicable Statewide Planning Goals and this approval criterion is met.

Zoning Map Amendment Review Criteria

Applicant-initiated zoning district changes are deemed by the Sandy Development Code to be quasi-judicial. The approval criteria for a quasi-judicial Zoning Map Amendment are found in Chapter 17.26.40.B and are addressed below.

B. Review Criteria. *Quasi-judicial zoning district changes shall be reviewed to:*

1. Determine the effects on City facilities and services;

Finding: Development on the site with multifamily dwellings will require sanitary sewer and water service and the provision of storm water treatment and detention on-site. Sanitary sewer and water service is available and adequate to serve the development in McCormick Drive. Additionally, the site has access to public services such as police and fire protection and public schools. The proposed zone change will not negatively impact public facilities or create service capacity shortfalls. The proposed future construction of a multifamily residential development will provide additional housing options within this area of the city. As demonstrated, the proposal will not create a significant impact to City facilities and services, and this criterion is met.

2. To assure consistency with the purposes of this chapter;

Finding: The purpose of the Zoning District Amendments chapter can be found in Section 17.26.00 as follows:

A. Maintain sound, stable, and desirable development within the City;

Finding: Provision of medium density housing would be stable as shown by the success of multifamily developments throughout Sandy including on the east side.

B. Permit changes in zoning district boundaries where appropriate;

Finding: The proposed change is near other residential zones, both multifamily and single family, is served by transit, utilities and the amenities of downtown. The site is adjacent to an assisted living facility (Avamere at Sandy) and a church, so multifamily housing will provide an appropriate transition from Highway 26 to the single-family housing south of McCormick Drive.

- C. *Ensure zoning changes are consistent with the community's land use policies and goals; and*

Finding: Development of this property near downtown and transit and proximate with other residential zones is consistent with Sandy's policies and goals. The increased likelihood of development under the proposed zone supports housing and economic goals. The discussion below, under Comprehensive Plan Goal 10 Policy 1 below elaborates more on the need for more housing opportunities in Sandy.

- D. *Lessen the influence of private economic interests in the land use decision-making process.*

Finding: The current owner is simply seeking sale of the land and hopes to see the future housing developed by others. There is no hidden economic benefit to the owner or potential developers.

The applicant has requested review of a Type IV Quasi-Judicial Amendments to the Comprehensive Plan and Zoning Map as required by Chapter 17.26. The subject property has limited potential for commercial development because of its size, location, accessibility and topography. Future development of the property with additional multifamily development will provide a logical extension of housing options. The commercial potential of the property has not been proven by the time on the market with the only serious interest from a mini-storage facility, an allowed use but not in fitting with the goals of the city.

As shown, this proposal meets the purpose of the Zoning District Amendments chapter and this criterion is met.

3. *To assure consistency with the policies of the Comprehensive Plan;*

Finding: The proposal complies with the applicable goals of the Comprehensive Plan as described below. Only the applicable goals have been addressed and the rest do not apply to this proposal.

Goal 1, Policy 2: *Comprehensive Plan changes shall include the opportunity for participation of citizens affected by the change.*

Finding: This proposed Comprehensive Plan change includes citizen participation as the approval process includes two public hearings and allows for people to submit written comments. This goal is met.

Goal 2, Policy 2: *Changes to the Comprehensive Plan Map shall be consistent with the policies of the Comprehensive Plan, state law, and intergovernmental agreements.*

Finding: This proposal is consistent with policies of the Comprehensive Plan and state law as described above in the approval related to the Statewide Planning Goals. The application has followed all of the review procedures outlined in the municipal code and will comply with these procedures throughout the course of the review. This goal is met.

Goal 9, Policy 2: *The City will support projects that:*

- *Are consistent with the City's planning and growth policies*
- *Maintain the quality of the environment*
- *Can be accommodated by existing or planned water, sewer and streets capacity*
- *Carry out specific community goals*

Finding: The proposed Comprehensive Plan and zone change is requested to facilitate future development of multifamily housing on the subject property. The proposed residential development can be accommodated by the existing utilities and street network available in the area and will create more housing opportunities within this area of the city, thus carrying out the community goal of increasing housing choices. The proposed zone change will result in a development that is consistent in scale and function with “Avamere at Sandy” assisted living facility to the east and provided transition between Highway 26 and the single-family residences on the south side of McCormick Drive. The use will also reinforce the neighborhood to the south by not adding retail or commercial traffic to McCormick Drive. This goal is met.

Goal 9, Policy 8: *The commercial area east of downtown and south of Highway 26 is intended to provide a unique opportunity for commercial development which supports tourism in the Sandy area. The district shall promote the concentration of commercial uses which relate to tourism. Uses shall provide pleasing views and/or other natural amenities for visitors.*

Finding: Though this goal is aimed at encouraging tourism-related commercial development in the vicinity of the site, the reality is that much of the commercial development in the area is geared toward serving the surrounding population. For example, the surrounding commercial uses include, a church and pre-school, a post office, the Sandy Police Department and two small dental offices. As previously noted, the topography and limited access to the site, makes it particularly ill-suited for development aimed at tourists, since it would be difficult to both see and get to for visitors unfamiliar with the area. On the other hand, apartment buildings could be designed in an attractive way with landscaping that forms a pleasant entry to the downtown from the east. An apartment development could present a “good face” to Highway 26, then terrace down the hill toward McCormick Drive and the single family residences to the south. In summary, the goal of providing tourist-orientated development in this area laudable, however the market is showing that such development is currently unlikely and the configuration, topography, visibility and accessibility of the site limit it’s feasibility for this type of development.

Goal 9, Policy 10: *Consider use of a master plan process for this entire commercial district to provide the framework for review of individual building permits. Provisions for view corridor protection, shared access and parking, consistent signage, pedestrian connections and landscaping shall be included in the overall master plan.*

Finding: The US 26 Sandy Gateway Plan Final Report (April 2008) was reviewed as suggested by city staff. The outcome of the plan was described as “The US 26 Sandy Gateway Plan will identify needed improvements to enhance highway safety and efficiency along US 26 within the City of Sandy’s UGB on the west and east corridors outside of the STA (Pioneer and Proctor Boulevards). As part of this project, the highway cross-section will be refined to provide a transition from the surrounding rural lands to the downtown area, including the design of gateways to communicate to motorists that they are entering an urbanized area. When completed, this plan will serve as a guide for future development and improvement projects along the US 26 corridor.”

The proposed zone change will not adversely impact the goals or actions of the Sandy Gateway Plan.

- Page 2-1 Plan Vision “The Vision for the US 26 Sandy Gateway Plan is a safe and efficient multi-modal highway with design elements that reflect the unique scenic value and historic character of the City of Sandy. Highway design elements enhance motorist awareness as they transition from rural to suburban to urban settings, support community livability as well as provide for statewide travel and freight movement.” Appropriate development in terms of scale and probability of development will be

maintained and more likely with a change to Medium Density Residential (R-2). Active frontage and building orientation can be per the city desired "Sandy Style". Traffic flow will not be impacted on Highway 26 will not be adversely impacted since site access will be via McCormick Drive. Traffic volumes will also be less than the current C-2 Retail/Commercial zone as noted in Attachment 5, "Transportation Planning Rule Analysis"

- Page 5-12 Approach 79 at the property's east boundary was identified "to remain for emergency use only" and this zone change will not impact that described action.

In summary, this goal is met.

Goal 10, Policy 1: *Assure an adequate supply of developable land for low, medium, and high density housing to meet the 20-year population projections.*

Finding: This policy strives to assure an adequate supply of developable land for low, medium, and high density housing to meet the 20-year population projections. The city completed an updated Urbanization Study (adopted by Ordinance 2017-01 and 2017-02). The Sandy area, as well as the greater metro Portland area, has a well-publicized housing shortage. Sandy continues to be among the fastest growing cities in Oregon. Vacancy rates in Sandy are reported to be very low even with the recent addition of new apartment complexes. The above referenced Urbanization Study concluded with the expanded Urban Growth Boundary there will be surpluses of Medium Density Residential and Retail/Commercial of 17.1 and 3.6 acres respectively. The applicant's request to change 2.47 acres of land from C-2 to R-2 will retain surpluses in both categories while converting the property to a more marketable and appropriate use. The result will be Medium Density Residential land convenient to transportation (roads and transit) and the downtown. This goal is met.

Goal 10, Policy 2: *Encourage the private sector to provide adequate housing choices, including affordable housing types.*

Finding: The subject property would be ideal for affordable housing (as facilitated by the R-2 zoning) with access to transportation (roads and transit) and the services downtown. The success of the Sandy Vista Apartments to the east and across Highway 26 may be an indicator of potential. By converting this land to residential zoning this goal can be met.

Goal 10, Policy 9: *Assure that residential densities are appropriately related to site conditions, including slopes, potential hazards, and natural features.*

Finding: The sloped site topography is not only appropriate for multifamily development but challenging for retail/commercial development. A multifamily development in this location will be more compatible and appropriate with the surrounding uses such as the assisted living facility and will provide a natural transition between Highway 26 and the single family residential houses to the south, directly across and facing McCormick Drive. This goal is met.

Summary Finding: As shown above, the proposal can meet all of the applicable policies of the Comprehensive Plan and this criterion is met.

4. *To assure consistency with the Statewide Planning Goals as may be necessary, and any other applicable policies and standards adopted by the City Council.*

Finding: An analysis of the applicable Statewide Planning Goals was provided in the previous section of this report. As shown, the proposal meets all of the applicable goals and this criterion is met.

Transportation Planning Rule (TPR) Criteria

The TPR requires local governments to place measures assuring that allowed land uses are consistent with the identified function, capacity, and performance standards of a facility if a change to the comprehensive plan "significantly affects" a transportation facility. As it relates to this application, the TPR defines "significantly affects" as measured at the end of the planning period identified in the adopted transportation system plan:

- *Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
- *Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*
- *Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

Finding: A Transportation Planning Rule Analysis (Attachment 5) was prepared by Kittelson & Associates to evaluate potential traffic impacts resulting from the requested Comprehensive Plan and Zone Change. This document concluded the proposed Comprehensive Amendment and Zone Change from Commercial to Residential represents a "downzoning" and a resultant decrease in the number of daily, weekday AM and weekday PM peak hour trips that could be generated by the property if developed in the future. As such, no transportation impacts are anticipated by the rezone and there will be no significant effects, as defined by the Transportation Planning Rule.

The conclusion of this analysis is that the proposal would have no significant impact on the surrounding transportation system including local streets and Highway 26 and this criterion is met.

IV. CONCLUSION

The requested a Comprehensive Plan Map amendment to change 2.47 acre site from Commercial to Medium Density Residential and a Zone Change from C-2 (General Commercial) to R-2 (Medium Density Residential) is consistent with the Comprehensive Plan policies, Statewide Planning Goals and approval criteria of the Sandy Development Code. As shown, the site is not well-suited for commercial development due to constraints related to vehicle access, visibility from the highway and sloping topography. Changing the zoning of the site to residential will facilitate future development of multifamily housing on the subject property which will be compatible with the surrounding development in the vicinity and adequately supported by the existing transportation system and infrastructure available in the area.

V. ATTACHMENTS

1. Site Plan
2. Zoning Map
3. Location Plan
4. Site Photographs
5. "Transportation Planning Rule Analysis" Memorandum, Kittelson & Associates, April 30, 2019

Attachment 1: Site Plans



Figure 1: Full Block formed by U.S. 26, Wolf Drive, McCormick Drive and SE Langensand Road, site outlined in red.



Figure 2: Site Close-up, site outlined in red.

Attachment 2: Zoning Map

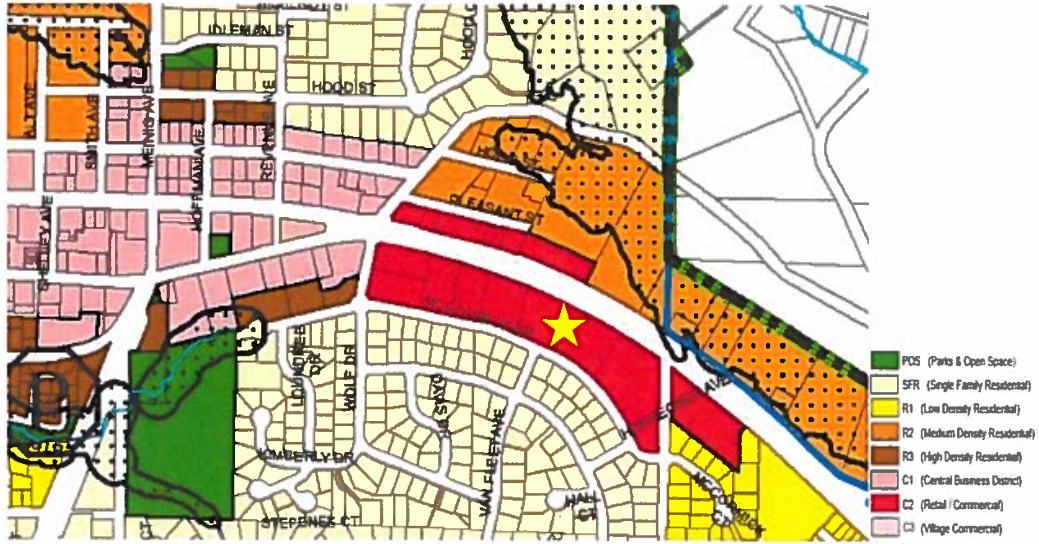


Figure 1: Zoning Map Detail with Key, site with star

Attachment 3: Location Map



Figure 1: Location in Sandy, site outlined in red.

Attachment 4: Site Photographs



Photo 1: View from northeast corner of site. Highway 26 to the right.



Photo 2: View from southeast corner of site. McCormick Drive to the left.



Photo 3: View from southwest corner of site. Highway 26 guardrails visible to the left and McCormick Drive to the right.



Photo 4: View from northwest corner of site, Highway 26 to the left and McCormick Drive visible to right. (Note that lawn area to right is not included in site.)

Other photographs



Photo 5: View to the south from Highway 26 toward McCormick Drive.



Photo 6: View to the south along east property line and fire lane for Avamere at Sandy.



Photo 7: View to the east from site toward Avamere at Sandy.

MEMORANDUM

Date: April 30, 2019

Project #: 24041

To: Pastor Ron Kincaid & Karl Sonnenberg, Portland Community Church

From: Julia Kuhn, PE

Project: McCormick Drive Rezone

Subject: Transportation Planning Rule Analysis

Portland Community Church is proposing a Comprehensive Plan and Zoning Map Amendment for the 2.47-acre property located to the north of the Van Fleet Avenue/McCormick Drive intersection in Sandy. Today, this vacant property (herein referred to as the McCormick Drive property) has a Commercial Comprehensive Plan Designation and a C-2 (Retail/Commercial) Zoning Designation. The Church is proposing an amendment to Medium Density Residential with a R-2 Zoning Designation. This memorandum addresses the compliance of the proposed amendments with Oregon's Transportation Planning (TPR) Rule (as outlined in Oregon Administrative Rule, OAR, 660.012.0060).

Existing Designations

Per the City's Comprehensive Plan (adopted in 1997 and updated most recently in 2012), the "*General Commercial (C-2) district is intended to provide for a wide range of commercial activities in a community scale shopping center and for commercial uses and related services and businesses which require large land areas for structures and parking facilities and direct automobile access. This district is not intended for residential or industrial uses.*"

Per Chapter 17.44 of the City's Zoning Code for C-2, only buildings less than 60,000 square feet are permitted. Further, C-2 allows for a variety of commercial and service uses; the highest trip generators within the permitted uses are general retail, grocery and retail. Although no Floor-Area-Ratio (FAR) requirements are outlined, a FAR of 0.25 is reasonable for this site based on other zone changes in Oregon, the lack of direct access to the US 26 and the fact that the property is not located in the downtown or village area. Further, a general retail (shopping center) category or grocery store are reasonable assumptions by which to calculate trips assuming development of the property under the C-2 zoning.

Proposed Designations

The Comprehensive Plan indicates that the R-2 designation "*is intended primarily for medium density residential development at 8 to 14 dwelling units per net acre. Intended uses are duplexes, small lot*

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detached units, row houses, townhouses, and apartments, detached and attached residential dwellings including existing developed areas and vacant land suitable for development at this density.” It further notes that commercial development, aside from home businesses and limited neighborhood retail “is not considered appropriate.”

Per Chapter 17.38 of the City’s Zoning Code for R-2 zoned property, multi-family dwellings (i.e., apartment) at a density of up to 14 units per acre represent the highest potential trip generator assuming development of the site per the “permitted uses” associated with this zoning designation.

Oregon Transportation Planning Rule Considerations

Two sections of Oregon’s Transportation Planning Rule (TPR, as documented in OAR 660-012-0060) apply to amendments to acknowledged comprehensive plans and zoning designations. Per OAR 660-012-0060(1) and (2), the first step in assessing an amendment’s potential transportation impact is to compare the trip generation potential of the site assuming a “reasonable worst-case” development scenario under the existing and proposed zoning. If the trip generation potential increases under the proposed zoning, additional analysis is required to assess whether the rezone will “significantly affect” the transportation system. Conversely, if the trip generation under the proposed zoning is equal to or less than that under the existing zoning, no additional analysis is necessary to conclude that the proposal does not “significantly affect” the transportation system.

Trip Generation Comparison

To test for a significant effect, we first reviewed the trip generation potential of the permitted land uses associated with the existing and proposed zoning assuming reasonable “worst case” development. Per the discussion above, the zoning designations could allow for the following:

- Existing C-2 Zoning = 26,898 square foot grocery store (assuming a FAR = 0.25 on the 2.47 acre site)
- Proposed R-2 Zoning = 35 apartments (assuming 14 units per acre on the 2.47 acre site)

Using the information presented in *Trip Generation, 10th Edition* (as published by the Institute of Transportation Engineers), Table 1 presents a comparison between weekday, AM peak hour and PM peak hour trips that could be generated under the existing and proposed zoning.

Table 1. Trip Generation Comparison

| Land Use | ITE Code | Size | Total Daily Trips | Weekday AM Peak Hour | | | Weekday PM Peak Hour | | |
|--|----------|----------------|-------------------|----------------------|-----|-----|----------------------|-----|-----|
| | | | | Total Trips | In | Out | Total Trips | In | Out |
| Existing C-2 Commercial Designation | | | | | | | | | |
| Grocery | 850 | 26,898 sq. ft. | 2,750 | 91 | 56 | 35 | 255 | 130 | 125 |
| <i>Less pass-by (36%)</i> | | | 990 | 32 | 16 | 16 | 92 | 46 | 46 |
| Net New Trips under Existing Zoning | | | 1,760 | 59 | 40 | 19 | 163 | 84 | 79 |
| Proposed R-2 Residential Designation | | | | | | | | | |
| Apartments | 220 | 35 units | 256 | 16 | 4 | 12 | 20 | 13 | 7 |
| Total Trips Proposed Zoning | | | 256 | 16 | 4 | 12 | 20 | 13 | 7 |
| Difference (Proposed - Existing Zoning) | | | -1,504 | -43 | -36 | -7 | -143 | -71 | -72 |

As shown, the proposed change in zoning could result in a significant decrease in daily, weekday AM and weekday PM trips as compared to the existing zoning. It should be noted that even if one were to assume a more generalized retail (i.e., Shopping Center) land use under the existing zoning, the proposed zoning would still result in a decrease in weekday, AM peak and PM peak hour trips. Accordingly, the proposed rezone would not result in a significant effect on the transportation system, as defined by the TPR.

Summary of Applicable Oregon Administrative Rule Criteria

OAR Section 660-12-0060 of the TPR sets forth the relative criteria for evaluating plan and land use regulation amendments. Table 2 summarizes the criteria in Section 660-012-0060 and the applicability to the proposed Comprehensive Plan and Zone Map Amendment application.

Table 2. Summary of Criteria in OAR 660-012-0060

| Section | Criteria | Applicable? |
|---------|--|-------------|
| 1 | Describes how to determine if a proposed land use action results in a significant effect. | Yes |
| 2 | Describes measures for complying with Criteria #1 where a significant effect is determined. | No |
| 3 | Describes measures for complying with Criteria #1 and #2 without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility. | No |
| 4 | Determinations under Criteria #1, #2, and #3 are coordinated with other local agencies. | Yes |
| 5 | Indicates that the presence of a transportation facility shall not be the basis for an exception to allow development on rural lands. | No |
| 6 | Indicates that local agencies should credit developments that provide a reduction in trips. | No |
| 7 | Outlines requirements for a local street plan, access management plan, or future street plan. | No |
| 8 | Defines a mixed-use, pedestrian-friendly neighborhood. | No |
| 9 | A significant effect may not occur if the rezone is identified on the City's Comprehensive Plan and assumed in the adopted Transportation System Plan. | No |
| 10 | Agencies may consider measures other than vehicular capacity if within an identified multimodal mixed-use area (MMA). | No |
| 11 | Allows agencies to override the finding of a significant effect if the application meets the balancing test. | No |

As shown in Table 2, there are eleven criteria that apply to Plan and Land Use Regulation Amendments. Of these, Criteria 1 and 3 are applicable to the proposed land use action. These criteria are provided below in italics with our response shown in standard font.

OAR 660-12-0060(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

Response: The proposed rezone from C-2 to R-2 will result in a reduction in the trip generation potential of the site on a daily, weekday AM or weekday PM peak hour basis. Further, no changes to the City's functional street classification designations or standards are warranted by the "downzoning." Accordingly, the proposed rezone does not result in a significant effect on the transportation system, and mitigation is not necessary.

OAR 660-12-0060 (4) Determinations under sections (1)–(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

(a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall

rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.

(b) Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:

(A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.

(B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.

(C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.

(D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.

(E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government(s) or transportation service provider(s) responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

(c) Within interstate interchange areas, the improvements included in (b)(A)–(C) are considered planned facilities, improvements and services, except where:

(A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or

(B) There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section.

(d) As used in this section and section (3):

(A) Planned interchange means new interchanges and relocation of existing interchanges that are authorized in an adopted transportation system plan or comprehensive plan;

(B) Interstate highway means Interstates 5, 82, 84, 105, 205 and 405; and

(C) Interstate interchange area means:

(i) Property within one-quarter mile of the ramp terminal intersection of an existing or planned interchange on an Interstate Highway; or

(ii) The interchange area as defined in the Interchange Area Management Plan adopted as an amendment to the Oregon Highway Plan.

(e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)-(C) to determine whether there is a significant effect that requires application of the remedies in section (2).

Response: The traffic impact analysis and TPR analysis for this project have been coordinated with the City of Sandy and the Oregon Department of Transportation.

Conclusions

As outlined herein, the proposed Comprehensive Amendment and Zone Change from Commercial to Residential represents a “downzoning” and a resultant decrease in the number of daily, weekday AM and weekday PM peak hour trips that could be generated by the property if developed in the future. As such, no transportation impacts are anticipated by the rezone and we conclude there are no significant effects, as defined by the Transportation Planning Rule. Please let us know if you need any additional information as part of your review.

EXHIBIT E

REPLINGER & ASSOCIATES LLC
TRANSPORTATION ENGINEERING

February 10, 2020

Ms. Emily Meharg
City of Sandy
39250 Pioneer Blvd.
Sandy, OR 97055

SUBJECT: REVIEW OF MCCORMICK DRIVE REZONE PROPOSAL AND TPR ANALYSIS

Dear Emily:

In response to your request, I have reviewed the materials submitted in support of the proposed rezoning of a 2.47-acre site at Van Fleet Avenue and McCormick Drive.

Materials submitted by the applicant included a technical Memorandum describing the impacts of rezoning the property from C-2 (Retail/Commercial) to R-2 (Medium-Density Residential). The Memorandum addresses OAR 660-12-0060, otherwise known as the Transportation Planning Rule (TPR). The Memorandum, dated April 30, 2019, was prepared under the direction of Julia Kuhn, PE of Kittelson & Associates.

Overall

I find the Memorandum addresses the TPR and provides an adequate basis to evaluate impacts of the proposed rezoning.

Comments

- 1. Trip Generation.** The Memorandum compares a “reasonable worst case” development scenario for the 2.47-acre parcel by comparing the trip generation under the current C-2 zoning category with a “reasonable worst case” development scenario using the proposed R-2 zoning category. For the retail/commercial development, the engineer assumes the building would occupy 25 percent of the site and could accommodate a grocery store of just under 27,000 square feet. I find the building size and the land use to represent a “reasonable worst case” development scenario.

Under the proposed rezoning to medium-density residential, the engineer assumed 14 units per acre for a total of 35 residential units. I concur that this represents a “reasonable worst case” development scenario under the proposed zoning.

Trip generation was calculated using values from the Institute of Transportation Engineers’ *Trip Generation Manual*. As detailed in the Memorandum, the engineer calculated

Ms. Emily Meharg
February 10, 2020
Page 2

substantially more trips during the AM peak hour, the PM peak hour, and an average weekday for the commercial development. The development assumptions and calculations are reasonable.

- 2. Impact of Rezoning.** The engineer argues that with a decrease in traffic impact, there is no adverse impact on the transportation system. I concur with the engineer's conclusion that the proposed rezoning will result in less transportation impact for the system.
- 3. Transportation Planning Rule Considerations.** The engineer provides a detailed analysis of the individual requirements of the TPR. The engineer concludes that no changes to the city's street classification designation or standards are warranted by the rezoning and that the proposed rezoning does not have a significant effect on the transportation system and that mitigation is not necessary. I concur with the engineer's conclusions.

If you have any questions or need any further information concerning this analysis and review, please contact me at replinger-associates@comcast.net.

Sincerely,

A handwritten signature in black ink that reads "John Replinger". The signature is written in a cursive, slightly slanted style.

John Replinger, PE
Principal

McCormicDrRezoneTA021020



Oregon

Kate Brown, Governor

EXHIBIT F

Department of Transportation

Region 1 Headquarters
123 NW Flanders Street
Portland, Oregon 97209
(503) 731.8200
FAX (503) 731.8259

February 10th, 2020

ODOT #8879

ODOT Response

| | |
|---|--|
| Project Name: McCormick Drive Rezone | Applicant: Karl Sonnenberg |
| Jurisdiction: City of Sandy | Jurisdiction Case #: 19-037 CPA/ZC |
| Site Address: No Situs - McCormick Dr & Van Fleet Ave, Sandy, OR | Legal Description: 02S 04E 13DA Tax Lot(s): TL462 |
| State Highway: US 26 | |

The site of this proposed land use action is adjacent to US 26. ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation. We have reviewed the applicant's proposal to down zone the property from General Commercial to Medium Density Residential.

- ODOT has determined there will be no significant impacts to state highway facilities and no additional state review is required.

Please send a copy of the Notice of Decision including conditions of approval to:

ODOT Region 1 Planning
Development Review
123 NW Flanders St
Portland, OR 97209

ODOT_R1_DevRev@odot.state.or.us

| | |
|---|---|
| Development Review Planner: Marah Danielson | 503.731.8258, marah.b.danielson@odot.state.or.us |
| Traffic Contact: Avi Tayar, P.E. | 503.731.8221 Abraham.tayar@odot.state.or.us |

COMMENT SHEET for File No. 19-037 CPA/ZC:

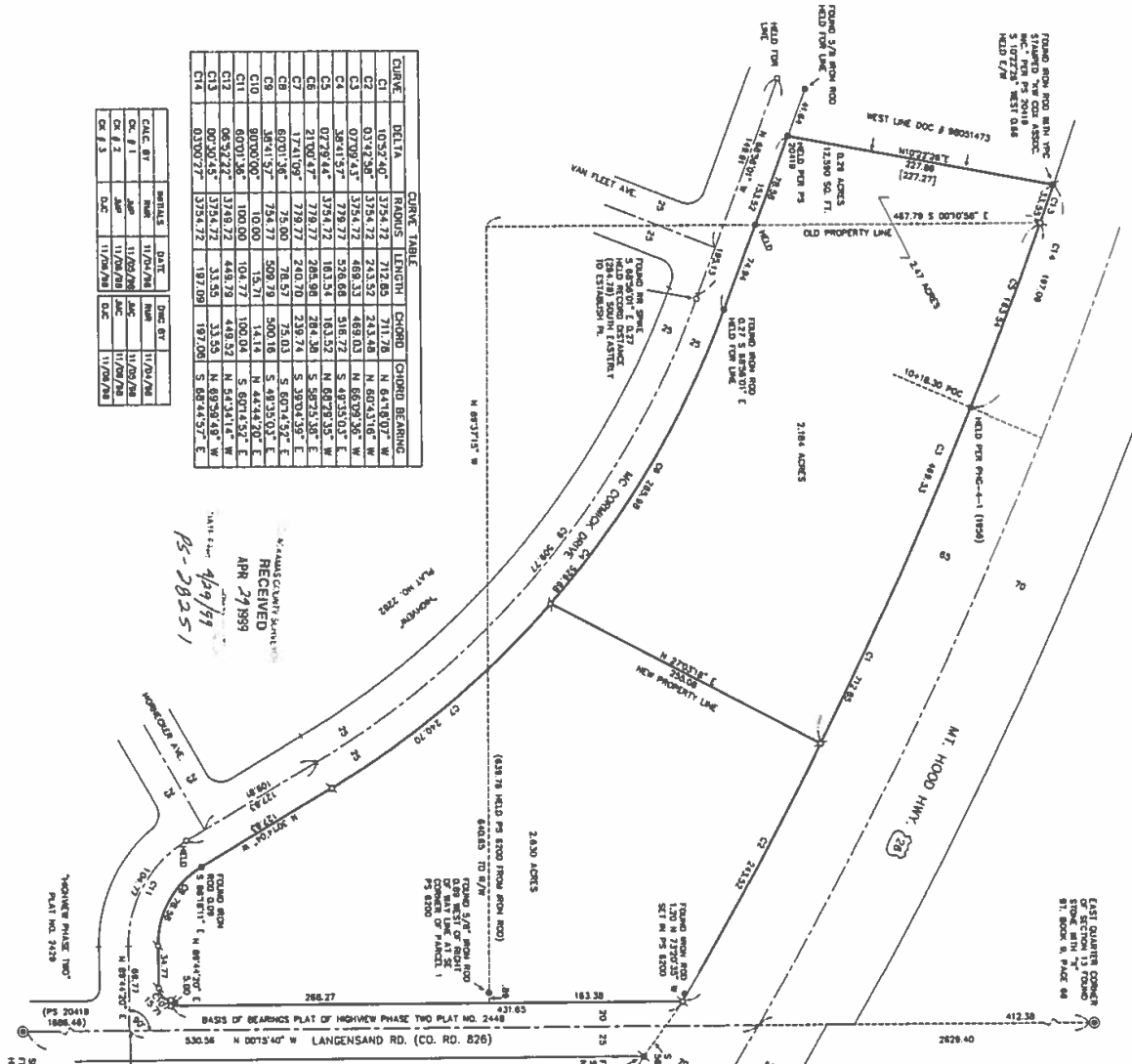
It seems a shame to develop that particular property and cut down all those fine mature trees especially since so many other trees have come down in Sandy to allow for development. I always thought that lot would make a nice pocket park or picnic area for travelers if the city installed a few picnic tables. A few shady open spaces should be an asset to the citizens of Sandy.

Peggy Bromley (503) 668-3332
 Your Name Phone Number

40405 SE Highway 26, Sandy OR 97055
 Address

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.20 Public Hearings; 17.22 Notices; 17.24 Comprehensive Plan Amendment Procedures; 17.26 Zoning District Amendments; 17.28 Appeals; 17.38 Medium Density Residential (R-2); 17.44 General Commercial (C-2).

EXHIBIT H



| CURVE | DELTA | RADIUS | LENGTH | CHORD | CHORD BEARING |
|-------|------------|---------|--------|--------|----------------|
| C1 | 103°47'40" | 3729.72 | 712.85 | 711.76 | N 84°18'07" W |
| C2 | 03°42'38" | 3729.72 | 212.32 | 488.03 | N 80°31'37" W |
| C3 | 07°09'43" | 3729.72 | 283.31 | 528.88 | N 82°48'36" W |
| C4 | 03°29'44" | 3729.72 | 228.72 | 528.88 | S 116°22'12" E |
| C5 | 03°29'44" | 3729.72 | 228.72 | 528.88 | S 63°27'35" E |
| C6 | 17°41'09" | 3729.72 | 240.70 | 239.74 | S 30°04'39" E |
| C7 | 17°41'09" | 3729.72 | 240.70 | 239.74 | S 30°04'39" E |
| C8 | 60°01'36" | 75.00 | 78.57 | 75.03 | S 60°34'52" E |
| C9 | 38°41'52" | 75.00 | 509.79 | 500.16 | S 48°35'02" E |
| C10 | 90°00'00" | 10.00 | 15.71 | 14.14 | N 44°34'20" E |
| C11 | 90°00'00" | 100.00 | 104.77 | 100.00 | N 54°34'16" W |
| C12 | 06°52'22" | 3729.72 | 445.79 | 449.52 | N 83°28'48" W |
| C13 | 06°52'22" | 3729.72 | 333.55 | 333.50 | N 83°28'48" W |
| C14 | 03°00'27" | 3729.72 | 187.09 | 187.00 | S 89°28'57" E |

| REVISED | DATE | BY |
|----------|----------|-----|
| 11/05/78 | 11/05/78 | JMC |
| 11/09/78 | 11/09/78 | JMC |
| 11/09/78 | 11/09/78 | JMC |
| 11/09/78 | 11/09/78 | JMC |

RECEIVED
APR 27 1989
PLAT NO. 2282

RECORD OF SURVEY AND
PROPERTY LINE ADJUSTMENT
FOR NSP DEVELOPMENT
CITY OF SANDY
IN THE S.E. 1/4, SECTION 13, T2S, R4E, WM.,
CLACKAMAS COUNTY, OREGON
SCALE 1" = 60'
OCTOBER 28, 1988

LEGEND
 0 = FOUND 5/8" IRON ROD SET IN PS 14211 UNLESS NOTED
 0 = FOUND BARREROD SPRING SET IN PS 14211
 P = FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED AS NOTED
 @ = FOUND MONUMENT AS NOTED
 P = FOUND 1/2" DIA. YELLOW PLASTIC CAP
 P = STAMPED TMS INC P/S 1854" SET OCTOBER 28, 1988
 [] = RECORD DATA PER PS 20419

REGISTERED PROFESSIONAL LAND SURVEYOR
JOHN W. BERTSON
RENEWAL 12/31/00

APPROVAL
FILE NO. 99-011 PBA
APPROVED THIS 22ND DAY OF April, 1989
BY *Debra G. Bender*
CITY OF SANDY PLANNING AND DEVELOPMENT DEPARTMENT

DEVELOPMENT & CONSTRUCTION SERVICE, INC.
124 N. MAIN STREET
HELENSBURG, OREGON 97122 (503) 544-4539
JOB # 9910013

PS-28251(C)
Sheet 1 of 2

Sandy

Comprehensive Land Use Plan

Adopted October 20, 1997
Ordinance No. 8-97

As Amended By:

Ordinance 2003-09
Ordinance 2005-02
Ordinance 2008-12
Ordinance 2012-01

City of Sandy
39250 Pioneer Blvd.
Sandy OR 97055
(503) 668-5533 Fax (503) 668-8714

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Funding provided through Transportation Growth Management (TGM) Funds

This project was partially funded by a grant from the Transportation and Growth Management Program (TGM), a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development.

ACKNOWLEDGEMENTS - DRAFT 2040 TOWN PLAN

The City of Sandy wishes to express its appreciation to former City Councilors, Planning Commissioners, members of staff and all the citizens who participated in the Draft 2040 Town Plan. Without the work accomplished by this group of dedicated people, Sandy would not be where it is today – prepared and ready for the year 2040.

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INTRODUCTION

THE CITY

Sandy, incorporated in 1913, is located 24 miles east of Portland, Oregon at the foot of the Cascade Mountains. Sandy is surrounded by farm- and forest lands, streams, rolling hills and the Sandy River Gorge. Currently, the city is home to nearly 5,000 citizens and it is anticipated that the population will reach 25,000 residents by the year 2040.

Sandy is served by an east-west highway system, U.S. Highway 26, which provides access to the Portland metropolitan area to the west and the Mount Hood National Forest to the east. Without railroad facilities, river transportation and major airport facilities, the city is dependent on the highway transportation system.

Since the city's incorporation in 1913 and until the mid-1960's, Sandy has served three basic functions: 1) a service center for the surrounding farming community; 2) a center for the lumber industry; and 3) a gateway to the recreation area of Mount Hood National Forest. Sandy's commercial and industrial base has continued to expand and provides a wide range of jobs and services to local residents within the city and the region.

THE PLAN

Sandy's Plan was originally acknowledged by the Department of Land Conservation and Development (DLCD) in 1982. The preparation of this Policy document, along with a separate "Background Inventory" document and implementing ordinances and maps, has been partially funded through a grant from the Transportation and Growth Management Program (TGM), a joint program of the Oregon Department of Transportation and the Department of Land Conservation and Development.

The Comprehensive Plan is a set of maps, policies, and implementing measures affecting land use within the city limits, and ultimately within the Urban Growth Boundary. The Plan is a guide for both public officials and the general public to define the direction, quality and quantity of future development redevelopment and to evaluate decisions and weigh the possible effects on the future of the community.

WHAT DOES THE PLAN DO?

The purpose of land use planning is to indicate the most appropriate land uses within a given area and to provide a means for effectively and efficiently facilitating and guiding development activity. Planning ensures that residential, commercial and industrial uses are properly located in relation to each other and that adequate quantities of all types of land are available. Planning also helps ensure that new developments enhance and help maintain the type of community that residents of Sandy desire.

The Plan is a tool that changes and evolves continually as the needs and goals of the city change. As significant changes occur within the community, the Plan should be amended after careful consideration of the future consequences.

Implementing measures, such as zoning and development ordinances, are specific approaches or techniques for implementing Plan policies. They delineate the criteria and standards for development addressed within the broad outlines of the Comprehensive Plan.

A well-defined planning and development process helps developers, builders and the public understand the city's policies and approach to existing and proposed development. Developers will have a clearer understanding of what information decision-makers will use to determine the desirability and acceptability of their proposals. The Plan also helps in the coordination of public and private sector activities and city departmental activities by indicating the municipality's development goals and objectives.

This document comprises the goals, objectives and policies of the City of Sandy Comprehensive Plan.

Goal 1
Citizen Involvement

This goal is to establish policies for development of a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

1. The City of Sandy shall maintain a citizen involvement program to allow opportunity for citizen involvement in the ongoing planning process.
2. Comprehensive Plan changes shall include the opportunity for participation of citizens affected by the change.
3. The City of Sandy shall review the process of citizen involvement during periodic review.
4. The City shall disseminate information and public notice to the residents of the Sandy area concerning on-going planning activities and pending actions.
5. The Planning Commission shall be the lead body responsible for ensuring ongoing citizen involvement related to the development, review, updating, and implementation of the Plan and implementing ordinances.

Goal 2

Land Use Planning

This goal is to establish policies for a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Comprehensive Plan and Ordinance Update

1. The City of Sandy shall conduct a major update of the comprehensive plan every five to seven years, or as required for Periodic Review.
2. Changes to the Comprehensive Plan Map shall be consistent with the policies of the Comprehensive Plan, state law, and intergovernmental agreements.

Specific Area Plans

3. The City may use Specific Area Plans to refine the Comprehensive Plan and/or the zoning ordinance in order to further implement the Comprehensive Plan policies. A Specific Area Plan designates specific land uses and transportation elements through broad local participation. Specific Area Plans may be developed in a single linear process, including neighborhood workshops, Planning Commission hearing(s), and City Council adoption hearing(s).
4. Specific Area Plans may be used as a tool for coordinating development in a specific area plan, such as a village area. Specific Area Plans should implement coordinated residential and commercial development while integrating surrounding uses and transportation linkages.
5. A Specific Area Plan is developed through an extensive public process that relies upon the contributions of citizens and stakeholders. The creation of a Specific Area Plan Overlay District in the zoning ordinance shall further implement the policies of the Comprehensive Plan.

Land Use Regulations

6. The uses, area, and household number projected for each of the villages may be modified by a Specific Area Plan.

7. Land development proposals shall be consistent with the Sandy Development Code, Municipal Code, and all adopted standards and enforcement codes of the City of Sandy. The burden of proof with regard to consistency with the applicable standards and codes lies with the prospective developer.
8. The City of Sandy encourages land developments which are designed to take advantage of innovative design and technology, energy conservation, and the protection and conservation of cultural and natural resources. Examples of innovative residential developments include: common wall or "zero lot line" single-family dwellings, dwellings designed and sited so as to utilize solar energy, multi-family complexes including row houses and townhouses, and planned developments which provide for variety in housing types and mixed uses.
9. Planned development methods are particularly encouraged for special lands which display the following characteristics: property of large sizes or those which are well situated in relation to the street and traffic circulation network; properties which have natural features which limit development potential; and properties which involve significant natural or cultural resources, particularly active or passive recreational opportunities.
10. Due to the demand which new development places upon the community's infrastructure, the city may impose off-site improvement requirements necessitated by a development. Each development shall provide for all on-site needs, and in areas which represent a critical link in the facility and service delivery systems, the city may require the over-sizing of these systems. The City may negotiate late-comer fees or other arrangements to compensate developers for over-sizing of facilities.
11. Where a development offers greater improvement to the community infrastructure than is normally required, or extraordinarily serves to fulfill the objectives of the Sandy Comprehensive Plan, the City of Sandy may provide relief from city standards or requirements in consideration thereof. Relief from standards or requirements can be considered only where there is no infringement to PUBLIC health or safety.
12. It is important that land divisions do not preclude the development of the property or nearby property to planned urban densities. For that reason, land partitioning and subdivision will be controlled to the extent that there are options remaining for the future extension of public facilities and services.

Interpretation of Comprehensive Plan Map

13. Plan designations for land use categories are intended to guide zoning.
14. Proposed plan elements such as parks, roadways, schools, etc., are intended to be conceptual. Actual locations and quantities should be determined through the development process.

Land Use Designations

Parks and Open Space (POS)

This designation is intended to recognize those publicly-owned lands designated or proposed for parks and open spaces. Parks include publicly developed parks and undeveloped park land where typical uses include active and passive outdoor recreation activities, trails, open space, cultural activities, park buildings and structures, concessions, general park operations and maintenance, and storm drainage facilities. Open space includes publicly developed and undeveloped lands and sensitive areas such as wetlands, steep slopes, forested areas, and stream corridors.

Low Density Residential (LDR)

This designation is intended primarily for low density single-family with densities ranging from 3 to 8 units per net acre, including existing single-family residential areas and vacant lands with constraints to development at higher densities.

Commercial development with the exception of home businesses and limited neighborhood retail is not considered appropriate within this designation. The LDR Plan designation encompasses three zoning district designations.

- 1) The *Single Family Residential (SFR)* district is intended for 3 to 5.8 dwelling units per net acre. Intended uses are primarily single-family detached units. Duplexes, subject to siting standards, are also allowed in these areas. Single Family residential districts are generally located outside the village areas.
- 2) The *Low Density Residential (R-1)* district is intended for 5 to 8 dwelling units per net acre. Intended uses are single family detached and attached units. Duplexes, subject to siting standards, are also allowed in these areas. Low Density Residential districts are located outside village boundaries and on the periphery of the villages

Medium Density Residential

The *Medium Density Residential (R-2)* district is intended primarily for medium density residential development at 8 to 14 dwelling units per net acre. Intended uses are duplexes, small lot detached units, row houses, townhouses, and apartments, detached and attached residential dwellings including existing developed areas and vacant land suitable for development at this density. Commercial development, with the exception of home businesses and limited neighborhood retail, is not considered appropriate for this designation.

Medium Density Residential areas are generally located nearby Village Commercial Centers and/or public facilities such as schools or parks. The MDR Plan designation encompasses one zoning district designation.

High Density Residential

The *High Density Residential (R-3)* district is intended for high density residential development at 10 to 20 dwelling units per net acre. Intended uses are apartments, row houses, and townhouses, duplexes, single-family planned developments, and manufactured home parks including existing developed areas and areas suitable for development at this density.

High density residential areas are generally located immediately adjacent to village commercial centers or the Central Business District. Commercial development, including home businesses and limited neighborhood retail, is considered appropriate in high density residential developed in conjunction with villages or immediately north of the Central Business District. High density residential areas are generally located nearby Village Commercial Centers, the Central Business District and/or public facilities such as schools or parks. The HDR Plan designation encompasses one zoning district designation.

Village

The *Village (V)* designation provides for a mixture of commercial and residential uses within the context of a village. The village designation is intended to provide flexibility in developing specific area plans. Permitted zoning in a village includes single family residential (when identified as part of a specific area plan), low density residential, medium density residential, high density residential, and village commercial. Development within village areas is governed by a specific area plan approved by the city. Existing review procedures (Types I-IV) may be used after the adoption of a specific area plan. A specific area plan may be developed in

phases with a conceptual development plan and specific site plans for each phase of development.

A shifting of the underlying zoning district boundaries to accommodate development constraints and land divisions for specific development proposals may be allowed through approval of a Specific Area Plan. Area and density increases may be increased or decreased up to 20%. Changes greater than 20% will require a Plan Map amendment.

Commercial

This designation provides for a wide range of commercial activities to serve the residents of the villages and the city as a whole. The following areas may be designated C on the Plan Map:

1. Areas having a historic commitment to professional or business office, retail, wholesale and or business services, including areas already developed as commercial strips along arterials. use.
2. Areas necessary for commercial use, provided:
 - a) There is direct access to a collector or arterial.
 - b) That siting does not result in significant traffic or adverse environmental impact.
 - c) There is appropriate access to the regional transportation network.
3. Areas with sites large enough to accommodate expansion of individual establishments or provide for several establishments within one contiguous area.
4. Areas within the boundaries of a village.
5. Village commercial areas should generally be located in the center of a village to be convenient to all areas within the village.

Three specific commercial designations are provided:

The *Central Business (C-1)* district is intended to provide the community with a mix of civic, retail, personal services, offices and residential needs of the community and its trade area in the city's traditional commercial core. While the district does not permit new low density building types, it is not intended to preclude dwelling units in buildings containing commercial activities. All development and uses shall be consistent with the intent of the district, as well as compatible with the space, access and exposure constraints and opportunities of the central city.

The *General Commercial (C-2)* district is intended to provide for a wide range of commercial activities in a community scale shopping center and for commercial uses and related services and businesses which require large land areas for structures and parking facilities and direct automobile access. This district is not intended for residential or industrial uses.

The *Village Commercial (C-3)* district is primarily oriented to serve residents of the village and the immediately surrounding residential area. The Village Commercial area is intended to help form the core of the villages. Allowing a mixture of residential uses beside and/or above commercial uses will help create a mixed use environment which integrates uses harmoniously and increases the intensity of activity in the area. The orientation of the uses should integrate pedestrian access and provide linkages to adjacent residential areas, plazas and/or parks, and amenities.

Industrial

This designation provides for industrial parks, light industrial and general industrial activities. The intent is to encourage industrial growth and provide for industrial development at appropriate locations in order to increase the level of employment, enhance the tax base, decrease service costs, and achieve a healthy, diverse, and stable local economy. Non-industrial uses are not encouraged in industrial areas except for those, not including housing, which serve the needs of the area's work force. Areas may be designated I on the Plan Map providing that siting of businesses does not result in significant adverse impacts on residential or sensitive natural resource areas in the following areas:

1. Areas having a historic commitment to industrial use
2. Areas with appropriate access to the regional transportation network
3. Areas with sites large enough to accommodate expansion of individual establishments or provide for several establishments within one contiguous area.

The industrial plan designation is implemented through the Industrial Park (I-1), Light Industrial (I-2) and General Industrial (I-3) districts.

The *Industrial Park (I-1)* district is intended 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.

The *Light Industrial (I-2)* district is intended to provide locations in suitable areas for light manufacturing and warehousing business which have minimal impact on their surroundings and do not produce noise, light, smoke, odor or other pollutants in excess of average levels preexisting at the boundary of the site.

The *General Industrial (I-3)* district is intended to provide locations in suitable areas for general manufacturing and warehousing businesses which because of potential land use conflicts require large, isolated sites removed from neighboring residential uses.

Goals 3 & 4
Agricultural Lands and Forest Lands

There are no farm or forest lands within the Sandy Urban Growth Boundary.

Goal 5

Open Spaces, Historic Resources, and Natural Areas

This goal is to establish policies for conservation of open space and protection of natural and scenic resources.

In keeping with the mandate of Statewide Planning Goal 5, Oregon communities are required to provide programs that will “conserve open space and protect natural and scenic resources.” Additionally, the City of Sandy has the goal of providing parks, open space, and recreational opportunities for its citizens, as well as promoting healthy and visually attractive environments that are in harmony with the natural landscape character of the area. The following policies support these goals:

Natural Resources

1. The City shall notify applicable state and federal natural resource protection agencies of development proposals potentially impacting important natural features.
2. Significant natural features within the planning area shall be identified and inventoried by the City or through the development process. These shall include:
 - major natural drainageways, wetlands, and flood plains
 - lands abutting the Sandy River
 - land with significant native vegetation
 - ecologically and scientifically significant natural areas
 - outstanding scenic views; and
 - lands that provide community identity
3. Natural features and areas determined to be significant shall be preserved or have their losses mitigated. The City may place conditions upon development of such lands, private non-profit efforts, and city, state, and federal government programs to achieve this objective.
4. The City promotes development practices which maintain or enhance the environmental quality enjoyed by the residents of the community.

5. Where feasible, the system of parks and open space in the City should be restored and maintained to serve the habitat and migratory needs of fish and wildlife in the Sandy River and Clackamas River basins and tributary areas.

Open Space Policies

6. Identify and inventory open space corridors within the Sandy urban growth area. Open space shall include lands useful for fish and wildlife habitat, trails, public access to natural resource lands and water, and protection of environmentally sensitive areas. Wherever possible, open space areas identified for protection shall be preserved through the application of constrained open space standards, through conservation easements, or through other similar methods.
7. Employ development regulations to preserve and protect open space and environmentally sensitive lands, integrate the natural environment of Sandy into project designs, minimize the creation of impervious surface, and discourage the unnecessary clearing of trees and other natural vegetation.
8. Wherever possible, native growth protection areas shall be established along Highway 26 at both the east and west entries to the City. These areas are intended to provide a pleasant entry to the City, screen industrial uses from the highway, and provide a buffer between the highway and other land uses. These native growth areas shall be planted with native tree species in locations where such trees do not exist.
9. Where appropriate, public open space or private protected open space should be connected to other open space corridors established by other agencies and by private development.
10. The City shall work with property owners and developers to preserve open space along Tickle Creek as part of the Tickle Creek Greenway.

Stream Corridor Protection Policies

11. Designate and map approximate areas of known stream corridors, wetlands, and associated buffers.
12. Encourage projects which will protect, maintain, enhance, and restore the natural functions and values of stream corridors. This includes maintenance of

water quality, storm runoff and flood water conveyance, wildlife habitat, open space, recreation, and aesthetic values.

13. Require activities which use stream corridors and associated buffers to be compatible with the preservation of stream corridor functions and values. These activities include, but are not limited to, private and public development, recreation, and surface water management.
14. Allow development density on parcels constrained by stream corridors and associated buffers to be transferred to other portions of the development site or to immediately adjacent sites, but only for that portion of the site which is permanently dedicated as open space.
15. Promote innovative site and building designs which reduce the adverse impacts of development on stream corridors.

Indigenous Growth Protection Policies

16. Require development and construction projects to minimize disturbance of significant indigenous growth and to enhance the cohesive quality of tree stands through sensitive site design and construction methods.
17. Promote innovative site and building designs which reduce the adverse impacts of development on native tree stands and other areas of significant vegetation.
18. Where feasible, preserve natural vegetation resource sites through public acquisition, conservation easements or other available methods to permanently limit development.
19. Encourage and, if necessary, require reforestation in open space areas to help mitigate the adverse impacts of development.

Historic and Cultural Resource Protection Policies

20. Preserve, when feasible, significant historic sites and buildings and encourage restoration efforts.
21. Assist the Oregon State Historic Preservation Office and the National Parks Service in designating buildings and sites which are eligible for historic designation.

22. Use historic overlay districts, zoning and design guidelines to help preserve historic and cultural resources.
23. Facilitate historic preservation efforts in conjunction with redevelopment in the downtown and other areas.
24. Encourage new building design that blends with the character of existing historic structures without falsely imitating historic styles.
25. Pursue obtaining historic landmark status and the provision of interpretive centers along the pristine and high priority segments of Barlow Road as identified in the *Barlow Road Historic Corridor Background Report and Management Plan* prepared by Clackamas County. Consideration shall be given to the public acquisition of these areas as potential park or open space sites.
26. Work with the appropriate county, state, and federal agencies and the private sector to develop a regional park along the Sandy River connecting the City with the river, and preserving the scenic view along the bluff.

Environmental and Cultural Resources

27. The City of Sandy shall promote the planting of trees throughout the community on both public and private properties.
28. The City of Sandy shall consider the establishment of a street tree plan that identifies particular trees within different areas of the City but that provide species diversity to add visual interest throughout the community, create individual neighborhood identity, and provide additional resistance through species diversity against disease.
29. The City of Sandy shall review existing development standards, including street standards, to assure that the standards support and encourage the maintenance of a sustainable urban forest.
30. The City of Sandy shall consider incentives to encourage the preservation of significant trees.

31. The City of Sandy shall undertake a study to designate "significant/heritage" trees or areas of second growth that exist within the City's urban growth boundary. Designated trees shall be protected and preserved where possible.
32. The City shall explore the creation of programs to increase public awareness of the benefits of street trees. The City shall encourage proper care and maintenance of trees by providing educational materials to property owners concerning tree health and maintenance.
33. The City shall encourage the creation of an organization that will plant trees in areas where planter strips exist but no trees are currently planted. The City shall explore funding sources for neighborhood tree planting efforts.

Goal 6

Air, Water, and Land Resources

This goal is to establish policies to maintain and improve the quality of the air, water, and land resources of the state.

1. Maintain environmental quality by guiding future development and land use activities. Allow activities that will not significantly deteriorate the existing high quality of air, water and land resources.
2. Cooperate with federal, state and regional agencies to meet the air quality standards of the Federal Clean Air Act.
3. Preserve and enhance the City's open space and natural resources to sustain their positive contribution to air quality.
4. Reduce congestion and delay on major streets to lessen localized pollution impacts of automobile travel through methods such as signal timing, access management, intersection improvements, etc.
5. Reduce air pollution by decreasing the need for vehicle trips through:
 - a) Promoting pedestrian, bike, and transit friendly land uses, including mixed use developments that are compatible with existing neighborhoods
 - b) Implementing the Oregon Transportation Planning Rule
 - c) Providing opportunities to utilize alternative transportation modes
 - d) Encourage employers, including the City of Sandy, to implement programs to reduce single occupant trips to and from work
6. Favor the use of the natural drainage system and other non-structural methods to treat, convey and dispose of runoff.
7. Require all development to:
 - a) Comply with applicable local, state, and federal water quality and erosion control standards
 - b) Implement measures to minimize runoff from the development site during and after construction
8. Facilitate the extension of the City's sanitary sewer systems to areas within the Urban Growth Boundary where failing septic systems are contaminating ground and surface waters, provided:
 - a) Those properties benefiting from sewer extension pay their commensurate share of the cost of service

- b) Annexation occurs prior to any property receiving service.
9. Require adequate screened and enclosed space for recycling, solid waste storage and compacting within industrial, commercial and high density housing developments and ensure proper access to these areas.
 10. Provide for a zoning designation which will accommodate recycling facilities with standards that will mitigate impacts on adjacent land uses.
 11. Encourage reductions in the amount of solid waste generated by private and public construction and demolition activities.
 12. Ensure that new commercial, industrial and community service facility development is landscaped, buffered and designed so adjacent properties are not negatively impacted.

Goal 7

Natural Hazards

This goal is to establish policies to protect life and property from natural disasters and hazards.

1. Designate and map areas of steep slopes (25% or greater) and other known hazard areas.
2. Require development and construction activities which occur on steep slopes, hazard sites, and their required buffers to be in accordance with development standards for such sensitive areas.
3. Allow development density on parcels constrained by steep slopes or hazard areas to be transferred to other portions of the development site or to immediately adjacent sites, but only for that portion of the site which is permanently preserved as open space.
4. Promote innovative site and building designs which reduce the adverse impacts of development on steep slopes and other natural hazard areas.

Goal 8

Parks and Recreation

This goal is to establish policies to satisfy the recreational needs of the citizens of the state and visitors.

Policies pertaining to parks, open space, and recreation planning for the City of Sandy are divided into specific categories which include general policies, parks and recreation, funding, and community design.

General Policies

1. Ensure that new residential development contributes equitably to park land acquisition, development, and maintenance.
2. Establish methods to maintain and enhance the quality and quantity of parks, open space, and recreational facilities and services. Ensure that these facilities and services serve the diverse recreational needs and interests of area residents and are accessible to all members of the community.
3. Establish viewpoints of Mt. Hood and the Sandy River along Bluff Road, Park Street, and along Vista Loop Road.
4. Provide public recognition for developers of projects which are exceptional in their protection of open space, natural features, fish and wildlife habitat, air and water quality, and avoidance of environmentally sensitive areas.
5. Recognize individuals and organizations that donate or preserve land, provide easements, funding, equipment, or services for parks, open space, and recreation.

Parks and Recreation Policies

6. Develop a Parks Master Plan which includes standards and guidelines for the location of parks and recreational facilities and services.
7. Develop a parks system that provides for the needs of those seeking active recreation and exercise, and those seeking more passive forms of recreation and enjoyment of the out-of-doors.
8. Where practical, locate neighborhood parks adjacent to elementary schools, and community parks near high schools or middle schools.

9. Cooperate with the school district to develop joint recreational facilities, particularly at new school sites.
10. The conceptual location of community and neighborhood parks and areas of open space have been indicated on the City of Sandy Land Use Map. Actual park locations may be determined based on more site-specific information

Funding Policies

11. Utilize impact fees and system development charges as sources of capital funding for new parks, open space, and recreational facilities.
12. Issue bonds; pursue federal, state, and county funding; establish trust funds; and explore other revenue sources for acquisition of land and easements for parks, open space, and recreation areas. The City should actively pursue donation of land and easements for these purposes. Consider the establishment of user fees for some recreational uses and for facility reservations.
13. Consider the dedication of a portion of road construction and improvement funds for sidewalk projects and bicycle facilities.
14. Seek public and private support through grants, endowments, and donations to develop and enhance recreational services and facilities.
15. Encourage civic, neighborhood, and other groups to participate actively in the maintenance of public parks and open space through “Adopt-a-Park” and similar types of programs.

Community Design Related Policies

16. Maintain, preserve, enhance, and reinforce the desirable and distinctive characteristics of Sandy and its individual neighborhoods. The City will promote strengthening the sense of place by providing parks and open space and other focal points for each neighborhood. Strengthen connections from these areas and surrounding neighborhoods to cultural, educational, institutional, and recreational opportunities.
17. Encourage landscaping in new developments that is environmentally compatible with existing native vegetation and protective of water, soil, and air quality.

18. Establish regulations for landscaping new and existing streets and parking lots.
19. Encourage an active street tree planting and maintenance program.
20. Use the village neighborhood model as the organizing element for the City's overall development pattern.

Goal 9

Economic Development

This goal is to establish policies to diversify and improve the economy of the state.

Commercial

1. The City of Sandy shall ensure, at each periodic review, an adequate supply of land to meet the forecast 20-year commerce and service needs of the city's residents and trade area.
2. The City will support projects that:
 - Are consistent with the City's planning and growth policies
 - Maintain the quality of the environment
 - Can be accommodated by existing or planned water, sewer and streets capacity
 - Carry out specific community goals

General Commercial Policies

3. At the west end of Sandy, general commercial uses shall be concentrated on the north side of Highway 26. Access points to commercial uses shall be limited to inhibit the development of a "strip" commercial character and to avoid traffic delays associated with a high frequency of drive cuts. Work with property owners and developers to limit the number of accesses onto major roadways. Encourage the use of shared driveways, off-street connections between properties, and access from streets with a lower functional classification.
4. Larger-scale commercial uses such as grocery stores, drug stores, and auto sales shall be directed to the westerly commercial area, except for the village commercial area located east of downtown on the south side of US 26.
5. Design review shall be applied to redevelopment, major reconstruction and new commercial uses, with particular emphasis on the following features:
 - landscaping or screening of surface parking areas
 - building scale, location and orientation
 - pedestrian improvements and connections and creation of walkable access
 - signage
 - position of access drives and neighboring use connections
 - historic character of an area

6. A new commercial area is planned to the east of downtown and south of Highway 26. This commercial area shall be planned to relate and integrate with the adjacent village and contribute to an attractive east entrance to the city.
7. A General Commercial district is planned at the east end of town to capitalize on proximity to Mt. Hood and the Sandy River and outstanding views.

General Commercial District - East of Downtown Hwy. 26

8. This commercial area is intended to provide a unique opportunity for commercial development which supports tourism in the Sandy area. The district shall promote the concentration of commercial uses which relate to tourism. Uses shall provide pleasing views and/or other natural amenities for visitors.
9. Encourage planned developments and density transfers to protect view corridors and natural amenities which are an asset for tourism.
10. Consider use of a master plan process for this entire commercial district to provide the framework for review of individual building permits. Provisions for view corridor protection, shared access and parking, consistent signage, pedestrian connections and landscaping shall be included in the overall master plan.

Downtown Commercial Policies

In order to create a vital downtown which has mixed uses to serve the variety of Sandy area residents and visitors, the City shall:

11. Adopt design guidelines to provide the framework for public and private improvements within the downtown area.
12. Allow permitted and conditional uses which meet the purposes of the central business district and which are in scale and character to a traditional downtown business district.
13. Adopt zoning regulations which allow a mix of uses appropriate and desirable in the downtown area, including public/civic uses, service/retail uses, professional office uses, art galleries and limited residential development.
14. Recognize the downtown area as the focal point for concentrated, small-scale commercial retail and service uses, which can be integrated with public uses and spaces.

15. Limit expansion of the downtown commercial area to the north of the existing downtown rather than east or west along Highway 26 in order to avoid linear strip development.
16. Develop the west and east ends of the downtown as gateways to the downtown.
17. Encourage a mix of office, commercial uses, residential uses, and retail shopping within buildings or development sites in the downtown core.
18. Encourage offices, housing, and other non-storefront type of uses to occupy the upper floors of buildings in the downtown area in compliance with applicable design standards.
19. Require that all developments be connected by safe, direct sidewalks. Sidewalks shall be located along all downtown streets, and the use of mid-block walkways should be discouraged except on unusually long blocks.
20. Require public spaces such as small plazas or sitting areas as part of commercial or mixed use projects of over 10,000 gross square feet in the downtown core. A fee in lieu of the provision of such public space may be assessed by the City.
21. When feasible, ensure the creation of transit stops in the downtown core and surrounding area. Consider the possibility of locating park-and-ride lots immediately adjacent to, or within, downtown.

In order to ensure that the downtown area develops at sufficient intensity, the City of Sandy shall:

22. Encourage new development that is two or more stories in height unless market and other factors strongly dictate otherwise.
23. Encourage higher density residential development such as apartment buildings, row houses, townhouses, condominiums, and residences above first floor commercial in the downtown area. A density of 10 to 20 dwelling units per gross acre is encouraged for the residential district abutting the Central Business District. No minimum density shall be required for residential development located above commercial development in the downtown area.
24. Encourage new development that has the potential of having an average of at least 30 jobs per net acre in the downtown commercial areas. This employment

density may be adjusted to allow for the fact that retail employment densities are lower (typically about 25 jobs per acre), and for mixed-use developments that include residential units above the ground floor.

25. Prohibit new single-family detached residential development in the downtown area.
26. Encourage shared parking arrangements whenever neighboring facilities have different peak use periods.
27. Require convenient and safe bicycle parking as part of the parking requirement for all new development in the downtown area.

Village Commercial Policies

28. One of the central themes in the Comprehensive Plan is the use of Village areas. These are compact neighborhoods (160-200 acres) which are designed to encourage travel on foot, and reduce reliance on the car. The center of each village includes housing, retail shops, public uses, a village green or park, and, potentially, a transit stop. The street pattern is connected and designed to provide direct and convenient access to the village center.
29. The village commercial district is oriented to retail/service uses to serve surrounding village residential development.
30. Village commercial districts range in size up to 12 acres. The size and character of each village commercial district may vary depending on the location and character of the village. The approximate location of each village commercial district is shown on the Zoning District Map. Precise boundaries may be modified with preparation of a specific area plan. However, the village commercial district shall retain the following features:
 - proximity to highest density residential uses within the village
 - opportunity to link with nearby public open space, school or civic uses
 - accessibility to collector streets
 - good pedestrian connections to surrounding residential uses
31. The following types of uses are envisioned for the village commercial district:
 - service uses oriented to the village (dry cleaners, beauty salon, etc.)
 - small scale professional offices (accountant, real estate, medical/dental, etc.)
 - retail uses oriented to the village (cafe, corner store, espresso shop)
 - day care center
 - residential above commercial storefronts

- 32.To retain the scale of the villages, sizes of individual uses should be limited. Larger individual commercial uses shall be approved through the conditional use permit process.
- 33.Site development shall require building orientation to the street/pedestrian network, placement of parking behind or beside buildings, and a character of development compatible with the surrounding village area.

Industrial District Policies

- 34.Encourage a range of job types and skill levels to foster growth in the local labor pool.
- 35.Promote a diversity of small industries and businesses. Through diversification, the community will retain its economic strength through changes in the market place.
- 36.Protect designated industrial lands for industrial uses. Limit commercial development in industrial areas to uses which are clearly ancillary and subordinate to industrial development.
- 37.Work with other jurisdictions and agencies such as Clackamas County, Metro, the Port of Portland, the Oregon Economic Development Department and the Oregon Department of Transportation to identify and support expansion of existing industries and attraction of new industries to the community.
- 38.Promote performance standards for commercial and industrial developments that reduce demand on municipal water and wastewater service and maintain air quality standards.
- 39.Plan for a jobs-housing balance in order to provide opportunities for Sandy residents to work locally and reduce the potential for commuting. At each periodic review, the City shall evaluate its jobs-housing balance and determine if plan map amendments are needed to maintain a balance exceeding 1.0 jobs per household.

Goal 10 Housing

This goal is to establish policies to provide for housing needs of the state.

1. Assure an adequate supply of developable land for low, medium, and high density housing to meet the 20-year population projections.
2. Encourage the private sector to provide adequate housing choices, including affordable housing types.
3. Encourage innovations in construction, funding, regulation, and siting of housing in order to provide well designed and energy efficient housing.
4. Cooperate and coordinate with the Clackamas County Housing Authority and with the FHA in their efforts to construct low income housing.
5. Make information available on current programs and techniques of construction and housing rehabilitation which will enhance the quality of housing in Sandy.
6. Provide for a balance between the growth in job opportunities and the growth in housing opportunities.

Residential Districts

7. Provide for distinct mixed use villages separate from the central core of the city. Villages are to be developed around a commercial center or other focal point.
8. Residential densities shall generally decrease with distance from village centers.
9. Assure that residential densities are appropriately related to site conditions, including slopes, potential hazards, and natural features.
10. Link housing density and location to reduce automobile travel by locating higher density housing near village centers, schools, and potential transit routes.

Goal 11

Public Facilities and Services

This goal is to establish policies to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Community Facilities and Services

1. Establish an ongoing five-year capital improvement program covering all public facilities, services, and utilities.
2. Coordinate the siting of public facilities and services with other agencies or districts; such as, the fire district, post office, school districts, etc.
3. Consider the needs of emergency service providers in the review of all development. Particular attention should be paid to:
 - a) Street and driveway layout and site design features that ensure emergency vehicle access and building identification.
 - b) Fire hydrant locations and fire flow.
 - c) Security through appropriate lighting and landscape design.

Utilities

4. Allow new water service outside the Urban Growth Boundary only in the case of an immediate health hazard.
5. Allow new water and sanitary service outside of its incorporated limits only if the property is located within the urban growth boundary; and 1) the owners agree to annex to the City; 2) the owner(s) agree to waive the right to remonstrate against a formation of local improvement district for water service extension; and 3) the owners sign a declaration of deed restriction agreeing to complete site improvements, including, but not limited to streets, sidewalks, street lighting, street trees, etc. and any other public improvement which directly benefit the property.
6. Annex no lands that cannot feasibly be served with water and sewer services.
7. Prohibit the use of new sanitary sewage pump stations unless:
 - a) Gravity sewer cannot be extended to serve the site for site-specific reasons such as topography or other physical constraints; or

- b) The site is located within a drainage basin identified in the Sandy Sewer Master Plan as an area to be served with public pump stations.
- 8. Develop and adopt a storm drainage master plan.
- 9. Require developers to install and extend all public utilities to, and through, the property to serve the needs of the development and surrounding properties in a logical manner.
- 10. Require developers to over-size and design facilities for adjacent development.
- 11. Pursue the development of future water sources by participating in an intergovernmental agreement with Clackamas County.
- 12. Encourage the utilization of swales and natural ponding areas to satisfy storm drainage retention and detention requirements where possible.
- 13. Require utilities such as telephone, electricity, and cable television to be placed underground in new developments, except where not technically feasible. The city shall work with private utilities to replace existing overhead utilities with underground service.

Schools

- 13. Coordinate with the school districts in planning for and developing new school sites.
- 14. Allow siting of schools which meet the following siting criteria:
 - a) Access to Site: Safe and convenient multi-modal access to the school sites should be available. School sites should be connected via streets and pathways to residential areas, parks and other schools.
 - b) Location within Villages: The priority is to locate elementary schools within most villages and within 1/4 mile of 80% of the residential units. Middle schools and high schools should be distributed throughout the city. When feasible, elementary and middle schools should be located next to neighborhood parks; high schools should be located next to community parks.
 - c) Availability of Services: The site shall be capable of being served by all necessary public services.

15. Future school sites indicated on the Comprehensive Plan Map are approximate locations. The City recognizes public schools as a needed infrastructure component. When feasible, The City will actively pursue the acquisition of school sites through land development agreements.
16. Coordinate resources with the school districts to reduce duplication of services, where possible, to meet community needs. Options may include:
 - a) Coordinating public utility expansions with pending school expansions and new construction.
 - b) Implementation of a system development charge to off-set the impact of new development on schools. This option should be considered if statutory authority becomes available.
17. Cooperate with the school district to develop and manage joint facilities. Such facilities may include green spaces, recreation uses, cultural facilities, etc.
18. Support the development of a community college or university. Such a facility will promote higher education and allow for coordination with the schools and local industries to increase employability.

Goal 12

Transportation

This goal is to establish policies to provide and encourage a safe, convenient, and economic transportation system.

Neighborhood Street System

In order to provide convenient, safe, and equitable access throughout the community, the City of Sandy shall:

1. Support a pattern of connected streets, sidewalks, and bicycle routes to: a) provide safe and convenient options for cars, bikes, and pedestrians; b) create a logical, recognizable pattern of circulation; and, c) spread traffic over local streets so that collector and arterial streets are not overburdened.
2. Work with fire district, police, and other emergency service providers to ensure that adequate emergency access is possible on all streets.
3. Require connected streets that form pedestrian-scaled blocks, except where it is shown that topography, existing land ownership patterns, or other conditions preclude the creation of blocks.
4. Discourage the use of cul-de-sacs and dead-end streets, except where it is shown that topography or other existing conditions make them necessary. If cul-de-sacs or dead-end streets are found necessary, the City shall consider requiring pathways that connect these streets to adjacent through streets.
5. Encourage the use of parks and open space corridors as pedestrian and other non-auto oriented linkages within the urban area. Where possible, connect these pathways to a regional system of trails linking public and private open space, parks, and recreational resources within and between jurisdictions.
6. Encourage the development of neighborhood parks or other public or private open spaces connecting short cul-de-sac streets or other local streets in order to provide neighborhood focal points.
7. Encourage joint use of major power line or utility corridors as pedestrian/bicycle linkages where feasible.

Pedestrian Friendly Street and Streetscape Design

8. Encourage the planting of street trees in tree-deficient area of the city.
9. Require buildings, awnings, landscaping, and modifications to the street width and sidewalks in commercial areas to create a sheltered, interesting, and safe environment that works for pedestrians as well as for automobiles.
10. Encourage the development of sidewalks on both sides of all streets, especially in high pedestrian activity areas such as near schools and in the downtown area.
11. Develop street, bicycle, and pedestrian facilities that encourage pedestrian-friendly streetscapes.

Bicycle Facilities

12. Establish a system of designated bicycle routes and pathways that link neighborhoods, schools, parks, employment centers, and other points of interest.
13. Establish a logical and coherent transportation network within the city, and provide connections to larger, regional facilities. Bicycle facilities should be constructed in accordance with the design standards of the *Oregon Bicycle and Pedestrian Plan* or other approved plan.
14. Make provisions for bicycle facilities in accordance with the bicycle network map. Recognize that this map represents a conceptual plan. Actual bicycle routes will be determined when the proposed street network is more fully developed.
15. Identify and develop local or collector streets which can provide good parallel bicycle facilities with less vehicular traffic within a short distance of an arterial as the preferred bicycle route.
16. Encourage the provision of bicycle racks for existing commercial, industrial, civic, and school facilities.

Transit

17. Promote local transit service for Sandy.

18. Promote the creation of transit stops in neighborhood centers and other areas of the city. The City shall consider the possibility of locating park-and-ride lots immediately adjacent to, or within, the downtown and other neighborhood centers.
19. Identify bus pull-outs and spaces for bus stops and shelters. Some type of bus shelter or other protection from weather should be included at all bus stops in the downtown area. Such protection may consist of awnings or other overhangs from adjacent buildings, provided the sheltered area is adequate to meet the needs of waiting transit riders as well as pedestrians.

Major Roadway Circulation

20. Work with property owners and developers to limit the number of accesses onto major roadways. Encourage the use of shared driveways, off-street connections between properties, and access from lower order streets.
21. Work with ODOT to determine locations for necessary traffic control signals. Proposed locations for future traffic signals have been determined for the downtown area in the City of Sandy Transportation System Plan. Other locations need to be determined in order to improve the safety and convenience of pedestrians, bicycles, and automobiles. The location of traffic signals should be consistent with the street network indicated in the Comprehensive Plan Map and current traffic engineering standards.
22. Submit notice of development proposals impacting Highways 26 and 211 to ODOT for review and comment.

Parking

23. Wherever feasible, encourage the provision of on-street parking on both sides of streets. Cooperation with ODOT will be necessary along Highway 26 and Highway 211.
24. Reduce parking requirements for development proposals where existing on-street parking and excess parking from adjacent development is available to meet parking requirements. Consideration should also be given to allowing payment of fees in lieu of required on-site parking. The fees shall be dedicated to the development of public parking lots.

25. Public parking lots may be developed for commercial and other areas in order to help relieve obligations for off-street parking and to encourage commercial development with higher floor-to-area ratios.
26. Encourage shared parking arrangements when parking demands for the sharing uses can be satisfied.
27. Require convenient and safe bicycle parking as part of the parking requirement for all new development, except single-family houses.
28. Require that each downtown development project be connected to adjacent developments by a direct and continuous sidewalk.

Goal 13
Energy Conservation

This goal is to establish policies to conserve energy.

1. Promote infill developments to reduce the need to extend services and streets.
2. Encourage the use of mass transit as a commuter service connection to the metropolitan area.
3. Promote high-density housing near major transportation corridors, village commercial centers, the downtown, and other areas accessible by transit in an effort to reduce vehicle miles traveled.
4. Encourage energy-efficient design.

Goal 14

Land Use and Urbanization

This goal is to establish policies to provide for an orderly and efficient transition from rural to urban land use.

Urbanization Policies

1. Maintain an urban growth boundary with sufficient residential, commercial, industrial, and public use lands necessary to support forecast population and employment for a 20-year horizon. The City will evaluate and update the 20-year land supply at each periodic review plan update.
2. Urban growth should be directed in a generally contiguous manner consistent with the city's ability to economically maintain and extend public services and facilities.
3. The City of Sandy shall encourage the development of land according to the following priorities:
 - a) Vacant, buildable lands or underutilized lands located within developed or developing areas.
 - b) Lands contiguous to development areas where services can be easily and economically extended.
 - c) Lands which are significantly separated from developing areas by vacant land, or areas which would place an undue burden on the city's infrastructure.

Coordination with Clackamas County

4. An Urban Growth Boundary (UGB) and Urban Reserve Area (URA) shall be jointly adopted by the City of Sandy and Clackamas County. Procedures for coordinated management of the unincorporated lands within the UGB and URA shall be specified in an intergovernmental agreement adopted by the Sandy City Council and the Clackamas County Board of Commissioners.
5. The designated URA identifies the priority lands to include within the Sandy UGB to meet projected growth needs to the year 2040.
6. Designated URA lands will be considered for inclusion within the UGB on a phased basis, primarily at periodic review. Legislative amendments to the UGB shall be large enough to facilitate cohesive neighborhood framework planning and efficient provision of public facilities. Property owners will also have the

opportunity to request that land within the designated URA be included within the Sandy UGB, based on the criteria outlined in LCDC Goal 14 and the Urban Growth Management Agreement with Clackamas County.

7. The City of Sandy shall have the lead role in designating planned land uses and densities for incorporated and unincorporated lands within the UGB and the URA. The Comprehensive Plan shall constitute the comprehensive plan for all land within the Urban Growth Boundary and Urban Reserve Area.
8. The City of Sandy shall have the lead role in coordinating public facility planning (streets, sanitary and storm sewers, water, parks and open space, schools) within the UGB and the URA.
9. County zoning shall apply to unincorporated lands within the UGB and URA until annexation to the City of Sandy.
10. The City of Sandy shall coordinate with Clackamas County to protect trees on property that is outside the City limit but within the City's UGB.
11. Clackamas County shall have the lead role in processing land use and development applications for unincorporated lands within the UGB and URA.
12. The City of Sandy will support development within the areas outside the city limits but within the Sandy Urban Growth Boundary or Urban Reserve Area based on the following standards and restrictions:
 - a) County zoning in effect at the time of adoption of the Urban Reserve Area will be frozen until the unincorporated land is included within the UGB and annexed for urban development.
 - b) New commercial and industrial uses will generally be discouraged outside the City limits and within the UGB or within the Urban Reserve Area.
 - c) Agricultural and forest uses will be allowed in accordance with Clackamas County zoning.
 - d) The City and County shall coordinate plans for interim rural residential development within the designated Urban Reserve Area. The following strategies will be used to ensure that interim rural development does not inhibit long-term urbanization of lands within the Sandy UGB and Urban Reserve Area:
 - 1) shadow plats
 - 2) cluster development
 - 3) redevelopment plans
 - 4) non-remonstrance agreements or deed restrictions for annexation and provision of urban facilities



Staff Report

Meeting Date: February 24, 2020
From Kelly O'Neill, Development Services Director
SUBJECT: Chapter 17.98 Code Changes

Background:

Planning Division staff is always looking at ways to encourage efficient development while reducing costs to developers and unnecessary construction waste. Surface parking is one of the largest costs to development (both through construction and acquisition of land for the parking area) and one of the biggest contributors to sprawl. Large expansive parking areas increase the heat island effect in cities and make for less walkable environments. By decreasing parking regulations throughout Sandy and eliminating parking regulations for commercial businesses in downtown Sandy we hope the modifications to Chapter 17.98 will accomplish the following:

- Reduce costs associated with paving and stormwater detention facilities
- Reduce tax payer burdens related to parking lots
- Increase lot area available for buildings and landscaping
- Reduce stormwater runoff and heating of stormwater
- Reduce the urban heat island effect
- Create areas that are more walkable and accommodating for pedestrians

The benefits of reducing off-street parking requirements is highlighted by Professor Shoup in his 2005 book, *The High Cost of Free Parking*. The highlights from his 2005 book were presented in a video recently shared with the Planning Commission.

In addition to decreasing parking regulations the modifications to Chapter 17.98 will also clarify regulations tied to driveways, loading areas, and on-street parking.

NOTICES:

A PAPA was submitted to the State of Oregon Department of Land Conservation and Development on January 8, 2020. A legal notice was published in the Sandy Post on February 12, 2020.

INPUT ON CODE MODIFICATIONS:

Staff asked for input from the following firms:

All County Surveyors and Planners, Inc.

Firwood Design Group, LLC

Sisul Engineering

*Axis Design Group Architecture & Engineering
Cole Valley Partners
Tracy Brown Planning Consultants, LLC
Robert Mosier Architect*

Public Works Director, Mike Walker, also provided an exhibit regarding a few of the code changes.

EXHIBITS:

- A. Proposed Code Changes in track changes
- B. Proposed Code Changes clean version
- C. Comment from Braden Bernards with Cole Valley Partners
- D. Comment from Robert Mosier with Robert Mosier Architect
- E. Comment from Tyler Henderson with All County Surveyors and Planners, Inc.
- F. Comment from Ray Moore with All County Surveyors and Planners, Inc.
- G. Comment from Deek Heykamp, owner of Next Adventure
- H. Comment from Public Works Director

Recommendation:

Staff recommends the Planning Commission take testimony, review the staff modifications to Chapter 17.98, and forward a recommendation to City Council.

Exhibit A

CHAPTER 17.98 PARKING, LOADING, AND ACCESS REQUIREMENTS

17.98.00 INTENT

The intent of these regulations ~~are~~ is to provide adequate capacity and appropriate location and design of ~~on-site~~ 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/~~visitors~~, 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~~ continuous 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.
- 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.
- 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.
- D. Alteration of Existing Structures. When an existing structure is altered to the extent that the existing use is intensified, on-site vehicle and bicycle parking shall be provided in the amount required for such intensification. Alteration of existing structures, increased intensity, and change in use per Sections 17.98.10 (D.), (E.) and (F.) does not apply to commercial uses in the Central Business District (C-1).
- E. Increased Intensity. When increased intensity requires no more than ~~four (4)~~ vehicle spaces, no additional parking facilities shall be required. However, the effects of changes, additions, or enlargements shall be cumulative. When the net effect of one or more changes generates a need for more than ~~two~~ four spaces, the additional required spaces shall be provided. Additional spaces shall be required for the intensification but not for the original use.
- F. Change in Use. When an existing structure or use of land is changed in use from one use to another use as listed in Section 17.98.20 below and the vehicle and bicycle parking requirements for each use type are the same; no additional parking shall be required. However, where a change in use results in an intensification of use in terms of number of vehicle and bicycle parking spaces required, additional parking space shall be provided in an amount equal to the difference between the number of spaces required for the existing use and number of spaces required for the more intensive use.

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Revised by Ordinance No. 2013-04 (effective 07/03/13)

- G. Time of Completion. Required parking spaces and loading areas shall be improved and available for use prior to issuance of a temporary certificate of occupancy and/or final building inspection or final certificate of occupancy.
- H. Inoperative Motor Vehicles. In ~~any~~ all residential zoning districts, all motor vehicles incapable of movement under their own power or lacking legal registration shall be completely screened from public view.
- I. Truck Parking. In all residential zoning districts, no overnight parking of trucks or other equipment on wheels or tracks exceeding a 1-ton capacity used in the conduct of a business activity shall be permitted except vehicles and equipment necessary for farming ~~and truck gardening~~ on the premises where such use is conducted.
- J. Mixed Uses. In the case of mixed uses, the total required vehicle and bicycle parking shall be the sum of requirements of individual uses computed separately.
- K. Conflicting Parking Requirements. When a building or use is planned or constructed in such a manner that more than one standard is applicable, the use that requires the greater number of parking spaces shall govern.
- 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 servicing of any vehicle or bicycle.
- M. Residential Parking Analysis Plan. A Residential Parking Analysis Plan shall be required for all new residential planned developments, subdivisions, and partitions to include a site plan depicting all of the following:
1. Location and dimension of required parking spaces as specified in Section 17.98.200.
 2. Location of areas where parking is not permitted as specified in Sections 17.98.200(A)(3) and (5).
 3. Location and design of parking courts (if applicable).
- N. Location of Required Parking.
1. Off-street vehicle parking required for single family dwellings (both attached and detached) and duplexes 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 C-1 Zoning District to meet the minimum parking requirements as specified in Section 17.98.20 (D).~~

~~2.2.~~ Bicycle parking required for all uses in all districts shall be provided on the development site in accordance with Section 17.98.160 below.
- O. Unassigned Parking in Residential Districts.
1. Multi-family dwelling units with more than 10 required vehicle parking spaces shall provide unassigned parking. The unassigned parking shall consist of at least 15 percent of

the total required parking spaces and be located to be available for use by all occupants and guests of the development.

2. Multi-family dwelling units with more than 10 required bicycle parking spaces may provide shared outdoor bicycle parking. The shared bicycle parking shall consist of at least 15 percent of the total required parking spaces and be located such that they are available for shared use by all occupants and guests of the development.

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.

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.

17.98.20 OFF-STREET PARKING REQUIREMENTS

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

~~1.~~ Commercial uses in the Central Business District (C-1) are exempt from off street parking requirements. Residential uses in the Central Business District (C-1) have to provide off street parking per this section but may get a reduction per Section 17.98.30 (B).

~~2.~~ All square footage measurements are gross square feet of total floor area.

~~3.~~ ~~18-24~~ lineal inches of bench shall be considered 1 seat.

~~4.~~ Except as otherwise specified, parking for employees shall be provided based on 1 space per 2 employees for the largest shift in addition to required parking specified in Sections ~~16-19-8-11~~ below.

~~5.~~ Where less than 5 parking spaces are required, then only one bicycle space shall be required except as otherwise modified in Sections ~~5-9-8-11~~ below.

~~6.~~ In addition to requirements for residential off-street parking, new dwellings shall meet the on-street parking requirements in Section 17.98.200.

~~7.~~ Uses that rely on square footage for determining parking requirements may reduce the overall square footage of the use by deducting bathrooms, mechanical rooms, and other auxiliary rooms as approved by the Director.

~~8.~~

| Residential Uses | Number of Parking Spaces | Number of Bicycle Spaces |
|---|--|--------------------------|
| Single Family Detached/ Attached | 2 per dwelling unit | Exempt |
| Single Family Attached | 2 per dwelling | 0 |
| Duplexes | 2 per dwelling unit | Exempt |
| Accessory Dwelling Units | 1 per dwelling | 0 |
| Manufactured Home Park | 2 per dwelling, plus 1 visitor space for each 10 vehicle spaces | Exempt |
| Multi-Family Dwellings | 1.5 per studio unit or 1 bedroom unit 2.0 per 2-bedroom unit or greater 2.25 per 3 bedroom or greater | 1 per dwelling unit |

Commented [K01]: Combined with Detached above.

Commented [K02]: House Bill 2001 prohibits this requirement for ADUs.

| | | |
|---|---|---|
| Congregate Housing, Retirement Homes, Intermediate Care Facilities, <u>Group Care Facilities</u> , and Halfway Houses | 1 per each 3 residents, plus 1 per 2 employees | 5% or 2 whichever is greater |
| Group Care Facilities | 1 per 1000 sq. ft., plus 1 per 2 employees | 5% or 2 whichever is greater |

Commented [K03]: Combined with Congregate Housing above.

79.

| Community Service, Institutional and Semi-Public Uses | Number of Parking Spaces | Number of Bicycle Spaces |
|--|--|---|
| Administrative Services | 1 per 400 sq. ft., plus 1 per 2 employees | 5% or 2 whichever is greater |
| Community Recreation Buildings, <u>Library, or Museum</u> | 1 per 200-250 sq. ft., plus 1 per 2 employees | 5% or 2 whichever is greater |
| Church, Chapel, or Auditorium, <u>or Fraternal Lodge without eating and drinking facilities</u> | 1 per 4 fixed seats or 1 per each 50 sq. ft. of public assembly area where there are no fixed seats, plus 1 per 2 employees | 5% or 2 whichever is greater |
| Library or Museums | 1 per 300 sq. ft., plus 1 per 2 employees | 20% |
| Lodge, Fraternal and Civic Assembly with or without eating and drinking facilities | 1 per 4 fixed seats or 1 for each 50 sq. ft. of public assembly area where there are no fixed seats, plus 1 per 2 employees | 5% or 2 whichever is greater |
| Hospitals | 1 per 4000 sq. ft., <u>examine room or bed, and 1 per 4 seats in waiting room or chapel</u> , plus 1 per 2 employees | 5% or 2 whichever is greater |
| <u>Commercial Daycare</u> | <u>2 for the facility, plus 1 per employee on the largest shift</u> | <u>2</u> |
| Day Care/School – Preschool/Kindergarten | 2 per classroom, plus 1 per 2 employees | 5% or 2 whichever is greater |
| School – Elementary <u>or Middle School/Junior High</u> | 2 per classroom, plus 1 per 2 employees | 5% or 2 whichever is greater |
| School – Middle School/Junior High | 2 per classroom, plus 1 per 2 employees | 5% or 2 whichever is greater |
| School – Senior High, <u>Vocational or College</u> | 6 per classroom, plus 1 per <u>employee on the largest shift each employee</u> | 5% or 2 whichever is greater |
| School – Vocational or College | 6 per classroom, plus 1 per 2 employees | 5% or 2 whichever is greater |

Commented [K04]: Combined with Community Recreation Buildings above.

Commented [K05]: Combined with Church, Chapel, Auditorium above.

Commented [K06]: Reduced parking requirements due to the daycare crisis in Sandy.

Commented [K07]: Combined with Elementary School above.

Commented [K08]: Combined with Senior High above.

810.

| Commercial Uses | Number of Parking Spaces | Number of Bicycle Spaces |
|--|--|------------------------------|
| Retail Sales, g General or p Personal s Services, <u>Professional Offices, Shopping</u> | 1 per 200-400 sq. ft., plus 1 per 2 employees | 5% or 2 whichever is greater |

| | | |
|---|---|---|
| <u>Centers, Grocery Stores, Convenience Stores</u> | | |
| Shopping centers | 1 per 300 sq. ft., plus 1 per 2 employees | 5% or 2 whichever is greater |
| Retail Sales of Bulky Merchandise (examples: furniture or motor vehicles) | 1 per 800-1,000 sq. ft., plus 1 per 2 employees | 5% or 2 whichever is greater |
| General, professional or banking offices and services | 1 per 300 sq. ft., plus 1 per 2 employees | 5% or 2 whichever is greater |
| Eating or Drinking Establishments | 1 per 250 sq. ft. of gross floor area or 1 per 4 fixed seats or stools, plus 1 per 2 employees | 5% or 2 whichever is greater |
| Grocery Store, Food and Beverage Retail Sales, Convenience Store | 1 per 400 sq. ft., plus 1 per 2 employees | 5% or 2 whichever is greater |
| Funerals and Interment Services: Crematory and Undertaking <i>Interring and Cemeteries are exempt</i> | 1 per 4 fixed seats or 1 space for each 50 sq. ft. of public assembly area where there are no fixed seats, plus 1 per 2 employees | 5% or 2 whichever is greater |
| Fuel Sales (<u>without store</u>) | 1 per 400 sq. ft., plus 1 per 2 employees <u>employee on the largest shift</u> | 5% or 2 whichever is greater |
| Medical or <u>Dental</u> Office <u>or</u> <u>Clinic</u> | 1 per 300 sq. ft., examine room or bed, and 1 per 4 seats in waiting room, plus 1 per 2 employees | 5% or 2 whichever is greater |
| Participant Sports or Recreation: Indoor or Outdoor; Spectator Sports; Theater or similar use | 1 per 4 fixed seats or 1 space per 4 participants based on projected participant capacity, plus 1 per 2 employees | 5% or 2 whichever is greater |
| Transient Habitation: Campground or RV Park | 1 per designated space, plus 1 visitor space for each 8 <u>designated</u> spaces, plus 1 per 2 employees | Exempt |
| Hotel or Motel | 1 per guest room or suite, plus 1 per 2 employees | Exempt ² |

Commented [K09]: Combined with Retail Sale and General Personal Services above.

Commented [K010]: Combined with Retail Sale and General Personal Services above.

Commented [K011]: Combined with Retail Sale and General Personal Services above.

911.

| Industrial Uses | Number of Parking Spaces | Number of Bicycle Spaces |
|---|--|---|
| Sales, Storage, Rental, Services and Repairs of: Agricultural and Animals Automotive/Equipment Fleet Storage Light Equipment Non-operating vehicles, boats and recreational vehicles | 1 per 400-1,000 sq. ft., plus 1 per 2 employees | 5% or 2 whichever is greater |

| | | |
|--|--|---|
| Building Equipment | | |
| Sales, Storage, Rental, and Repairs of: Heavy Equipment, <u>or</u> Farm Equipment | 1 per 800-1,000 sq. ft., plus 1 per 2 employees | 5% or 2 whichever is greater |
| Storage, D Distribution, W Warehousing, or M Manufacturing establishment; air, rail, trucking freight terminal | 1 per employee on the largest shift, plus 1 per 2 employees | 5% or 2 whichever is greater |

17.98.30 REDUCTION OF PARKING REQUIREMENTS

A. Transit Amenity Reduction.

- Any existing or proposed use in ~~C-1 and the C-2, C-3, or I-1~~ Zoning Districts subject to minimum parking requirements and located within 400 feet of an existing transit route may reduce the number of required parking spaces by up to ~~10 percent~~ by providing a transit stop and related amenities including a public plaza, pedestrian sitting areas, or additional landscaping provided such landscaping does not exceed ~~25% percent~~ of the total area dedicated for transit oriented purposes.
- Required parking spaces may be reduced at a ratio of 1 parking space for each 100 square feet of transit amenity space provided above and beyond the minimum requirements.
- Uses, which are not eligible for these reductions, include truck stops, building materials and lumber sales, nurseries and similar uses not likely to be visited by pedestrians or transit customers.

- B. Residential uses in the Central Business District and Village Commercial District Reduction. Required off-street parking for ~~non~~-residential uses in the C-1 and C-3 Zoning District may be reduced by 25 percent.

17.98.40 SHARED USE OF PARKING FACILITIES

- A. Except for ~~residential uses, single family dwellings (both attached and detached) and duplexes,~~ required parking facilities may be located on an adjacent parcel of land or separated only by an alley or local street, provided the adjacent parcel is maintained in the same ownership as the use it is required to serve or a ~~records a~~ shared parking agreement that can only be released by the Director is recorded in the deed records of Clackamas County.
- B. In the event that several parcels occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements for the uses computed separately.
- C. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facility used jointly, to the extent that it can be shown by the owners or operators that the needs of the facilities do not materially overlap (e.g., uses primarily of day time versus night time uses) and provided that such right of joint use is evidenced by a deed, lease, contract or similar written instrument recorded in the deed records of Clackamas County establishing such joint use.

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 and duplexes.~~ required off-street parking may be located in a driveway.
- C. Parking areas shall be setback from a lot line adjoining a street the same distance as the required building setbacks. Regardless of other provisions, a minimum setback of 5 feet shall be provided along the property fronting on a public street. The setback area shall be landscaped as provided in this code.

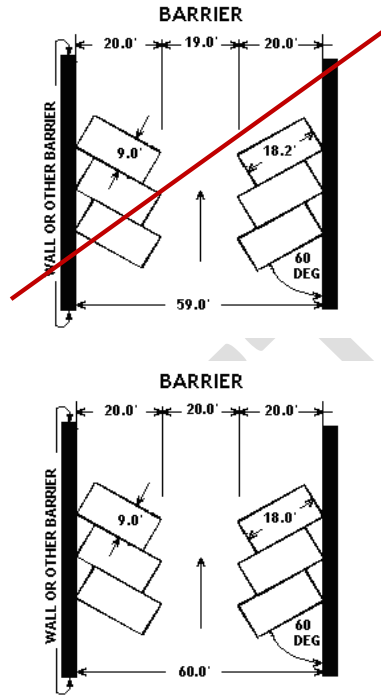
17.98.60 DESIGN, SIZE AND ACCESS

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

- A. Parking Lot Design. All areas for required parking and maneuvering of vehicles shall have a durable hard surface such as concrete or asphalt.
- B. Size of Space.
 - 1. A standard parking space shall be 9 feet by 18 feet.
 - 2. A compact parking space shall be 8 feet by 16 feet.
 - 3. ~~Handicapped~~ Accessible parking spaces shall be ~~13-9~~ feet by 18 feet and include an adjacent access aisle meeting ORS 447.233. Access aisles may be shared by adjacent spaces. 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 ~~25~~ 40 percent of the parking stalls shall be compact spaces.

C. Aisle Width.

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



17.98.70 ON-SITE CIRCULATION

- A. Groups of more than three (3) parking spaces shall be permanently striped. Accessible parking spaces and accompanying access aisles shall be striped regardless of the number of parking spaces.
- B. Backing and Maneuvering. Except for a single family dwelling ~~or two family dwelling duplex, or accessory dwelling unit,~~ 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.

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Revised by Ordinance No. 2013-04 (effective 07/03/13)

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 be based on a traffic impact analysis and parking and circulation plan and consider posted speed of street on which access is proposed, constraints due to lot patterns, and effects on safety and capacity of the adjacent public street, bicycle and pedestrian facilities.
- C. When developed property is to be expanded or altered in a manner that significantly affects on-site parking or circulation, both existing and proposed accesses shall be reviewed under the standards in A and B above. As a part of an expansion or alteration approval, the City may require relocation and/or reconstruction of existing accesses not meeting those standards.

17.98.90 ACCESS TO UNIMPROVED STREETS

Access to Unimproved Streets. At the Director's discretion ~~D~~ development may occur without access to a City standard street when that development constitutes infill on an existing substandard public street. A condition of development shall be that the property owner signs an irrevocable petition for street improvements and/or a declaration of deed restrictions agreeing to future completion of street improvements. The form shall be provided by the City and recorded with the property through the Clackamas County Recorder's Office. This shall be required with approval of any of the following applications:

- Land partitions
- Conditional uses
- Building permits for new non-residential construction or structural additions to non-residential structures (except accessory development)
- Building permits for new residential units

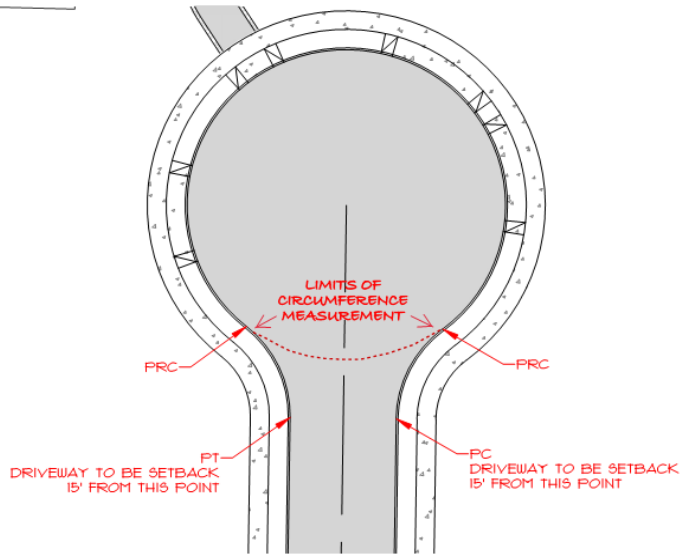
17.98.100 DRIVEWAYS

- A. A driveway to an off-street parking area shall be improved from the public ~~roadway-right-of-way~~ 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. The driveway approach within the public right-of-way shall not exceed 24 feet in width measured

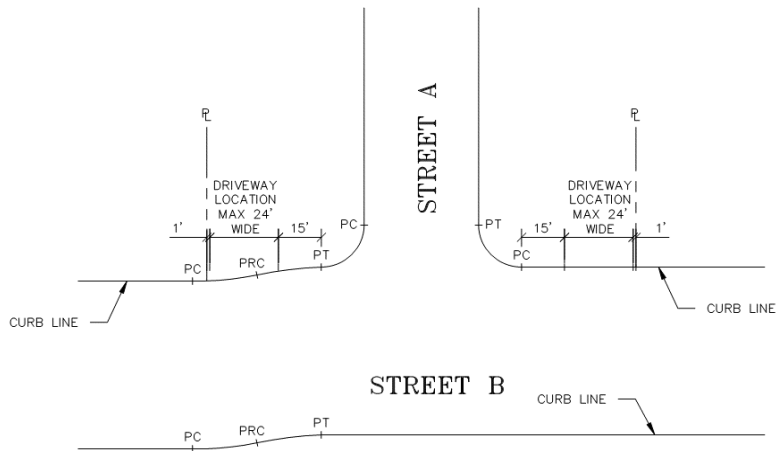
at the bottom of the curb transition. A driveway approach shall be constructed in accordance with applicable city standards and the entire driveway shall be paved with asphalt or concrete. Shared driveway approaches may be required for adjacent lots in cul-de-sacs in order to maximize room for street trees and minimize conflicts with utility facilities (power and telecom pedestals, fire hydrants, streetlights, meter boxes, etc.)

- C. A driveway for a two-family dwelling shall have a minimum width of 20 feet. The driveway approach in the public right-of-way shall not exceed 24 feet in width as measured in section B above. A driveway approach ~~must~~ shall be constructed in accordance with applicable city standards and the entire driveway ~~must~~ shall 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 as approved by the Director.
- E. No driveway shall ~~traverse a slope~~ exceed a ~~grade-in-excess~~ of 15 percent at any point along the driveway length, measured from the right-of-way line to the face of garage or furthest extent of the driveway.
- F. The nearest edge of a driveway approach shall be located a minimum of 15 feet from the point of curvature or tangency of the curb return on ~~local~~ any streets.
- ~~F~~G. The sum of the width of all driveway approaches within the bulb of a cul-de-sac as measured in section B above shall not exceed fifty percent of the circumference of the cul-de-sac bulb. The cul-de-sac bulb circumference shall be measured at the curb line and shall not include the width of the stem street. The nearest edge of driveway approaches in cul-de-sacs shall not be located within 15 feet of the point of curvature, point of tangency or point of reverse curvature of the curb return on the stem street.
- H. The location and design of ~~the any~~ driveway approach shall provide for unobstructed sight per the vision clearance requirements in section 17.74.30. Requests for exceptions to these requirements will be evaluated by the City Engineer considering the physical limitations of the lot and safety impacts to vehicular, bicycle, and pedestrian traffic.
- ~~F~~I. Driveways shall taper to ~~meet~~ match the driveway approach width to prevent stormwater sheet flow from traversing sidewalks.

CUL-DE-SAC EXHIBIT



DRIVEWAY LOCATION EXHIBIT



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Revised by Ordinance No. 2013-04 (effective 07/03/13)

17.98.110 VISION CLEARANCE

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

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-foot~~ 5 feet depth of buffer plantings adjacent to the right-of-way.
- B. When parking in a commercial or industrial district adjoins a residential zoning district, a sight-obscuring screen that is at least ~~80% percent~~ 80 percent 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.
- C. Except for a residential development which has landscaped yards, parking facilities shall include landscaping to cover not less than ~~10% percent~~ 10 percent 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.
- 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.
- E. Parking area setbacks shall be landscaped with major trees, shrubs, and ground cover as specified in Chapter 17.92.
- F. Wheel stops, bumper guards, or other methods to protect landscaped areas and pedestrian walkways shall be provided. No vehicle may project over a property line or into 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.

17.98.130 PAVING

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

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.

17.98.150 LIGHTING

The Dark Sky Ordinance in Chapter 15 of the municipal code applies to all 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.

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~~-primary 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.

B. Bicycle Parking Space Dimensions.

1. Each required bicycle parking space shall be at least 2 ½ feet by 6 feet. If bicycle parking is covered, vertical clearance of 7 feet ~~must~~-shall 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.

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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 shelter from precipitation where possible.

D. Signing. Where bicycle facilities are not directly visible ~~and obvious~~ from the public right-of-way, ~~primary structure entry, or civic space then~~ directional signs shall be provided to direct bicyclists ~~from the public right-of-way to~~ the bicycle parking facility.

E. Exemptions. Temporary ~~uses street side sales and temporary uses such as fireworks stands, Christmas tree sales lots, single family and two family residences, and other uses identified in~~ Section 17.98.20 as not requiring bicycle parking are exempt from ~~the standards~~ Section 17.98.160.

17.98.170 CARPOOL AND VANPOOL PARKING

New industrial, commercial, and community service uses with more than ~~50-100~~ employees shall meet the following minimum requirements for carpool and vanpool parking.

- A. Number and Marking. At least 10 percent % but not less than 1 of the employee parking spaces shall be marked and signed for use as a carpool/vanpool space. The carpool/vanpool spaces shall be clearly marked “Reserved - Carpool/Vanpool Only”.
- B. Location. Designated carpool/vanpool parking spaces shall be the closest employee parking spaces to the building entrance normally used by employees except for any handicapped spaces provided.

17.98.180 SCHOOL DESIGN REQUIREMENTS

A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of a school having a capacity greater than ~~25-50~~ students.

17.98.190 OFF-STREET LOADING FACILITIES

- A. ~~The minimum area~~ All commercial and industrial uses that anticipate loading and unloading of products/materials shall provide an off-street area for loading/unloading of products/materials, 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.~~

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- 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~~ The loading areas shall be screened from 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.~~

17.98.200 RESIDENTIAL ON-STREET PARKING REQUIREMENTS

- A. Residential On-Street Parking Requirements. Residential on-street parking shall conform to the following standards:
 - 1. In addition to required off-street parking, all new residential planned developments, subdivisions and partitions shall provide one (1) on-street parking space within ~~400~~²⁰⁰ feet of each dwelling except as provided in Section 17.98.200(A)(6) below. The 400 feet shall be measured from the primary entrance of the dwelling.
 - 2. The location of residential on-street parking shall be reviewed for compliance with this section through submittal of a Residential Parking Analysis Plan as required in Section 17.98.10(M).
 - 3. Residential on-street parking shall not obstruct required clear vision areas and shall not violate any local or state laws.
 - 4. Parallel residential on-street parking spaces shall be a minimum of 22 feet ~~minimum~~ in length.
 - 5. Residential on-street parking shall be measured along the curb from the outside edge of a driveway wing or curb cut. Parking spaces ~~must~~ shall be set back a minimum of 15 feet from the point of tangency or curvature at an intersection and may not be located within 10 feet of a fire hydrant.
 - 6. Portions of residential on-street parking required by this section may be provided in parking courts that are interspersed throughout a development when the following standards are met:
 - a. No more than ten (10) ~~eight (8)~~ parking spaces shall be provided in a parking court, except parking courts that utilize backing movements into the right-of-way in which case the parking court shall be limited to two (2) parking spaces;

- b. Parking spaces within a parking court shall be nine (9) feet wide and 18 feet in depth. In no instance shall a vehicle or any appurtenances parked in a parking court protrude into the public right-of-way;
- c. Notwithstanding Section 17.98.70, vehicles parked in a parking court on a local street as defined in the Transportation System Plan are permitted to back onto the public right-of-way from the parking court so long as the parking court is limited to two (2) parking spaces;
- d. A parking court shall be located within ~~400~~200 feet of the dwellings requiring parking in accordance with the requirements of Section 17.98.10(M);
- e. No more than two (2) parking courts shall be provided within a block, with only one (1) parking court provided along a block face;
- f. A parking court shall be paved in compliance with the standards of this chapter and constructed to the latest adopted grading and drainage standards in 17.98.140;
- g. ~~If a~~ parking court ~~is~~ adjacent to a public right-of-way, ~~it~~ shall be ~~publicly~~ privately owned and maintained;
- h. If a parking court is adjacent to a private drive, it shall be privately owned and maintained. For ~~each~~ any parking court there shall be a legal recorded document which includes:
- A legal description of the parking court;
 - Ownership of the parking court;
 - Use rights; and
 - A maintenance agreement and the allocation and/or method of determining liability for maintenance of the parking court;
- i. A parking court shall be used solely for the parking of operable passenger vehicles.

Exhibit B

CHAPTER 17.98 PARKING, LOADING, AND ACCESS REQUIREMENTS

17.98.00 INTENT

The intent of these regulations is to provide adequate capacity and appropriate location and design of 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/visitors, 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 vehicles and bicycles and loading facilities for vehicles is a continuous obligation. 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.
- 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.
- 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.
- D. Alteration of Existing Structures. When an existing structure is altered to the extent that the existing use is intensified, on-site vehicle and bicycle parking shall be provided in the amount required for such intensification. Alteration of existing structures, increased intensity, and change in use per Sections 17.98.10 (D.), (E.) and (F.) does not apply to commercial uses in the Central Business District (C-1).
- E. Increased Intensity. When increased intensity requires no more than four (4) vehicle spaces, no additional parking facilities shall be required. However, the effects of changes, additions, or enlargements shall be cumulative. When the net effect of one or more changes generates a need for more than four spaces, the additional required spaces shall be provided. Additional spaces shall be required for the intensification but not for the original use.
- F. Change in Use. When an existing structure or use of land is changed in use from one use to another use as listed in Section 17.98.20 below and the vehicle and bicycle parking requirements for each use type are the same; no additional parking shall be required. However, where a change in use results in an intensification of use in terms of number of vehicle and bicycle parking spaces required, additional parking space shall be provided in an amount equal to the difference between the number of spaces required for the existing use and number of spaces required for the more intensive use.

- G. Time of Completion. Required parking spaces and loading areas shall be improved and available for use prior to issuance of a temporary certificate of occupancy and/or final building inspection or final certificate of occupancy.
- H. Inoperative Motor Vehicles. In all residential zoning districts, all motor vehicles incapable of movement under their own power or lacking legal registration shall be completely screened from public view.
- I. Truck Parking. In all residential zoning districts, no overnight parking of trucks or other equipment on wheels or tracks exceeding a 1-ton capacity used in the conduct of a business activity shall be permitted except vehicles and equipment necessary for farming on the premises where such use is conducted.
- J. Mixed Uses. In the case of mixed uses, the total required vehicle and bicycle parking shall be the sum of requirements of individual uses computed separately.
- K. Conflicting Parking Requirements. When a building or use is planned or constructed in such a manner that more than one standard is applicable, the use that requires the greater number of parking spaces shall govern.
- 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 servicing of any vehicle or bicycle.
- M. Residential Parking Analysis Plan. A Residential Parking Analysis Plan shall be required for all new residential planned developments, subdivisions, and partitions to include a site plan depicting all of the following:
1. Location and dimension of required parking spaces as specified in Section 17.98.200.
 2. Location of areas where parking is not permitted as specified in Sections 17.98.200(A)(3) and (5).
 3. Location and design of parking courts (if applicable).
- N. Location of Required Parking.
1. Off-street vehicle parking required for single family dwellings (both attached and detached) and duplexes 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. Bicycle parking required for all uses in all districts shall be provided on the development site in accordance with Section 17.98.160 below.
- O. Unassigned Parking in Residential Districts.
1. Multi-family dwelling units with more than 10 required vehicle parking spaces shall provide unassigned parking. The unassigned parking shall consist of at least 15 percent of the total required parking spaces and be located to be available for use by all occupants and guests of the development.
 2. Multi-family dwelling units with more than 10 required bicycle parking spaces may provide shared outdoor bicycle parking. The shared bicycle parking shall consist of at

least 15 percent of the total required parking spaces and be located such that they are available for shared use by all occupants and guests of the development.

- 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.
- 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.

17.98.20 OFF-STREET PARKING REQUIREMENTS

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

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

8.

| Residential Uses | Number of Parking Spaces | Number of Bicycle Spaces |
|---|--|---------------------------------|
| Single Family Detached/Attached | 2 per dwelling unit | Exempt |
| Duplexes | 2 per dwelling unit | Exempt |
| Manufactured Home Park | 2 per dwelling, plus 1 visitor space for each 10 vehicle spaces | Exempt |
| Multi-Family Dwellings | 1.5 per studio unit or 1-bedroom unit 2.0 per 2-bedroom unit or greater | 1 per dwelling unit |
| Congregate Housing, Retirement Homes, Intermediate Care Facilities, Group Care Facilities, and Halfway Houses | 1 per each 3 residents, plus 1 per 2 employees | 5% or 2 whichever is greater |

9.

| Community Service, Institutional and Semi-Public Uses | Number of Parking Spaces | Number of Bicycle Spaces |
|---|---|---------------------------------|
| Administrative Services | 1 per 400 sq. ft., plus 1 per 2 employees | 5% or 2 whichever is greater |
| Community Recreation Buildings, Library, or Museum | 1 per 250 sq. ft., plus 1 per 2 employees | 5% or 2 whichever is greater |
| Church, Chapel, Auditorium, or Fraternal Lodge without eating and drinking facilities | 1 per 4 fixed seats or 1 per each 50 sq. ft. of public assembly area where there are no fixed seats, plus 1 per 2 employees | 5% or 2 whichever is greater |
| Hospitals | 1 per examine room or bed, and 1 per 4 seats in waiting room or chapel, plus 1 per 2 employees | 5% or 2 whichever is greater |
| Commercial Daycare | 2 for the facility, plus 1 per employee on the largest shift | 2 |
| School – Preschool/Kindergarten | 2 per classroom, plus 1 per 2 employees | 2 |
| School – Elementary or Middle School/Junior High | 2 per classroom, plus 1 per 2 employees | 5% or 2 whichever is greater |
| School – Senior High, Vocational or College | 6 per classroom, plus 1 per employee on the largest shift | 5% or 2 whichever is greater |

10.

| Commercial Uses | Number of Parking Spaces | Number of Bicycle Spaces |
|--|---|---------------------------------|
| Retail Sales, General or Personal Services, Professional Offices, Shopping Centers, Grocery Stores, Convenience Stores | 1 per 400 sq. ft., plus 1 per 2 employees | 5% or 2 whichever is greater |
| Retail Sales of Bulky Merchandise (examples: furniture or motor vehicles) | 1 per 1,000 sq. ft., plus 1 per 2 employees | 2 |
| Eating or Drinking Establishments | 1 per 250 sq. ft. of gross floor area or 1 per 4 fixed seats or stools, plus 1 per 2 employees | 5% or 2 whichever is greater |
| Funerals and Interment Services: Crematory and Undertaking <i>Interring and Cemeteries are exempt</i> | 1 per 4 fixed seats or 1 space for each 50 sq. ft. of public assembly area where there are no fixed seats, plus 1 per 2 employees | 2 |
| Fuel Sales (without store) | 1 per employee on the largest shift | 2 |
| Medical or Dental Office or Clinic | 1 per examine room or bed, and 1 per 4 seats in waiting room, plus 1 per 2 employees | 5% or 2 whichever is greater |

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| | | |
|---|--|---------------------------------|
| Participant Sports or Recreation: Indoor or Outdoor; Spectator Sports; Theater or similar use | 1 per 4 fixed seats or 1 space per 4 participants based on projected participant capacity, plus 1 per 2 employees | 5% or 2 whichever is greater |
| Campground or RV Park | 1 per designated space, plus 1 visitor space for each 8 designated spaces, plus 1 per 2 employees | Exempt |
| Hotel or Motel | 1 per guest room or suite, plus 1 per 2 employees | 2 |

11.

| Industrial Uses | Number of Parking Spaces | Number of Bicycle Spaces |
|---|--|-----------------------------|
| Sales, Storage, Rental, Services and Repairs of: Agricultural and Animals Automotive/Equipment Fleet Storage Light Equipment Non-operating vehicles, boats and recreational vehicles Building Equipment | 1 per 1,000 sq. ft., plus 1 per 2 employees | 2 |
| Sales, Storage, Rental, and Repairs of: Heavy Equipment, or Farm Equipment | 1 per 1,000 sq. ft., plus 1 per 2 employees | 2 |
| Storage, Distribution, Warehousing, or Manufacturing establishment; trucking freight terminal | 1 per employee on the largest shift | 2 |

17.98.30 REDUCTION OF PARKING REQUIREMENTS

A. Transit Amenity Reduction.

1. Any existing or proposed use in the C-2, C-3, or I-1 Zoning Districts subject to minimum parking requirements and located within 400 feet of an existing transit route may reduce the number of required parking spaces by up to 10 percent by providing a transit stop and related amenities including a public plaza, pedestrian sitting areas, or additional landscaping provided such landscaping does not exceed 25 percent of the total area dedicated for transit oriented purposes.
2. Required parking spaces may be reduced at a ratio of 1 parking space for each 100 square feet of transit amenity space provided above and beyond the minimum requirements.
3. Uses, which are not eligible for these reductions, include truck stops, building materials and lumber sales, nurseries and similar uses not likely to be visited by pedestrians or transit customers.

B. Residential uses in the Central Business District and Village Commercial District Reduction.

Required off-street parking for residential uses in the C-1 and C-3 Zoning District may be reduced by 25 percent.

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17.98.40 SHARED USE OF PARKING FACILITIES

- A. Except for single family dwellings (both attached and detached) and duplexes, required parking facilities may be located on an adjacent parcel of land or separated only by an alley or local street, provided the adjacent parcel is maintained in the same ownership as the use it is required to serve or a shared parking agreement that can only be released by the Director is recorded in the deed records of Clackamas County.
- B. In the event that several parcels occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements for the uses computed separately.
- C. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facility used jointly, to the extent that it can be shown by the owners or operators that the needs of the facilities do not materially overlap (e.g., uses primarily of day time versus night time uses) and provided that such right of joint use is evidenced by a deed, lease, contract or similar written instrument recorded in the deed records of Clackamas County establishing such joint use.

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 duplexes, required off-street parking may be located in a driveway.
- C. Parking areas shall be setback from a lot line adjoining a street the same distance as the required building setbacks. Regardless of other provisions, a minimum setback of 5 feet shall be provided along the property fronting on a public street. The setback area shall be landscaped as provided in this code.

17.98.60 DESIGN, SIZE AND ACCESS

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

- A. Parking Lot Design. All areas for required parking and maneuvering of vehicles shall have a durable hard surface such as concrete or asphalt.
- B. Size of Space.
 - 1. A standard parking space shall be 9 feet by 18 feet.
 - 2. A compact parking space shall be 8 feet by 16 feet.
 - 3. Accessible parking spaces shall be 9 feet by 18 feet and include an adjacent access aisle meeting ORS 447.233. Access aisles may be shared by adjacent spaces. 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.

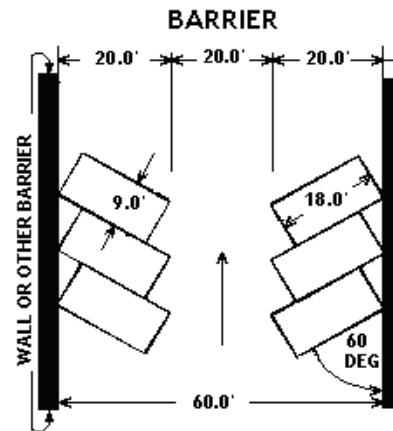
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4. Parallel parking spaces shall be a length of 22 feet.
5. No more than 40 percent of the parking stalls shall be compact spaces.

C. Aisle Width.

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



17.98.70 ON-SITE CIRCULATION

- A. Groups of more than three (3) parking spaces shall be permanently striped. Accessible parking spaces and accompanying access aisles shall be striped regardless of the number of parking spaces.
- B. Backing and Maneuvering. Except for a single family dwelling, duplex, or accessory dwelling unit, 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.

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.

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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 be based on a traffic impact analysis and parking and circulation plan and consider posted speed of street on which access is proposed, constraints due to lot patterns, and effects on safety and capacity of the adjacent public street, bicycle and pedestrian facilities.
- C. When developed property is to be expanded or altered in a manner that significantly affects on-site parking or circulation, both existing and proposed accesses shall be reviewed under the standards in A and B above. As a part of an expansion or alteration approval, the City may require relocation and/or reconstruction of existing accesses not meeting those standards.

17.98.90 ACCESS TO UNIMPROVED STREETS

Access to Unimproved Streets. At the Director's discretion development may occur without access to a City standard street when that development constitutes infill on an existing substandard public street. A condition of development shall be that the property owner signs an irrevocable petition for street improvements and/or a declaration of deed restrictions agreeing to future completion of street improvements. The form shall be provided by the City and recorded with the property through the Clackamas County Recorder's Office. This shall be required with approval of any of the following applications:

- Land partitions
- Conditional uses
- Building permits for new non-residential construction or structural additions to non-residential structures (except accessory development)
- Building permits for new residential units

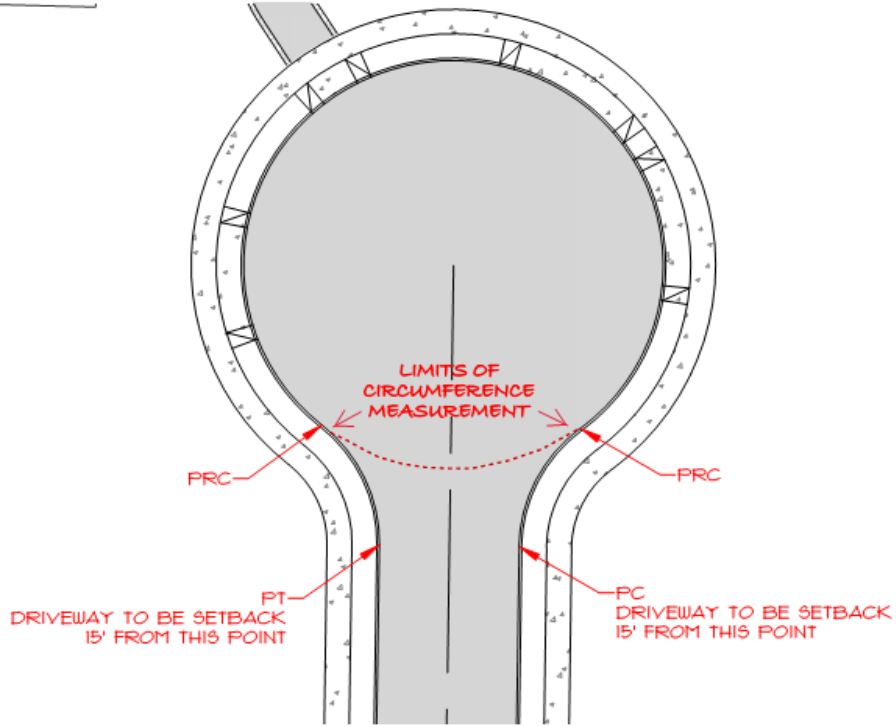
17.98.100 DRIVEWAYS

- A. A driveway to an off-street parking area shall be improved from the public right-of-way 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. The driveway approach within the public right-of-way shall not exceed 24 feet in width measured at the bottom of the curb transition. A driveway approach shall be constructed in accordance with applicable city standards and the entire driveway shall be paved with asphalt or concrete. Shared driveway approaches may be required for adjacent lots in cul-de-sacs in

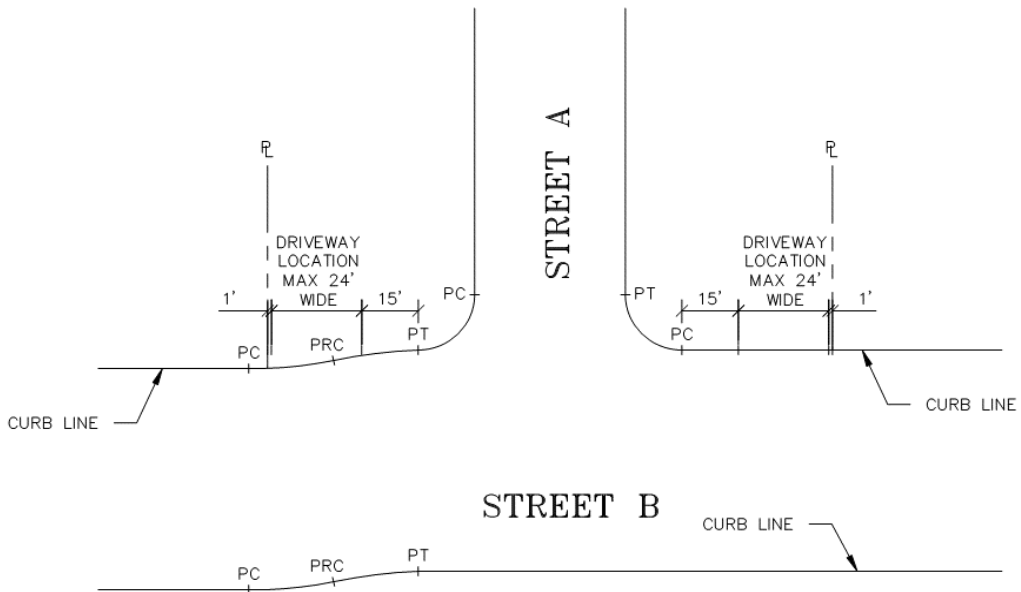
order to maximize room for street trees and minimize conflicts with utility facilities (power and telecom pedestals, fire hydrants, streetlights, meter boxes, etc.)

- C. A driveway for a two-family dwelling shall have a minimum width of 20 feet. The driveway approach in the public right-of-way shall not exceed 24 feet in width as measured in section B above. A driveway approach shall be constructed in accordance with applicable city standards and the entire driveway shall 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 as approved by the Director.
- E. No driveway shall exceed a grade of 15 percent at any point along the driveway length, measured from the right-of-way line to the face of garage or furthest extent of the driveway.
- F. The nearest edge of a driveway approach shall be located a minimum of 15 feet from the point of curvature or tangency of the curb return on any street.
- G. The sum of the width of all driveway approaches within the bulb of a cul-de-sac as measured in section B above shall not exceed fifty percent of the circumference of the cul-de-sac bulb. The cul-de-sac bulb circumference shall be measured at the curb line and shall not include the width of the stem street. The nearest edge of driveway approaches in cul-de-sacs shall not be located within 15 feet of the point of curvature, point of tangency or point of reverse curvature of the curb return on the stem street.
- H. The location and design of any driveway approach shall provide for unobstructed sight per the vision clearance requirements in section 17.74.30. Requests for exceptions to these requirements will be evaluated by the City Engineer considering the physical limitations of the lot and safety impacts to vehicular, bicycle, and pedestrian traffic.
- I. Driveways shall taper to match the driveway approach width to prevent stormwater sheet flow from traversing sidewalks.

CUL-DE-SAC EXHIBIT



DRIVEWAY LOCATION EXHIBIT



17.98 - 10

Revised by Ordinance No. 2013-04 (effective 07/03/13)

17.98.110 VISION CLEARANCE

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

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 feet depth of buffer plantings adjacent to the right-of-way.
- B. When parking in a commercial or industrial district adjoins a residential zoning district, a sight-obscurer screen that is at least 80 percent 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.
- C. Except for a residential development which has landscaped yards, parking facilities shall include landscaping to cover not less than 10 percent 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.
- 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.
- E. Parking area setbacks shall be landscaped with major trees, shrubs, and ground cover as specified in Chapter 17.92.
- F. Wheel stops, bumper guards, or other methods to protect landscaped areas and pedestrian walkways shall be provided. No vehicle may project over a property line or into a public right-of-way. Parking may project over an internal sidewalk, but a minimum clearance of 5 feet for pedestrian circulation is required.

17.98.130 PAVING

- A. Parking areas, driveways, aisles and turnarounds shall be paved with concrete, asphalt or comparable surfacing, constructed to City standards for off-street vehicle areas.

- B. Gravel surfacing shall be permitted only for areas designated for non-motorized trailer or equipment storage, propane or electrically powered vehicles, or storage of tracked vehicles.

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.

17.98.150 LIGHTING

The Dark Sky Ordinance in Chapter 15 of the municipal code applies to all 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.

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 primary 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.

B. Bicycle Parking Space Dimensions.

1. Each required bicycle parking space shall be at least 2 ½ feet by 6 feet. If bicycle parking is covered, vertical clearance of 7 feet shall 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.

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.

17.98 - 12

Revised by Ordinance No. 2013-04 (effective 07/03/13)

2. Racks requiring user-supplied locks shall accommodate both cable and U-shaped locks.
 3. Bicycle racks shall be securely anchored to the ground or a structure and shall be designed to hold bicycles securely.
 4. All outdoor bicycle parking facilities shall provide adequate shelter from precipitation where possible.
- D. **Signing.** Where bicycle facilities are not directly visible from the public right-of-way, primary structure entry, or civic space then directional signs shall be provided to direct bicyclists to the bicycle parking facility.
- E. **Exemptions.** Temporary uses and other uses identified in Section 17.98.20 as not requiring bicycle parking are exempt from Section 17.98.160.

17.98.170 CARPOOL AND VANPOOL PARKING

New industrial, commercial, and community service uses with more than 100 employees shall meet the following minimum requirements for carpool and vanpool parking.

- A. **Number and Marking.** At least 10 percent of the employee parking spaces shall be marked and signed for use as a carpool/vanpool space. The carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only".
- B. **Location.** Designated carpool/vanpool parking spaces shall be the closest employee parking spaces to the building entrance normally used by employees except for any handicapped spaces provided.

17.98.180 SCHOOL DESIGN REQUIREMENTS

A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of a school having a capacity greater than 50 students.

17.98.190 OFF-STREET LOADING FACILITIES

- A. All commercial and industrial uses that anticipate loading and unloading of products/materials shall provide an off-street area for loading/unloading of products/materials.
- 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. The loading areas shall be screened from 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.

17.98.200 RESIDENTIAL ON-STREET PARKING REQUIREMENTS

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

1. In addition to required off-street parking, all new residential planned developments, subdivisions and partitions shall provide one (1) on-street parking space within 400 feet of each dwelling except as provided in Section 17.98.200(A)(6) below. The 400 feet shall be measured from the primary entrance of the dwelling.
2. The location of residential on-street parking shall be reviewed for compliance with this section through submittal of a Residential Parking Analysis Plan as required in Section 17.98.10(M).
3. Residential on-street parking shall not obstruct required clear vision areas and shall not violate any local or state laws.
4. Parallel residential on-street parking spaces shall be a minimum of 22 feet in length.
5. Residential on-street parking shall be measured along the curb from the outside edge of a driveway wing or curb cut. Parking spaces shall be set back a minimum of 15 feet from the point of tangency or curvature at an intersection and may not be located within 10 feet of a fire hydrant.
6. Portions of residential on-street parking required by this section may be provided in parking courts that are interspersed throughout a development when the following standards are met:
 - a. No more than ten (10) parking spaces shall be provided in a parking court, except parking courts that utilize backing movements into the right-of-way in which case the parking court shall be limited to two (2) parking spaces;
 - b. Parking spaces within a parking court shall be nine (9) feet wide and 18 feet in depth. In no instance shall a vehicle or any appurtenances parked in a parking court protrude into the public right-of-way;
 - c. Notwithstanding Section 17.98.70, vehicles parked in a parking court on a local street as defined in the Transportation System Plan are permitted to back onto the public right-of-way from the parking court so long as the parking court is limited to two (2) parking spaces;
 - d. A parking court shall be located within 400 feet of the dwellings requiring parking in accordance with the requirements of Section 17.98.10(M);
 - e. No more than two (2) parking courts shall be provided within a block, with only one (1) parking court provided along a block face;
 - f. A parking court shall be paved in compliance with the standards of this chapter and constructed to the grading and drainage standards in 17.98.140;
 - g. A parking court adjacent to a public right-of-way, shall be privately owned and maintained;
 - h. If a parking court is adjacent to a private drive, it shall be privately owned and maintained. For any parking court there shall be a legal recorded document which includes:
 - A legal description of the parking court;
 - Ownership of the parking court;
 - Use rights; and

- A maintenance agreement and the allocation and/or method of determining liability for maintenance of the parking court;
- i. A parking court shall be used solely for the parking of operable passenger vehicles.

DRAFT



Exhibit C

Kelly O'Neill <koneill@ci.sandy.or.us>

Parking Code Modifications...seeking input

Braden Bernards <braden.bernards@cvpre.com>

Fri, Jan 10, 2020 at 4:46 PM

To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>

Cc: Emily Meharg <emeharg@ci.sandy.or.us>, Zach Bonsall <zach.bonsall@cvpre.com>

Hi Kelly,

Thanks for sharing - we agree with the overall thrust of this and believe it will help Pleasant St, in particular, become more vibrant and commercial in nature. We've spoken with a few smallscale housing developers about Pleasant St and they all have been interested in a partnership. The parking minimums have been an area of concern given this is a small lot within the city center. As I'm sure you know, parking minimums can make development quite tough in tight city centers.

Few thoughts:

- 1) 17.98.20.A8 - we would support 1 parking space per dwelling unit for single-family detached/attached.
- 2) 17.98.20.A8 - we would support further reduction to 1 per unit (regardless of type) for multi-family dwellings. In particular, requiring 1.5 for studio units would be difficult (and probably unnecessary).
- 3) 17.98.20.A9 - Commercial Daycare - possible to go lower on this?
- 4) 17.98.160 - On bike code, I've seen a few jurisdictions explicitly ban the really dysfunctional galvanized steel 'wave' racks, and put the 'inverted u' language directly into the code as the preferred alternative...just a thought as I've seen this a lot recently.

Appreciate your reaching out! Once DB wraps up, we'll start to focus more on Pleasant St. What's the status of the Pleasant St Master Plan? Is this a living document or concept phase?

Thanks,
Braden

Braden Bernards
Cole Valley Partners
Senior Project Manager
503-228-2100 (M)
503-741-8401 (O)
www.cvpre.com

3519 NE 15th Ave, Suite 251
Portland, OR 97212

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February, 3, 2020

Exhibit D

Kelly O'Neill Jr.
Development Services Director

City of Sandy
Development Services Department
39250 Pioneer Blvd
Sandy, OR 97055

Re: Proposed revisions to Chapter 17.98

Kelly,

I have reviewed the proposed revisions to the City of Sandy Zoning Code and I would like to voice my support for three specific sections in **Chapter 17.98 Parking, Loading and Access Requirements**.

I support Section **17.98.10 General Provisions D. Alteration to Existing Structures**, **17.98.20 Off-Street Parking Requirements, A, Off Street Parking Requirements** and **17.98.30 Reduction of Parking Requirements, B**.

I have been working on three separate projects in the City of Sandy Central Business District and two of them are significantly impacted by the existing parking requirements. One is an existing building owned by the recreational equipment retailer "Next Adventure" which has been remodeled and had an addition built onto it. The owners would like to replace the existing building with a much larger building. Their ability to build this larger building is hampered by the parking requirements. There is no way the expansion can occur and reach full compliance with the parking requirements. The site is on the north side of Pioneer Blvd. and a majority of the site is unbuildable due to the steepness of the slope.

The proposed revisions to the parking requirements would allow this business to expand in compliance with the revised zoning code. This expansion would greatly increase Next Adventure's presence in the business district and would further promote Sandy as a center of the Mt. Hood outdoor recreation economy.

The other project that is negatively impacted is a small site on Hood Street. Most of the lots in this portion of the Central Business District are small lots in the range of 5,000 square feet. This lot previously had a single family home which was torn down about ten years ago. After reviewing all of the potential options for development of this lot it was determined that because of the existing parking requirements this lot cannot be developed in compliance with the code without numerous adjustments and variances from the code. The parking requirements are the primary reason. The number of spaces, size of the vehicle access aisles and the restrictions on the parking lot location would take up too much of the site.

Robert Mosier Architect

3018 SE 76th Avenue, Portland, Oregon 97206 503.235.9940 rmmosier@msn.com

Eliminating the parking requirements will allow an economically viable development of the site and provide a new building for another small business to locate in the business district.

The reduction of parking requirements proposed in **17.98.30 B. Reduction of Parking Requirements** is an acknowledgement that residential uses in the Central Business District would be enhanced by a reduction of the parking requirements. This reduction would support more residential development in the CBD getting more people on the streets supporting the variety of services available in a more compact, walkable business district.

Generally speaking the remaining existing lots in the Downtown commercial district are too small to be developed in compliance with the present zoning code, in particular due to the parking requirements. The historic portions of the Central Business District are smaller businesses on smaller lots and many are converted residences. They create a denser more intimate shopping district full of variety and vitality. These are the characteristics that help define what residents and visitors like about downtown Sandy. Many of the remaining lots would have to be merged into larger lots to be large enough to develop. The code does not take available on street parking into account either. Revising the parking requirements in the Central Business District will allow for more small scale development providing a more intimate and varied shopping experience and more vibrant commercial district distinctly different from the Big Box commercial developments outside of the downtown area.

Sincerely,

Robert Mosier
Principal
Robert Mosier Architect

Robert Mosier Architect

3018 SE 76th Avenue, Portland, Oregon 97206 503.235.9940 rmmosier@msn.com



Exhibit E

Kelly O'Neill <koneill@ci.sandy.or.us>

City Code Changes to Chapter 17.98

Tyler Henderson <tyler@allcountysurveyors.com>
To: Kelly O'Neill <koneill@ci.sandy.or.us>
Cc: Ray Moore <raym@allcountysurveyors.com>

Tue, Feb 4, 2020 at 10:40 AM

Kelly,

Sorry for not getting these responses to you yesterday as you had requested – Ray just forwarded the code changes to me. I have a couple minor comments, but overall the changes look good.

Under section 17.98.90(F): this section should reference the 15' distance from the PC/PT of a curb return at an intersection. The way it currently reads, driveways would need to be setback from the PC/PT of a curved street section, which may not be possible depending on the layout. I think the intent was to setback the 15' from only the PC/PT of curb returns at intersections?

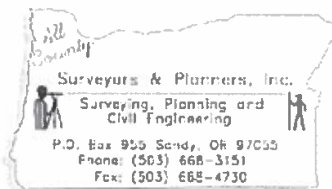
Under section 17.98.90(G.): I might include a supporting sketch here – Ray and I are fairly certain your intent was to setback driveways from the shown PC/PT locations in the attached sketch. The cul-de-sac circumference – would it be measured from the same locations in the attached sketch, or measured from the PRC on both sides?

That's all I've got Kelly. Thanks for giving us a chance to review the changes, and sorry for getting you the responses a day late.

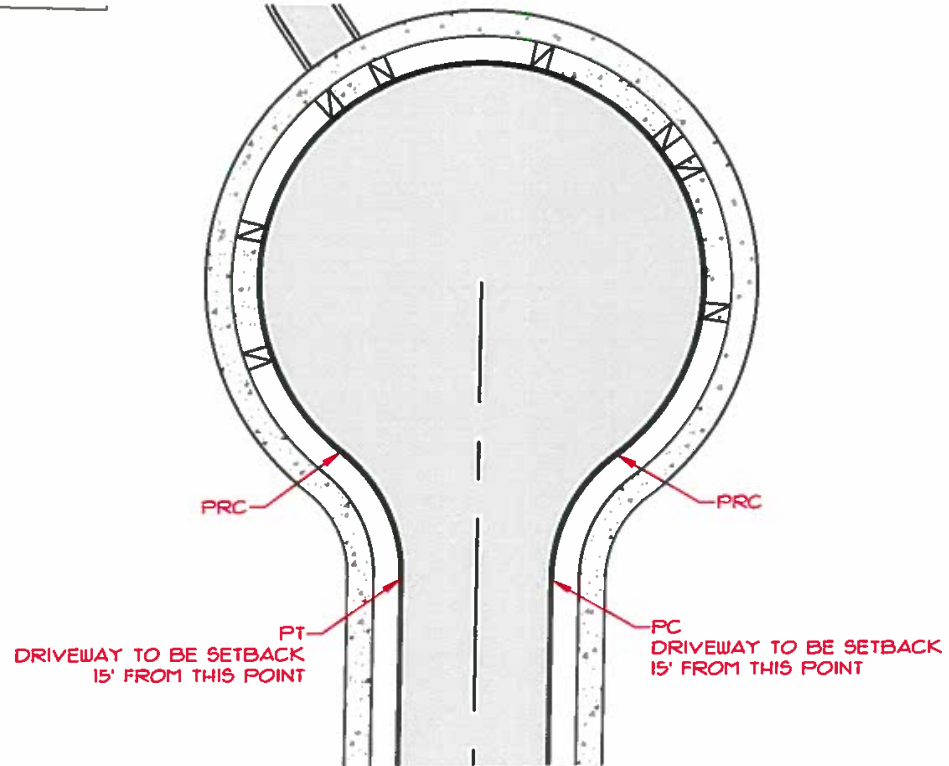
Best,

Tyler Henderson, EI

All County Surveyors & Planners, Inc.
PO Box 955, Sandy, OR 97055
Phone: 503-668-3151
Fax: 503-668-4730
email: tyler@allcountysurveyors.com



CUL-DE-SAC EXHIBIT



All County
Surveyors & Planners, Inc.
Surveying, Planning
and Civil Engineering
P.O. Box 955 Sandy, OR 97055
Phone: (503) 668-3151
Fax: (503) 668-4730
Subject to General Conditions 2006 ©

17-199-PLANNING.dwg
DATE OF PLOT: 02/04/2020



Exhibit F

Kelly O'Neill <koneill@ci.sandy.or.us>

Parking Code Modifications...seeking input

Ray Moore <raym@allcountysurveyors.com> Tue, Feb 4, 2020 at 11:12 AM
To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>, Jonathan Konkol <JonathanK@axisdesigngroup.com>, Tracy Brown <tbrownplan@gmail.com>, Kelli Grover <kg@firwooddesign.com>, Patrick Sisul <PatSisul@sisulengineering.com>, Braden Bernards <braden.bernards@cvpre.com>, Robert Mosier <rmmosier@msn.com>
Cc: Mike Walker <mwalker@ci.sandy.or.us>, Emily Meharg <emeharg@ci.sandy.or.us>, Dave Reichert <dave@allcountysurveyors.com>, Tyler Henderson <tyler@allcountysurveyors.com>, Dale Hult <daleh@allcountysurveyors.com>

Hi Kelly. Sorry, one day late.... Thanks for the opportunity to review.

I see you are limiting the parking courts (that can back out into the street) to 2 spaces. Why the change? Have you had a problem with them? Have any been built yet?

My recommendation to the parking courts would be to allow the City some flexibility in Section 17.98.200-A-6...

a. No more than ten (10) ~~eight (8)~~ parking spaces shall be provided in a parking court, except parking courts that utilize backing movements into the right-of-way in which case the parking court shall be limited to two (2) parking spaces, unless otherwise approved by the City.

c. Notwithstanding Section 17.98.70, vehicles parked in a parking court on a local street as defined in the Transportation System Plan are permitted to back onto the public right-of-way from the parking court so long as the parking court is limited to two (2) parking spaces, unless otherwise approved by the City.

Also, why limit the parking courts to only one per face of block. If you are now going to limit the courts to 2 spaces (that can back out), I would recommend allowing more than one per face. You could just require that they are at least 100' apart. As you know, sometimes we have long blocks adjacent to unbuildable land or other obstructions.

e. No more than two (2) parking courts shall be provided within a block, with only one (1) parking court provided along a block face; This could be changed to say... "parking courts shall be no closer than 100' along a block face, unless otherwise approved by the City.

I don't see why you need to change this...

17.98.100 DRIVEWAYS

E. No driveway shall ~~traverse a slope~~ exceed a grade ~~in excess~~ of 15 percent at any point along the driveway length, measured from the right-of-way line to the face of garage or furthest extent of the driveway.

I think more words add confusion.. Just say... "**Driveways shall not exceed 15% slope**"

Thanks!

Ray Moore, PE, PLS
All County Surveyors & Planners, Inc.
PO Box 955, Sandy, OR 97055
Phone: 503-668-3151
Fax: 503-668-4730
email: raym@allcountysurveyors.com

From: Kelly O'Neill Jr.
Sent: Wednesday, January 8, 2020 4:46 PM
To: Jonathan Konkol ; Tracy Brown ; Kelli Grover ; Ray Moore ; Patrick Sisul ; Braden Bernards ; Robert Mosier
Cc: Mike Walker ; Emily Meharg
Subject: Parking Code Modifications...seeking input

[Quoted text hidden]

Exhibit G

February 4, 2020

Kelly O'Neill Jr.
Development Services Director
City of Sandy
Development Services Department 39250
Pioneer Blvd
Sandy, OR 97055

Dear Mr. O'Neill,

I am owner of Next Adventure and its five retail operations in the local area, including our retail store in Sandy, and I am writing in support of the proposed revisions to the City of Sandy Zoning Code, specifically regarding the revision of off-street parking requirements.

We have great plans for expansion in Sandy but one of the most serious limiting factors is the City's current off-street parking regulations. Though our lot on the south side of Pioneer Blvd. is relatively large, most of it is unusable for building or parking because of the extremely steep slope.

The proposed revisions to the parking requirements would allow us to expand in compliance with the revised zoning code. This expansion would greatly increase Next Adventure's presence in the business district and would further promote Sandy as a center of the Mt. Hood outdoor recreation economy.

From the beginning, we have enjoyed a positive and productive relationship with officials at the City of Sandy and this proposal to revise the policy regarding off-street parking would continue the sense that, as business owners, we are valued, understood, and appreciated for what we bring to the success of the community.

Sincerely,

Deek Heykamp
Owner
Next Adventure
deek@nextadventure.net
503.701.7414

Exhibit H

MEMORANDUM

TO: KELLY O'NEILL, PLANNING DIRECTOR
FROM: MIKE WALKER, PUBLIC WORKS DIRECTOR
RE: COMMENTS ON PROPOSED CHANGES TO CHAPTER 17.98
DATE: FEBRUARY 14, 2020

I have reviewed the comments submitted by All County Surveyors (Ray Moore and Tyler Henderson) and have the following responses:

Ray Moore – questions regarding the need for the changes and the number of existing parking courts:

The biggest issue with the public parking court currently allowed in the current Code is the requirement that they be maintained by the City. This means, sweeping, plowing, striping and pavement surfacing. Private parking courts are maintained by the benefitting properties. Maintaining parking courts would be a burden for the City that doesn't exist elsewhere in the City. If the presumption is that parking courts are substitutes for on-street parking that otherwise cannot be provided on a development site the maintenance requirements differ significantly. Sweeping or plowing City streets is done regardless and on-street parking spaces would be swept or plowed when the rest of the street is done. Since a parking court is perpendicular to the direction of travel on the street a maintenance vehicle would have to change direction 90° (not simple with a large vehicle) to sweep or plow the parking court. In addition, we do not stripe parking spaces in City streets because curbside parking is easy to define without striping. Not so for parking courts where it would be necessary to define parking spaces to realize the number of spaces permitted. These additional expenses end up being a subsidy for one group of residents that is provided by the residents in the rest of the City.

I am aware of only one public parking court constructed since this section of the code was changed to permit them. It is located at the north end of Tickle Creek Ave. off of Dubarko Rd. It is at the terminus of a public street and is parallel to the direction of travel which addresses some of the maintenance issues described above. I assume there would be more if developers weren't able to satisfy the requirements for on-street parking without them.

Ray Moore – suggestions to allow staff discretion on whether to permit parking courts where parked vehicles can back directly onto a street:

I believe it is better for the Development Code to use clear and objective standards instead of leaving exceptions or variances to the City (or presumably in this case staff). There is a process in the Development Code for Planned Developments, variances and adjustments to standards in the Code.

The proposed changes to the Code would eliminate the public parking court and only allow private courts where the maintenance and parking assignment responsibilities would be borne by the residents who benefit from the parking court.

Eliminating backing directly onto a street from a parking court necessitates very long driveway approaches (up to 100 feet for 10 spaces) which eliminates planter strips and thus up to three street trees. Long driveway approaches also preclude placement of utility facilities and street lights (which are typically placed at 150 ft. intervals). Crossing long driveway approaches is intimidating for pedestrians especially when trailer hitches, bumpers, etc. encroach into the sidewalk. Backing out of parking spaces (especially when there are up to ten) makes it difficult for drivers to see pedestrians (especially small children) and oncoming traffic on the street. Backing accidents with small children often occur in private driveways and I don't believe it is a good practice to allow this type of maneuver over a span of up to 100 feet. Given that the common vehicle in Sandy is typically a large pickup or SUV these hazards would be magnified.

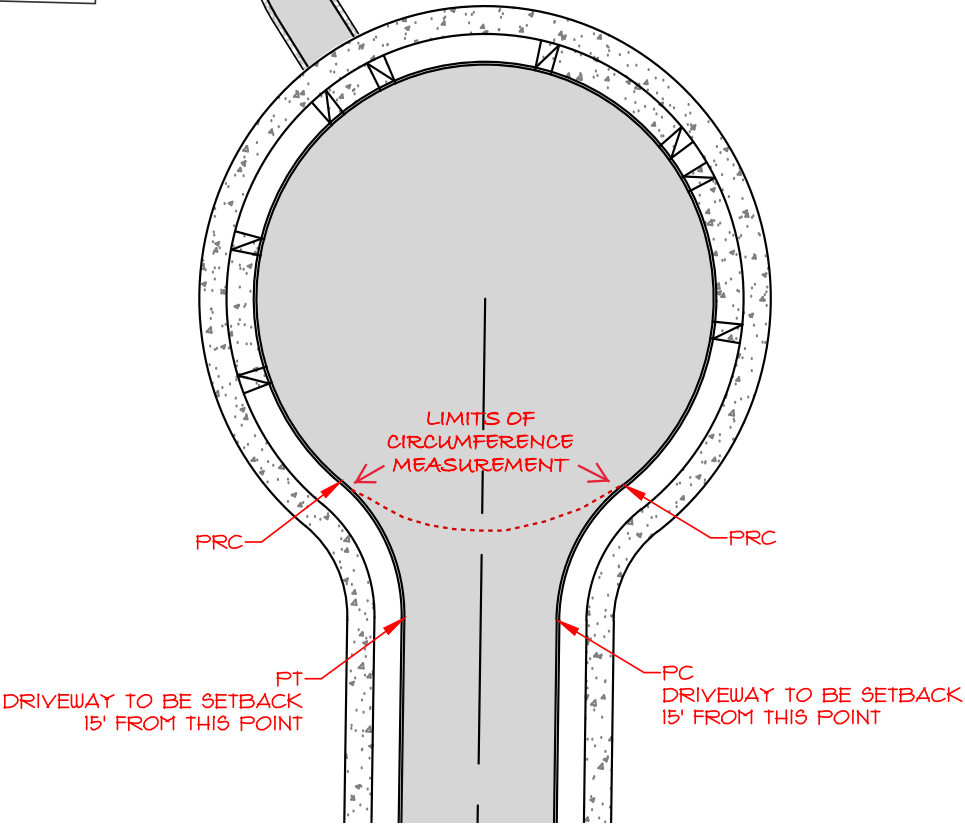
If the code language regarding parking courts is retained I recommend that it be reviewed to eliminate unclear language and conflicts between the design standards for public and private courts.

Ray Moore – 17.98.100 E. Driveway slope. Ray recommends simplifying this language with a single sentence. While clear and simple it does not define how the 15% slope is measured which would tend to create more confusion and a burden for staff to interpret how the slope is measured absent clear language in the Code. I recommend that the proposed language remain unchanged.

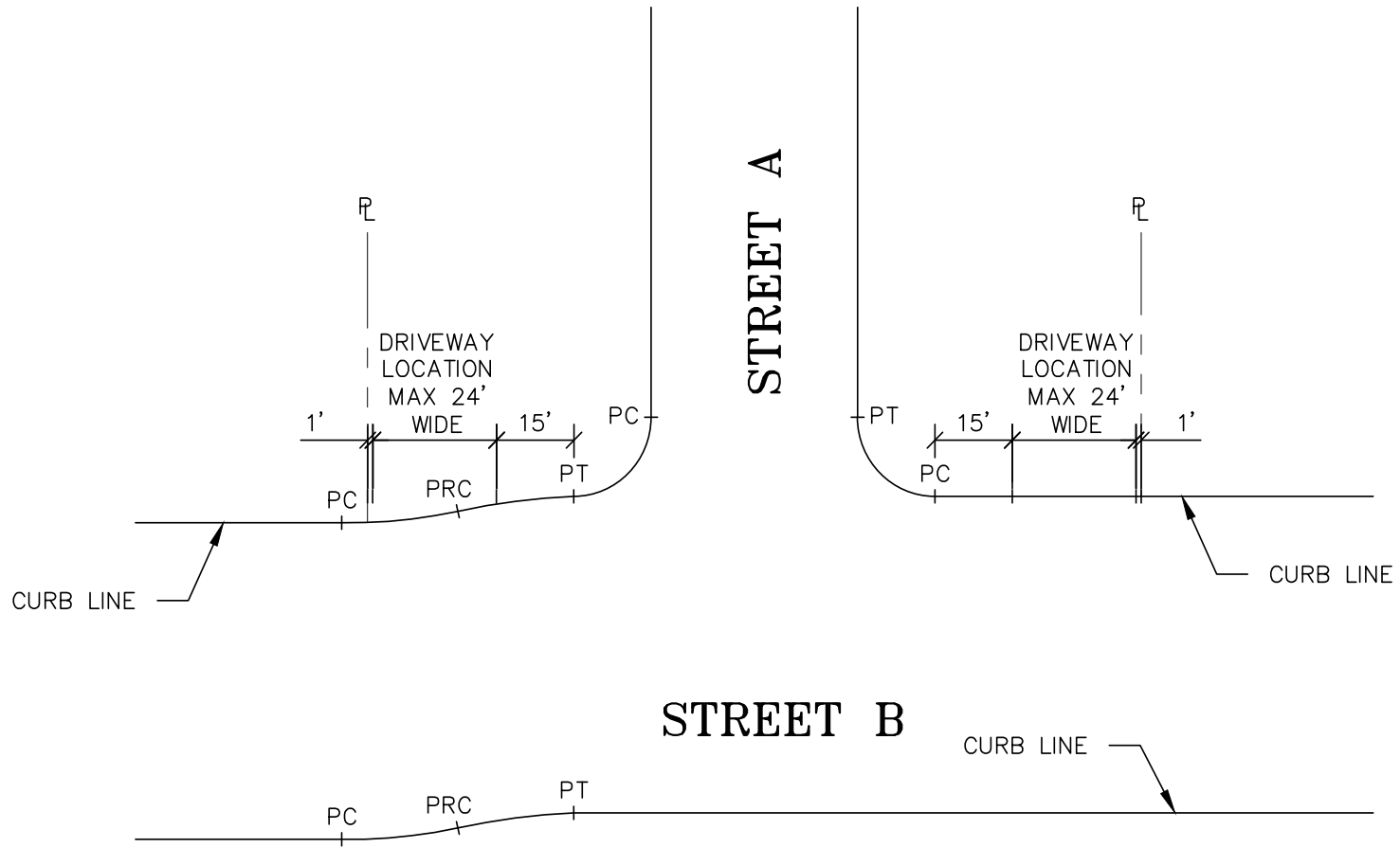
Tyler Henderson – When measuring the proposed 15 foot setback for a driveway approach from an intersection Tyler correctly points out that not all curb returns end in a tangent, especially in cul-de-sacs and where a new street intersection is constructed at a curved section of an existing street. Typically, this wouldn't be an issue in new development where 17.84.50(H) requires a minimum of 50 feet of tangent alignment on all streets at all intersections. For new intersections constructed along a curved alignment of an existing street this is typically occurs at the intersection of a local street and a collector or arterial street where driveway approaches would not be permitted. However I agree that this should be made clearer in case there is a rare instance where this might occur.

The exhibits to be included in the text of the proposed code language clarify the dimensions in these two instances. It may still be advisable to add the words "curb return" to the proposed code language.

CUL-DE-SAC EXHIBIT



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STREET B

DRIVEWAY LOCATION EXHIBIT

SCALE: 1" = 30'

CURRAN-McLEOD, INC.
CONSULTING ENGINEERS